From: Teresa M. Gillotti

To: Ackerman, Zach; Amanda Carlisle; Anna Erickson

> Bannister, Anne; David Blanchard emary Sarri";

<u> Eleanor Pollack; Floria Tsui; Greg Pratt; Morghan Williams; "Nora Wright"; Paul Sher</u>

Thaddeus Jabzanka Mirada Jenkins

Subject: Follow up from last night"s council meeting Date: Tuesday, March 19, 2019 5:33:47 PM

Attachments: HHSAB reccomendations Lockwood resolutions.pdf

HHSAB reccomendations upcoming council-proposed resolutions.pdf

Good afternoon,

As most of you know, there were a number of agenda items on yesterday's council agenda connected to Affordable Housing. It is so vital to have a variety of voices heard, and I'm proud of HHSAB for participating both as a body with the attached resolutions that were sent to City Council on Friday, and for those of you participated as individuals.

I know it's been a goal of HHSAB to be more involved in these dialogues and decisions, so that you for your engagement.

Here's the related Mlive coverage related to the votes:

- "Ann Arbor exploring new options for affordable housing on 3 sites"
- "Ann Arbor council rejects affordable senior housing development"

Have a great evening!

-Teresa

Teresa Gillotti

Director

Office of Community & Economic Development 415 West Michigan Avenue Ypsilanti, MI 48197 (734) 544-3042 Phone (734) 259-3074 Fax gillottitm@washtenaw.org

Visit us on the web at: www.washtenaw.org/oced Learn about the County's Racial Equity initiative at www.opportunitywashtenaw.org Follow us on Socail Media at Facebook | Twitter

Housing and Human Services Advisory Board Resolution March 14, 2019 Proposed Lockwood Development

Memorandum

The City of Ann Arbor has consistently prioritized addition of committed Affordable Housing as a goal. In 2012, City Council and multiple City Boards and Commissions adopted the *City of Ann Arbor Sustainability Framework*. This framework provides an organizing structure for city plans and goals, fitting into three key aspects of sustainability including environment, economy, and equity. *Diverse housing* was identified as a goal within this framework, with the specific charge to "provide high quality, safe, efficient, and affordable housing choices to meet the current and future needs of our community, particularly for homeless and low-income households." One action item identified to meet this diverse housing goal was to conduct an analysis to better understand the current status of affordable housing in the community. With this charge, the Office of Community & Economic Development undertook a comprehensive analysis of housing and related equity indicators in Ann Arbor and across the urban core of Washtenaw County.

On February 17, 2015, the City of Ann Arbor Adopted the Housing Affordability and Economic Equity Analysis, resolving to commit to advancing the goals of this analysis to promote balancing in the County's housing market through policy and resource allocations, partnerships and collaborations throughout the County, including participation in the regional workgroup.

The affordable housing unit goals for the City of Ann Arbor as detailed in the 2015 Analysis included the development of 2,792 rental units affordable to households up to 60% of the AMI by 2035. Broken into an annual goal, the City should add 140 affordable units each year for 20 years. Since adoption of the plan, here is the progress:

- 2015 2 committed affordable units
- 2016 16 committed affordable units
- 2017 26 committed affordable units
- 2018 6 committed affordable units to date

Additionally, in the last 19 months more than 800 affordable units have been lost in the county including more than 200 affordable senior units.

On March 18, 2019, a series of development proposals and council resolutions around affordable housing will be presented. In light of that we would like to make the following recommendations to council related to those decisions:

Whereas, the City of Ann Arbor adopted the Housing Affordability and Economic Equity Analysis in 2015 that establishes a goal of supporting 140 new affordable units each year; and

Whereas, the proposed Lockwood development would add 41 units of affordable housing at 50% and 60% of the Area Median Income with a commitment to affordability for 99 years and significantly exceeds the requirements in the city's zoning ordinance for Planned Unit Developments, and

Whereas, the Planning Commission approved both the proposed rezoning and the proposed site plan, and

Whereas, the proposed development is well-suited to senior living as it's on a bus line, near grocery, restaurants, shops, library, karaoke, movie theatre, bowling alleys, natural areas as well as pharmacies and medical facilities, and

Whereas the Michigan Department of Environmental Quality (MDEQ), has confirmed that the proposed project will have no adverse environmental impact in regard to the Gelman Plume, that monitoring will continue regardless of a development, and

Whereas the by-right alternative to the current Lockwood proposal could be 21, over-sized single family units with limited setbacks, a height of 30 feet, and no additional amenities such as a playground, are counter to the City's desires for sustainability and inclusion, and

Now Therefore Be It Resolved, that the Housing and Human Services Advisory Board recommends that City Council approve the Planned Unit Development rezoning and site plan review, and

May it Further Be Resolved that the HHSAB considers that a vote against the proposed Lockwood development a vote against the City's Affordable Housing and Sustainability goals.

Moved by: R. Sarri and supported by E. Pollack

Approved unanimously:

Yays: A. Erickson, T. Jabzanka, A. Foster, E. Pollack, R. Sarri, A. Carlisle, G. Pratt

Nays: none

3-14-19

Memorandum

The City of Ann Arbor has consistently prioritized addition of committed Affordable Housing as a goal. In 2012, City Council and multiple City Boards and Commissions adopted the *City of Ann Arbor Sustainability Framework*. This framework provides an organizing structure for city plans and goals, fitting into three key aspects of sustainability including environment, economy, and equity. *Diverse housing* was identified as a goal within this framework, with the specific charge to "provide high quality, safe, efficient, and affordable housing choices to meet the current and future needs of our community, particularly for homeless and low-income households." One action item identified to meet this diverse housing goal was to conduct an analysis to better understand the current status of affordable housing in the community. With this charge, the Office of Community & Economic Development undertook a comprehensive analysis of housing and related equity indicators in Ann Arbor and across the urban core of Washtenaw County.

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Additionally, in the last 19 months more than 800 affordable units have been lost in the county including more than 200 affordable senior units.

On March 18, 2019, a series of development proposals and council resolutions around affordable housing will be presented. In light of that we would like to make the following recommendations to council related to those decisions:

Whereas, Councilmember Ackerman introduced the Resolution to Increase the Benefit and Use of the Downtown Affordable Housing Premium (DC-4), the Resolution to Pursue Affordable housing at 721 N. Main (DC-5), and the Resolution to Pursue Affordable Housing at 2000 S. Industrial (DC-6), and

Whereas, councilmember Hayner and Bannister introduced a Resolution for Affordable Housing at 1510 E. Stadium (DC-11)

Now Therefore Be It Resolved, that the Housing and Human Services Advisory Board recommends approval of all four resolutions and looks forward to supporting further action from the Planning Commission and Council as directed.

Moved by: R. Sarri and supported by E. Pollack

Approved unanimously:

Yays: A. Erickson, T. Jabzanka, A. Foster, E. Pollack, R. Sarri, A. Carlisle, G. Pratt

Nays: none

3-14-19

From: <u>Higgins, Sara</u>

To: Fournier, John; Kennedy, Mike; Crawford, Tom; Hupy, Craig; Delacourt, Derek; Lenart, Brett; Postema, Stephen;

McDonald, Kevin; Frost, Christopher

Cc: <u>Lazarus, Howard</u>

Subject: FW: request for resolution on City-owned property

Date: Tuesday, March 19, 2019 4:11:39 PM

All.

Copying you to make sure that you are aware of the request that was submitted to the City Administrator today.

Sara Higgins
Strategic Planning Coordinator
City of Ann Arbor
City Administrator's Office
Phone: (734) 794-6110

Internal Number: 41102

From: Nelson, Elizabeth < ENelson@a2gov.org>

Sent: Tuesday, March 19, 2019 4:07 PM

To: Eaton, Jack <JEaton@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org> **Cc:** Higgins, Sara <SHiggins@a2gov.org>; Hall, Jennifer <JHall@a2gov.org>

Subject: RE: request for resolution on City-owned property

Hi,

I appreciate this message. I obviously share CM Eaton's perspective on this topic. I was tempted to bring a similar resolution for consideration last night but I feared that it would look like raining on a parade, stomping on puppies, or otherwise being an obstacle to progress.

I'm pleased that we could show support last night for a selective list but the process identifying (or LACK of process in identifying!) top choices was genuinely puzzling to me. However, I am glad it became an excuse to bring up the fire station, because that location is particularly central, convenient, and environmentally uncomplicated. In the context of so much conversation about housing-- particularly arguments about how few "good" locations are even left in the city-- I think it's lunacy for us to consider sale/liquidation as a possible best use.

I appreciate CM Eaton bringing this up, I appreciate next steps we can take for serious and comprehensive analysis.

Flizabeth

From: Eaton, Jack < JEaton@a2gov.org
Sent: Tuesday, March 19, 2019 2:23 PM
To: Lazarus, Howard < HLazarus@a2gov.org

Cc: Higgins, Sara < SHiggins@a2gov.org>; Nelson, Elizabeth < ENelson@a2gov.org>; Hall, Jennifer

<JHall@a2gov.org>

Subject: request for resolution on City-owned property

Mr. Lazarus,

The March 18 Council meeting included discussion of three properties as potential sites for affordable housing (DC-5, DC-6, and DC-11). Staff responses to Council Member's agenda questions included a feasibility analysis for 10 City-owned properties (attached). I believe that having individual Council Members select properties for action rather than having staff rank the entire list of potential sites does not follow best practices. Had I known in advance that 10 sites were available, I would have asked for staff input on which properties should be selected for action.

I would appreciate it if you would prepare a resolution for me to introduce at the next Council meeting to direct Housing staff to rank the 10 properties to identify which properties should be given priority in our efforts to build affordable housing on City-owned land. Ideally, that resolution will reference the March 18 resolutions and direct staff to take a broader view in an initial review of potential affordable housing sites when following up on the evaluation of those three sites (721 N. Main, 2000 Industrial, and 1510 E. Huron).

I have copied Council Member Nelson because she indicated a desire to look at our properties in a more comprehensive review than the three resolutions achieved. I have copied Jennifer Hall to keep her informed of my request for input from her office. It is not my intent to add to the Housing office's work load unless it serves their purposes.

Thank you, Jack

Jack Eaton
Ward 4 Council member
jeaton@a2gov.org
734-662-6083

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

From: Nelson, Elizabeth

To: <u>Eaton, Jack; Lazarus, Howard</u>
Cc: <u>Higgins, Sara; Hall, Jennifer</u>

Subject: RE: request for resolution on City-owned property

Date: Tuesday, March 19, 2019 4:07:26 PM

Hi.

I appreciate this message. I obviously share CM Eaton's perspective on this topic. I was tempted to bring a similar resolution for consideration last night but I feared that it would look like raining on a parade, stomping on puppies, or otherwise being an obstacle to progress.

I'm pleased that we could show support last night for a selective list but the process identifying (or LACK of process in identifying!) top choices was genuinely puzzling to me. However, I am glad it became an excuse to bring up the fire station, because that location is particularly central, convenient, and environmentally uncomplicated. In the context of so much conversation about housing-- particularly arguments about how few "good" locations are even left in the city-- I think it's lunacy for us to consider sale/liquidation as a possible best use.

I appreciate CM Eaton bringing this up, I appreciate next steps we can take for serious and comprehensive analysis.

Elizabeth

From: Eaton, Jack <JEaton@a2gov.org>
Sent: Tuesday, March 19, 2019 2:23 PM
To: Lazarus, Howard <HLazarus@a2gov.org>

Cc: Higgins, Sara <SHiggins@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>; Hall, Jennifer

<JHall@a2gov.org>

Subject: request for resolution on City-owned property

Mr. Lazarus,

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in a more comprehensive review than the three resolutions achieved. I have copied Jennifer Hall to keep her informed of my request for input from her office. It is not my intent to add to the Housing office's work load unless it serves their purposes.

Thank you, Jack

Jack Eaton Ward 4 Council member jeaton@a2gov.org 734-662-6083

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From: <u>Lazarus, Howard</u>
To: <u>Eaton, Jack</u>

Subject: Re: request for resolution on City-owned property

Date: Tuesday, March 19, 2019 3:13:40 PM

CME:

I am out until Thursday, but will send you some thoughts to ensure we are going in the right direction.

Howard S Lazarus Sent from my iPhone

On Mar 19, 2019, at 2:22 PM, Eaton, Jack < <u>JEaton@a2gov.org</u>> wrote:

Mr. Lazarus,

The March 18 Council meeting included discussion of three properties as potential sites for affordable housing (DC-5, DC-6, and DC-11). Staff responses to Council Member's agenda questions included a feasibility analysis for 10 Cityowned properties (attached). I believe that having individual Council Members select properties for action rather than having staff rank the entire list of potential sites does not follow best practices. Had I known in advance that 10 sites were available, I would have asked for staff input on which properties should be selected for action.

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Thank you, Jack

Jack Eaton
Ward 4 Council member
jeaton@a2gov.org
734-662-6083

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<Housing sites.pdf>

From: <u>Eaton, Jack</u>
To: <u>Lazarus, Howard</u>

Cc: Higgins, Sara; Nelson, Elizabeth; Hall, Jennifer

Subject: request for resolution on City-owned property

Date: Tuesday, March 19, 2019 2:22:47 PM

Attachments: Housing sites.pdf

Mr. Lazarus,

The March 18 Council meeting included discussion of three properties as potential sites for affordable housing (DC-5, DC-6, and DC-11). Staff responses to Council Member's agenda questions included a feasibility analysis for 10 City-owned properties (attached). I believe that having individual Council Members select properties for action rather than having staff rank the entire list of potential sites does not follow best practices. Had I known in advance that 10 sites were available, I would have asked for staff input on which properties should be selected for action.

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Ward 4 Council member
jeaton@a2gov.org
734-662-6083

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A		В	С	D	E	F	G	Н	1	J	K	L	М	N	0	Р	0	R	S	T	U	V	W
1		_	-								City Team			<u> </u>		<u> </u>		Teresa/OCED Team		<u> </u>			
Property name/addres	Address		Notes	Municipality	PIN	Acreage	Acreage (Sum)	Owner	Zoning or potential Zoning	Relevant Plans	FAR and/or Density	Parking Requirement	Qualified Census Tract	Brownfield y/n	DDA District (y/n)	Flood Plain (y/n)	Flood Way (y/n)	Contamination, Toxic Substances, Explosives, Flammable Substances (See Env. Review Maps)	rport Hazard (Y/I	Historic District (y/n & Area of Potential Effect [APE])	Noise (See Env. Review Maps and assoc.spdsht.)	Railroad Noise Haza	r Opportunity Zone (¥/N)
Y Lot - 350 S. Avenue	Fifth 350 S 5th	h Ave		Ann Arbor		-001 0.805528		City	D1				Y	Υ	Y	N	N	х	N	No APE - E William & Liberty St HD	х	Υ	
Kline Lot -cor floodwayzc in on firmette	om 104 William	hely St iam St hley St /illiam St	Multiple parcels	Ann Arbor	09-09-29-408 09-09-29-408 09-09-29-408 09-09-29-408	.001 0.783909 .002 0.10797 .003 0.130929 .004 0.046121 .005 0.072567 .006 0.11059	1.252086	City	D1				Y	Probably	Υ	N	N	х	N	Yes - Liberty St Hist. Dist. APE - Old West Side HD, East William HD, First National Bank Building, Germania Building Complex	х	Υ	
First Ave (1st William)	and 216 W Wil	/illiam St		Ann Arbor	09-09-29-300	0.793129		City	D2				Y	Y - Facility - Deb Gosselin has some environmental data	Y	Y	Υ	х	N	No APE - Old West Side HD, Liberty St HD, Germania Building Complex	х	Υ	
415 West Washington Street	415 W Wa	/ashington St		Ann Arbor	09-09-29-211	-003 2.239696		City	D2				N	Y - Facility - Deb Gosselin has some environmental data	Y	Y	Y	х	N	Yes - Old West Side HD APE - Liberty St HD	х	Y	
721 N. Main to communit center) - less likely for tax credit	,	ain St		Ann Arbor	09-09-20-409	4.573106		City	PL - Current; Potential - Multiple Family, Office				N	Y - Facility - Deb Gosselin has some environmental data	N	Υ	Y	х	N	No APE - None	х	Y	
2000 S. Indus	trial 2000 S Ind	ndustrial Hwy		Ann Arbor	09-12-04-200	-013 4.011334		City	Industrial/Research	P. 111, Site 5 - not recommended for residential			N	Y - Facility - Deb Gosselin has some environmental data	N	N	N	х	N	No APE - None	х	Υ	
2050 South Industrial			Same Parcel as 2000 S ndustrial							P. 111, Site 5 - not recommended for residential			N	? - Deb Gosselin has some environmental data				х			x		
Stadium Driv Fire Departm #2 - city fire would sell fo market rate . 1 million	1510 E Sta	tadium Blvd	AAHC in conversation with City administrator Fire dept looking to generate revenue for Fire Station #1	Ann Arbor	09-09-33-410	0.777102		City	R1 master planned; consider of	other Rs			N		N	N	N	х	N	No APE - None	x	Y	
404-406 N. Ashley - dent clinic	al 404 N Ash	shley St	U of M sponsored but no rent, Possibly not nline with initial CDBG nvestment. Newer ease has U of M paying for maintenance/snow removal, etc.	Ann Arbor	09-09-29-139	0.375737		City	D2				N		Υ	N	N	х	N	No APE - Thomas Earl House, Kellogg- Warren House, Main St Post Office	х	Y	
3400 block o Platt - owned City - runs to springbrook - duplexes - 8	3443 Sprir 3440 Platt			Ann Arbor	09-12-10-109 09-12-10-109	0.23084 0.019 0.373644 0.020 0.374056 0.021 0.376871	1.355411	City	Maybe habitat? R1D, R1E				N		N	N	N	х	N	No	х	N	

From: Bannister, Anne

To:

Subject: FW: Treeline Trail thoughts about DC-5, Resolution 19-0451

Date: Tuesday, March 19, 2019 1:29:28 PM

Link to video from last night!

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

From: Bannister, Anne

Sent: Tuesday, March 19, 2019 12:57 PM

To: Joe O'Neal

Cc: Seyfarth, Heather; Lazarus, Howard; Darren McKinnon (dmckinnon@firstmartin.com); Francesca Cassara ; Greg Holcombe ; Herbert, Norman; Janine

Easter ; Jonathan Bulkley ; Karen Goldburg ();

; Roy Muir ; Wayne

Colquitt; Hayner, Jeff; Taylor, Christopher (Mayor); Lumm, Jane; Eaton, Jack; Kim Easter

Subject: RE: Treeline Trail thoughts about DC-5, Resolution 19-0451

Dear Joe O'Neal and everyone,

Although I voted against it, the resolution passed Council last night, with CMs Lumm, Eaton, Ramlawi, and Hayner voting against it with me (5 votes). Those voting for it were Mayor Taylor and CMs Griswold, Grand, Ackerman, Nelson, and Smith (6 votes). I'm not able to copy all the Councilmembers due to the Open Meetings Act.

This link is to the video, starting at 6:40:50 hours: https://www.youtube.com/watch?v=RwJtTL_UM3E

This link is to Resolution 19-0451: http://a2gov.legistar.com/LegislationDetail.aspx? ID=3878793&GUID=74BE4060-E404-4700-8B5B-D91489CA07C8&Options=ID|Text|&Search=19-0451

For future reference, you're all welcome to speak at Council meetings. The process to reserve one of ten spots is to call 734-794-6140 at 8 a.m. on Monday before a Council meeting. This link is to further instructions: https://www.a2gov.org/departments/city-council/Pages/CityCouncilMeetings.aspx

Sincerely, Anne

Anne Bannister Ward One Councilmember cell: 734-945-1639 abannister@a2gov.org Term Nov. 2017 - Nov. 2020

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

From: Joe O'Neal [joneal@onealconstruction.com]

Sent: Monday, March 18, 2019 1:11 PM

To: 'Christopher Taylor (ctaylor@hooperhathaway.com)'; Bannister, Anne; Hayner, Jeff; Lumm, Jane; Griswold, Kathy; Ackerman, Zach; Grand, Julie; Eaton, Jack; Nelson, Elizabeth; Smith, Chip; Ramlawi, Ali

Cc: Seyfarth, Heather; Lazarus, Howard; Darren McKinnon (dmckinnon@firstmartin.com); Francesca

Cassara

(); Greg Holcombe

Easter

(); Joe O'Neal; Jonathan Bulkley

(); Wayne

Colquitt

Subject: FW: Treeline Trail thoughts about DC-5, Resolution 19-0451

Dear Councilmembers:

I sent the email below to Councilmember Banister yesterday re your Resolution **DC-5-Resolution 19-0451**. I ask, on behalf of the **Treeline Conservancy**, that action on this Resolution be delayed.

Later in the day yesterday, I sent the following to Councilmember Banister: "In addition to my email that I sent you this morning, I have attached a copy of Page 20 of the Business Plan that we negotiated with the City regarding the Treeline. As you can see, the proposed Resolution is not in keeping with the Plan. I hope that, at a minimum, you can get us more time to work out an approach that all parties can agree is fair. Although we were apprised of its coming, we were not provided with a copy nor given time to respond."

Please delay action until we can all talk.

Joe E. O'Neal, Chair The Treeline Conservancy

From: Joe O'Neal

Sent: Sunday, March 17, 2019 11:28 AM

To: Bannister, Anne <ABannister@a2gov.org>

Cc: Janine Easter <easterjanine@gmail.com>; Hayner, Jeff <JHayner@a2gov.org>; Griswold, Kathy

<KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Nelson, Elizabeth

<ENelson@a2gov.org>; Kim Easter <kim.e.easter@gmail.com>

Subject: Re: Treeline Trail thoughts about DC-5, Resolution 19-0451

Anne -

Excellent research! I will do some homework when I get to my computer later today and be back in touch. I was led to believe that we were going to create a process by which we would find the best, most financially viable and most community acceptable way/ways to utilize 415 and 721. Dictating, not only risks very bad long term results, but may greatly weaken public interest and financial involvement in the Treeline. There are many factors to be considered in creating the ultimate design (I use the word "ultimate" in two ways - as the final and as the most perfect design). Nothing will be gained, and much could be lost, by strangling the process before the climb even begins.

We discussed laser focusing on the first section, B2B Trail to 721 N Main, with the City and now we are jumping all over the Trail. Let's focus, not distract our energies!

Regarding our undeniable need for affordable and workforce housing, has a study been undertaken re all potential sites, public and private, and the costs per unit, etc.? In other words, where do we get the most bang for the buck?

Sent from my iPhone

On Mar 16, 2019, at 4:59 PM, Bannister, Anne < ABannister@a2gov.org > wrote:

Dear Joe O'Neal and Janine Easter,

What are your thoughts about <u>DC-5- Resolution 19-0451</u>, which is on the Council Agenda for Monday night, March 18?

My preliminary research into the history of 721 N. Main shows that in 2005, Council Minutes show Resolution 374-8-05 was approved. Scroll down to see this excerpt:

Resolved, That the area of the City properties at 415 W. Washington and 721 N. Main within the floodway will be included in the new Greenway. The remaining portion of these sites will be reserved for mixed use, which could include additional park or Greenway area, space for non profit organizations, art, housing, and/or commercial entities;

In 2012, there was a report called <u>721 N. Main Conceptual Site Development Alternatives</u>, where the above excerpt was referenced on page 5, along with other recommendations including biking and walking trails, and consistency with the neighborhood character and scale.

Both of these 2005 and 2012 documents appear to possibly conflict with the new Resolution 19-0451. What do you think? Are the potentially competing interests of the Treeline Urban Trail and the Affordable Housing resolution properly harmonized?

Does this excerpt from Resolution 19-0451 sound okay, or need more work?

RESOLVED, That the Ann Arbor City Council directs the City Administrator to ensure any future development of the Property includes affordable housing; and RESOLVED, That by August 1, 2019 the City Administrator will recommend to City Council a policy or process to follow which addresses the following requirements:

- The City will maintain ownership of the Property (e.g., land lease)
- Any potential developer will offer a mix of unit types and rent level
- Any Developer will maximize the number of affordable housing units for those who make up to 60% of the Area Median Income while balancing other priorities such as funding the Treeline Urban Trail
- Any Developer will accept Housing Choice Vouchers
- Sponsored by: Councilmembers Ackerman, Smith and Mayor Taylor

I'm considering whether it would be better to consider a *more wholistic approach to planning* for 721 N. Main, rather the *decision-making by sequential resolutions.*

Your advice and insights are most welcome and encouraged.

Thanks, Anne

Anne Bannister
Ward One Councilmember
cell: 734-945-1639
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Bannister, Anne
To: Joe O"Neal

Cc: Seyfarth, Heather; Lazarus, Howard; Darren McKinnon (dmckinnon@firstmartin.com); Francesca Cassara

<u>Greg Holcombe</u>); <u>Herbert, Norman</u>; <u>Janine Easter</u>

; <u>Jonathan Bulkley (</u>

; Roy Muir ; Swayne Colquitt;

Hayner, Jeff; Taylor, Christopher (Mayor); Lumm, Jane; Laton, Jack; Kim Easte

Subject: RE: Treeline Trail thoughts about DC-5, Resolution 19-0451

Date: Tuesday, March 19, 2019 12:57:05 PM

Dear Joe O'Neal and everyone,

Although I voted against it, the resolution passed Council last night, with CMs Lumm, Eaton, Ramlawi, and Hayner voting against it with me (5 votes). Those voting for it were Mayor Taylor and CMs Griswold, Grand, Ackerman, Nelson, and Smith (6 votes). I'm not able to copy all the Councilmembers due to the Open Meetings Act.

This link is to the video, starting at 6:40:50 hours: https://www.youtube.com/watch?v=RwJtTL UM3E

This link is to Resolution 19-0451: http://a2gov.legistar.com/LegislationDetail.aspx? ID=3878793&GUID=74BE4060-E404-4700-8B5B-D91489CA07C8&Options=ID|Text|&Search=19-0451

For future reference, you're all welcome to speak at Council meetings. The process to reserve one of ten spots is to call 734-794-6140 at 8 a.m. on Monday before a Council meeting. This link is to further instructions: https://www.a2gov.org/departments/city-council/Pages/CityCouncilMeetings.aspx

Sincerely, Anne

Anne Bannister Ward One Councilmember cell: 734-945-1639 abannister@a2gov.org Term Nov. 2017 - Nov. 2020

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

From: Joe O'Neal [joneal@onealconstruction.com]

Sent: Monday, March 18, 2019 1:11 PM

To: 'Christopher Taylor (ctaylor@hooperhathaway.com)'; Bannister, Anne; Hayner, Jeff; Lumm, Jane; Griswold, Kathy; Ackerman, Zach; Grand, Julie; Eaton, Jack; Nelson, Elizabeth; Smith, Chip; Ramlawi, Ali Cc: Seyfarth, Heather; Lazarus, Howard; Darren McKinnon (dmckinnon@firstmartin.com); Francesca Cassara ; Grand ; Grand ; Grand ; Grand ; Herbert, Norman; Janine Easter ; Joe O'Neal; Jonathan Bulkley ; Karen Goldburg ; Roy Muir ; Roy Muir ; Wayne Colquitt

Subject: FW: Treeline Trail thoughts about DC-5, Resolution 19-0451

Dear Councilmembers:

I sent the email below to Councilmember Banister yesterday re your Resolution **DC-5-Resolution 19-0451**. I ask, on behalf of the **Treeline Conservancy**, that action on this Resolution be delayed.

Later in the day yesterday, I sent the following to Councilmember Banister: "In addition to my email that I sent you this morning, I have attached a copy of Page 20 of the Business Plan that we

negotiated with the City regarding the Treeline. As you can see, the proposed Resolution is not in keeping with the Plan. I hope that, at a minimum, you can get us more time to work out an approach that all parties can agree is fair. Although we were apprised of its coming, we were not provided with a copy nor given time to respond."

Please delay action until we can all talk.

Joe E. O'Neal, Chair The Treeline Conservancy

From: Joe O'Neal

Sent: Sunday, March 17, 2019 11:28 AM **To:** Bannister, Anne <ABannister@a2gov.org>

Cc: Janine Easter <easterjanine@gmail.com>; Hayner, Jeff <JHayner@a2gov.org>; Griswold, Kathy

<KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Nelson, Elizabeth

<ENelson@a2gov.org>; Kim Easter <kim.e.easter@gmail.com>

Subject: Re: Treeline Trail thoughts about DC-5, Resolution 19-0451

Anne -

Excellent research! I will do some homework when I get to my computer later today and be back in touch. I was led to believe that we were going to create a process by which we would find the best, most financially viable and most community acceptable way/ways to utilize 415 and 721. Dictating, not only risks very bad long term results, but may greatly weaken public interest and financial involvement in the Treeline. There are many factors to be considered in creating the ultimate design (I use the word "ultimate" in two ways - as the final and as the most perfect design). Nothing will be gained, and much could be lost, by strangling the process before the climb even begins.

We discussed laser focusing on the first section, B2B Trail to 721 N Main, with the City and now we are jumping all over the Trail. Let's focus, not distract our energies!

Regarding our undeniable need for affordable and workforce housing, has a study been undertaken re all potential sites, public and private, and the costs per unit, etc.? In other words, where do we get the most bang for the buck?

Sent from my iPhone

On Mar 16, 2019, at 4:59 PM, Bannister, Anne < ABannister@a2gov.org > wrote:

Dear Joe O'Neal and Janine Easter,

What are your thoughts about <u>DC-5- Resolution 19-0451</u>, which is on the Council Agenda for Monday night, March 18?

My preliminary research into the history of 721 N. Main shows that in 2005, Council Minutes show Resolution 374-8-05 was approved. Scroll down to see this excerpt:

Resolved, That the area of the City properties at 415 W. Washington and 721 N.

Main within the floodway will be included in the new Greenway. The remaining portion of these sites will be reserved for mixed use, which could include additional park or Greenway area, space for non profit organizations, art, housing, and/or commercial entities;

In 2012, there was a report called <u>721 N. Main Conceptual Site Development Alternatives</u>, where the above excerpt was referenced on page 5, along with other recommendations including biking and walking trails, and consistency with the neighborhood character and scale.

Both of these 2005 and 2012 documents appear to possibly conflict with the new Resolution 19-0451. What do you think? Are the potentially competing interests of the Treeline Urban Trail and the Affordable Housing resolution properly harmonized?

Does this excerpt from Resolution 19-0451 sound okay, or need more work?

RESOLVED, That the Ann Arbor City Council directs the City Administrator to ensure any future development of the Property includes affordable housing; and RESOLVED, That by August 1, 2019 the City Administrator will recommend to City Council a policy or process to follow which addresses the following requirements:

- The City will maintain ownership of the Property (e.g., land lease)
- Any potential developer will offer a mix of unit types and rent level
- Any Developer will maximize the number of affordable housing units for those who make up to 60% of the Area Median Income while balancing other priorities such as funding the Treeline Urban Trail
- Any Developer will accept Housing Choice Vouchers
- Sponsored by: Councilmembers Ackerman, Smith and Mayor Taylor

I'm considering whether it would be better to consider a *more wholistic approach to planning* for 721 N. Main, rather the *decision-making by sequential resolutions.*

Your advice and insights are most welcome and encouraged.

Thanks, Anne

Anne Bannister
Ward One Councilmember
cell: 734-945-1639
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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

 From:
 Bannister, Anne

 To:
 Robert Frank

 Cc:
 Hayner, Jeff

Subject: Re: (Mar 17, 2019) City Council meeting communication to members

Date: Tuesday, March 19, 2019 11:32:11 AM

Thanks for your input, Robert! The ICPOC passed Council last night, with Jeff, Elizabeth and me voting no. And the pedestrian safety updates were referred back to the Transportation and Disability Commissions.

We continue to work on all these issues. Last night's meeting went until nearly 2 am and we are still recovering.

Thanks, Anne

From: Robert Frank

Sent: Sunday, March 17, 2019 5:52 PM

To: CityCouncil

Subject: Fwd: (Mar 17, 2019) City Council meeting communication to members

Councilmember, please take the time to read my communication below. Thank you.

Robert Frank

From: Robert Frank

Sent: Sunday, March 17, 17:50

Subject: Re: Elizabeth Nelson's City Council Newsletter (Mar 17, 2019)

To: Elizabeth Nelson

Elizabeth, I so appreciate your communications to Ann Arbor residents. You are very generous with your time.

Couple thoughts

First, I fervently hope that our community police oversight board will only have members who belong to the Ann Arbor resident community. It would be insulting and wrong to have any non-residents on the oversight committee.

Second, as someone who walks alot in town along busy streets, I have an added suggestion

for your crosswalk ordinance improvement (and an improvement it is).

Pedestrians should be required to wait until cars stop before crossing. This will save pedestrians from injury and possibly save lives. Pedestrians should raise an arm to indicate they want to cross at the crosswalk so drivers are made very aware.

There is so much distracted driving that for pedestrians to cross the street before all traffic has stopped is foolhardy.

Please, it is much better for a pedestrian to wait a few seconds, a minute, or even a few minutes, than to cross before traffic is stopped and it is truly safe.

Due to the risk to pedestrians, they need to take on the onus of responsibility. Even the very safest driver will have a moment of distraction. Let's rethink our laws to better help pedestrians protect themselves.

As someone who was a pedestrian in the legal right, but was hospitalized by a distracted driver, I know first hand that the only safe way to be a pedestrian is to be the fully responsible party for ones own safety.

Thank you for your time!

If you are able to forward this to other council members I would appreciate it!

Robert Frank

Ann Arbor resident of 40 years.

Robert Frank

From: Elizabeth Nelson <contact@a2elnel.com>

Sent: Sunday, March 17, 2019 11:50:32 AM

To: rjf9rjf@hotmail.com

Subject: Elizabeth Nelson's City Council Newsletter (Mar 17, 2019)

Ann Arbor City Council Member Ward 4

Hello neighbors!

This week on City Council, we have a particularly long agenda up for discussion that include four public hearings, four first-readings of ordinance amendments, and some new/unfinished business to consider affordable housing issues.

Before I jump into my summary of items on the agenda, I'd like to invite you to my coffee hours today (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.

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!	
The public is invited to a Council Caucus this Sunday, March 17th. Directions will be posted on the exterior doors of City Hall.	

Council Caucus

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:





This past week, residents met with city staff to talk about recent changes to the intersections of Seventh/Stadium and Seventh/Scio Church. I thank city staff for their work in preparing for this meeting with visual presentations and feedback forms. Our city is lucky to have such a strong team of professionals that is willing to spend those extra evening hours with the community, answering questions and hearing resident concerns. Thank you to all residents who came out to share your views about how to make these intersections safer!

In addition to the meeting mentioned above, the City has an online survey about these intersections which is open until Monday March 18th at 9am.

https://www.a2elnel.com/blog/online-survey-for-seventh-scio-church-and-seventh-stadium-intersections
Ward Talk on CTN
Last week I participated in the CTN show
WARD TALK
with Bonnie Gabowitz. It was a fun time (Bonnie is a former Ward 4 resident and

great host). You can watch the show on CTN's YouTube page:

https://youtu.be/rQ_IJ2fFyEc

Website Updates

In addition to writing this newsletter, I post regular 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. I occasionally .

Below are links to stories I posted since the previous newsletter, and posts about meetings coming up in the next two weeks. You can see a listing of all my posts here:







https://www.a2elnel.com/blog/council-caucus-on-sunday-nights City Council Voting Chart for Mar 4, 2019 https://www.a2elnel.com/blog/city-council-voting-chart-for-mar-4-2019

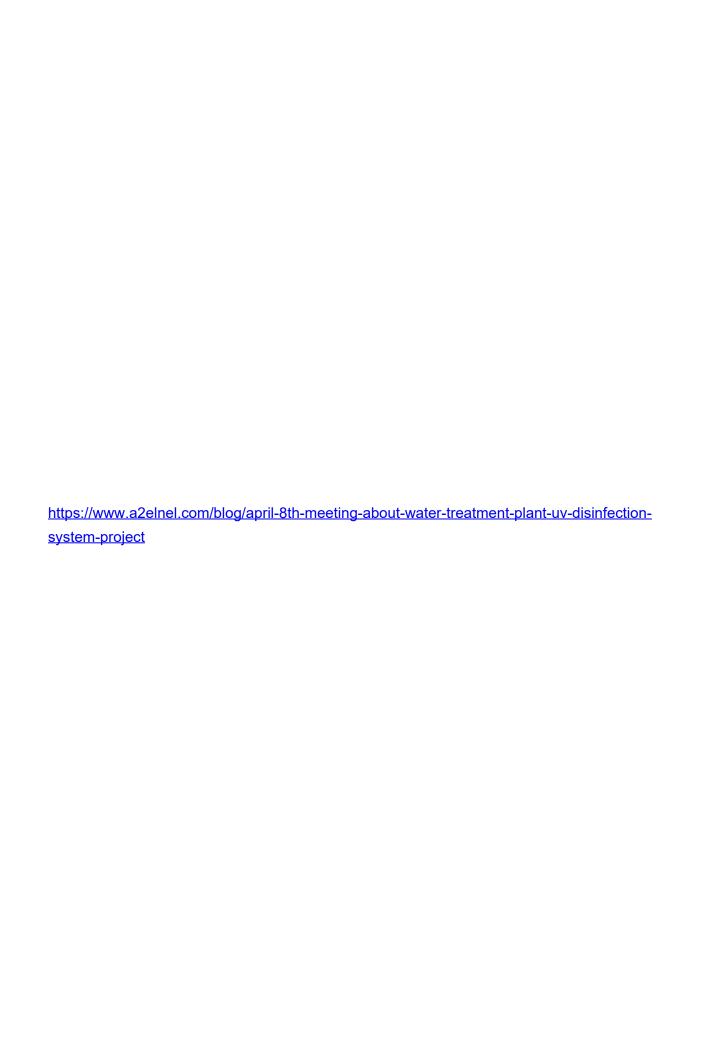
Ward 4 News/City News

Mar 21st Scio Church Traffic Calming meeting

https://www.a2elnel.com/blog/mar-21st-scio-church-traffic-calming-meeting

Mar 21st Sustainable Ann Arbor Forum

https://www.a2elnel.com/blog/mar-21st-sustainable-ann-arbor-forum
April 8th meeting about Water Treatment Plant UV Disinfection System Project





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



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:



If you have specific interests related to the city's work, e.g. consideer management, recycling, you can subscribe to receive email various topics found here:	struction projects, ed updates on



Volunteer Boards and Commissions
Membership on these 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)



HIGHLIGHTS Council Meeting Agenda 3/18/19

Below is my summary of some issues on the City Council Agenda this week, with links to more information about each of them.
The full agenda in PDF format (along with links to each proposed ordinance/resolution) can be found on the A2Gov Legistar website here:
https://a2gov.legistar.com/MeetingDetail.aspx?ID=682813&GUID=79E13FFC-3968-4609-85B9-EEC37135294A&Options=info&Search=
If you have comments about any of these issues, feel free to email me at my official City email:

ENelson@A2gov.org



Issues subject to public hearing will also be up for a vote by Council later in the meeting

)

An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.77
Acres from PUD (Planned Unit Development District) to PUD (Planned Unit
Development District), Malletts Wood 1 & 2 PUD Zoning and Supplemental Regulations,
3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
(Ordinance No. ORD-19-04)

A property at 3300 Cardinal Avenue (east of Mary Beth Doyle park) would be zoned single-family. This ordinance would rezone the 3.77 acre site from PUD (Planned Unit Development District) to R1E (Single-Family Dwelling District) to allow development of single-family detached homes.

PH-2/DB-2 (

19-0379

) Resolution to Approve Malletts Wood 2 Amended PUD Site Plan and Development Agreement, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A site plan would construct 19 single-family detached condominium dwelling units on Cardinal Drive and Sharon Court (a new public road) on a 3.77 acre parcel. Each unit will be no more than 2000 square feet in floor area.

) Resolution to Approve the Durling Annexation, 0.106 Acre, South Side of Valley Drive, West of Dexter Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A property in Scio township (south side of Valley Drive and West of Dexter Road) would be annexed into the city. Current use is consistent with adjacent zoning, land uses and master plan.

PH-4/C-1 (

19-0163

) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

A property at 3365 Jackson Road (overlooking Dolph Park) would be granted PUD zoning to permit a 106,245 square foot, 95 unit senior living facility with 65 parking places. This would be a rezoning of 3.52 Acres that are currently R1C (Single-Family Residential District). It was approved 6-1 by the Planning Commission.

Unfinished/New Business

B-1 (

19-0132)

An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.77 Acres from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Malletts Wood 1 & 2 PUD Zoning and Supplemental Regulations, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-19-04) This is the same as PH-1 above C-1 (**19-0163**) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365

Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

This is the same as PH-4 above

C-2 (

19-0275

) An Ordinance to Amend Chapter 55 (Zoning), Zoning of 0.6 Acre from C2B (Business Service District) to R2A (Two-Family Dwelling District), including 606, 610, 614, 616, 618, 622, and 628 South Ashley Street (CPC Recommendation: Denial - 0 Yeas and 8 Nays)

An area of .6 acres that includes 606, 610, 614, 616, 618, 622, and 628 South Ashley Street will be re-zoned from C2B (Business Service District) to R2A (Two-Family Dwelling District). This is to discourage commercial use and maintain existing scale and character, as directed by City Council resolution from 9/4/18 (sponsored by CM Chip Smith). The Planning Commission recommended denial (0-8)

C-3 (

<u>19-0343</u>

) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 58 Lots from R4C (Multiple-Family Dwelling District) to R1D (Single Family Dwelling District) and 4 Lots from R4C (Multiple-Family Dwelling District) to R1E (Single Family Dwelling District), West Hoover Avenue/West Davis Avenue Area Rezoning, (CPC Recommendation: Denial - 5 Yeas and 3 Nays)

and Myron Court to protect the existing lower-density development west of Main Street, in compliance with the Master Plan. This is to discourage commercial use and maintain existing scale and character, as directed by City Council resolution from 9/4/18 (sponsored by CM Chip Smith). City staff's plan would rezone most (58) of the lots to R1D, rezone four lots to R1E, and keep the remaining eight lots zoned R4C. The Planning Commission recommended denial (5-3)

) An Ordinance to Amend Title VI (Food and Health) of the Code of the City of Ann Arbor by Adding a New Chapter 73 (Two-Cycle Power Equipment)

The use of two-cycle power equipment would be banned within the Downtown Development Authority area of the city. This refers mostly to landscaping equipment that is used to blow leaves and debris, collect leaves and debris, and trim hedges and bushes.

C-5 (

<u>19-0552</u>

) An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor

An amendment to our crosswalk law would reduce ambiguity, improving communication between the driver approaching a crosswalk and the pedestrian trying to cross. I have brought this resolution to bring our crosswalk law into compliance with best practices currently being adopted by other communities.

18-2100

) Resolution to Amend the Old West Side Residential Parking District - West Mosley Street and Appropriate General Fund Unobligated Fund Balance (\$1,000.00) (8 Votes Required)

An existing residential parking district will be expanded to include a stretch of Mosley Street at 309-415. The City will spend \$1000 installing signs and expects additional annual revenue of \$450 from new residential permit fees. The Old West Side Association supports the change.

DC-2 (

19-0406

) Resolution to Appoint Members to the Independent Community Police Oversight Commission (7 Votes Required)

Eleven people have been nominated to the Independent Community Police Oversight Commission, including four non-residents.

DC-3 (

19-0300

) Resolution to Amend Council Rules 1, 5B, 5D, 5E, 5F, and 7

The most significant proposed changes would adjust the timeline of Council's preparation for meetings by shifting the planning timeline earlier for staff. I explained the current timeline on my website:

https://www.a2elnel.com/blog/city-council-agenda-timeline-questions-to-the-agenda
The proposed rules change would set the agenda earlier, giving Council the same amount of time to submit questions, but a full weekend (rather than a couple hours) to read responses to those questions. An addition to public speaking rules clarifies that council members and staff will not be interrupted and the public may not disrupt a council meeting.



) Resolution to Increase the Benefit and Use of the Downtown Affordable Housing Premium
The planning commission would be directed to consider policies that would offer more premiums to real estate developers willing to create affordable housing downtown.
DC-5 (

This directs the City Administrator to consider a future development of the city owned property at 721 N. Main Street under the terms of a "land lease" and ensure that it would include some affordable housing. Any potential developer would include a mix of unit types and rent levels.

DC-6 (

) Resolution to Pursue Affordable Housing at 2000 S. Industrial

This directs the City Administrator to consider a future development of the city owned property at 1000 S. Industrial under the terms of a "land lease" and ensure that it would include some affordable housing. Any potential developer would include a mix of unit types and rent levels and office space for the Ann Arbor Housing Commission.

DC-7 (

<u>19-0528</u>

) Resolution to Direct the City Administrator to Study Potential Regulation of Short-term Rentals

The city administrator will report on the feasibility of regulating short-term rentals ("AirBnB") in the city of Ann Arbor for the purpose of preserving our supply of year-round housing and protecting the character of our year-round resident neighborhoods. The report will consider peer cities and possible distinctions

between partial or whole home/unit categories (e.g. those properties occupied primarily by year-round owners/renters and properties occupied primarily by short-term renters).

DC-8 (

19-0529

) Resolution to Support City of Ann Arbor Flying the Transgender Flag on International Transgender Day of Visibility - March 31

March 31 will be recognized as International Transgender Day of Visibility by flying the transgender flag at Larcom City Hall.



<u>19-0475</u>

) Resolution to Approve Agreements with 115 Depot, LLC and 201 Depot L.L.C. for Storm Water, Sidewalk and Temporary Construction Easements at 115 and 201 Depot Street for the Allen Creek Railroad Berm Opening Project (8 Votes Required)
The entity of 115 Depot, LLC will grant the city Storm Water and Sidewalk
easements for the Allen Creek Railroad Berm Opening Project.
DC-10 (
<u>19-0469</u>
) Resolution to Approve an Agreement with DTE Gas Company for Storm Water and

Sidewalk Easements and a Temporary Construction Permit at 841 Broadway for the	пe
Allen Creek Railroad Berm Opening Project (8 Votes Required)	

DTE will grant the city Storm Water and Sidewalk easements for the Allen Creek Railroad Berm Opening Project.

DC-11 (

) Resolution Directing the City Administrator to Evaluate Use of 1510 E. Stadium Boulevard for Redevelopment as an Ann Arbor Housing Commission Affordable Housing Location

The city administrator will develop plans for affordable housing that would remain in city ownership and be managed by the Ann Arbor Housing Commission, at the city owned property at 1510 E. Stadium Boulevard. The Fire Department Master Plan anticipates the sale of this property.

DC-12 (

19-0524

) Resolution to Approve Change of Route and Closed Streets for the 2019 Ann Arbor Marathon on Sunday, March 24, 2019

The route of the Ann Arbor Marathon (scheduled for 3/24/19) has been changed to address residential neighborhood concerns.

DC-13 (

<u>19-0553</u>

) Resolution to Implement Pedestrian Safety Improvements at the Fuller Road Crosswalk at Huron High School

The Fuller Road crosswalk at Huron High School will be improved by widening Fuller Road and establishing a pedestrian refuge island at the existing crosswalk location

DC-14 (

19-0554

) Resolution to Utilize Sale Proceeds of "Old Fire Station 2" to Fund the Implementation of the Fire Station Master Plan

The city administrator is directed to explore options to sell the property at 1510 E. Stadium Boulevard under terms that would include some affordable housing units. The Fire Department Master Plan anticipates the sale of this property.



This is the same as PH-3 above

DB-2 (

19-0379

) Resolution to Approve Malletts Wood 2 Amended PUD Site Plan and Development Agreement, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

This is the same as PH-2 above

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.
(If you do not see the consent agenda below, make sure your email client is displaying images) Additional thoughts

Since the last meeting, I have mostly received email on the topic of local Ward 4 concerns re: extremely disruptive DTE work in lower Burns Park and anticipated plans for a marathon route (and early morning beer tent!) off South Main Street.
Unfortunately, the city does not have much power or influence over the day-to-day doings of DTE, but complaints can be directed to:
Derek Kirchner
derek.kirchner@dteenergy.com
Regional Manager – Corporate and Governmental Affairs
(313) 590-3118

Upcoming marathon plans seem to have been adjusted to the satisfaction of neighbors. Moving forward, I'd like the city to generate reasonable policies for advance notice and neighborhood engagement ahead of street closures and public events that include alcohol.

This week's agenda is very full. I am bringing two resolutions that reflect concerns I heard during my campaign last summer. First, I am asking city staff to study and report back to Council on potential regulation of short-term rentals (AirBnB's). Council and staff are aware of concerns but we need a formal assessment and consideration of options. Secondly, I'm bringing an amendment to our crosswalk law, to hopefully improve the non-verbal communication that happens between a driver and a pedestrian. For the purpose of preventing accidents, drivers need to be able to recognize the difference between a pedestrian simply standing on the sidewalk (or waiting for a bus) and a pedestrian trying to cross the road.

Affordable housing

Behind the scenes and outside of public meetings, affordable housing has been a huge topic of conversation among council and staff. Before and after my election, I had multiple meetings with Jennifer Hall, Executive Director of the Ann Arbor Housing Commission, to hear her take on options and strategies. In a recent

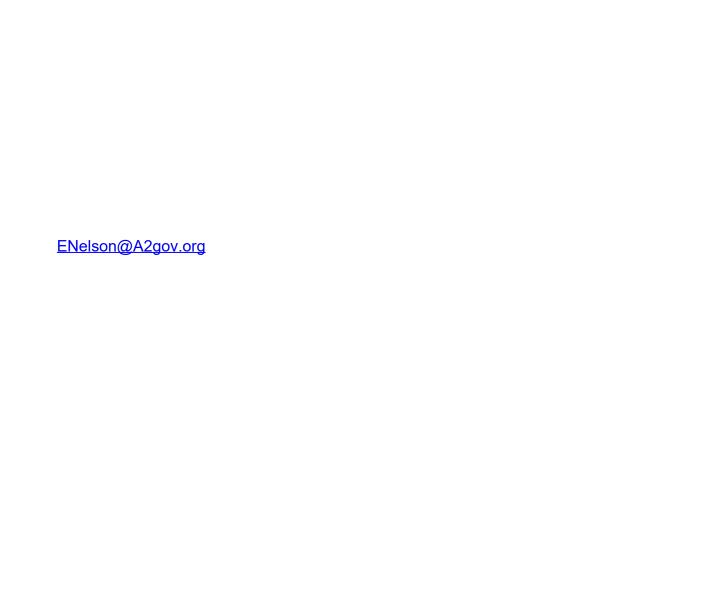
meeting with Fire Chief Mike Kennedy and City Administrator Howard Lazarus, I was also alerted to the potential for affordable housing development at the soon-to-be-taken-offline fire station at Packard and Stadium.

Our Housing Commission actually has identified a list of ten publicly owned properties (including the fire station, the site at Industrial, and at North Main) that could be developed for affordable housing. I am new to council, so my expectation had been that the city would evaluate, prioritize, and carefully assess the pros/cons of this whole list of ten. Instead, CM Ackerman has highlighted just two of them (Industrial and N. Main).

It surprises me that we would not be looking at the whole list in a more comprehensive way, but I also realize that suggesting a step back for such an analysis would, at this point, probably prompt accusations of being obstructionist. (This is, unfortunately, where we are in the current political climate.) I agree that the two properties at Industrial and N. Main are well situated for residents of affordable housing to have easy access to city shopping, jobs, and services. Based on recent conversations with the City Administrator and our Fire Chief, I am happy to propose a third location (the old fire station) that would have similar advantages for residents of affordable housing.

I hope that a majority on council can muster support for all three properties, as I see all three locations as consistent with city goals for equity and sustainability. I hope, also, that City Council can get more information about the other seven

properties identified by our Housing Commission. I look forward to lively debate at the council table about how our city can best support affordable housing options; I'm particularly interested in discussing the merits of retaining local control versus negotiating with private developers for subsidy.
Thank you for helping me represent Ward 4!
Thank you for holping the reprocess trains in
Elizabeth Nelson



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From:

Beaudry, Jacqueline

To:

*City Council Members (All)

Cc:

Lazarus, Howard; Postema, Stephen

Subject: FW: Amendment to DC-5

Date: Tuesday, March 19, 2019 12:36:34 AM

From: Ackerman, Zach <ZAckerman@a2gov.org>

Sent: Monday, March 18, 2019 7:14 PM

To: Beaudry, Jacqueline <JBeaudry@a2gov.org>

Subject: Amendment to DC-5

Hi Jackie,

When appropriate, please circulate to City Council:

Whereas, Housing costs are typically a household's largest single expense, critically affecting quality of life;

Whereas, In 2015, the City of Ann Arbor partnered with the U.S. Department of Housing and Urban Development and Washtenaw County to produce the Housing Affordability and Economic Equity Report ("Report");

Whereas, A primary goal of the Report was to maximize housing opportunities for lower and middle class households;

Whereas, The Report highlighted that housing in Ann Arbor has become unaffordable for 45% of households making \$35,000-\$49,999 a year, 87% of households making \$20,000-\$34,999, and 94% of households making under \$20,000;

Whereas, Ann Arbor is the least affordable city in Michigan with median rents 22% higher than the rest of the state;

Whereas, Residents of Ann Arbor continue to feel the pressure from a lack of housing options with average rents increasing nearly 15% since 2015;

Whereas, Neighborhoods such as Arbor Oaks and Water Hill are seeing significant demographic shifts due to a lack of housing options city-wide;

Whereas, In response to the Report, City Council adopted a goal to construct 2,800 new units of affordable housing by 2035, or 140 new units per year;

Whereas, Since 2015, only 50 dedicated units of affordable housing units have been built within the city limits;

Whereas, Regionally, Over 1500 units have converted from dedicated 'Affordable' to market-rate, as terms of Low-Income Housing Tax Credits and other funding requirements have expired and an additional 800+ units will be expiring;

Whereas, Results from the 2018 City Budget Prioritization Survey clearly indicate Ann Arbor residents believe affordable housing should be a policy and budgeting priority; Whereas, Tackling affordable housing is a complex issue and an uphill battle, requiring many revenue streams and strategies;

Whereas, Publicly owned land presents the greatest opportunity to create new units of low-income and mixed-income housing - legally and financially; and

Whereas, The City-owned property at 721 N. Main ("Property") has been the focus of community attention for decades.

RESOLVED, That the Ann Arbor City Council directs the City Administrator to ensure any future development of the Property includes affordable housing;

RESOLVED, That by August 1, 2019 the City Administrator will recommend to City Council a policy or process to follow which addresses the following requirements; and

- The City will maintain ownership of the Property (e.g., land lease)
- Any potential developer will offer a mix of unit types and rent levels
- Any Developer will maximize the number of affordable housing units for those who make up to 60% of the Area Median Income while balancing other priorities such as funding the Treeline Urban Trail
- Any Developer will accept Housing Choice Vouchers

RESOLVED, That the City Administrator will engage stakeholders, such as The Treeline Conservancy, in the development of such a policy or process.

Zachary Ackerman

Ann Arbor City Council

Ward 3

(734) 883-8391

Emails sent to or from this address could be subject to public disclosure under the Freedom of

Information Act (FOIA).

From: Ackerman, Zach
To: Beaudry, Jacqueline
Subject: Amendment to DC-5

Date: Monday, March 18, 2019 7:14:00 PM

Hi Jackie,

When appropriate, please circulate to City Council:

Whereas, Housing costs are typically a household's largest single expense, critically affecting quality of life;

Whereas, In 2015, the City of Ann Arbor partnered with the U.S. Department of Housing and Urban Development and Washtenaw County to produce the Housing Affordability and Economic Equity Report ("Report");

Whereas, A primary goal of the Report was to maximize housing opportunities for lower and middle class households;

Whereas, The Report highlighted that housing in Ann Arbor has become unaffordable for 45% of households making \$35,000-\$49,999 a year, 87% of households making \$20,000-\$34,999, and 94% of households making under \$20,000;

Whereas, Ann Arbor is the least affordable city in Michigan with median rents 22% higher than the rest of the state;

Whereas, Residents of Ann Arbor continue to feel the pressure from a lack of housing options with average rents increasing nearly 15% since 2015;

Whereas, Neighborhoods such as Arbor Oaks and Water Hill are seeing significant demographic shifts due to a lack of housing options city-wide;

Whereas, In response to the Report, City Council adopted a goal to construct 2,800 new units of affordable housing by 2035, or 140 new units per year;

Whereas, Since 2015, only 50 dedicated units of affordable housing units have been built within the city limits;

Whereas, Regionally, Over 1500 units have converted from dedicated 'Affordable' to market-rate, as terms of Low-Income Housing Tax Credits and other funding requirements have expired and an additional 800+ units will be expiring;

Whereas, Results from the 2018 City Budget Prioritization Survey clearly indicate Ann Arbor residents believe affordable housing should be a policy and budgeting priority; Whereas, Tackling affordable housing is a complex issue and an uphill battle, requiring many revenue streams and strategies;

Whereas, Publicly owned land presents the greatest opportunity to create new units of low-income and mixed-income housing - legally and financially; and

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- Any Developer will accept Housing Choice Vouchers

RESOLVED, That the City Administrator will engage stakeholders, such as The Treeline Conservancy, in the development of such a policy or process.

Zachary Ackerman

Ann Arbor City Council

Ward 3

(734) 883-8391

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

From: Higgins, Sara

To: *City Council Members (All)

Cc:

<u>Lazarus, Howard; Fournier, John; Beaudry, Jacqueline; Crawford, Tom; Perry, Mark; Pettigrew, Michael; Horning, Matthew; Postema, Stephen; Frost, Christopher; Larcom, Kristen; McDonald, Kevin; Thomas, Matt; Rechtien, McDonald, Kevin; Thomas, McDonald, McDon</u> Matthew; Hupy, Craig; Harrison, Venita; Praschan, Marti; Hutchinson, Nicholas; Hess, Raymond; Kulhanek, Matthew; Delacourt, Derek; Williams, Debra; Lenart, Brett; DiLeo, Alexis; Thacher, Jill; Kowalski, Matthew; Long, Remy; Brawley, Emy; Hall, Jennifer; Pollay, Susan; Stults, Missy; Hanzel, Hillary; Smith, Colin; Seyfarth, Heather; Shewchuk, Tom; Alexander, Julius; Radabaugh, Margaret; gillottitm@washtenaw.org

Subject: March 18 Agenda Response Memo Date: Monday, March 18, 2019 4:58:15 PM **Attachments:** Agenda Responses 3-18-19 Final.pdf

Mayor and Council,

Attached are staff responses to March 18 Council Agenda questions.

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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TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Tom Crawford, CFO

Derek Delacourt, Community Services Area Administrator

Raymond Hess, Transportation Manager

Craig Hupy, Public Services Area Administrator

Nick Hutchinson, City Engineer Brett Lenart, Planning Manager

Colin Smith, Parks & Recreation Manager

Missy Stults, Sustainability & Innovations Manager

SUBJECT: Council Agenda Responses

DATE: March 18, 2019

 $\underline{\text{CA}}$ - Resolution to Approve the Closing of Maynard Street for the Rock the District Special Event on Saturday, May 11, 2019 from 12:00 PM until 1:00 AM on Sunday, May 12, 2019

<u>CA-2</u> - Resolution to Approve Street Closing for the 7th Annual Ann Arbor Cinco de Mayo Party on Sunday, May 5 from 7:00 AM to 2:00 AM on Monday, May 6, 2019

<u>CA-3</u> - Resolution to Approve Street Closure of North University Street between South State Street and South Thayer Streets and South State Street from East William to East Liberty Streets for MUSIC Matters SpringFest from 4:00 A.M. on Tuesday, April 16, 2019 until 10:00 P.M.

<u>CA-4</u> – Resolution to Add an Additional Street Closure for the Monroe Street Fair on Saturday, April 6, 2019

Question: In our procedures, are there any advance notice requirements around street closures like this, ahead of us voting on them? E.g. Any requirement that nearby

residents, business owners, houses of worship get clued in about proposed street closure plans BEFORE City Council would approve them? (I appreciate that a lot of these events are annual, predictable and to-be-expected activities in our downtown, I'm curious about notice re: details/timing.) (Councilmember Nelson)

<u>Response</u>: The Special Events Task force has determined that new events have discussions/meetings that include representatives from the neighborhood associations. This process will happen ahead of Council approval. Council will see the outcome of these discussions in the memo of each resolution. Current and upcoming events always have the Street Associations included in the review who, in turn, notify their members (businesses and churches) through their communications.

<u>CA-5</u> – Resolution to Approve a Contract with DLZ Michigan, Inc. to Provide Professional Design Engineering Services for the Rehabilitation of Bridges in Barton Nature Area, Bandemer Park, Mitchell Field and Gallup Park (\$50,032.56)

Question: Regarding CA-5, I agree that bringing in a new consultant for this may result in duplicated efforts and we want to avoid that, but on what basis have we determined that \$50K is a reasonable fee for this scope of work? (Councilmember Lumm)

Response: The \$50,032.56 design fee is based on an estimated 444 hours of project work which we believe is a reasonable expenditure of time given the work to be completed. Estimated construction costs for the bridge repairs to be performed by a contractor is approximately \$250,000-\$300,000, of which the design fees would be approximately 16-20% of the construction cost. This does not include the portion of construction work that will be completed by Park Staff. The proposed design fee still falls within the typical range for design fees of 12-25% that we would expect to see for a project of relatively small magnitude. Additionally, Parks and Recreation Services worked with the City Engineering unit to review the scope and fees for this project. DLZ is currently under contract with Engineering to perform bridge inspection services and were selected as part of a Request for Proposals Process where their fees were compared to other engineering firms and judged to be very competitive. DLZ has a history of completing their work on time and within the estimated budget.

<u>CA-6</u> – Resolution to Approve a Grant Application to the Michigan Department of Natural Resources Grants Management for Universal Access Improvements at Argo Livery

Question: Regarding CA-6, the cover memo indicates that the UM (and VA) rehabilitation departments utilize Gallup's EZ Launch. Did UM help fund that improvement and/or will they be asked to participate in the funding for these improvements? (Councilmember Lumm)

<u>Response</u>: The University of Michigan did not contribute funding towards the accessible launch at Gallup livery and has not been asked to contribute to the Argo project. The City is working with the Center for Independent Living to provide input on accessibility in the

design, and through them staff can explore potential collaborations with other user groups, such as the Veterans Administration and the University of Michigan, whether they be for cost-sharing, programming, or marketing the project.

Question: Are there any possible drawings or pictures of what options are available, perhaps based on peer cities? (Councilmember Bannister)

Response: Attached are some images of the accessible launch at Gallup Park

CA-7 – Resolution to Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, Southeast Michigan Land Conservancy, and Superior Township and Appropriate \$300,000.00 for Purchase of Fee Title to and Establishment of a Conservation Easement on the Stepien Trust Property (8 Votes Required)

Question: Is this part of the Greenbelt millage and if so, how or why not? (Councilmember Bannister)

<u>Response</u>: Yes. Chapter 42, section 3:63 of Ann Arbor City Code authorizes City Council to enter into agreements for joint acquisition, retention, and management of land in the greenbelt district with nonprofit groups and governmental agencies, and authorizes the use of Open Space and Parkland Preservation Millage proceeds for purchases of fee title to greenbelt district land.

<u>CA-11</u> – Resolution to Approve a Permanent Electric Transmission Line Easement Agreement through City Property at 291 W. Ellsworth Road with International Transmission Company (ITC) (8 Votes Required)

Question: Where will the proceeds of this transaction be placed? (Councilmember Ramlawi)

Response: Per federal requirements the revenue would accrue to the Airport Fund.

Question: When would the City of Ann Arbor receive payment? (Councilmember Ramlawi)

<u>Response</u>: ITC has indicated that payment would be made within 7-10 days after Council approves the easement. The resolution provides that the City will not sign the easement until payment is made.

Question: Q1. The cover memo mentions a "Tall Structure Permit" from MDOT. What physical structures are contemplated and where are they located? (Councilmember Lumm)

Response: ITC has indicated that there will likely be one monopole (approximately 105-feet tall), which will support transmission lines across the length of the easement. The pole, which will be lighted as required by the FAA, will be located at the northern end of the easement along the far east property line of the airport adjacent to the rail line.

Question: Q2. What are the implications (if any) of removing the property from the airport layout plan, and what are the "additional steps and costs" of a land release? (Councilmember Lumm)

Response: In this case, a "land release" would be a formal, written authorization from the FAA releasing the easement area from aeronautical use. It does not remove the land from the airport or require modification of the airport layout plan, only identification of the easement area on the airport property map. A land release may require environmental review or gathering of other information that FAA deems relevant, which may entail costs to the entity requesting the release.

Question: Q3. Does the \$191K in revenue accrue to the Airport Fund or the General Fund (and why)? (Councilmember Lumm)

Response: Per federal requirements the revenue would accrue to the Airport Fund.

<u>CA-12</u> - Resolution to Approve the Amended and Restated Agreement between the City of Ann Arbor and City of Ypsilanti for the Local Development Finance Authority

Question: Will any properties in the city of Ypsilanti be collecting LDFA TIF's funds in a manor that mirror the scheme used in the City of Ann Arbor? (Councilmember Ramlawi)

Response: No. In 2017 when the City and State were discussing whether to extend the life of the LDFA another 15 years, the State felt a TIF capture in Ypsilanti would not provide sufficient funds for that community. Instead the State required that 10% of the formula for Ann Arbor capture be utilized in Ypsilanti. It's important to note that the Ann Arbor/Ypsilanti LDFA only captures property taxes for the State Education Tax and the School Operating millage and that the local schools are held harmless from this capture by the State's general fund.

Question: When was the Tax Increment Financing and Development Plan for the Ann Arbor/Ypsilanti SmartZone Amended? (Councilmember Eaton)

Response: The process to amend and extend the term of the LDFA was long but started on June 2, 2014 (R-14-175). The State Treasurer ultimately approved the TIF and Development Plan for the SmartZone on July 20, 2017.

Question: Has the State MEDC approved this Tax Increment Financing and Development Plan? (Councilmember Eaton)

Response: Yes. The MEDC approved the TIF and Development Plan on June 26, 2017.

Question: Does the LDFA currently captured any taxes from Ypsilanti? (Councilmember Eaton)

Response: No. A TIF capture from Ypsilanti was discussed at the time of the amendment and extension, but the State desired to require 10% of the Ann Arbor capture be expended in Ypsilanti instead of instituting a new capture in Ypsilanti.

Question: If the amendments to the agreement are adopted, will the LDFA capture any taxes from Ypsilanti? (Councilmember Eaton)

Response: No. A TIF capture from Ypsilanti was discussed at the time of the amendment and extension, but the State desired to require 10% of the Ann Arbor capture be expended in Ypsilanti instead of instituting a new capture in Ypsilanti.

Question: What percentage of the LDFA revenue is passed through to the SPARK Smart Zone? (Councilmember Eaton)

Response: The LDFA contracts with SPARK for most of its economic development services. Annually a contract is negotiated for specific services, which are required to comply with State criteria for expenditure. In 2018, 97% of the expenditures were contracted with SPARK

Question: Does the Smart Zone currently spend any funds in Ypsilanti? (Councilmember Eaton)

Response: Yes. Starting in 2018 the LDFA is required to spend 10% of the TIF capture revenue in Ypsilanti. In 2018, \$212,405 was expended in Ypsilanti.

Question: The amended Tax Increment Financing and Development Plan allows 10 percent of SmartZone funds to be expended in Ypsilanti. Does the State require the SmartZone to spend funds in Ypsilanti? (Councilmember Eaton)

Response: Yes.

Question: Can Council cap the amount the LDFA captures in Ann Arbor as it does with the DDA TIF capture? (Councilmember Eaton)

Response: The LDFA's TIF capture is governed by its TIF plan which was approved by Ann Arbor, Ypsilanti, and the State. Any modifications to the plan would need to be approved by all three entities.

Question: Q1. Under the new Board composition, how many of the 7 community members will be from Ann Arbor and how does that compare with the prior Board composition? (Councilmember Lumm)

Response: Five of the seven community members are from Ann Arbor. Two from Ypsilanti. This compares with the old composition of six from Ann Arbor and three from Ypsilanti.

Question: Q2. One of the new requirements is that both AA and Ypsi have ex-officio members. Do we have one now and, if not, who would our ex-officio member be? (Councilmember Lumm)

Response: The board will consider adding Mr. Crawford as ex-officio (non-voting member) at their next meeting. The purpose of adding an ex-officio position from each community is to ensure the appropriate coordination of activities (meeting notices, minutes, reporting, etc.) between the two communities since the board does not employ any administrative staff.

Question: Q3. The cover memo indicates one of the changes in the agreement is that 10% of funds can be expended in Ypsilanti. What is the percentage under the prior agreement and over the last three years, how much has been spent in Ypsilanti? (Councilmember Lumm)

<u>Response</u>: The prior agreement did not permit any funds to be expended in Ypsilanti. This change was required by the State as part of the extension of the LDFA. The first year of expenditure was FY2018 in which \$212,405 was expended in Ypsilanti.

Question: Are there any budget impacts from this item? (Councilmember Hayner)

Response: No. This agreement is more about how the communities work together than any specific budget allocation.

Question: Are we capturing funding from Ypsilanti? (Councilmember Bannister)

Response: No. The State requires 10% of the Ann Arbor funds to be expended in Ypsilanti due to the limited ability of Ypsilanti to generate TIF revenue.

Question: Please explain how the DDA captures what would be state school funds. (Councilmember Bannister)

Response: The DDA captures millages from the city, county, library, and community college. The DDA does not capture state school funds

<u>CA-13</u> - Resolution Authorizing Storm Sewer Improvement Charges for 2965 Kimberley Rd. (\$3,768.15)

<u>CA-14</u> – Resolution Authorizing Storm Sewer Improvement Charges for 2955 Kimberley Rd. (\$3,768.15)

Question: How does it happen that we are levying a charge for improvements made in 1972? (Councilmember Nelson)

<u>Response</u>: When a local public improvement such as a storm sewer is constructed that benefits a specific set of properties, the benefit for each property is calculated and special assessed. In some cases, some of the properties that benefit from the improvement are township parcels at the time the improvement is constructed. These township parcels are identified as a future recoverable improvement charge when the property annexes to the City.

In this situation, the public improvement is a storm sewer constructed in 1972. The property in this resolution annexed in late September, 2017. Now that the parcel is officially on the City tax rolls, the improvement charge can be levied.

<u>CA-15</u> – Resolution to Approve an Agreement with American Conservation & Billing Solutions, Inc. for a Customer Portal and Consumption Data Analytics Solution (est. \$260,000.00 over 5 years) and Appropriation of Funds from the Water Supply System (\$34,000.00) and Sewage Disposal System (\$34,000.00) (8 Votes Required)

Question: Regarding CA-15, it's good to see this system being implemented that allows customers to get alerts/monitor their water on the agenda. Assuming this passes, when will the system be available for customers to use and how will we communicate to customers that it's available? (Councilmember Lumm)

<u>Response</u>: Staff anticipates by June 30, 2019. We are planning to communicate this to customers, at a minimum, at scheduled events (Water Treatment Plant Open House and Huron River Day), on social media, on customer bills, and in the WaterMatters Newsletter.

<u>Question</u>: Also on CA-15, will there be an automatic "leak" feature that alerts customers of unusual usage or will customers need to take action (sign-up for alerts/set thresholds)? (Councilmember Lumm)

Response: Yes, there is an automatic "leak" feature; however, automatic leak alerts will be sent to the City first and the City will notify customers. In addition, customers that register on the system will have the ability to set their own thresholds for alerts they would like to receive. Customer set alerts will be sent automatically via their preferred contact method (text, email, voice).

Question: Were other bids obtained and can we see them? (Councilmember Bannister)

Response: There were seven total responses and staff has them available in electronic form.

Question: Would this include an "early warning system" for residents and how would that work? (Councilmember Bannister)

<u>Response</u>: Customers that register on the system will have the ability to set their own thresholds for alerts they would like to receive. Customer set alerts will be sent automatically via their preferred contact method (text, email, voice).

 $\underline{C-1}$ – An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

Question: The memo says that the developer will provide 40% of units as affordable. How will the affordable housing requirement be enforced by the City? (Councilmember Eaton)

Response: Enforcement would be specified contractually, through an affordable housing agreement. At a minimum, monitoring of units and the income level of tenants in those units would be monitored on a regular basis.

<u>Question</u>: If the owner of the development is unable to rent the affordable units to eligible tenants, will it be allowed to rent those units at market rates? (Councilmember Eaton)

<u>Response</u>: No, the units would need to remain affordable to maintain in compliance with any approval that included affordability provisions.

Question: Regarding C-1, the resolution and supporting materials are the same as for the February 19th meeting. Have there been any revisions at all to the proposal or any new information gathered since February 19th? (Councilmember Lumm)

Response: No revisions have been made to the proposal. New information, a letter from the City's consultant Tetra-Tech is attached, which supports previous conclusions reached by City staff during technical of review of the proposal in regard the underlying plume and stormwater management on site.

<u>Question</u>: How has the recommendations and warnings from local environmental groups such as CARD been considered and integrated into this proposed rezoning from R1C to PUD? (Councilmember Bannister)

Response: The Planning Commission included language in the proposed recommendations to ensure cooperation with MDEQ for future monitoring of the Gelman Plume at this site, as well as protection of existing, active monitoring wells. Staff doesn't agree with all the recommendations and warnings that have been discussed during consideration of this proposal. The attached letter from Tetra Tech is a perspective by the City's consultant on the City's consideration of related issues.

<u>C-2</u> - An Ordinance to Amend Chapter 55 (Zoning), Zoning of 0.6 Acre from C2B (Business Service District) to R2A (Two-Family Dwelling District), including 606, 610, 614, 616, 618, 622, and 628 South Ashley Street (CPC Recommendation: Denial - 0 Yeas and 8 Nays)

Question: To what extent did ground contamination in the area weigh on staff's decision to not approve rezoning? (Councilmember Ramlawi)

Response: This was a significant factor, as the City's Master Plan directs the City to facilitate the clean-up of known contaminated sites.

Question: Are these properties owner occupied or rental properties? (Councilmember Eaton)

Response: One is an owner-occupied home, one is being used as an office, and the remainder are rented residential.

Question: Does the C2B zoning district permit residential development, or would residential use be limited to the existing structures? (Councilmember Eaton)

Response: Yes, the C2B district permits residential development.

Question: If this is downzoned from C2B to R2A, how would the dry cleaning PERC pollution eventually be cleaned up? (Councilmember Bannister)

Response: This is unknown. It is the opinion of staff that the likelihood of brownfield cleanup would be reduced if the 7 properties were rezoned to R2A, but in either event, there are no active plans for remediation currently known to staff.

<u>C-3</u> – An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 58 Lots from R4C (Multiple-Family Dwelling District) to R1D (Single Family Dwelling District) and 4 Lots from R4C (Multiple-Family Dwelling District) to R1E (Single Family Dwelling District), West Hoover Avenue/West Davis Avenue Area Rezoning, (CPC Recommendation: Denial - 5 Yeas and 3 Nays)

Question: Regarding C-3, the cover memo mentioned that the Planning Commissioners who voted no indicated development pattern protections were needed throughout the City and should be addressed universally. Can you please provide a summary listing of the areas where this situation exists? (Councilmember Lumm)

<u>Response</u>: This occurs throughout the City where over 85% of all parcels in R4C zoning districts are non-conforming. The attached map identifies R4C zoning areas throughout the City along with some analysis of non-conformity.

Question: Also on C-3, can you please provide the rationale for keeping 8 of the lots as R4C while the balance are changed to single-family? (Councilmember Lumm)

Response: The recommendation is based on limiting the creation of non-conformities. Several of these lots have conforming R4C developments, which would become non-conforming if rezoned to any R1 district. Additionally, the presence of higher density residential along Main Street provides the closest access to public transit, supporting such zoning.

Question: What is the zoning history of these parcels? (Councilmember Hayner)

Response: This area has been zoned R4C since 1963.

Question: Were they at one time R1? (Councilmember Hayner)

Response: Likely not as the R1 districts were established at the same time as R4 in 1963.

Question: When did they change to R4? (Councilmember Hayner)

Response: 1963.

<u>C-4</u> – An Ordinance to Amend Title VI (Food and Health) of the Code of the City of Ann Arbor by Adding a New Chapter 73 (Two-Cycle Power Equipment)

Question: Would the proposed ordinance allow the use of four-cycle gas powered equipment? (Councilmember Eaton)

Response: Yes.

Question: Do City employees use two-cycle equipment? If so, how frequently is that equipment replaced? (Councilmember Eaton)

Response: Yes, city employees use two-cycle power equipment. This equipment is replaced on an as needed basis with varying time scales, depending on usage, but averaging 4-5 years.

Question: Q1. Has this proposed ordinance been reviewed by the DDA/downtown businesses and if so, what was the reaction/feedback? Also, what is the rationale for including just the DDA area? (Councilmember Lumm)

<u>Response</u>: The draft ordinance has been shared with the DDA. In terms of the rationale for just the DDA, please refer this question to sponsoring Councilmember Ramlawi.

Question: Q2. Can you please explain why snow removal equipment is excluded and why this is 2-cycle only (rather than all gas-powered equipment)? Does the exclusion of

snow-removal mean it's OK to use a leaf blower to blow off dustings of snow? (Councilmember Lumm)

Response: Please refer to sponsoring Councilmember Ramlawi regarding the decision to not include snow removal equipment in the ordinance and why only 2-cycle engines. And no, a leaf blower that was blowing snow off the sidewalk would not be allowed.

Question: Q3. Can you please provide benchmark data on similar ordinances in other cities including their fines, limitations to just downtown vs city wide, and inclusion of snow removal equipment? (Councilmember Lumm)

Response: More than 100 cities around the country have banned gas-powered leaf blowers in certain areas of their community. Carmel and Beverly Hills, CA were the first to ban commercial gas-powered leaf blowers in the mid-1970s. Maplewood, NJ bans use of leaf blowers by commercial entities only from May 15 through September 30th with fines of \$500 for first offense, \$1000 for second offense, and \$1500 for a third or subsequent offense. North Hempstead, NY is working on a ban of all gas-powered landscaping equipment and Washington DC is phasing out all gas-powered leaf blowers.

<u>Question</u>: Q4. In section 6:614 (exceptions) of the draft ordinance, it states "This is just a placeholder at this time." Can you please explain what that means and whether any exceptions are contemplated? (Councilmember Lumm)

Response: It is there in case Council wishes there to be any exceptions. If not, a motion can be made on the floor to strike it.

Question: Q5. The fines in 6:615 are "not less than". Aren't these usually "not more than"? (Councilmember Lumm)

Response: "Not less than" is used in other ordinances to signify a minimum fine that will be imposed for a first offense. Thus, as written, the ordinance amendment would impose a minimum fine of \$100 for a first offense and, it could be implied, a maximum offense of \$250 for second and subsequent. However, clarifying language could be drafted. Please note: a judge is not bound by the fines called for in the ordinance language (except with respect to maximums).

Question: Can we anticipate any added difficulties in enforcing this, given the location boundaries, i.e. use of this equipment is banned on some downtown streets (within the DDA area) but allowed on others? (Councilmember Nelson)

Response: Yes, enforcement will be a challenge. We anticipate using signage and engagement with the DDA to help inform people of the ordinance change.

Question: Do we have any ideas or guesses about potential exceptions? (Councilmember Nelson)

Response: Section 6:614 was included in the draft in case Council wished there to be any exceptions to the ordinance amendment's applicability.

Question: Do our city departments use any of these two-stroke engines in the DDA district (or anywhere else in the city)? (Councilmember Nelson)

Response: Yes. We use equipment with a two-stroke engine for tree maintenance as well as some grounds work in the DDA area. So far, staff have not found a viable electric equivalent for chainsaws and some of our forestry equipment.

<u>C-5</u> – An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor

Question: Has this been reviewed by the Transportation Commission? (Councilmember Smith)

Response: No.

Question: This seems to fundamentally alter our crosswalk ordinance. Can staff confirm this reading of the proposed ordinance change. (Councilmember Smith)

Response: Subsection (a)(1) of the ordinance amendment does not require a vehicle to stop and yield the right-of way to "any pedestrian stopped at the curb, curb line or ramp leading to a crosswalk." The current version of the ordinance requires a vehicle to stop and yield the right-of way to pedestrians "at the curb, curb line or ramp leading to a crosswalk."

Subsection (a)(2) is all new language. It provides that a pedestrian is considered to be "crossing the roadway in a crosswalk" when the pedestrian moves "any part or extension" of him/her into a crosswalk, which includes moving not only a part of his/her body, but also any part of things such as the pedestrian's "wheelchair, cane, crutch or bicycle."

Question: 1. Why was this proposed ordinance not referred to the Transportation Commission? What about the Commission on Disability Issues? (Councilmember Grand)

Response: This question is best directed to the sponsoring councilmembers.

Question: 2. If passed, it appears that vehicles would not need to stop for pedestrians clearly waiting to cross at a crosswalk. Therefore, in practice, would pedestrians then need to wait for all traffic to be absent prior to crossing at a crosswalk? if so, what are the implications for pedestrians with visual impairments or mobility issues? (Councilmember Grand)

<u>Response</u>: This question is best directed to the Transportation Commission and the Commission on Disability Issues.

Question: 3. Would vehicles still be required to stop at RRFBs? (Councilmember Grand)

Response: RRFBs are warning devices, not regulatory devices. The presence of an activated RRFB only alerts drivers that a pedestrian is waiting to cross the street. It does not change the requirements for drivers.

<u>DC-2</u>—Resolution to Appoint Members to the Independent Community Police Oversight Commission

Question: May we have a copy of the list of applicants recommended by the HRC? (Councilmember Eaton)

Response: Staff does not have a copy and defers to the councilmembers on the HRC and Independent Police Commission.

Question: Please provide the ranking of the HRC recommended applicants. (Councilmember Eaton)

Response: Staff does not have this information.

Question: What is the best link for residents to see the resumes/applications of the 63 applicants? (Councilmember Bannister)

Response: Staff defers to the councilmembers on the HRC and Independent Police Commission. To staff's knowledge, the resumes/applications were not made public.

Question: What was the criteria that the 4 Councilmembers used to select the final 11 recommended commission members? (Councilmember Bannister)

Response: Staff defers to the councilmembers on the HRC and Independent Police Commission.

DC - 3 - Resolution to Amend Council Rules 1, 5B, 5D, 5E, 5F, and 7

Question: For part 5b, is this a correct revised timeline based on the council meeting of 3/18: Agenda is distributed on no later than Friday, 3/8, agenda questions due by Wed. 3/13, answers due Thursday 3/14, courtesy deadline to add items to 3/18 agenda is Tuesday, 3/12 at 5 p.m.? (Councilmember Hayner)

Response: This resolution is proposed to take effect with the second regular Council meeting in April 2019. If the March 18, 2019 Council meeting is used as an example, the Clerk's Office would have until Friday, March 8 to distribute the agenda to all members of City Council. Agenda questions would have been due to Sara Higgins and Howard Lazarus by noon on Wednesday, March 13. The response memo would have been provided to City Council by 5:00 p.m. on Thursday, March 14. Councilmembers would have made best efforts to add any items by Tuesday, March 12.

Question: Changes to rule 7-3,4,5 refers to "benches" in the council chambers. We don't have benches any more should this be changed to reflect that or is "benches" a term of art? (Councilmember Hayner)

Response: This question should be referred to the Council Rules Committee.

<u>DC-4</u> – Resolution to Increase the Benefit and Use of the Downtown Affordable Housing Premium

Question: Q1. How much staff time and Planning Commission time is expected to meet the requirements of this resolution and what other work will be displaced? (Councilmember Lumm)

Response: This has not yet been determined. The last time that staff and the Planning Commission considered amendments to the premiums provisions of the ordinance, it involved use of a consultant, took approximately 3 years, and delayed other work such as master plan updates and completion of the UDC draft.

Question: Q2. What is meant by "reduce the utility of the residential Housing premium?" (Councilmember Lumm)

Response: This question would be best posed to the resolution sponsors. Staff interprets this to mean the residential housing premium that does not incorporate affordable units should be amended to provide less bonus floor area than is currently provided.

Question: Q3. Can you please remind me what the parking requirements are for new developments downtown (for each zoning classification) with and without affordable housing premiums? (Councilmember Lumm)

Response: For both the D1 and D2 zoning districts no parking is required for the permitted floor area ratio (400% FAR for D1; 200% FAR for D2). In both districts, any FAR that is constructed under the premium provisions, must be parked at a rate of 1 vehicular space per 1,000 square feet of FAR. This can be achieved by providing parking on-site, contracting for parking in the public parking system, or through a parking fee-in-lieu contribution. Bicycle parking must be provided at a rate of one space per 2,500 square feet of residential uses, and a rate of one space per 10,000 square feet of non-residential uses. These parking requirements would apply to any D1 or D2 development, regardless of the inclusion of affordable housing premium.

<u>DC-5</u> - Resolution to Pursue Affordable Housing at 721 N. Main

Question: Is the proposed use of 721 N. Main consistent with the City's agreement with the Treeline Conservancy? (Councilmember Eaton)

<u>Response</u>: Neither the Treeline Master Plan (2017) or the Collaborative Agreement with the Treeline Conservancy specifically speak to the land use of 721 N. Main. The Treeline Master Plan contemplates the trail crossing the 721 N. Main property. However, this is not necessarily inconsistent with development of 721 N. Main for housing, provided that space is left for the trail.

Question: Do the regulations governing federal funding for affordable housing include restrictions on using property adjacent to railroad tracks? (Councilmember Eaton)

Response: Federal regulations do not prohibit a project from being built next to a railroad but the noise from the railcars must be factored into a noise assessment. The noise assessment must include an analysis of the noise from a railroad within 3,000 feet of the site, roads within 1,000 feet of a site and airports within 15 miles of the site. The analysis will determine whether the noise exposure is at an acceptable level and whether mitigation can bring the noise levels to an acceptable level. If it is at an unacceptable level and cannot be mitigated to an acceptable level, the project will not get funded with federal funds.

Question: Q1. What is the approximate value of the 721 N. Main Property if sold "as is"? (Councilmember Lumm)

<u>Response</u>: We don't have that information at this time. An appraisal would need to be obtained with a desired use.

Question: Q2. How does one interpret the third requirement (in 2nd resolved clause) to "maximize the affordable housing units" while also "balancing other priorities such as funding the Treeline Urban trail"? (Councilmember Lumm)

Response: This question should be directed to the sponsoring councilmembers.

Question: Q3. What is the current status in terms of any purchase and/or development interest in 721 N. Main? (Councilmember Lumm)

Response: The City has not offered the property for sale or lease and has not received any offers as of this date.

Question: For DC – 5 & 6, I'm interested in the connection between demographic shifts and a lack of housing options. What do we know about the number of housing units of various types that have been built in the last five years in Ann Arbor? I am interested in categories such as multi-family/apartment, single family detached homes, condo units (attached)/duplexes, etc.—in total and by category, how many units of housing have been approved and built in the city in the last five years? (Councilmember Nelson)

Response: This data is not readily available within the timeframe requested.

Question: How successful has the city been in negotiating affordable units from private developers in the last five years? I.e. In consideration of proposals and site plans with private developers, how many below-market-rate units have been negotiated (and ultimately approved) as part of private developments in the last five years? How far below market rate were these negotiated units? (Councilmember Nelson)

Response: Success has been limited. 15 units at 60% Area Median Income were approved as part of the 1140 Broadway development. 52 units of workforce housing were approved as part of the Library Lot agreement with Core properties, (60% - 110% AMI). Also, 38 affordable senior units, (50% AMI and lower), are negotiated into the Lockwood PUD project currently under review by City Council.

Question: How many land-lease agreements currently exist in the city of Ann Arbor? (Councilmember Nelson)

Response: The AAHC currently have 12 properties with a ground lease on them. An initial review has not found any such leases by the City in recent years. More time would be needed to conduct a thorough search to determine if the City has or ever had any such leases.

Question: This resolution appears to be intended to create a process for seeking development of the property at 721 N. Main by an outside developer, with 3 references to "any developer" in the final resolved clause, yet it says the city will retain ownership. Will adoption of this prohibit the city, or a city entity like the AAHC, from developing this property? Must it be leased to a 3rd party if this is adopted? (Councilmember Hayner)

Response: This would be a question of intent by the resolution sponsors. As the resolution is seeking a recommendation from the City Administrator, no binding restrictions would prevent such use in the future as described.

Question: I have received concerned emails that this resolution violates the city's agreement with the Treeline Trail Conservancy. Can you please attach that agreement, and/or comment on the potential for this to violate that agreement? (Councilmember Hayner)

<u>Response</u>: Neither the Treeline Master Plan (2017) or the Collaborative Agreement with the Treeline Conservancy specifically speak to the land use of 721 N. Main. The Treeline Master Plan contemplates the trail crossing the 721 N. Main property. However, this is not necessarily inconsistent with development of 721 N. Main for housing, provided that space is left for the trail. The Collaborative Agreement has not been executed yet – the final draft is attached. Below is a link to The Treeline Master Plan:

https://www.a2gov.org/departments/systems-

planning/programs/Documents/Allen%20Creek%20Greenway%20Master%20Plan%20Project/Treeline_MasterPlan_Draft_v11.pdf

Question: The final whereas clause indicates that this property "has been the focus of community attention for decades" and this property has also been mentioned as one of those considered by AAHC as potential additions to their portfolio. Can you attached the list of 10+ properties sent to the city administrator by Jennifer Hall as potential properties for AAHC development? (Councilmember Hayner)

<u>Response</u>: Attached is a feasibility analysis. The intent was to conduct a feasibility analysis of the properties to determine whether affordable housing could be developed on the site, and whether federal funding could be used to do that. Although the AAHC would like the opportunity to develop these sites, it has not been determined that the AAHC will be the developer of these sites.

Question: How does this resolution harmonize with previous resolutions and agreements, such as page 20 of the Treeline Urban Trail Business Plan, and Resolution 374-8-05, and the 2012 document, "721 N. Main Conceptual Site Development Alternatives"? (Councilmember Bannister)

Response: The referenced documents refer to language in R-374-8-05, i.e. "Resolved, That the area of the City properties at 415 W. Washington and 721 N. Main within the floodway will be included in the new Greenway. The remaining portion of these sites will be reserved for mixed use, which could include additional park or Greenway area, space for non-profit organizations, art, housing, and/or commercial entities;" The Treeline Urban Trail Business Plan is a draft document that has not been adopted by the City. Neither the Treeline Master Plan (2017) or the Collaborative Agreement with the Treeline Conservancy specifically speak to the land use of 721 N. Main. The Treeline Master Plan contemplates the trail crossing the 721 N. Main property. However, this is not necessarily inconsistent with development of 721 N. Main for housing, provided that space is left for the trail. Such a mixed use of the property was expressly contemplated by R-374-8-05.

Question: Please send the list of ten properties in the City from Jennifer Hall. (Councilmember Bannister)

Response: Attached is the Ann Arbor public land review feasibility chart.

Question: How does this harmonize with the \$500K RFP for the Master Plan that is currently in circulation? (Councilmember Bannister)

Response: The proposed master plan scope does include revisiting site-specific recommendations identified in previous master plans, however, which specific sites has not yet been identified. Analysis of this site could be incorporated into the master land use process, but likewise, any independent analysis that occurs could equally be incorporated into a master land use plan later. In short, there is no inherent problem with considering this site independently or part of a larger process.

<u>DC – 6</u> – Resolution to Pursue Affordable Housing at 2000 S. Industrial

Question: Q1. Can you please provide background information on the 2000 S. Industrial property (e.g. size of lot, building, zoning, what the City has used the site for, and approximate value of the property if sold as is)? (Councilmember Lumm)

Response: The lot is approximately 4 acres, with two buildings (~9,163 square feet and ~8,222 square feet) and one water tank (~9,977 square feet). The property is zoned PL, is master planned for uses consistent with the light industrial designation. Currently the site is used as part of the water system, offices of the Ann Arbor Housing Commission, and storage.

Question: Q2. The first resolved clause states that "the city will utilize the property to create the greatest quantity and quality of affordable housing units." Does that mean on this site specifically? (What if the greatest quality/quantity could be created elsewhere in the area by selling this property outright?) (Councilmember Lumm)

Response: A feasibility analysis, including an Environmental Assessment, needs to be conducted to determine whether it is feasible to build affordable housing on this site, the source of revenue, and the mix of uses and income. If Council has other sites in mind that are owned by the city, that they believe are better sites for affordable housing, then the city should conduct a feasibility analysis, including an Environmental Assessment on those sites as well to determine the best locations to include affordable housing.

Question: Q3. The last resolved clause references "exploring options with interested users to dedicate a portion of the property to other public uses/and or non-profit office space." Are we aware of any other public or non-profit "interested users" and if so, who are they and what are their contemplated uses? (Councilmember Lumm)

Response: The site currently provides parking storage and warehouse storage space for the AAATA, Washtenaw County Drain Commissioner, CTN, Public Services and the Police department. If the city redevelops the site, the current users should be included in the conversation to determine if it is feasible to include space for these uses if the site is redeveloped. For a site this size, it would be worthwhile to do an assessment of all the city's space needs to determine if there is a need to expand other public services to this site. In addition, for a site this size, it would be worthwhile to do an assessment of the space needs for local non-profit housing and housing service providers to determine if it is feasible to include additional community and office space (with rents set to cover costs not set at market rate) to these organizations.

Question: A whereas clause states "publically owned lands present the greatest opportunity to create new units of low-income and mixed-income housing – legally and financially." What is the rationale for this statement, and what is meant by "legally and financially"? (Councilmember Hayner)

Response: This is a question for the resolution sponsors.

Question: Define a "land lease" transfer and typical/potential terms – can you give an example of other city land leases? (Councilmember Hayner)

Response: A "land lease" or "ground lease" is typically an arrangement where a landowner leases vacant or developable land to a lessee, who has the right to develop the land. Terms may vary. An initial review has not found any such leases by the City in recent years. More time would be needed to conduct a thorough search to determine if the City has or ever had any such leases.

Question: A resolved clause indicates the city will "utilize the Property to create the greatest *quantity and quality* of affordable housing units". This statement seems poorly defined, is this a typical statement along the lines of a general welfare clause? (Councilmember Hayner)

Response: This question is best directed to the resolution sponsors.

Question: Is there a Federal or State definition describing affordable housing construction standards beyond the building codes? (Councilmember Hayner)

Response: Some federal and State affordable housing programs require construction standards to meet additional requirements beyond building codes. Each funding program can have additional building requirements that are in addition to the local code. It is not its own code. It is usually a way to increase the competitiveness of the project if the project commits to certain goals of the funder, such as a attaining certain energy efficiency standards, or adding more accessible units than is required by code.

Question: If so can it be attached for our reference? (Councilmember Hayner)

Response: Attached is one example of such additional requirements, Housing Quality Standards. There could be other standards/requirements based on the funding programs.

https://www.hud.gov/sites/documents/DOC_9143.PDF

Attached is the scoring received by the AAHC for its Low Income Housing Tax Credit application for Swift Lane. It lists items that the funder was trying to promote, and the points associated with each item. It is important to understand that this is a single example for a single program, and it is different for every funding source and can change with each competition.

Question: Are there parcel density limits which can be waived for affordable housing? (Councilmember Hayner)

<u>Response</u>: Affordable housing is intended to meet the same development requirements as other multiple family sites.

<u>Question</u>: This site and many of the other city-owned sites eligible for development are contaminated or potential brownfield sites. Is the city the responsible party for cleanup under State law? (Councilmember Hayner)

Response: The statute that imposes cleanup liability, MCL 324.20126, is complicated, and highly fact dependent. We would need to investigate, assemble and analyze more facts concerning any releases in question and the City's ownership and/or operation of a site to determine whether the City is a liable owner or operator.

<u>DC-7</u> – Resolution to Direct the City Administrator to Study Potential Regulation of Short-term Rentals

Question: 1. When was the last time Council received a report from staff on short-term rentals? I recall being at a meeting with Mr. Delacourt about this issue. (Councilmember Grand)

Response: Staff met with Council members previously to discuss the issues related to short term rentals. At the time there was no consensus on what issues the City was trying to resolve and what the secondary impacts of additional prohibition might be.

The City currently regulates non-owner occupied short-term rentals. They are required to be inspected and certified the same as any other rental property in the City. The City does not inspect or certify owner occupied properties.

Question: 2. I recall that the take home message from the last time we looked at this issue was that there was little the city could do at that point to regulate. What, if anything, has changed between now and the last report, especially with cities of our size? (Councilmember Grand)

Response: The City can add additional restrictions to short term rental properties. At the time, one consideration was to regulate owner occupied properties. The City can choose to inspect and certify those properties as rentals however, it was determined that this would do little to nothing to eliminate the types of concerns associated with short term rentals.

The City can restrict how many nights a property is available for rent however, it was determined that even if a property was restricted to less than 30 nights a year it would not resolve most, if not all, of the concerns related to the issue. It was also determined that his would be extremely difficult to track and enforce.

The City can prohibit owner occupied short term rentals all together. There was concern that a flat prohibition would have impacts beyond what is intended. It would prevent any homeowner from leasing space within their home to anyone for any reason.

There has been very little change since the last time this was discussed. The City can, if it chooses, regulate or prohibit short term rentals in a multitude of different ways. In most

instances the issues associated with short term rentals have little to do with zoning or rental regulations and are more associated with nuisance and noise regulation. In most instances the issue is not one of regulation but one of enforcement. Enforcing these types of prohibitions or regulations is the number one issue other communities identify as an impediment to alleviating concerns. In most cases the issues identified are nuisance or noise issue for which the City already regulations.

Staff is willing to revisit these issues but, similar to last time this was considered it is important to identify what the issues actually is and have consensus on what we are trying resolve.

Question: Regarding, DC-7, I agree this is something that needs to be looked at and am wondering if there is any data (or estimates) available on the volume of these short-term rentals in Ann Arbor including the time of year and primary locations? (Councilmember Lumm)

Response: Staff doesn't have this data. There are consultants who can assist to compile such information, but this has not been commissioned by the City to date.

Question: Would it be useful to add to this final resolved clause asking for a definition of the different types of short-term rentals that are allowed, currently operating, etc.? For example, are Hotels considered short-term rentals under city policy? (Councilmember Hayner)

Response: This would be a question for the resolution sponsors to clarify the intent to look at the issue.

<u>DC- 8</u>- Resolution to Support City of Ann Arbor Flying the Transgender Flag on International Transgender Day of Visibility - March 31

Question: What other flags do we fly on what other days? (Councilmember Hayner)

Response: We fly the Stars/Stripes and the State of Michigan flag on the south flagpoles and the City of Ann Arbor flag on the north flagpole.

Question: Is there a list? (Councilmember Hayner)

Response: No.

<u>DC-11</u> - Resolution Directing the City Administrator to Evaluate Use of 1510 E. Stadium Boulevard for Redevelopment as an Ann Arbor Housing Commission Affordable Housing Location

Question: Regarding DC-11 and DC-14, can you please provide information on the property (lot size, building size, estimated value if sold "as is")? Also, can you please

confirm that there is not any fire station location/Station Master Plan scenario that contemplates bringing Station 2 back on-line? (Councilmember Lumm)

Response:

Lot Size: .777 acres. Exact building square footage is unknown Based on initial conversations with a real estate broker, Station 2 "could be sold as is" with current R1C zoning for approximately \$1,000,000. This valuation was provided in October 2018.

Correct – There is not any fire station location/Station Master Plan scenario that contemplates bringing Station 2 back on-line.

Question: Has the city done an appraisal of this property? (Councilmember Hayner)

Response: No.

Question: If so, what is the appraised value? (Councilmember Hayner)

Response: This is not applicable.

Question: Who owns this property, and would the sale be an open-market offering of the property? (Councilmember Hayner)

Response: The City owns the property as a General Fund asset. The method of sale would be up to City Council.

<u>DC-12</u> – Resolution to Approve Change of Route and Closed Streets for the 2019 Ann Arbor Marathon on Sunday, March 24, 2019

Question: Regarding DC-12, I'm glad to see the marathon sponsor has worked with neighbors and made changes to address their concerns, but am concerned that the last minute route changes to address one neighborhood's concerns may be objectionable to other neighborhoods – are we comfortable that's not the case? (Councilmember Lumm)

<u>Response</u>: The change in the route solely impacts the area at the beginning and end of the race. These neighbors were notified through the Association of the change last week and appear to have accepted this compromise. The remaining part of the race remains unchanged and residents along the Geddes route have received postcards, as has been the case for the past few years.

<u>DC-14</u> – Resolution to Utilize Sale Proceeds of "Old Fire Station 2" to Fund the Implementation of the Fire Station Master Plan

Question: When was the last land value appraisal done on station 2? What was monetary value of the property if so? (Councilmember Ramlawi)

Response: Based on initial conversations with a real estate broker, Station 2 "could be sold as is" with current R1C zoning for approximately \$1,000,000. This occurred valuation occurred in October 2018, and we did not receive an official appraisal.

<u>Question</u>: The resolution recommends the use of proceeds from the sale of Station 2 to fund the Fire Station Master Plan. What is the estimated cost of all improvements recommended in the Fire Station Master Plan? (Councilmember Eaton)

<u>Response</u>: In order to sell Station 2, we need to do renovations to Station 1 to accommodate fire prevention, which is currently housed at Station 2. Station 1 also needs other renovations, which are outlined in the Fire Station Master Plan. We are working with an architect to identify a probable cost of construction for this renovation work. We expect to have this estimate completed by June 30, 2019. Initial, rough renovation estimates are between \$750,000 and \$1,000,000.

We have three current fire stations that need replacement: 3 west side, 4 east side, and 5 north side. Construction for each new station is estimated at \$4 - \$4.5 million. This cost is figured with using the existing land the current stations are located on.

Renovate Station 1: \$1,000,000

Replace Stations 3, 4, and 5: $4,500,000 \times 3 = 13,500,000$

Total Costs: \$14,500,000

Question: What is the estimated value of the property where Station 2 is located taking into consideration the desire to require 60% affordable units? (Councilmember Eaton)

Response: Based on initial conversations with a real estate broker, Station 2 "could be sold as is" with current R1C zoning for approximately \$1,000,000. This valuation occurred in October 2018. We have not received an official appraisal.

Question: Does the site of Station 2 have any environmental concerns (for example from fire retardants)? (Councilmember Eaton)

Response: DC-14 Federal regulations require an Environmental Assessment to be conducted if federal funds are used for a new construction or acquisition and/or rehabilitation for an affordable housing project. The Environmental Assessment includes an assessment of contamination and toxic substances. Federal regulations do not prohibit a project from being built on a site that has contamination if the contamination can be mitigated. Therefore, it is important to conduct an Environmental Assessment very early in the project planning phase to determine what items need to be mitigated and what the cost is to mitigate.

Station 2 has asbestos containing building materials. We have not done an environmental assessment.

Question: Regarding DC-11 and DC-14, can you please provide information on the property (lot size, building size, estimated value if sold "as is")? Also, can you please confirm that there is not any fire station location/Station Master Plan scenario that contemplates bringing Station 2 back on-line? (Councilmember Lumm)

Response:

Lot Size: .777 acres

Exact building square footage is unknown

Based on initial conversations with a real estate broker, Station 2 "could be sold as is" with current R1C zoning for approximately \$1,000,000. This valuation was provided in October 2018.

Correct – There is not any fire station location/Station Master Plan scenario that contemplates bringing Station 2 back on-line.

Question: Also on DC-14, does the resolution contemplate a report back to Council, and if so, when would the completion date be? (Councilmember Lumm)

Response: Council should be aware, as discussed on February 11th, staff is working with an architect to identify a probable cost of construction for renovations recommended for Fire Station 1 (Downtown). We expect to have an estimate in hand by June 30th, 2019. Construction funding has not been identified, and the intent is to use the proceeds from a potential sale of Fire Station 2 to the Fire Station 1 renovation.

Question: Can you please attach a copy of the latest draft of the First Station Master Plan to this agenda question answer, for public edification (if allowed to be made public). (Councilmember Hayner)

Response: The Fire Station Master Plan was provided to Council via e-mail on January 24th, and therefore it is a public document. The Master Plan and staff's thoughts on implementation were discussed with Council at its February 11th Work Session.

Question: If this resolution is not adopted, will it have any effect whatsoever on the implementation of the Fire Station Master Plan? (Councilmember Hayner)

Response: No. However, Council should be aware, as discussed on February 11th, staff is working with an architect to identify a probable cost of construction for renovations recommended for Fire Stations 1 (Downtown) and 6 (Briarwood). We expect to have these estimates in hand by June 30th, 2019. Construction funding has not been identified, and the intent is to use the proceeds from a potential sale of Fire Station 2 to the Fire Station 1 and Fire Station 6 renovations.

Question: When will the Fire Station Master Plan come before council for approval? (Councilmember Hayner)

Response: Formal Council approval of the Master Plan is not required, however it has been presented for Council consideration. Council retains approval for the Capital

Improvement Program (for which the Master Plan would be a supporting document) any associated real estate transactions, professional services contracts, and construction contracts.

<u>DB-2</u> - Resolution to Approve Malletts Wood 2 Amended PUD Site Plan and Development Agreement, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Question: I received some questions from a resident/neighborhood representative regarding DB-2. She is concerned about a recent water main break and the stress that the additional units may place on existing infrastructure. She also raised concerns about the timing of proposed infrastructure work in the neighborhood, so that road repairs would not be made prior to underground infrastructure improvements. (Councilmember Grand)

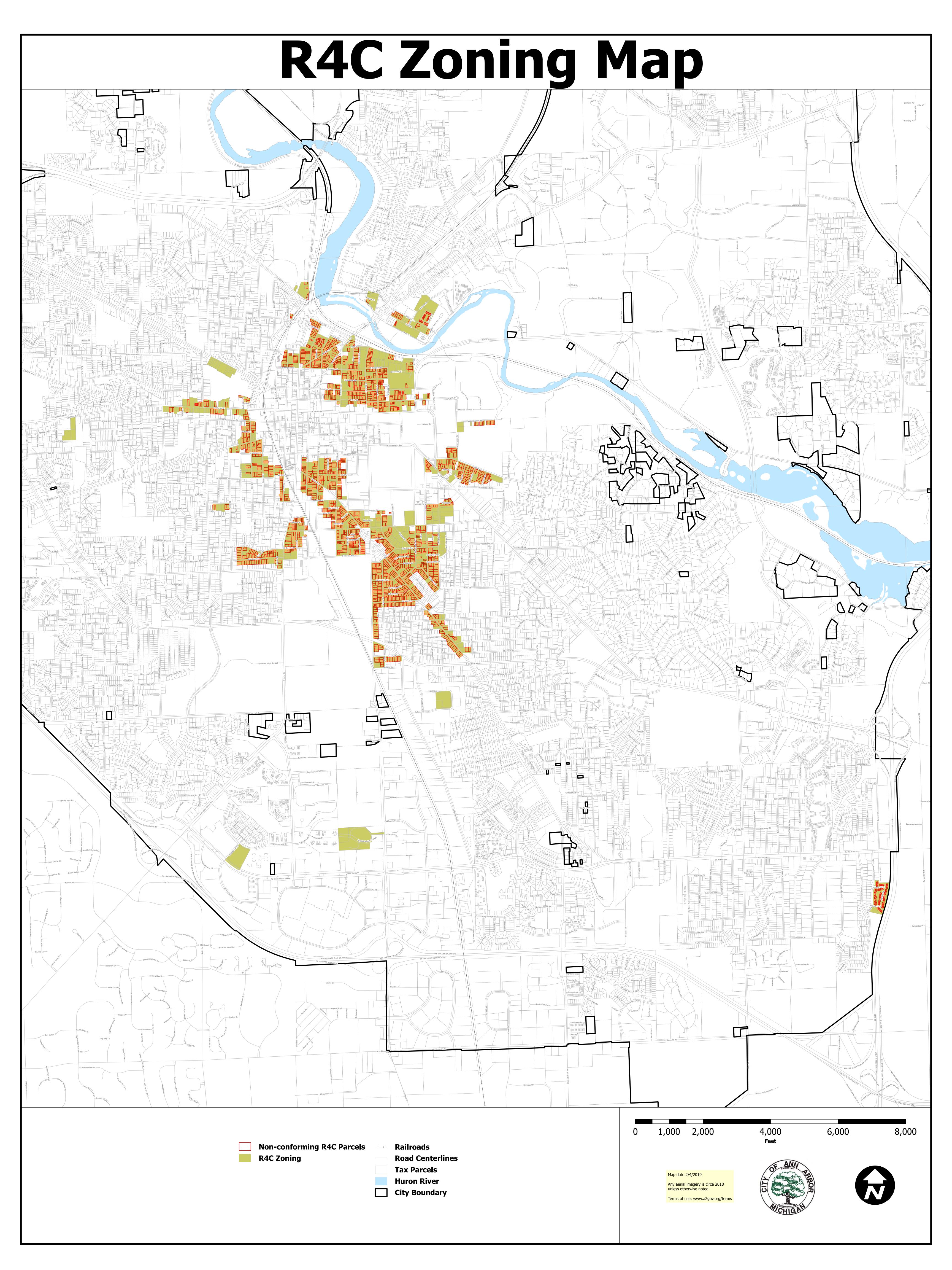
Response: Staff has reviewed the anticipated impact of this development and has concluded that it will not adversely impact existing infrastructure. It is anticipated that the development will take 18-24 months, and any anticipated City capital improvement investments are anticipated after this time period.

Question: Regarding B-1/DB-2, the site plan contemplates removing 352 trees >8 inch diameter with 23 landmark trees removed. The mitigation is 97 trees planted and a \$20K cash contribution - can you please remind me what the tree mitigation requirements are including the dollars when mitigation isn't on site? (Councilmember Lumm)

Response: The City seeks to achieve all or as much mitigation on site as possible. When all mitigation can't be achieved, the mitigation/replacement formula is converted into a per/tree basis. The current rate in this circumstance is \$200/tree. In this case, tree mitigation was require for both landmark trees and woodland trees.

Question: Also on DB-2, perhaps I missed it, but I didn't see the conveyance of parkland in the development agreement – is that an oversight? (Councilmember Lumm)

Response: This action would amend the existing PUD which required the conveyance of parkland. As this conveyance has already been satisfied, it is not necessary to include in the development agreement to ensure its performance.





March 15, 2019

Brian Steglitz Manager, Water Treatment Services City of Ann Arbor 919 Sunset Road Ann Arbor, MI 48103

Mr. Steglitz,

It is my understanding that the Lockwood of Ann Arbor Development, Planned Unit Development (PUD) Site Plan proposed at 3365 Jackson Road (Site) is a new development designed for diverse residential units including senior living space. The property was a former single-family residential home on a drinking water well. Included in the PUD is a stormwater management plan that includes a 100-year storm infiltration basin, bioretention basins in parking lot landscape islands and permitted drainage on the eastern side of the parcel through bioretention islands into existing wetlands. The location of this project is within the Gelman 1,4-dioxane plume (**Attachment A**). This letter documents my professional opinion regarding the site, my understanding of the nature and extent of the Gelman plume in this area and the potential for the infiltration basin to exacerbate the distribution of the 1,4-dioxane plume.

Available data was reviewed to understand the geology and contaminant distribution in this area. A set of nested wells (MW-30i/d) and the former residential drinking water well (referred to as 3365 Jackson) are located on the property. These three monitoring wells and two nearby soil boring logs for monitoring wells MW-69 and MW-17 were used to create a generalized geologic cross-section southwest to northeast across the Site. The plan view of the cross-section is located on **Figure 1** and the cross-section is **Figure 2**. The soil boring logs are included as **Attachment B** and a cross-section drafted by City of Ann Arbor staff has been included as **Attachment C** that traverses the area from west to east and includes First Sister Lake.

The Michigan Department of Environmental Quality (MDEQ) maintains a repository of information on the Gelman plume. Included is the water quality database that has been compiled from years of monitoring the plume. The table below summarizes the most recent data available on the repository for each well included in the cross-sections:

Monitoring Well	Date	Result (ppb)
MW-17	October 25, 2018	310
MW-118	October 24, 2018	44
MW-30i	August 28, 2018	2.1
MW-30d	November 21, 2018	200
MW-69	September 20, 2018	Non-detect
3365 Jackson	September 21,2018	170
MW-71	November 30, 2018	290

The overall generalized geologic cross-section (**Figure 2**) indicates there are three major granular (sand and gravel) units separated by four cohesive (clay) units. Specifically, on the Site there is silty sand and silt at the surface near MW-30i/d that grades to more cohesive units at the former drinking water well (3365 Jackson). The first clay unit extends between approximately 891 and 839 feet above mean sea level (amsl) at the Site with thickness of between 27 and 50 feet. There is a fourth shallow clay unit identified in the geology of 3365 Jackson that is approximately 5 feet thick. These clay units restrict downward migration of groundwater and contaminants transported in the groundwater.

The distribution of 1,4-dioxane concentrations are located below the massive clay unit described above, between 891 and 839 feet amsl. That includes MW-30i, MW-17 and 3365 Jackson. Monitoring well MW-30d also contains 1,4-dioxane below another massive 40 foot thick restrictive clay unit.

The cross-section completed by City staff depicts a west to east orientation (**Attachment B**). This cross-section also illustrates the separation of the upper granular unit where the infiltration basin is located, from the 1,4-dioxane containing aquifers below, by restrictive clay units.

The proposed infiltration basin will be located within the granular units, to a depth of 10 feet and covering approximately 14,269 square feet. A 100-year stormwater event will infiltrate the upper granular unit and will be restricted from vertical migration to the 1,4-dioxane containing aquifers below because of the massive clay units. Additionally, the upper aquifer appears to be unsaturated at MW-69, MW-30i/d and 3365 Jackson, indicating this is not an aquifer. Stormwater infiltration at 3365 Jackson Road will not affect the two lower aquifers or the distribution of the contaminant in this area.

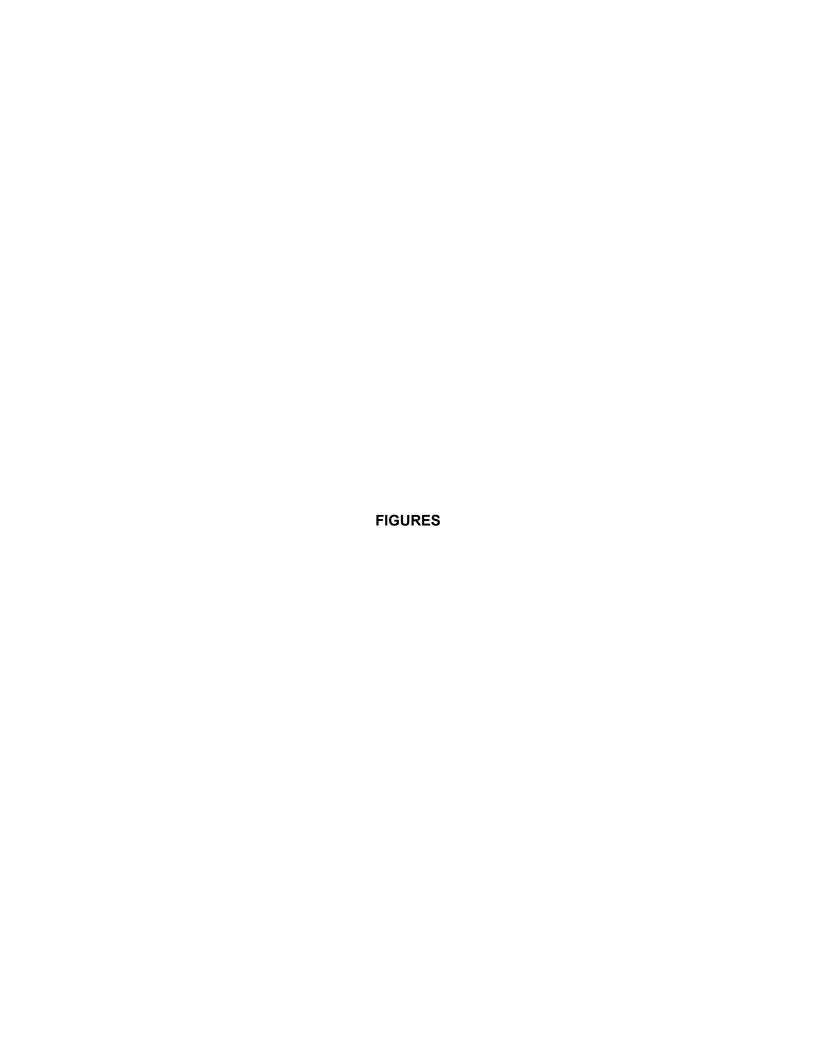
Sincerely,

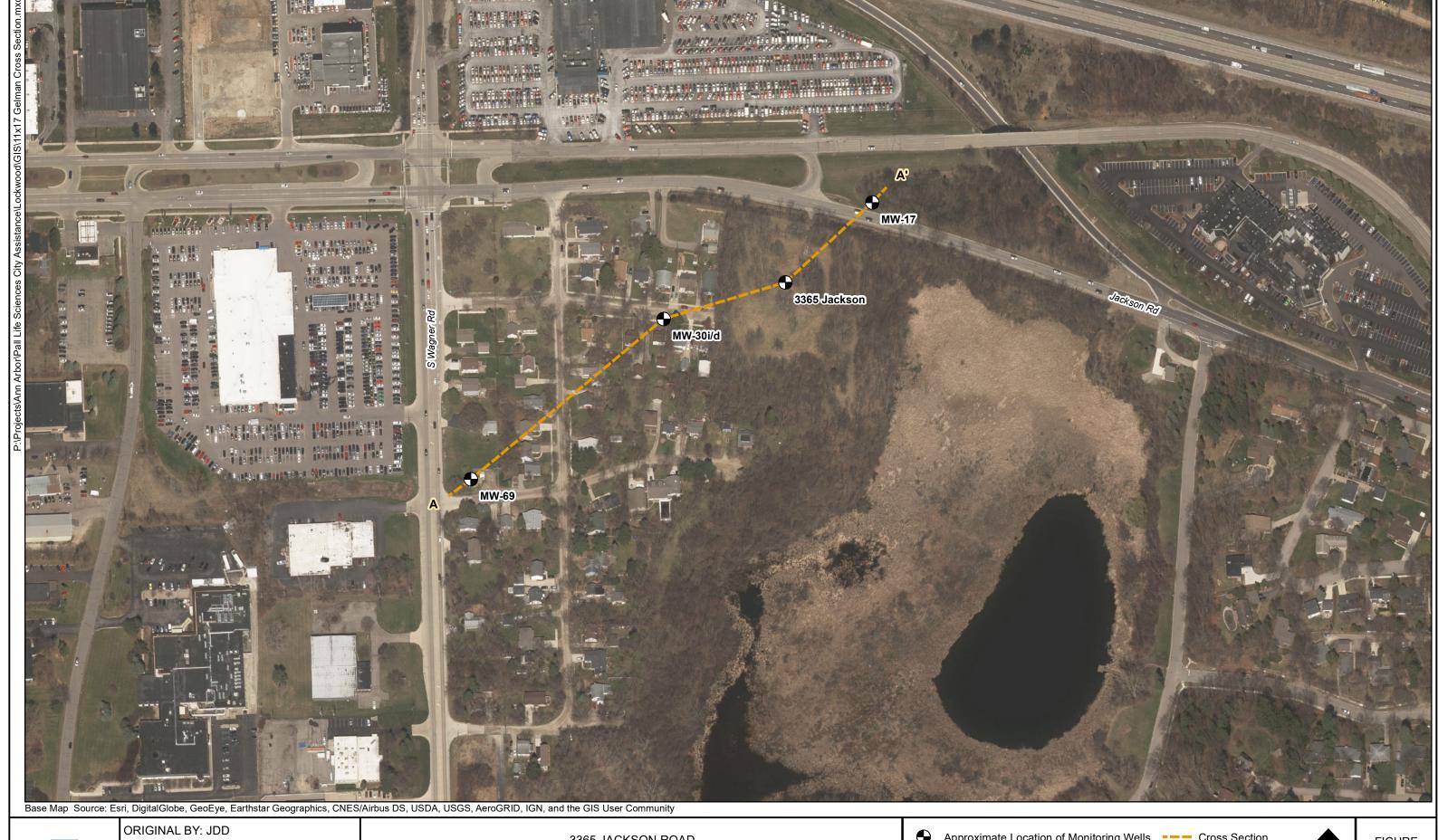
Patti McCall, C.P.G., P.W.S Associate Hydrogeologist

Attachments: Figures

Jam & Mc Call

Attachment A Attachment B Attachment C





TETRA TECH

ORIGINAL BY: JDD

DATE: 3/15/2019

CHECKED BY: PJM

DATE: 3/15/2019

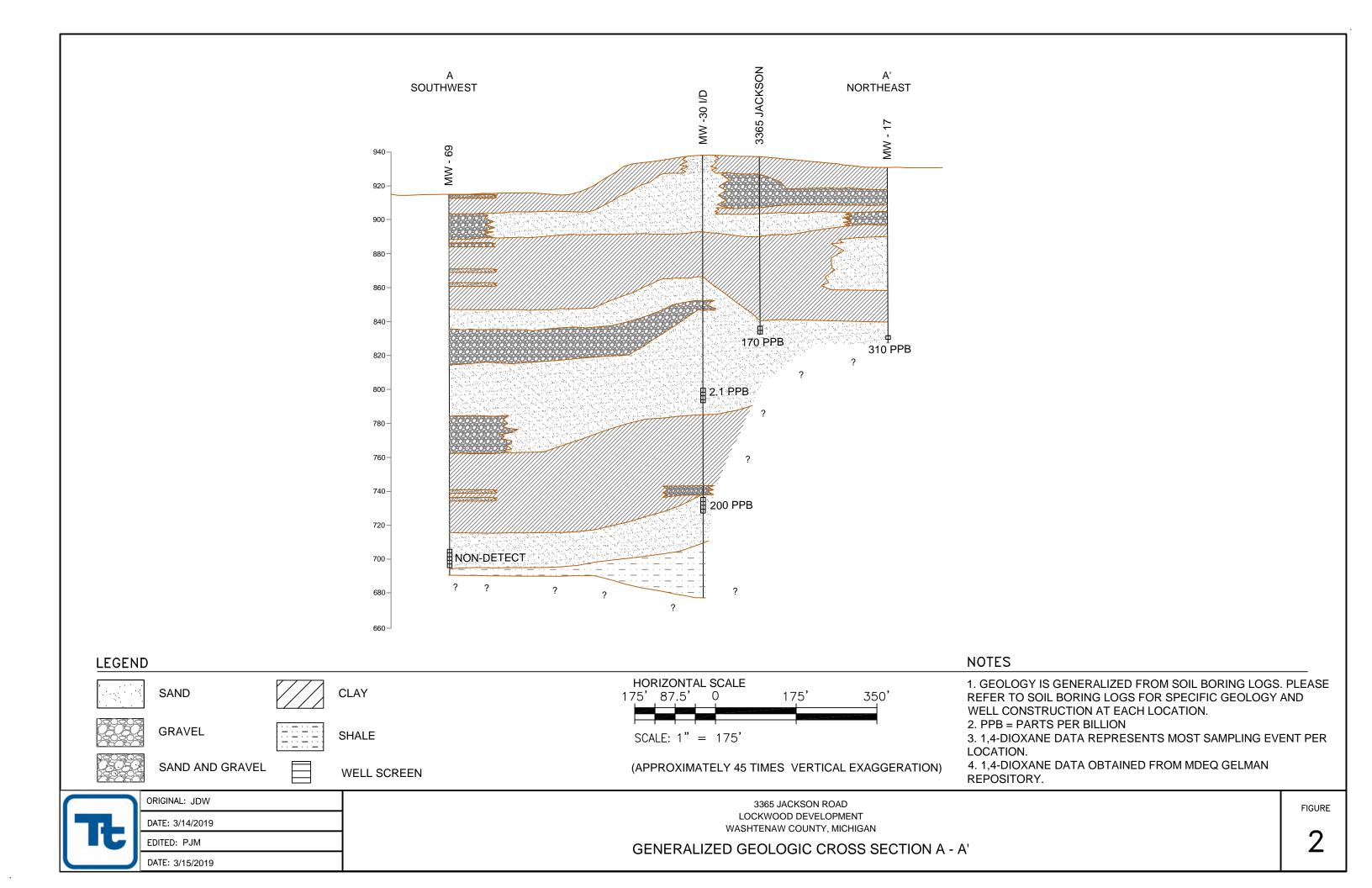
3365 JACKSON ROAD LOCKWOOD DEVELOPMENT WASHTENAW COUNTY, MICHIGAN

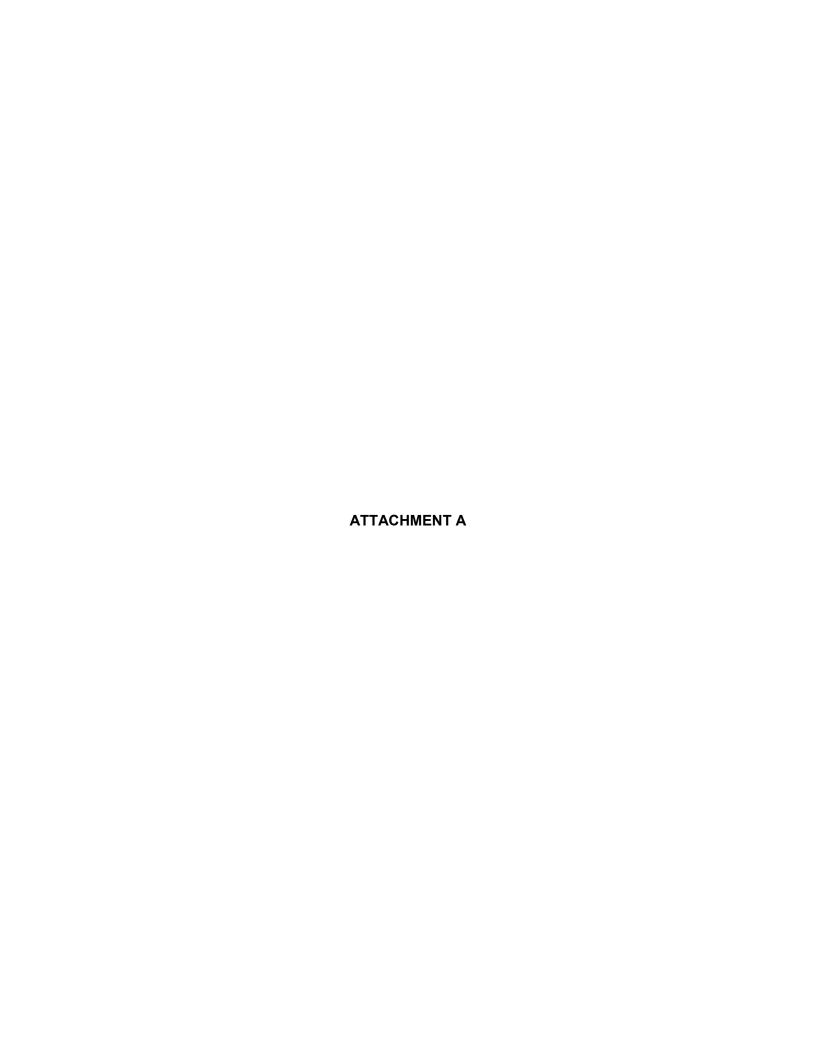
GENERALIZED GEOLOGIC CROSS SECTION ORIENTATION MAP

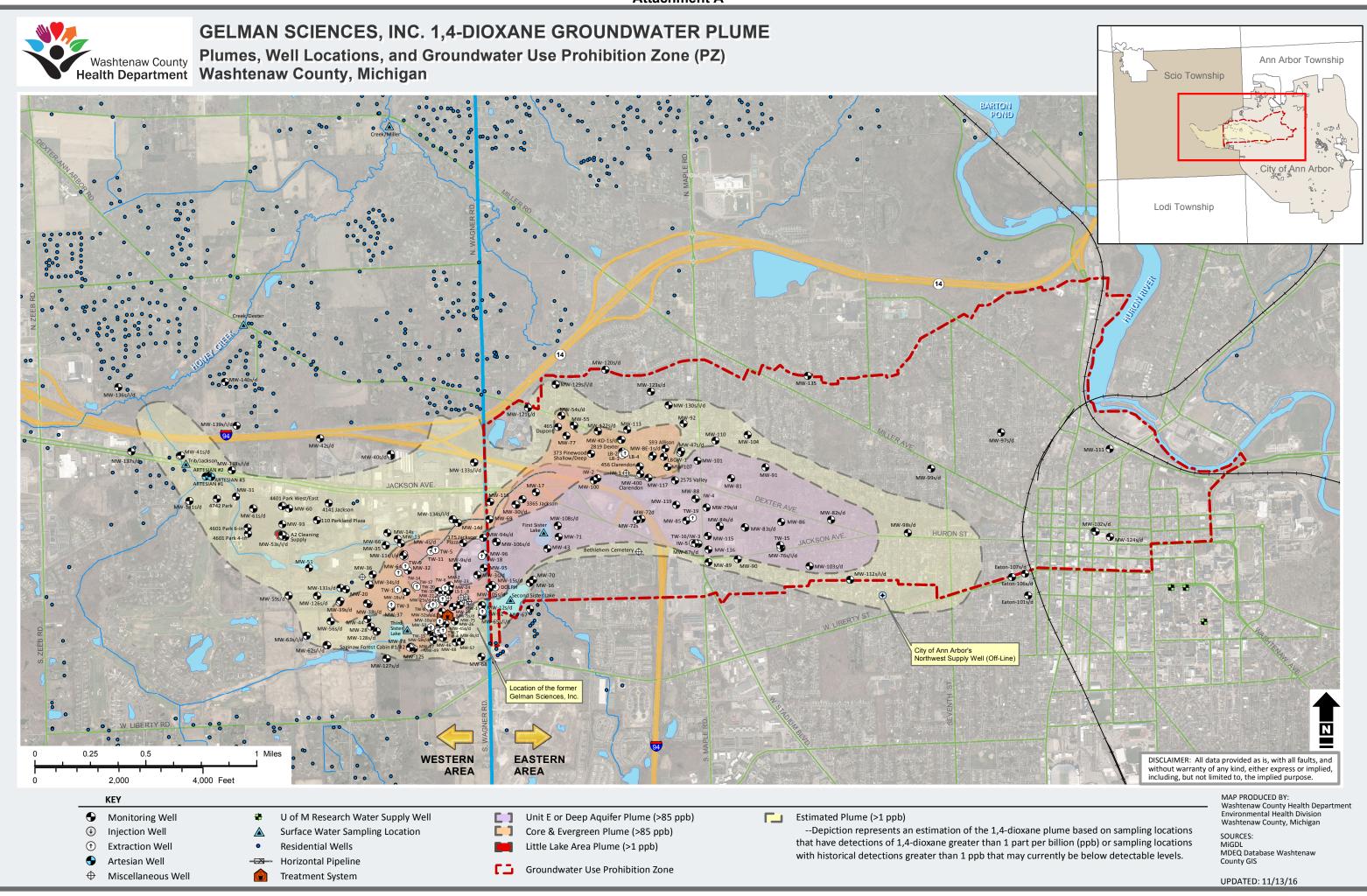
1 inch = 200 feet

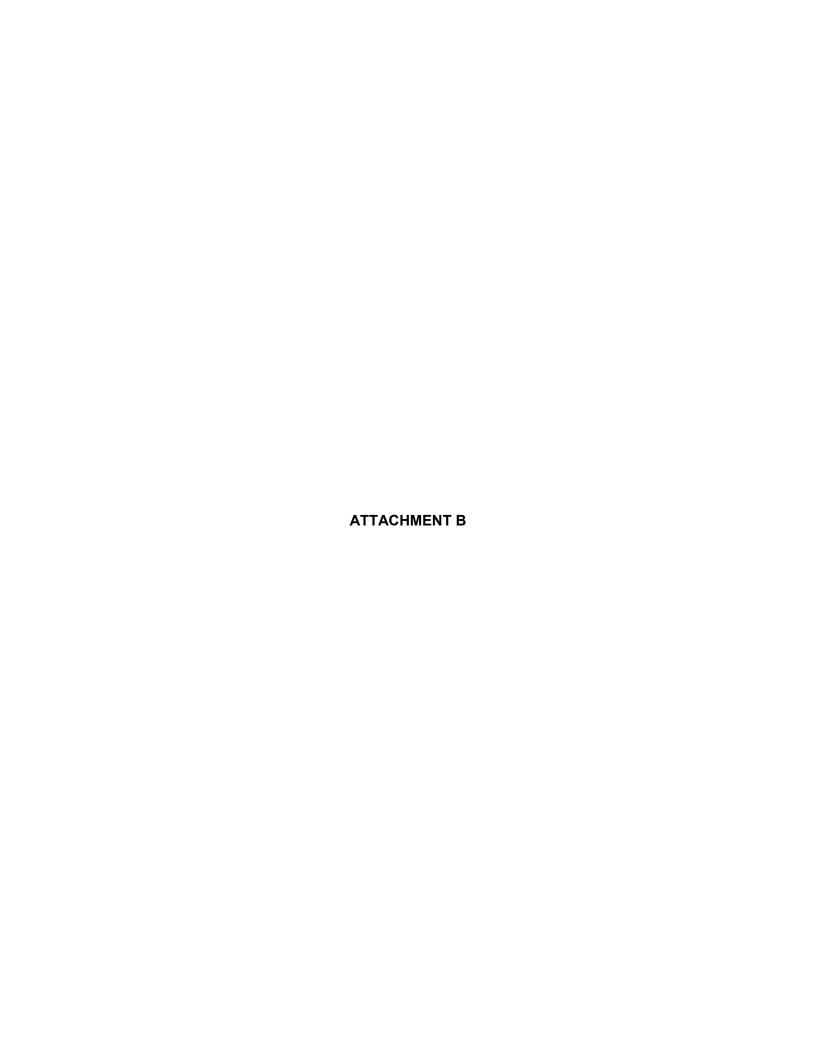


FIGURE









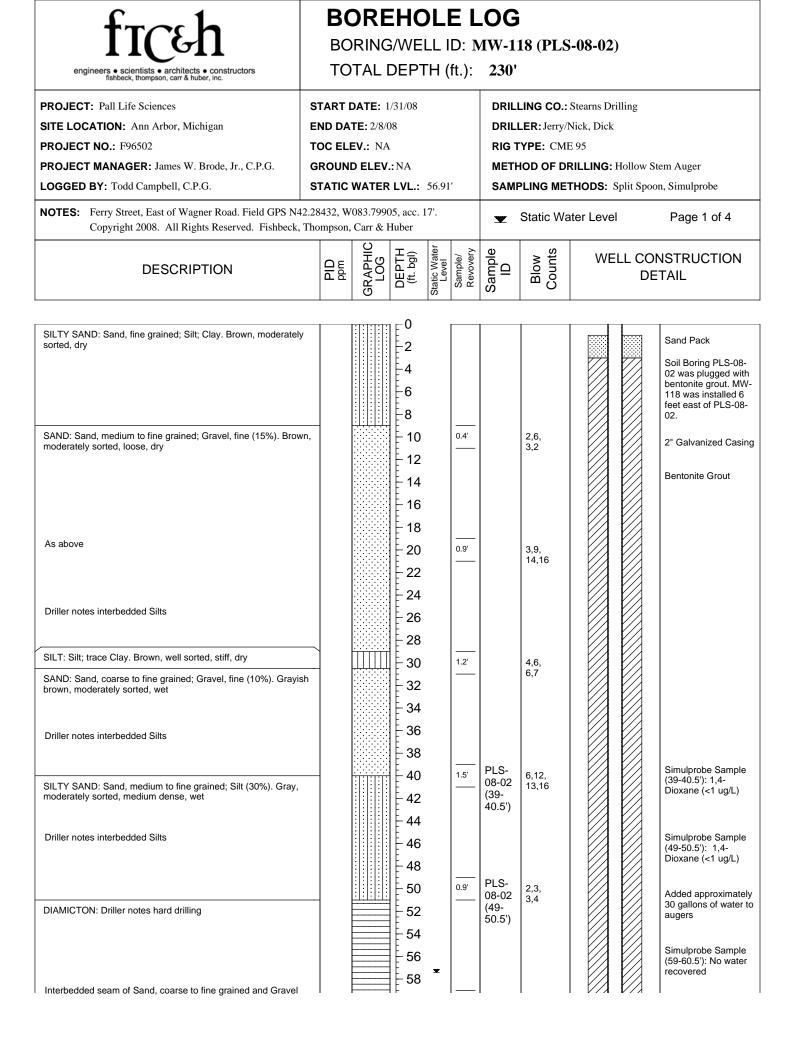
JOB NUMBER	#0147-1522	Gelman	ScienceDATE	October	14,	1986	PAGE
COD HOLDER	#014/-1044	OC IIII	001000				

BORING NUMBER MW-17 TOTAL DEPTH 104' S.W.L. (BGL)

BORING NUM	IBER MW-17	TOTAL DEPTH 104 S.W.E. (BOB)
Sample Number	From 0 to 104 Feet	Lithologic Description
	0 - 13	TILL; silty clay matrix, lt. brown, fine-very coarse
		sand fraction, some gravel, hard, friable, more sandy
		at surface
	13 - 21	GRAVEL; very fine-med., some sand, gray-brown, grading
		to fine-very coarse sand at 17 feet
	21 - 26	TILL; as above
	26 - 34	GRAVEL; fine-med., grading to fine-med. sand, brown,
		dirty, saturated at 30-35 feet
	34 - 37	CLAY; laminated, brown-gray, soft
	37 - 40	Low drilling presure - infer sand
	40 - 41	CLAY; as above
	41 - 65	SAND; fine-coarse, med. brown, veyr dirty, saturated
	65 - 86	TILL; gray-brown, silty matrix, fine-med. angular
	03 00	sand fraction
	06 104	SAND; fine-very coarse, gray, clean
	86 - 104	SAND; THE-VETY COLLECT, 920/7 CLOSE
<u></u>		101 feet of 2-inch galvanized casing
	· ·	2-inch x 2-foot #7 slot stainless steel screen
		3.5 feet above ground level
		99.5 feet below ground level
		thick bentonite slurry from 30 - 85 feet BGL
		development - very high production, slow cleanup -
		approx. ½ hour
		930.14
		450
		·

Piezometer:

Screen Pipe Total Depth (BGL)





BOREHOLE LOG

BORING/WELL ID: MW-118 (PLS-08-02)

TOTAL DEPTH (ft.): 230'

PROJECT: Pall Life Sciences

SITE LOCATION: Ann Arbor, Michigan

PROJECT NO.: F96502

PROJECT MANAGER: James W. Brode, Jr., C.P.G.

LOGGED BY: Todd Campbell, C.P.G.

START DATE: 1/31/08

END DATE: 2/8/08

TOC ELEV.: NA

GROUND ELEV.: NA

STATIC WATER LVL.: 56.91'

DRILLING CO.: Stearns Drilling

DRILLER: Jerry/Nick, Dick

RIG TYPE: CME 95

METHOD OF DRILLING: Hollow Stem Auger

SAMPLING METHODS: Split Spoon, Simulprobe

 $\textbf{NOTES:} \quad \text{Ferry Street, East of Wagner Road. Field GPS N42.28432, W083.79905, acc. } 17'.$

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Static Water Level

Page 2 of 4

DESCRIPTION

Ppm SRAPHIC LOG

OEPTH (ft. bgl)
Static Water Level Sample/ Revovery

Sample ID

Blow

11,13, 16,17 WELL CONSTRUCTION DETAIL

SAND AND GRAVEL: Driller notes Sand and Gravel
Sand, coarse to fine grained; Gravel, fine; Silt (20%). Grayish brown, poorly sorted, wet
DIAMICTON: Driller notes Till
Clay; Silt; Gravel, fine (20%); trace Sand, fine grained. Grayish brown, moderately sorted, hard, dry
GRAVEL AND SAND: Sand, coarse to fine grained (60%); Gravel, fine. Grayish brown, moderately sorted, wet
Clay seam
SAND: Sand, medium to fine grained. Grayish brown, well sorted, very dense, wet
SAND AND GRAVEL: Sand, fine to coarse grained (60%); Gravel, fine. Grayish brown, moderately sorted, wet

Sand, fine to coarse grained (60%); Gravel, fine (40%); trace Silt.

Grayish brown, poorly sorted, wet

Cobbles throughout

	62			10,17		20 gallons of water to augers	
	64						
	66					Simulprobe Sample (69-70.5'): 1,4-	
	68					Dioxane (<1 ug/L)	
	70	1.5'	PLS- 08-02	6,31,		Added approximately	
	72	_	(69- 70.5')	28		20 gallons of water to augers	
	74		70.5)				
	76						
	78						
	80	1.0'		24,50		Added approximately	
	82					20 gallons of water to augers	
	84						
	86					Simulprobe Sample (89-90.5'): 1,4-	
, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,	88					Dioxane (<1 ug/L)	
	90	1.0'	PLS- 08-02	13,16, 23		Added approximately	
	92		(89- 90.5')	25		20 gallons of water to augers	
	94		,				
	96					Simulprobe Sample (99-100.5'): 1,4-	
	98					Dioxane (<1 ug/L)	
	100	1.5'	PLS- 08-02	38,43, 30,12			
	102		(99- 100.5')	00,12		Bentonite Grout	
	104		ĺ				
	106					Simulprobe Sample (109-110.5'): 1,4-	
	108					Dioxane (2 ug/L)	
	110	0.2'	PLS- 08-02	6,7, 19		Added approximately	
	112		(109- 110.5')			20 gallons of water to augers	
	114						
	116					Simulprobe Sample (119-120.5'): 1,4- Dioxane (3 ug/L)	
	[⊢] 118				V //	Dioxalle (3 ug/L)	



BOREHOLE LOG

BORING/WELL ID: MW-118 (PLS-08-02)

TOTAL DEPTH (ft.): 230'

PROJECT: Pall Life Sciences

SITE LOCATION: Ann Arbor, Michigan

PROJECT NO.: F96502

PROJECT MANAGER: James W. Brode, Jr., C.P.G.

LOGGED BY: Todd Campbell, C.P.G.

START DATE: 1/31/08

END DATE: 2/8/08

TOC ELEV.: NA
GROUND ELEV.: NA

STATIC WATER LVL.: 56.91'

METHOD OF DRILLING: Hollow Stem Auger

SAMPLING METHODS: Split Spoon, Simulprobe

Static Water Level

DRILLING CO.: Stearns Drilling

DRILLER: Jerry/Nick, Dick

RIG TYPE: CME 95

Page 3 of 4

DESCRIPTION

NOTES: Ferry Street, East of Wagner Road. Field GPS N42.28432, W083.79905, acc. 17'.

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g E E DEPTH (ft. bgl)

Static Water Level Sample/ Revovery

Blow

WELL CONSTRUCTION DETAIL

	rayıaı	_ 118	i	ì			
		120	0.5'	PLS- 08-02	3,5,		
		122	-	(119-	5		2" Galvanized Casing
		- 124		120.5')			2 Galvanized Casing
Cobbles throughout		126					Simulprobe Sample
		128					(129-130.5'): 1,4- Dioxane (16 ug/L)
Sand, medium to fine grained; Gravel, fine to coarse (30%); Silt		130	1.0'	PLS-	5,5,		
(10%). Grayish brown, poorly sorted, wet		130		08-02 (129-	8		Added approximately 20 gallons of water to
		F		130.5')			augers
Cobbles throughout		134					#6 Sand Pack Simulprobe Sample
		136					(139-140.5'): 1,4- Dioxane (90 ug/L)
Sand, medium to fine grained with some coarse grains; Gravel,		138		PLS-			
fine to coarse (20%); Silt (20%). Grayish brown, poorly sorted, wet. Cobble/Boulder at 141'		140	1.0'	08-02	3,8, 35		2" Stainless Steel Screen (10 slot) set
Note Costs (c) Escalado (de l'11)		142		(139- 140.5')		[20000]	between 137 and 142 feet bgs
		144					
		146					Added approximately 30 gallons of water to
		148					augers
Sand, coarse to fine grained; Gravel, fine to coarse (30%); Silt (10%). Grayish brown, poorly sorted, wet		150	1.0'	PLS- 08-02	70, 100 (4")		Simulprobe Sample
		152		(149- 150.5')			(149-150.5'): 1,4- Dioxane (6 ug/L)
		154		,			
		156					
DIAMICTON: Driller notes Till		158					
Silt; Sand, fine grained (30%); Gravel, fine (10%); trace Clay. Grayish brown, moderately sorted, hard, dry		160	0.5'		144 (5")		
Staylor Brown, moderatory contou, nate, ary		162					
		- - 164					
		166					
		168					
Coarse Gravel throughout		170	0'		100 (4")		
		-			100 (4)		Added approximately 40 gallons of water to
		172					augers
Interbedded Sand/Gravel seams		174					
3.0.0.0.00		176					
'		178	•	•		•	. '



BOREHOLE LOG

BORING/WELL ID: MW-118 (PLS-08-02)

TOTAL DEPTH (ft.): 230'

PROJECT: Pall Life Sciences

SITE LOCATION: Ann Arbor, Michigan

PROJECT NO.: F96502

PROJECT MANAGER: James W. Brode, Jr., C.P.G.

LOGGED BY: Todd Campbell, C.P.G.

START DATE: 1/31/08

END DATE: 2/8/08

TOC ELEV.: NA

GROUND ELEV.: NA

STATIC WATER LVL.: 56.91'

DRILLING CO.: Stearns Drilling

DRILLER: Jerry/Nick, Dick

RIG TYPE: CME 95

METHOD OF DRILLING: Hollow Stem Auger

SAMPLING METHODS: Split Spoon, Simulprobe

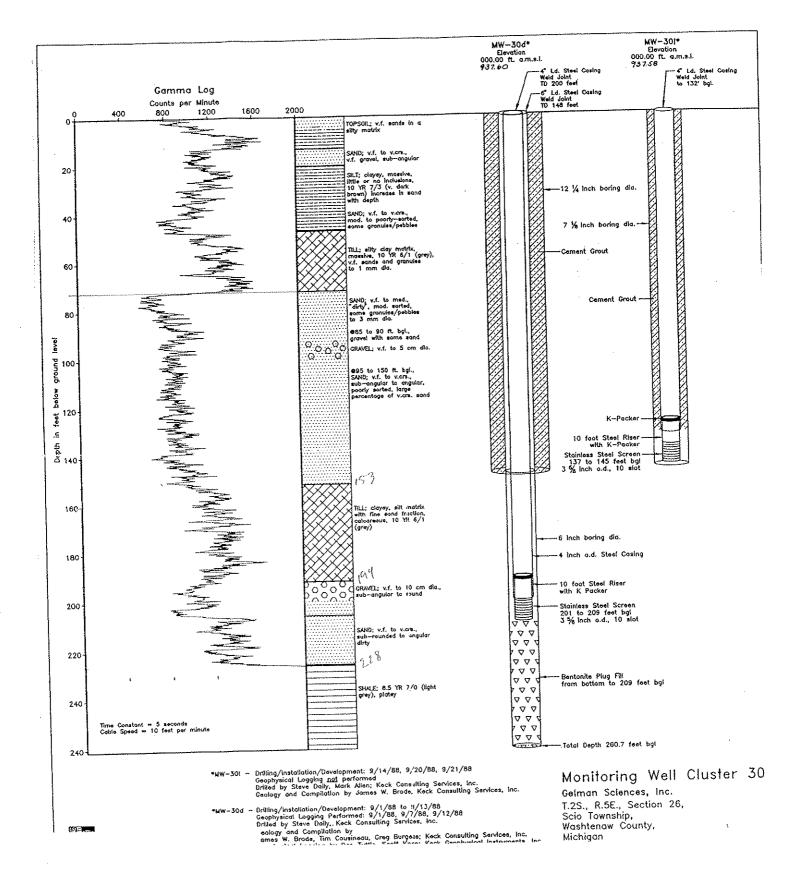
NOTES: Ferry Street, East of Wagner Road. Field GPS N42.28432, W083.79905, acc. 17'.

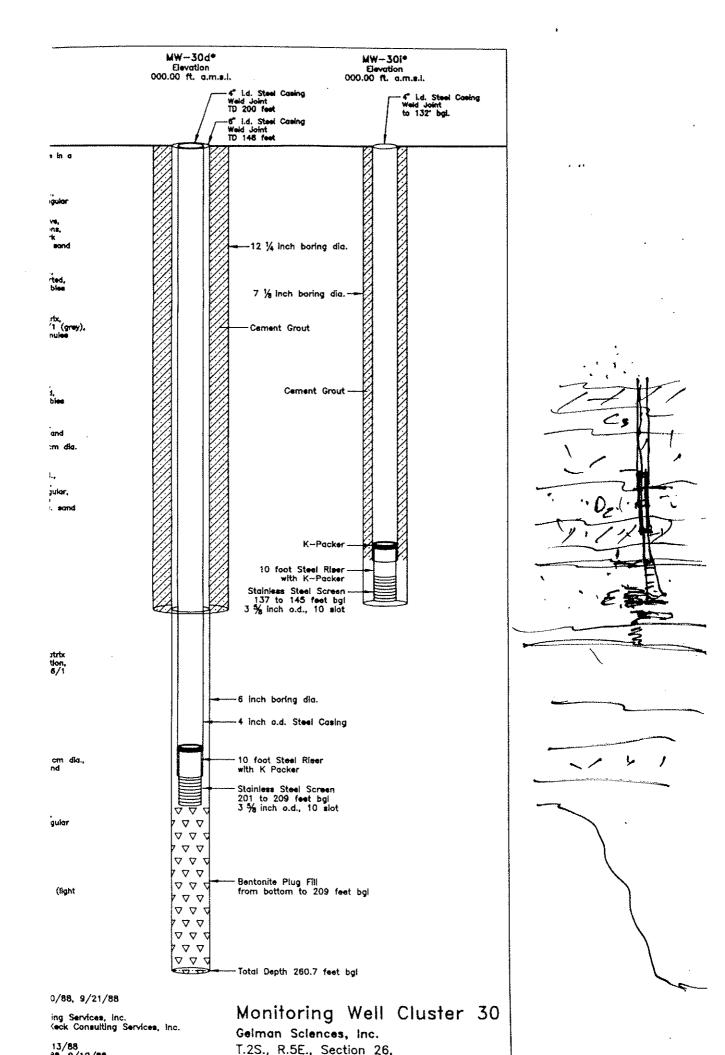
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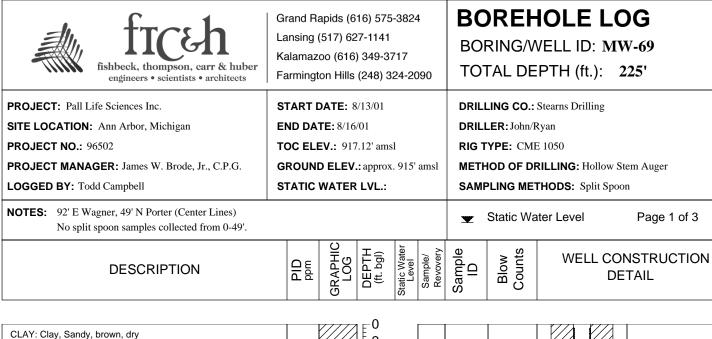
Static Water Level

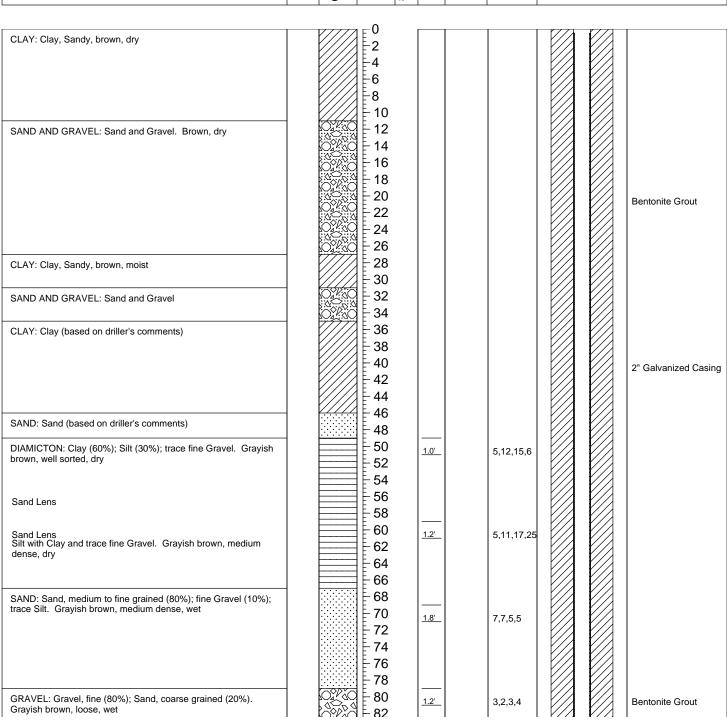
Page 4 of 4

DESCRIPTION	PID	GRAPHIC LOG	DEPTH (ft. bgl)	Static Water Level	Sample/ Revovery	Sample ID	Blow Counts	WELL CONSTRUCTION DETAIL		
Diamicton as above)	0.1'		100 (4")		Added approximately 40 gallons of water to augers	
Interbedded Sand/Gravel seams			184	6						
Silt; Clay; Sand, fine grained (20%); Gravel, fine with some coarse (20%). Grayish brown, poorly sorted, hard, dry SAND: Driller notes Sand			190)	0.5'		114		Added approximately 40 gallons of water to augers	
DIAMICTON: Driller notes Till	-		194 - 196 - 198	6					Simulprobe Sample (199-200.5'): 1,4- Dioxane (2 ug/L)	
SAND: Sand, medium to coarse grained with some fine grains (80%); trace Silt; trace Gravel, fine. Grayish brown, moderately sorted, very dense, wet	-		200) <u>2</u>	1.3'	PLS- 08-02 (199- 200.5')	28,25, 75 (3")			
			204	6					Simulprobe Sample (209-210.5'): 1,4- Dioxane (3 ug/L)	
Rock in shoe			210	2	0.3'	PLS- 08-02 (209- 211.5')	7,50, 70 (3")		Added approximately 30 gallons of water to augers	
DIAMICTON: Driller notes Till	_		214	6						
Silt; Sand, fine grained (30%); Gravel, fine to coarse (20%). Grayish brown, poorly sorted, moist/dry			220		0.3'		200 (2")		Added approximately 30 gallons of water to augers	
BEDROCK: Shale, weathered, platy. Bluish gray, hard, dry	_		224	6					Added approximately 30 gallons of water to augers	











DESCRIPTION

Interbedded Sands from approximately 161' to 167'

Grand Rapids (616) 575-3824 Lansing (517) 627-1141 Kalamazoo (616) 349-3717 Farmington Hills (248) 324-2090

BOREHOLE LOG BORING/WELL ID: MW-69 TOTAL DEPTH (ft.): 225'

DETAIL

2" Galvanized Casing

START DATE: 8/13/01 DRILLING CO.: Stearns Drilling

END DATE: 8/16/01 DRILLER: John/Ryan **TOC ELEV.:** 917.12' amsl RIG TYPE: CME 1050

GROUND ELEV .: approx. 915' amsl METHOD OF DRILLING: Hollow Stem Auger STATIC WATER LVL.: **SAMPLING METHODS:** Split Spoon

NOTES: 92' E Wagner, 49' N Porter (Center Lines) Static Water Level Page 2 of 3

No split spoon samples collected from 0-49'. GRAPHIC LOG Sample ID Blow Counts Revovery Static Water Level DEPTH (ft. bgl) WELL CONSTRUCTION

84 86 88 90 0.1' 2" Galvanized Casing 22,17,19,2 92 94 96 98 100 0.8' 3,4,4,5 SAND: Sand, fine grained (100%) with trace Silt. Well sorted, 102 loose, grayish brown, wet @ 101', Sand as above with 20% fine gravel 104 106 108 110 Sand, coarse to fine grained (75); Gravel, fine (25%). Grayish 1.8' 4,11,17,19 brown, medium dense, wet 112 114 116 118 120 Sand, fine grained (100%). Well sorted, medium dense, grayish 1.2' 7,14,21,32 brown, wet 122 124 126 128 130 0.5' 78,132,94 SAND AND GRAVEL: Sand, coarse to medium grained (75%); 132 fine Gravel (25%). Grayish brown, very dense, wet 134 136 138 140 Silty (based on water sample) NA 142 144 146 148 150 0 NA Bientolopiteb @sozumple 150-150.8' (4ug/L) 152 DIAMICTON: Clay (60%); Silt (30%); trace fine grained Sand; 154 trace fine Gravel. Grayish brown, hard, dry 0.5' 17,30, 156 NA 158

160

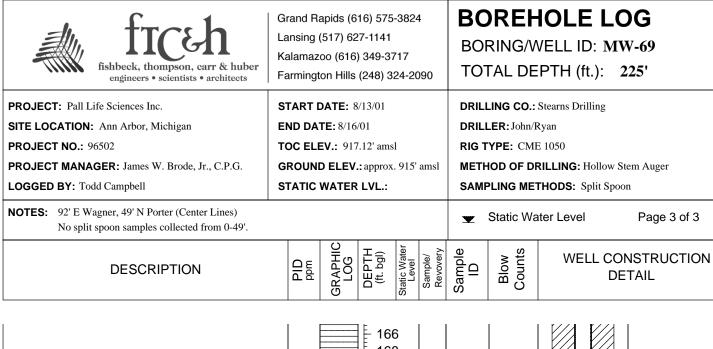
162

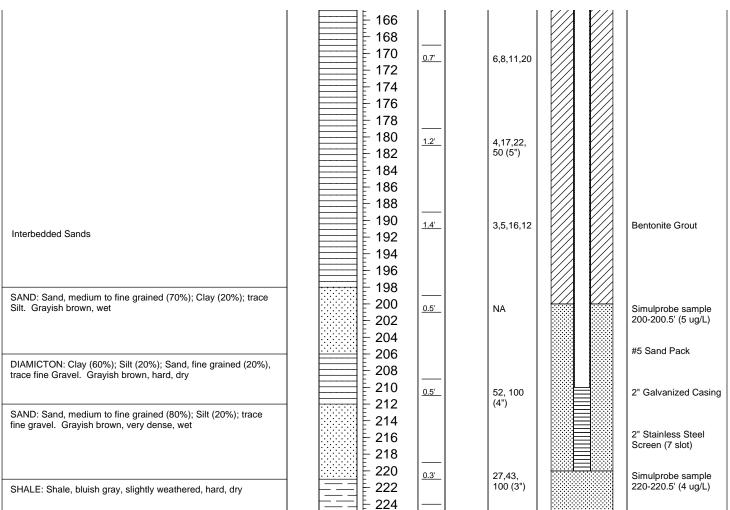
164

0.8'

17,18,60

(3")





· · · · · · · · · · · · · · · · · · ·	WATER WE	LL RECO	RD		MICHIGAN DEF	PARTHENT
****	ACT 294	PA 1965		-	OF	
1 LOCATION OF WELL	·····	·			PUBLIC H	EALTH
County Twp.		Fraction		ction No.	Town	Range
Distance And Direction from Road Intersections		NW4NC	VINUVA	<u> 25 </u>	2 NYS.	5 E/A.
Distance And Direction from Road Intersections	NER No		3 OWNER OF	WELL:	LOO LUI	70 Fm
- LKSON +WAONER ROS. AT			Address		JACHSO	
itreet address & City of Well Location 3365 JAC	KSON	Ro.				
· · · · · · · · · · · · · · · · · · ·	THICKNESS	DEPTH TO	A WELL DES	TAIA! TH: (complete:	ARBOK	111014
2 FORMATION	OF STRATUM	BOTTOM OF	100	TITE (Complete)	d) Date of Com 2-14	pletion
			5 F Gobia	2001₹. □ B	otary Dri	
CLAY-SANDY	10'	10	5 Gobje		etted Bo	
i /	٠ ا	1	6 USE: 2 0		Public Supply	Industry
SANDIORAVEL	20	30			Air Conditioning	
36	01	4.1	□ т.	est Well 🔲 .		
CLAY-YELLOW	3	33	7 CASING:	Threaded 🖅 W	elded Height:	Above/Butow
	1	1		رft, D:		
SAND- 11	19	47	ļ ·			lbs/ft.
ALAN GOAN	119	90'	in. to	ft. De	epth Drive S	hoe? Yes ANo 🗌
CLAY-GRAY	72	10	8 SCREEN:	•		1. 1.
SAND - GREY-FINE	\ \tau'	95-	Type:	RI= WO	UNODia.: 3	<u> </u>
3/1/00 = 3/KEY -1-1/02	<u> </u>	15	Slot/Gione	22	Length	<i>*</i>
SAND-WATER	9	104'			104	
		701	'		·	
			Fittings	MIDDI	E +SOLI	a Duia
			9 STATIC WA	TED LEVEL	E = 3021	1) 1-246
				_ft. below land	surface	
			10 PUMPING L			
					rs. pumping	0 g.p.m.
					, , ,	- ,
				_tt. atterh	rs. pumping	g.р.т.
	,		11 WATER QU	ALITY in Part	s Per Million:	
			Iron (Fe)	C	hlorides (CI)	
			Hardness		NOT HN	OWN
			12 WELL HEA	itless Adapter	N: In Approv	
			13 GROUTING		12" Abov	e Grade
				: d? 🔲 Yos 🗷	l No	
			i	Neat Cement		
			Depth: From	mft. to	ft. /	
			14 SANITARY:			
					contamination	
			55 foot	• • • • • • • • • • • • • • • • • • • •	oction SEPT/	• '
				cted upon com	pletion Fres [□ No
ALIN O THE OF THE LETTER	ITEM NO.		15 PUMP:	رس	·~ ~ *	,
ROUND BY O. D. B. Marian			Monufacture	r's Name	<u> </u>	
≪CORRECTED BY:			Model Numb	or 4/10/	/ HP_	72
	1				∠ft. capacity <u>/</u>	<u>∠_</u> G.P.M.
STABOLION BY	2		Type: 🔼 S	ubmersible et		
16 Remarks, elevation, source of data, etc.	<u> </u>	17 WATER	WELL CONTRA		Reciprocat	ng
REPLACEMENT WELL					IFICATION: tion and this repo	rt is true
18 Cm / Sun 1 Sun har 19 1 Sun 19 1			st of my knowle			
		ANN A	BOR WI	ELL DRI	LLING	36
		Address_	1393 KN	MAHTIS	D. ANN	ARBOR
		Signed	Burset	(UNIX	L Date 3	24-69
		J. g. 1000	UTHORIZED REPR	ESENTATIVE (
067D 100M 6-66						



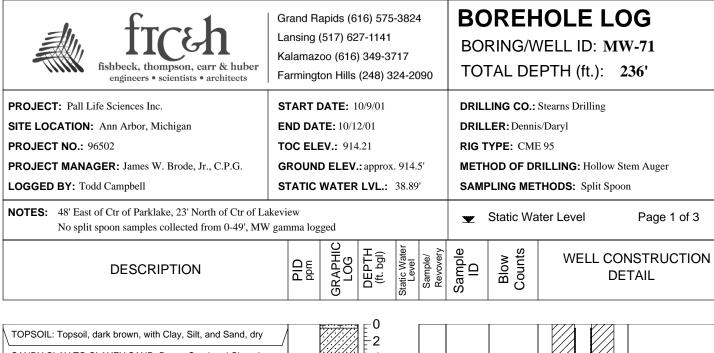
Water Well And Pump Record



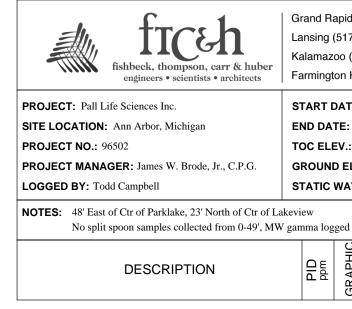
Completion is required under authority of Part 127 Act 368 PA 1978. Failure to comply is a misdemeanor.

וווי: 81727525020 U: 81727525020	mpry is a misdemeanor.										
Tax No: Permit No:		ship: Scio									
	J	VSSN: Source ID/Well I									
Well ID: 81000004445	02S 05E 25										
Well ID. 0100000 111 3	Distance and Direction from Road Intersection	n:									
Elevation: 936 ft.	800' E WAGNER RD, 100' S JACKSON RD.										
	W-H Own and LONG WA										
Latitude : 42.2843923765	Well Owner: LONG, WM										
Longitude: -83.796409426	Well Address: Owner Address:										
Method of Collection: Interpolation-Map		5 JACKSON RD ARBOR, MI 48103									
	ANN ARBON, IVII 40100	ARBON, MII 40 103									
Drilling Method: Auger/Bored	Pump Installed: Yes Pui	mp Installation Only: No									
Well Use: Household	Pump Installation Date: HP	•									
Well Type: Replacement Date Completed: 2/14/1969	Manufacturer: Other Pur	mp Type: Submersible									
Casing Type: Unknown Height:	Model Number: Pui	mp Capacity: 0 GPM									
Casing Joint: Threaded & coupled	Drop Pipe Length: 84.00 ft. Pui	mp Voltage:									
Casing Fitting: Drive shoe	Drop Pipe Diameter: Dri	Iling Record ID:									
	Draw Down Seal Used: No	_									
Diameter: 4.00 in. to 104.00 ft. depth	Pressure Tank Installed: No										
	Pressure Relief Valve Installed: No										
Borehole:											
Static Water Level: 60.00 ft. Below Grade	Formation Description	Thickness Depth									
Well Yield Test: Yield Test Method: Unknown	n Formation Description	Botto									
Pumping level 61.00 ft. after 1.00 hrs. at 10 GPM	Clay Sandy	10.00 10.00									
	Sand & Gravel	20.00 30.00									
	Yellow Clay	3.00 33.00									
Screen Installed: Yes Filter Packed: No	Sand	14.00 47.00									
Screen Diameter: 3.50 in. Blank: 0.00 ft. Above	Gray Clay	43.00 90.00									
Screen Material Type:	Gray Sand Fine	5.00 95.00									
Slot Length Set Between	Sand Wet/Moist	9.00 104.00									
22.00 4.00 ft. 100.00 ft. and 104.00 ft.											
Fittings: Other											
Well Grouted: No											
	Geology Remarks:										
Wellhead Completion: Pitless adapter											
Name of Course of Boardist, Co. 1, 1, 1	Bullion Marks Co. 1										
Nearest Source of Possible Contamination:	Drilling Machine Operator Name:										
Type Distance Direction	Employment: Unknown										
Septic tank 55 ft. North	Contractor Types 11-1-	D N - 04 0000									
Ahandanad Wall Dhumada Na	Contractor Type: Unknown Business Name:	Reg No: 81-0036									
Abandoned Well Plugged: No	Business Address:										
Reason Not Plugged:		do Cortification									
	Water Well Contractor										
	This well was drilled under my supervision a my knowledge and belief.	ind this report is true to the bea									
	Thy knowledge and belief.										
	Signature of Registered Contractor	Date									
General Remarks: SCREEN FITTINGS: 3" NIPPLE AND SOLID PLU											
Other Remarks: Pump Manufacturer:REDA, Screen Fittings:Type Unk	nown										
OD 0047 (4/0040)		0/40/0000 0.0									

EQP-2017 (4/2010) Page 1 of 1 LHD 2/18/2000 9:29 PM



	<u></u> <u></u> <u></u> <u></u> <u> </u> <u> </u>		ii	- o		
		0				
TOPSOIL: Topsoil, dark brown, with Clay, Silt, and Sand, dry	7////	0 2				
SANDY CLAY TO CLAYEY SAND: Brown Sand and Clay, dry		-4 -6				
SAND: Sand, fine to coarse grained with Silt. Brown, wet		-8 -10 -12 -14 -16 -18 -20 -22 -24 -26				Bentonite Grout
CLAY AND SAND: Clay and Sand Interbedded. Dry to moist		- 28 - 30 - 32 - 34				
Gravel throughout		36 - 38 - 40 - 42 - 44	•			2" Galvanized Casing
SAND: Sand, fine to medium grained with trace coarse grained (90%); trace Silt. Grayish brown, medium dense, wet		- 48 - 50 - 52 - 54 - 56 - 58	0.4'	_	28,15,11, 13	
Sand, fine to coarse grained (90%); fine Gravel (10%). Grayish brown, medium dense, wet		60 62 64	0.8'	_	4,6,9,13	
SILTY SAND: Sand, fine to coarse grained (70%); fine Gravel (10%); Silt (20%). Grayish brown, medium dense, poorly sorted, wet		66 - 68 - 70 - 72	0.8'	_	13,8,10,12	
SAND: Sand, coarse to medium grained (90%) with trace fine grained Sand; fine Gravel (10%). Grayish brown, loose, well sorted, wet		74 - 76 - 78 - 80 - 82	1.1'	- -	2,2,3,6	Bentonite Grout



Grand Rapids (616) 575-3824 Lansing (517) 627-1141 Kalamazoo (616) 349-3717 Farmington Hills (248) 324-2090

BOREHOLE LOG BORING/WELL ID: MW-71 TOTAL DEPTH (ft.): 236'

Static Water Level

START DATE: 10/9/01 **DRILLING CO.:** Stearns Drilling **END DATE:** 10/12/01 DRILLER: Dennis/Daryl

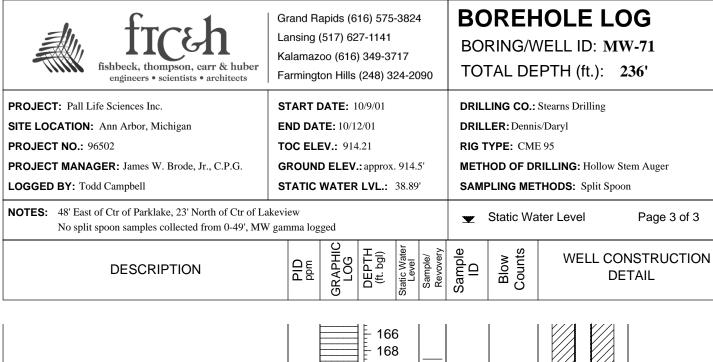
TOC ELEV.: 914.21 **RIG TYPE:** CME 95 **GROUND ELEV.:** approx. 914.5' $\textbf{METHOD OF DRILLING:} \ Hollow \ Stem \ Auger$

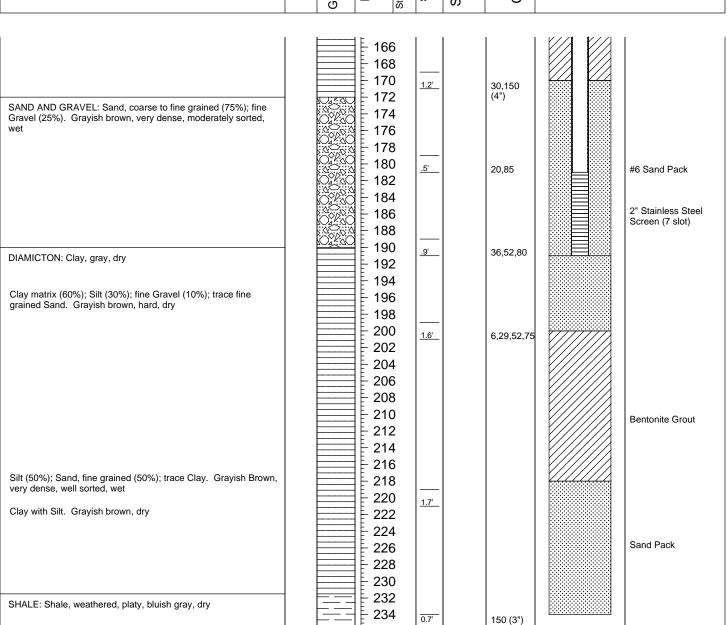
STATIC WATER LVL.: 38.89' SAMPLING METHODS: Split Spoon

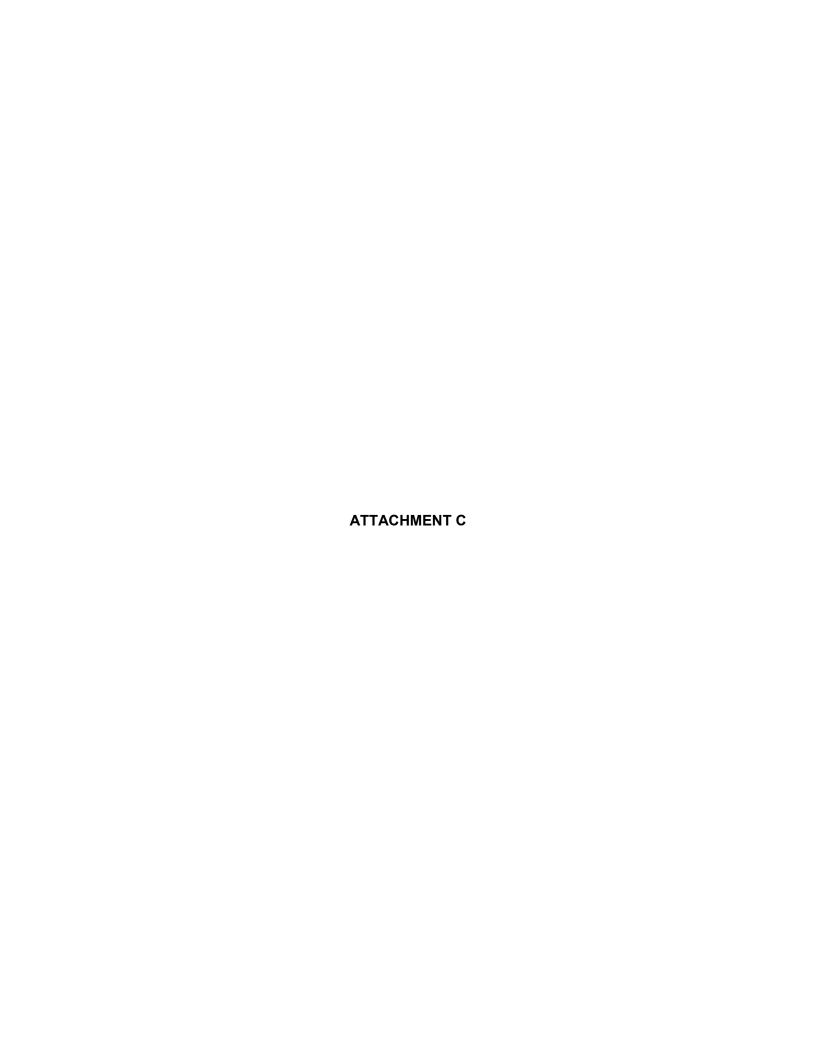
NOTES: 48' East of Ctr of Parklake, 23' North of Ctr of Lakeview

Page 2 of 3

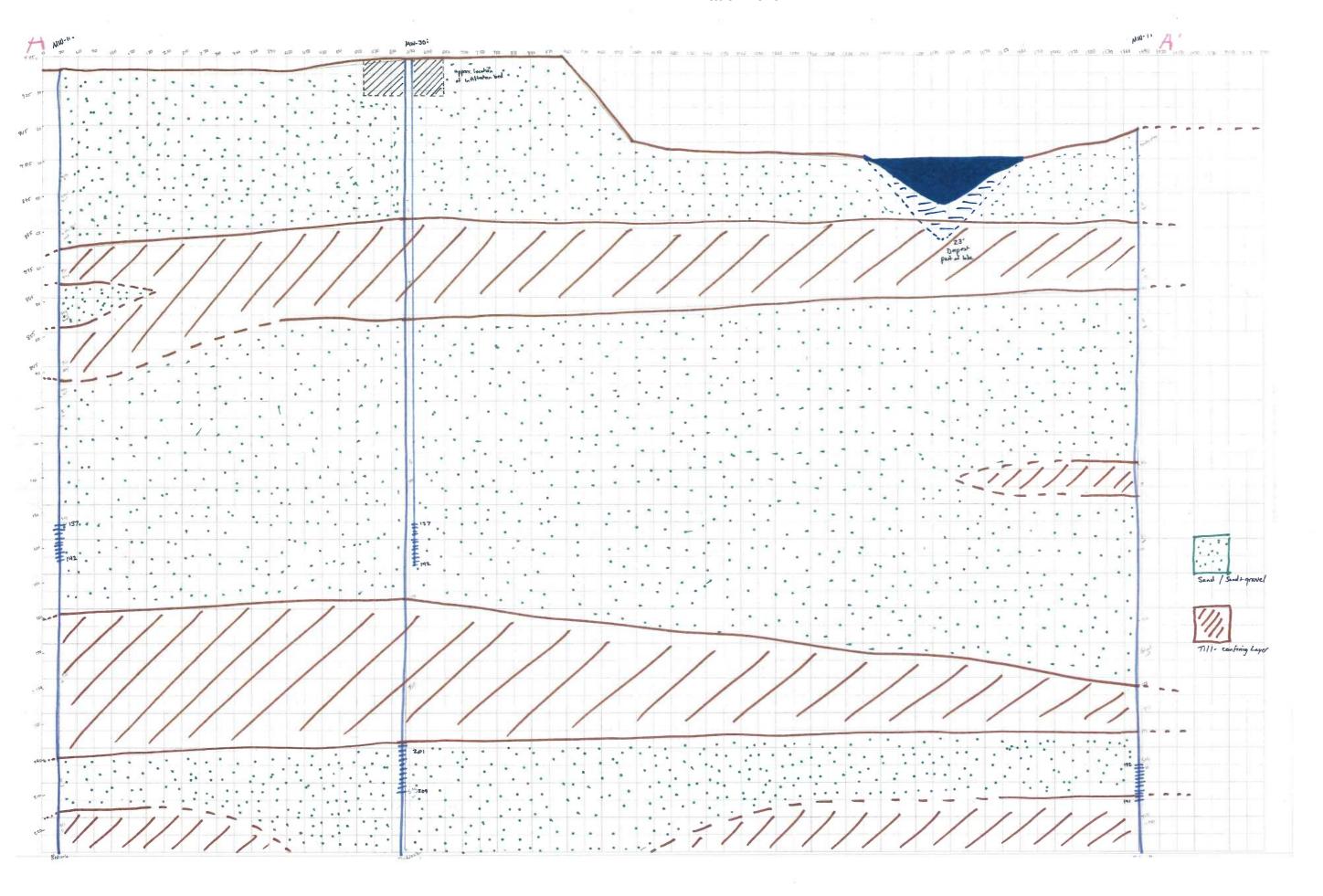
DESCRIPTION	OIA mdd	GRAPHIC LOG	DEPTH (ft. bgl)	Static Water Level	Sample/ Revovery	Sample ID	Blow Counts	WELL	ISTRUCTION FAIL
Sand, medium to coarse grained Sand (80%) with trace fine grained Sand; fine Gravel (20%). Grayish brown, very dense, moderately sorted, wet			84 86 88 90 92		1.6'		7,30,68		2" Galvanized Casing
DIAMICTON: Silt (80%); Sand, fine grained (10%); fine Gravel (10%). Grayish brown, dense, well sorted, dry			96 98 100 102 104	2	 1.5'		9,15,32,40		
SAND: Sand, fine to coarse grained (90%); fine Gravel (10%); trace Silt. Grayish brown, medium dense, moderately sorted, wet			106 108 110 112 114	3) 2	1.2'		4,6,15,11		
			118 - 120 - 122 - 124 - 126	3) 2	1.6'		9,22,41,45		
Sand, coarse to medium grained (75%); fine Gravel (25%).			128 130 132 134 136) <u>2</u> 1	<u>1.6'</u>		2,3,7,7		
GRAVEL: Gravel, fine to coarse (50%); Sand, coarse to fine grained (50%); trace Silt. Grayish brown, very dense, poorly sorted, wet			138 140 142 144 144	3) 2 1	1.3'		8,34,35,38		
			148 - 150 - 152 - 154 - 156	3) <u>2</u> 1	1.0'		7,17,32,34		Bentonite Grout
DIAMICTON: Clay matrix (80%); Silt (10%); fine Gravel (10%); trace fine grained Sand. Grayish brown, hard, dry			158 - 158 - 160 - 162 - 164	3	1.3'		12,40,82, 100 (4")		2" Galvanized Casing











A	В	С	D		F	F	G	н	1	J	K	L	М	N	0	Р	0	R	S	Т	U	V	w
1		-									City Team							Teresa/OCED Team					
Property name/address	Address	Notes	Municipalit	ty PIN	ı	Acreage	Acreage (Sum)	Owner	Zoning or potential Zoning	Relevant Plans	FAR and/or Density	Parking Requirement	Qualified Census Tract	Brownfield y/n	DDA District (y/n)	Flood Plain (y/n)	Flood Way (y/n)	Contamination, Toxic Substances, Explosives, Flammable Substances (See Env. Review Maps)	oort Hazard (Y/ I	Historic District (y/n & Area of Potential Effect [APE])	Noise (See Env. Review Maps and assoc.spdsht.)	Railroad Noise Haza	r Opportunity Zone (Y/N)
Y Lot - 350 S. Fit Avenue	350 S 5th Ave		Ann Arbor	09-0	09-29-404-001	0.805528		City	D1				Y	Y	Υ	N	N	x	N	No APE - E William & Liberty St HD	х	Υ	
Kline Lot -confir floodwayzoor in on firmette		Multiple parcels	Ann Arbor	09-0 09-0 09-0	09-29-408-001 09-29-408-002 09-29-408-003 09-29-408-004 09-29-408-005 09-29-408-006	0.10797 0.130929 0.046121 0.072567	1.252086	City	D1				Y	Probably	Υ	N	N	x	N	Yes - Liberty St Hist. Dist. APE - Old West Side HD, East William HD, First National Bank Building, Germania Building Complex	х	Υ	
First Ave (1st ar William)	216 W William St		Ann Arbor	09-0	09-29-300-003	0.793129		City	D2				Y	Y - Facility - Deb Gosselin has some environmental data	Y	Y	Y	X	N	No APE - Old West Side HD, Liberty St HD, Germania Building Complex	Х	Y	
415 West Washington Street	415 W Washington S	t	Ann Arbor	09-0	09-29-211-003	2.239696		City	D2				N	Y - Facility - Deb Gosselin has some environmental data	Y	Y	Y	x	N	Yes - Old West Side HD APE - Liberty St HD	Х	Y	
721 N. Main (ne to community center) - less likely for tax credit	721 N Main St		Ann Arbor	09-0	09-20-409-006	4.573106		City	PL - Current; Potential - Multiple Family, Office				N	Y - Facility - Deb Gosselin has some environmental data	N	Υ	Y	х	N	No APE - None	х	Y	
2000 S. Industri	al 2000 S Industrial Hw	у	Ann Arbor	09-:	12-04-200-013	4.011334		City	Industrial/Research	P. 111, Site 5 - not recommended for residential			N	Y - Facility - Deb Gosselin has some environmental data	N	N	N	х	N	No APE - None	х	Υ	
2050 South Industrial		Same Parcel as 20 Industrial	00 S							P. 111, Site 5 - not recommended for residential			N	? - Deb Gosselin has some environmental data				x			Х		
Stadium Drive - Fire Departmen #2 - city fire would sell for market rate .5 t 1 million	1510 E Stadium Blvd	AAHC in conversat with City administ Fire dept looking t generate revenue Fire Station #1	ator. Ann Arbor	09-0	09-33-410-003	0.777102		City	R1 master planned; consider c	other Rs			N		N	N	N	x	N	No APE - None	х	Y	
404-406 N. Ashley - dental clinic	404 N Ashley St	U of M sponsored no rent, Possibly n inline with initial C investment. Newe lease has U of M p for maintenance/s removal, etc.	ot DBG Ann Arbor aying	09-0	09-29-139-032	0.375737		City	D2				N		Υ	N	N	х	N	No APE - Thomas Earl House, Kellogg- Warren House, Main St Post Office	х	Y	
3400 block of Platt - owned b City - runs to springbrook - 4 duplexes - 8 un	3443 Springbrook A' 3443 Springbrook A' 3440 Platt Rd		Ann Arbor	09-1 09-1	12-10-109-018 12-10-109-019 12-10-109-020 12-10-109-021	0.373644 0.374056	1.355411	City	Maybe habitat? R1D, R1E				N		N	N	N	х	N	No	х	N	

		QUICK REFERENCE SHEET		
			Possible Points	Self Score
A.	DI	ace-Based Criteria	Polits	Self Score
Λ.	_	Proximity to Transportation	-	Е
	-	Site Amenities	5 20	5 10
	₩	Central Cities Developments	10	0
	-	Developments near an Employment Center	5	2
	-	Neighborhood Investment Activity Areas	10	10
		Affordable/Market Rent Differential	5	0
	_	Mixed Income Development	6	0
	_	Historic Rehabilitation Projects	5	0
	+	QAP Green Policy	10	10
	٦.	Section Total:	76	37
B.	М	unicipal Support	70	51
-	т —	Tax Abatement	5	5
	+	Proper Zoning	5	5
	_	Site Plan Approval	5	5
	٠.	Section Total:	15	15
C.	De	evelopment Characteristics	.,,	.,
<u>;</u>		Accessible Community Space	5	5
	-	Native American Housing	5	0
	-	Low Income Targeting	20	20
		Affordability Commitment	5	5
	1	Tenant Ownership	1	0
	-	Visitable Units	3	3
	-	Barrier-Free/Fully-Adaptable-to-Barrier-Free Units	3	3
	, .	Section Total:	42	36
D.	De	evelopment Team Characteristics) -
	_	Previous Experience of Owner/Member	10	10
	-	Previous Experience of Management Agent	10	10
	-	Nonprofit Ownership Participation	2	2
	_	Temporary Point Reduction	-5	0
	-	Increase In Total Development Costs	-10	0
	ı –	Poor Previous Participation of Applicant	-20	0
	7.	Poor Previous Participation of Management Agent	-20	0
		Section Total:	22	22
E.	De	evelopment Financing		<u> </u>
	+	Rehab Only Preservation	5	0
		Replacement/Redevelopment of Public Housing	5	5
	_	RHS Section 515 Property	5	0
	_	Project-Based Tenant Subsidies	5	5
	<u>. </u>	Section Total:	20	10
F.	Pe	ermanent Supportive Housing Developments		<u> </u>
		Supportive Service Coordination	6	6
	_	Service Funding Commitments	5	2
	_	Targeted Supportive Housing Populations	5	5
	-	Developing in a High Need Area	6	6
	5.	Experienced Supportive Housing Development Team	9	9
	6.	Successful PSH Outcomes	6	6
		Section Total:	37	34
G.	Co	ost Resonableness		
	_	Cost Reasonableness	5	-5
	2.	Credit Efficiency	5	0
		Section Total:	10	-5
		22.1112.000		
		GRAND TOTAL:		149

Inspection Checklist Housing Choice Voucher Program

Name of Family

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

Tenant ID Number

OMB Approval No. 2577-0169 (Exp. 9/30/2012)

Date of Request (mm/dd/yyyy)

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number. Assurances of confidentiality are not provided under this collection.

This collection of information is authorized under Section 8 of the U.S. Housing Act of I937 (42 U.S.C. 1437f). The information is used to determine if a unit meets the housing quality standards of the section 8 rental assistance program.

Privacy Act Statement. The Department of Housing and Urban Development (HUD) is authorized to collect the information required on this form by Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f). Collection of the name and address of both family and the owner is mandatory. The information is used to determine if a unit meets the housing quality standards of the Section 8 rental assistance program. HUD may disclose this information to Federal, State and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. It will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. Failure to provide any of the information may result in delay or rejection of family participation.

Inspector	Neighbor	nood/Census Tract	Date of msp	Date of hispection (min/dd/yyyyy)				
Type of Inspection Initial Special Reinspection			Date of Last Inspection (mm/dd/yy	РНА	РНА			
A. General Information								
Inspected Unit Year Co	onstruc	ted (yy	/y)				Housing Typ	e (check as appropriate)
Full Address (including Street, City, County, State, Zip)							Duplex of Row Hotel Low Rise	amily Detached or Two Family use or Town House e: 3, 4 Stories, g Garden Apartment
Number of Children in Family Under 6						High Rise; 5 or More Stories Manufactured Home		
Owner						-	Congreg	
Name of Owner or Agent Authorized to Lease Unit Inspected				Phone N	Number		Coopera Independent Residen	dent Group
B. Summary Decision On Unit (To be completed at Pass Number of Bedrooms for Purposes of the FMR or Payment Standard				ed out) ing Room	s		Single R Shared I Other	oom Occupancy Housing
Inconclusive								
Inspection Checklist								
Item No. 1. Living Room	Yes Pass	No Fail	In - Conc.		Comment			Final Approval Date (mm/dd/yyyy)
1.1 Living Room Present								
1.2 Electricity								
1.3 Electrical Hazards								
1.4 Security								
1.5 Window Condition								
1.6 Ceiling Condition								
1.7 Wall Condition								
1.8 Floor Condition								
Previous editions are obsolete			Pa	age 1 of 7			form	HUD-52580 (3/2001) ref Handbook 7420.8

Room Codes: 1 = Bedroom or Any Other Room Used for Sleeping (regardless of type of room); 2 = Dining Room or Dining Area; 3 = Second Living Room, Family Room, Den, Playroom, TV Room; 4 = Entrance Halls, Corridors, Halls, Staircases; 5 = Additional Bathroom; 6 = Other Item Yes Nο In-Final Approval 1. Living Room (Continued) Pass Pass Fail Comment Date (mm/dd/yyyy) No. Conc. 1.9 Lead-Based Paint Not Applicable Are all painted surfaces free of deteriorated If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component? 2. Kitchen 2.1 Kitchen Area Present 2.2 Electricity 2.3 **Electrical Hazards** 2.4 Security 2.5 Window Condition 2.6 Ceiling Condition 2.7 Wall Condition 2.8 Floor Condition 2.9 Lead-Based Paint Not Applicable Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component? 2.10 Stove or Range with Oven 2.11 Refrigerator 2.12 Sink 2.13 Space for Storage, Preparation, and Serving of Food 3. Bathroom 3.1 **Bathroom Present** 3.2 Electricity 3.3 Electrical Hazards 3.4 Security 3.5 Window Condition 3.6 Ceiling Condition 3.7 Wall Condition 3.8 Floor Condition 3.9 Lead-Based Paint Not Applicable Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component? 3.10 Flush Toilet in Enclosed Room in Unit 3.11 Fixed Wash Basin or Lavatory in Unit 3.12 Tub or Shower in Unit 3.13 Ventilation

Item No.	4. Other Rooms Used For Living and Halls	Yes Pass	No Fail	In- Conc.	Comment		Final Approval Date (mm/dd/yyyy)
4.1	Room Code* and		ircle Or		(Circle One)		
	Room Location	Right	/Cente	r/Left	Front/Center/Rear	Floor Level	
4.2	Electricity/Illumination						
4.3	Electrical Hazards						
4.4	Security						
4.5	Window Condition						
4.6	Ceiling Condition						
4.7	Wall Condition						
4.8	Floor Condition						
4.9	Lead-Based Paint				Not Applicable		
	Are all painted surfaces free of deteriorated paint?						
	If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component?						
4.10	Smoke Detectors						
4.1	Room Code* and Room Location	•	ircle Oı /Center	,	(Circle One) Front/Center/Rear	Floor Level	
4.2	Electricity/Illumination						
4.3	Electrical Hazards						
4.4	Security						
4.5	Window Condition						
4.6	Ceiling Condition						
4.7	Wall Condition						
4.8	Floor Condition						
4.9	Lead-Based Paint				Not Applicable		
	Are all painted surfaces free of deteriorated paint?						
	If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component?						
4.10	·						
4.1	Room Code* and		ircle O		(Circle One)		
	Room Location	Righ	t/Cente	r/Left	Front/Center/Rear	Floor Level	
4.2	Electricity/Illumination						
4.3	Electrical Hazards						
4.4	Security						
4.5	Window Condition						
4.6	Ceiling Condition						
4.7	Wall Condition						
4.8	Floor Condition						
4.9	Lead-Based Paint				Not Applicable		
	Are all painted surfaces free of deteriorated paint?						
	If not, do deteriorated surfaces exceed two square feet per room and/or is more than 10% of a component?						
4.10	Smoke Detectors						

Item No.	4. Other Rooms Used For Living and Halls	Yes Pass	No Fail	In- Conc.	Comment	Final Approval Date (mm/dd/yyyy)
4.1	Room Code* and		rcle C		(Circle One)	
	Room Location	Right	/Cent	er/Left	Front/Center/RearFloor Level	
4.2	Electricity/Illumination					
4.3	Electrical Hazards					
4.4	Security					
4.5	Window Condition					
4.6	Ceiling Condition					
4.7	Wall Condition					
4.8	Floor Condition					
4.9	Lead-Based Paint				Not Applicable	
	Are all painted surfaces free of deteriorated				_	
	paint?					
	If not, do deteriorated surfaces exceed two square feet per room and/or is more than					
	10% of a component?					
4.10	Smoke Detectors					
4.1	Room Code* and Room Location		ircle (One) er/Left	(Circle One) -ront/Center/RearFloor Level	
4.2	Electricity/Illumination					
4.3	Electrical Hazards					
4.4	Security					
4.5	Window Condition					
4.6	Ceiling Condition					
4.7	Wall Condition					
4.8	Floor Condition					
4.9	Lead-Based Paint				Not Applicable	
	Are all painted surfaces free of deteriorated paint?					
	If not, do deteriorated surfaces exceed two square feet per room and/or is more than					
	10% of a component?					
4.10	Smoke Detectors					
	5. All Secondary Rooms (Rooms not used for living)		. –	. –	•	·
5.1	None Go to Part 6					
5.2	Security					
5.3	Electrical Hazards					
5.4	Other Potentially Hazardous Features in these Rooms					

Clear All Form Fields

Item No.	6. Building Exterior	Yes Pass	No Fail	In - Conc.	Comment	Final Approval Date (mm/dd/yyyy)
6.1	Condition of Foundation					
6.2	Condition of Stairs, Rails, and Porches					
6.3	Condition of Roof/Gutters					
6.4	Condition of Exterior Surfaces					
6.5	Condition of Chimney					
6.6	Lead Paint: Exterior Surfaces Are all painted surfaces free of deteriorated paint?				Not Applicable	
	If not, do deteriorated surfaces exceed 20 square feet of total exterior surface area?					
6.7	Manufactured Home: Tie Downs					
	7. Heating and Plumbing					
7.1	Adequacy of Heating Equipment					
7.2	Safety of Heating Equipment					
7.3	Ventilation/Cooling					
7.4	Water Heater					
7.5	Approvable Water Supply					
7.6	Plumbing					
7.7	Sewer Connection					
	8. General Health and Safety					
8.1	Access to Unit					
8.2	Fire Exits					
8.3	Evidence of Infestation					
8.4	Garbage and Debris					
8.5	Refuse Disposal					
8.6	Interior Stairs and Commom Halls					
8.7	Other Interior Hazards					
8.8	Elevators					
8.9	Interior Air Quality					
8.10	Site and Neighborhood Conditions					
8.11	Lead-Based Paint: Owner's Certification				Not Applicable	

If the owner is required to correct any lead-based paint hazards at the property including deteriorated paint or other hazards identified by a visual assessor, a certified lead-based paint risk assessor, or certified lead-based paint inspector, the PHA must obtain certification that the work has been done in accordance with all applicable requirements of 24 CFR Part 35. The Lead -Based Paint Owner Certification must be received by the PHA before the execution of the HAP contract or within the time period stated by the PHA in the owner HQS violation notice. Receipt of the completed and signed Lead-Based Paint Owner Certification signifies that all HQS lead-based paint requirements have been met and no re-inspection by the HQS inspector is required.

	4. Bath
High quality floors or wall coverings Working fireplace or stove Balcony, patio, deck, porch Special windows or doors Exceptional size relative to needs of family Other: (Specify)	Special feature shower head Built-in heat lamp Large mirrors Glass door on shower/tub Separate dressing room Double sink or special lavatory Exceptional size relative to needs of family Other: (Specify)
2. Kitchen	
Dishwasher Separate freezer Garbage disposal Eating counter/breakfast nook Pantry or abundant shelving or cabinets Double oven/self cleaning oven, microwave Double sink High quality cabinets Abundant counter-top space Modern appliance(s) Exceptional size relative to needs of family Other: (Specify)	5. Overall Characteristics Storm windows and doors Other forms of weatherization (e.g., insulation, weather stripping) Screen doors or windows Good upkeep of grounds (i.e., site cleanliness, landscaping condition of lawn) Garage or parking facilities Driveway Large yard Good maintenance of building exterior Other: (Specify)
3. Other Rooms Used for Living	
High quality floors or wall coverings Working fireplace or stove Balcony, patio, deck, porch Special windows or doors Exceptional size relative to needs of family Other: (Specify)	6. Disabled Accessibility Unit is accessible to a particular disability. Yes No Disability
D. Questions to ask the Tenant (Optional) 1. Does the owner make repairs when asked? Yes 2. How many people live there? 3. How much money do you pay to the owner/agent for rent?	No

C. Special Amenities (Optional)

No

6. Is there anything else you want to tell us? (specify) Yes

E. Inspection Summary/Comments (Optional) Provide a summary description of each item which resulted in a rating of "Fail" or "Pass with Comments."										
Tenant ID Number							e of Inspection (mm/dd/yyyy)	-		
Type of Inspection	Initial [,	Special		Reinspect	ion				
Item Number				Re	ason for "Fa	ail" or	"Pass with Comments" F	Rating		
Continued on addition	onal page	T Ye	es [No					

COLLABORATIVE AGREEMENT FOR DEVELOPMENT OF THE TREELINE - ALLEN CREEK URBAN TRAIL

This agreement, dated,	2019 is between the City of Ann Arbor ("City"),
a Michigan municipal corporation with its ad	dress at 301 E. Huron St., Ann Arbor, MI 48104
and The Treeline Conservancy ("Conservance	y"), a Michigan nonprofit corporation with its
registered address at 525 W. William St., Ann	Arbor, MI 48103.

PURPOSE

The purpose of this agreement is to establish a general framework for the creation of a public/private collaboration between the City and the Conservancy for funding, planning, constructing, and maintaining the Treeline - Allen Creek Urban Trail ("Treeline"). It will assist in defining the relationship between the parties to ensure that the goals of each are accomplished and driven by a shared desire to guide and advance the implementation of the Treeline Master Plan adopted by the City on December 18, 2017.

GUIDING PRINCIPLES

The guiding principles and assumptions for this agreement are as follows:

- By adopting the Treeline Allen Creek Urban Trail Master Plan as part of the City's overall Master Plan, the intention to implement the Plan is now a City goal.
- The Treeline is a City project that is expected to involve collaboration with and funding support from the Conservancy, other nonprofits, as well as private donors.
- The Conservancy's mission is to support the Treeline by raising philanthropic capital to fund the Treeline, helping to direct the Treeline's implementation, including the planning, construction, and maintenance of the Treeline.

Therefore, the parties agree as follows:

RELATIONSHIP BETWEEN THE CITY AND THE CONSERVANCY

- The Conservancy, although affiliated with the City by its mission, is an independent entity. The City acknowledges both the independence of the Conservancy and the cooperative relationship between the City and the Conservancy.
- As separate entities, each party is responsible for any liabilities and costs arising from its own action(s) and/or inaction(s), and for procuring its own insurance(s) for such liabilities and costs in policy amounts as each deems prudent.
- The City may, but is not obligated to, provide financial or in-kind support to the Conservancy.
- The parties shall keep each other apprised of their overall financial condition, as such condition may influence the positions or priorities that each adopts.
- Until an Executive Director of the Conservancy is hired, the Board Chair of the Conservancy shall be responsible for managing the day-to-day operations of the Conservancy, and will report to the Conservancy Board on Treeline-related discussions and activities shared between the City and Conservancy representatives. When an Executive Director is hired, this will be their responsibility.
- The Conservancy shall provide the City an annual report detailing the Conservancy's Treeline activities and finances for the year and including a list of Conservancy governing board directors and officers.
- While there is an understanding that the Conservancy exists to collaborate with the City in support of the Treeline, the City does not exercise the authority to designate the projects that the Conservancy chooses to fund, as the Conservancy is an independent entity. However, the Conservancy shall consult with the City prior to funding any project related to the Treeline.

This agreement will be administered by the City Administrator or designated staff, who
shall be responsible for all City actions, approvals, and reviews under this agreement.
The Conservancy shall cooperate with the City Administrator and assigned City staff to
implement this agreement and monitor the relationship between the City and the
Conservancy.

IMPLEMENTATION

- The parties will jointly create annual Implementation Plans that assign clear responsibility and accountability. This is intended to avoid duplication of effort and ensure that the development of the Treeline advances in a way that is supported by both parties. The annual Implementation Plan will set the general approach that the parties will follow. However, the parties will discuss and agree on a project-by-project basis if either party identifies a compelling reason to deviate from the general approach outlined in the Implementation Plan. The parties shall meet as necessary to jointly monitor the advancement of the annual Implementation Plan.
- The parties expect that the Treeline will be constructed in phases when the City has control of the necessary property and adequate funding exists.
- The parties expect that the City will bid for and enter contracts with third parties for planning, design, and construction of the Treeline and the Conservancy will participate in the preparation of the bid specifications and provide supplemental financial contributions to pay for the contracts.
- The parties shall collaboratively develop a trail ownership, operation, and maintenance structure when the appropriate time comes. The tentative expectation of the parties is that the City will own the Treeline infrastructure and that a third party will operate and maintain it. The parties acknowledge that the selection of a third party for operation and maintenance of the Treeline is subject to the City's procurement requirements. The parties expect that the Conservancy will develop the capacity to operate and

maintain the Treeline so that it will be qualified to be considered for selection as a third-party operator.

- Each party shall ensure that all information disseminated by that party (including marketing materials and funding applications) accurately represents the Treeline project and the positions and roles of the parties. Neither party shall have the authority, or purport to have the authority, to act as an agent for the other party or to bind the other party to any obligation.
- The parties may adopt additional agreements for specific projects.

FUNDRAISING

- The City may pursue and accept all appropriate funding or donations for Treeline purposes, including grants, appropriate crowdfunding mechanisms, gifts of real estate or other property, and gifts of equipment and supplies.
- The Conservancy shall pursue and accept grants, private philanthropic financial donations and restricted or unrestricted gifts intended for endowment or capital use, gifts of real estate or other property, and gifts of equipment and supplies intended to advance, operate, or maintain the Treeline. The Conservancy shall not intentionally solicit or accept gifts for any use specified by a donor that is known to be inconsistent with the City's vision, mission, strategic priorities, goals, policies or procedures. The Conservancy shall consult with and permit the City to review the final application for a grant or other funding prior to submission by the Conservancy. The Conservancy must obtain written approval from the City prior to applying for or accepting funds to be used toward physical improvements on City property or easements.
- The Conservancy shall consult with the City on all marketing material produced by the Conservancy prior to using the material.
- The parties will keep each other apprised of fundraising efforts related to the Treeline.

- Funds generated by or gifts to the Conservancy shall be owned by the Conservancy and shall be maintained and/or distributed for the City's benefit as determined by the Conservancy Board. All funds received by the Conservancy for Conservancy purposes shall be maintained in accounts that are separate from City accounts, and Conservancy and City funds shall not be intermingled. The Conservancy shall be responsible for overseeing the management of funds that originate with its activities or are entrusted to it by its donors or grantors. The Conservancy may "capture" a certain portion of the gifts as an offset to its annual operating expenses, subject to applicable law.
- The Conservancy shall endeavor to create connections among foundations, the City, private funders, businesses, and community members and organizations to create a private donor base for the Treeline.
- The Conservancy shall provide the City Administrator and assigned City staff with a summary report of gifts received for the Treeline upon request.
- The Conservancy shall seek gifts that can benefit the Treeline, and coordinate with City staff regarding funding goals, programs or campaigns.
- The Conservancy shall confer with the City Administrator and/or assigned City staff
 before accepting gifts with any restrictive terms or conditions or gifts of real estate or
 equipment, and the parties shall advise donors that a restricted gift for the benefit of
 the City may not be accepted without City and Conservancy approvals.
- The parties will work to ensure prompt and relevant support for each other's fundraising efforts to further mutual effectiveness.
- The parties understand that the appropriate party will transfer funds that are under its control to the other when there is agreement about how these funds are to be used.

GENERAL PROVISIONS

- The parties recognize that safeguarding donors' privacy is important to build trusting relationships and to encourage donors to view both organizations as trustworthy. The Conservancy acknowledges that the City may be required to disclose information under the Michigan Freedom of Information Act or other public disclosure laws. Unless required by law, the parties shall not disclose or use any private or confidential donor or employee information provided from one to the other except as provided in this agreement. This provision shall survive termination of this agreement.
- The Conservancy shall not discriminate on the basis of race, religion, color, national origin, gender, disability, age, sexual orientation or preference, or marital, parental, or veteran's status in its programs and activities, and shall comply with all applicable City laws and policies regarding nondiscrimination, including Chapter 112 of City Code.
- This agreement may be amended only in writing signed by an authorized representative of each party.
- Either party may terminate this agreement by sending written notice to the other party, which notice shall be effective upon receipt. This agreement shall terminate immediately in the event that the Conservancy dissolves or the Conservancy ceases to be a nonprofit corporation. Upon termination of this agreement, all monies and items of value received by or held by the Conservancy for the benefit of the City or the Treeline shall immediately be transferred to the City consistent with federal and state laws and any restrictions as may have been imposed by the donors, except to the extent the City specifically rejects some or all of the money or items.
- The signatures on this agreement may be delivered electronically in lieu of an original signature.

(Signatures on the following pages)

CITY OF ANN ARBOR	
 Christopher Taylor, Mayor	
Jacqueline Beaudry, City Clerk	
Approved as to substance	
	Date:
Howard S. Lazarus	
City Administrator	
Approved as to form	
 Stephen K. Postema	
City Attorney	
THE TREELINE CONSERVANCY	
	Date:
Joe E. O'Neal	
President of the Board of Directors	



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

Contamination and Toxic Substances (Multifamily and Non-Residential Properties) – PARTNER

https://www.hudexchange.info/programs/environmental-review/site-contamination

1.	How was site contamination evaluated? ¹ Select all that apply.
	☐ ASTM Phase I ESA
	☐ ASTM Phase II ESA
	☐ Remediation or clean-up plan
	☐ ASTM Vapor Encroachment Screening
	☐ None of the above
	→ Provide documentation and reports and include an explanation of how site contamination was evaluated in the Worksheet Summary.
	Continue to Question 2.
2.	Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)
	\square No \rightarrow Explain below.
	Click here to enter text.
	ightarrow If the RE/HUD agrees with this recommendation, the review is in compliance with
	this section. Continue to the Worksheet Summary below.
	\square Yes $ o$ Describe the findings, including any recognized environmental conditions
	(RECs), in Worksheet Summary below. Continue to Question 3.
3.	Can adverse environmental impacts be mitigated?

¹ HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site. For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

 Describe how compliance was achieved. Include any of the following that Voluntary Clean-up Program, a No Further Action letter, use of engineering institutional controls⁴. Click here to enter text. If a remediation plan or clean-up program was necessary, which standard Complete removal Risk-based corrective action (RBCA) 	e project at this site. Project cannot proceed at this location.	<u> </u>
Voluntary Clean-up Program, a No Further Action letter, use of engineering institutional controls ⁴ . Click here to enter text. If a remediation plan or clean-up program was necessary, which standard Complete removal Risk-based corrective action (RBCA)	e environmental impacts can be eliminated through mitigation. vide all mitigation requirements ² and documents. Continue to Question 4.	
☐ Complete removal ☐ Risk-based corrective action (RBCA)	n-up Program, a No Further Action letter, use of engineering controls ³ , or controls ⁴ .	use of
→ Continue to the Worksheet Summary.	corrective action (RBCA)	

Advance anyting property in property as much facility by mattered A LILID assistance many not be

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

Click here to enter text.

² Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

³ Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

⁴ Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.



U.S. Department of Housing and Urban Development

451 Seventh Street, SW Washington, DC 20410 www.hud.gov

espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information
Project Name:
Responsible Entity:
Grant Recipient (if different than Responsible Entity):
State/Local Identifier:
Preparer:
Certifying Officer Name and Title:
Grant Recipient (if different than Responsible Entity):
Consultant (if applicable):
Direct Comments to:

Project Location:					
Description of the Propose	ed Proj	ect [24 CFR 50.12 &	& 58.32;	; 40 CFR 1508.25] :	
Statement of Purpose and	Need f	or the Proposal	[40 CFF	R 1508.9(b)]:	
Existing Conditions and Trends [24 CFR 58.40(a)]:					
Funding Information	Funding Information				
Grant Number H	HUD Program Funding Amount				
Estimated Total HUD Fun	ided Ai	mount:			
Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:					
Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities					
Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.					
Compliance Factors: Statutes, Executive Order	rs,	Are formal compliance steps or		Compliance determina	ations

and Regulations listed at 24 CFR §58.5 and §58.6	mitigation required?			
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4				
and 58.6		T		
Airport Hazards	Yes No			
24 CFR Part 51 Subpart D				
Coastal Barrier Resources	Yes No			
Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]				
Flood Insurance	Yes No			
Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]				
1	RDERS, AND R	EGULATIONS LISTED AT 24 CFR 50.4		
l & 58 5				
& 58.5				
& 58.5 Clean Air	Yes No			
	Yes No			
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d);	Yes No Yes No			
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)				
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic				
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No			
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances	Yes No			
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic	Yes No			
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No Yes No Yes No			
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR	Yes No Yes No Yes No			
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 Explosive and Flammable	Yes No Yes No Yes No Yes No			

Farmlands Protection	Yes	No	
Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Ш		
Floodplain Management	Yes	No	
Executive Order 11988, particularly section 2(a); 24 CFR Part 55			
Historic Preservation	Yes	No	
National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800			
Noise Abatement and Control	Yes	No	
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B			
Sole Source Aquifers	Yes	No	
Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149			
Wetlands Protection	Yes	No	
Executive Order 11990, particularly sections 2 and 5			
Wild and Scenic Rivers			
Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)		No	
ENVIRONMENTAL JUSTIC	E		
Environmental Justice	Yes	No	
Executive Order 12898			

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source

documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. All conditions, attenuation or mitigation measures have been clearly identified.

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
LAND DEVELO	PMENT	
Conformance with		
Plans / Compatible		
Land Use and Zoning		
/ Scale and Urban		
Design		
Soil Suitability/		
Slope/ Erosion/		
Drainage/ Storm		
Water Runoff		
Hazards and		
Nuisances		
including Site Safety		
and Noise		
Energy Consumption		
	1	
Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
SOCIOECONOM	IIC	
Employment and		
Income Patterns		
Demographic		
Character Changes,		
Displacement		
T	ı	
Environmental	Impact	
Assessment Factor	Code	Impact Evaluation

COMMUNITY F	ACILITIE	S AND SERVICES
Educational and		
Cultural Facilities		
~		
Commercial		
Facilities		
Health Care and		
Social Services		
Boolal Sci.iii		
Solid Waste		
Disposal / Recycling		
Waste Water /		
Sanitary Sewers		
Water Supply		
Water Saffry		
Public Safety -		
Police, Fire and		
Emergency Medical		
Parks, Open Space		
and Recreation		
To taking and	<u> </u>	
Transportation and		
Accessibility		
Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
NATURAL FEATU	RES	
Unique Natural		
Features,		
Water Resources		
Vegetation, Wildlife		
Other Factors		

Additional Studies Performed:

Field Inspection (Date and completed by):

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:
List of Permits Obtained:
Public Outreach [24 CFR 50.23 & 58.43]:
Cumulative Impact Analysis [24 CFR 58.32]:
Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]
No Action Alternative [24 CFR 58.40(e)]:
Summary of Findings and Conclusions:

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Determination:	
_ 0	t Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27] nificant impact on the quality of the human environment.
	apact [24 CFR 58.40(g)(2); 40 CFR 1508.27] ct the quality of the human environment.
Preparer Signature:	Date:
Name/Title/Organization:	
	Date:
Name/Title:	

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

From: <u>Vince Caruso</u>

To: Allen"s Creek Watershed Group

Subject: Re: ACWG Proposed Agenda 3-21-19, Thrs, 7pm

Date: Monday, March 18, 2019 4:32:06 PM

Draft??

Proposed Agenda

Allen's Creek Watershed Group

7:00 p.m. Thursday, March 21, 2019

ACWG.ORG

Meeting Generally at Vince and Rita Loch Caruso's House 556 Glendale Cr., off Virginia off Fair St. or off Jackson Ave; Agenda items are welcome before the meeting by email or phone, and at the meeting. Meetings are generally held on the 3rd Thursday of the month.

See our website ACWG.ORG for recent past Agenda Items and Updates, our MDEQ, Washtenaw County and City of Ann Arbor adopted Allen's Creek Watershed Management Plan and, other information.

Proposed Agenda:

Danaher/Pall/Gelman 1,4-Dioxane Plume - 1,4 Dioxane in Finished Water, More Found in NSG





Recent tests of the city **finished drinking water** showed **0.030 ppb** 1,4 Dioxane. State standard is 7.2 ppb currently, US EPA has no standard currently, but US EPA dioxane

drinking water criterion is **0.35 ppb**. No definitive word on the reason for this new finding but it would seem Gelman's not full treatment of the contaminated groundwater emptied into Honey Creek which flows into Bartion Pond may be the source of this low reading. The DEQ allowed Gelman to change from a treatment system that cleaned to about 0 ppb to a different method which only cleans to about 7 ppb to save money.

New Near-Surface Groundwater (NSG) tests made by the MDEQ in Allen('s) Creek on the west side in about 8 locations upstream of West Park showed about 15 ppb in the West Park area.

Pall's (bought Gelman) own geo maps from 2006 show the potential for groundwater coming out at West Park. The stormwater pipes there pick up groundwater as designed to stop the seeps from undermining the homes and roadways nearby. The Allen('s) Creek is a very steep watershed and as it falls away to the river it is like a slanted cut into a layer cake, exposing layers of the glacial till that is Ann Arbor. Some of the exposed layers have high groundwater flows in them that come out of the hillsides as seeps seen all over the west side even before it gets as low as West Park. The new action level for Near-Surface Groundwater should not be the 1,900 ppb MDEQ set, but at least as low as 280 ppb the new standard of groundwater flowing into surface water standard, if not lower. May need to be 100 ppb action level to protect from vapor intrusion basement exposures. With 1,000 ppb at Vet's Park in recent years, it may not be long before it is at 100 or 280 ppb at West Park. With all the wet basements (lots of wet basements) on the west side, it is not prudent to allow this to migrate into them unabated.

Past recent tests of NSG at West Park showed 19 ppb, 400% increase from 8 months prior. The NSG tests were not in the MDEQ plans till the ACWG and CARD Groups insisted on tests be made.

With new leadership in Ann Arbor and in Lansing and with help from the state NGO's we **need to petition the new Governor** to have EPA proceed with Superfund evaluation and potential Superfund **Designation with a Responsible Party** in the owner Danaher.

State legislators **Yosif Rabie and Jeff Irwan** have introduced legislation to have **Michigan Polluters pay** for the cleanup of their contamination. It requires that the polluter clean up the pollutant as much as technically possible.

Knowledgeable sources have indicated that \$50M and in 10 years we could potentially clean up the plume and save Barton Pond, many private wells and homes from contamination.

Back in 1990 I am told from a reliable source that (also on record) Gelman representatives indicated to county, city and MDEQ at a public meeting, that she attended, that the Plume is headed north down Wagner Rd. and will hit Barton Pond in about 17 years. It has not hit Barton yet but it has moved north causing a movement of the Prohibition Zone North about 1 year after Judge Shelton established it and affect many residential wells to the North.

The Ann Arbor Township, Scio Township, Washtenaw County Board of Commissions, Sierra Club Huron Valley Group (SCHGV), the Coalition for the

Remediation of Dioxane (CARD) and Allen's Creek Watershed Group (ACWG) all supported a petition to the US EPA for Full Preliminary Assessment of the Gelman 1,4-Dioxane groundwater contamination.

It was disclosed that the Superfund Designation for the Gelman site would have proceded for next step in the evaluation if the **governor had not stopped it** according to EPA Superfund manager Michael Berkoff. The site met the standard for next step in evaluation without doing most of the obvious evaluation which would have put it even higher standing.

We have new State and city leadership after the November election. We need to move to pressure them to support a continued Superfund Designation.

Governor Whitmer would be much more approachable than our previous Republican Governor.

- 280 ppb is the limit for contaminated flows into surface waters yet 1,900 ppb allowed in homes basements. No comment on plans to deal with this threat to homes and businesses in its path. Just 11 blocks upstream we have had readings of close to 1,000 ppb at Vet's Park area.
- If homeowners or businesses have over 250 ppb in their basements and have a sump pump discharging it they will be in not be in **violation of State Law** which limits it to below 251 ppb. What is a homeowner or business to do? No comment from our state, county or city leaders when asked at this meeting.
- Still no comment on a real **plan of action on the NSG** exposure potential, not simply more minimal tests. Dan Bicknell's GEA Comments on the DEQ Shallow Groundwater Work Plan and his proposed plan is posted in the November 2016 Agenda. Dan had a very well and logical plan laid out for dealing with the initial investigation of the NSG issue which seems to be clearly a problem that needs addressing.
- The ACWG and CARD Groups has asked for permanent monitoring of NSG wells on the near west side of the city with no indication of action on this.

Links:

Dioxane detected in Ann Arbor drinking water from Barton Pond for first time: Mlive Martin Slagter

Dioxane test results for Allen Creek raise more questions: MLive Ryan Stanton

Ongoing discharges may be to blame for dioxane in Ann Arbor drinking water: MLive Ryan Stanton

Michigan Department of Environmental Quality (MDEQ)-Gelman Project Site; Washtenaw County CARD Site; Scio Residents for Safe Water (SRSW)

YouTube of CARD/DEQ Regular Meeting 3-5-19, by Roger Rayle Chair of CARD (https://www.youtube.com/watch?v=1BSSRTCTH9I) Other videos are under CARD WC in Youtube.

Lots of stores by Ryan Stanton in Ann Arbor News/MLive including this recent article <u>'EPA holding off on Superfund designation for Gelman dioxane plume'</u>

Lots of details from Barbara Lucus at <u>Dioxane.Org</u> and WEMU News Program <u>GreenRoom</u>

See ACWG site pages **EPA Superfund Option Details**

Click here to view and/or sign in support of Superfund Designation

City to Consider Development for City-Owned Land at 721 N Main, Mainly Floodplain and Floodway, Affordable Housing Suggested



Map of 721 N. Main Area from City Web Site in March 2019 (City of AA; ACWG; Rt Click for larger view)

The **721 N Main** site is **largely floodway and floodplain**, see current city map above. We hope the city does not propose to put affordable housing in and near these sites. Maybe the far North section outside the floodplain up the hill would be safe but most of the rest of the site is in real danger of flooding.

The floodway and floodplain are very flat areas with little leeway between flood and no flood scenarios. The northern site is on top of a steep slope as noted in the 2' contours on the map.

Blocking flows with buildings or buildings on stilts with parking below will be dangerous and cause greater flooding upstream in areas not normally at risk of flooding.

City staff has clearly stated in public discussions during a tour of this site the floodplain map is not very well calibrated. With climate change it will only get less reliable.

Ann Arbor has a long and sorted history of putting disadvantaged in harm's way. This needs to end. The homeless shelter almost was built in the floodway until the ACWG and other residents stopped the city, county and state from building an illegal un-inhabitable shelter in the floodway, illegal. The illegal scraped plans in the floodway **cost us taxpayers to waste \$1M**. And this was not the only recent error with low-cost housing in the floodway the city was involved in that was scrapped due to poor planning. There's the Avalon Housing across the street on Main St. that was also scrapped not too long ago due to floodway and floodplain issues.

This **flood-prone** area should be **park space** and **greenway space** with that it will do much more for the economy and environment than shabby flood-prone affordable housing will ever do.

Some of our city leaders go on about climate change yet encourage nonprofit and forprofits to build in and around very dangerous flood-prone locations. Not good planning or protective planning.

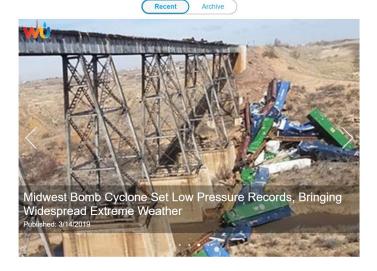
Link to Mlive Article:

3 new affordable housing proposals coming to Ann Arbor city council: 3-12-19 Mlive

https://expo.mlive.com/expo/news/g66l-2019/03/e15376b23f5380/3-new-affordable-housing-proposals-coming-to-ann-arbor-city-council.html#vf-9204400018404

March 2019 Midwest 'Bomb Cyclone' Causes Major Flooding to Occur in Midwest with Colorado Having a Record Low Barometric Reading, Hurricane Force Winds

Weather Underground Category 6



Cat 6 WU

In the Midwest it was reported by the National Weather Service: "In some locations it's the worst flooding on record on many of these river gauges." Then "the National Weather Service in Omaha reported Friday that it had to evacuate its offices because of rising waters."

19 locations in the Midwest have set **new flood crest records**, said weather.com meteorologist Jon Erdman. Overall, more than 300 river gauges were in flood stage in the central United States, the National Weather Service reported. USAToday.Com 3-15-19

Global Warming is causing record dangerous weather including flooding and wind storms. The effects require a "Business as Usual" approach to community planning be dramatically modified to reduce the risk to life, health and property.

Thanks for your interest in our Allen's Creek watershed and our community.

Vince Caruso
Coordinating and Founding Member
Allen's Creek Watershed Group (ACWG)
ACWG.ORG
vpc@acwg.org or vrcaruso@comcast.net

Founding and Board Member - <u>CARD: Coalition for Action on Remediation of Dioxane</u> (New Link Address)

If you wish to subscribe or unsubscribe from this mailing list, please send an email to info@acwg.orgorvrcaruso@comcast.netwith a subject line of: "subscribe ACWG" or "unsubscribe ACWG"

From: Bannister, Anne

To: <u>Christine Crockett</u>; <u>Nelson, Elizabeth</u>

Cc: Bethany Osborne; Christine Brummer; David Kennedy; Detter, Ray; Eaton, Jack; Elleanor Crown; Hayner, Jeff;

Ilene R. Tyler; Jeff Crockett; Julie Ritter; Lars Bjorn; Nick Coquillard; Patrick McCauley; Peter Nagourney; Steve

Kaplan; Susan Wineberg; Tom Stulberg

Subject: RE: A2 Data

Date: Monday, March 18, 2019 2:58:23 PM

Attachments: 03-18-19%20Agenda.pdf

The STR resolution made it on to tonight's Council Agenda (attached, bottom of page 7).

This is the link to Resolution 19-0528: http://a2gov.legistar.com/LegislationDetail.aspx?
http://a2gov.legistar.com/LegislationDetail.aspx?
http://a2gov.legistar.com/LegislationDetail.aspx?

The current due date for the report is listed as July 31, 2019.

During tonight's "Communications From Council," I plan to invite residents to join the OFW at the Tuesday, April 23 meeting at 7 p.m. to discuss how to improve planning in the City (thanks Jeff and Chris for helping me clear this in advance).

Thanks,

Anne Bannister Ward One Councilmember cell: 734-945-1639 abannister@a2gov.org Term Nov. 2017 - Nov. 2020

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

From: Christine Crockett

Sent: Monday, March 18, 2019 11:00 AM

To: Nelson, Elizabeth

Cc: Bannister, Anne; Bethany Osborne; Christine Brummer; David Kennedy; Detter, Ray; Eaton, Jack; Elleanor Crown; Hayner, Jeff; Ilene R. Tyler; Jeff Crockett; Julie Ritter; Lars Bjorn; Nick Coquillard;

Patrick McCauley; Peter Nagourney; Steve Kaplan; Susan Wineberg; Tom Stulberg

Subject: Re: A2 Data

Thanks, Elizabeth. Short term rentals are the source of ongoing discussions in our neighborhood. Concern about this issue also applies to the ordinances currently being considered vis-a-bis ADUs. We have wonderful, stable neighborhoods in Ann Arbor, and citizens throughout the city love their neighborhoods. I learned this very clearly when I campaigned door to door with former CM Sabra Briere. It would be imprudent to create any policies or write any new ordinances which fail to support the resident tax payers of Ann Arbor. The municipal government needs to be friendly to those who reside here. We must prioritize this against a welcoming, but not deferential position toward tourists and tourism interests in Ann Arbor.

Chris Crockett

On Mon, Mar 18, 2019 at 10:50 AM Nelson, Elizabeth <<u>ENelson@a2gov.org</u>> wrote:



City of Ann Arbor

301 E. Huron St. Ann Arbor, MI 48104 http://a2gov.legistar.co m/Calendar.aspx

Meeting Agenda - Final City Council

Monday, March 18, 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

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

CC-1 19-0494 Resolution to Appoint Jonathan Overpeck to the Environmental

Commission (7 Votes Required)

Sponsors: Smith and Bannister

MC COMMUNICATIONS FROM THE MAYOR

MC-1 19-0384 Appointments - Confirmations

(Mayor's Office)

Attachments: Carol Dunitz app. 2019.pdf, Samuel Bagenstos app. 2018.pdf

CA	CONSENT A	AGENDA
CA-1	<u>19-0354</u>	Resolution to Approve the Closing of Maynard Street for the Rock the District Special Event on Saturday, May 11, 2019 from 12:00 PM until 1:00 AM on Sunday, May 12, 2019
		(Community Services - Derek Delacourt, Community Services Area Administrator)
		Attachments: Rock the District Map
CA-2	<u>19-0355</u>	Resolution to Approve Street Closing for the 7th Annual Ann Arbor Cinco de Mayo Party on Sunday, May 5 from 7:00 AM to 2:00 AM on Monday, May 6, 2019
		(Community Services - Derek Delacourt, Community Services Area Administrator)
		Attachments: Cinco de Mayo Map.pdf
CA-3	<u>19-0418</u>	Resolution to Approve Street Closure of North University Street between South State Street and South Thayer Streets and South State Street from East William to East Liberty Streets for MUSIC Matters SpringFest from 4:00 A.M. on Tuesday, April 16, 2019 until 10:00 P.M.
		(Community Services - Derek Delacourt, Community Services Area Administrator)
		Attachments: Springfest 2019 Map.pdf
CA-4	19-0428	Resolution to Add an Additional Street Closure for the Monroe Street Fair on Saturday, April 6, 2019
		(Community Services - Derek Delacourt, Community Services Area Administrator)
CA-5	<u>19-0358</u>	Resolution to Approve a Contract with DLZ Michigan, Inc. to Provide Professional Design Engineering Services for the Rehabilitation of Bridges in Barton Nature Area, Bandemer Park, Mitchell Field and Gallup Park (\$50,032.56)
		(Community Services - Derek Delacourt, Community Services Area Administrator)
		Attachments: Draft DLZ Contract.pdf
CA-6	<u>19-0390</u>	Resolution to Approve a Grant Application to the Michigan Department of Natural Resources Grants Management for Universal Access Improvements at Argo Livery
		(Community Services - Derek Delacourt, Community Services Area Administrator)
CA-7	<u>19-0404</u>	Resolution to Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, Southeast Michigan Land Conservancy, and Superior Township and Appropriate \$300,000.00 for Purchase of Fee Title to and Establishment of a Conservation Easement on the Stepien Trust Property (8 Votes Required)

		(Community Services - Derek Delacourt, Community Services Area Administrator)
		Attachments: Stepien Trust Aerial Map.pdf, Stepien Trust Protected Map.pdf, Stepien Trust Scoring.pdf
CA-8	<u>19-0338</u>	Resolution to Accept an Easement for Access to Maintain Sanitary Sewers at 2940 Bluett Drive from Richard A. Stuber and Elsa C. Stuber (8 Votes Required)
		(City Attorney Services - Stephen K. Postema, City Attorney)
		Attachments: Stuber Access Map.pdf
CA-9	<u>19-0339</u>	Resolution to Accept a Sanitary Sewer Easement at 2940 Bluett Drive from Richard A. Stuber and Elsa C. Stuber (8 Votes Required)
		(City Attorney Services - Stephen K. Postema, City Attorney)
		Attachments: Stuber Sanitary Maps.pdf
CA-10	<u>19-0340</u>	Resolution to Accept an Easement for Storm Water Drainage at 2930 Bluett Drive from Richard A. Stuber and Elsa C. Stuber (8 Votes Required)
		(City Attorney Services - Stephen K. Postema, City Attorney)
		Attachments: Stuber Drainage Map.pdf
CA-11	<u>19-0342</u>	Resolution to Approve a Permanent Electric Transmission Line Easement Agreement through City Property at 291 W. Ellsworth Road with International Transmission Company (ITC) (8 Votes Required)
		(City Attorney Services - Stephen K. Postema, City Attorney)
		Attachments: Letter from ITC.pdf, Letter from ITC - Exhibits.pdf, Easement.pdf, Easement maps.pdf
CA-12	19-0427	Resolution to Approve the Amended and Restated Agreement between the City of Ann Arbor and City of Ypsilanti for the Local Development Finance Authority
		(Financial and Administrative Services - Tom Crawford, CFO)
		Attachments: LDFA AGREEMENT- Amended and Restated 2019.pdf, LDFA AGREEMENT(Track Chg) - Amended and Restated 2019.pdf
CA-13	<u>19-0313</u>	Resolution Authorizing Storm Sewer Improvement Charges for 2965 Kimberley Rd. (\$3,768.15)
		(Financial and Administrative Services - Tom Crawford, CFO)
CA-14	<u>19-0312</u>	Resolution Authorizing Storm Sewer Improvement Charges for 2955 Kimberley Rd. (\$3,768.15)
		(Financial and Administrative Services - Tom Crawford, CFO)

CA-15 19-0282 Resolution to Approve an Agreement with American Conservation & Billing

Solutions, Inc. for a Customer Portal and Consumption Data Analytics Solution (est. \$260,000.00 over 5 years) and Appropriation of Funds from the Water Supply System (\$34,000.00) and Sewage Disposal System (\$34,000.00) (8 Votes Required)

(Information Technology Services - Tom Shewchuk, ITSD Director)

Attachments: Aquahawk_PSA.pdf

CA-16 19-0246 Resolution to Approve a Professional Services Agreement with Fishbeck,

Thompson, Carr and Huber, Inc. for Construction Engineering Services for

the Allen Creek Railroad Berm Opening Project (\$600,000.00)

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

Attachments: site_plan_010419, PSA_FTCH

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 19-0132 An Ordinance to Amend Chapter 55 (Unified Development Code),

Rezoning of 3.77 Acres from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Malletts Wood 1 & 2 PUD Zoning and Supplemental Regulations, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-19-04)

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

Attachments: 19-04 Malletts Wood Rezoning Briefed.pdf, Mallets Wood PUD

Ordinance.pdf, Malletts Woods 1 & 2 Supplemental Regs 011119.pdf, Malletts Woods 1 & 2 Supplemental Regs 011119.doc, Malletts Woods 2 SPZ SR 032018.pdf, 1-15-2019 Draft CPC Minutes for Malletts Wood 2.pdf

(See B-1)

PH-2 19-0379 Resolution to Approve Malletts Wood 2 Amended PUD Site Plan and

Development Agreement, 3300 Cardinal Avenue (CPC Recommendation:

Approval - 9 Yeas and 0 Nays)

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

Attachments: Malletts Woods 2 Staff Report w Attachments 032018.pdf, Malletts 2

Development Agreement.pdf, 1-15-2019 Draft CPC Minutes for Malletts

Wood 2.pdf

(See DB-2)

PH-3 19-0310 Resolution to Approve the Durling Annexation, 0.106 Acre, South Side of

Valley Drive, West of Dexter Road (CPC Recommendation: Approval - 9

Yeas and 0 Nays)

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

Attachments: 2625 Valley Drive Staff Report.pdf, ActionMinutes15-Feb-2019-03-58-43.pdf

(See DB-1)

PH-4 19-0163

An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

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

Attachments:

LOCKWOOD OF ANN ARBOR PUD ZONING.pdf, Lockwood SupplementalRegulationsREV.pdf, Lockwood PUD Staff Report w Attachments-12-4-2018.pdf, 12-4-2018 CPC Minutes .pdf, 3365 Jackson Rd. - Lockwood - Petition from Residents.pdf, 190219 Staff Memo to

Mayor and Council - 3365 Jackson Rd .pdf

(See C-1)

A APPROVAL OF COUNCIL MINUTES

A-1 19-0452 Work Session of February 25, 2019 and Regular Session Minutes of March 4, 2019

(City Clerk - Jacqueline Beaudry)

Attachments: 02-25-19 Work Session Minutes.pdf, 03-04-19 Draft Minutes.pdf, Council

emails 3-4-2019.pdf

B ORDINANCES - SECOND READING

B-1 <u>19-0132</u>

An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.77 Acres from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Malletts Wood 1 & 2 PUD Zoning and Supplemental Regulations, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-19-04)

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

Attachments: 19-04 Malletts Wood Rezoning Briefed.pdf, Mallets Wood PUD

Ordinance.pdf, Malletts Woods 1 & 2 Supplemental Regs 011119.pdf, Malletts Woods 1 & 2 Supplemental Regs 011119.doc, Malletts Woods 2 SPZ SR 032018.pdf, 1-15-2019 Draft CPC Minutes for Malletts Wood 2.pdf

(See PH-1)

C ORDINANCES - FIRST READING

C Unfinished Business:

C-1 19-0163 An Ordinance to Amend Chapter 55 (Unified Development Code),

Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD

Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

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

Attachments: LOCKWOOD OF ANN ARBOR PUD ZONING.pdf, Lockwood

SupplementalRegulationsREV.pdf, Lockwood PUD Staff Report w Attachments-12-4-2018.pdf, 12-4-2018 CPC Minutes .pdf, 3365 Jackson Rd. - Lockwood - Petition from Residents.pdf, 190219 Staff Memo to

Mayor and Council - 3365 Jackson Rd .pdf

(See PH-4)

C New Business:

C-2 19-0275 An Ordinance to Amend Chapter 55 (Zoning), Zoning of 0.6 Acre from C2B (Business Service District) to R2A (Two-Family Dwelling District), including 606, 610, 614, 616, 618, 622, and 628 South Ashley Street (CPC Recommendation: Denial - 0 Yeas and 8 Nays)

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

Attachments: South Ashley Rezoning Council Ordinance.pdf, Staff Report 2-5-19 (S

Ashley Rezoning) w Att.pdf

C-3 19-0343 An Ordinance to Amend Chapter 55 (Unified Development Code),

Rezoning of 58 Lots from R4C (Multiple-Family Dwelling District) to R1D (Single Family Dwelling District) and 4 Lots from R4C (Multiple-Family Dwelling District) to R1E (Single Family Dwelling District), West Hoover Avenue/West Davis Avenue Area Rezoning, (CPC Recommendation:

Denial - 5 Yeas and 3 Nays)

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

Attachments: Ordinance to Rezone 62 Lots in Hoover Davis Area.pdf, February 5, 2019

Planning Staff Report

C-4 19-0465 An Ordinance to Amend Title VI (Food and Health) of the Code of the City

of Ann Arbor by Adding a New Chapter 73 (Two-Cycle Power Equipment)

(City Council)

Sponsors: Ramlawi

<u>Attachments:</u> 181318 An Ordinance to Amend Title VI New Chapter 73 (Two-Cycle).pdf

C-5 19-0552 An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic) of Title X

of the Code of the City of Ann Arbor

(City Council)

Sponsors: Nelson and Griswold

Attachments: Ordinance to Amend Chapter 126 - Traffic.pdf

(Added 3/15/19)

D MOTIONS AND RESOLUTIONS

DC	Unfinished Business - Council:		
DC-1	<u>18-2100</u>	Resolution to Amend the Old West Side Residential Parking District - West Mosley Street and Appropriate General Fund Unobligated Fund Balance (\$1,000.00) (8 Votes Required)	
		(Public Services - Craig Hupy, Public Services Area Administrator)	
		Sponsors: Smith and Ramlawi	
		<u>Attachments:</u> 309-415 Mosley St - Nov 2018 Petition.pef, W. Mosley RPP Map.pdf, Old West Side Support.pdf	
		(Postponed from 2/19/19 and 3/4/19 Regular Sessions)	
DC-2	<u>19-0406</u>	Resolution to Appoint Members to the Independent Community Police Oversight Commission (7 Votes Required)	
		(City Council)	
		Sponsors: Ackerman, Grand, Lumm and Ramlawi (Referred from 3/4/40 Reguler Section)	
		(Referred from 3/4/19 Regular Session)	
DC-3	<u>19-0300</u>	Resolution to Amend Council Rules 1, 5B, 5D, 5E, 5F, and 7	
		(Council Rules Committee - Christopher Taylor)	
		<u>Sponsors:</u> Council Rules Committee	
		<u>Attachments:</u> Council Rules revised 3-14-19.pdf, Council rules amendments 2-19-19.pdf (Referred to Council Rules Committee 2/19/19) (Attachment Revised 03-14-19)	
DC	New Busine	ss - Council:	
DC-4	<u>19-0449</u>	Resolution to Increase the Benefit and Use of the Downtown Affordable Housing Premium	
		(City Council)	
		<u>Sponsors:</u> Ackerman, Taylor and Smith	
DC-5	<u>19-0451</u>	Resolution to Pursue Affordable Housing at 721 N. Main	
		(City Council)	
		Sponsors: Ackerman, Taylor and Smith	
DC-6	<u>19-0450</u>	Resolution to Pursue Affordable Housing at 2000 S. Industrial	
		(City Council)	
		Sponsors: Ackerman, Taylor and Smith	
DC-7	<u>19-0528</u>	Resolution to Direct the City Administrator to Study Potential Regulation of Short-term Rentals	
		(City Council)	

		Sponsors:	Nelson, Bannister and Eaton
DC-8	<u>19-0529</u>		to Support City of Ann Arbor Flying the Transgender Flag on I Transgender Day of Visibility - March 31
		Sponsors:	Taylor, Grand and Ramlawi
DC-9	<u>19-0475</u>	Resolution to Approve Agreements with 115 Depot, LLC and 201 De L.L.C. for Storm Water, Sidewalk and Temporary Construction Ease at 115 and 201 Depot Street for the Allen Creek Railroad Berm Ope Project (8 Votes Required)	
		(City Attorney	Services - Stephen K. Postema, City Attorney)
		Sponsors:	Taylor
		<u>Attachments:</u>	Master Agreement.pdf, 115 Depot Easement Agreement.pdf, 201 Depot Easement Agreement.pdf, 115 Depot-Ex B-Storm Easement.pdf, 201 Depot Ex B-Storm and Ped Easement.pdf, 201 Depot Ex C-Temporary Access Easement.pdf
DC-10	<u>19-0469</u>	Water and S	to Approve an Agreement with DTE Gas Company for Storm Sidewalk Easements and a Temporary Construction Permit at vay for the Allen Creek Railroad Berm Opening Project (8 sired)
		(City Attorney	Services - Stephen K. Postema, City Attorney)
		Sponsors:	Taylor
		Attachments:	DTE 841 Broadway Easement Agreement.pdf, DTE 841 Broadway Easement Exhibits.pdf
DC-11	<u>19-0531</u>	Resolution Directing the City Administrator to Evaluate Use of 1 Stadium Boulevard for Redevelopment as an Ann Arbor Housin Commission Affordable Housing Location	
		(City Council)	Hower and Donnieter
		<u>Sponsors:</u>	Hayner and Bannister
DC-12	<u>19-0524</u>		o Approve Change of Route and Closed Streets for the 2019 Marathon on Sunday, March 24, 2019
		(Community S	ervices - Derek Delacourt, Community Services Area Administrator)
		Sponsors:	Taylor
		Attachments:	Ann Arbor Marathon Map 2019.pdf, Marathon Start Finish.pdf
DC-13	<u>19-0553</u>	Road Cross	o Implement Pedestrian Safety Improvements at the Fuller walk at Huron High School
		(City Council)	
		Sponsors:	Lumm and Griswold

DC-14 19-0554 Resolution to Utilize Sale Proceeds of "Old Fire Station 2" to Fund the Implementation of the Fire Station Master Plan (City Council) Ackerman Sponsors: (Added 3/15/19) DB **New Business - Boards and Commissions:** DB-1 19-0310 Resolution to Approve the Durling Annexation, 0.106 Acre, South Side of Valley Drive, West of Dexter Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (City Planning Commission - Derek Delacourt, Community Services Area Administrator) Attachments: 2625 Valley Drive Staff Report.pdf, ActionMinutes15-Feb-2019-03-58-43.pdf (See PH-3) DB-2 19-0379 Resolution to Approve Malletts Wood 2 Amended PUD Site Plan and Development Agreement, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (City Planning Commission - Derek Delacourt, Community Services Area Administrator) Malletts Woods 2 Staff Report w Attachments 032018.pdf, Malletts 2 Attachments: Development Agreement.pdf, 1-15-2019 Draft CPC Minutes for Malletts Wood 2.pdf (See PH-2) DS New Business - Staff: Ε 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 19-0439 Michael Dobmeier - Resignation from the Zoning Board of Appeals

		(City Clerk - Jacqueline Beaudry)
		Attachments: Dobmeier Resignation ZBA.pdf
F-2	<u>19-0444</u>	Dwight Wilson - Resignation from the Human Rights Commission
		(City Clerk - Jacqueline Beaudry)
		Attachments: Wilson - HRC Resignation.pdf
F-3	<u>19-0393</u>	Ann Arbor Public Art Commission 2019 Art Plan

		(Public Services - Craig Hupy, Area Administrator)
		Attachments: AAPAC July 2019 Plan.pdf
F-4	<u>19-0526</u>	Communications to City Council regarding Greenbelt Program
	10-0020	(City Clerk - Jacqueline Beaudry)
		Attachments: Communications to Council regarding Greenbelt Program.pdf
_		
G	The followin	g minutes were received for filing:
G-1	<u>19-0013</u>	Elizabeth Dean Fund Committee Meeting Minutes 12-11-18
		Attachments: DFCMeetingMinutes_121118_DRAFT.pdf
G-2	<u>19-0138</u>	Building Board of Appeals Meeting Minutes of November 15, 2018
		Attachments: BBA Minutes 11-15-18.pdf
G-3	<u>19-0177</u>	Parks Advisory Commission Meeting Minutes of December 18, 2018
	<u>10-0117</u>	Attachments: 12-18-2018 PAC Minutes .pdf
0.4	40.0040	
G-4	<u>19-0212</u>	City Planning Commission Meeting Minutes of November 20, 2018
		(Planning and Development Services)
		Attachments: 11-20-2018 CPC Draft Minutes w Live Links.pdf
G-5	<u>19-0228</u>	Environmental Commission Meeting Minutes of 8-23-18
		(Environmental Commission)
		Attachments: Env Commission revised minutes 8-23-18.pdf
G-6	<u>19-0231</u>	Environmental Commission Meeting Minutes of 12-6-18
		(Environmental Commission)
		<u>Attachments:</u> meeting minutes - Environmental Commission 12-6-18 revised.pdf
G-7	<u>19-0232</u>	Environmental Commission Meeting Minutes of 1-24-19
		(Environmental Commission)
		Attachments: meeting minutes for 1-24-19 Environmental Commission.pdf
G-8	<u>19-0292</u>	Transportation Commission Meeting Minutes 1-16-2019
		Attachments: January Meeting Minutes_DRAFT.pdf, January Meeting Minutes_FINAL
G-9	40.0260	Our and in the Direct life to the second COAO Marking Mines to
G-9	<u>19-0369</u>	Commission on Disability Issues, January 2019 Meeting Minutes (Disabilities Commission - Robyn Willerson)
		(Disabilities Commission - Robyn Wilkerson) <u>Attachments:</u> MeetingMinutesFinal 1.16.2019.pdf
		Accomments. Modelingivillatesi iriai 1.10.2013.pul
G-10	<u>19-0407</u>	Audit Committee Meeting Minutes - February 26, 2019

(Audit Committee - Tom Crawford, CFO)

Attachments: Audit Committee Minutes 22619.pdf

G-11 19-0417 Insurance Board Meeting Minutes - February 28, 2019

(Insurance Administration, Board of - Matthew Horning, Treasurer)

Attachments: Insurance Board Minutes 022819.pdf, Insurance Board Loss Run -

February 2019.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, MARCH 18, 2019 @ 7:00 P.M. REPLAYS: WEDNESDAY, MARCH 20, 2019 @ 8:00 A.M. AND FRIDAY, MARCH 22, 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 or 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.

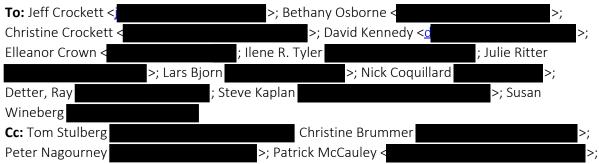
I share your questions and the concern about clarifying exactly what we're talking about. Re: short term rentals: The case of a family that has a mother-in-law suite over their garage that they rent out five weekends a year is very, very different than the case of an absentee landlord with a parade of tourist short term renters coming and going in and out of a neighborhood all year long. I'm interested, also, in understanding if we've got tons of homeowners who move back and forth to allow short term rentals of the homes they actually live in (I'm aware of only one person who does that. I can't imagine there are too many of those... but I'm curious.)

Neighborhood concerns go hand in hand with big-picture concerns about how this impacts our housing supply for year-round residents. I'm hopeful that even given the range of opinions at the council table about the relative value of preserving neighborhood character, we can come together (at the very least) on the issue of housing supply.

Elizabeth

From: Bannister, Anne < ABannister@a2gov.org>

Sent: Sunday, March 17, 2019 2:31 PM



Hayner, Jeff < JHayner@a2gov.org>; Eaton, Jack < JEaton@a2gov.org>; Nelson, Elizabeth

<<u>ENelson@a2gov.org</u>> **Subject:** RE: A2 Data

Thanks, Jeff. I'm also copying CM Elizabeth Nelson, who has been working with on the STR resolution for Council to move forward on considering this issue. City staff has asked for more time to work on it, as they're currently busy/swamped with the budget, etc.. So its good that the OFW is proceeding to gather the information in a more timely fashion. The questions for Patrick are similar to ones that I've already asked of city staff, but they are waiting on the resolution from Council to get started in ernest.

I hope the articles on best sources of data might be uploaded to Tyler Topics or something similar, so that staff and residents can access them.

Thanks,

Anne

Anne Bannister

Ward One Councilmember

cell: 734-945-1639

abannister@a2gov.org

Term Nov. 2017 - Nov. 2020

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

From: Jeff Crockett

Sent: Sunday, March 17, 2019 1:11 PM

To: Bethany Osborne; Christine Crockett; David Kennedy; Elleanor Crown; Ilene R. Tyler; Julie Ritter;

Lars Bjorn; Nick Coquillard; Detter, Ray; Steve Kaplan; Susan Wineberg

Cc: Tom Stulberg; Christine Brummer; Peter Nagourney; Patrick McCauley; Bannister, Anne; Hayner,

Jeff; Eaton, Jack **Subject:** A2 Data

Hi all,

Julie had asked some questions about housing, and we sent these questions to Patrick McCauley. He is looking into them from his real estate sources.

- 1. How many total residential units are there in A2?
- 2. Of this total what number are rental units?
- 3. Of the owner-occupied how many are sold and bought (turnover) every year? Like for the last five years?

But, we also have to ask another question. What are the best sources for data about Ann Arbor, so that we can be prepared to get this data when we need it. In a brief search, this is what I found. If you know of any others, let's add to the list.

Jeff

1. City Data

Contains a wealth of information but the most recent data are about 5 years old.

http://www.city-data.com/city/Ann-Arbor-Michigan.html

Ann Arbor, MI residents, houses, and apartments details

http://www.city-data.com/housing/houses-Ann-Arbor-Michigan.html

2. United States Census

https://www.census.gov/quickfacts/fact/table/annarborcitymichigan/PST040217

3. World Population Review

http://worldpopulationreview.com/us-cities/ann-arbor-population/

4. Data USA

https://datausa.io/profile/geo/ann-arbor-mi/

5. Point2Homes

https://www.point2homes.com/US/Neighborhood/MI/Ann-Arbor-Demographics.html

6. Ann Arbor Government

City Info https://www.a2gov.org/services/GIS/Pages/default.aspx

7. Map Washtenaw

https://gisappsecure.ewashtenaw.org/MapWashtenaw/

8.Ann Arbor District Library Washtenaw Statistics

https://aadl.org/research/sites/washtenawstats

From: Joe O"Neal

"Christopher Taylor (ctaylor@hooperhathaway.com)"; Bannister, Anne; Hayner, Jeff; Lumm, Jane; Griswold, To:

Kathy, Ackerman, Zach, Grand, Julie, Eaton, Jack, Nelson, Elizabeth, Smith, Chip, Ramlawi, Ali

Cc: Seyfarth, Heather; Lazarus, Howard; Darren McKinnon (dmckinnon@firstmartin.com); Francesca Cassara

); Greg Holcombe (; Joe O"Ne); Herbert, Norman; Janine Easter Karen Goldburg ();

, Roy Muir shiningmom@aol.com; Wayne Colquitt

Subject: FW: Treeline Trail thoughts about DC-5, Resolution 19-0451

Date: Monday, March 18, 2019 1:12:23 PM

Dear Councilmembers:

I sent the email below to Councilmember Banister yesterday re your Resolution DC-5-Resolution 19-**0451**. I ask, on behalf of the **Treeline Conservancy**, that action on this Resolution be delayed.

Later in the day yesterday, I sent the following to Councilmember Banister: "In addition to my email that I sent you this morning, I have attached a copy of Page 20 of the Business Plan that we negotiated with the City regarding the Treeline. As you can see, the proposed Resolution is not in keeping with the Plan. I hope that, at a minimum, you can get us more time to work out an approach that all parties can agree is fair. Although we were apprised of its coming, we were not provided with a copy nor given time to respond."

Please delay action until we can all talk.

Joe E. O'Neal, Chair The Treeline Conservancy

From: Joe O'Neal

Sent: Sunday, March 17, 2019 11:28 AM To: Bannister, Anne <ABannister@a2gov.org>

Cc: Janine Easter <easterjanine@gmail.com>; Hayner, Jeff <JHayner@a2gov.org>; Griswold, Kathy

<KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Nelson, Elizabeth

<ENelson@a2gov.org>; Kim Easter

Subject: Re: Treeline Trail thoughts about DC-5, Resolution 19-0451

Anne -

Excellent research! I will do some homework when I get to my computer later today and be back in touch. I was led to believe that we were going to create a process by which we would find the best, most financially viable and most community acceptable way/ways to utilize 415 and 721. Dictating, not only risks very bad long term results, but may greatly weaken public interest and financial involvement in the Treeline. There are many factors to be considered in creating the ultimate design (I use the word "ultimate" in two ways - as the final and as the most perfect design). Nothing will be gained, and much could be lost, by strangling the process before the climb even begins.

We discussed laser focusing on the first section, B2B Trail to 721 N Main, with the City and now we are jumping all over the Trail. Let's focus, not distract our energies!

Regarding our undeniable need for affordable and workforce housing, has a study been undertaken re all potential sites, public and private, and the costs per unit, etc.? In other words, where do we get the most bang for the buck?

Sent from my iPhone

On Mar 16, 2019, at 4:59 PM, Bannister, Anne < ABannister@a2gov.org > wrote:

Dear Joe O'Neal and Janine Easter,

What are your thoughts about <u>DC-5- Resolution 19-0451</u>, which is on the Council Agenda for Monday night, March 18?

My preliminary research into the history of 721 N. Main shows that in 2005, Council Minutes show Resolution 374-8-05 was approved. Scroll down to see this excerpt:

Resolved, That the area of the City properties at 415 W. Washington and 721 N. Main within the floodway will be included in the new Greenway. The remaining portion of these sites will be reserved for mixed use, which could include additional park or Greenway area, space for non profit organizations, art, housing, and/or commercial entities;

In 2012, there was a report called <u>721 N. Main Conceptual Site Development Alternatives</u>, where the above excerpt was referenced on page 5, along with other recommendations including biking and walking trails, and consistency with the neighborhood character and scale.

Both of these 2005 and 2012 documents appear to possibly conflict with the new Resolution 19-0451. What do you think? Are the potentially competing interests of the Treeline Urban Trail and the Affordable Housing resolution properly harmonized?

Does this excerpt from Resolution 19-0451 sound okay, or need more work?

RESOLVED, That the Ann Arbor City Council directs the City Administrator to ensure any future development of the Property includes affordable housing; and RESOLVED, That by August 1, 2019 the City Administrator will recommend to City Council a policy or process to follow which addresses the following requirements:

- The City will maintain ownership of the Property (e.g., land lease)
- Any potential developer will offer a mix of unit types and rent level
- Any Developer will maximize the number of affordable housing units for those who make up to 60% of the Area Median Income while balancing other priorities such as funding the Treeline Urban Trail
- Any Developer will accept Housing Choice Vouchers
- Sponsored by: Councilmembers Ackerman, Smith and Mayor Taylor

I'm considering whether it would be better to consider a *more wholistic approach to planning* for 721 N. Main, rather the *decision-making by sequential resolutions*.

Your advice and insights are most welcome and encouraged.

Thanks,

Anne

Anne Bannister Ward One Councilmember

cell: 734-945-1639 <u>abannister@a2gov.org</u> Term Nov. 2017 - Nov. 2020

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

Higgins, Sara From:

To: *City Council Members (All)

Cc: Lazarus, Howard; Beaudry, Jacqueline; Crawford, Tom; Delacourt, Derek; Forsyth, Doug; Fournier, John; Hupy,

Craig; Kennedy, Mike; Pfannes, Robert; Forsberg, Jason; Metzer, Aimee; Shewchuk, Tom; Stults, Missy; Wilkerson, Robyn; Wondrash, Lisa; Postema, Stephen; Hutchinson, Nicholas; Hess, Raymond; Coleman, Kayla

Subject: City Administrator"s Report - March 18, 2019 Date: Monday, March 18, 2019 11:46:40 AM 190318 City Administrator"s Update Final.pdf **Attachments:**

Mayor and Council,

Attached is the March 18 City Administrator's Report. This report will be included as a written communication from the City Administrator on the March 18 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



Think Green! Please don't print this e-mail unless absolutely necessary.

A2 Be Safe. Everywhere. Everyone. Every day.

a2gov.org/A2BeSafe

Prepared for Council. Kindly forward questions, comments, or suggestions for input to hlazarus@a2gov.org or shiggins@a2gov.org.

Safety Notes

A2 Be Safe! The City of Ann Arbor strives to incorporate safety and health in every aspect of our operations. Although influenza (flu) season usually peaks between December and February, Michigan's flu activity remains widespread according to the Michigan Department of Health and Human Resources. The best way to prevent seasonal flu is to get the flu vaccine. Fortunately, if you have not received a flu vaccine this year, it's not too late! Other ways to help prevent the spread of flu include:

- Limit close contact with sick people and stay home if you have symptoms
- Wash your hands often with soap and water
- Sneeze into your sleeve instead of your hand
- Avoid touching your eyes, nose and mouth
- Routinely disinfect high contact areas in your home and workplace

If you are sick with a flu-like illness the Centers for Disease Control recommends that you stay home at least 24 hours after your fever is gone, except to get medical care or for other necessities.

Success Stories

A Sure Sign of Spring. The front 7-holes at Huron Hills Golf Course opened at noon on March 13th for the 2019 Golf Season. Tee times are first-come first-served. Wet conditions may restrict the use of golf carts. Decisions on cart use and the opening of additional holes will be a day-to-day decision, so kindly check with the pro shop before coming out.

Council Priorities/Initiatives

FY20-21 Budget Planning. The City Administrator will submit the 2020/21 Financial Plan to Council at the April 15th meeting. Council will consider the first readings of proposed rates on that date. Council will hold public hearings on rates and fees at its May 6th meeting, and will adopt the final budget on May 20th. Council meetings are scheduled at Larcom City Hall, Council Chambers 2nd Floor, 301 E. Huron St. 7 p.m. Meetings will be available to view live in a variety of formats including: Comcast cable channel 16, AT&T UVerse Channel 99 or live webstream. Citizens can also view the meetings later at their convenience via CTN's Youtube channel.

Transportation Projects. Attached is the March 2019 Transportation Project Report. Subscribe to receive monthly Transportation Project Updates by visiting the a2gov.org/TransportationCommission.

Monthly Crime Data and Pedestrian Crash Report. Attached is the report from Ann Arbor Police Department for February 2019.

Previews

The March 18 Council Meeting will feature the following items of interest:

Items on Consent. The consent agenda contains three items of interest to parks, recreation, and trails users. Item CA-5 procures professional engineering services for the rehabilitation of bridges in Barton Nature Area, Bandemer Park, Mitchell Field, and Gallup Park. Item CA-6 approves a grant application to the Michigan Department of Natural Resources to improve universal access to the Argo Livery. Item CA-16 procures construction engineering services for the Allen Creek Berm Opening project. Taken together, these items underscore the City's commitment to integrating nature and healthy life styles in the daily lives of all Ann Arborites.

Public Hearings. The agenda includes the following four Public Hearings:

PH-1: An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays). This item was postponed at first reading on February 19, 2019, and the public hearing was scheduled with the postponement of this item. This item is also posted for first and second readings of the associated ordinance.

PH-2: Resolution to Approve Malletts Wood 2 Amended PUD Site Plan and Development Agreement, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays). Approval of this resolution will allow the construction of 19 single-family homes. A development agreement has been prepared to address the maintenance of landscaping within the public right of way, street tree escrow, public access easements, and other site improvements. This item is also posted for second reading of the associated ordinance.

PH-3: Resolution to Approve the Durling Annexation, 0.106 Acre, South Side of Valley Drive, West of Dexter Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays). Approval of this resolution will allow annexation of this property from Scio Township into the City. The property is within the City's water and sewer service area, and the current use is consistent with the adjacent zoning, land uses and master plan. Council action on the proposed R1C (Single Family District) zoning will be scheduled after the annexation process is complete.

PH-4: An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays). Approval of this ordinance will zone this property PUD (Planned Unit Development)

to allow a 95 unit senior independent living facility. Approval of this ordinance will also create supplemental regulations for the new PUD. The property is located in Ward 4. The petitioner proposes a 95 unit senior living facility containing, 55 one-bedroom units, 28 two-bedroom units, and 12 studio units in a single building. The site has a single access driveway off Jackson Avenue, leading to the parking lot, which includes a small covered drop off area. This drive will also be the sole access for deliveries, trash and recycling pickup. Parking is provided in a 65 space parking lot which includes 53 regular and 12 compact spaces.

Ordinances at First Reading

An Ordinance to Amend Chapter 55 (Zoning), Zoning of 0.6 Acre from C2B (Business Service District) to R2A (Two-Family Dwelling District), including 606, 610, 614, 616, 618, 622, and 628 South Ashley Street (CPC Recommendation: Denial - 0 Yeas and 8 Nays). Approval of this resolution will zone this .60 acre area from C2B to R2A in order to discourage commercial uses on this site and maintain the existing scale and character. Consideration of this rezoning was directed by the City Council via Resolution R-18-361. The City Planning Commission determined that the proposed zoning will discourage the redevelopment of the site thereby reducing the likelihood remediating soil contamination associated with portions of the site and recommended denial of the request at its meeting on February 5, 2019. The Planning Commission discussed that the location of the properties in the historic district can help mitigate neighborhood character issues.

An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 58 Lots from R4C (Multiple-Family Dwelling District) to R1D (Single Family Dwelling District) and 4 Lots from R4C (Multiple-Family Dwelling District) to R1E (Single Family Dwelling District), West Hoover Avenue/West Davis Avenue Area Rezoning, (CPC Recommendation: Denial - 5 Yeas and 3 Nays). Approval of this resolution will rezone 62 lots in the West Hoover Avenue and West Davis Avenue area from R4C (Multiple-Family Dwelling District) to a single family zoning designation, specifically 58 lots to R1D (Single Family Dwelling District) and 4 lots to R1E (Single Family Dwelling District) to protect the existing lower-density development pattern as recommended by the Future Land Use element of the Master Plan and directed by City Council Resolution R-18-361. The City Planning Commission expressed agreement that the proposed rezoning is consistent with the City's Master Plan and elegantly addresses City Council resolution R-18-361, however, the Planning Commission did not recommend approval of the proposal at their meeting of February 5, 2019. The vote on their motion to recommend approval did not receive at least six affirmative votes. Commissioners who voted negatively generally indicated that existing development pattern protections were needed throughout the city and should be addressed universally through amendments to the Unified Development Code rather than downzoning neighborhoods individually.

An Ordinance to Amend Title VI (Food and Health) Of the Code of the City of Ann Arbor by Adding a New Chapter 73 (Two-Cycle Power Equipment). This ordinance would ban the use of two-cycle power equipment within the Downtown Development Authority area. Two-cycle power equipment included within this ban are equipment used for the following or substantially similar purposes: (1) To blow leaves, dirt or other debris off sidewalks, driveways, lawns, or other surfaces at any time; (2) To collect leaves, dirt or other debris from sidewalks, driveways, lawns or other surfaces at any time; (3) To trim hedges, prune trees and bushes, reduce the height of vegetation, or to otherwise maintain landscaping at any time.

Unfinished/New Business items from Council. The agenda contains the following 14 items:

- DC-1: Resolution to Amend the Old West Side Residential Parking District.
- DC-2: Resolution to Appoint Members to the Independent Community Police Oversight Commission.
- DC-3: Resolution to Amend Council Rules.
- DC-4: Resolution to Increase the Benefit and Use of the Downtown Affordable Housing Premium.
- DC-5: Resolution to Pursue Affordable Housing at 721 N. Main.
- DC-6: Resolution to Pursue Affordable Housing at 2000 S. Industrial.
- DC-7: Resolution to Direct the City Administrator to Study Potential Regulation of Short-Term Rentals.
- DC-8: Resolution to Support City of Ann Arbor Flying the Transgender Flag on March 31.
- DC-9: Resolution to Support Agreements for Easements for the Allen Creek Berm Opening Project.
- DC-10: Resolution to Approve an Agreement with DTE Gas for the Allen Creek Berm Opening Project.
- DC-11: Resolution Directing the City Administrator to Evaluate 1510 E. Stadium for Affordable Housing.
- DC-12: Resolution to Approve Change Route and Closed Streets for the 2019 Ann Arbor Marathon.
- DC-13: Resolution to Implement Pedestrian Safety Improvements at the Full Road Crosswalk.
- DC-14: Resolution to Utilize Sale Proceeds of Old Fire Station 2 to Fund the Implementation of the Fire Station Master Plan.

WIP (Work in Progress)

City Now Accepting Applications for Chief of Police Position. The City of Ann Arbor is in search of candidates for its new chief of police. This position is currently vacant, with duties being fulfilled on an interim basis.

In December and January, an online survey and public meetings helped the city gather input from the community on traits, priorities and qualifications the ideal candidate should possess. The online survey, alone, garnered more than 300 responses. More than half of the respondents noted "good communicator," "ethical," "promotes a culture of responsibility," "promotes a culture of openness" and "community engagement focused" as among the most important qualities for the new police chief. The city has contracted with Strategic Government Resources to assist with the community engagement efforts.

Those seeking to lead the CALEA-accredited City of Ann Arbor Police Department can learn more and apply for the position via the city's police chief recruitment website: www.a2gov.org/AAPDChiefRecruitment. Applications are being accepted through Monday, March 25.

Council Resolution Reporting. Staff is working on the following items pursuant to Council directions:

ITEM	DUE DATE	DUE DATE	STATUS
R-18-498	Resolution Providing Council Guidance on the	February 28,	Underway; anticipated by
	Citizen Survey to Obtain Community Input on	2019	March 25, 2019
	the Utilization of Council Mental Health &		
	Public Safety Millage Proceeds		

Other

Compost Collection Resumes April 1. The weekly curbside collection of compostable material in the city of Ann Arbor resumes Monday, April 1, 2019, on regular collection days. Compost season runs through

Friday, Dec. 6, 2019. Residents can take advantage of curbside composting by utilizing optional compost carts, yard waste bags or by bundling larger branches/brush and placing at the curb.

April 8 Public Meeting will Discuss Water Treatment Plant UV Disinfection System Project. The City of Ann Arbor Water Treatment staff will hold a public hearing on the proposed water treatment plant ultraviolet (UV) light disinfection system project for the purpose of receiving comments from interested persons. The hearing will be 6–7 p.m. Monday, April 8, 2019, at the City of Ann Arbor Water Treatment Plant, 919 Sunset Road, Ann Arbor.

The purpose of the proposed project is to install an additional disinfection barrier at the Ann Arbor drinking water treatment plant to assist with meeting new regulations for the treatment of cryptosporidium. Cryptosporidium is a microscopic waterborne parasite that can be found in stormwater runoff, agricultural runoff, failed septic systems or sewage overflows. The city's current treatment processes, including ozone disinfection and filtration, are effective at removing cryptosporidium, but new regulations require additional treatment. For more information regarding the project, visit www.a2gov.org/news.

April Events with Natural Area Preservation. City of Ann Arbor Natural Area Preservation (NAP) works to protect and restore Ann Arbor's natural areas and to foster an environmental ethic among its citizens. This involves conducting plant and animal inventories, ecological monitoring and stewardship projects in Ann Arbor's parks. These tasks are performed by both staff and volunteers. To find out more about volunteer opportunities coming up in April are for more information about NAP, visit www.a2gov.org/NAP.

Water Quality Monitoring. As you know, in February 2019, the city's water quality test results detected 1,4-dioxane in the drinking water at 0.030 parts per billion. Even though this concentration was much lower than any EPA risk levels, we believed it was important to let our customers know of this first time detection. **No 1,4-dioxane was detected in samples collected in March from the Huron River at Barton Pond or in the city's drinking water**. At this time, we cannot ascertain if the detection was a laboratory anomaly or due to some other unidentified source.

Saturday Incident at UM Mason Hall. On Saturday, March 16th the University of Michigan Department of Public Safety (UMDPS) responded to a reported active shooter call at Mason Hall. While the call was ultimately determined to be not valid, the coordination among UMDPS, AAPD, and AAFD demonstrated the exceptional working relationship and responsiveness among our public safety services providers.



Transportation Project Updates March 2019

Subscribe to receive monthly Transportation Project Updates by visiting the <u>a2gov.org/TransportationCommission</u>.

2018 Construction Projects

Annual Street Resurfacing Project:

This suite of projects encompasses the majority of the City's street resurfacing activities, including several major and multiple local streets. Most of the work included in this year's project was completed, however work on one residential street (Wynnstone Dr.) was unable to be completed this year and will be deferred to the spring. Repaving of some asphalt paths along Ann Arbor-Saline Road has also been deferred to the spring. A full list of streets that were included in this project can be found at: a2gov.org/RoadConstruction.

Scio Church (Main to Seventh):

Road resurfacing project including: filling the sidewalk gap on the south side of the road; addition of a sidewalk on the north side of the road adjacent to the Pioneer High School property; crosswalk improvements at the Scio Church/Seventh intersection; a midblock crossing at Chaucer; narrowing of the existing pavement to provide a traffic calming effect; a reduced impervious surface; and additional space for stormwater management features. Various delays occurred during the construction of this project, preventing it from being completed this Fall. The road is now open for the winter, and the remaining construction will be completed as soon as possible in the spring of 2019.

A public workshop/open house regarding recent modifications to the S. Seventh/Scio Church and S. Seventh/Stadium Boulevard intersections was held on March 13. An <u>online survey</u> is available until March 18 at 9:00 a.m. More information is available online at the project websites <u>a2gov.org/seventh</u> and <u>a2gov.org/sciochurch</u>

Fifth Avenue (Kingsley to Catherine):

Road reconstruction project including watermain replacement, stormwater management improvements, ADA ramp replacement, crosswalk improvements, and streetscape improvements. The project was designed as a joint effort between the City and the DDA. Early onset of cold weather and some issues with materials have delayed this project. Concrete work has been completed, and temporary pavement has been placed. It is expected to be reopened for the winter, and the remaining work (brick placement and final asphalt paving) will be completed in the spring of 2019.



2019 Construction Projects

Annual Street Resurfacing Project:

This suite of projects encompasses the majority of the City's street resurfacing activities, including several major and multiple local streets. Major road projects included in this year's program include: Stone School Road (Eisenhower to I-94); Traverwood Drive (Huron Parkway to Plymouth); Platt Road (Washtenaw to Huron Parkway); State Street (Stimpson to Oakbrook – concrete repairs); Fuller Road asphalt path at Huron High; as well as additional capital preventative maintenance treatments on several other major streets. A full list of streets included in this project can be found on the website at: a2gov.org/roadconstruction.

Annual Sidewalk Repair Program:

An annual project to repair sidewalks throughout the City. Further information on the program and a list of 2019 target areas can be found at a2gov.org/sidewalks.

North Seventh Street (Huron to Miller):

Staff held a series of public meetings and an online input opportunity to gather initial feedback at the end of July and early August. This effort was followed with a postcard survey to properties along N. Seventh Street to determine sentiments about the potential loss of parking to accommodate buffered bicycle lanes. There was overwhelming support among the neighborhood to keep the on-street parking and staff will advance Concept #1 (keep on street parking; add buffered bike lane on southbound lane and a sharrow on the northbound lane).

Crosswalk Improvements

City staff was directed by Council to report on several crosswalk improvement areas as outlined in Resolution R-18-497:

- Crosswalk Design Guidelines took effect January 15, 2019;
- A listing of significant pedestrian improvements completed in 2016, 2017 and 2018 was reported to Council in early February 2019 and documented hundreds of improvements across the City over the past three years;
- A listing of improvements planned for 2019 was reported to Council in early February 2019;
- An inventory of significant pedestrian crosswalks and a high level assessment of their consistency with the crosswalk design guidelines was reported to Council in early February 2019;
- As part of the budget process, staff will also prepare cost estimates to bring all crosswalks into compliance with the crosswalk design guidelines.
- Starting in April 2019, staff will report on progress of implementation of upgrades to existing crosswalks.

All of these items will be shared with the Transportation Commission.

City of Ann Arbor



School Safety Improvements:

A list of priority items identified by the A2 Safe Transport group has been shared with the Transportation Safety Committee (TSC). City and Ann Arbor Public Schools staff identified work to be implemented in FY18 & 19. This will be considered to be the Tier 3 School Safety improvements. Implementation of the Tier 3 items will be accomplished through a combination of City crews and utilizing existing construction contracts, such as the Annual Sidewalk Repair Program. A listing of upcoming Tier 3 School Safety Improvements was provided on page 7 and 8 of the 2018 Work Plan. Approximately 60% of the improvements have been completed, and the remainder will be completed in 2019. Per the listing compiled for City Council as discussed above, school safety improvements were made at 101 locations over the past three years.

RRFB Installations:

The City has plans to install RRFBs during the 2019 construction season at the following locations:

- Green Road @ Greenbrier (holdover from 2018)
- Geddes Road east of Earhart
- North Maple near Circle Dr.
- North Maple between Pamela and Sequoia
- Eisenhower Pkwy @ Plaza Drive (HSIP Grant)
- Huron Street near Thayer (pending MDOT approval)
- Huron Pkwy @ Glazier Way
- Huron Pkwy @ Baxtet

North Maple Road Restriping and Crosswalks:

Based on the results of the analysis by City Engineering staff, the conversion to a threelane section of this portion of North Maple was determined feasible. This conversion was completed in June 2018 following the completion of the surface treatment work. Staff will continue to monitor how the conversion is working.

The City held a public workshop on December 13 to solicit feedback on desired locations for crosswalks along Maple between Dexter and Miller. Additionally, an online map-based survey which allows residents to identify suggested locations for crosswalks is currently available until the end of March. About 30 people attended the workshop and their input will be used to guide the design and location of crosswalks. Lastly, a webpage was created for North Maple to provide background of the project as well as project updates: a2gov.org/NorthMaple.

Allen Creek Berm Opening:

The project team has essentially completed the design plans. The schedule for the project at this point is dependent on the acquisition of easements from the adjacent property owners, which include DTE and First Martin. These easements must be obtained before the project can be put out to bid. Progress has been made in obtaining these easements, and staff is anticipate construction will begin in 2019. The current

City of Ann Arbor



project estimate is \$7.5 million. Adequate funding has been identified for the project, utilizing multiple State and Federal funding sources in addition to local funds. Staff is bringing a Resolution to Council to approve a contract with Fishbeck, Thompson, Carr & Huber, Inc. to perform the construction engineering, administration, inspections, surveying, and testing for the project. The project is expected to be in MDOT's June bidletting, and construction is anticipated to start late summer.

Dhu Varren Sidewalk Gaps:

Filling sidewalk gaps on the north side of Dhu Varren Road from Omlesaad to the west property line of the Nixon Farms development. This project previously included a sidewalk gap on the west side of Nixon Road from Traver to the south property line of the Nixon Farms development. However, this portion of the project was removed for consideration along with the Nixon Road Corridor design (see above). This project will utilize Federal aid. This project is currently in the design phase. A public meeting is scheduled for Wednesday, April 3 from 6:30 – 8:30 p.m. in the Multi-Purpose Room at Clague School, 2616 Nixon Road. During this meeting, the City will provide a description of the proposed work, and provide information about the cost estimates and special assessments. Construction is scheduled for the 2019 construction season.

Ann Arbor STEAM Safe Routes to School Project

Working with City staff, the STEAM Safe Routes to School Committee applied for grant funding through the State's Safe Routes to School Program. Part of that grant includes an infrastructure portion, which would fill various sidewalk gaps throughout the neighborhood around STEAM (Northside).

Public meetings were held in June and October 2018 and City Council discussed the project at three Council meeting in November and December – all of which resulted in design revisions (more detail is available on the project website here).

The Resolution for the special assessment was passed on December 17, was brought back for reconsideration on January 7, 2019, and passed again.

Final plans were submitted to MDOT in late February for final review and bidding. Construction is expected to start in the June of 2019 after the end of the AAPS school year. The final special assessment resolution and approval of the City-State Agreement is currently scheduled to go before Council on May 6.

Hoover/Hill/Greene Improvements:

Limits of this project include Hoover (Main to State); Greene Street (Hill to Keech); and Hill Street (Fifth Ave to Greene). The scope of the project includes replacement of water main in some areas, resurfacing of the streets, improvements to the Hoover/Greene intersection, and filling the gap in the bike lanes. Construction is scheduled to begin in May and be completed in November.

City of Ann Arbor



Huron Street Improvements:

DDA improvements on Huron Street (Third Street to Division Street). Physical improvements include new sidewalks, permeable pavers, street and pedestrian lighting, landscaping, and trees. The DDA and City Transportation staff continue to coordinate with MDOT for approval of the transportation and safety elements, which includes non-rush hour parking, a permissive-protected left turn signal at 5th Avenue, a full signal to replace the Hawk signal at Third and Huron, restricted right turn on red along the corridor, and leading pedestrian intervals. Construction is scheduled to begin April 2019.

William Street Improvements:

DDA and City improvements on William Street (Fourth Street to State Street). The project includes advisory bike lanes from 4th Street to First Street and a two-way protected bike lane from First Street to State Street. The project also addresses street resurfacing and watermain consolidation within the project limits. Construction bids are due March 15, 2019, with construction scheduled to begin following UM commencement in May 2019.

DDA Annual Bike Parking Installations

The seasonal on-street bike racks will be placed as weather allows, typically in late April/early May. Around this same time, the DDA begins evaluating for annual bike parking repairs and additions. If you have suggested locations or other feedback, please contact Amber Miller, DDA Capital Projects Manager at amiller@a2dda.org.

Projects Currently in Design/Planning

Ellsworth/Research Park Drive Intersection:

City and AAATA staff continue to address pedestrian crossing issues related to access to transit service and the location of bus stops along Ellsworth Rd. It has been determined that a traffic signal is warranted at this location. City design and further discussions with AAATA are underway.

Jackson Avenue Crosswalk

The City is planning for a crosswalk installation on Jackson Avenue near Weber's Inn. The crosswalk would include the installation of an RRFB. Because one leg of this crossing is owned by MDOT, the City prepared plans for submittal to MDOT to obtain permission to install the crosswalk in MDOT's right-of-way. MDOT denied this application, citing that in their analysis, an enhanced crosswalk was not warranted. The City continues to appeal this decision.

Nixon Road Corridor Improvements Design:

As directed by City Council, staff is beginning the design of the corridor improvements recommended by the Corridor Improvement Study conducted by OHM Advisors (a2gov.org/Nixon). The design of this project is being undertaken by Wade Trim Associates and is expected to continue through June of 2019. The Transportation Commission received a presentation about the project in August 2018.

City of Ann Arbor



This project is currently limited to the engineering design of the corridor. A future construction date will be determined through the Capital Improvement Planning process.

Road Diets:

Staff is reviewing potential road diets at several locations throughout the City. The current round of evaluations includes the following locations:

- South Main (Madison to Stadium)
- Green Road (Plymouth to Burbank)
- South Industrial (Stadium to 800 feet south of Stimson)
- Earhart Road (boulevard segment)
- Platt Road (Packard to Canterbury)
- West Oakbrook Drive (Ann Arbor-Saline to S. Main)

Staff is preparing a plan for engaging the public on each location. The first meeting for Earhart Road is scheduled to occur on April 11. Information was shared with the Transportation Commission at the February meeting.

Fuller Road Sidewalk Extension:

This project will extend the sidewalk on the south side of Fuller Road from the entrance of Gallup Park to approximately 450 feet west, and relocate the existing crosswalk to the new westerly extent of the sidewalk. This project originated from a road safety audit that was conducted in 2017 which found that the safest location for a crosswalk in this area would ideally be further west than the existing location. Construction is anticipated for the summer of 2019. An overview of the project was presented at the Ann Arbor Public Schools Transportation Safety Committee's April 24 meeting and at the May Transportation Commission meeting. A public engagement meeting was held May 29 at Huron High School.

A second round of public engagement was undertaken in October and November. Staff presented the proposed project to Huron High School students at a lunchtime "pop-up" workshop on October 17, and received over 115 feedback forms. A public meeting was also held on the evening of November 1. A summary of the feedback obtained from all the public meetings can be found on the project website.

The first of the series of Special Assessment Resolutions was presented to City Council on September 17. City Council postponed a decision on this item until the November 19 meeting, requesting that staff conduct additional public engagement in the interim (see above description). The first special assessment resolution was approved by Council on November 19, but was brought back for reconsideration at the December 3 meeting and tabled. A separate resolution was passed directing staff to complete a comprehensive analysis of various potential improvements to the existing crosswalk.

This analysis was completed in February and a report was submitted to City Council. The report can be found here. Staff's recommendations have not changed after

City of Ann Arbor



performing this analysis. Council is expected to bring back first Special Assessment Resolution for consideration shortly.

Washtenaw/Pittsfield Crosswalk:

Designs and cost estimates for this project were recently drafted and are under review by MDOT. The project is expected to move forward in 2019.

People Friendly Streets Initiative

The William and Huron Street projects are moving toward construction in spring 2019. The project team is continuing detailed design for First and Ashley Streets, planned for construction in 2020.

Learn more at peoplefriendlystreets.org

Ann/Ashley Parking Structure Expansion

The DDA Board is pursuing a 3 story/400 space expansion of the Ann/Ashley Parking Structure. The goal is to encourage development of surface parking lots in the Main Street area. In addition to vehicle parking spaces, the project includes expanded bike parking, LED lighting, and added capacity for electric vehicle charging stations.

Other Updates and Information

Ann Arbor Station:

AECOM continues work on the revised environmental review. The draft of the Final Environmental Assessment (EA) is to be provided to the Federal Railroad Administration (FRA) by March 15. The revised Final Environmental Assessment is being drafted to incorporate responses to earlier public and agency comments. Once the revised Final EA is approved by FRA a public review period will be scheduled. For additional background please visit the project website.

MDOT Coordination:

The City has regular coordination with MDOT on all projects. MDOT allows for local installed improvements on their facilities, subject to their review. MDOT, in cooperation with WATS and the City, convened an initial stakeholder meeting to address the 2022 N. Main Street project planning and design process. MDOT has encountered an issue with retaining design contractors for this effort. Best information is that the stakeholder process will be delayed until early 2019. City, WATS and MDOT staff are coordinating information regarding a possible meeting. MDOT offered to share their internal preliminary traffic modeling and the City will work with those files in advance of future meetings.

Traffic Calming Program Submittals:

The updated Traffic Calming Program, approved by City Council on November 19, 2018, will be used for the petitions currently under consideration.

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Updates on recent Traffic Calming Program petitions are provided below:

- Scio Church Service Drive (Seventh to Chaucer): The first project meeting with the neighborhood occurred on February 21, 2019. The second meeting is scheduled to occur March 21, 2019.
- Crest (Liberty to Buena Vista): A petition for Traffic Calming was received and is currently being reviewed.
- Fernwood (Lorraine to Packard): A petition for Traffic Calming was received and is currently being reviewed.

Transportation Plan update:

The Sam Schwartz team has drafted a Public Engagement Plan (PEP). Steering and Advisory Stakeholder lists are being finalized with scheduling for a first round of meetings in the planning stages. Additionally, materials to facilitate early phase focus group sessions are undergoing development. Updates for the Commission will be scheduled as the project advances.

Lower Town Mobility Study:

This study is planned to be conducted in response to the request from City Council to review and update previous studies of vehicular, transit, bicycle, and pedestrian movement leading to and traveling through the Lower Town area. The Request for Proposals process is complete and City Council was presented a consultant contract on November 19, 2018 and January 21, 2019, but postponed action. The contract was not approved by City Council on February 19, 2019. However, staff was directed by Council on March 4, 2019 to include the Lower Town Area Study in the budget process.

Quiet Zone/Train Horn Noise:

The technical report indicating what is needed to implement a FRA compliant Quiet Zone was released for public review via an online survey. As of the drafting of this update over 530 responses have been received. A summary and proposed next steps will be prepared once the survey feedback is compiled and evaluated.

Crosswalk Streetlight Implementation:

City Council lifted the moratorium on the installation of street lights and budgeted funding for implementation over the past few years. To deal with the backlog of requests for streetlights, City staff developed a prioritization model criteria to determine how to implement the lights with the potential for the greatest impact. The evaluation criteria were centered on crosswalks and included additional consideration of: the history of crashes; crash potential; proximity to transit stops; City vs. DTE system addition; proximity to activity generators/destinations; current lighting levels; street classification; and public requests/desire. It is anticipated that 25 to 40 locations will be able to be implemented with this funding in the coming year – 10 City locations; 4 DTE locations; and 5 other locations (as part of other projects) have been completed this fiscal year. It should also be noted that all crosswalk lighting is installed to provide positive contrast lighting to the pedestrian when in the crosswalk. City Council was provided an update on this streetlight implementation at their meeting on September 4, 2018.

City of Ann Arbor



ArborBike – Planning is underway for relaunch of the ArborBike system in the next month. AAATA is overseeing the Contractor on behalf of the bikeshare partnership that includes the City, the AAATA, the UM and AADDA. We are excited to have an experienced operator, Shift Transit, leading the relaunch. Look for updates and further information detailing how to register to become a bikeshare participant.

Speed Reduction Committee Recommendations:

Staff will begin the process to define metrics on how best to measure progress to achieve the recommendations set forth in the Speed Reduction Committee Recommendations. In the interim, this section is meant to provide an update on which projects align with the recommendations.

- Dedicated Funding and Staff The formation of the Transportation Group including the hiring of the Transportation Manager are the first steps to align staff resources for speed reduction. Additionally, a new transportation engineer will start in March 2019.
- 2. Road Design Adopt City Policy of Using Safe Systems to Design Roadways Work to update the City's street design standards (known as the "orange book") have begun. The Transportation Plan Update may also provide suggestions on the hierarchy of needs for the City's roads..
- 3. Increase Enforcement Efforts Staff are currently contemplating how to best coordinate efforts between the Police Department and the Engineering Department. Efforts currently underway that can feed into this initiative include: the Driver Behavior Study, analysis of data collected from the speed reader signs, and integrating other speed data collected as part of other efforts.
- 4. Expanded and Sustained Public Outreach Campaigns recent campaigns include the recent "In Ann Arbor, we stop for pedestrians at crosswalks. Period."; Staff has also started discussions about how to share pertinent information on the website. City staff and DDA staff are also strategizing on an outreach campaign that would accompany the ribbon cutting of the William Street cycle track. Staff will also formulate new outreach strategies over the winter before the next construction cycle begins next spring.
- 5. Amend the Traffic Calming Program the modified update to the Traffic Calming Program was adopted by City Council on November 19, 2018.
- 6. Lobby for speed changes on state-owned roads, starting with Washtenaw Avenue communication was shared with MDOT about concerns raised at the intersection of Washtenaw and Hill. Preliminary discussions have also been had with Traverse City, Grand Rapids and Detroit about statewide initiatives that can assist cities improve the safety of roadways within their jurisdiction.
- 7. Create a Vision Zero Task Force The Transportation Commission passed a resolution of support for a Vision Zero Task Force at their July meeting. The Transportation Plan update (detailed above) will have a focus of Vision Zero and will set the vision for Ann Arbor's future transportation network. The steering committee for this initiative could serve the intent of the Vision Zero Task Force.

City of Ann Arbor



Office of Sustainability and Innovations Update:

The City's Green Fleets Team (GFT) has been reviewing low-use vehicles (defined as using less than 200 gallons of fuel each year) in the fleet for possible removal, including meeting with vehicle sponsors to hear why their low-use vehicles should stay in the fleet. The GFT is also exploring adding in a carshare option to the fleet like Maven or Zipcar. Lastly, the GFT is planning internal outreach to staff about how to reserve and use pool vehicles such as the new Chevy Bolt pool car.

The Electric Vehicle (EV) Readiness Subcommittee of the Energy Commission continues to meet to learn about the options for an EV Readiness Ordinance through our zoning code. The Subcommittee is currently learning about what is in ordinances passed by other cities for the residential, commercial, and multifamily sectors. We are also hoping to recruit a member of the Transportation Commission and the Planning Commission to join this sub-committee so we can ensure alignment across priority areas within the City.

Staff is leading the development of a grant proposal for Ann Arbor and a group of other cities to visit Los Angeles to learn more about their groundbreaking low-income EV carsharing program, BlueLA.

Upcoming Sustainability Forums:

- March 21 Climate Change 201
- April 18- Racial Equity in Washtenaw County

Save the date – the 19th Annual Ann Arbor Green Fair is scheduled for Friday, June 14 from 6-9pm on Main Street. More details will be coming shortly. To learn more, sponsor a booth, or sponsor the event, please contact Christine Schopieray (cschopieray@a2gov.org)

MEMORANDUM

TO: Howard S. Lazarus, City Administrator

FROM: Ann Arbor Police Department

SUBJECT: Monthly Comparison Report – Monthly Pedestrian Crash Report

DATE: March 14, 2019

AAPD ARM Monthly Comparison Report – February 2019

Part A Crimes

Crime Category	Feb-2019	YTD 2019	YTD 2018	% Change
ALL OTHER OFFENSES	0	0	0	No Change
ARSON	0	0	1	-100.0%
ASSAULT - AGGRAVATED	12	21	16	31.3%
ASSAULT - SIMPLE	51	88	76	15.8%
BRIBERY	0	0	0	No Change
BURGLARY - ALL OTHER	3	5	11	-54.5%
BURGLARY - RESIDENTIAL	5	13	23	-43.5%
DAMAGE TO PROPERTY	21	44	47	-6.4%
DRUG OFFENSES	5	18	27	-33.3%
EMBEZZLEMENT	0	5	5	0.0%
EXTORTION - BLACKMAIL	2	3	1	200.0%
FORGERY / COUNTERFEITING	3	7	4	75.0%
FRAUD	42	86	128	-32.8%
GAMBLING	0	0	0	No Change
HOMICIDE - JUSTIFIABLE	0	0	0	No Change
HOMICIDE - NEGLIGENT	0	0	0	No Change
HOMICIDE - NON-NEGLIGENT	0	1	0	No Change
INTIMIDATION / STALKING	10	25	14	78.6%
KIDNAPPING / ABDUCTION	2	2	1	100.0%
LARCENY - ALL OTHER	43	89	115	-22.6%
LARCENY - FROM AUTO (LFA)	23	58	64	-9.4%
LARCENY - RETAIL FRAUD	26	65	64	1.6%
MOTOR VEHICLE THEFT / FRAUD	6	15	7	114.3%
OBSCENITY	0	0	0	No Change
ROBBERY	5	5	2	150.0%
SEX CRIME (VIOLENT)	3	9	7	28.6%
SEX OFFENSES - COMMERCIALIZED	0	0	0	No Change
SEX OFFENSES - CSC	0	0	0	No Change
STOLEN PROPERTY	1	2	3	-33.3%
WEAPONS OFFENSE	1	4	9	-55.6%
Total Part A Offenses	264	565	625	-9.6%

^{*}N/C represents an increase of "0" which is mathematically "Not-Calculable" Report ran on 03/13/2019 using CrimeView Advanced Reporting Module.

^{*}There may be a slight variation in crime stats due to incomplete or unapproved reports at the time report was run. This report does not include "Locked" cases.

^{**}Please note that reports are run for calendar month and that the months being compared may have different number of days.

Part B Crimes

ACCIDENT - HIT & RUN	1	4	1	300.0%
ALL OTHER OFFENSES	6	9	126	-92.9%
BURGLARY - ALL OTHER	0	0	0	No Change
DISORDERLY	0	0	0	No Change
ESCAPE / FLIGHT	2	2	0	N/C
FAMILY OFFENSE	3	4	6	-33.3%
FRAUD	0	2	3	-33.3%
HEALTH AND SAFETY	0	1	1	0.0%
HOMICIDE - NEGLIGENT	0	0	0	No Change
LIQUOR LAW VIOLATION	2	3	9	-66.7%
MISSING PERSON / RUNAWAY	5	8	4	100.0%
OBSTRUCTING JUSTICE	26	46	44	4.5%
OBSTRUCTING POLICE	12	24	10	140.0%
OUI OF LIQUOR / DRUGS	14	23	25	-8.0%
PUBLIC PEACE	15	32	36	-11.1%
SEX OFFENSES - OTHER	1	3	1	200.0%
TRESPASSING / INVASION OF PRIVACY	12	14	14	0.0%
VAGRANCY	0	0	0	No Change
Total Part B Offenses	99	175	280	-37.5%

*N/C represents an increase of "0" which is mathematically "Not-Calculable"
Report ran on 03/13/2019 using CrimeView Advanced Reporting Module.

*There may be a slight variation in crime stats due to incomplete or unapproved reports at the time report was run. This report does not include "Locked" cases.

**Please note that reports are run for calendar month and that the months being compared may have different number of days.

AAPD Monthly Pedestrian Crash Report

Report #	Location	Date	Time	Vehicle Movement	Ped In Crosswalk	Ped Injury
19-4784	First St & Huron St	2/1/2019	4:00 PM	Turning Right	Yes	Yes
19-5049	Huron Pkwy & Washtenaw Ave	2/5/2019	7:20 AM	Going Straight	No*	Yes
19-6321	Pleasant Pl & Abbott Ave	2/14/2019	11:11 AM	Driverless Moving	No	Yes
19-6626	Maple Rd & Dexter Rd - Private Parking Lot	2/16/2019	10:08 AM	Backing	No	Yes
* Crash occ	urred on sidewalk/driveway area as vehicle v	was exiting b	ousiness.			

From: <u>Kim Easter</u>
To: <u>Bannister, Anne</u>

Subject: Re: Treeline Trail thoughts about DC-5, Resolution 19-0451

Date: Monday, March 18, 2019 10:20:40 AM

Anne, congrats on boiling one of the messages down to this phrase: "I'm considering whether it would be better to consider a *more wholistic approach to planning* for 721 N. Main, rather the *decision-making by sequential resolutions.*"

The addition of "sequential" is so helpful!

Kim

On Sat, Mar 16, 2019 at 4:59 PM Bannister, Anne < ABannister@a2gov.org > wrote: Dear Joe O'Neal and Janine Easter,

What are your thoughts about <u>DC-5- Resolution 19-0451</u>, which is on the Council Agenda for Monday night, March 18?

My preliminary research into the history of 721 N. Main shows that in 2005, Council Minutes show Resolution 374-8-05 was approved. Scroll down to see this excerpt:

Resolved, That the area of the City properties at 415 W. Washington and 721 N. Main within the floodway will be included in the new Greenway. The remaining portion of these sites will be reserved for mixed use, which could include additional park or Greenway area, space for non profit organizations, art, housing, and/or commercial entities;

In 2012, there was a report called <u>721 N. Main Conceptual Site Development Alternatives</u>, where the above excerpt was referenced on page 5, along with other recommendations including biking and walking trails, and consistency with the neighborhood character and scale.

Both of these 2005 and 2012 documents appear to possibly conflict with the new Resolution 19-0451. What do you think? Are the potentially competing interests of the Treeline Urban Trail and the Affordable Housing resolution properly harmonized?

Does this excerpt from Resolution 19-0451 sound okay, or need more work?

RESOLVED, That the Ann Arbor City Council directs the City Administrator to ensure any future development of the Property includes affordable housing; and RESOLVED, That by August 1, 2019 the City Administrator will recommend to City Council a policy or process to follow which addresses the following requirements:

- The City will maintain ownership of the Property (e.g., land lease)
- Any potential developer will offer a mix of unit types and rent level
- Any Developer will maximize the number of affordable housing units for those who make up to 60% of the Area Median Income while balancing other priorities such as funding the Treeline Urban Trail
- Any Developer will accept Housing Choice Vouchers
- Sponsored by: Councilmembers Ackerman, Smith and Mayor Taylor

I'm considering whether it would be better to consider a *more wholistic approach to planning* for 721 N. Main, rather the *decision-making by sequential resolutions*.

Your advice and insights are most welcome and encouraged.

Thanks, Anne

Anne Bannister Ward One Councilmember

cell: 734-945-1639 <u>abannister@a2gov.org</u> Term Nov. 2017 - Nov. 2020

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

 From:
 Bannister, Anne

 To:
 Joe O"Neal

 Col.
 Inning Factor

Cc: Janine Easter ; k ; Nelson, Elizabeth; Hayner, Jeff; Eaton, Jack;

Griswold, Kathy

Subject: RE: THE TREELINE URBAN TRAIL BUSINESS PLAN

Date: Monday, March 18, 2019 10:14:59 AM

Good morning and thank you for sending page 20 of the Business Plan.

These are the Agenda Questions I submitted this morning. We will receive the Agenda Responses today shortly before the meeting (around 5 pm or so):

DC- 5 -- 19-0451 at 721 N. Main:

How does this resolution harmonize with previous resolutions and agreements, such as page 20 of the Treeline Urban Trail Business Plan, and Resolution 374-8-05, and the 2012 document, "721 N. Main Conceptual Site Development Alternatives"?

Please send the list of ten properties in the City from Jennifer Hall.

How does this harmonize with the \$500K RFP for the Master Plan that is currently in circulation?

Thanks!

Anne

Anne Bannister

Ward One Councilmember

cell: 734-945-1639 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: Sunday, March 17, 2019 9:25 PM

To: Joe O'Neal;

Cc: Janine Easter ; Nelson, Elizabeth; Hayner, Jeff;

Eaton, Jack

Subject: Re: THE TREELINE URBAN TRAIL BUSINESS PLAN

Okay and thanks! Five of us Councilmembers are still here at City Hall, finishing up Council Caucus, so the message has been received. — Anne

On Sun, Mar 17, 2019 at 7:02 PM -0400, "Joe O'Neal" < ioneal@onealconstruction.com > wrote:

Hi Anne –

In addition to my email that I sent you this morning, I have attached a copy of Page 20 of the Business Plan that we negotiated with the City regarding the Treeline. As you can see, the proposed Resolution is not in keeping with the Plan. I hope that, at a minimum, you can get us more time to work out an approach that all parties can agree is fair. Although we were apprised of its coming, we were not provided with a copy nor given time to respond.

Many thanks for getting us in the loop.

- Joe

From: Robert Frank
To: CityCouncil

Subject: Fwd: (Mar 17, 2019) City Council meeting communication to members

Date: Sunday, March 17, 2019 5:52:59 PM

Councilmember, please take the time to read my communication below. Thank you.

Robert Frank

From: Robert Frank

Sent: Sunday, March 17, 17:50

Subject: Re: Elizabeth Nelson's City Council Newsletter (Mar 17, 2019)

To: Elizabeth Nelson

Elizabeth, I so appreciate your communications to Ann Arbor residents. You are very generous with your time.

Couple thoughts

First, I fervently hope that our community police oversight board will only have members who belong to the Ann Arbor resident community. It would be insulting and wrong to have any non-residents on the oversight committee.

Second, as someone who walks alot in town along busy streets, I have an added suggestion for your crosswalk ordinance improvement (and an improvement it is). Pedestrians should be required to wait until cars stop before crossing. This will save pedestrians from injury and possibly save lives. Pedestrians should raise an arm to indicate they want to cross at the crosswalk so drivers are made very aware.

There is so much distracted driving that for pedestrians to cross the street before all traffic has stopped is foolhardy.

Please, it is much better for a pedestrian to wait a few seconds, a minute, or even a few minutes, than to cross before traffic is stopped and it is truly safe.

Due to the risk to pedestrians, they need to take on the onus of responsibility. Even the very safest driver will have a moment of distraction. Let's rethink our laws to better help pedestrians protect themselves.

As someone who was a pedestrian in the legal right, but was hospitalized by a distracted driver, I know first hand that the only safe way to be a pedestrian is to be the fully responsible party for ones own safety.

Thank you for your time!

If you are able to forward this to other council members I would appreciate it!

Robert Frank

Ann Arbor resident of 40 years.

Robert Frank

From: Elizabeth Nelson <contact@a2elnel.com>

Sent: Sunday, March 17, 2019 11:50:32 AM

To: rjf9rjf@hotmail.com

Subject: Elizabeth Nelson's City Council Newsletter (Mar 17, 2019)

Ann Arbor City Council Member Ward 4

Hello neighbors!

This week on City Council, we have a particularly long agenda up for discussion that include four public hearings, four first-readings of ordinance amendments, and some new/unfinished business to consider affordable housing issues.

Before I jump into my summary of items on the agenda, I'd like to invite you to my coffee hours today (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.

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!
The public is invited to a Council Caucus this Sunday, March 17th. Directions will be posted on the exterior doors of City Hall.

Council Caucus

Sunday Mar 17th (7:00-9:00 PM)

City Hall 2nd Floor

301 E Huron St

Agenda:	
Public comment general time. (Three minutes, no need to signup in a speakers will be assigned in the order of arrival.)Discussion, primarily the next day's Council agenda.	advance and / topics on

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:



Seventh/Stadium and Seventh/Scio Church Intersections

This past week, residents met with city staff to talk about recent changes to the intersections of Seventh/Stadium and Seventh/Scio Church. I thank city staff for their work in preparing for this meeting with visual presentations and feedback forms. Our city is lucky to have such a strong team of professionals that is willing to spend those extra evening hours with the community, answering questions and hearing resident concerns. Thank you to all residents who came out to share your views about how to make these intersections safer!

In addition to the meeting mentioned above, the City has an online survey about these intersections which is open until Monday March 18th at 9am.

https://www.a2elnel.com/blog/online-survey-for-seventh-scio-church-and-seventh-stadium-intersections
Ward Talk on CTN
Last week I participated in the CTN show
WARD TALK

with Bonnie Gabowitz. It was a fun time (Bonnie is a former Ward 4 resident and great host). You can watch the show on CTN's YouTube page:

https://youtu.be/rQ_IJ2fFyEc

Website Updates

In addition to writing this newsletter, I post regular 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. I occasionally .

Below are links to stories I posted since the previous newsletter, and posts about meetings coming up in the next two weeks. You can see a listing of all my posts here:







https://www.a2elnel.com/blog/council-caucus-on-sunday-nights City Council Voting Chart for Mar 4, 2019 https://www.a2elnel.com/blog/city-council-voting-chart-for-mar-4-2019

Ward 4 News/City News

Mar 21st Scio Church Traffic Calming meeting



Mar 21st Sustainable Ann Arbor Forum

https://www.a2elnel.com/blog/mar-21st-sustainable-ann-arbor-forum

April 8th meeting about Water Treatment Plant UV Disinfection System Project

https://www.a2elnel.com/blog/april-8th-meeting-about-water-treatment-plant-uv-disinfed system-project	<u>:tion-</u>



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:
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. Information about A2FixIt (and explanation of more urgent issues and appropriate numbers to call) is here:



City News and Announcements This is a helpful link to updates on events and opportunities in Ann Arbor through City Hall:





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

Volunteer Boards and Commissions

Membership on these 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
HIGHLIGHTS Council Meeting Agenda 3/18/19
Below is my summary of some issues on the City Council Agenda this week, with links to more information about each of them.
The full agenda in PDF format (along with links to each proposed ordinance/resolution) can be found on the A2Gov Legistar website here:
https://a2gov.legistar.com/MeetingDetail.aspx?ID=682813&GUID=79E13FFC-3968-4609-85B9-EEC37135294A&Options=info&Search=

If you have comments about any of these issues, feel free to email me at my official City email:

ENelson@A2gov.org

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 (

)

An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.77 Acres from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Malletts Wood 1 & 2 PUD Zoning and Supplemental Regulations, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-19-04)

A property at 3300 Cardinal Avenue (east of Mary Beth Doyle park) would be zoned single-family. This ordinance would rezone the 3.77 acre site from PUD (Planned Unit Development District) to R1E (Single-Family Dwelling District) to allow development of single-family detached homes.

<u>19-0379</u>

) Resolution to Approve Malletts Wood 2 Amended PUD Site Plan and Development Agreement, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A site plan would construct 19 single-family detached condominium dwelling units on Cardinal Drive and Sharon Court (a new public road) on a 3.77 acre parcel. Each unit will be no more than 2000 square feet in floor area.

PH-3/DB-1 (

<u>19-0310</u>

) Resolution to Approve the Durling Annexation, 0.106 Acre, South Side of Valley Drive, West of Dexter Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays) A property in Scio township (south side of Valley Drive and West of Dexter Road) would be annexed into the city. Current use is consistent with adjacent zoning, land uses and master plan. PH-4/C-1 (

19-0163

) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

A property at 3365 Jackson Road (overlooking Dolph Park) would be granted PUD zoning to permit a 106,245 square foot, 95 unit senior living facility with 65 parking places. This would be a rezoning of 3.52 Acres that are currently R1C (Single-Family Residential District). It was approved 6-1 by the Planning Commission.

Unfinished/New Business

B-1 (

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19-0132
)
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An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.77 Acres from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Malletts Wood 1 & 2 PUD Zoning and Supplemental Regulations, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-19-04) This is the same as PH-1 above C-1 (**19-0163**) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit

Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1

Nays)

This is the same as PH-4 above

C-2 (

19-0275

) An Ordinance to Amend Chapter 55 (Zoning), Zoning of 0.6 Acre from C2B (Business Service District) to R2A (Two-Family Dwelling District), including 606, 610, 614, 616, 618, 622, and 628 South Ashley Street (CPC Recommendation: Denial - 0 Yeas and 8 Nays)

An area of .6 acres that includes 606, 610, 614, 616, 618, 622, and 628 South Ashley Street will be re-zoned from C2B (Business Service District) to R2A (Two-Family Dwelling District). This is to discourage commercial use and maintain existing scale and character, as directed by City Council resolution from 9/4/18 (sponsored by CM Chip Smith). The Planning Commission recommended denial (0-8)

C-3 (

19-0343

) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 58 Lots from R4C (Multiple-Family Dwelling District) to R1D (Single Family Dwelling District) and 4 Lots from R4C (Multiple-Family Dwelling District) to R1E (Single Family Dwelling District), West Hoover Avenue/West Davis Avenue Area Rezoning, (CPC Recommendation: Denial - 5 Yeas and 3 Nays)

This would rezone 62 lots on Edgewood Place, W. Hoover, W. Davis, Wilder Place, and Myron Court to protect the existing lower-density development west of Main Street, in compliance with the Master Plan. This is to discourage commercial use and maintain existing scale and character, as directed by City

Council resolution from 9/4/18 (sponsored by CM Chip Smith). City staff's plan would rezone most (58) of the lots to R1D, rezone four lots to R1E, and keep the remaining eight lots zoned R4C. The Planning Commission recommended denial (5-3)

) An Ordinance to Amend Title VI (Food and Health) of the Code of the City of Ann Arbor by Adding a New Chapter 73 (Two-Cycle Power Equipment)

The use of two-cycle power equipment would be banned within the Downtown Development Authority area of the city. This refers mostly to landscaping equipment that is used to blow leaves and debris, collect leaves and debris, and trim hedges and bushes.

C-5 (

<u>19-0552</u>

) An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor

An amendment to our crosswalk law would reduce ambiguity, improving communication between the driver approaching a crosswalk and the pedestrian trying to cross. I have brought this resolution to bring our crosswalk law into compliance with best practices currently being adopted by other communities.

DC-1 (



Required)

An existing residential parking district will be expanded to include a stretch of Mosley Street at 309-415. The City will spend \$1000 installing signs and expects additional annual revenue of \$450 from new residential permit fees. The Old West Side Association supports the change.

DC-2 (

19-0406

) Resolution to Appoint Members to the Independent Community Police Oversight Commission (7 Votes Required)

Eleven people have been nominated to the Independent Community Police Oversight Commission, including four non-residents.

DC-3 (

19-0300

) Resolution to Amend Council Rules 1, 5B, 5D, 5E, 5F, and 7

The most significant proposed changes would adjust the timeline of Council's preparation for meetings by shifting the planning timeline earlier for staff. I explained the current timeline on my website:



The proposed rules change would set the agenda earlier, giving Council the same amount of time to submit questions, but a full weekend (rather than a couple hours) to read responses to those questions. An addition to public speaking rules clarifies that council members and staff will not be interrupted and the public may not disrupt a council meeting.

) Resolution to Increase the Benefit and Use of the Downtown Affordable Housing Premium

The planning commission would be directed to consider policies that would offer more premiums to real estate developers willing to create affordable housing downtown.

DC-5 (

19-0451) Resolution to Pursue Affordable Housing at 721 N. Main
This directs the City Administrator to consider a future development of the city owned property at 721 N. Main Street under the terms of a "land lease" and ensure that it would include some affordable housing. Any potential developer would include a mix of unit types and rent levels.



This directs the City Administrator to consider a future development of the city owned property at 1000 S. Industrial under the terms of a "land lease" and ensure that it would include some affordable housing. Any potential developer would include a mix of unit types and rent levels and office space for the Ann Arbor Housing Commission.

DC-7 (

19-0528

) Resolution to Direct the City Administrator to Study Potential Regulation of Shortterm Rentals

The city administrator will report on the feasibility of regulating short-term rentals ("AirBnB") in the city of Ann Arbor for the purpose of preserving our supply of year-round housing and protecting the character of our year-round resident neighborhoods. The report will consider peer cities and possible distinctions between partial or whole home/unit categories (e.g. those properties occupied primarily by year-round owners/renters and properties occupied primarily by short-term renters).

DC-8 (

19-0529

) Resolution to Support City of Ann Arbor Flying the Transgender Flag on International Transgender Day of Visibility - March 31

March 31 will be recognized as International Transgender Day of Visibility by flying the transgender flag at Larcom City Hall.

) Resolution to Approve Agreements with 115 Depot, LLC and 201 Depot L.L.C. for Storm Water, Sidewalk and Temporary Construction Easements at 115 and 201 Depot Street for the Allen Creek Railroad Berm Opening Project (8 Votes Required)

The entity of 115 Depot, LLC will grant the city Storm Water and Sidewalk easements for the Allen Creek Railroad Berm Opening Project.

DC-10 (

19-0469

) Resolution to Approve an Agreement with DTE Gas Company for Storm Water and Sidewalk Easements and a Temporary Construction Permit at 841 Broadway for the Allen Creek Railroad Berm Opening Project (8 Votes Required)

DTE will grant the city Storm Water and Sidewalk easements for the Allen Creek Railroad Berm Opening Project.

) Resolution Directing the City Administrator to Evaluate Use of 1510 E. Stadium Boulevard for Redevelopment as an Ann Arbor Housing Commission Affordable Housing Location
The city administrator will develop plans for affordable housing that would remain in city ownership and be managed by the Ann Arbor Housing Commission, at the city owned property at 1510 E. Stadium Boulevard. The Fire Department Master Plan anticipates the sale of this property.

DC-12 (

19-0524

) Resolution to Approve Change of Route and Closed Streets for the 2019 Ann Arbor Marathon on Sunday, March 24, 2019

The route of the Ann Arbor Marathon (scheduled for 3/24/19) has been changed to address residential neighborhood concerns.

DC-13 (

19-0553

) Resolution to Implement Pedestrian Safety Improvements at the Fuller Road Crosswalk at Huron High School

The Fuller Road crosswalk at Huron High School will be improved by widening Fuller Road and establishing a pedestrian refuge island at the existing crosswalk location

DC-14 (

19-0554

) Resolution to Utilize Sale Proceeds of "Old Fire Station 2" to Fund the Implementation of the Fire Station Master Plan

The city administrator is directed to explore options to sell the property at 1510 E. Stadium Boulevard under terms that would include some affordable housing units. The Fire Department Master Plan anticipates the sale of this property.

) Resolution to Approve the Durling Annexation, 0.106 Acre, South Side of Valley Drive, West of Dexter Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

This is the same as PH-3 above

DB-2 (

19-0379

) Resolution to Approve Malletts Wood 2 Amended PUD Site Plan and Development Agreement, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

This is the same as PH-2 above

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.

(If you do not see the consent agenda below, make sure your email client is displaying images)

Additional thoughts
Since the last meeting, I have mostly received email on the topic of local Ward 4 concerns re: extremely disruptive DTE work in lower Burns Park and anticipated plans for a marathon route (and early morning beer tent!) off South Main Street.
Unfortunately, the city does not have much power or influence over the day-to-day doings of DTE, but complaints can be directed to:
Derek Kirchner
derek.kirchner@dteenergy.com
Regional Manager – Corporate and Governmental Affairs

Upcoming marathon plans seem to have been adjusted to the satisfaction of neighbors. Moving forward, I'd like the city to generate reasonable policies for advance notice and neighborhood engagement ahead of street closures and public events that include alcohol.

This week's agenda is very full. I am bringing two resolutions that reflect concerns I heard during my campaign last summer. First, I am asking city staff to study and report back to Council on potential regulation of short-term rentals (AirBnB's). Council and staff are aware of concerns but we need a formal assessment and consideration of options. Secondly, I'm bringing an amendment to our crosswalk law, to hopefully improve the non-verbal communication that happens between a driver and a pedestrian. For the purpose of preventing accidents, drivers need to be able to recognize the difference between a pedestrian simply standing on the sidewalk (or waiting for a bus) and a pedestrian trying to cross the road.

Affordable housing

Behind the scenes and outside of public meetings, affordable housing has been

a huge topic of conversation among council and staff. Before and after my election, I had multiple meetings with Jennifer Hall, Executive Director of the Ann Arbor Housing Commission, to hear her take on options and strategies. In a recent meeting with Fire Chief Mike Kennedy and City Administrator Howard Lazarus, I was also alerted to the potential for affordable housing development at the soon-to-be-taken-offline fire station at Packard and Stadium.

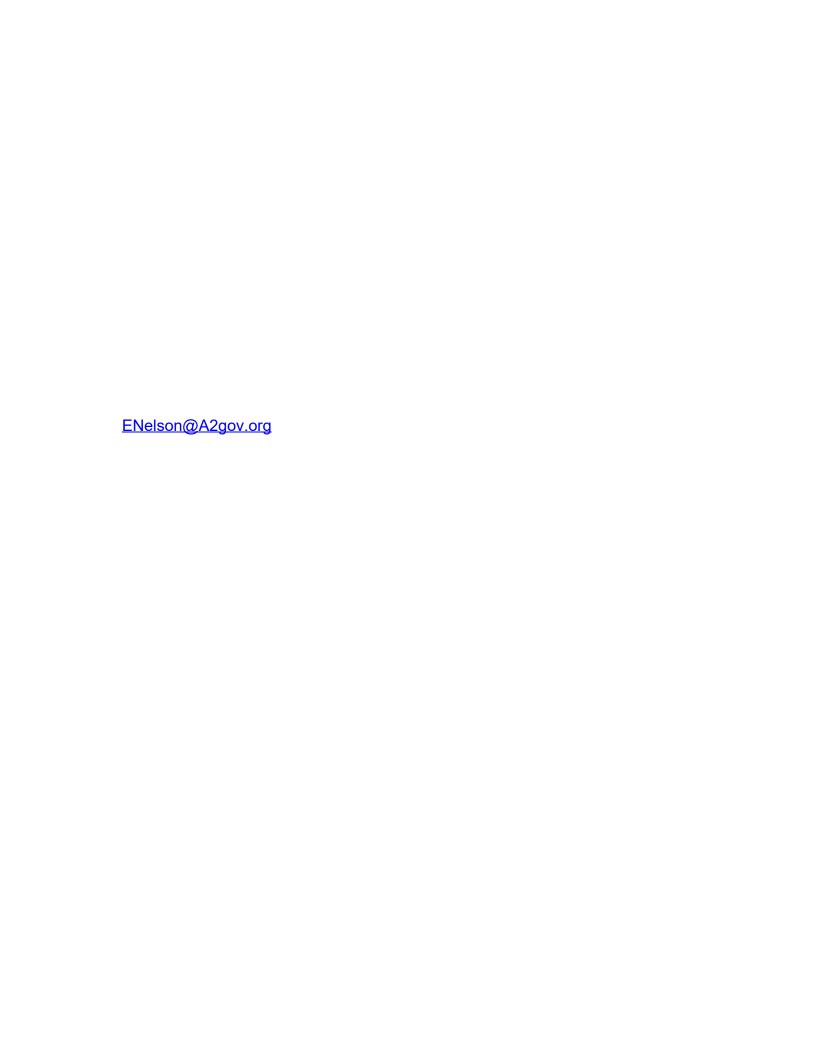
Our Housing Commission actually has identified a list of ten publicly owned properties (including the fire station, the site at Industrial, and at North Main) that could be developed for affordable housing. I am new to council, so my expectation had been that the city would evaluate, prioritize, and carefully assess the pros/cons of this whole list of ten. Instead, CM Ackerman has highlighted just two of them (Industrial and N. Main).

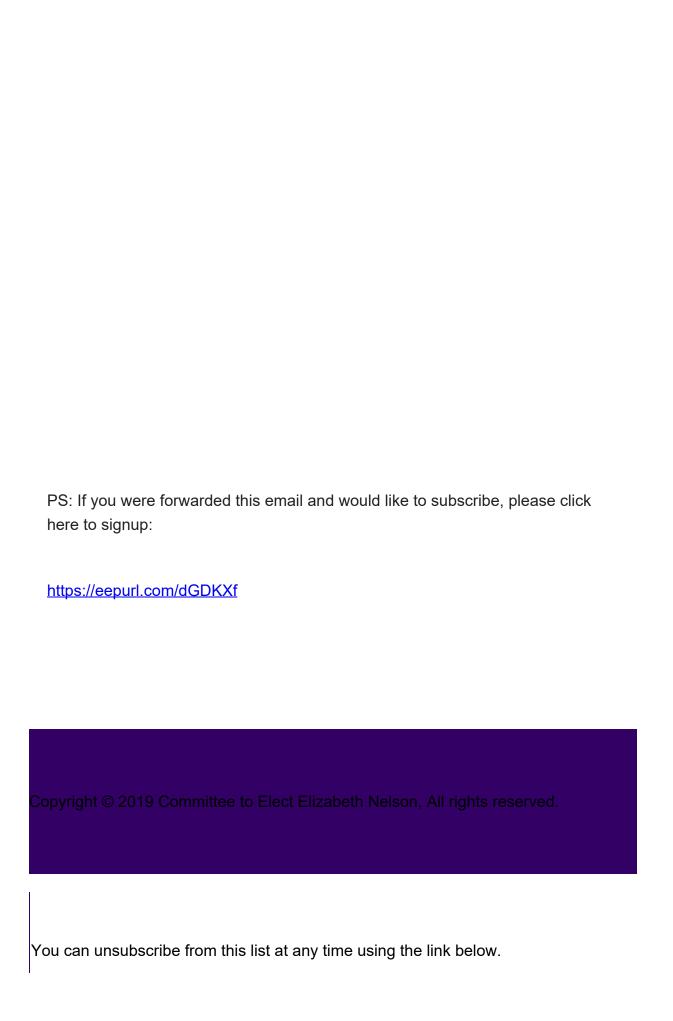
It surprises me that we would not be looking at the whole list in a more comprehensive way, but I also realize that suggesting a step back for such an analysis would, at this point, probably prompt accusations of being obstructionist. (This is, unfortunately, where we are in the current political climate.) I agree that the two properties at Industrial and N. Main are well situated for residents of affordable housing to have easy access to city shopping, jobs, and services. Based on recent conversations with the City Administrator and our Fire Chief, I am happy to propose a third location (the old fire station) that would have similar advantages for residents of affordable housing.

I hope that a majority on council can muster support for all three properties, as I see all three locations as consistent with city goals for equity and sustainability. I

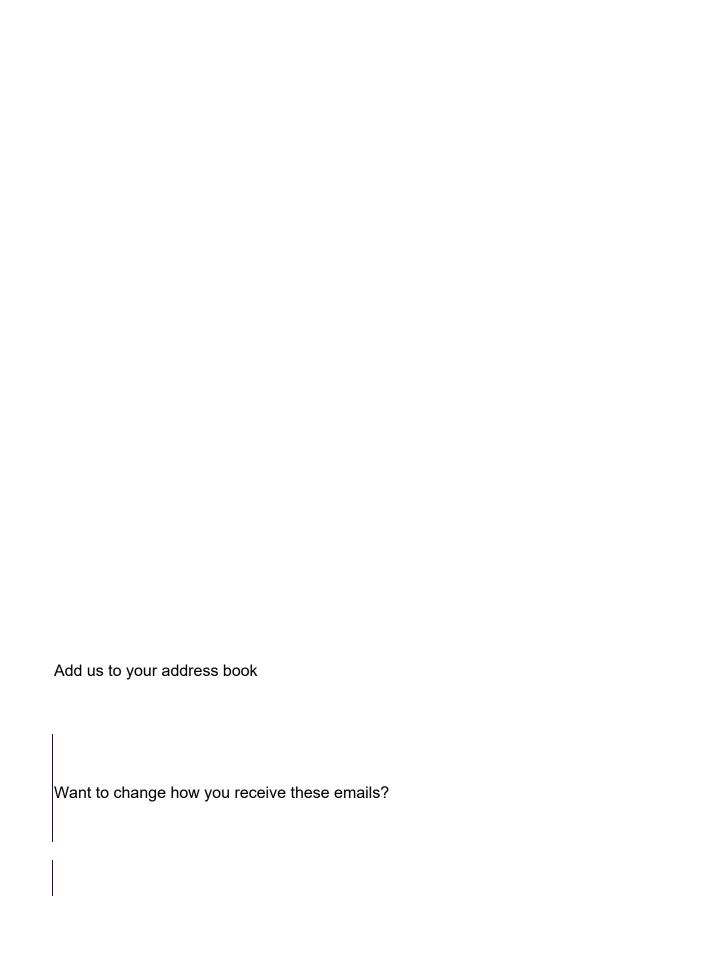
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Elizabeth Nelson





Paid for by				
Committee t	to Elect Elizabeth	Nelson		
PO Box 224	43			
Ann Arbor, I	MI 48106-2243			



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From: Hall, Jennifer

Lee, Daniel; Lee Meadows - The Lull Doctor ; Thierry Batalonga; Grand, Julie; To:); Steven J. Daniels Sr.

Brand, Weneshia; Dalton, Reggie; Hendershot,

Misty; Olivier, Timothy; Raak, Ulli; Yaroch, Elizabeth

Cc: Callan, Mary Jo

Subject: Wednesday March 20, 2019 Board Meeting Packet

Date: Sunday, March 17, 2019 2:10:16 PM

Good Afternoon,

The March 20, 2019 Board Packet is now available on the city's Legistar site http://a2gov.legistar.com/Calendar.aspx

The main agenda item is the Annual Plan Public Hearing. In addition, there is a lengthy resolution with proposed changes to the Administrative Plan policies.

I will be trying something new by bringing up the board packets on the screen in the conference room instead of printing hard copies for everyone. If you would still like a hard copy, please let me know and I will print a hard copy for you for the board meeting.

We will not be having an AAHDC non-profit meeting.

There are quite a few items on the council agenda tomorrow night related to affordable housing. http://a2gov.legistar.com/Calendar.aspx

The first is a public hearing related to a rezoning request from a private developer to develop senior housing on Jackson Road, including about ½ the units as affordable senior housing. The project is called Lockwood.

There are also 3 proposals from city council members directing staff to determine the feasibility of developing affordable housing at 2000 S. Industrial, Fire Station #2 at 1510 E. Stadium, and the City's former public works property at 721 N. Main street. And, there is also a resolution directing staff to review the current affordable housing incentives in the city's zoning ordinance to increase the benefits.

Dinner will be provided at the meeting.

Sincerely,

Jennifer Hall

Gennifer Hall

Executive Director

Ann Arbor Housing Commission

2000 S. Industrial

Ann Arbor, MI 48104

jhall@a2gov.org

734 794-6721 (direct office line) 734 996-3018 (fax) From: Joe O"Neal
To: Bannister, Anne

Cc: <u>Janine Easter; Hayner, Jeff; Griswold, Kathy; Eaton, Jack; Nelson, Elizabeth; Kim Easter</u>

Subject: Re: Treeline Trail thoughts about DC-5, Resolution 19-0451

Date: Sunday, March 17, 2019 11:42:53 AM

Anne -

Excellent research! I will do some homework when I get to my computer later today and be back in touch. I was led to believe that we were going to create a process by which we would find the best, most financially viable and most community acceptable way/ways to utilize 415 and 721. Dictating, not only risks very bad long term results, but may greatly weaken public interest and financial involvement in the Treeline. There are many factors to be considered in creating the ultimate design (I use the word "ultimate" in two ways - as the final and as the most perfect design). Nothing will be gained, and much could be lost, by strangling the process before the climb even begins.

We discussed laser focusing on the first section, B2B Trail to 721 N Main, with the City and now we are jumping all over the Trail. Let's focus, not distract our energies!

Regarding our undeniable need for affordable and workforce housing, has a study been undertaken re all potential sites, public and private, and the costs per unit, etc.? In other words, where do we get the most bang for the buck?

Sent from my iPhone

On Mar 16, 2019, at 4:59 PM, Bannister, Anne <<u>ABannister@a2gov.org</u>> wrote:

Dear Joe O'Neal and Janine Easter,

What are your thoughts about <u>DC-5- Resolution 19-0451</u>, which is on the Council Agenda for Monday night, March 18?

My preliminary research into the history of 721 N. Main shows that in 2005, Council Minutes show Resolution 374-8-05 was approved. Scroll down to see this excerpt:

Resolved, That the area of the City properties at 415 W. Washington and 721 N. Main within the floodway will be included in the new Greenway. The remaining portion of these sites will be reserved for mixed use, which could include additional park or Greenway area, space for non profit organizations, art, housing, and/or commercial entities;

In 2012, there was a report called <u>721 N. Main Conceptual Site Development Alternatives</u>, where the above excerpt was referenced on page 5, along with other recommendations including biking and walking trails, and consistency with the neighborhood character and scale.

Both of these 2005 and 2012 documents appear to possibly conflict with the new Resolution 19-0451. What do you think? Are the potentially competing interests of the Treeline Urban Trail and the Affordable Housing resolution properly harmonized?

Does this excerpt from Resolution 19-0451 sound okay, or need more work?

RESOLVED, That the Ann Arbor City Council directs the City Administrator to ensure any future development of the Property includes affordable housing; and RESOLVED, That by August 1, 2019 the City Administrator will recommend to City Council a policy or process to follow which addresses the following requirements:

- The City will maintain ownership of the Property (e.g., land lease)
- Any potential developer will offer a mix of unit types and rent level
- Any Developer will maximize the number of affordable housing units for those who make up to 60% of the Area Median Income while balancing other priorities such as funding the Treeline Urban Trail
- Any Developer will accept Housing Choice Vouchers
- Sponsored by: Councilmembers Ackerman, Smith and Mayor Taylor

I'm considering whether it would be better to consider a *more wholistic approach to planning* for 721 N. Main, rather the *decision-making by sequential resolutions.*

Your advice and insights are most welcome and encouraged.

Thanks, Anne

Anne Bannister
Ward One Councilmember
cell: 734-945-1639
abannister@a2gov.org

Term Nov. 2017 - Nov. 2020

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

From: <u>Teresa M. Gillotti</u>

To: <u>Higgins, Sara; Lazarus, Howard</u>
Cc: <u>Delacourt, Derek; Mirada Jenkins</u>

Subject: HHSAB resolutions to share prior to Monday"s council meeting

Date: Friday, March 15, 2019 3:39:59 PM

Attachments: HHSAB reccomendations Lockwood resolutions.pdf

HHSAB reccomendations upcoming council-proposed resolutions.pdf

Good afternoon Howard and Sara,

Last night the HHSAB passed two resolutions making recommendations to City Council on upcoming Affordable Housing actions going before the Council on Monday.

I checked in with Derek, and he suggested I send them to you now, rather than through the Legistar process, so they can be passed along to Council as part of formal communications. Thanks for your help passing their recommendations along.

I've attached them. Let me know If you have questions and have a great weekend!

-Teresa

Teresa Gillotti

Director

Office of Community & Economic Development 415 West Michigan Avenue Ypsilanti, MI 48197 (734) 544-3042 *Phone* (734) 259-3074 *Fax* gillottitm@washtenaw.org

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Learn about the County's Racial Equity initiative at www.opportunitywashtenaw.org
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Housing and Human Services Advisory Board Resolution March 14, 2019 Proposed Lockwood Development

Memorandum

The City of Ann Arbor has consistently prioritized addition of committed Affordable Housing as a goal. In 2012, City Council and multiple City Boards and Commissions adopted the *City of Ann Arbor Sustainability Framework*. This framework provides an organizing structure for city plans and goals, fitting into three key aspects of sustainability including environment, economy, and equity. *Diverse housing* was identified as a goal within this framework, with the specific charge to "provide high quality, safe, efficient, and affordable housing choices to meet the current and future needs of our community, particularly for homeless and low-income households." One action item identified to meet this diverse housing goal was to conduct an analysis to better understand the current status of affordable housing in the community. With this charge, the Office of Community & Economic Development undertook a comprehensive analysis of housing and related equity indicators in Ann Arbor and across the urban core of Washtenaw County.

On February 17, 2015, the City of Ann Arbor Adopted the Housing Affordability and Economic Equity Analysis, resolving to commit to advancing the goals of this analysis to promote balancing in the County's housing market through policy and resource allocations, partnerships and collaborations throughout the County, including participation in the regional workgroup.

The affordable housing unit goals for the City of Ann Arbor as detailed in the 2015 Analysis included the development of 2,792 rental units affordable to households up to 60% of the AMI by 2035. Broken into an annual goal, the City should add 140 affordable units each year for 20 years. Since adoption of the plan, here is the progress:

- 2015 2 committed affordable units
- 2016 16 committed affordable units
- 2017 26 committed affordable units
- 2018 6 committed affordable units to date

Additionally, in the last 19 months more than 800 affordable units have been lost in the county including more than 200 affordable senior units.

On March 18, 2019, a series of development proposals and council resolutions around affordable housing will be presented. In light of that we would like to make the following recommendations to council related to those decisions:

Whereas, the City of Ann Arbor adopted the Housing Affordability and Economic Equity Analysis in 2015 that establishes a goal of supporting 140 new affordable units each year; and

Whereas, the proposed Lockwood development would add 41 units of affordable housing at 50% and 60% of the Area Median Income with a commitment to affordability for 99 years and significantly exceeds the requirements in the city's zoning ordinance for Planned Unit Developments, and

Whereas, the Planning Commission approved both the proposed rezoning and the proposed site plan, and

Whereas, the proposed development is well-suited to senior living as it's on a bus line, near grocery, restaurants, shops, library, karaoke, movie theatre, bowling alleys, natural areas as well as pharmacies and medical facilities, and

Whereas the Michigan Department of Environmental Quality (MDEQ), has confirmed that the proposed project will have no adverse environmental impact in regard to the Gelman Plume, that monitoring will continue regardless of a development, and

Whereas the by-right alternative to the current Lockwood proposal could be 21, over-sized single family units with limited setbacks, a height of 30 feet, and no additional amenities such as a playground, are counter to the City's desires for sustainability and inclusion, and

Now Therefore Be It Resolved, that the Housing and Human Services Advisory Board recommends that City Council approve the Planned Unit Development rezoning and site plan review, and

May it Further Be Resolved that the HHSAB considers that a vote against the proposed Lockwood development a vote against the City's Affordable Housing and Sustainability goals.

Moved by: R. Sarri and supported by E. Pollack

Approved unanimously:

Yays: A. Erickson, T. Jabzanka, A. Foster, E. Pollack, R. Sarri, A. Carlisle, G. Pratt

Nays: none

3-14-19

Memorandum

The City of Ann Arbor has consistently prioritized addition of committed Affordable Housing as a goal. In 2012, City Council and multiple City Boards and Commissions adopted the *City of Ann Arbor Sustainability Framework*. This framework provides an organizing structure for city plans and goals, fitting into three key aspects of sustainability including environment, economy, and equity. *Diverse housing* was identified as a goal within this framework, with the specific charge to "provide high quality, safe, efficient, and affordable housing choices to meet the current and future needs of our community, particularly for homeless and low-income households." One action item identified to meet this diverse housing goal was to conduct an analysis to better understand the current status of affordable housing in the community. With this charge, the Office of Community & Economic Development undertook a comprehensive analysis of housing and related equity indicators in Ann Arbor and across the urban core of Washtenaw County.

On February 17, 2015, the City of Ann Arbor Adopted the Housing Affordability and Economic Equity Analysis, resolving to commit to advancing the goals of this analysis to promote balancing in the County's housing market through policy and resource allocations, partnerships and collaborations throughout the County, including participation in the regional workgroup.

The affordable housing unit goals for the City of Ann Arbor as detailed in the 2015 Analysis included the development of 2,792 rental units affordable to households up to 60% of the AMI by 2035. Broken into an annual goal, the City should add 140 affordable units each year for 20 years. Since adoption of the plan, here is the progress:

- 2015 2 committed affordable units
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- 2017 26 committed affordable units
- 2018 6 committed affordable units to date

Additionally, in the last 19 months more than 800 affordable units have been lost in the county including more than 200 affordable senior units.

On March 18, 2019, a series of development proposals and council resolutions around affordable housing will be presented. In light of that we would like to make the following recommendations to council related to those decisions:

Whereas, Councilmember Ackerman introduced the Resolution to Increase the Benefit and Use of the Downtown Affordable Housing Premium (DC-4), the Resolution to Pursue Affordable housing at 721 N. Main (DC-5), and the Resolution to Pursue Affordable Housing at 2000 S. Industrial (DC-6), and

Whereas, councilmember Hayner and Bannister introduced a Resolution for Affordable Housing at 1510 E. Stadium (DC-11)

Now Therefore Be It Resolved, that the Housing and Human Services Advisory Board recommends approval of all four resolutions and looks forward to supporting further action from the Planning Commission and Council as directed.

Moved by: R. Sarri and supported by E. Pollack

Approved unanimously:

Yays: A. Erickson, T. Jabzanka, A. Foster, E. Pollack, R. Sarri, A. Carlisle, G. Pratt

Nays: none

3-14-19

From: <u>Lazarus, Howard</u>
To: <u>Hayner, Jeff</u>

Cc: Higgins, Sara; Beaudry, Jacqueline; Kennedy, Mike; Ackerman, Zach; Bannister, Anne; Nelson, Elizabeth

Subject: RE: DC-11 (1510 Stadium)

Date: Friday, March 15, 2019 9:53:28 AM

Attachments: Fire Station Master Plan.msg

FY20-21 Budget Responses - February 22 2019.msg

Councilmember Hayner:

Thank you for your e-mail. I've attached a copy of my January 24th communication with Council that provides the Fire Station Master Plan. I also draw your attention to the discussion that occurred during the February 11th Council Work Session where this matter was discussed in greater detail and the response to Budget Question 4.

The fate of the property at 721 N. Main has been the subject of ongoing conversation. I do note that Councilmember Ackerman did announce his intention to bring a resolution to Council at the March 18th meeting during the March 4th meeting (https://www.youtube.com/watch?v=AEToXBcNVzg at the 1:04 mark).

As stated in my communications yesterday, I always strive to keep Councilmembers of actions occurring in their wards, and will continue to be diligent in this pursuit in the future.

Howard S. Lazarus

City Administrator City of Ann Arbor 301 E. Huron Street Ann Arbor, MI 48104

T: 734-794-6110 ext41102
E: hlazarus@a2gov.org
www.a2gov.org



EVERYWHERE - EVERYONE - EVERY DAY. a2gov.org/A2BeSafe

From: Hayner, Jeff <JHayner@a2gov.org> Sent: Friday, March 15, 2019 8:39 AM

To: Ackerman, Zach <ZAckerman@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>

Cc: Lazarus, Howard <HLazarus@a2gov.org>; Higgins, Sara <SHiggins@a2gov.org>; Beaudry,

Jacqueline <JBeaudry@a2gov.org>; Kennedy, Mike <MKennedy@a2gov.org>

Subject: RE: DC-11 (1510 Stadium)

Hello,

Could someone please share with me the working draft of the Fire Station Master Plan? Since this is news to me that we are considering selling this city property, and since two stations are currently located in Ward 1, I am most interested in what's happening with this plan.

Thanks,

Jeff Hayner

Ann Arbor Ward 1 City Council

From: Ackerman, Zach <<u>ZAckerman@a2gov.org</u>>

Sent: Thursday, March 14, 2019 11:08 PM

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

Cc: Lazarus, Howard < HLazarus@a2gov.org; Higgins, Sara < SHiggins@a2gov.org; Beaudry,

Jacqueline < <u>JBeaudry@a2gov.org</u>> **Subject:** DC-11 (1510 Stadium)

Hi Anne, Jeff:

First, I sincerely want to thank you for adding an affordable housing resolution to the agenda.

I am planning on putting the attached resolution on the Monday, March 18 agenda as an alternative to your DC-11. It attempts to balance the funding needs of the Fire Department with the need for new affordable housing. Hopefully, we can accomplish both with some compromise.

If you would be willing, I would love to have you both join me as co-sponsors on this resolution, which we would substitute for DC-11. If not, please consider this a friendly heads up.

I am only copying in Staff to help coordinate one way or another.

Have a great weekend!

Best, Zach

Zachary Ackerman

Ann Arbor City Council

Ward 3

(734) 883-8391

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

From: <u>Lazarus, Howard</u>
To: <u>CityCouncil</u>

Cc: Kennedy, Mike; Fournier, John; Higgins, Sara; Crawford, Tom; Shewchuk, Tom; Wondrash, Lisa; Stults, Missy;

Delacourt, Derek

Subject: Fire Station Master Plan

Date:Thursday, January 24, 2019 3:48:31 PMAttachments:2019 AAFD Fire Station Master Plan.pdf

Mayor and Councilmembers:

I am forwarding the attached Fire Station Master Plan to you for your information. The plan provides a suite of recommendations based upon response time modeling, station location analyses, and fire loss data. It also provides a set of recommendations and information concerning the construction of a "net-zero" fire station. The intent to sell Fire Station 2 to provide funds for design and renovations may be of particular interest to you.

I want to acknowledge Chief Kennedy for leading the team that prepared the document. Please feel free to reach out to him or me if you have any questions.

Howard S. Lazarus

City Administrator City of Ann Arbor 301 E. Huron Street Ann Arbor, MI 48104

T: 734-794-6110 ext41102 E: <u>hlazarus@a2gov.org</u>

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ANN ARBOR FIRE DEPARTMENT FIRE STATION MASTER PLAN





Summary

Over the last seven months, work has been completed with numerous City of Ann Arbor units and external consultants to develop a sustainable fire station master plan. The sustainability planning efforts has encompassed financial and environmental stewardship priorities balanced with providing fire protection commensurate with historical expectations of City of Ann Arbor residents. The current staffing and deployment of the Ann Arbor Fire Department employees is meeting current and projected needs. This document shows current fire station locations along with model locations developed from a geographic information system (GIS) modeling software. A review of the infrastructure condition of the current fire stations was also conducted. Although the quantity and location of the current fire stations meets current and forecasted needs, most of these facilities are in significant need of renovation or replacement. Recommended facility upgrades noted below align with the City of Ann Arbor's Sustainability Action Plan goals

Recommendations

- 1. Maintain five fire stations for City of Ann Arbor fire protection. The current model of five fire stations allows for an approximate citywide travel time of under six-minutes. Additionally, the five station model provides redundancy when the primary station is already assigned to an incident.
- 2. Sell Station 2, which was closed in 2003. Selling this facility will save ongoing utility and maintenance costs and the proceeds could help fund recommended station renovations and replacements for 1, 3 and 4.
- 3. Renovate Station 1. The fire prevention bureau is currently located at Station 2. This renovation would allow for new offices for fire prevention along with numerous other upgrades to improve fire department administration and operations. This renovation would also include environmental sustainability initiatives.
- 4. Complete replacement of Stations 3 and 4. These buildings have outlived their expected lifespan, present near constant maintenance issues, and lack any energy conservation or sustainability features. In an effort to avoid land acquisition costs, it is recommended to rebuild these stations at their current locations.
- 5. Determine the future of Station 5. Discussion needs to happen with the University of Michigan as to the future of Station 5. Although the City of Ann Arbor enjoys free usage of this facility, this facility presents similar challenges to Stations 3 and 4.
- 6. Add solar panels to Station 6. Station 6 is the newest station and recently had a kitchen renovation. It is planned for a restroom renovation in 2019. Station 6 would be a great candidate to have solar panels added as well as a strong candidate for energy efficiency improvements.

Sincerely,

Mike Kennedy Fire Chief, City of Ann Arbor

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Assistance for this Document Provided By

City of Ann Arbor

- Communications Office
- Facility Services
- Financial and Administrative Service Area
- Information Technology Service Unit
- Sustainability and Innovations Office

External Consultants

- A3C Collaborative Architecture
- Williams Architects

Fire Station 1

Location: 111 North Fifth Avenue

Built: 1978 (40 years old)

Square footage: 42,900

Apparatus: Battalion Chief, Ladder Company, Rescue Company, Reserve

Engine Company (2)

Minimum staffing: Battalion Chief,

Captain, Lieutenant, Driver Operator (2), Firefighter (2)

Fire administration, training, and mechanic work out of this station.

2017 Incidents: 2,939

2017 Travel Time: 5:14

Fire Station 3

Location: 2130 Jackson Avenue

Built: 1963 (55 years old)

Square footage: 5,000

Apparatus: Engine Company

Minimum staffing: Lieutenant, Driver Operator, Firefighter

2017 Incidents: 1,078

2017 Travel Time: 6:09



Fire Station 4

Location: 2415 Huron Parkway

Built: 1966 (52 years old)

Square footage: 5,000

Apparatus: Engine Company

Minimum staffing: Lieutenant, Driver

Operator, Firefighter

2017 Incidents: 1,214

2017 Travel Time: 6:06



Fire Station 5

Location: 1946 Beal Street

Built: 1959 (59 years old)

Square footage: 21,577

Apparatus: Ladder Company, Water Rescue Vehicle, Hazardous Materials

Trailer

Minimum staffing: Lieutenant, Driver

Operator, Firefighter

2017 Incidents: 1,013

2017 Travel Time: 7:02



Fire Station 6

Location: 1881 Briarwood Circle

Built: 1981 (37 years old)

Square footage: 12,077

Apparatus: Engine Company,

Hazardous Materials Vehicle, Technical

Rescue Vehicle

Minimum staffing: Lieutenant, Driver

Operator, Firefighter

2017 Incidents: 1,214

2017 Travel Time: 5:49



Fire Prevention (old Station 2)

Location: 1510 East Stadium Blvd

Built: 1953 (65 years old)

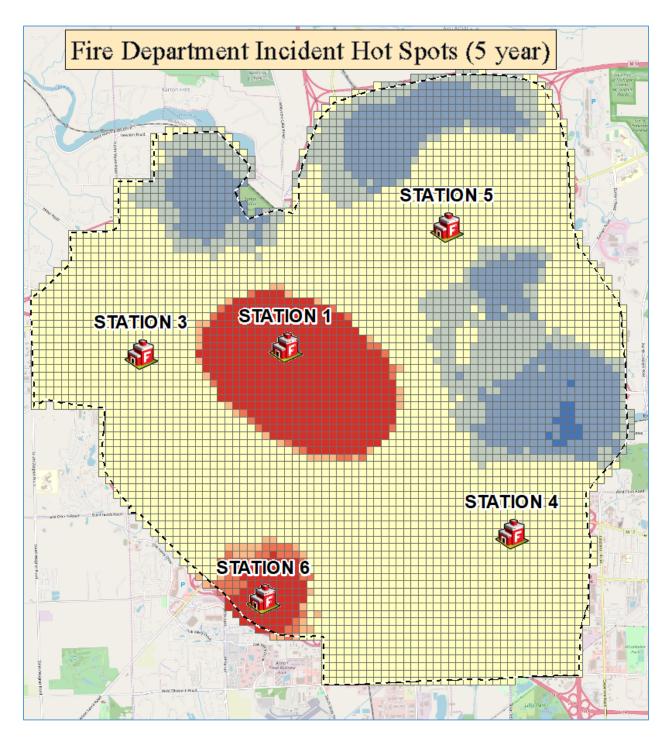
Square footage: unknown

This station was closed as an active fire station in 2003. Ladder Company 2 was assigned to this station and was disbanded. Fire department staffing went from 130 to 113 employees. (The fire department currently has 87 employees). The fire prevention bureau currently uses it as office space.





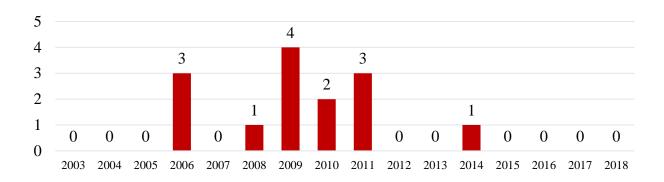
The above graphic shows the locations of the five current fire stations along with the City of Ann Arbor boundary.



The above graphic shows the locations of the five current fire stations along with the City of Ann Arbor boundary. The red areas are the highest incident density. The area around Station 1 contains the downtown district, the University of Michigan Central Campus, University Hospital, Delonis Shelter, and numerous high rise apartments. The area around Station 6 contains a cluster of senior citizen facilities. The blue shaded areas are mainly parkland, undeveloped areas, or low density housing.

HISTORICAL FIRE INCIDENT DATA

Civilian Fire Fatalities: 15-year Detail



Civilian Injury and Mortality from Fire Incidents: 15-year Summary

• Deaths: 14

• Life Threatening Injuries: 6

Severe Injuries: 10Moderate Injuries: 18Minor Injuries: 50

• Undetermined Injuries: 20

Firefighter Injury and Mortality from Fire Incidents: 15-year Summary

• Deaths: 0

• Life Threatening Injuries: 0

• Severe Injuries: 0

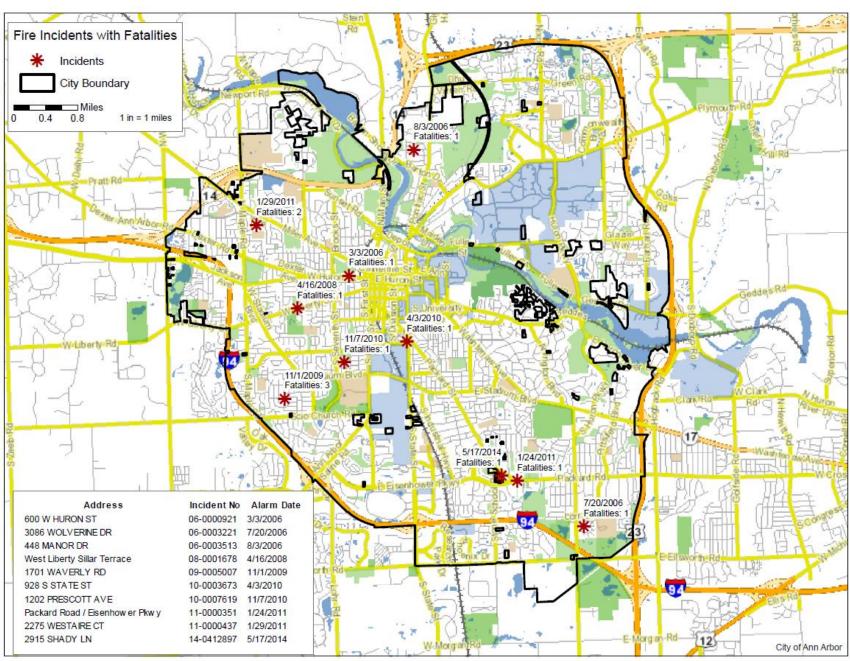
• Moderate; Lost Work Time: 22

• Treated by Physician; No Loss Time: 12

• First Aid Only: 5

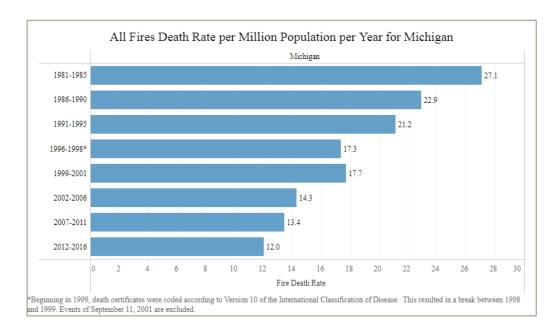
Injured; Report Only: 11Undetermined Injuries: 2

HISTORICAL FIRE INCIDENT DATA



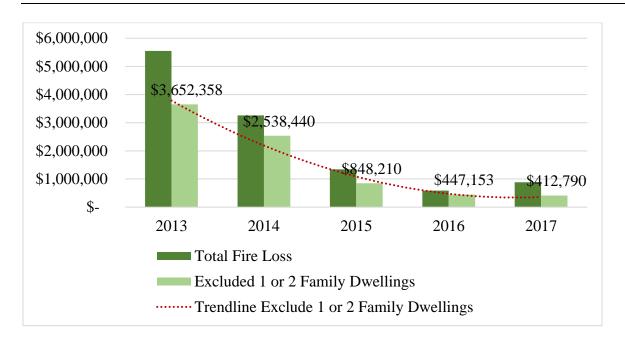
HISTORICAL FIRE INCIDENT DATA

Michigan Civilian Death Rate per Million (NFPA): 35-year Summary



- Between 2007 and 2011, there were 1.34 civilian deaths per 100,000 population in the State of Michigan. The City of Ann Arbor was above the State of Michigan average during this period.
- Between 2012 and 2016, there were 1.2 civilian deaths per 100,000 population in the State of Michigan. The City of Ann Arbor was below the State of Michigan average during this period.

Fire Property Loss: 5-year Summary



The National Fire Protection Association (NFPA) 1710, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments is an organized approach to defining levels of service, deployment capabilities, and staffing levels for substantially career fire departments. Figure A.3.3.53.6 (below) is from this standard and depicts how the NFPA defines "total response time." Travel time is drive time. The location and number of stations within a community has a direct effect on "travel time." It is measured from when the unit is called to "respond" to when the unit arrives on scene.

Three phases are included in total response time. They are as follows:

- 1. Phase One: Alarm Handling Time, which includes alarm transfer time, alarm answering time, and alarm processing time.
- 2. Phase Two: Turnout Time and Travel Time.
- 3. Phase Three: Initiating Action/Intervention Time.

1710-18 ORGANIZATION AND DEPLOYMENT OF FIRE SUPPRESSION OPERATIONS BY CAREER FIRE DEPARTMENTS

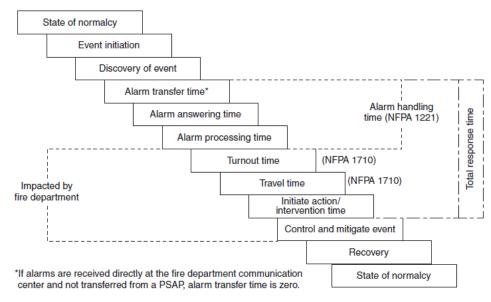
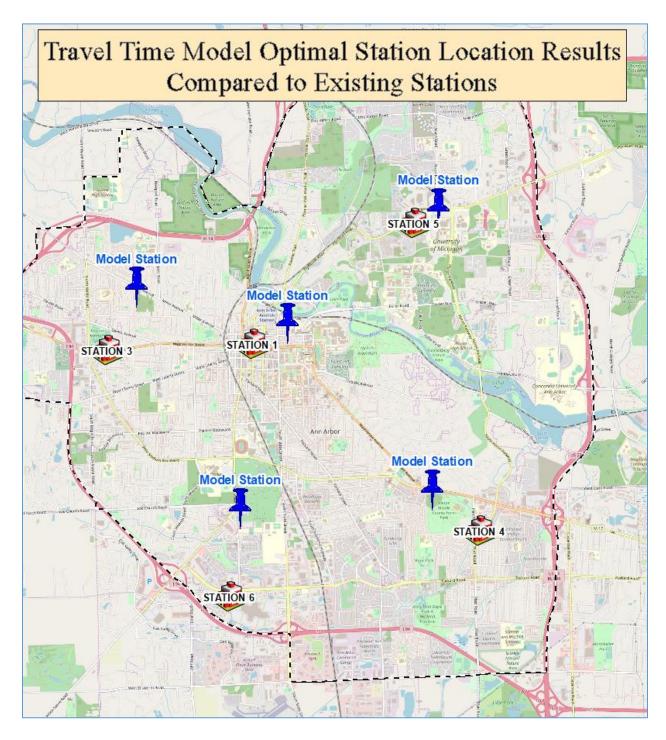
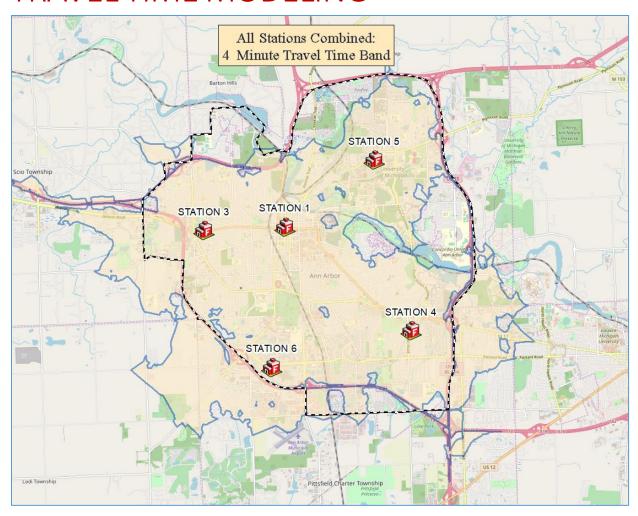


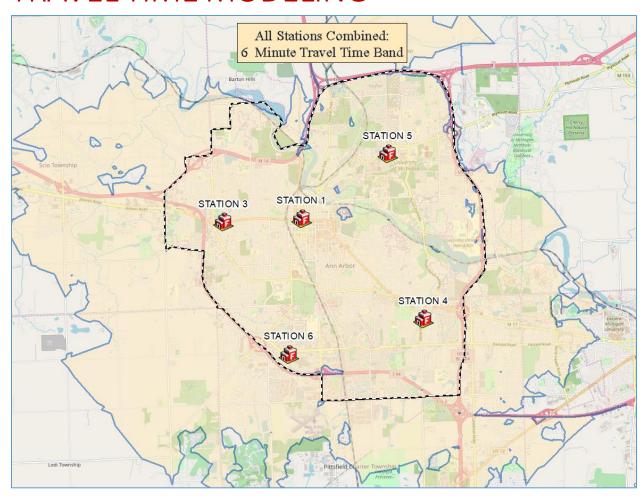
FIGURE A.3.3.53.6 Cascade of Events Chart.



The above graphic shows model station locations compared to the location of the five current fire stations. This model was created by the City of Ann Arbor Information Technology Unit using geographic information systems (GIS) modeling. This model was based on incident density and shortest response times. Overall, it shows the current station locations are placed close to ideal distribution. The notable exceptions are moving Stations 4 and 6 closer to the city core, which would allow for better coverage. The current location of these stations place some of their effective coverage area outside of the City of Ann Arbor.



The above graphic shows the coverage area of a four minute travel time from the current stations. Travel time is drive time. It is measured from when the unit is called to "respond" to when the unit arrives on scene. This coverage area was generated using geographic information systems (GIS) modeling. This GIS model uses a speed limit of 35 mph without impact of traffic congestion, traffic signals, or stop signs. It does account for one-way streets. The four minute travel band includes all travel times up to four minutes flat. This model is showing coverage for a four minute travel time citywide



The above graphic shows the coverage area of a six minute travel time from the current stations. Travel time is drive time. It is measured from when the unit is called to "respond" to when the unit arrives on scene. This coverage area was generated using geographic information systems (GIS) modeling. This GIS model uses a speed limit of 35 mph without impact of traffic congestion, traffic signals, or stop signs. It does account for one-way streets. The six minute travel band includes all travel times up to six minutes flat. This modeled six minute travel time does not exactly align with historical response data presented with each station at the beginning of this report. It is surmised that actual traffic congestion, traffic signals, and stop signs account for the difference between theoretical and actual response times.

RECOMMENDATIONS

- 1. Five Station Model The current five fire stations serve as a functional model to deliver a citywide response time of approximately six minutes. Accounting for fiscal realities along with a projected plateau of population growth (SEMCOG), this five station model will serve the City of Ann Arbor for the foreseeable future. This five station model does not allow for compliance with NFPA 1710, i.e., four minute response time for the first arriving engine and an eight minute arrival of an initial full alarm assignment at a fire suppression incident.
- 2. Station 2 Station 2 is used for the fire prevention offices. This building is the oldest of the fire stations and has never had a major renovation. The building lacks Americans with Disabilities Act (ADA) compliance, is extremely energy inefficient, and is in need of renovation. Eliminating this facility will save utility and maintenance costs. Based on initial conversations with a real estate broker, Station 2 "could be sold as is" with current R1C zoning for approximately \$1,000,000. The recommendation includes using the sale proceeds to fund Station 1 renovations with remaining funds going towards the construction of a new Station 4.
- 3. Station 1 Washtenaw Metro Dispatch is operated by the Washtenaw County Sheriff's Office. It serves as the public safety access point for 911 calls and dispatches for the Ann Arbor Police Department along with the majority of law enforcement agencies in Washtenaw County. Metro Dispatch currently occupies the southern one-third of the third floor of Station 1. Planning is underway to relocate Metro Dispatch to a facility on Zeeb Road (Scio Twp) in mid-2020. With this vacancy, it is recommended to do a total renovation of the third floor to achieve the following:
 - i. Relocate the fire prevention bureau to Station 1.
 - ii. Establish a more robust and functional City of Ann Arbor Emergency Operations Center. This space would be dual purposed as a fire department training room. This room would be available for other City of Ann Arbor activities and training.
 - iii. Reconfigure administrative offices to allow for ADA accessibility.
 - iv. Upgrade restrooms, sleeping area, and locker room to be gender neutral.
 - v. Complete kitchen remodel.
 - vi. Asbestos removal.
 - vii. Incorporate energy efficient building design and facility features.
 - 1. Lighting upgrades: fewer fixtures, increase efficiency.
 - 2. Better daylight incorporation.
 - 3. Heating, cooling, ventilation upgrades.
 - 4. Water conservation.
 - 5. Insulation improvements.
 - 6. Installation of smart control features

A local architecture firm has quoted a study phase fee of \$12,500. This would include a building program and building assessment, conceptual design, and opinion of probable costs. The sale proceeds from Station 2 are expected to cover Station 1 renovations with remaining funds going towards the construction of a new Station 4.

RECOMMENDATIONS

- 4. Complete Replacement of Stations 3 and 4 It is recommended that Station 3 (west side) and Station 4 (east side) be completely replaced. In an effort to avoid land acquisition costs, it is recommended to rebuild these stations at their current locations. These buildings have outlived their expected lifespan, present near constant maintenance issues, and lack any energy conservation or sustainability features.

 By replacing these stations with net-zero energy facilities, the City of Ann Arbor could make progress towards its Sustainability Action Plan and climate-related goals. Any remaining funds from the sale of Station 2 would be applied towards design and initial construction costs for Station 4. The building and infrastructure of Station 4 are worse than Station 3. The cost of each station is expected to be around \$4,000,000 \$4,500,000, however, building and conceptual designs are needed to identify exact costs. West Bloomfield Township is in the process of building a similar size station that will cost \$4,200,000.
- **5. Determine the Future of Station 5** Discussion needs to happen with the University of Michigan as to the future of Station 5. Although the City of Ann Arbor enjoys free usage of this facility, this facility presents similar challenges to Stations 3 and 4. Based on historical experience with Station 5, it is recommended that the University of Michigan build a new facility and turn the maintenance of the facility over to the City of Ann Arbor on a 50-year lease.
- **6.** Add Solar Panels to Station 6. Station 6 is the newest station and recently had a kitchen renovation. It is planned for a restroom renovation in 2019. Station 6 would be a great candidate to have solar panels added to improve the station's energy efficiency. This would contribute towards the City's Sustainability Action Plan and climate-related goals.

NET-ZERO FIRE STATION

It is recommended that Station 3 and Station 4 be completely replaced. These buildings have outlived their expected lifespan, present near constant maintenance issues, and lack any energy conservation or sustainability features. By replacing these stations with net-zero energy facilities, the City of Ann Arbor could make progress towards its Sustainability Action Plan and climate-related goals. In addition to advancing sustainability goals, there is added benefit to the cost avoidance of utility costs and likely improved indoor air quality. In twenty years with 3% annual utility increases, the estimated cost avoidance for Station 4 utilities is estimated at \$264,017.55.

Station 3 Utility Expenses

FY16 - \$7,462.83	FY17 - \$7,983.39	FY18 - \$8,102.23
Natural Gas - \$2,645.61	Natural Gas - \$2,331.71	Natural Gas - \$2,534.39
Electric - \$4,817.22	Electric - \$5,651.68	Electric - \$5,567.84

Station 4 Utility Expenses

FY16 - 8,914.24	FY17 - \$9,476.91	FY18 - \$9,825.60
Natural Gas - \$4,542.98	Natural Gas - \$4,228.68	Natural Gas - \$4,650.28
Electric - \$4,371.26	Electric - \$5,248.23	Electric - \$5,175.32

Station 5 is owned by the University of Michigan. The University of Michigan provides this facility free of charge to the City of Ann Arbor and pays all utilities. Ideally, this station would be replaced with a net-zero energy copy of future Stations 3 and 4. The personnel and apparatus requirements of all three of these stations are identical. The current Station 5 occupies significantly more square footage than is currently utilized or needed. This footprint reduction also aligns with sustainability initiatives.

NET-ZERO FIRE STATION

First Net-Zero Fire Station in the United States

In May 2018, Salt Lake City, Utah opened the first net-zero energy fire station (Fire Station 14) in the United States. The City of Ann Arbor could be the **first community in Michigan** or even the Midwest to show initiative on such an endeavor.

Key sustainability features of Salt Lake City, Fire Station 14:

- The 300 solar panels on the roof (totaling 108 kW) generate enough electricity to offset 100% of the power consumption of the building. This is enough to power 27 SLC homes annually.
- High performance, triple-paned, argon gas-filled glass with ceramic frit (small dots) reduce solar heat gain and improve overall efficiency.
- Electrical systems were thoughtfully designed to conserve energy. From LED lighting and occupancy sensors to an in-depth study of plug loads and appliance selections, efficiency was sought out in all phases of design.
- The apparatus bays were designed to avoid excess energy use through the implementation of "passive" cooling via shading and high-performance glass in conjunction with high-speed fans.
- Heating is delivered to the apparatus bays by a radiant floor system tied to the geothermal heat.
- Contact switches turn off the mechanical heating and cooling units when a window or door is open in the respective space to avoid wasting energy.
- Energy efficient, fast-acting folding doors help reduce heat loss and require less maintenance.
- The walls achieved an r-value of R-34 and the roof achieved R-60.
- Just on efficiency alone, Fire Station 14 is projected to be five times more energy efficient than a typical fire station, contributing to a carbon emission reduction of nearly 902,000 pounds of carbon per year.
- To save water, Fire Station 14 incorporates low-flow plumbing fixtures, xeriscaping, and drought-tolerant plantings. Water use is expected to be reduced by 20% for plumbing fixtures and 50% for landscaping from the typical baseline.
- YouTube https://www.youtube.com/watch?v=N2SQ5L1H W4

Carbon Emissions Reduction:

SLC Fire Station 14 is projected to be 5X more energy efficient than the typical fire station contributing to a carbon emission reduction of nearly 902,000 pounds of carbon per year

typical fire station—
energy star rated —
fire station

TYPICAL SLC FIRE
FIRE STATION



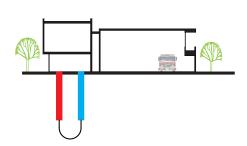
Total reduction in pounds of coal burned per year¹

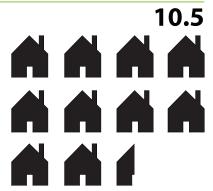
Geothermal Heating & Cooling:

STATION

14

SLC Fire Station 14 utilizes a geothermal heating & cooling system which makes use of the earth's ambient temperature to heat and cool the building. (40) vertical bores extend 300' down into the earth.





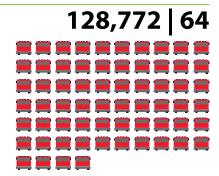
Equivalent number of homes that could be heated by the station's geothermal system²

Water Efficiency:

SLC Fire Station 14 utilizes several strategies for reducing water consumption including; low flow plumbing fixtures, xeriscaping and drought tolerant plantings. Water use is expected to be reduced by 20% for plumbing fixtures and 50% for landscaping from the typical baseline.



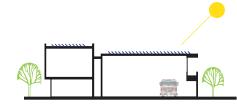




128,772 gallons of water saved yearly; enough water to fill(64) 2,000 gallon SLC fire pumper trucks annually³

Photovoltaic Energy:

The solar panel array mounted on the roof of SLC Fire Station 14 contains 300 panels which generate 108,000 watts of power at any point in time.



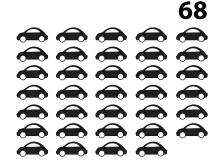


The power generated by the solar panel array is equivalent to the power needed to supply (27)SLC homes annually

Construction Waste Management:

Over 55% of all construction waste was recycled and diverted from landfills





68 tons of waste recycled and diverted from the landfill. This is equivalent to the weight of 34 Volkswagen Beetles

Sustainable Design Strategies: -

SLC Fire Station 14 employs a variety of active and passive energy saving measures to meet the goals of NET ZERO energy, meaning all energy consumed by the fire station is created on site.



Electrical systems were thoughtfully designed to conserve energy. From LED lighting and occupancy sensors to an in depth study of plug loads and appliance selections, efficiency was sought out in all phases of the design. Contact switches turn off the mechanical heating and cooling units when a window or door is open in the respective space to avoid wasting energy.



Glass used for the Fire Station windows consists of a triple paned, argon gas filled unit with a ceramic frit dot pattern screen printed onto the glass to help reduce heat gain within the building. 75% of the heat gain of a typical clear single paned window is eliminated with the glazing used on Fire Station 14.



The apparatus bays within the Fire Station were designed to avoid excess energy use through the implementation of "passive" cooling via shading devices and high performance glass in conjunction with high speed fans. Heating is delivered to the Apparatus Bays by a radiant floor system tied to geothermal heat.



The design team conducted ongoing evaluations of design decisions through the use of energy models and continual discussions with the owner and building users. A working energy model allowed for the design team to assess impacts of MEP systems, selection and nuances of envelope design including window placement and r-values of walls and roof assemblies. The wall types used on Fire Station 14 incorporate continuous rigid exterior insulation as well as a highly insulated roof assembly to achieve r-values of R-34 at the walls and R-60 at the roof.

Footnotes Sources: _

- 1. Energy consumption is compared to typical Fire Station EUI as reported by Energy Star Portfolio Manager 2016. Carbon emission reduction was estimated through the use of energy model projections as compared to ASHRAE code required minimums.
- 2. BTU's of a typical 2,000 sf residence were based on EIA reported averages as of 2012 as compared to Fire Station 14 energy model projections.
- 3. Per capita water usage based on Utah DNR Water Resources Residential Water Use Study; 62 gallons of indoor water use per capita and 134 gallons of water use per capita, daily.
- 4. Watts per square foot for a typical 2,000 sf residential household estimated at 2 watts per square foot.

Design Team: ____

Blalock and Partners Architectural Design Studio:	Architectural Design
Van Boerum and Frank:	Mechanical Engineering & Design
Spectrum Engineers :	Electrical Engineering & Design
Andersen Wahlen Engineers:	Civil Engineering
G. Brown Landscape Architects:	<u> Landscape Design</u>
TCA Architecture & Planning:	Architectural Consultant

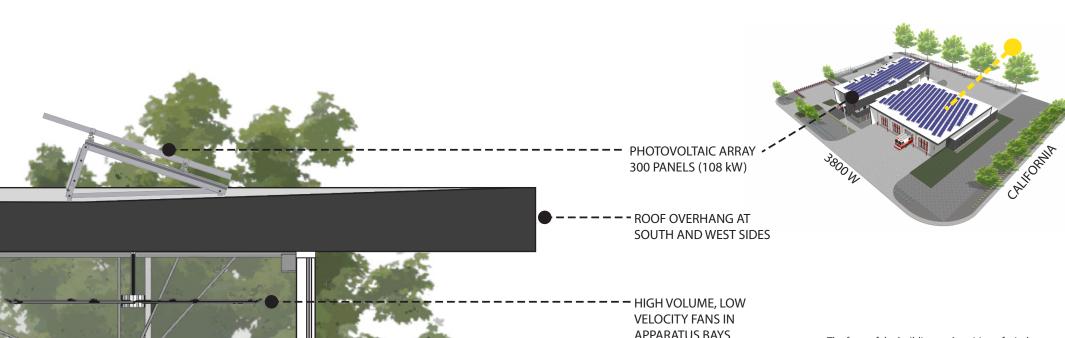
The designs shown and described herein including all technical drawings, graphics, representations & models thereof, are proprietary & can not be copied, duplicated, or commercially exploited in whole or in part without the sole and express written permission from Blalock & Partners, LLC.

SLC FIRE STATION

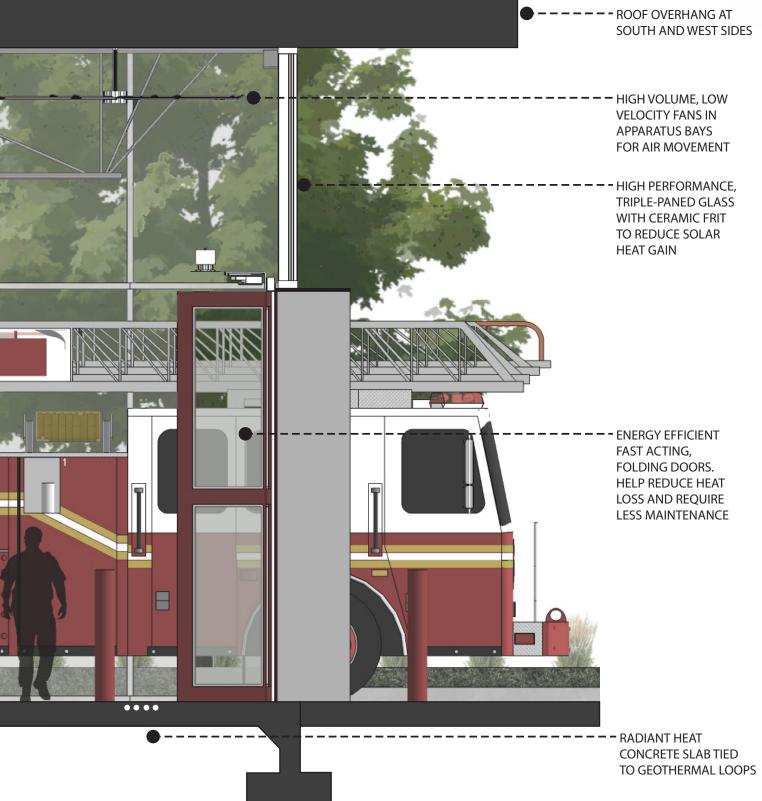








PASSIVE SOLAR DESIGN, BUILDING ORIENTATION & DAYLIGHTING



Windows at the firefighter dorms are designed to provide natural ventilation & privacy while The form of the building and position of window still allowing for ample daylight openings are designed to capture daylighting during winter months while providing shading in harsh summer months SUMMER SUN (SUMMER SOLSTICE) (WINTER SOLSTICE) WINTER SUN (WINTER SOLSTICE) ****Building orientation maximizes solar exposure DUE SOUTH The roofs are treated as solar collectors; a total of 300 solar panels generate enough electricity to offset 100% of the power consumption of the building

DRAFT

Project Number 2018-???

New 2 Bay, 4 Bunk Fire Station

Based on Total Building Area of 7,000 SF

EVAMDI	E DDA	IECT	BUDGET	
	E PRU	ノロしょ	DUDGEI	

5-Oct-18

DESCRIPTION		SQU	ARE FEET	LOW	HIGH		LOW COST		HIGH COST
BUILDING AREAS			450	<u></u>	#240	Φ	45,000	Ф	46 500
Entry, Lobby Office Areas			150 150	\$300 \$200	\$310 \$210	\$ \$	45,000 30,000	\$ \$	46,500 31,500
Kitchen, Toilets, Lockers, Laundr	V		1,600	\$300	\$310		480,000	\$	496,000
Living Quarters General Areas	у		1,600	\$200	\$210		320,000	\$	336,000
Building Support Areas			600	\$180	\$190		108,000	\$	114,000
Apparatus Bays			2,300	\$170	\$180		391,000	\$	414,000
Apparatus Support Zone			600	\$200	\$220		120,000	\$	132,000
Mezzanine Zone			0	\$85	\$100		-	\$	-
Building Totals			7,000	\$213	\$224		1,494,000	\$	1,570,000
OTHER STRUCTURES / FEATURE	S								
Emergency Generator (Natural G			7,000	\$6	\$8	\$	42,000	\$	56,000
A/V, Access Control, Station Aler	•		7,000	\$7	\$8	\$	49,000	\$	56,000
Patio with Masonry Screen Wall		\$	12,000	20%	20%	\$	9,600	\$	14,400
Masonry Trash Enclosure		·	200	\$65	\$75		13,000	\$	15,000
Other Structures & Features 1	otal			·		\$	113,600	\$	141,400
SITE COSTS		Allow	/ance/Units	Low	High				
Environmental Clean-Up (by Owr	ner)		N.I.C.	2011	ı ııgıı	\$	_	\$	_
Demolition of Existing Building &	,	\$	50,000	10%	10%	\$	45,000	\$	55.000
Tree & Underbrush Clearing		\$	5,000	20%	20%	\$	4,000	\$	6,000
Site Earthwork, Erosion Control			2.00	\$55,000	\$65,000	\$	110,000	\$	130,000
Concrete Pavement			22,000	\$7	\$9	\$	154,000	\$	198,000
Concrete Sidewalks			2,000	\$5	\$6	\$	10,000	\$	12,000
Concrete Curbs			1,200	\$25	\$29	\$	30,000	\$	34,800
Storm Sewer Piping & Structures		\$	80,000	20%	20%	\$	64,000	\$	96,000
Electrical & Gas Utilities		\$	25,000	10%	10%	\$	22,500	\$	27,500
Sanitary Sewer Service		\$	40,000	10%	10%	\$	36,000	\$	44,000
Water Service		\$	40,000	10%	10%	\$	36,000	\$	44,000
Site Lighting			20	\$6,000	\$7,000		120,000	\$	140,000
Landscaping (no irrigation)			2.40	\$20,000	\$40,000		48,000	\$	96,000
Site Furniture & Flagpoles		\$	5,000	10%	10%	\$	4,500	\$	5,500
Exterior Monument Sign		\$	8,000	10%	10%		7,200	\$	8,800
Fencing & Gate Site Totals		\$	-	20%	20%	\$	691,200	\$	897,600
Oile Totals						Ψ	091,200	Ψ	097,000
Total Trade Contractors' Costs						\$	2,298,800	\$	2,609,000
Prime Contractor General Conditions	s, Insur. & Fee		10.0%			\$	229,880	\$	260,900
Sub-Total						\$	2,528,680	\$	2,869,900
E	scalation to 2020		8.0%			\$	202,294	\$	229,592
Pro	ject Contingency		10.0%			\$	273,097.44	\$	309,949.20
TOTAL CONSTRUCTION CO	ST				-	\$	3,004,072	\$	3,409,441
		Cons	truction Cost	PSF		\$	429.15	\$	487.06
OTHER COSTS									
Surveys, Testing & Commissionii	na		3.0%			\$	90,122	\$	102,283
Furniture, Fixtures & Equipment	19		4.0%			\$	120,163	\$	136,378
Consultants			10.0%			\$	300,407		340,944
Moving & Other Owner Costs			3.0%			\$	90,122		102,283
Other Costs Sub-Total			0.070		•	\$ \$ \$	600,814		681,888
TOTAL DDG 1507 DUDG5	-					•		•	
TOTAL PROJECT BUDGE	:1		0			-	3,604,886.21		,091,329.44
		I otal	Cost PSF			\$	514.98	\$	584.48
Alternate to add Geo-Thermal H\	/AC System					\$	250,000	\$	350,000
LEED Certification for Building	7.0 Oystem					φ \$	100,000	\$	150,000
Net Zero Building Added Feature	s (PV Electrical P	anels))			\$	300,000		500,000
a g / tadoa / outuro	- (+	300,000	~	230,000

NFPA Standard 1710

Organization and Deployment of Fire Suppression Operations, EMS and Special Operations in Career Fire Departments

History and Purpose

- The 1710 Standard for was originally released in 2001. Following, there have been three revisions (2004, 2010, 2016) with the most recent released in September 2016.
- The standard is applicable to substantially all CAREER fire departments and provides the MINIMUM requirements for resource deployment for fire suppression, EMS and Special Operations while also addressing fire fighter occupational health and safety.
- The 1710 Standard addresses structure fire in three hazard levels. These included low hazard (residential single-family dwellings), medium hazard (three story garden apartments or strip malls), and high hazard structures (high-rise buildings).
- The Standard addresses fire suppression, EMS, Aircraft Rescue and Firefighting, Marine Rescue and Firefighting, Wildland Firefighting, and Mutual and Auto Aid.

Fire Suppression and Special Operations Provisions

- "Company" is defined as:
 - Group of members under direct supervision
 - Trained and equipped to perform assigned tasks
 - Organized and identified as engine, ladder, rescue, squad or multi-functional companies
 - Group of members who arrive at scene and operate with one apparatus
- EXCEPTION to company arriving on one apparatus:
 - Multiple apparatuses are assigned, dispatched and arrive together
 - Continuously operate together
 - Managed by a single officer

- An Initial Alarm is personnel, equipment and resources originally dispatched upon notification of a structure fire.
- Performance Objectives
 - Alarm Answering Time
 - 15 sec 95%
 - 40 sec 99%
 - Alarm Processing Time
 - 64 sec 90%
 - 106 sec 95%
 - Turnout Time =
 - 60 sec EMS
 - 80 sec Fire
 - First Engine Arrive on Scene Time
 - 240 sec (4 min)
 - Initial Full Alarm (Low and Medium Hazard) Time
 - 480 sec (8 min)
 - Initial Full Alarm High Hazard/ High-Rise Time
 - 610 sec (10 min 10 sec)
- Fire departments shall set forth criteria for various types of incidents to which they are required/expected to respond. These types of incidents should include but not be limited to the following:
 - Natural disaster
 - Acts of terrorism
 - WMD
 - Large-scale mass casualty







- Given expected firefighting conditions, the number of on-duty members shall be determined through task analysis considering the following criteria:
 - Life hazard protected population
 - Safe and effective performance
 - · Potential property loss
 - Hazard levels of properties
 - · Fireground tactics employed
- Company Staffing (Crew Size)
 - Engine = minimum 4 on duty
 - High volume/geographic restrictions = 5 minimum on duty
 - Tactical hazards dense urban area = 6 minimum on duty
 - Truck = minimum 4 on duty
 - High volume/geographic restrictions = 5 minimum on duty
 - Tactical hazards dense urban area = 6 minimum on duty
- Initial Alarm Deployment (*number of fire fighters including officers)
 - Low hazard = 15 Fire fighters
 - Medium hazard = 28 Fire fighters
 - High hazard = 43 Fire fighters

EMS Provisions

The fire department shall clearly document its role, responsibilities, functions and objectives for the delivery of EMS. EMS operations shall be organized to ensure the fire department's capability and includes members, equipment and resources to deploy the initial arriving company and additional alarm assignments.

- EMS Treatment Levels include:
 - First Responder
 - Basic Life Support (BLS)
 - Advanced Life Support (ALS)
- MINIMUM EMS Provision = First responder/AED
- Authority-Having Jurisdiction (AHJ) should determine if Fire Department provides BLS, ALS services, and/or transport. Patient treatment associated with each level of EMS should be determined by the AHJ based on requirements and licensing within each state/province.
- On-duty EMS units shall be staffed with the <u>minimum members necessary</u> for emergency medical care <u>relative to the level</u> of EMS provided by the fire department.
- Personnel deployed to ALS emergency responses shall include:
 - A minimum of two members trained at the emergency medical technician—paramedic level
 - AND two members trained at the BLS level arriving on scene within the established travel time.
- All fire departments with ALS services shall have a named medical director with the responsibility to oversee and ensure quality medical care in accordance with state or provincial laws or regulations and must have a mechanism for immediate communication with EMS supervision and medical oversight.



From: Higgins, Sara

To: *City Council Members (All)

Cc: Lazarus, Howard; Fournier, John; Crawford, Tom; Lancaster, Karen; Kennedy, Mike; Pollay, Susan; Morehouse,

Joseph; Stults, Missy; Hall, Jennifer; Buselmeier, Kimberly; Wondrash, Lisa

Subject: FY20-21 Budget Responses - February 22, 2019

Date: Friday, February 22, 2019 4:49:00 PM Attachments:

190222 FY20-21 DDA.pdf 19022 FY20-21 Fire.pdf

190222 FY20-21 General Fund Final.pdf

Mayor and Council,

Attached are responses to FY20-21 budget questions received from Council during the February 11, 2019 Work Session regarding the following topics.

- 1. DDA
- 2. Fire
- 3. General Fund

Please send your FY20-21 budget questions to me, copying Howard Lazarus, Tom Crawford, and Karen Lancaster. Responses will be grouped by topic and responded to weekly throughout the budget season as well as posted on the budget public process web page.

Thank you,

Sara Higgins, Strategic Planning Coordinator

Ann Arbor City Administrator's Office | Guy C. Larcom City Hall|301 E. Huron, 3rd Floor · Ann Arbor · MI ·

734.794.6110 (O) · 734.994.8296 (F) | Internal Extension 41102 shiggins@a2gov.org | www.a2gov.org



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TO: Mayor and Council

FROM: Tom Crawford, CFO

Mike Kennedy, Fire Chief

Karen Lancaster, Finance Director Howard S. Lazarus, City Administrator

SUBJECT: FY20-21 Budget: Fire

DATE: February 22, 2019

Question #4: Please provide data on the Fire Master Plan and let us know what you are contemplating. (Councilmember Lumm)

Response:

- The City Administrator's Office is evaluating a possible rezoning and sale of Fire Station 2.
- Williams Architects has been selected to perform a probably cost of construction and conceptual design for Fire Station 1. The kick-off meeting occurred on February 12, 2019. This work is being funded from the FY19 fire budget. Their report will be completed by June 30, 2019.
- The Fire Station Master Plan is the accumulation of data and recommendations to this point.
- The rezoning / sale of Station 2 and renovation of Station 1 are the current priority items.
- The Office of Innovation and Sustainability is taking the lead with exploring feasibility of a solar array on Station 6. Dr. Stults has been coordinating this effort and a planning meeting has already occurred.



TO: Mayor and Council

FROM: Tom Crawford, CFO

Karen Lancaster, Finance Director Howard S. Lazarus, City Administrator

SUBJECT: FY20-21 Budget: DDA

DATE: February 22, 2019

Question #4: Please provide information regarding Public Act 57, payments TIF capture, etc. (Councilmember Hayner)

Response: Public Act 57 of 2018 has taken effect that creates reporting requirements for tax increment finance authorities in Michigan. The legislation combines most tax increment finance authorities in the new Public Act, requires certain information be made available publicly and sets requirements for information that must be reported to the Michigan Department of Treasury. The seven original TIF statutes, as amended, which have been combined in Chapters 2-8 of PA 57 have all been repealed. The notable exception is Brownfield Redevelopment Finance Authorities (BRFAs), which continue to be subject to 1996 PA 381. PA 57 has no effect on BRFAs. New requirements include:

Public Reporting Requirements: In Section 910, the new act describes the requirement that an authority create a website or use a municipal website for the posting of the information listed in this section including budgets, audits, adopted plans, and other information.

Treasury Reporting Requirements: Section 911 of the new act describes annual reporting requirement to Treasury and the subsequent requirement that Treasury compile the information into a report that is to be submitted annually to the Michigan Legislature. Treasury is currently working on an electronic format for submission of the required information.

There was not any change that affected the City's ability to bond for DDA projects.



TO: Mayor and Council

FROM: Tom Crawford, CFO

Karen Lancaster, Finance Director Howard S. Lazarus, City Administrator

SUBJECT: FY20-21 Budget: General Fund

DATE: February 22, 2019

Question #2: Please provide a summary of proposed FTE changes, identifying titles and general fund impacts. (Councilmember Lumm)

Response: Attached is an FTE Summary spreadsheet.

<u>Question #3</u>: Please provide a communication so that public can easily understand the projected operating deficit; projected 2025 \$10 million to cover deficit; communicate structural problem. (Mayor Taylor)

Response: Please see the graphic below.



ANNUAL BUDGET CHALLENGE!

COSTS EXCEED REVENUES

The City's primary operating fund is the General Fund. Without new construction, property taxes only increase at the rate of inflation. The cost of providing General Fund services increases at a rate that exceeds inflation. The City balances its budget every year. This means that every year the City needs to either expand the tax base, cut or streamline services, or both.

\$600K GAP IN FY 2021

2020-2025 FINANCIAL PROJECTIONS



	General Fund	Total City		eral Fund \$ Impact		er Funds \$ mpact
FY19 Approved FTEs (rounded)	471	743				
Mid-year adds:						
Housing Commission mid-year FTE add approved by Council resolution (See Note 1)	1	1	\$	-		
Police Commission Support Staff mid-year add approved by Council resolutions	1	1	\$	87,227		
Staff Requests for FY20:						
Community Television Network (CTN) (See Note 2)	2					
Human Resources Benefits Staff (See Note 3)	1	1			\$	68,256
Police Cadets	2	2	\$	128,698		
Fire Cadet	1	1	\$	60,000		
Reduction of Fire Inspector	(1)	(1)	\$	(176,798)		
Contract Administrator	1	1	\$	99,093		
Construction Fund FTEs	-	3	\$	-	\$	262,000
Park Planner	-	1	\$	-	\$	125,000
Conversion of Executive Assistant to Full-time	0.25	0.25	\$	29,390		
Public Services employees to be discussed at next work session	-	3				TBD
Total FY20 FTEs as requested	479.25	756.25				
Notes:						
(1) This position is being reimbursed by the Housing Commission.						
(2) CTN is moving 2.0 FTEs to the General Fund which will be reimbursed by franchise fees	so the positions wi	ll be a net \$0	0 cost	to the Gen	eral F	und.
This would not increase the overall FTE count.						
(3) This position would be reimbursed by the Risk Fund.						

From: <u>Teresa M. Gillotti</u>

To: Ackerman, Zach; Amanda Carlisle; Anna Erickson); atfoster

Bannister, Anne; ; David Blanchard ; David S. Beck; Eleanor Pollack; Floria Tsui; Greg Pratt; Morghan Williams; "Nora Wright"; Paul Sher; "Rosemary Sarri";

Thaddeus Jabzanka , Mirada Jenkins

Subject: Potential addition to Thursday"s HHSAB agenda

Date: Tuesday, March 12, 2019 6:34:47 PM

Attachments: UPDATE Ackerman Resoultion D1 D2 Premiums jh tg edits.docx

<u>UPDATE Ackerman Resoultion</u> 2000 S Industrial jh tg edits.docx <u>UPDATE Ackerman Resoultion</u> 721 N Main jh tg edits.docx

Good afternoon HHSAB,

Councilmember Zach Ackerman is introducing resolutions at City Council on Monday all connected to Affordable Housing. The HHSAB may want to review and provide a recommendation related to these Thursday.

Here's a link to the MLive article about the proposed resolutions:

https://expo.mlive.com/news/g66l-2019/03/e15376b23f5380/3-new-affordable-housing-proposals-coming-to-ann-arbor-city-council.html

Attached are the proposed amendments.

Thanks and see you all Thursday!

-Teresa

Teresa Gillotti

Director

Office of Community & Economic Development 415 West Michigan Avenue Ypsilanti, MI 48197 (734) 544-3042 *Phone* (734) 259-3074 *Fax* gillottitm@washtenaw.org

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Learn about the County's Racial Equity initiative at www.opportunitywashtenaw.org
Follow us on Socail Media at Facebook | Twitter

Ackerman

Draft

Resolution to Pursue Affordable Housing at 721 N. Main

Whereas, Housing costs are typically a household's largest single expense, critically affecting quality of life.

Whereas, In 2015, the City of Ann Arbor partnered with the U.S. Department of Housing and Urban Development and Washtenaw County to produce the Housing Affordability and Economic Equity Report ("Report").

Whereas, A primary goal of the Report was to maximize housing opportunities for lower and middle class households.

Whereas, The Report highlighted that housing in Ann Arbor has become unaffordable for 45% of households making \$35,000-\$49,999 a year, 87% of households making \$20,000-\$34,999, and 94% of households making under \$20,000.

Whereas, Ann Arbor is the least affordable city in Michigan with median rents 22% higher than the rest of the state.

Whereas, Residents of Ann Arbor continue to feel the pressure from a lack of housing options with average rents increasing nearly 15% since 2015.

Whereas, Neighborhoods such as Arbor Oaks and Water Hill are seeing significant demographic shifts due to a lack of housing options city-wide.

Whereas, In response to the Report, City Council adopted a goal to construct 2,800 new units of affordable housing by 2035, or 140 new units per year.

Whereas, Since 2015, only <u>50_dedicated</u> units of affordable housing units have been built within the city limits.

Whereas, Regionally, Over 1500 units have converted from dedicated 'Affordable' to market-rate, as terms of Low-Income Housing Tax Credits and other funding requirements have expired and an additional 800+ units will be expiring.

Whereas, Results from the 2018 City Budget Prioritization Survey clearly indicate Ann Arbor residents believe affordable housing should be a policy and budgeting priority.

Whereas, Tackling affordable housing is a complex issue and an uphill battle, requiring many revenue streams and strategies.

Whereas, Publicly owned land presents the greatest opportunity to create new units of low-income and mixed-income housing – legally and financially.

Whereas, The City-owned property at 721 N. Main ("Property") has been the focus of community attention for decades.

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Deleted: Whereas, Regionally, Y units have converted from 'Affordable' to market-rate, as terms of Low-Income Housing Tax Credits have expired.¶

RESOLVED, That the Ann Arbor City Council directs the City Administrator to ensure any future development of the Property includes affordable housing.

RESOLVED, That by August 1, the City Administrator will recommend to City Council a policy or process to follow which addresses the following requirements:

- The City will maintain ownership of the Property (e.g., land lease)
- Any potential developer will offer a mix of unit types and rent levels
- Any Developer will maximize the number of affordable housing units for those who make up to 60% of the Area Median Income while balancing other priorities such as funding the Treeline Urban Trail
- Any Developer will accept Housing Choice Vouchers

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Ackerman

Draft

Resolution to Pursue Affordable Housing at 2000 S. Industrial

Whereas, Housing costs are typically a household's largest single expense, critically affecting quality of life.

Whereas, In 2015, the City of Ann Arbor partnered with the U.S. Department of Housing and Urban Development and Washtenaw County to produce the Housing Affordability and Economic Equity Report ("Report").

Whereas, A primary goal of the Report was to maximize housing opportunities for lower and middle class households.

Whereas, The Report highlighted that housing in Ann Arbor has become unaffordable for 45% of households making \$35,000-\$49,999 a year, 87% of households making \$20,000-\$34,999, and 94% of households making under \$20,000.

Whereas, Ann Arbor is the least affordable city in Michigan with median rents 22% higher than the rest of the state.

Whereas, Residents of Ann Arbor continue to feel the pressure from a lack of housing options with average rents increasing nearly 15% since 2015.

Whereas, Neighborhoods such as Arbor Oaks and Water Hill are seeing significant demographic shifts due to a lack of housing options city-wide.

Whereas, In response to the Report, City Council adopted a goal to construct 2,800 new units of affordable housing by 2035, or 140 new units per year.

Whereas, Since 2015, only of dedicated affordable housing units have been built within the city limits.

Whereas, Regionally, Over 1500 units have converted from dedicated 'Affordable' to market-rate, as terms of Low-Income Housing Tax Credits and other funding requirements have expired and an additional 800+ units will be expiring.

Whereas, Results from the 2018 City Budget Prioritization Survey clearly indicate Ann Arbor residents believe affordable housing should be a policy and budgeting priority.

Whereas, Tackling affordable housing is a complex issue and an uphill battle, requiring many revenue streams and strategies.

Whereas, Publicly owned land presents the greatest opportunity to create new units of low-income and mixed-income housing – legally and financially.

Whereas, The City-owned property at 2000 S. Industrial ("Property") has been the focus of community attention for decades.

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RESOLVED, That the City will utilize the Property to create the greatest quantity and quality of affordable housing units

RESOLVED, That by September 1, the City Administrator will recommend to City Council a process to follow which addresses the following requirements:

- The City will maintain ownership of the Property (e.g., land lease)
- Any potential developer will offer a mix of unit types and rent levels
- Any Developer will maximize the number of affordable housing units for those who make up to 60% of the Area Median Income
- ____Any Developer will accept Housing Choice Vouchers
- Development will include 15,000 Square Feet of office and maintenance space for the Ann Arbor Housing Commission

RESOLVED, The City may explore options with interested users to dedicate a portion of the Property to <a href="https://originalstyles.com/original

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Ackerman

Draft

Resolution to Increase the Benefit and Use of the Downtown Affordable Housing Premium

Whereas, Housing costs are typically a household's largest single expense, critically affecting quality of life.

Whereas, In 2015, the City of Ann Arbor partnered with the U.S. Department of Housing and Urban Development and Washtenaw County to produce the Housing Affordability and Economic Equity Report ("Report").

Whereas, A primary goal of the Report was to maximize housing opportunities for lower and middle class households.

Whereas, The Report highlighted that housing in Ann Arbor has become unaffordable for 45% of households making \$35,000-\$49,999 a year, 87% of households making \$20,000-\$34,999, and 94% of households making under \$20,000.

Whereas, Ann Arbor is the least affordable city in Michigan with median rents 22% higher than the rest of the state.

Whereas, Residents of Ann Arbor continue to feel the pressure from a lack of housing options with average rents increasing nearly 15% since 2015.

Whereas, Neighborhoods such as Arbor Oaks and Water Hill are seeing significant demographic shifts due to a lack of housing options city-wide.

Whereas, In response to the Report, City Council adopted a goal to construct 2,800 new units of affordable housing by 2035, or 140 new units per year.

Whereas, Since 2015, only <u>50</u> units of <u>dedicated</u> affordable housing units have been built within the city limits.

Whereas, Regionally, <u>Over 1500</u> units have converted from <u>dedicated 'Affordable'</u> to market-rate, as terms of Low-Income Housing Tax Credits <u>and other funding requirements</u> have expired <u>and an additional 800+ units will be expiring</u>.

Whereas, Results from the 2018 City Budget Prioritization Survey clearly indicate Ann Arbor residents believe affordable housing should be a policy and budgeting priority.

Whereas, Tackling affordable housing is a complex issue and an uphill battle, requiring many revenue streams and strategies.

Whereas, Ann Arbor offers a premium to real estate developers in the D1 and D2 zoning districts to incentivize affordable housing ("Downtown Affordable Housing Premium"). However, that premium has not been used in a completed development.

Whereas, Ann Arbor's downtown continues to see growth and real estate development.

 ${\it RESOLVED, That the Ann Arbor City Council refers the issue to the City Planning Commission.}\\$

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RESOLVED, That the Ann Arbor City Council requests recommendations to increase the public benefit created by the Downtown Affordable Housing Premium with the goal of increasing the number of affordable housing units or payments into the Affordable Housing Fund.

RESOLVED, That the Ann Arbor City Council encourages the City Planning Commission to examine solutions, such as:

- Require use of the Downtown Affordable Housing Premium for access to other premiums.
- Reduce the utility of the Residential Housing Premium, which would encourage use of other premiums, like the Downtown Affordable Housing Premium.
- \Reducing parking requirements for the Affordable Housing Premium

RESOLVED, That the Ann Arbor City Council requests recommendations by July 1, 2019.

Deleted: <#>Introduce an Affordable Housing Paymentin-Lieu Premium, which would require payment into the Affordable Housing Fund for added FAR density.¶

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From: Hall, Jennifer

To: <u>Lazarus, Howard</u>; <u>Fournier, John</u>

Cc: Teresa M. Gillotti; Delacourt, Derek; Lenart, Brett

Subject: city-owned parcels needing further environmental assessment and feasibility analysis

Date: Tuesday, March 12, 2019 3:16:59 PM

Attachments: Part-58-EA-Format.docx

A2 Public land review-feasibility.xlsx

AAHC Downtown AA - HUD Noise and Site Contamination Consulting Services Final 7-9-18.pdf

MSHDA 2019 Environmental Review Requirements Final 478201 7.pdf

ECS noise assessment Y lot proposal.pdf

Hello Howard,

Per our discussion last week, please see the attached list of underutilized city-owned properties that have the potential to be developed, including some affordable housing. We talked about conducting an initial environmental assessment for these properties that includes an abbreviated MSHDA and federal environmental assessment. Teresa and her staff started to identify potential environmental concerns and Brett identified the current zoning. The Environmental Assessment includes a Phase I but is not limited to a Phase I for MSHDA and federal funding purposes. I attached the HUD part 58 Environmental Assessment list and the MSHDA Environmental Review guidelines.

We have 2 choices:

- 1) Conduct a full MSHDA and HUD environmental assessment
 - a. Can cost \$20K+ per parcel
 - b. To be done correctly, it requires a building footprint to measure distances to explosive materials, underground storage tanks, roads and railways. So we would have to provide a conservative footprint to the environ. assessor (abutting the minimum set-backs for example)
 - c. If the full assessment is completed up front, it will definitely identify which properties can utilize MSHDA or federal funds and which ones will need to utilize local public funds and private funds
 - d. For properties that do pass the EA, the info will need to be updated as it moves through the funding application process and when the site plan is finalized. The information becomes dated.
- 2) Or conduct an abridged EA to identify the most likely problems with the site and then decide whether to do a deeper assessment of those items.
 - a. For example, the limited initial environmental assessment we did for the Y lot cost \$1,450 and they identified 3 potential areas of concern that would need further investigation noise, arsenic and chlorinated solvent contamination. (see attached)
 - i. A full noise assessment really needs a building footprint and my best guess is it could cost \$1,000 \$4,000 depending on how complicated the site is
 - b. Its possible that if we do a limited assessment of each site, that every site will need further assessment on some items.
 - i. I don't recall ever having a MSHDA/federal Environmental Assessment done that was a perfectly clear and clean site we have always had to remediate something.

My biggest concerns are:

- 1) Potential Soil contamination (can likely be remediated through brownfield funding)
- 2) Noise Assessment (can be remediated if the noise is not too high through building design). For an initial assessment, we have to provide a projected building footprint and a full noise assessment can only be conducted on the final actual building footprint because they will literally assess the noise level on each side of the building. For example, we had to move our building 1 foot away from state street and remove outdoor balconies on the state street side to comply with the acceptable noise level.
- 3) Floodway/Floodplain/wetland (no buildings of any type, including parking lots can be built on the floodplain or floodway portion of the property and the floodway must have a permanent use restriction against construction or be deeded to another entity) We had to deed the floodway on Platt road to the Washtenaw Drain Commissioner which can potentially impact the site plan approval if it impacts open space requirements.
- 4) Historic Impact (does not have to be in a historic district for it to have an impact. The State Historic Preservation Office decides if it will impact buildings or neighborhoods that are over 50 years old)
- 5) Explosive and flammable hazards, underground storage tanks and aboveground storage tanks, on the site or adjacent sites (does not have to be on the site of the development project to be a problem, and if it is not on the city-owned parcel then it cant be removed). For example, I don't know if the city gas tank and water tower at Industrial will prohibit the use of MSHDA or federal funds. The gas tank can be moved but not the water tank.
- 6) For existing buildings Asbestos and lead-based paint. Will not prohibit demolition but requires certain procedures to demolish. Will make it very costly to rehabilitate a building with Asbestos (especially if in drywall mud) and LBP and I wouldn't redevelop any buildings with this problem I would definitely do demo instead.

I could go either route. It would be nice to get full EA's done to know exactly what the problems are for each site as far in advance as possible, but it is not really complete without a building footprint. But the EA can also tell us where the building can or cannot be located so that is also helpful.

Let me know if you would like us all to meet to discuss how to move this forward to city council. Teresa and Brett have experience with MSHDA and federal Environmental Reviews as well – and maybe John and Derek have had that distinct pleasure as well?

Thanks.

Gennifer Hall

Jennifer Hall
Executive Director
Ann Arbor Housing Commission
2000 S. Industrial
Ann Arbor, MI 48104
jhall@a2gov.org
734 794-6721 (direct office line)

734 996-3018 (fax)

Thanks,



July 9, 2018

Jennifer Hall Executive Director Ann Arbor Housing Commission 2000 S. Industrial Ann Arbor MI 48104

Re: Noise Assessment and Limited Environmental Contamination Research Lot Bounded by 4th, 5th, E. Williams and AATA Blake Transit Center Ann Arbor, Michigan ECS Project A108-0013

Dear Ms. Hall,

Environmental Consulting Solutions, LLC (ECS) was retained by the Ann Arbor Housing Commission to provide consulting services associated with conducting a HUD Noise Assessment and Limited Environmental Contamination Research for the property referenced above. The following sections provide a summary of our findings.

Noise Assessment

The Noise Assessment was performed in accordance with HUD guidelines and assumed that the proposed building walls would be located approximately 6 feet from each curb. A noise assessment is required for sites located within: 1) 1,000 feet of a limited access highway or "busy roadway", or 2) 3,000 feet of a railroad line, or 3) 15 miles of a civil or military airport.

No military airports were identified within 15 miles of the Subject Property. The Willow Run airport and Ann Arbor municipal airport were identified at distances of approximately 11 miles and 3.5 miles, respectively. A small local airport, Downwind Acres, was identified 12.5 miles from the site. The FAA was contacted and determined that the Site would not be impacted by significant aviation related noise.

The nearest railroad to the Subject Property was identified as located approximately 877 feet southwest. Railroad noise is a source at the Subject Property based on distance from the Subject Property.

In order to address nearby "busy roadways" within 1,000 feet, as well as the nearby railroad, ECS completed an updated noise assessment using the HUD Exchange Day/Night Noise Level Calculator Electronic Assessment Tool.

Resources used to obtain the input data included the following:

- http://www.semcog.org/data/Apps/trafficcounts.cfm
- http://www.semcog.org/traffic-counts
- http://safetydata.fra.dot.gov/OfficeofSafety/publicsite/downloaddbf.aspx

The expected daily noise level (DNL) was calculated to be 79.06 dB. Locations with day-night average noise levels above 75 dB have "Unacceptable" noise exposure. For new construction, noise attenuation measures in these locations require the approval of the Assistant Secretary for Community Planning and Development (for projects reviewed under Part 50) or the Responsible Entity's Certifying Officer (for projects reviewed under Part 58). The acceptance of such locations normally requires an environmental impact statement.

Engineered barriers or other attenuation strategies can be implemented for acceptable noise exposures. Additional assessment can be completed in order to address the presence of effective noise barriers that may provide sufficient protection (i.e. nearby buildings/structures), as well as the use of noise attenuation design and construction materials that will bring down the interior noise level to 45 DNL and/or exterior noise level to 65 DNL.

ECS also evaluated the potential for "point" source noise. The subject Site adjoins a transit center (bus garage) and a large parking structure. These are not standard HUD noise sources and are not considered "impulse" noise; however, they may require additional evaluation.

Adjoining Blake Transit Center

ECS reviewed the FTA Noise and Vibration Manual which provided additional details regarding noise sources and noise assessment. Diesel buses and stations have noise sources that may include cooling fans and engine combustion, as well as diesel exhaust and tire/roadway interaction. Using the FTA Noise and Vibration Manual, noise calculations for a Transit Center can be performed, taking into account the main street traffic, population density, and bus traffic (including period, hours and buses per hour). ECS submitted a FOIA request to the Ann Arbor area Transit Authority (AATA) to obtain any previous noise assessments conducted at the Blake Transit Center. As of the date of this summary, noise documentation has not been received.

Adjoining Parking Structure

ECS also conducted research regarding noise effects from parking structures in urban areas. The operation of the parking structure is expected to be a predominant source of operational noise. Based on a study conducted by Illingworth & Rodkin, Inc.¹, noise measurements were made of typical noise generating activities occurring on the various parking levels of a 4-story parking structure. At each parking level, a car door was opened and closed several times, the engine was started, and the auto's horn was sounded. The noise sources were generated at the edge of each story and at a parking stall located about 50 feet from the edge. Noise measurements were also made as an auto traveled up and down the parking structure. The sounding of the auto's horn was the nosiest. The results concluded that instantaneous noise levels from door slams, engine starts and car alarms adjacent to a residential land use would be considered a significant impact.

¹ (Environmental Noise Assessment Vallco Fashion Park – North Parking Garage prepared for City of Cupertino by Illingworth & Rodkin, Inc., October 11, 2006)

The HUD DNL calculated noise level of 79.06 dB does not include the adjoining transit center and parking structure point sources. As both of these would be considered to have a significant impact, it would be ECS recommendation that a noise study/assessment be conducted by a professional acoustical engineer to determine feasibility associated with mitigation measures to

Limited Environmental Contamination Research

reduce exterior and interior noise exposure.

ECS accessed Environmental Mapper, a State of Michigan online resource that identifies sites of environmental contamination. The mapper listed the subject property (350 S. Fifth Avenue) as a site of contamination. In addition, a nearby site of potential environmental concern was identified on Environmental Mapper, located at 314 S Fourth Avenue, approximately 250 feet northwest of the Site. ECS submitted a Freedom of Information Act request to the MDEQ to obtain/review files associated with the subject property and nearby property.

Part 201 and BEA Site - 350 S. Fifth Avenue (Site)

A Baseline Environmental Assessment (BEA) report was prepared by Soil and Materials Engineers, Inc (SME) for the Site dated February 2014. The report contained information pertaining to a Phase I ESA conducted by Haengel & Associates Engineering (HAE) for the Site in 2013 as well as Phase II ESA activities conducted in January 2014. The Phase I ESA noted the following REC's associated with the Site:

- The site was historically used for residential, worship, and recreational activities (YMCA) from 1888 to 2005, and for furniture repair for an undocumented duration during the early 1900's. The furniture repair was identified as an REC in connection with the Site.
- The adjoining parcel to the north (current AATA Blake Transit Center) was historically used for residential purposes from at least 1888 to 1941. Numerous commercial entities, including an auto repair facility and a body shop, occupied space on the adjoining parcel from 1941 until it was demolished circa 1988 to construct the transfer station. The former auto repair was identified as an REC with potential to negatively impact the Site.
- Previous assessment conducted in 2005 identified "facility" (greater than the MDEQ Generic Residential Cleanup Criteria) arsenic concentrations on the Site, with elevated concentrations of arsenic, benzo(a)pyrene, benzo(b)fluoranthene and trichloroethene (TCE) on the adjoining parcel to the north.
- Limited assessment was conducted in 2014. Of the nine soil borings completed on site, only three of the borings were analyzed for VOC compounds. VOC compounds were not detected in the limited sampling conducted.

Based on a review of the assessments previously conducted, metals and PNA compounds were detected on the Site, with only Arsenic identified at a concentration exceeding the MDEQ Generic Residential Cleanup Criteria. The potential applicable exposure pathway that would be applicable for Arsenic in soil would be direct contact exposure. Engineered barriers can be used to prevent potential exposure to Arsenic contaminated soils.

With respect to the potential for exposure to volatile compounds, TCE was detected on the adjoining parcel to the north. The extent of TCE contamination was not addressed in the documentation available for the Site. The presence of a chlorinated solvent in the soil at the adjoining property would continue to present a potential exposure to the Site. This can be addressed through additional soil-gas sampling to evaluate concentrations on Site, in addition to implementation of a passive/active mitigation system if deemed appropriate at the time of Site redevelopment.

Part 201 and BEA Site - 314 S. Fourth Avenue (Nearby Property)

A BEA report was prepared for the commercial property located at 314 S. 4th Street, located approximately 250 feet northwest of the Site (north of the adjoining multi-level parking structure). The BEA identified a former gas station and potential cleaners on the nearby property, with PNA compounds and metals detected at "facility" levels. Solvent contamination was not identified associated with the historic cleaners. Based on the distance from the Site, the potential for negative impact to the Site appears minimal.

Conclusions

Based on the limited research conducted for the Site with respect to noise assessment and environmental research, the following conclusions were made:

- The expected daily noise level (DNL) for the Site was calculated to be 79.06 dB, which is considered "Unacceptable" noise exposure. In addition, this calculated value does not take into consideration the adjoining transfer station and parking structure as point sources of noise with the potential for significant impact. ECS recommends that a noise assessment/study be conducted by a professional acoustical engineer to determine feasibility associated with mitigation measures to reduce exterior and interior noise exposure.
- Arsenic contamination was identified at the Site at "facility" levels. Potential unacceptable
 exposures to elevated arsenic concentrations can be eliminated during site development
 through remedial efforts or through the use of engineered barriers to prevent direction
 contact exposure.
- Chlorinated solvent contamination was identified in a previous study conducted on the adjoining parcel to the north. Based on the current recommendations provided by the MDEQ, additional assessment would be warranted at the Site in order to determine the potential for vapor intrusion. In addition, presumptive mitigation through implementation of a passive/active mitigation system may be warranted at the time of Site development.

We appreciate the opportunity provide consulting services. Please don't hesitate to contact us should you have any questions.

Sincerely,

ENVIRONMENTAL CONSULTING SOLUTIONS, LLC

Julie Anna Pratt

Senior Project Professional

Andrew J. Foerg, CPG

President

Enclosures

DNL Calculator

WARNING: HUD recommends the use of Microsoft Internet Explorer for performing noise calculations. The HUD Noise Calculator has an error when using Google Chrome unless the cache is cleared before each use of the calculator. HUD is aware of the problem and working to fix it in the programming of the calculator.

The Day/Night Noise Level Calculator is an electronic assessment tool that calculates the Day/Night Noise Level (DNL) from roadway and railway traffic. For more information on using the DNL calculator, view the Day/Night Noise Level Calculator Electronic Assessment Tool Overview (/programs/environmental-review/daynight-noise-level-electronic-assessment-tool/).

Guidelines

- To display the Road and/or Rail DNL calculator(s), click on the "Add Road Source" and/or "Add Rail Source" button(s) below.
- All Road and Rail input values must be positive non-decimal numbers.
- All Road and/or Rail DNL value(s) must be calculated separately before calculating the Site DNL.
- All checkboxes that apply must be checked for vehicles and trains in the tables' headers.
- Note #1: Tooltips, containing field specific information, have been added in this tool and may be
 accessed by hovering over all the respective data fields (site identification, roadway and railway
 assessment, DNL calculation results, roadway and railway input variables) with the mouse.
- Note #2: DNL Calculator assumes roadway data is always entered.

DNL Calculator

Site ID	Parking Lot on Williams between 4th and 5th Street
Record Date	7/7/2018
User's Name	Julie Pratt

Road # 1 Name:	E. Williams	
		1

Road #1

Vehicle Type	Cars ☑	Medium Trucks $oxive $	Heavy Trucks $oxtime $
Effective Distance	28	28	28
Distance to Stop Sign			
Average Speed	25	25	25
Average Daily Trips (ADT)	8130	353	353
Night Fraction of ADT	15	15	15
Road Gradient (%)			2
Vehicle DNL	64.263	60.6399	73.9953
Calculate Road #1 DNL	74.5834	Reset	

4th Street	
	4th Street

Road #2

Vehicle Type	Cars ☑	Medium Trucks $oximes$	Heavy Trucks ☑
Effective Distance	27	27	27
Distance to Stop Sign			
Average Speed	25	25	25
Average Daily Trips (ADT)	5894	256	256
Night Fraction of ADT	15	15	15
Road Gradient (%)			2
Vehicle DNL	63.1031	59.4814	72.8368

IVESET

Road # 3 Name:	5th Street]

Road #3

Vehicle Type	Cars ☑	Medium Trucks $oximes$	Heavy Trucks ☑
Effective Distance	27	27	27
Distance to Stop Sign			
Average Speed	25	25	25
Average Daily Trips (ADT)	8130	353	353
Night Fraction of ADT	15	15	15
Road Gradient (%)			2
Vehicle DNL	64.4999	60.8768	74.2322
Calculate Road #3 DNL	74.8203	Reset	

Road # 4 Name:	Liberty Street

Road #4

Vehicle Type	Cars ☑	Medium Trucks 🗹	Heavy Trucks $oxtime $
Effective Distance	429	429	429
Distance to Stop Sign			
Average Speed	30	30	30
Average Daily Trips (ADT)	6098	265	265
Night Fraction of ADT	15	15	15
Road Gradient (%)			2
Vehicle DNL	46.8181	43.1987	54.9705
Calculate Road #4 DNL	55.8629	Reset	

Road # 5 Name:	S. Division	

Road #5

Effective Distance	590	590	590
Distance to Stop Sign			
Average Speed	25	25	25
Average Daily Trips (ADT)	9858	429	429
Night Fraction of ADT	15	15	15
Road Gradient (%)			2
Vehicle DNL	45.2446	41.6313	54.9867
Calculate Road #5 DNL	55.5741	Reset	

Road # 6 Name:	Main Street	

Road #6

Vehicle Type	Cars ☑	Medium Trucks $oximes$	Heavy Trucks ☑
Effective Distance	365	365	365
Distance to Stop Sign			
Average Speed	25	25	25
Average Daily Trips (ADT)	15549	676	676
Night Fraction of ADT	15	15	15
Road Gradient (%)			2
Vehicle DNL	50.3521	46.7346	60.09
Calculate Road #6 DNL	60.6777	Reset	

Road # 7 Name:	Packard

Road #7

Vehicle Type	Cars ☑	Medium Trucks $oximes$	Heavy Trucks $oximes$
Effective Distance	578	578	578
Distance to Stop Sign			
Average Speed	30	30	30

Average paily tribs (Apri)	دن ا د		LLJ		LLJ	
Night Fraction of ADT	15		15		15	
Road Gradient (%)					2	
Vehicle DNL	44.17		40.546		52.3178	
Calculate Road #7 DNL	53.21	08	Reset			
Railroad #1 Track Identifie	r:	Ann Arbor Ra	Ann Arbor Railroad			
Rail # 1						
Train Type		Electric 🗆		Diesel	\checkmark	
Effective Distance				877		
Average Train Speed				8		
Engines per Train				2		
Railway cars per Train				50		
Average Train Operations (A	TO)		2			
Night Fraction of ATO				50		
Railway whistles or horns?		Yes	Yes: \square No: \square		Yes: ☑ No: □	
Bolted Tracks?		Yes	Yes: ☐ No: ☐		Yes: ☑ No: □	
Train DNL			62.54		83	
Calculate Rail #1 DNL		62.5483	62.5483 F		Reset	
Add Road Source Add Ra	il Sourc	е				
Airport Noise Level						
Loud Impulse Sounds?			○Yes [®] No			
Combined DNL for all Road and Rail sources			79.0601			
Combined DNL including Airport			N/A			
Site DNL with Loud Impulse Sound						

Mitigation Options

If your site DNL is in Excess of 65 decibels, your options are:

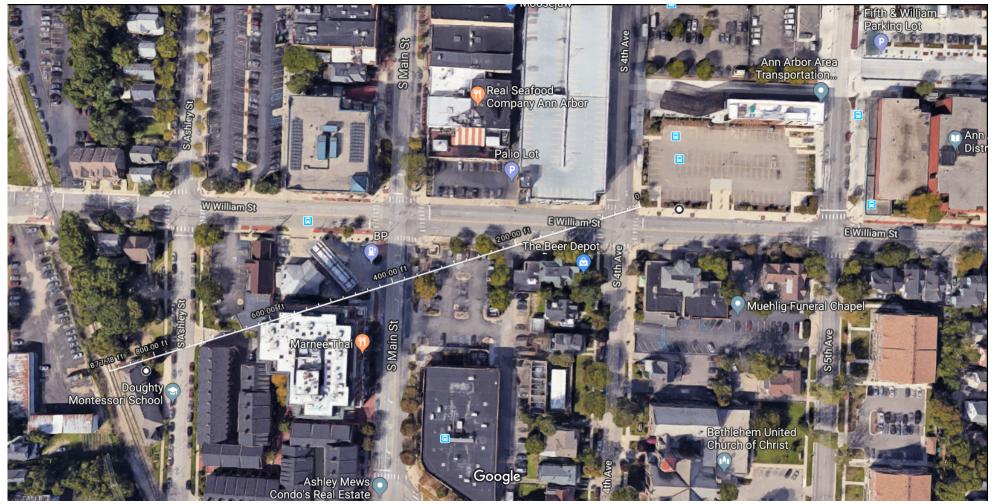
- No Action Alternative: Cancel the project at this location
- · Other Reasonable Alternatives: Choose an alternate site
- Mitigation
 - Contact your Field or Regional Environmental Officer (/programs/environmental-review/hud-environmental-staff-contacts/)
 - Increase mitigation in the building walls (only effective if no outdoor, noise sensitive areas)
 - Reconfigure the site plan to increase the distance between the noise source and noise-sensitive uses
 - Incorporate natural or man-made barriers. See The Noise Guidebook (/resource/313/hud-noise-guidebook/)
 - Construct noise barrier. See the Barrier Performance Module (/programs/environmental-review/bpm-calculator/)

Tools and Guidance

Day/Night Noise Level Assessment Tool User Guide (/resource/3822/day-night-noise-level-assessment-tool-user-guide/)

Day/Night Noise Level Assessment Tool Flowcharts (/resource/3823/day-night-noise-level-assessment-tool-flowcharts/)

Google Maps



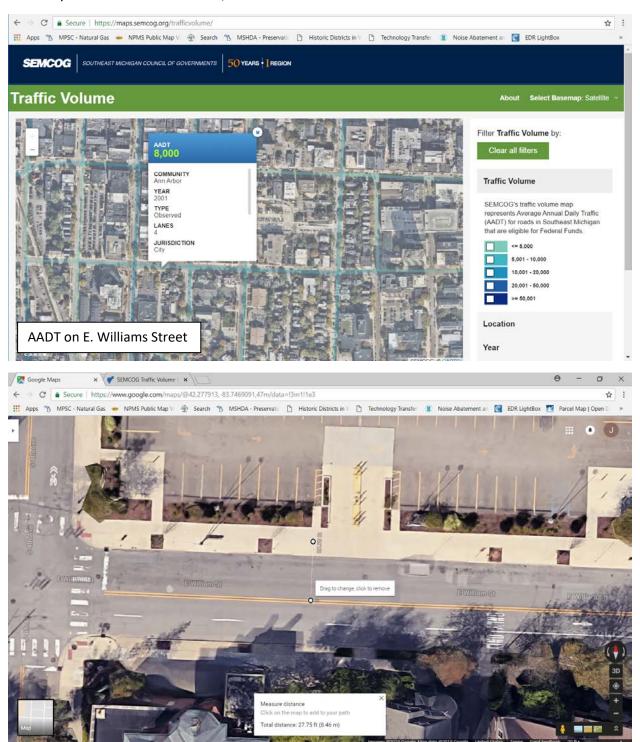
Imagery ©2018 Google, Map data ©2018 Google 100 ft L

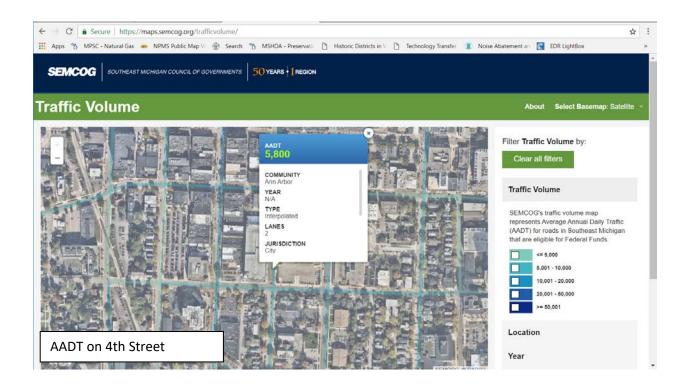
Measure distance

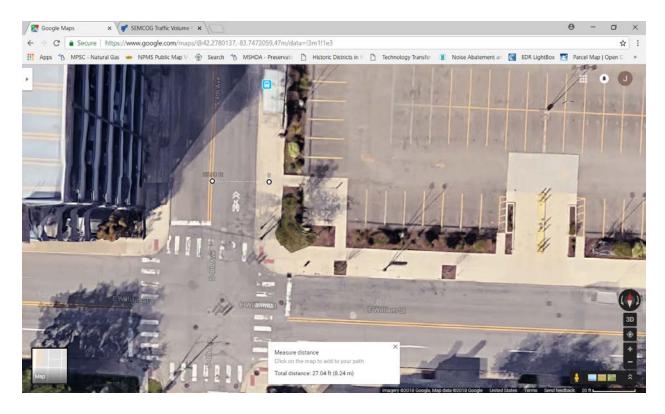
Total distance: 877.18 ft (267.36 m)

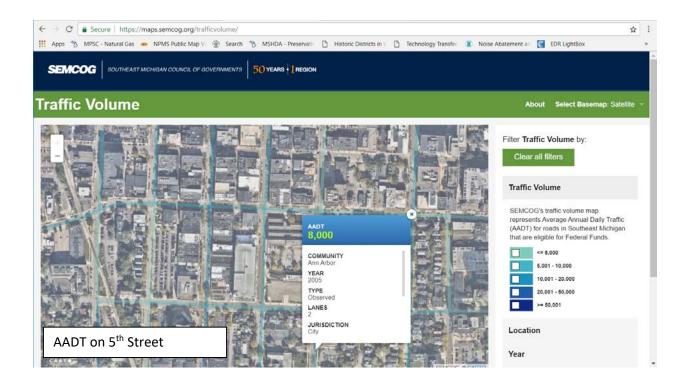
Noise sources evaluated include https://maps.semcog.org/trafficvolume/ and https://semcog-all.ms2soft.com/tcds/tsearch.asp?loc=Semcog-all&mod=.

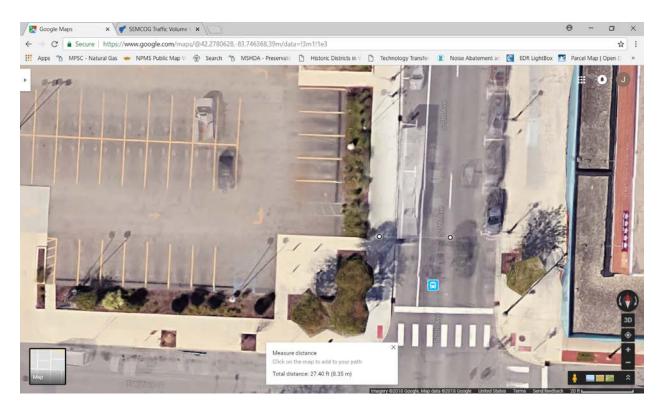
Roadways with traffic data within 1,000 feet were included in the noise assessment.

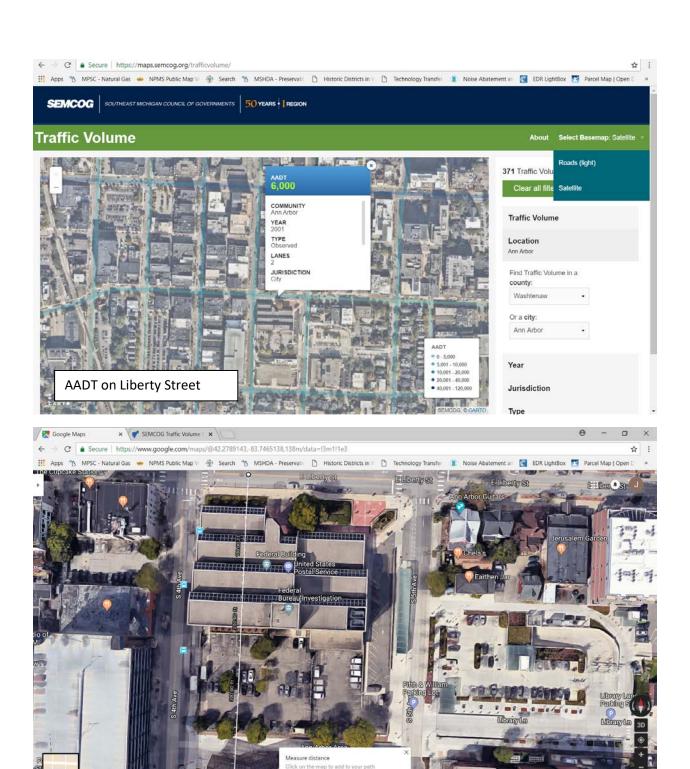




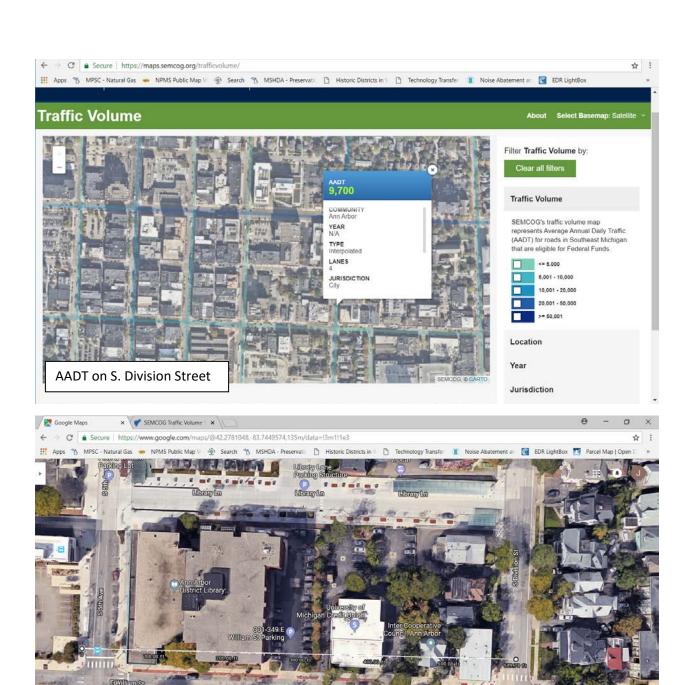




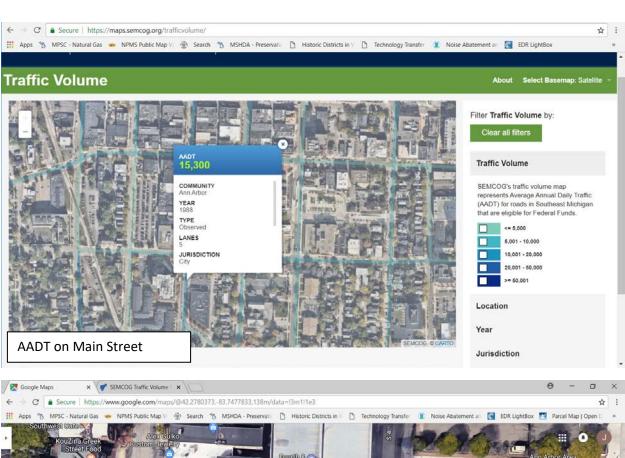


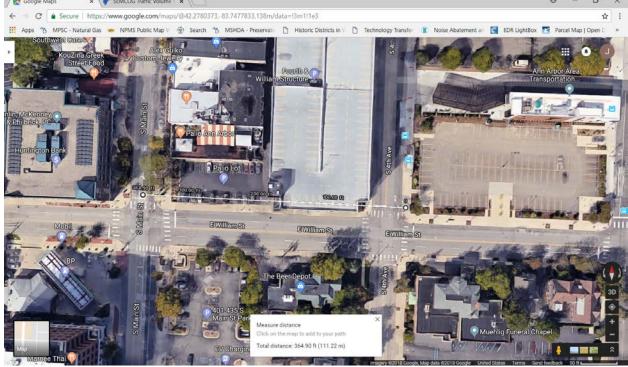


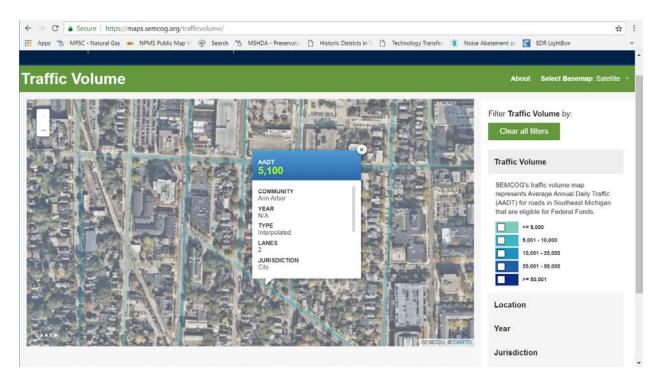
Total distance: 429.04 ft (130.77 m)



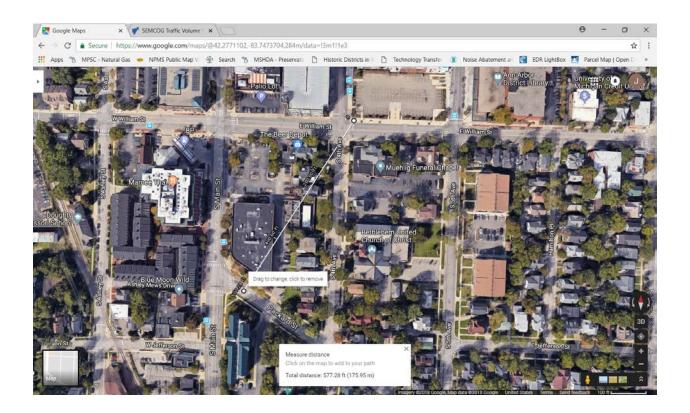
Total distance; 589.79 ft (179.77 m)

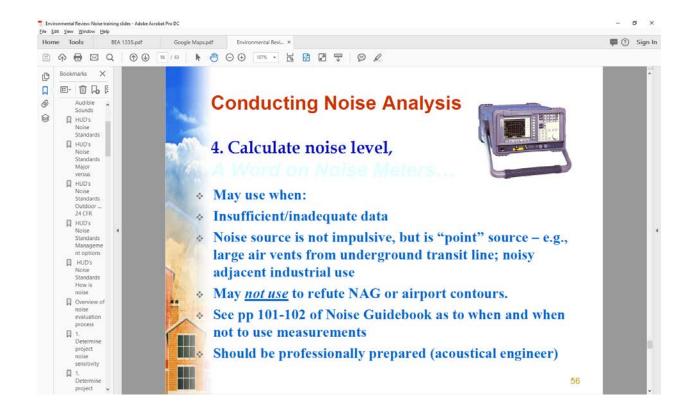






AADT on S. Packard





	SEMCOG Traffic												10 Year Projected
Street	Count	Projected 10 Year	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Traffic Count
E. Williams	7360	1.00%	7433.6	7507.936	7583.01536	7658.846	7735.434	7812.788	7890.916	7969.825	8049.524	8130.019	8130
E. Williams	320	1.00%	323.2	326.432	329.69632	332.9933	336.3232	339.6864	343.0833	346.5141	349.9793	353.4791	353
4th Street	5336	1.00%	5389.36	5443.2536	5497.68614	5552.663	5608.19	5664.272	5720.914	5778.123	5835.905	5894.264	5894
4th street	232	1.00%	234.32	236.6632	239.029832	241.4201	243.8343	246.2727	248.7354	251.2228	253.735	256.2723	256
5th Street	7360	1.00%	7433.6	7507.936	7583.01536	7658.846	7735.434	7812.788	7890.916	7969.825	8049.524	8130.019	8130
5th Street	320	1.00%	323.2	326.432	329.69632	332.9933	336.3232	339.6864	343.0833	346.5141	349.9793	353.4791	353
Liberty Street	5520	1.00%	5575.2	5630.952	5687.26152	5744.134	5801.575	5859.591	5918.187	5977.369	6037.143	6097.514	6098
Liberty Street	240	1.00%	242.4	244.824	247.27224	249.745	252.2424	254.7648	257.3125	259.8856	262.4845	265.1093	265
S. Division	8924	1.00%	9013.24	9103.3724	9194.40612	9286.35	9379.214	9473.006	9567.736	9663.413	9760.047	9857.648	9858
S. Division	388	1.00%	391.88	395.7988	399.756788	403.7544	407.7919	411.8698	415.9885	420.1484	424.3499	428.5934	429
Main Street	14076	1.00%	14216.76	14358.9276	14502.5169	14647.54	14794.02	14941.96	15091.38	15242.29	15394.71	15548.66	15549
Main Street	612	1.00%	618.12	624.3012	630.544212	636.8497	643.2182	649.6503	656.1468	662.7083	669.3354	676.0287	676
Packard St	4692	1.00%	4738.92	4786.3092	4834.17229	4882.514	4931.339	4980.653	5030.459	5080.764	5131.571	5182.887	5183
Packard St	204	1.00%	206.04	208.1004	210.181404	212.2832	214.4061	216.5501	218.7156	220.9028	223.1118	225.3429	225

Truck breakdown percentages in an urban environmental assumes 92% auto, 4% medium truck and 4% heavy truck 10-year project for traffic growth assumed 1% increase per year for each vehicle type

U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway-rail grade crossings, complete the entire inventory Form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Items 20 and Part III Items 2.K. are required unless otherwise noted. An asterisk * denotes an optional field.																	
A. Revision Date		B. Reporting	• •			on for Updat		· · · · / _	/			_		Crossing			
(<i>MM/DD/YYYY</i>) 08 / 01 / 2017		■ Railroad	∐1r		Chan Data	U	New ssing		Closed	☐ No Train Traffic	☐ Quio Zone U		Invento	ory Number			
		☐ State	□ Ot		□ Re-O	Open 🗆 🗅	Date Inge C	☐ Change in Primary		☐ Admin. Correction		Pu	000220)V			
				Part	l: Loc				tion Informatio	on							
1. Primary Operating Ann Arbor Railroad	d [AA]	d			2. State MICHIGAN					3. County WASHTENA	AW						
4. City / Municipality	1			reet/Road		& Block Num	nber	ı		6. Highway Type & No.							
□ Near ANN AR	≀BOR			eet/Road					k Number)	CITY							
7. Do Other Railroad If Yes, Specify RR	s Operat	e a Separate 1	Frack at Cr	ossing? [☐ Yes	™ No		Do Other f Yes, Spe	Railroads Operate O cify RR	Over Your Track	at Crossin	Y	es 🗷 No)			
9. Railroad Division o	ŭ	1	10. Railro			or District		11. Bra	nch or Line Name	12. RR Milepost 0045.30							
□ None great la	akes		□ None		NLINE			☐ None			., , ,		nnn.nnn) (suffix)				
13. Line Segment *		14. Nea Station	arest RR Tir	netable		15. Parent I	RR (i)	f applicab	le)	16. Crossir	ng Owner	(if applic	cable)				
		ANN A	ARBOR				AA			_ □ N/A	AA						
17. Crossing Type	18. Cro ■ High	ossing Purpose	e 19. Cre	Crossing Position 20. Public A					21. Type of Train Freight	☐ Transi		22. Average Passenger Train Count Per Day					
■ Public		nway hway, Ped.		Grade Under		(if Private ☐ Yes	? Crus	isiriy)	☐ Intercity Passen		τ d Use Tran			an One Per Day			
☐ Private	l l	tion, Ped.	□ RR			□No			☐ Commuter	☐ Touris			r Per Day 0				
23. Type of Land Use			rate or start		_												
☐ Open Space 24. Is there an Adjace	☐ Farm		sidential parate Nur		ommero		Indus Duiet 2		☐ Institutional RA provided)	☐ Recreation	onal	□ RR	Yard				
24, 13 01010 0	Citt O. Co.	3111B 441411 # # -1	Januare	iloc.,			uici	Lone (A provided,								
	-	vide Crossing N		ممام احت		No		24 Hr		ngo Excused	Date E	stablishe					
26. HSR Corridor ID		27. Lati	itude in de	cimai deg				3. Longitude in decimal degrees 29. Lat/Long Source									
L	_ X N/A	(WGS84	4 std: nn.n	ınnnnnn)	42.27	802	(W		-nnn.nnnnnnn) ⁻⁸³	.75074 ■ Actual □ Estimated							
30.A. Railroad Use	*							31.A. State Use *									
30.B. Railroad Use								31.B. State Use *									
30.C. Railroad Use	*							31.C. S	tate Use *								
30.D. Railroad Use	*							31.D. S	tate Use *								
32.A. Narrative (Rai	ilroad Us	e) *						32.B. N	larrative (State Use)	*							
33. Emergency Notifi	ication T	elephone No.	(posted)			ad Contact (7	ГеІері	hone No.)			ate Contact (Telephone No.)						
888-778-3237				41	9-726-					517-335-259	92 						
	12 11				P	art II: Rail	lroa	d Infor	mation								
1. Estimated Number 1.A. Total Day Thru T			ents Fotal Night	Theu Trai	1	C Total Swit	-chine	- Trains	1.D. Total Transit	Trains	I 1 E Cho	eck if Les	Than				
(6 AM to 6 PM)	-[dli15	l l	to 6 AM)	IIII II I		L.C. Total Swit	:CHIH)	3 ITallis	0	[One Mo	vement	ss rnan t Per Day ns per wee	□ ek?			
2. Year of Train Coun	t Data (Y	YYY)				ain at Crossing	_	1	0		u						
2015						i Timetable Sp eed Range Ov			0 nph) From <u>5</u>	to_10							
4. Type and Count of	Tracks			J.D , ,	neur op	eca Nampe e	/Ci - U.	0331116 (<i>pny</i> 110								
	Siding 0		_{'ard} 0		Γransit _	0	Indi	ustry 0									
5. Train Detection (M ☐ Constant Warr		,,	netection.	ΠΔEΩ	□ PT	rc ⊠ DC	□ o	N+hor □	None								
6. Is Track Signaled?		3 - IVIOLIOII	Detection	AIO		A. Event Reco			None		7.B. Re	emote F	lealth Mo	nitoring			
☐ Yes ☒ No ☐ Yes ☒ No																	

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date (N 08/01/2017	MM/DD/YYYY)			PAGE 2 D. Crossing Inventory Number (7 char.)											
		P	art III: I	lighway o	r Pathv	way 1	Traffic (Control D	evice	Infor	mation				
1. Are there 2. Types of Passive Traffic Control Devices associated with the Crossing															
Signs or Signals?	2.A. Crossbuc			Signs (R1-1)	igns (R1-1) 2.C. YIELD Signs (R1-2) 2					rning S		; include count) □ None			
X Yes □ No	Assemblies (c	ount) ('count)		(count)			■ W10-1					□ W10-11 □ W10-12		
2.E. Low Ground Cl	earance Sign	2.F. Pav	ement Ma	nt Markings				nnelization	2.H. EXEMPT Sign 2.I. EN						
(W10-5)	1	G Char						Devices/Medians ☐ All Approaches ☐			(R15-3)	Displayed			
☐ Yes (count ■ No	/	■ Stop	Lines ng Symbo	,				proaches pproach	☐ Me		□ Yes ጃ No		□ No		
2.J. Other MUTCD S	Signs		s 🗆 No					ate Crossing			hanced Signs	(List types,			
Specify Type R15-	-5	Coun	t <u>2</u>				Signs (if)								
Specify Type		Coun	t				☐ Yes								
Specify Type		Coun	t												
3. Types of Train A	ctivated Warnii	ng Devices	at the Gra												
3.A. Gate Arms	3.B. Gate Con	figuration				r Bridge	ged) Flashing Light				Mounted Flasl nasts) 2	hing Lights		3.E. Total Count	
(count)	☐ 2 Quad	☐ Full (B	arrier)	Structures Over Traffi	. ,	2	⊠ In		ncande	/	 		Flas	Flashing Light Pairs	
Roadway 0	☐ 3 Quad	Resistan					_		IX €	Back Lig	hts Included	🗷 Side	Lights	10	
Pedestrian 0	☐ 4 Quad	☐ Media	n Gates	ates Not Over Traffic Lane 0				□ LED				Include	d		
3.F. Installation Dat	e of Current		3	.G. Wayside H	orn				ı.	3.H. F	lighway Traffi	c Signals C	ontrollin	g	3.I. Bells
Active Warning Dev	` ′ _	,	_	Yes Insta	alled on /A	MM/YY	(YY)	_/		Cross	U				(count)
		Not Requi	rea i	No		,,,,,	,			□ Yes	s I No			2	2
									hts or Warning Devices Specify type SIDELITE						
4.A. Does nearby H	wy 4.B. Hwy	Traffic Sig	nal 4	C. Hwy Traffic Signal Preemption 5. Highway T						Pre-Sign	nals	6. Highway Monitoring Devices			
Intersection have	Intercon		at a d					☐ Yes 🗷 N				(Check all that apply) ☐ Yes - Photo/Video Recording			ocordina
Traffic Signals? ■ Not Interconnected □ For Traffic Signals				☐ Simultaneous Storage Dista					ance *				Vehicle Presence Detection		
☐ Yes 🗷 No	☐ For V	/arning Sig	ns 🗆	Advance				Stop Line Dis				■ None			
Part IV: Physical Characteristics															
1. Traffic Lanes Cros	ssing Railroad	☐ One-w ■ Two-v			. Is Roadwaved?	dway/Pathway 3. Does Tr				ack Run Down a Street?			4. Is Crossing Illuminated? (Street lights within approx. 50 feet from		
Number of Lanes		■ Yes □ No □ Stallation Date * (MM/YYYY)						No		nearest rail) ☐ Yes ■ No Length *					
5. Crossing Surface☐ 1 Timber											dth * er		Length *	*	
☐ 8 Unconsolidate							Concrete			Nubbe	.i	-			
6. Intersecting Roadway within 500 feet?							7. Smalle	est Crossing A	ngle	ngle			8. Is Commercial Power Available? *		
✓ Yes □ No	If Yes, Approxir	nate Distai	nce (feet)	75			□ 0° – 2°	9° □ 30°	60° - 90°		I ¥ Yes	s [□ No		
			(),		V: Pub	lic H		Informat				L			
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■ (08) Non-F			□ (4) Minor Arteri			(7) Local			LRS Mil	lepost *				
							•	d by School B Average Nu		per Day	10. Emergency Services Ro □ Yes □ No			ervices Route	
Submi	ssion Infor	mation	- This in	formation i	s used fo	or ad	ministra	itive purpo	ses ai	nd is n	ot availabl	e on the	public	web.	site.
Submitted by				Organizat	ion						Phone		г	Date	
Public reporting but	rden for this inf	ormation o	collection			30 mir	nutes per	response, inc	luding	the tim		g instructi			existing data
sources, gathering a	and maintaining	the data i	needed an	d completing	and reviev	wing th	ne collecti	on of informa	ation.	Accordi	ng to the Pap	erwork Red	duction A	Act of	1995, a federal
agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any															
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-	other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.														



RE: Airport Noise 65 dB

1 message

Ernest.Gubry@faa.gov < Ernest.Gubry@faa.gov >

Thu, Jul 5, 2018 at 3:22 PM

To: j

Cc: Ernest.Gubry@faa.gov

Dear Ms. Pratt

I have reviewed your site and it would not be impacted by 65 dB aircraft noise

If you desire additional information on noise analysis from Ann Arbor Municipal airport, I suggest you contact the airport manager

Matt Kulhanek at 734 994 9124

If you have additional questions please call me

Ernest P. Gubry

FAA DETADO

(734) 229-2905

From: Julie Pratt

Sent: Wednesday, June 27, 2018 7:30 PM

To: Gubry, Ernest (FAA) < Ernest.Gubry@faa.gov>

Subject: Airport Noise 65 dB

Good morning Ernest,

I am conducting a HUD noise assessment for a property in Ann Arbor, MI. The site is located downtown Ann Arbor, and is near the corner of 4th and Williams Street (see attached map).

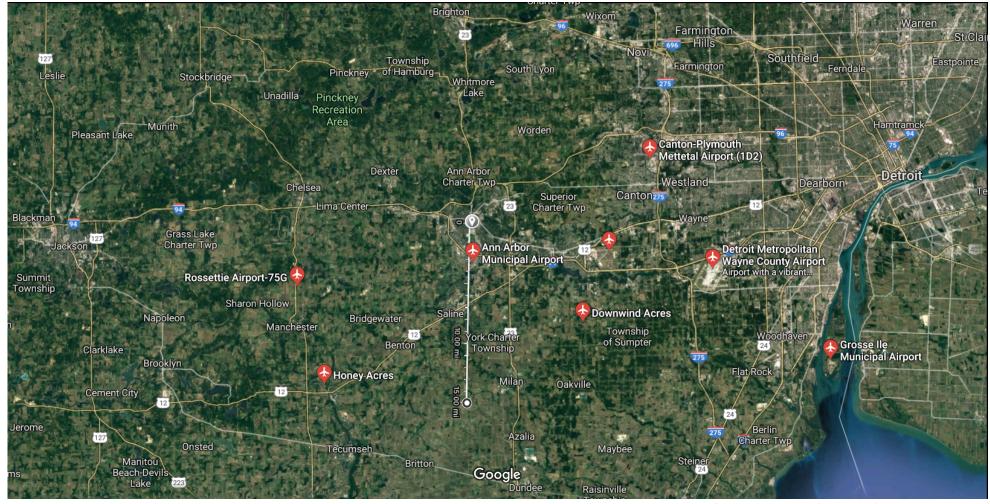
Can you please assist me with noise contours for airports in proximity to the site? Based on noise requirements, I need to evaluate for civil or military airports within 15 miles.

Can you help me determine whether any of the sites will be affected by noise exceeding 65 dB?

Thanks so much for your help. Please contact me if you need any additional information.

Julie Pratt

Google Maps Airports



Imagery ©2018 Landsat / Copernicus, NOAA, Map data ©2018 Google 5 mi

5 mi 📖

Measure distance

Total distance: 15.00 mi (24.13 km)



June 14, 2018

Jennifer Hall Executive Director Ann Arbor Housing Commission 2000 S. Industrial, Ann Arbor MI 48104

Re:

Noise Assessment and Limited Environmental Contamination Research Lot Bounded by 4th, 5th, E. Williams and AATA Blake Transit Center Ann Arbor, Michigan ECS Proposal 1495p

Dear Ms. Hall,

Environmental Consulting Solutions, LLC (ECS) is pleased to present this proposal to provide consulting services associated with conducting a Noise Assessment and Limited Environmental Contamination Research for the property referenced above

The Noise Assessment will be performed in accordance with HUD guidelines and will assume that the proposed building walls will be located 6 feet from each curb. It should be noted that the subject property adjoins a transit center (bus garage) and a large parking structure. These are not standard HUD noise sources; however, they may require additional evaluation.

In addition, ECS accessed Environmental Mapper, a State of Michigan online resource that identifies sites of environmental contamination. The mapper listed the subject property as a site of contamination. No details were available. ECS will submit a Freedom of Information Act request to the MDEQ to obtain/review files associated with the subject property.

COSTS

Noise Assessment	\$500
Noise Evaluation -Transit Center/Parking Garage	\$500
Limited Environmental Contamination Research	\$450

ECS's Terms and Conditions are attached and made part of this proposal.

If this proposal meets with your approval, please sign in the space provided below and return a copy to us. Payment terms are net 30 days. Client agrees to pay a finance charge of one and onehalf percent (1-1/2%) per month on past due accounts.

Thank you for the opportunity to provide this proposal. If you have any questions, please contact me at 248-763-3639.

Sincerely,

ENVIRONMENTAL CONSULTING SOLUTIONS, LLC

wh T. For

Andrew J. Foerg, CPG

President

Enclosure

Signed

Date 6/14/18

Environmental Consulting Solutions, LLC

Standard Terms and Conditions

Payment Terms Environmental Consulting Solutions, LLC (ECS) shall submit monthly invoices for services performed and Client shall pay the full invoice amount within 30 calendar days of the invoice date. ECS shall be entitled to a 1.5% per month administrative charge in the event of payment delay. Client payment to ECS is not contingent on arrangement of project financing. Invoice payment delayed beyond 60 calendar days shall give ECS the right to suspend services until payments are current. Non-payment beyond 70 calendar days shall be just cause for termination by ECS.

Standard of Care For all services performed hereunder, ECS will strive to conduct services under this agreement in a manner consistent with that level of care and skill ordinarily exercised by members of ECS's profession currently practicing in the same locality under similar conditions where such services are performed. The standard of care shall exclusively be judged as of the time the services are rendered and not according to later standards. ECS MAKES NO OTHER WARRANTY, GUARANTEE, OR CERTIFICATION, EXPRESSED OR IMPLIED, WITH RESPECT TO ANY SERVICES PERFORMED. ECS SHALL NOT BE LIABLE FOR ANY CLAIM, DAMAGE, COST OR EXPENSE, INCLUDING ATTORNEY FEES, OR OTHER LIABILITY OR LOSS NOT CAUSED BY THE NEGLIGENCE OR WILLFUL MISCONDUCT OF ECS.

Additional Services Client and ECS acknowledge that additional services may be necessary for the Project to address issues that may not be known at Project initiation or that may be required to address circumstances that were not foreseen. In that event, ECS shall notify Client of the need for additional services and Client shall pay for such additional services in an amount and manner as the parties may subsequently agree.

Reliance by Third Parties: Any written documents, including but not limited to data, reports, findings, summaries or recommendations, prepared by ECS for Client in the course of performing the services under this Agreement may not be relied upon by any person or entity other than Client without ECS's prior written consent. Client releases ECS from liability and agrees to defend, indemnify, protect and hold harmless ECS from any and all claims, liabilities, damages, or expenses arising, in whole or in part, from such unauthorized distribution.

Compensation In consideration of the services performed by ECS, Client shall pay ECS in the manner set forth in the ECS proposal. The parties acknowledge that terms of compensation are based on an orderly and continuous progress of the Project. Compensation shall be equitably adjusted for delays or extensions of time beyond the control of ECS. Where total project compensation has been separately identified for various Tasks/Work Orders, ECS may adjust the amounts allocated between Tasks or Work Orders as the work progresses so long as the total compensation amount for the project is not exceeded.

Ownership of Documents ECS's reports, boring logs, maps, field data, drawings, test results, and other similar documents are instruments of professional service, not products and shall remain the property of ECS.

Confidentiality ECS agrees that it shall consider all work performed for Client, and all results of that work, including, but not limited to, any reports or test results, as well as any and all information provided to ECS in connection with this Agreement ("confidential information") as confidential to Client, to be shared only with Client, and Client's legal counsel. Notwithstanding the above, ECS may comply with all legally-binding judicial orders or governmental directives and federal, state, and local laws, rules, regulations and ordinances which mandates reports to appropriate public agencies of ECS's knowledge of, or findings, which indicate an existing danger to the public health, safety and environment; provided, however, that if ECS determines that it is required to disclose confidential information, it shall notify Client, in writing, or by facsimile, prior to disclosure.

Disclosure Of Hazardous Chemicals: To the extent in Client's possession and as required by federal, state and local regulations to be possessed by client, Client shall provide ECS with a list of hazardous chemicals in the work place to which employees or subcontractors of ECS may be exposed while executing the services governed by this Agreement.

Hazardous Materials: Client understands and acknowledges that ECS and its subcontractors have played no role in the generation, disposal, creation or any release or threat of release of a substance, waste, compound or material, hazardous or non-hazardous, which may exist at the site. Nothing contained within this Agreement shall be construed or interpreted as requiring ECS to assume the status of generator, transporter, or disposal facility nor as one who stores or treats as those terms appear within Resource Conservation and Recovery Act ("RCRA") or within any Federal, State, or Local statue or regulation governing the generation, transportation, treatment, storage and disposal of pollutants. Client assumes full responsibility for compliance with the provisions of RCRA and any other Federal, State or local statute or regulation governing the handling, treatment, storage and disposal of pollutants.

Consequential Damages Neither Client nor ECS shall be liable to the other for any consequential damages regardless of the nature or fault.

Access to Site: Client will arrange and provide access to each site upon which it will be necessary for ECS to perform its work. In the event work is required on any site not owned by Client, Client represents and warrants to ECS that Client has obtained all necessary permission and authority, in writing, for ECS to enter upon the site and conduct its work. Client shall, upon request, provide ECS with evidence of such permission as well as acceptance of the other terms and conditions set forth by Client(s) and tenant(s), if applicable, of such site(s) in a form acceptable to ECS. Any work performed by ECS with respect to obtaining permission to enter upon and do work on the lands of others, as well as any work performed by ECS pursuant to this Agreement, shall be deemed as being done on behalf of Client and Client agrees to assume all such risks. ECS shall take reasonable measures and precautions to minimize damage to each site and any improvements located thereon as the result of its work and the use of its equipment.

Cost Estimates or Opinions ECS may prepare cost estimates or opinions for the Project based on historical information that represents the judgment of a qualified professional. Client and ECS acknowledge that actual costs may vary from the cost estimates or opinions prepared and that ECS offers no guarantee related to the Project cost.

Client's Duty to Notify Client shall be responsible for correctly designating the location of all property lines of the project site and all subsurface installations, such as pipes, tanks, cable, electrical lines, telephone line and utilities within the project site unless otherwise agreed in writing.

Responsibility for Third Parties ECS is not responsible for the completion or quality of work that is dependent upon or performed by Client or third parties not under the direct control of ECS, nor is ECS responsible for their acts or omissions or for any damages resulting there from.

Information from Other Parties Client and ECS acknowledge that ECS will rely on information furnished by other parties in performing its services under the Project. ECS shall not be liable for any damages that may be incurred by Client in the use of third party information.

Limitations of Procedures, Equipment and Tests/Assumption of Risk: Information obtained from inspections, analysis and testing of sample materials shall be accurately reported on boring logs. Such information is considered evidence with respect to the detection, quantification and identification of pollutants, but any inference or conclusion based thereon is necessarily an opinion based upon engineering judgment and shall not be construed as a representation of fact. Groundwater levels and composition may vary due to seasonal and climatological changes and extrinsic conditions and, unless samples and testing are conducted over an extended period of time, pollutants may or may not be found to exist at a specific time of inspection. Client understands that, due to intervening causes such as natural groundwater flows or human intervention, such sampling and analysis may indicate the presence of contamination. There is a risk that sampling techniques may themselves result in contamination of certain subsurface areas such as when a probe or boring device moves through a contaminated area linking it to an aquifer or other hydrous body not previously contaminated and capable of transporting pollutants. BECAUSE THE RISKS SET FORTH IN THIS SECTION ARE UNAVOIDABLE AND BECAUSE THE SAMPLING TECHNIQUES TO BE EMPLOYED ARE A NECESSARY ASPECT OF ECS'S WORK ON CLIENT'S BEHALF, CLIENT AGREES TO ASSUME THESE RISKS, except those caused by ECS's negligence or willful misconduct. The discovery of certain pollutants may make it necessary for ECS to take immediate measures to protect human health and safety. ECS shall notify Client as soon as reasonably possible should such pollutants be suspected or discovered. Client agrees to reimburse ECS for the reasonable cost of implementing such measures under the circumstances.

Modifications to Documents Neither Client nor any other person may change or modify ECS's documents without ECS's written authorization. Client releases ECS from liability and agrees to defend, indemnify, protect, and hold harmless ECS from any and all claims, liability, damages, or expenses arising, in whole or in part, from such unauthorized changes or modifications.

Limitation of Liability In recognition of the relative risks and benefits of the project to both Client and ECS, Client agrees to the fullest extent permitted by law, to limit the liability of ECS for any and all damages or claim expenses arising out of this agreement, from any and all causes, to \$50,000 or the fee realized by ECS for the Project, whichever is greater.

Indemnification ECS agrees, to the fullest extent permitted by law, to indemnify and hold Client harmless from any damage, liability or cost to the extent caused by ECS's negligent acts, errors or omissions in the performance of professional services under this Agreement and those of his or her subconsultants or anyone for whom ECS is legally liable. Client agrees, to the fullest extent permitted by law, to indemnify and hold ECS harmless from any damage, liability or cost to the extent caused by Client's negligent acts, errors or omissions and those of his or her contractors, subcontractors or consultants or anyone for whom Client is legally liable, and arising from the project that is the subject of this Agreement. Neither party is obligated to indemnify the other in any manner whatsoever for the other's own negligence. IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR ANY SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES, LOST PROFITS OR ANY INDIRECT DAMAGES, HOWEVER CAUSED AND ON ANY THEORY OF LIABILITY WHETHER BASED ON BREACH OF CONTRACT, BREACH OF WARRANTY OR TORT (INCLUDING NEGLIGENCE).

Independent Consultant ECS shall serve as an independent consultant for services provided under this agreement. ECS shall retain control over the means and methods used in performing their services and may retain subconsultants to perform certain services as determined by ECS.

Governing Law This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan.

Lien Rights ECS may file a lien against Client's property in the event that Client does not make payment within the time prescribed in this agreement. Client agrees that services by ECS are considered property improvements and Client waives the right to any legal defense to the contrary.

Dispute Resolution Client agrees that if any dispute arising out of or relating to this agreement, or its breach, is not settled through direct discussions, then before initiating litigation, the parties will endeavor for 30-days following written notice by either the client or ECS to the other of a dispute or breach, to settle the dispute by mediation with the assistance of a neutral mediator.

Safety ECS shall be responsible solely for the safety precautions or programs of its employees and no other party.

Sample Custody All samples shall remain the property of the Client, and Client shall be responsible for and promptly pay for the removal and lawful disposal of samples, cuttings, and hazardous materials, unless otherwise agreed in writing.

Notification Client solely shall be responsible for notifying all appropriate municipal, regional, state, or federal agencies and prospective buyers of the existence of any hazardous or dangerous material located on or in the project site, or discovered during the performance of this agreement, as may be required by such agencies, unless otherwise agreed in writing.

Client's Responsibility ECS's professional services, including, but not limited to, reports, findings, summaries or recommendations represent professional opinions only. Client is obligated to review, evaluate and independently decide on a course of action.

Work Delays In the event ECS's work is interrupted due to delays other than delays caused by ECS, ECS may be compensated equitably (based on ECS's current fee schedule of charges) for the additional labor or other charges associated with maintaining its work force for Client's benefit during the delay or at the option of the Client, for charges incurred by ECS for demobilization and subsequent remobilization.

Termination Client or ECS may terminate services on the Project upon seven (7) calendar days written notice in the event of substantial failure by the other party to fulfill its obligations of the terms hereunder. ECS shall submit an invoice for services performed up to the effective date of termination and Client shall pay ECS all outstanding invoices within fourteen (14) calendar days. The limitation of liability and indemnity obligation of this agreement shall be binding notwithstanding any termination of this agreement.

Jurisdiction Except for actions, such as for enforcement of Mechanic's liens, which are required by statute to be brought in a specific venue, in the event that litigation is instituted under the terms of this agreement, the same is to be brought and tried in the judicial jurisdiction of the State of Michigan. Client waives the right to have the suite brought, or tried in, or removed to, any other State and in all cases this agreement shall be governed by Michigan law.

Assignment Neither party shall assign its rights, interests or obligations under the Project without the express written consent of the other party.

Entire Agreement: This Agreement contains the entire understanding between the parties. Client acknowledges that no representations, warranties, undertakings or promises have been made other than those contained in this Agreement. The terms of this agreement will prevail over any different or additional terms in Clients purchase order or other forms unless agreed in writing by ECS. Any modifications to this agreement shall be in writing and signed by an authorized representative of both parties. In the event any provision of this agreement is held invalid or unenforceable, the other provisions will remain in full force and effect, and binding upon the parties.

Severability: In the event that any provision of this Agreement shall be deemed invalid or unenforceable, the other provisions shall remain in full force and effect and binding upon the parties.

Survival All provisions of these terms that allocate responsibility or liability between the Client and ECS shall survive the completion or termination of services for the Project.

Third Party Claims Client will compensate ECS for services performed in defense of any third party claim unless the claim resulted from the negligent act, error or omission of ECS.

Waiver of Rights The failure of either party to enforce any provision of these terms and conditions shall not constitute a waiver of such provision nor diminish the right of either party to the remedies of such provision.

2019

MSHDA-RENTAL DEVELOPMENT DIVISION ENVIRONMENTAL REVIEW REQUIREMENTS

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Acronyms/Definitions:

AADT – Annual Average Daily Traffic counts

AAI – All Appropriate Inquiry

AARST - American Association of Radon Scientists and Technologists

ACM – Asbestos-Containing Material

ALTA – American Land Title Association

ASD - HUD's Acceptable Separation Distance

AST - Aboveground Storage Tank

ASTM - American Society for Testing and Materials

AUL – Activity and Use Limitations

BEA – Baseline Environmental Assessment

BER - Business Environmental Risk

BFE - Base Flood Elevation aka 100-year floodplain, aka Special Flood Hazard Area

Busy Roadway – any freeway, expressway, highway, US or state route, or major roadway OR any road that is a significant contributing source to site DNL.

CREC - Controlled Recognized Environmental Condition

dB - decibel unit of sound

DDCC – Documentation of Due Care Compliant (MDEQ)

DNL – Day-Night Level, HUD standard for 24-hour weighted average noise level in decibels

DQO – Data Quality Objectives

EMF – Electro-Magnetic Field

EP - Environmental Professional

ESA – Environmental Site Assessment

FIRM - Flood Insurance Rate Map

FTA – Federal Transit Administration

HREC - Historic Recognized Environmental Condition

LIHTC: Low-Income Housing Tax Credits

LBP - Lead-Based Paint

LUST - Leaking Underground Storage Tank

<u>Major rehabilitation</u> (HUD) means rehabilitation that involves costs in excess of 75 percent of the value of the building before rehabilitation (CPD Glossary; HUD Exchange).

MIOSHA – Michigan Occupational Safety and Health Administration

MSHDA – Michigan State Housing Development Authority

MDEQ – Michigan Department of Environmental Quality

NEPA - National Environmental Policy Act of 1969

NESHAP - National Emission Standards for Hazardous Air Pollutants

NFA - No Further Action letter

NFIP – National Flood Insurance Program

PCB – Polychlorinated Biphenyls

PBV – Project-Based Vouchers

OA/OC - Quality Assurance/Quality Control

RAD – HUD's Rental Assistance Demonstration program

RD – MSHDA's Rental Development Division

RE – Responsible Entity

REC – Recognized Environmental Condition

RFQ – Request for Qualifications

SFHA – Special Flood Hazard Area

SHPO - State Historic Preservation Office

<u>Substantial Improvement</u> (FEMA) means any construction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement.

<u>Substantial rehabilitation</u> (HUD) means rehabilitation that involves costs in excess of 75 percent of the value of the building after rehabilitation (CPD Glossary; HUD Exchange).

USF&W - United States Fish and Wildlife Service

UST – Underground Storage Tank

VEC - Vapor Encroachment Condition

VES - Vapor Encroachment Screen

MSHDA Rental Development Division's Environmental Links website:

http://www.michigan.gov/mshda/0,4641,7-141-5587_22721---,00.html

The Environmental Links page contains resources for sponsors and consultants wishing to better understand the environmental review requirements for multi-family projects applying to Rental Development. It includes links to this document and others.

SECTION I: INTRODUCTION AND MSHDA SITE SELECTION CRITERIA

This document explains the environmental review requirements for the Michigan State Housing Development Authority (MSHDA or the "Authority") and is written to guide the Environmental Professional who will be performing the ESA. Environmental Professionals should carefully review this document before agreeing to provide any environmental services to MSHDA Developers or make a submission to MSHDA. When an ESA or other environmental report fails to meet the applicable ASTM Standards, regulatory requirements, MSHDA's environmental review requirements, or is otherwise incomplete or erroneous, MSHDA will usually request corrections from the sponsor and/or sponsor's consultant, which will delay the development process. Alternatively, MSHDA may send the reports in question out for peer-review or other technical review by a different Group A consultant. Questions concerning the Authority's environmental review requirements should be directed to Daniel Lince, Environmental Manager, MSHDA, 735 East Michigan Avenue, Lansing, MI, 48912, phone: 517-335-0183, e-mail: linced@michigan.gov or Mike Vollick, Environmental Officer, MSHDA, Cadillac Place, 3028 W. Grand Blvd, Suite 4-600, Detroit MI, 48202, phone: 313-456-2596, email: vollickm2@michigan.gov.

The Comprehensive Environmental Response Compensation and Liability Act (CERCLA), as amended, is the federal statute that imposes liability on parties responsible for the presence of hazardous substances at a site. CERCLA liability is retroactive, joint and several and strict, meaning that a site owner or operator can be liable for all contamination at a site even if they were not responsible for causing the contamination. However, the statute also contains certain defenses and exemptions to liability. These defenses and exemptions have been drafted to encourage redevelopment of impacted properties, however they have particular requirements. The ESA process has been created to facilitate an owner or operator's ability to obtain CERCLA liability protection.

MSHDA requires site-specific environmental screening for all multi-family development proposals being considered for financing within the Rental Development division (RD). RD projects covered under this requirement include multi-family projects requesting consideration under the 9% and 4% Low-Income Housing Tax Credit program, Direct Lending, GAP Financing, Pass-Through Short Term Bond Pilot Program, and Qualified Contract Requests. Single-family and other projects involving Housing Initiatives Division (HID) funds are administered by the Housing Initiatives Division, who maintain their own environmental review requirements.

The Phase I Environmental Site Assessment (ESA) is an intake requirement that must be submitted before any proposal can be formally accepted for MSHDA mortgage loan processing. ESA's must be conducted in accordance with but not limited to ASTM E 1527-13 Standard Practice for ESA's. The MSHDA Phase I ESA is designed to satisfy the underwriting guidelines of the Authority by addressing environmental requirements of both federal (24 CFR Part 58) and state (NREPA PA 451) regulations, where applicable. The MSHDA Phase I ESA also requires additional elements beyond those solely required in the standard scope of ASTM E1527-13 Standard Practice, including but not limited to the ASTM E 2600-15 Standard

Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions.

The ASTM E 1527-13 Standard Practice defines "good commercial and customary practice" for conducting an ESA, thereby allowing the user to satisfy one of the requirements to obtain an innocent landowner, a contiguous property owner, or bona fide prospective purchaser defense to CERCLA liability. These defenses are also referred to as "Landowner Liability Protections" (LLPs). The ASTM E1527-13 practice satisfies the "due diligence" requirements established by 40 CFR Part 312 for conducting All Appropriate Inquiry (AAI), one of the elements to obtain CERCLA liability protections.

Proposed development sites should exhibit no obvious negative site impacts or Recognized Environmental Conditions (RECs) which cannot be cost-effectively corrected or mitigated to residential standards. ASTM 1527-13 defines a REC as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions."

Negative site impacts include, but are not limited to: excessive noise or physical hazards from railroad, vehicular, or air traffic; high tension power lines or high pressure gas transmission pipelines, sanitary landfills or auto salvage yards; sewage treatment plants; stored hazardous materials on or near sites; above ground or underground storage tanks; buried or spilled hazardous wastes/plumes; operating oil wells; mine shafts; gravel pits; wetlands; orchards; and prime agricultural soils classification.

The Authority will not approve developments requiring construction in the Special Flood Hazard Area (SFHA) unless all necessary governmental permits are obtained and all buildings, parking areas, and pedestrian and vehicular ingress and egress areas are elevated at least one foot above the base flood elevation (also referred to as "BFE" or the 100-year flood plain) when the development is completed. SFHA is defined as an area with a 1 percent annual chance of flooding at or above BFE; this is equivalent to a 26 percent chance of flooding over the life of a 30-year mortgage. SFHA developments receiving any federal funding source (Home, CDBG, Project-Based Vouchers, etc.) are generally discouraged where not prohibited but may be allowed in cases that have satisfied or are otherwise exempted from HUD's "Eight Step" process for determining what, if any, impact the development may have on either the 100-year flood plain or a wetland area. Please be advised that this process can be costly and can require a significant amount of time to complete and may result in a finding which does not support the proposed development activity.

SECTION II: MAJOR CHANGES FOR 2019

- 1. Submitted reports should be concise and free of extraneous attachments. If reports include older or supplemental material previously provided to MSHDA they should not be included as hard copies rather they should be referenced and attached in electronic format (CD or thumb drive).
- 2. A note has been added to Sections IV.H.1 and IV.H.2(e) to highlight that closeout reports for asbestos and lead will be required prior to occupancy and final closing for projects where lead hazards or asbestos are identified.
- 3. A note has been added to Sections IV.H.1 and IV.H.2(e) to highlight that copies of the appropriate State license/certifications for firms performing regulated activities must be provided, as applicable to both lead and asbestos closeout reports
- 4. Language in Section IV H.3 referring to Radon testing has been updated to account for the most recent sampling data gathered by DEQ. MSHDA will now require assessment for Radon in all counties where greater than 25% of homes tested above the EPA action limit. This means there

are now 24 counties where Radon assessment applies for MSHDA projects. https://www.michigan.gov/deq/0,4561,7-135-3312_4120_4196-11722--,00.html

A note has been added to Sections IV.H.9 and V.C regarding the use of Installation Plans for projects that will be relying upon vapor mitigation systems.

SECTION III: SPECIAL INSTRUCTIONS

Tax Credit and Pass-Through Applications

Tax Credit and Pass-Through applications must have <u>all</u> elements of the MSHDA Environmental Review Requirements accounted for when the application is submitted. ESAs that do not satisfy the Authority's environmental review requirements or are incomplete will result in processing delays. <u>Prior to final environmental approval, any negative site impacts or REC's must be adequately resolved and all associated environmental costs must be accurately documented and submitted.</u> Abatement cost for Asbestos, Lead-Based Paint, UST/LUST remediation, soil remediation and/or soil vapor remediation must be reported as a separate line item in the Sponsor's Trade Payment breakdown. Remedial work must be performed by licensed and insured contractors and accurately documented.

Use of Federal Funds

Authority financed developments and/or Tax Credit proposals requesting federal funding or housing vouchers through MSHDA are required to be in compliance with the National Environmental Policy Act (NEPA) as prescribed under the HUD Environmental Review process, 24 CFR Part 58. To award these resources, MSHDA must document compliance with HUD's Environmental Review (ER) process to satisfy both the HUD environmental requirements and NEPA mandated items including federal statutory and regulatory requirements such as Historic Preservation, Endangered Species, etc. Similarly projects utilizing Section 811 vouchers or Housing Trust Funds (HTF) must satisfy the environmental requirements of those programs which are similar to but separate from Part 58. The Sponsor is responsible for retaining a qualified consultant from the list of MSHDA approved consultants to produce a NEPA report, 811 Environmental Tenets review or HTF Environmental Provisions report conforming to a HUD Approved Format. MSHDA is responsible for making the environmental determination and maintaining the environmental review record as required by HUD.

The NEPA sequence has three components requiring that: 1) statutory compliance with appropriate law and authorities be established, 2) MSHDA makes a determination and when necessary publishes a public notice which includes a public comment period and addresses any public comments received, and 3) MSHDA ensures that no choice-limiting actions on the part of the sponsor, 3rd party, MSHDA, etc., are taken prior to completion of the environmental review process.

For activities requiring public notice, the publication process routinely requires roughly 45 days to complete after the Environmental Review record has been approved by MSHDA. Incomplete or inaccurate NEPA documentation increases the amount of time necessary to complete MSHDA review and ultimately delays the publication process.

Development proposals involving construction in environmentally sensitive areas identified under NEPA such as wetlands, floodplains or near adverse impacts such as landfills, railroads, above ground or underground storage tanks, or freeways may disqualify your proposal from using federal funds or require additional review time beyond the time periods noted above. **Sponsors utilizing the competitive tax credit process will need to anticipate these delays and plan accordingly.**

Mitigation measures may be required to address impacts identified through the NEPA review. The costs for any mitigation measures need to be identified in the project budget and any resulting architectural/engineering modifications incorporated into the project plans and specifications.

Any construction activities proposed in a wetland (regulated or unregulated) or in a 100-year flood plain area or where site contamination cannot be effectively remediated or mitigated are strongly discouraged and may prohibit the use of federal funds.

Business Environmental Risks

The Business Environmental Risk (BER) designation is allowed under ASTM 1527-13 and is generally understood to be a useful tool for describing items that don't fall within the scope of the Standard (i.e. lead paint, asbestos, wetland, etc.). this designation is unacceptable for MSHDA residential development if used to qualify environmental risks that fall within the scope of 1527-13. The Authority requires a greater degree of certainty and professional judgment in the area of environmental contamination than some more risk tolerant users. Any report submitted with BERs that are not clearly outside the scope of 1527-13 will be closely scrutinized. MSHDA reserves the right to return any report with BERs included to the Environmental Professional for re-evaluation.

SECTION IV: MSHDA PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA)

The Phase I ESA must be conducted in a manner consistent with the meaning of the phrase "all appropriate inquiry into previous ownership and uses of the property consistent with good commercial or customary practice" [42 USC 9601 (35) (B)] and comply with MSHDA's environmental review requirements and the ASTM E 1527-13 standard, including report format. Not every property will warrant the same degree of investigation, and the level of environmental review will be guided by the nature of the property and its prior use history. The ESA must be prepared in accordance with, **but not limited**, to the ASTM Standard Practice for ESAs, E 1527-13, ASTM E 2600-15 Standard Guide Vapor Encroachment Screening on Property Involved in Real Estate Transactions, and any additional MSHDA requirements as may be applicable. Copies of the ASTM standards may be obtained by contacting ASTM, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA, 19428-2959, or by phone: 610-832-9535, web: www.astm.org.

Documentation and Continued Viability.

The report of findings for the ESA will meet the recommended report format outlined in this document. The report *must include all documentation* that supports the analyses, opinions, and conclusions of the Environmental Professional. All sources, including those that reveal no findings, should be well documented, and included in the report. The Phase I ESA and the consultants' Letter of Reliance must be current at the time of submission. A Phase I ESA is "presumed valid" for 180 days prior to the date of acquisition. If the "user" changes within this time period, the subsequent user must satisfy the User's Responsibilities. A Phase I ESA Update can be completed for reports meeting ASTM E 1527-13 standards that are more than 180 days and less than 1 year from the date of acquisition. For further information see Sec 4.6 and Sec 4.7 in the ASTM E 1527-13 standard.

Report Submission Requirements

Hard Copies

One hard copy, as described below, and one unsecured PDF copy are required for each Phase I/II ESAs, Response Activity Plans, and NEPA reports. Hard copies of BEA reports may be abbreviated, with supplemental historic documentation appended on an included CD or thumb drive.

PDF (unsecured) COPIES

Non-scope reports, such as lead, asbestos, and radon inspections and closeout reports may be submitted as unsecured PDFs. MSHDA reserves the right to request hard copies of any PDF report submitted.

When required, hard copy reports must include color pages where appropriate such as maps, photos and certain historical documentation. Reports must be tabbed and bound with duplex pages when possible to

save on size and paper. Older reports included for reference such as previous Phase I, FOIA requests, DEQ file reviews can be included as pdfs on CD or thumb drive.

Particular attention should be paid to report size with Part 58 Environmental Review (NEPA) documentation. These reports should remain concise and easy to read from a layman's perspective. Utilization of links and references to pdf attachments can help in this area.

A. Federal and State Environmental Database Review for the Subject Site and Adjoining Properties

Regulated sites identified within the specified search radius for each of the databases listed in ASTM's E1527-13 Section 8.1 Standard Environmental Record Sources must be geo-coded to a scaled map showing the location of the listed facilities and the subject site and included in the Phase I ESA report. This database review must be one of the commercially available products from providers such as Environmental Data Resources or GeoSearch. Manually performed or other 'in house' database reviews will not be accepted.

A standalone original pdf version of the radius search must be included along with the other electronic copy of the Phase I and related reports. This is allow for the use of included functions such as Lightbox.

Findings and any data failures are to be discussed in Section 8.1 of the Phase I ESA report with supporting documentation provided in Section 10.5 of the Phase I Appendices.

B. Local Environmental Database Review

The ESA will document local environmental records for the subject property and adjoining parcels. This review will minimally include a search of available records on file with:

- City Fire Marshall Department
- City or County Public Health Department

Consultant's findings and any identified data failures are to be discussed in Section 5.2 of the Phase I ESA report with supporting documentation provided in Section 10.6 of the Phase I Appendices.

C. Prior Land Use History

Document current and past uses of the property from the present back to the property's obvious first use or to 1940, whichever is earlier. The Environmental Professional's review shall, at a minimum, satisfy the requirements of ASTM Section 8.3, and the requirements noted herein. **Historical site use must be thoroughly documented and discussed in Section 5.4 of the Phase I ESA, and the consultant must identify any "data gaps" and indicate if they are significant.** All proposed development sites require a historical review of available Sanborn fire insurance maps. The Phase I ESA must include true copies of available fire insurance maps and the maps are to be included in report appendices (Appendix 10.4). If historical fire insurance maps are not available on intervals sufficient to satisfy ASTM E 1527-13, a review of street directories for the area covered by the subject property and adjoining parcels may be substituted to supplement historical use review. Street directory review will be conducted on street address ranges appropriate for the period of historical development.

The location of the proposed development site boundaries must be noted on all photos and maps including site maps, aerials, Sanborn maps, etc. Reports with unmarked maps will be returned for correction which could delay the processing of the application. If fire insurance map coverage does not exist for the subject site, please provide a copy of the "No Coverage" certificate.

D. Site Visit

Site reconnaissance including all interior and exterior spaces shall at a minimum be performed to satisfy the requirements of Section 9 of ASTM E 1527-13. The Environmental Professional's findings will be

discussed in Section 6 of the Phase I report and supporting documentation will be included in Appendix 10 of the report.

General site setting:

- Review of past and present uses of subject site and neighboring properties that use, treat, store, dispose of, or generate hazardous substances or petroleum products.
 Approximate quantities involved, types of containers, and storage conditions shall be described in the report for all uses.
- Type of business currently and previously conducted at the facility (commercial, multifamily housing, industrial, etc.).
- Identification of the source of potable water supplied within ½ mile and the sewage disposal system.
- Geologic, hydrogeologic, hydrologic, and topographical conditions are to be analyzed to
 determine if hazardous substances or petroleum products are likely to migrate to or from
 the property.
- A color copy of current USGS 7.5 min. Topographic Map.
- Identification of all structures or other physical improvements to the property.
- Empty and occupied user spaces, recreational facilities, parking lots, roads and surface water.
- Photographs of site interior, exterior, and adjoining properties. All aerial photos must be marked to show approximate site boundary and a direction indicator showing north.
- Indicate the presence of strong, pungent or noxious odors, metallic or plastic storage drums (usually 55-gallon), other containers with hazardous substances, petroleum products, or unidentified substances, whether or not leaking, and pools of liquid. Containers identified as containing hazardous substances are to be noted on the site map.

Interior areas:

- Accessible common areas, occupant spaces, maintenance and repair areas, utility rooms, and boiler rooms are to be observed.
- All areas that were not or could not be inspected, as described in the Data Gaps section of the report, must be identified.
- Identify the means of heating and cooling the buildings, including fuel sources.
- Identify the presence of stains or corrosion on floors, ceilings, or walls, including mold.
- Aboveground storage tanks, underground storage tanks, or related structures, such as vent pipes, fill pipes, and access ways must be identified.
- Location of floor drains, sumps, etc., should be noted in the report and depicted on the site plan.

Exterior observations:

- The periphery of the property and all structures on the property shall be observed from all adjacent public thoroughfares, adjoining structures and their uses to be noted on site plan.
- Identify hazardous substance(s) or petroleum product storage areas on subject property and adjacent parcels.
- Aboveground storage tanks, underground storage tanks, or related structures, such as vent pipes, fill pipes, and access ways must be identified.
- Pits, ponds, or lagoons on the property and adjoining properties.
- Identify areas of obviously stained soil or pavement, leachate break-outs from waste disposal facilities or stressed vegetation (from sources other than lack of water).
- Identify electrical generators, transformers, power transmission lines, and hydraulic equipment that may contain PCBs. If transformers are present, please indicate their age and owner.
- Indicate site filling or grading suggesting trash, waste products or other fill materials are

- potentially present on site.
- Identify waste water, or other liquid, discharging into a ditch, drain, underground injection system, or stream on or adjacent to property.
- All wells and septic systems observed should be described in the report.

E. Interviews with Past and Present Owners and Occupants

The property owner, key site manager, and user interview must at a minimum conform to ASTM requirements as detailed in Section 10 of ASTM E 1527-13 standard. Interviews should be done prior to the site visit. The interview should indicate whether helpful documents exist that the Environmental Professional should review prior to the site visit. Interviewees should indicate whether they have any knowledge of: 1) any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the property; 2) any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the property; and/or 3) any notices from any government entity regarding a possible violation of environmental laws, or possible liability relating to hazardous substances or petroleum products. The Environmental Professional will discuss their findings in Section 7 of the Phase I report and provide supporting documentation in the report appendices.

F. Interviews with State and/or Local Government Officials

Interviews with representatives of state and/or local government agencies will conform to ASTM requirements as detailed in Section 11 of ASTM E 1527-013 standard and will at a minimum include the local fire department that serves the property, the state and/or local health agency. The Environmental Professional will discuss their findings in Section 7 of their Phase I report and will provide supporting documentation in the report appendices.

G. Compliance with Activity and Use Limitations (AULs)

The Environmental Professional must include all relevant information revealed by the discovery of any AULs in the Phase I Executive Summary and supporting documentation provided in the report appendices. If AULs have been identified, the Environmental Professional will also interview state and or local agencies responsible for the issuance of building permits or groundwater use permits.

H. ASTM "Non-scope" Considerations

The "non-scope" issues listed below are to be discussed by the Environmental Professional in Section 9 of the Phase I ESA report. Supporting documentation is to be included in the report appendix. For all Tax Credit and Pass-Through applications, complete documentation supporting any proposed abatement/remediation work must be submitted prior to initial closing.

The requirement for ACM/LBP inspections can be made a condition of approval in most instances. However, MSHDA is not responsible for delays in processing or approval resulting from this information not being included. At minimum, the Phase I must include an indication of the relevance of ACM/LBP requirements and indication of work to be performed. All other non-scope items must be included at the time of application. Specific details are noted below.

1. **Friable and non-friable ACMs:** Regardless of the date of construction, for structures undergoing renovation the following asbestos documentation must be submitted prior to initial closing: 1) a NESHAP-compliant survey from a licensed asbestos contractor/supervisor, 2) asbestos abatement plan including provisions for independent third party air monitoring, 3) a copy of the trade payment breakdown and associated supporting documentation (e.g., bids, specifications, work plans, etc., as requested) identifying all cost associated with the asbestos abatement activities and identified as a separate line item.

Closeout reports for asbestos remediation activities are required prior to building occupancy and final closing. Elements required for the closeout report are outlined in the project memo. When asbestos abatement is required, a copy of the current state license for all firms conducting the work is required.

Note: While a NESHAP-compliant inspection is required for all structures regardless of age, for structures built prior to 1981, the ACM inspection must also be MIOSHA-compliant.

For information about asbestos, including abatement, certifications, clearances, or regulations, please contact the MIOSHA Asbestos Program at: 517-322-1320 or www.michigan.gov/asbestos.

- 2. Lead-Based Paint (LBP): For structures with building permits issued before January 1, 1978, a combination Lead Based Paint Inspection/Risk Assessment must be included prior to initial closing. Inspection must be completed using X-Ray Fluorescence technology, paint chiponly inspections will not be accepted. LBP documentation will include at a minimum:
 - **a.** All pre-1978 projects: A combination Lead Inspection/Risk Assessment meeting State of Michigan requirements and HUD's "Guidelines for the Evaluation and Control of Lead-Based Paint in Housing" from an appropriately certified Michigan Lead Risk Assessor.
 - b. Multi-family projects with federal funding (HOME, CDBG, PBV, etc.) must comply with HUD's Lead Safe Housing Rule (24 CFR Part 35). Abatement is required for all projects that meet the State of Michigan's Healthy Homes Section definition of lead abatement (MCL 333.5453(1)) and for all projects with greater than \$25,000 federal assistance per unit, hard costs. Projects not meeting either of these requirements may use a combination of EPA lead-safe renovation and/or HUD interim controls, as appropriate, to address deteriorated LBP and its associated hazards.
 - c. Note on determining abatement scope: HUD-EPA Abatement Clarification letter, 2001: EPA regulations exclude from abatement renovation, remodeling, landscaping or other activities, when such activities are not designed to permanently eliminate LBP hazards, but, instead, are *designed* to repair, restore, or remodel a given structure or dwelling, even though these hazards may incidentally result in a reduction or elimination of LBP hazards. When the primary purpose of the work is rehabilitation or weatherization, EPA and HUD do not consider such activities to be abatement. The presence of a lead inspection or risk assessment or the presumption of LBP does not trigger federal abatement requirements and does not automatically change a housing rehabilitation project into an abatement project. Any other replacement, enclosure, or encapsulation measure intended to permanently eliminate a LBP hazards is abatement.
 - **d.** Appropriate dust wipe clearance sampling must be obtained subsequent to renovation/abatement activities and/or prior to occupancy in accordance with federal/state/local requirements.
 - e. The following LBP documentation must be submitted prior to initial closing: 1) LBP Risk Assessment / Inspection report, 2) remediation plan including provisions for a dust wipe clearance conducted by a certified, independent third party, 3) a copy of the trade payment breakdown identifying all cost associated with the proposed LBP remediation activities and identified as a separate line item.

Closeout reports for lead hazard reduction activities are required prior to building occupancy and final closing. Elements required for the closeout report are outlined in the project memo. When lead abatement is required, a copy of the current state certification for all firms conducting abatement work is required. When the lead hazard reduction work is being done as either HUD Interim Controls or EPA lead-safe renovation, a copy of the current EPA Lead Safe/Renovation, Repair, and Painting (RRP) certification for all firms conducting Interim Controls or renovation is required.

For information about lead-based paint, including abatement, certifications, clearances or regulations, please contact MDCH's Healthy Homes Section at: 866-691-LEAD or www.michigan.gov/leadsafe.

3. **Radon:** A radon assessment conducted by a Radon Professional must be included for all projects in counties where 25% or more homes tested equal to or above the EPA action level of 4 pCi/L, as depicted by the Michigan DEQ radon map: https://www.michigan.gov/deq/0,4561,7-135-3312_4120_4196-10497--,00.html. There are 24 counties which meet this threshold (Barry, Berrien, Branch, Calhoun, Cass, Clinton, Dickinson, Easton, Hillsdale, Ionia, Iron, Jackson, Kalamazoo, Lapeer, Lenawee, Livingston, Monroe, Oakland, Otsego, Ottawa, St. Joseph, Shiawassee, Tuscola and Washtenaw).

Radon testing must follow the protocols set by the American Association of Radon Scientists and Technologists, Protocol for Conducting Radon and Radon Decay Product Measurements in Multifamily Buildings (ANSI-AARST MAMF-2017, Section III, or similar section in the most recent addition) (available at http://aarst.org/bookstore.shtml). Exception: With reference to Section III.3.1 of ANSI-AARST MAMF-2017, the minimum number of areas to be tested shall be at least twenty-five percent (25%) of randomly selected ground level units/rooms in each building or separate foundation type. All of the other requirements at Section III of ANSI-AARST MAMF-2017, including upper floor testing, shall be followed. Note that if less than one-hundred percent (100%) of ground level units/rooms are tested and radon is found in one or more unit/room at or above threshold requirements, then all ground level units/rooms must be mitigated.

For projects with test results exceeding the EPA action level of 4.0 picocuries/liter, plans and specifications approved by a Radon Professional for addressing these exceedances must be submitted prior to initial closing. New construction projects and any proposed mitigation plans must be consistent with the radon resistant code requirements as detailed in Appendix F of the International Residential Code or Appendix N of the International Building Code as appropriate.

For information about radon, please contact Michigan's Indoor Radon Program at: 800-RADON-GAS or www.michigan.gov/degradon.

4. Special Flood Hazard Area (SFHA): If published, you must include a copy of the FEMA Flood Hazard map including the Community Panel Number in your report. The site boundaries on the FEMA map must be clearly noted. FIRMette Floodplain maps are available online from FEMA at http://www.msc.fema.gov. All buildings, parking areas, and pedestrian and vehicular ingress and egress areas must be elevated at least one foot above the base flood elevation when the development is completed.

For all applications in proximity to flood prone areas, the base flood elevation boundary and its relation to the building footprint must be clearly located on the proposed development site plan and included in the Phase I report. For projects with any portion in the SFHA, a signed and sealed ALTA survey with elevations is required. ALTA surveys for these projects must be submitted early in the review process.

For additional information on Special Flood Hazard Areas, please contact MDEQ's Floodplain Management/National Flood Insurance Unit at: 616--204-1708 (Matt Occhipinti) or www.michigan.gov/floodplainmanagement

5. Wetlands: The Phase I ESA must identify the presence of any known or suspect regulated or non-regulated wetlands on the subject site as determined by field indicators, National Wetland Inventory or State of Michigan Part 303 database search or other means; these areas must be accurately noted on the development site plan. The presence and delineation of regulated and/or non-regulated wetlands will need to be confirmed by DEQ through the Wetland Identification Program utilizing their Level 2 service or if a wetland delineation has been completed by a third party, the Level 3 service. In some cases DEQ may be able to opine as to the presence of

wetlands on the property through the Pre-Application meeting process. This informal discussion process is intended to save time and effort when done early in the planning process.

For all applications, any wetlands and their relation to the building footprint must be clearly located on the proposed development site plan and included in the Phase I report.

For information about wetlands in Michigan, including delineations, regulations, and permits, contact: Water Resources Division: SWAS, Wetlands, Lakes, and Streams Unit at: 517-284-5531 or www.michigan.gov/wetlands.

6. Electro-Magnetic Field (EMF): This requirement applies only to MSHDA-financed, new construction (excludes LIHTC-only, PBV-only, or LIHTC/PBV-only projects). If EMF is not applicable, include a statement to this effect in the Phase I Report indicating why. Sites containing or in close proximity to high power transmission lines (60 kV and higher) will require a set-back sufficient to achieve a 3 milliGauss (mG) exposure limit. The EMF setback requirement is for high power transmission lines only. Contact the Authority for site-specific instructions for determining acceptable setback distances. For projects where EMF applies, any setback and its relation to site buildings must be clearly indicated on the proposed development site plan and included in the Phase I report.

Note any observations of cell phone towers, antennae, or arrays on the subject building.

- 7. **High pressure buried gas lines:** This requirement applies only to MSHDA-financed new construction (excludes LIHTC-only, PBV-only, or LIHTC/PBV-only projects). If not applicable, include a statement in the Phase I Report indicating why. Sites located within 1000 feet of a buried high-pressure gas transmission line (4" diameter or larger and 400 p.s.i. or higher) must comply with the MSHDA's setback requirements. The location and capacity of any high-pressure utility systems located on or near the proposed development site must be noted in your report and located on the development site plan. Contact the Authority for site-specific instructions for determining acceptable setback distances. For any projects where high-pressure buried gas lines apply, any setback and its relation to site buildings must be noted on the proposed development site plan and included in the Phase I report.
- **8. Noise analysis:** A noise assessment is required at the time of the Phase I submission for sites located within: 1) 1,000 feet of a limited access highway or "busy roadway" (see definition), or
 - 2) 3,000 feet of a railroad line, or
 - 3) 15 miles of a civil or military airport.

The noise assessment **must** follow the procedures and worksheets contained in the "*HUD Noise Guidebook*" and include a 10-year projection for traffic growth. Use of HUD's online noise calculators (assessment, barrier, etc.) are acceptable.

Noise mitigation measures may be required for any site with a DNL of 65 dB or greater. The project architect or engineer must complete HUD Figure 19, or online STraCAT calculations or equivalent, demonstrating the effectiveness of any proposed noise mitigation measures and submit to MSHDA. Sites including or requiring noise barriers (sound walls or vibration barriers) must provide an analysis of the barrier as outlined in the *HUD Noise Guidebook*.

Vibration Analysis - Sites with rail lines within 100 feet of proposed or existing structures will also need to complete a Federal Transit Administration (FTA) *Transit Vibration Impact Assessment* and satisfy any applicable isolation requirements.

Traffic Count Resources and HUD Noise Calculators

https://www.hudexchange.info/environmental-review/dnl-calculator/ https://www.hudexchange.info/programs/environmental-review/bpm-

Calculators: calculator/

https://www.hudexchange.info/stracat/

Partial list of AADT resource

HUD Noise

http://www.michigan.gov/mdot/0,4616,7-151-11151 11033-22141--,00.html

http://www.semcog.org/data/Apps/trafficcounts.cfm

https://www.gvmc.org/traffic-monitoring/ sites:

http://www.tri-co.org/gis.htm

9. Vapor Encroachment Screening (VES): For the purposes of a MSHDA Phase I ESA, the Environmental Professional will complete the Tier I and as needed, the non-invasive Tier II components of the ASTM E 2600-15 Standard Guide for Vapor Encroachment Screening.

Sites exhibiting a vapor encroachment condition (VEC) finding will require an invasive Tier II investigation. The invasive Tier II sampling strategy must be consistent with the MDEQ Guidance Document for the Vapor Intrusion Pathway of May 2013, or current (ASTM E 2600-15; Sec 9.1 & 10.2). This sampling is beyond the scope of the Phase I ESA and will be undertaken as part of a Phase II investigation. The Environmental Professional is encouraged to seek additional input from MDEQ and MSHDA prior to undertaking soil gas sampling.

Multi-family sites with vapor intrusion issues require close coordination of sampling and remediation designs with MDEQ and MSHDA. Developers and consultants should plan on regular and frequent communication with MDEQ vapor intrusion team members for any site where vapor intrusion mitigation is required.

Projects that will rely on vapor mitigation systems should also incorporate an Installation Plan within the process of seeking DEQ approval. The Installation Plan can be a useful tool for ensuring agreement of proposed design elements as well as for post-installation documentation of the system.

Vapor Intrusion Resources

MDEQ Guidance Document for Vapor

http://www.michigan.gov/documents/deg/deg-rrd-VIGuidanceDoc-

Intrusion:

May2013_422550_7.pdf?20151210091139

Interstate Technical Regulatory Council

http://www.itrcweb.org/documents/VI-1.pdf

(ITRC) Vapor Guidance:

I. Underground Storage Tanks (USTs) and Aboveground Storage Tanks (ASTs)

Underground Storage Tanks (USTs). USTs require additional assessment and must include cost to close the tank according to Part 213 requirements. Historical tank removals lacking Part 213 closure documentation are deemed to be a "REC" and will require characterization. Similarly, closures relying on data collected prior to methanol preservation techniques are to be deemed a "REC". UST characterization and related remediation costs are to be documented separately in the Phase II investigation. For all applications, the project documentation needs to include a copy of the proposed closure plan and the associated cost is to be identified.

2. Aboveground Storage Tanks (ASTs). Sites containing or nearby to ASTs must be evaluated according to procedures set forth in HUD's guidebook entitled Siting of HUD-Assisted Projects Near Hazardous Facilities. The proposed development site plans must reflect any required setbacks identified through the hazard analysis. For all applications, any applicable setback and its relation to site buildings must be clearly located on the proposed development site plan.

J. <u>Development Site Plan Requirements</u>

A detailed site plan must be included with the Phase I ESA. The plan, drawn to scale, should note any features previously described in the report. Features to appear on the site plan include:

- a. Location of any RECs.
- b. Boundaries of the subject property.
- c. Adjoining properties and structures.
- d. Location of any other areas of concern, including ASTs and USTs.
- e. Location and size of any gas or electric transmission utilities.
- f. Wetland and/or floodplain boundaries.

An aerial photo may be used as a base map for the site plan, however the plotted scale should not exceed 1": 100" and be of sufficient size and resolution to distinguish site features. The annotated site plan is to be included in Section 10 of the report.

Additionally, the Phase I must include a copy of the <u>proposed</u> development site plans depicting the design and layout of structures and features at the property following construction/renovation.

K. User's Environmental Questionnaire and Disclosure Statement

This document is to be completed by the appropriate entity, reviewed by the Environmental Professional, and incorporated into their Phase I ESA report. Please see Section VIII of this document for the required format.

L. Environmental Professional's Opinion and Report

1. Findings and Opinions

The Environmental Professional's report of findings and opinions shall conform to the ASTM E 1527-13 Standard. The EP's "Conclusions" section, under ASTM 1527-13, must follow exactly the prescribed language contained in the applicable Standard. The consultant shall set forth a clearly written explanation of identified "data gaps," including historical "data failures" as defined by ASTM, shall opine on their effect upon the Environmental Professional's ability to identify RECs, and shall state if the Environmental Professional considers them to be "significant".

The BER designation is allowed under ASTM 1527-13. However, this designation is generally unacceptable for MSHDA developments. The Authority requires a greater degree of certainty and professional judgment in the area of environmental contamination. Any report submitted with BERs will be closely scrutinized. MSHDA reserves the right to return any report with BERs included to the Environmental Professional for re-evaluation.

2. Report Format

The report of findings for the ESA will follow the recommended report format outlined in Section XI of this document. The report <u>must include all documentation</u> that supports the analyses, opinions, and conclusions of the Environmental Professional. All sources, including those that reveal no findings, should be well documented, and included in the report. The Phase I ESA and the consultants' Letter of Reliance must be current at the time of submission.

3. Report Viability

ASTM Standard E1527-13 establishes the viability periods for Phase I reports as follows: A new Phase I is presumed valid for 180 days. After 180 days, the Phase I may be updated. The Phase I Update is presumed valid for between 180 days and one year. After one year, a new report is required.

4. Copies

One hard (paper) copy and one complete unsecured pdf version on CD (or thumb drive) should be submitted to MSHDA. The CD should include a pdf of all relevant reports as well as an original version of the radius search report(EDR, GeoSearch, etc). Hard copies of the reports must be bound with sections delineated by tabs.

5. Letter of Reliance and Phase I Summary Cover Sheet

Documents must be completed and signed by the Environmental Professional performing the ESA and submitted with their Phase I report. The Environmental Professional's Letter of Reliance and Phase I Summary Cover Sheets *must be in the format* supplied in this document and included in the Phase I report. Any omissions, changes, or deviations will result in delays and or return of the report for correction.

M. Insurance Requirements

- 1. The Environmental Professional must carry insurance which provides full coverage for all work performed. The Environmental Professional must maintain insurance policies covering all of the following types of insurance in the greater of either the following amounts of coverage or the amounts of coverage that the Environmental Professional typically carries:
 - a. Commercial General Liability insurance, total combined single limits of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate; and
 - b. Professional Errors and Omissions insurance with limits of \$1,000,000.00 each claim and \$2,000,000.00 in the aggregate; and
 - c. Pollution Liability insurance with limits of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate, with extended coverage including third party liability for death, bodily injury, diminution of value of property and property damage.
- 2. MSHDA must be included as an additional insured on the contractor's General Liability policy and a certificate holder on the contractor's Professional Errors and Omissions policy. Proof of insurance will be documented on an Accord 25 certificate. Additionally, a policy endorsement or other acceptable documentation will be provided to verify that the insurer must give MSHDA at least thirty (30) days prior written notice of cancellation, termination, or material change to policy. The ACORD 25 certificate, and policy endorsement or other acceptable documentation must be included in Section 10 of the Phase I Report.
- **3.** Each policy of insurance, including any deductible or self-insured retention, shall by its terms be primary with respect to any insurance carried by the Applicant or any parent, subsidiary, or affiliated entities. For policies written on claims-made basis, the Environmental Professional must maintain coverage in effect for a period of at least three (3) years following the completion of the final Phase I ESA and/or Phase II Report.
- **4.** The Environmental Professional must promptly notify MSHDA of any changes made to the insurance policies required by this Section.
- 5. Upon request of MSHDA, the Environmental Professional must promptly deliver complete copies of

policies evidencing the insurance coverage's required by this Section M to MSHDA.

6. All required insurance shall be underwritten by an insurance carrier with an **AM Best rating of not less than "A-, VII."** MSHDA prefers that insurance carriers be licensed in Michigan; however MSHDA will accept surplus lines insurance companies with an A.M. Best rating of no less than "A-, VIII."

SECTION V: RECs, PHASE II, Site Status, BEA/ Documentation of Due Care Compliance

A. Recognized Environmental Conditions (RECs) - All RECs require additional investigation with findings documented in a Phase II report. RECs or "other concerns" that are inadequately investigated, that present a potential health hazard to residents of the proposed development, that fail to reliably characterize the extent of contamination, and/or present an unacceptable degree of lender or owner liability, will be the basis for termination of processing of the proposal.

Phase II - RECs identified in the Phase I ESA must be adequately resolved through a Phase II investigation and documented separately from the Phase I ESA report. The Environmental Professional shall follow ASTM Phase II standard for REC characterization such that the Environmental Professional can opine whether "the *data* provides sufficient information to support a professional opinion that there is no reasonable basis for suspecting the disposal or release of hazardous substances or petroleum products at the site with respect to the RECs assessed, and that no further assessment is necessary or that with respect to the RECs assessed, hazardous substances or petroleum products have been released or disposed at the property (ASTM E 1903-11)."

Historically Recognized Environmental Condition (HREC) - The ASTM 1527-13 Standard includes provision for a HREC. The use of an HREC is limited to a past release that has been addressed to the satisfaction of regulatory authority (MDEQ) or meets unrestricted residential use criteria established by the appropriate regulatory authority (MDEQ) without restrictions or controls. If a HREC exists on site, please include a copy of the closure documentation with your report. HRECs lacking appropriate closure documentation are to be treated as a REC and resolved accordingly.

Controlled Recognized Environmental Condition (CREC) - The ASTM E1527-13 Standard includes provision for a CREC. A CREC describes a condition where previous releases at properties that underwent risk-based closures were addressed, but contaminants are allowed to remain in place under certain restrictions or conditions.

B. Data Quality Objectives (DQOs) - Phase II sampling should utilize the DQO process as outlined by the US EPA (www.epa.gov/quality/qs-docs/g4hw-final.pdf) or MDEQ's Sampling Strategies and Statistics Training Materials for Part 201 Cleanup Criteria (www.michigan.gov/documents/deq/deq-erd-stats-s3tm_250015_7.pdf). DQOs for Phase II sampling events including but not limited to sample location, quantity of samples, and analytical procedures must be chosen to be consistent with the identified RECs and the exposure pathways for residential land use. The sampling design must be sufficient in scope to reliably characterize the nature and extent of the impact and all relevant and applicable exposure pathways. Analytical methods, detection limits, QA/QC procedures and sampling plans will satisfy applicable federal, state, and any technical guidance from MSHDA. Sampling plans that do not comply with the guidance or lack sufficient data quality standards to ensure reliable results will be deemed incomplete and returned to the Environmental Professional for additional work. Sampling events to include trip blanks, soil bore logs, laboratory QA/QC reports, and Chain of Custody documents.

C. "Facility" Status

Proposed sites meeting the definition of "facility" under Part 201 will require the disclosure of a Baseline Environmental Assessment (BEA), a DEQ-approved Response Activity Plan for Due Care (RAP), and a DEQ-approved Documentation of Due Care Compliance (DDCC), at various stages of the development process. For sponsors who are also liable parties, MSHDA will require a DEQ-approved No Further Action letter instead of the DDCC. MSHDA must be given the opportunity to review these reports prior to submittal.

Prior to initial closing

The BEA and RAP are to be submitted early in the development process. DEQ approval and/or acknowledgement of these reports will be required *prior to initial closing*. The RAP should expressly state its intention to achieve compliance with Due Care and discuss operations and maintenance (O&M) plans for all engineering controls.

Part 58 NEPA studies must be finalized and include the approved RAP prior to initial closing.

Prior to final closing/8609 issuance

The DDCC must comply with applicable federal requirements and Authority standards and the report is to be submitted to MDEQ for review and approval. This approval must be obtained prior to final closing or credits being placed into service (8609). MDEQ has up to 45 days to respond to DDCC submittals, so it is important that investigations and reports are complete and thorough in order to avoid potential delays.

Subsequent to the implementation of response activities and/or other due care measures outlined in the RAP, the owner operator must complete a DDCC report and submit this to MDEQ for review and approval. The DDCC should include, as appropriate for site conditions:

- Any proposed restrictions, engineering or institutional controls necessary to achieve Due Care compliance.
- Descriptions of ongoing remedial actions or monitoring that will be necessary for compliance with Due Care, including O&M plans.
- Restrictive Covenants and/or Recorded Notice to Title regarding contamination remaining onsite.
- Notice to tenants regarding contamination remaining onsite.

Projects that will rely on vapor mitigation systems should also incorporate an Installation Plan within the process of seeking DEQ approval. The Installation Plan can be a useful tool for ensuring agreement of proposed design elements as well as for post-installation documentation of the system.

NFA option

For sponsor's seeking unrestricted residential closure of contaminated sites, typically through complete removal of the contaminated medium, the sponsor may wish to pursue an NFA without going through the DDCC approval process. This is acceptable to MSHDA provided that a BEA is disclosed and an NFA work plan is submitted to MDEQ for review and approval **prior to** initial closing (or before finalizing the Part 58 environmental review for federally funded projects). The NFA letter from MDEQ should be obtained prior to occupancy. An unrestricted NFA must address the entire property and all releases, hazardous substances, and exposures pathways identified. Projects utilizing combined HUD funding may be required to seek an NFA in accordance with HUD MAP Lending requirements under Chapter 9 of the MAP Lending Guide.

D. Phase II Letter of Reliance

Documents must be completed and signed by the Environmental Professional performing the investigation or report. The Environmental Professional's Letter of Reliance <u>must be in the</u> <u>format</u> supplied in this document with necessary changes and included in the Phase II report. Any omissions, changes, or deviations will result in delays and or return of the report for correction.

SECTION VI: FEDERAL ENVIRONMENTAL ASSESSMENT (NEPA)

This assessment is undertaken to satisfy the review requirements of 24 CFR Part 58 (NEPA) and related federal regulatory requirements. This process is required for any proposal requesting the use of federal funding (HOME, Project-Based Vouchers, RAD, etc.). NEPA environmental review must be completed and, if necessary, HUD's signoff obtained (HUD Form 7015.16) before any choice limiting actions can be undertaken by the Sponsor.

The Sponsor shall retain a firm from MSHDA's prequalified "Group B" list to complete the NEPA study. The NEPA study will contain the required elements as outlined in the "Sample NEPA Report" document available on our web site.

The NEPA study is separate from the Phase I report and is not to be included in the Phase I report.

One (1) paper copy of the NEPA document and one complete <u>unsecured</u> PDF copy on CD/thumb drive are to be submitted to MSHDA.

Also, see Section XIV for the MSHDA NEPA Fact Sheet.

SECTION VII: SELECTING AN ENVIRONMENTAL PROFESSIONAL

ESAs require the use of professional consulting firms specializing in identifying and analyzing environmental conditions. It is important to select a consultant who can perform an acceptable ESA as outlined in this document, who meets the definition of an Environmental Professional pursuant to 40 CFR Section 312.10(b), and who has prior *experience* working with MSHDA.

Several factors which should be considered in selecting an Environmental Professional include:

- (1) The consultant should have sufficient personnel with the necessary technical capabilities to perform an ESA in a timely fashion (approximately six to eight weeks).
- (2) The developer should screen résumés of key individuals in the consulting firm and ask for a list of recently completed work to verify the firm's reputation, adherence to budget, compliance with schedules and deadlines, etc.

While not mandatory, it is strongly recommended that you use an Environmental Professional from MSHDA's "Group A" Pre-Qualified Consultants list for ESAs and related work. If MSHDA elects to retain technical assistance in reviewing reports from non-qualified consultants, the expense incurred will become the responsibility of the sponsor. The list of Qualified Consultants is available in the "Environmental Links" page on the MSHDA website (www.michigan.gov/MSHDA click on the sidebar link "Developers and Contractors" then "Environmental Links").

If you are developing urban renewal property or a Brownfield site, your consultant should have demonstrable experience working with urban renewal sites. Ask to see examples of prior residential redevelopment sites delivered on time and on budget that are comparable to your intended development . Identify and speak with the project manager(s) responsible for overseeing your project, not only the corporate staff. Review the credentials and work experience of your project manager.

If you suspect that your site may contain abandoned USTs be sure your consultant has the appropriate experience and credentials for closing a UST. For a list of UST consultants, please contact the Department of Licensing and Regulatory Affairs, Bureau Fire Services, Underground Storage Tanks Unit at 517-335-7211.

No reputable Environmental Professional will unequivocally certify a site to be environmentally clean.

However, your consultant is expected to provide a professional opinion regarding the probability of contamination being present at a site. At that time, risk levels may be assessed and accepted or a determination made to proceed with a Phase II ESA.

The MSHDA "Group A" Qualified Consultants List was developed to provide developers with a list of environmental consultants that, at the time of application, have shown the ability to meet MSHDA Environmental Review Requirements. These consultants were chosen through an RFQ process and should be able to provide adequate and timely information to expedite the development process for both MSHDA and the Developer. However, the developer should carefully review the capabilities and areas of expertise of each consultant before selecting. Sometimes the demands of a site change, or become complex beyond what was originally anticipated, and it may be necessary to seek additional consultation.

SECTION VIII: 2019 - USER'S ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE STATEMENT

The Authority requires the completion of its "User's Environmental Questionnaire and Disclosure Statement" to fulfill Section 6, User's Responsibilities of the ASTM Standard E 1527-13. The checklist is to be completed and signed by the sponsor (developer), and returned to the Environmental Professional conducting the Phase I. This questionnaire is to be reviewed by the Environmental Professional and incorporated into their Phase I report (the completed User's Questionnaire is to be included in Appendix 10.6 of the Phase I report). Failure to properly complete this process will result in delays.

In preparing this document, the "User" (Sponsor) must make a good faith effort to answer the questions in the checklist. The User or a preparer designated by the User presents that to the best of his/her knowledge, the above statements and facts are true and correct and that to the best of the preparer's knowledge, no material facts have been omitted or misstated. Time and care should be taken to check whatever records are in the User's possession. If any of the following questions are answered in the affirmative or if answers are unknown, are qualified, or cannot be obtained, the burden is on the Environmental Professional to determine whether further inquiry is appropriate. The User should document the reason for any affirmative answer to provide the Environmental Professional with all appropriate information. Moreover, the Environmental Professional must determine if further inquiry in any area where the property owner provides incomplete information is warranted, providing written explanation for their recommendation(s).

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Relief and Brownfield's Revitalization Act of 2001 (the "Brownfield's Amendments"), the User must provide the following information (if available) to the Environmental Professional. Failure to provide this information could result in a determination that "all appropriate inquiry" is not complete.

User	r's (Sponsor's) Telephone No.:	
User	r's (Sponsor's) Fax No.:	
Subj	ject Property:	
Prop	perty Address:	
City	:State:Zip:	
1.0	Environmental Cleanup Liens:	
Are you aware of any environmental cleanup liens against the property that are filed, recorded unrecorded under federal, tribal, state, or local law?		
	YES NO (If "YES," please describe)	

User's (Sponsor's) Name:

Are you aware of any activity and land use limitations, such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed, recorded o unrecorded in a registry under federal, tribal, state or local law?
YES NO (If "YES," please describe)
3.0 Specialized Knowledge or Experience of the User:
(a) As the user of this ESA do you have any knowledge or experience related to the property or nearby properties that could be material to any environmental conditions of this property?
YES NO (If "YES," please describe)
(b) Are very involved in the same line of business as the arrown to a former accomments of the
(b) Are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?
YES NO (If "YES," please describe)
4.0 Relationship of Purchase Price to Fair Market Value:
(a) Does the purchase price being paid for this property reasonably reflect the fair market value of the property?
YES NO (If "YES," please describe)
(b) If you conclude that there is a difference, have you considered whether the lower price is because contamination is known or believed to be present at the property?
YES NO (If "YES," please describe)

5.0 Commonly Known or Reasonably Ascertainable Information:

would help the environmental professional to identify conditions indicative of releases or threatened releases? For example, as user,
(a) Do you know the past uses of the property? Please list:
-
(b) Do you know the specific chemicals that are present or once were present at the property?
YES NO (If "YES," please describe)
(c) Do you know of spills or other chemical releases that have taken place at the property?
YES NO (If "YES," please describe)
(d) Do you know of any environmental cleanups that have taken place at the property? YESNO (If "YES," please describe)
.0 Presence or Likely Presence of Contamination:
As the user of this ESA and based on your knowledge and experience related to the property, are there any obvious indicators that point to the presence or likely presence of contamination at the property?
YESNO (If "YES," please describe)
Jser's Signature:Date
User's Printed Name:

Are you aware of commonly known or reasonably ascertainable information about the property that

SECTION IX

2019 MSHDA PHASE I SUMMARY COVER SHEET

Project Name:				
Project Address:		Sponsor E-		
Sponsors Name:	sponso mail:			
Consulting Firm:				
Consultant Phone: ()		E-mail:		
Consultant Project #:			Pate:	
Additional	Site Info	Inlesse complete if k	nown)	
Additional Site Info (please complete if known) Site area: (in acres) # Units planned:				
Vacant land: Developed:		If developed, # existi	ng huildings:	
#				
Vacant Structure(s): vacant		existing struc	existing structures:	
Single Site: Scattered sites:		If scatter	ed, # sites:	
Repar of existing structure(s).		New Constructio demolition of existing		
Adaptive Re-Use:		New Construction w	w Construction without planned emolition of existing structure(s):	
No physical changes planned: Comments:			0	
Please answer all questions below, noting the appropriate page or appendix in your report that contains the supporting documentation. Summary Cover Sheets containing unknown or incomplete responses will not be processed and will be returned for correction. 1. Report Findings				
a. The site contains a wetland area(s).		☐ Yes (See requireme	☐ No nts in Sec. IV, H.6)	
b. The site or a portion of the site is in the Special Flood Hazard Area. Yes No (See requirements in Sec. IV, H.5)				
c. The site contains a UST(s) or AST(s).		☐ Yes (See requireme	☐ No nts in Sec. IV, I)	
d. RECs - The Phase I ESA revealed a REC	C(s).	Yes (See requireme	□ No nts in Sec. IV)	
e. EMF - There are high power electrical transmission lines with			et of the subject site. No nts in Sec. IV, H.7)	

f. HP GAS - There are buried high-pressure gas transmis within 1000 feet of the subject site.	ssion lines (4" in diameter and 400 psi or greater) Yes No (See requirements in Sec. IV, H.8)	
g. NOISE - The subject site is near a busy roadway or wi 3000 feet of a rail line, or within 15 miles of an airport. Was a noise as:	thin 1000 feet of a limited access freeway or Yes No sessment performed? Yes No (See requirements in Sec. IV, H.9)	
h. ASBESTOS - A NESHAP-compliant asbestos survey is a renovation/remodeling project, regardless of the date of asbestos survey performed for this renovation/remode. If Yes, were and	of construction. Was a NESHAP-compliant	
j. LEAD - For structures built before January 1, 1978, a combination lead Risk Assessment/Inspection satisfying state and federal requirements is required. Was a combination lead Risk Assessment/Inspection performed?		
If Yes, was Lead	☐ Yes ☐ No d Based Paint identified? ☐ Yes ☐ No (See requirements in Sec. IV, H.2)	
l. RADON - For developments in Michigan counties where 25% or more homes tested equal to or above the EPA action level of 4 pCi/L, as depicted by the Michigan DEQ radon map (Barry, Berrien, Branch, Calhoun, Cass, Clinton, Dickinson, Easton, Hillsdale, Ionia, Iron, Jackson, Kalamazoo, Lapeer, Lenawee Livingston, Monroe, Oakland, Otsego, Ottawa, St. Joseph, Shiawassee, Tuscola and Washtenaw) was a radon assessment conducted by a Radon Professional was performed?		
☐ Yes ☐ No If Yes, was Radon identified above the EPA action level? ☐ Yes ☐ No (See requirements in Sec. IV, H.4)		
m. A "Recorded Land Records" search was performed?	Yes No (See requirements in Sec. IV, C)	
n. A Phase II investigation is required?	Yes No (See requirements in Sec. V)	
o. A Tier I and non-invasive Tier II Vapor Encroachment	Screen were preformed? Yes No (See requirements in Sec. IV, H.10)	
p. A Vapor Encroachment Condition (VEC) was identifie	d. An invasive Tier II investigation is	

recommended.	Yes No (See requirements in Sec. IV, H.10)
2. Report Documentation Check List. If any of the resp	oonses below are "NO," do not submit report.
a. MSHDA Phase I Letter of Reliance completed?	☐ Yes ☐ No
b. User's Disclosure Statement completed?	Yes No
c. Compliant ACORD 25 Certificate of insurance include	d? Yes No
d. FEMA Flood Plain Map Included?	☐ Yes ☐ No
e. Fire Insurance Maps or No Coverage Letter Included	Yes No
f. Development Site Plan Included?	Yes No
g. Site boundaries indicated on all maps and photos?	Yes No
I represent that this Summary Cover Sheet accurately r in the above captioned document.	
Signature of Environmental Date Professional	Print or Type Legal Name

SECTION X: 2019 MSHDA PHASE I LETTER OF RELIANCE

(DATE)

PRIVILEGED AND CONFIDENTIAL

Dan Lince
Environmental Manger
Rental Development Division
Michigan State Housing Development Authority
735 East Michigan Avenue
Lansing, Michigan 48912

RE: Phase I ESA for: (Insert Development Name), (Report #), (Date of Report)

Dear Mr. Lince:

Please find enclosed the Phase I Environmental Site Assessment for the subject property dated () to the Michigan State Housing Development Authority.

It is my understanding that the information contained in the Phase I Environmental Site Assessment will be used by the Authority in considering proposed financing of residential development of the subject property and, furthermore, that the Authority may rely upon the Phase I Environmental Site Assessment as if it were issued to the Authority.

I **represent** that the attached is a true, correct and complete copy of the Phase I Environmental Site Assessment for the above captioned property and that the report represents my professional opinion of the site as of this date and that I meet the definition of an Environmental Professional as defined in Section 312.10 of 40 CFR 312. I also **represent** that the Phase I Environmental Site Assessment including the evaluation, recommendations, and conclusions as of this date has been performed in conformance with the scope and limitations of the ASTM Practice E 1527-13, ASTM Practice E 2600-15, and MSHDA's Environmental Review Requirements for 2019.

Sincerely,

(Environmental Professional's signature)

2019 MSHDA PHASE II LETTER OF RELIANCE

(DATE)

PRIVILEGED AND CONFIDENTIAL

Dan Lince
Environmental Manger
Rental Development Division
Michigan State Housing Development Authority
735 East Michigan Avenue
Lansing, Michigan 48912

RE: Phase II ESA for: (Insert Development Name), (Report #), (Date of Report)

Dear Mr. Lince:

Please find enclosed the Phase II Environmental Site Assessment for the subject property dated () to the Michigan State Housing Development Authority.

It is my understanding that the information contained in the Phase II Environmental Site Assessment will be used by the Authority in considering proposed financing of residential development of the subject property and, furthermore, that the Authority may rely upon the Phase II Environmental Site Assessment as if it were issued to the Authority.

I **represent** that the attached is a true, correct and complete copy of the Phase II Environmental Site Assessment for the above captioned property and that the report represents my professional opinion of the site as of this date and that I meet the definition of an Environmental Professional as defined in Section 312.10 of 40 CFR 312. I also **represent** that the Phase II Environmental Site Assessment was conducted in accordance with **ASTM E 1903-11**, MSHDA's Environmental Review Requirements for 2019, generally-accepted industry standards of practice and consisting of a scope of work that would be considered reasonable and sufficient to identify the presence, nature and extent of a Release as it impacts the Property.

Sincerely,

(Environmental Professional's signature)

SECTION XI: Required MSHDA Phase I Report Format - 2019

Please note all sections listed below are required.

Report Cover Sheet

Table Contents

MSHDA Phase I Summary Cover Sheet

Section 1 - Executive Summary

- 1.1 Phase I ESA Summary and Conclusions including any identified RECs
- 1.2 Identified Data Gaps
- 1.3 Identified Liens or Activity and Use Limitations

Section 2 - Introduction

- 2.1 Purpose
- 2.2 Detailed Scope-of-Services (see ASTM E 1527-13 Sections 12.4)
- 2.3 Significant Assumptions
- 2.4 Limitations and Exceptions
- 2.5 Special Terms and Conditions
- 2.6 User Reliance

Section 3 - Site Description

- 3.1 Location and Legal Description
- 3.2 Site and Vicinity General Characteristics
- 3.3 Current Use of the *Property*
- 3.4 Descriptions of Structures, Roads, Other Improvements on the Site (including heating/cooling system, sewage disposal, source of potable water)
- 3.5 Current Uses of the Adjoining Properties

Section 4 - User Provided Information

- 4.1 Title Records
- 4.2 Environmental Liens or Activity and Use Limitations
- 4.3 Specialized Knowledge
- 4.4 Commonly Known or Reasonably Ascertainable Information
- 4.5 Valuation Reduction for Environmental Issues
- 4.6 Owner, Property Manager, and Occupant Information
- 4.7 Reason for Performing Phase I ESA
- 4.8 Other

Section 5 - Records Review

- 5.1 Standard Environmental Record Sources
- 5.2 Additional Environmental Record Sources
- 5.3 Physical Setting Source(s)
- 5.4 Historical Use Information on the *Property*
- 5.5 Historical Use Information on Adjoining Properties

Section 6 - Site Reconnaissance

- 6.1 Methodology and Limiting Conditions
- 6.2 General Site Setting
- 6.3 Exterior Observations

Section 7 - Interviews

- 7.1 Interview with Owner
- 7.2 Interview with Site Manager
- 7.3 Interviews with Occupants
- 7.4 Interviews with Local Government Officials
- 7.5 Interviews with Others

Section 8 - Evaluation and Report Preparation (see ASTM E1527-13 Section 12)

- 8.1 Findings (see ASTM E 1527-13 Section 12.5)
- 8.2 Opinion (see ASTM E 1527-13 Section 12.6)
- 9.3 Additional Investigation (see ASTM E 1527-13 Section 12.6.1)
- 9.4 Data Gaps (see ASTM E 1527-13 Section 12.7)
- 9.5 Conclusions (see ASTM E 1527-13 Sections 12.8.1 and 12.8.2)
- 9.6 Additional Services (see ASTM E 1527-13 Sections 12.9)
- 9.7 Limiting Conditions/Deviations (see ASTM E 1527-13 Section 12.10)
- 9.8 References (see ASTM E 1527-13 Section 12.11)
- 9.9 Signature(s) of Environmental Professional(s) (see ASTM E 1527-13 Section 12.12)
- 9.10 Qualification(s) of Environmental Professional(s) (see ASTM E 1527-13 Sections 12.13)

Section 9 - Non-Scope Considerations

- 9.1 Friable and Non-friable Asbestos Containing Materials (ACMs)
- 9.2 Lead-Based Paint
- 9.3 Radon Gas
- 9.4 100-year Floodplain
- 9.5 Wetlands
- 9.6 EMF
- 9.7 High Pressure Buried Gas Lines
- 9.8 Noise analysis
- 9.9 Vapor Encroachment Screen, ASTM E 2600-15.

Section 10 - Appendices

- 10.1 Site (Vicinity) Map
- 10.2 Site Plan/Proposed Development Plan
- 10.3 Site Photographs
- 10.4 Historical Research Documentation (aerial photographs, fire insurance maps, historical topographical maps, street directories, etc.)
- 10.5 Regulatory Records Documentation
- 10.6 Interview Documentation
- 10.7 Special Contractual Conditions between User and Environmental Professional (ACM, LBP, radon, floodplain, wetlands, EMF, etc.)
- 10.8 Qualification(s) of the Environmental Professional(s)
- 10.9 MSHDA Phase I Letter of Reliance
- 10.10 Copy of Environmental Professional Insurance Certificates

SECTION XIII:

MSHDA 2016 Pre-Qualified Consultant List

Firms listed below responded to a Michigan State Housing Development Authority ("MSHDA") Request for Qualifications for environmental firms to conduct either (or both) of two types of environmental consulting services.

Please note that MSHDA's Pre-Qualified Consultant List includes those environmental professionals that met specific qualifications at a certain point in time. Circumstances change (e.g., licenses and certifications may lapse or expire, qualified personnel may change firms, etc.) so it is incumbent on the Developers to ascertain whether the Qualified Consultant's licenses, certifications, qualifications, etc. are in good standing and current at the time they are hired. As such, MSHDA does not represent or warrant that the Qualified Consultants have continued to maintain their respective qualifications while on the MSHDA Qualified Consultant List.

Group A Services:

- American Society for Testing and Materials (ASTM) Phase I and Phase II Environmental Site Assessments (ESAs), Phase III/IV remedial investigation and site clean-up, including, where appropriate, non-scope items per MSHDA 2016 Environmental Review Requirements incorporated and enclosed.
- 2. Baseline Environmental Assessments (BEAs).
- 3. Due Care Compliance Analyses.
- 4. Lead-based paint investigations (current state certifications required).
- 5. NESHAP-compliant Asbestos Containing Material assessments (current state licensure required).
- 6. Technical Assistance relating to items #1-5, above.

and

Group B Services:

Gathering data for and preparing National Environmental Protection Act ("NEPA") study and statutory compliance report for compliance with HUD funded projects (24 CFR Part 58).

Additionally a Probationary Group B (Group B(p)) has been included which allowed firms to apply for Group B work even though they may not yet have the full qualifications and experience to conduct this work independent of additional input from Authority staff. Probationary Group B(p) consultants commit to NEPA training for their staff. Group B(p) consultants will be limited to one NEPA report per project for each Rental Development NOFA or LIHTC funding round. After three rounds of satisfactory performance, a Group B(p) consultant will be elevated to full Group B status.

The listed firms were selected for inclusion on MSHDA's prequalified environmental consultant list. However, sponsors and others in the development community submitting projects to the Authority for environmental review may contract with any qualified environmental consulting firm for Group A services. The contracted firm, however, must be able to provide in a timely and accurate manner all services described above for a Group A consultant. This includes a MSHDA-scope Phase I ESA, non-scope reports, and meeting the insurance and other requirements described in MSHDA'S Environmental Review Requirements, which can be found on the MSHDA website under "Environmental Links".

For NEPA reports required to process requests for federal funding (Group B services), however, MSHDA will only accept plans and reports conducted from a prequalified consultant included on the Group B or Group B(p) lists below. This reflects the more specialized nature of conducting a compliant NEPA study.

MSHDA 2016 Pre-Qualified List - Group A Services			
AKT Peerless	Environmental Consulting Solutions	McDowell & Associates	
Tim McGahey	Mr. Andrew Foerg	Mr. Douglas McDowell	
22725 Orchard Lake Rd.	523 West Sunnybrook Dr	21355 Hatcher Ave.	
Farmington, MI 48336	Royal Oak, MI 48073	Ferndale, MI 48220	
248-615-1333	248-763-3639	248-399-2066	
Applied Environmental, LLC	Environmental Testing & Consulting	PM Environmental	
Mr. Michael Gatien	Mr. Jeremy Westcott	Mr. Peter Bosanic	
1210 North Maple Rd.	38900 West Huron River Drive	3340 Ranger Road	
Ann Arbor, MI 48108	Romulus, MI 48174	Lansing, MI 48912	
734-975-1970	734-955-6600	517-325-9859	
ASTI Environmental	EnviroSolutions, Inc.	Superior Environmental Corp.	
Mr. George Kandler	Kelly M. Gallagher	Jeffrey Skendrovic	
10448 Citation Dr., Suite 100	38115 Abruzzi Drive	1128 Franklin St	
Brighton, MI 48116	Westland, MI 48185	Marne, MI 49435	
810-225-2800	734-641-2700	616-667-4000	
August Mack Environmental	Envirologic Technologies, Inc	Testing Engineers & Consultants	
Mr. Curtis Chapman	David Stegink	Carey Suhan	
11902B Farmington Road	1960 Interstate Pkwy	1343 Rochester Rd	
Livonia, MI 48150	Kalamazoo, MI 49048	Troy, MI 48083	
734-464-1716	269-342-1100	248-588-6200	
ATC	GRand Environmental	TEG Environmental Services	
Ms. Susan Cook	Ms. Jayne Schoenborn	Mr. Derek Gideons	
46555 Humboldt Dr.	1345 Monroe Ave. NW, Ste 209	18701 Grand River Ave. Ste. #196	
Novi, MI 48377	Grand Rapids, MI 49505	Detroit, MI 48223	
248-669-5140 x104	616-732-3600	734- 355-5866	
BLDI Environmental Eng.	Hamp, Mathews & Assoc. Inc.*	Tri Terra	
Mr. Joseph Berlin	Alan R. Mathews	Mr. Don McNabb	
150 Fountain St. NE	15266 Ann Drive	1210 N. Cedar St., Suite A	
Grand Rapids, MI 49503	Bath, MI 48808	Lansing, MI 48906	
616-459-3737	517-641-7333	517-702-0470	
EMES Consulting, LLC Mr. Peter Lambropoulos 750 Lake Lansing, Suite F Lansing, MI 48906 517-482-6626	Mackinac Environmental Tech. 300 Ferry Ln St. Ignace, MI 49781 Edward Radecki 906-643-9948		

^{*}This firm applied to be considered as Technical Assistance only.

MSHDA 2016 Pre-Qualified List - Group B Services			
ASTI Environmental Mr. George Kandler 10448 Citation Dr., Suite 100 Brighton, MI 48116 810-225-2800	EMES Consulting Mr. Peter Lambropoulos 750 Lake Lansing, Suite F Lansing, MI 48906 517-202-7984	PM Environmental Mr. Pete Bosanic 3340 Ranger Road Lansing, MI 48912 800-313-2966	
ATC Ms. Susan Cook 46555 Humboldt Dr. Novi, MI 48377 248-669-5140 x104	Environmental Consulting Solutions Mr. Andrew Foerg 523 West Sunnybrook Dr Royal Oak, MI 48073 248-763-3639		
August Mack Environmental Mr. Curtis Chapman 11902B Farmington Road Livonia, MI 48150 734-464-1716	GRand Environmental Ms. Jayne Schoenborn 1345 Monroe Ave. NW, Ste 209 Grand Rapids, MI 49505 616-732-3600		

MSHDA 2016 Pre-Qualified List – Probationary Group B(p) Services			
BLDI Environmental Eng. Mr. Joseph Berlin 150 Fountain St. NE Grand Rapids, MI 49503 616-459-3737	EnviroSolutions, Inc. Kelly M. Gallagher 38115 Abruzzi Drive Westland, MI 48185 734-641-2700	McDowell & Associates Mr. Douglas McDowell 21355 Hatcher Ave. Ferndale, MI 48220 248-399-2066	
Environmental Testing & Consulting Mr. Jeremy Westcott 38900 West Huron River Drive Romulus, MI 48174 734-955-6600	Envirologic Technologies, Inc David Stegink 1960 Interstate Pkwy Kalamazoo, MI 49048 269-342-1100		

^{**} Please note that MSHDA's Qualified Consultant List includes those environmental professionals that met specific qualifications at a certain point in time. Circumstances change (e.g. licenses and certifications may lapse or expire, qualified personnel may change firms, etc.) so it is incumbent on the Developers to ascertain whether the Qualified Consultant's licenses, certifications, qualifications, etc. are in good standing and current at the time they are hired. MSHDA does not represent or warrant that the Qualified Consultants have continued to maintain their respective qualifications while on the MSHDA Qualified Consultant List.

SECTION XIV: MSHDA NEPA Environmental Review Fact Sheet

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ENVIRONMENTAL REVIEW FACT SHEET

Applicants applying to MSHDA's RD division for federal funds (HOME, Project Based Vouchers, Housing Initiatives (HID) Grants, etc.) are required to undergo the HUD environmental review process, commonly referred to as NEPA. The level of environmental review is determined by the scope and nature of proposed activities, as detailed in HUD 24 CFR Part 58.

This FAQ explains more about the environmental review process.

The environmental review procedures cover numerous and varied considerations, and can take a significant amount of time and effort to complete. Starting <u>EARLY</u> is a necessity.

This fact sheet is not intended as a stand-alone document concerning NEPA and the environmental review process. As an overview, this fact sheet explains the NEPA process but is not intended to be comprehensive, other requirements may be required to be submitted for review and compliance.

Responsible Entity under Part 58

A "Responsible Entity" under HUD CFR Part 58 is the state or local unit of government from which federal funds originate. For the purposes of multi-family projects submitted to MSHDA's RDD, MSHDA is the RE. The RE is never the sponsor, development group, Limited Dividend Housing Association, environmental consultant, or other entity submitting an application.

DETERMINING THE LEVEL OF ENVIRONMENTAL REVIEW

24 CFR Part 58 provides guidance for conducting the environmental review process. Every project requires some level of environmental review. There are five levels of environmental review to consider:

- 1. Exempt
- 2. Categorically Excluded, Not Subject To 58.5 (CENST)
- 3. Categorically Excluded, Subject To 58.5 (CEST)
- 4. Environmental Assessment (EA)
- 5. Environmental Impact Statement (EIS)

In general...

- Most all applications will require some level of environmental review.
- Very few applications initially qualify as being Exempt.
- Most rehab projects qualify for an initial determination as Categorically Excluded, Subject to 58.5.
- All new construction projects will require an Environmental Assessment.

Exempt Activities (24 CFR 58.34)

Exempt activities have no physical impact or result in no physical change on the environment. Other than documenting the level of review as Exempt, the RE does not have to comply with actions under NEPA and other provisions of laws or authorities cited in §58.5. Funds from any source may be used for Exempt activities after the finding of exemption is documented in the review record. The following activities are Exempt under §58.34:

- 1. Environmental and other studies, resource identification and development of plans and strategies;
- 2. Information and financial services;
- 3. Administrative and management activities;
- 4. Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs:
- 5. Inspections and testing of properties for hazards or defects;
- 6. Purchase of insurance;
- 7. Purchase of tools;
- 8. Engineering or design costs;
- 9. Technical assistance and training;
- 10. Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
- 11. Payment of principal and interest on loans made or obligations guaranteed by HUD;
- 12. Any of the categorical exclusions listed in §58.35(a) provided there are no circumstances which require compliance with any other Federal laws and authorities cited in §58.5.

Categorically Excluded Activities (24 CFR 58.35) – 2 classifications

If an activity is not determined Exempt, the RE must determine if it is Categorically Excluded. Categorically Excluded activities are those <u>excluded from NEPA requirements</u>, <u>but may be</u> subject to review under other Federal laws and authorities listed in 24 CFR 58.5. There are two

classifications of Categorically Excluded activities; those listed under §58.35 (a) and those listed under §58.35(b).

(a) <u>58.35(a)</u> Categorically Excluded Activities <u>SUBJECT TO</u> §58.5 (CEST):

The following activities may be subject to review under authorities listed in §58.5:

- 1) Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaying of streets).
- 2) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.
- 3) Rehabilitation of buildings and improvements when the following conditions are met:
 - a. In the case of a building for residential use (with one to four units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland.
 - b. In the case of multifamily residential buildings:
 - i. Unit density is not changed more than 20 percent;
 - ii. The project does not involve changes in land use from residential to non-residential; and
 - iii. The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
 - c. In the case of non-residential structures, including commercial, industrial and public buildings:
 - i. The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and
 - ii. The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
- 4) (i) An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or combination in between; or
 - (ii) An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
 - (iii) Paragraphs (a)(4)(i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a)(3)(i) of this section).
- 5) Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.

6) Combinations of the above activities.

(b) <u>58.35(b)</u> Categorically Excluded Activities <u>NOT SUBJECT TO</u> §58.5 (CENST):

HUD has determined the following activities do not alter any conditions requiring a review of compliance determination under Federal laws and authorities cited in §58.5:

- 1) Tenant-based rental assistance;
- 2) Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services;
- 3) Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs;
- 4) Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations;
- 5) Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and down payment assistance, interest buydowns, and similar activities that result in the transfer of title;
- 6) Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact; and
- 7) Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under §58.47.

Applications for new construction of multifamily housing are neither Exempt nor Categorically Excluded and will require a full Environmental Assessment (24 CFR 58.36).

Environmental Assessment (EA) (24 CFR 58.36)

If a project is not Exempt or Categorically Excluded, an *Environmental Assessment* is required. The purpose of the EA is to determine the significance of environmental effects and to assess alternative means to achieve an RE's objectives. Once actual and potential impacts of project alternatives are identified, the RE must then assess if mitigation measures are needed to undertake the project. It is at this point that the RE is capable of determining if the project is generally feasible with the ability to identify the most suitable project alternative to meet the needs of the RE and its beneficiaries. If significant impacts are anticipated with no reasonable means of mitigation apparent, the RE may reject the project or complete an Environmental Impact Statement (EIS). In all circumstances, the EA must provide sufficient evidence and analysis for determining whether to prepare an EIS.

Statutory Checklist Laws and Related Authorities

Categorically excluded projects, which include <u>MOST ALL</u> of the initial submissions to MSHDA Rental Development, must demonstrate compliance with the following federal laws and related authorities through completion of the NEPA statutory checklist. The NEPA statutory checklist must be completed by an Environmental Professional qualified to conduct such a review from MSHDA's "Group B" Qualified Consultant List.

☐ Historic Properties (16 USC 470 Section 106):

- Cover letter to SHPO
- Letter(s) to tribes
- SHPO Section 106 Project Information Form
- Attachments to Section 106 Form
- SHPO response letter(s) always responds
- Tribal response letter(s) may not respond
- Cultural Resource Survey, if applicable
- Memorandum of Agreement, if applicable, or documentation of other mitigation measures as agreed to by all consulting parties

☐ Floodplain Management (EO 11988):

- FEMA Flood Insurance Rate Map (FIRM) map or FEMA FIRMette Map w/ project keyed
- If <u>not</u> in floodplain, nothing more required. EA/Statutory Checklist form must be complete.
- If in floodplain, HUD 8-Step Process may be required. Engineer/architect is resource for help.
- □ Flood Insurance (24 CFR Part 55) (Particularly relevant if project lies in floodplain. The participating community where the subject property is located must be a member in good standing with NFIP if project is in floodplain. If not in floodplain, documentation should still be attached.)
 - Page(s) from FEMA Community Status Book for NFIP status
 - Other:
- □ **Wetland Protection (EO11990)** (If project is in a wetland, the HUD 8-Step Decision Making Process applies.)
 - Color US Fish & Wildlife (US F&W) National Wetlands Inventory (NWI) Map
 - Letter & attachments to US F&W)
 - MDEQ response
 - Permitting requirements, as applicable
 - Other:

☐ Coastal Zone Management (16 USC 1451, Section 307)

- MDEQ website; attach documentation
- Document compliance
- ☐ Airport Hazards (24 CFR Part 51, Subpart D) Protection of project & project beneficiaries from airport accident areas.
 - Maps indicating nearest airports in relation to the project area
 - If project proposed w/in thresholds of airport accident areas, HUD process that must be completed

\Box Endangered Species (50 CFR Part 402) - Includes threatened and endangered plants and animals, and their habitat.
- Letter & attachments to US F&W for Federally designated species- Response from US F&W
- Conditions by agencies, as applicable
☐ Wild & Scenic Rivers (16 USC 1271) -Project impacts to designated rivers & river segments; impacts to project by rivers & river segments.
- Federally designated river- Website documentation & map river in relation to project
☐ Farmland Protection (7 CFR Part 658) - Does project convert prime or unique farmland to other uses.
 Color aerial photograph of project area and surrounding area Letter & attachments to USDA Natural Resources Conservation Services (NRCS), including Farmland Conversion Impact Rating Form AD 1006 All correspondence from USDA NRCS Mitigation measures recommended
□ Noise Control (24 CFR 51 Subpart B) –Noise made by project, noise around the project, construction noise.
Color aerial photographColor photos of project site & surrounding area
 Color maps showing project in relation to noise sources or sensitive noise uses Field visit checklist or other form of documented site visit Noise Assessment, if applicable Noise attenuation measures, as appropriate
☐ Explosive & Flammable Operations (24 CFR Part 51, Subpart C) – Hazards by the project and/or
project subjected to nearby hazards Field visit checklist or other form of documented site visit
Color photographs of project site & adjacent sitesStatement from fire department/fire marshal
- Statement from local emergency management agency/individual
 - HUD Acceptable Separation Distance calculations, if applicable - Mitigation measures, if applicable
☐ Sole Source Aquifers (40 CFR Part 149)
- None in Michigan; https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b
☐ Air Quality (Air emissions from project or project subjected to air emissions).
- EPA designated non-attainment areas from EPA website- EPA/ DEQ air permits or permitting requirements

- Odors and fumes from project or impacting project

activities

- Documentation whether project will begin a trend of poor air quality standards

- Conformance with local air codes, ordinances, & standards by finished project & construction

- Radon test and results and mitigation, if applicable
- Mold contamination, inspection and report and mitigation, if applicable
- Asbestos -Under Air Quality in Statutory Checklist. EA has an Asbestos Section. Includes inspections, sampling, testing, reports, & mitigation for buildings, water/sewer pipes, boiler/plumbing wrap, interior/exterior buildings, some bridges, etc.

□ Contamination & Toxic Substances (24 CFR 58 (5)(i)(2): Contamination by the project or impacts to the project.

- MSHDA scoped Phase I Environmental Site Assessment (ESA)
- Consider contamination to/of: Groundwater, Air, Surface Water, Vapor Encroachment, Soil
- ASTM Phase II ESA, if applicable
- Response Activity Plan to DEQ, if applicable
- BEA/Due Care to DEQ, if applicable
- No Further Action letter, if applicable

□ **Environmental Justice** (**EO 12898**) - Last section for Statutory Checklist. Disproportionately high adverse impacts to low income & minority persons.

- Planning and zoning information, if available
- Public involvement in the project (should coincide with citizen participation in an EA)
- Map or other documentation to show if project occurs on or near low income or minority neighborhood
- Positive and negative impacts to people by the project

Conclusion

This document provides an overview of the "NEPA review" process. This process is required for all applications requesting federal money. **Sponsors are required to contract for completion of the NEPA environmental with an environmental professional listed in MSDHA's "Group B" pre-qualified consultant list. Only "Group B" or "Group B(p)" consultants may submit a NEPA report.**

If you have any questions, please contact MSHDA's Environmental Review unit.

Daniel Lince	Michael Vollick	Kristin Kiluk
Environmental Manager	Environmental Officer	Environmental Quality Analyst
linced@michigan.gov	vollickm2@michigan.gov	kilukk@michigan.gov
517-335-0183	313-456-2596	517-241-3551

HUD Section 811 Supportive Housing Vouchers

§ PRA.215 Environmental Requirements and Environmental Assurance.

(a) As HUD does not approve program funding for specific activities or projects of the Grantees, it will not perform environmental reviews on such activities or projects. However, to ensure that the tenets of HUD environmental policy and the requirements of applicable statutes and authorities are met, Grantees will be required to implement the following analyses and determinations for specific program activities and projects.

The environmental tenets apply to both existing and new projects per the requirements below. Existing properties that are currently HUD-assisted or HUD-insured and that will not engage in activities with physical impacts or changes beyond routine maintenance activities or minimal repairs are not required to comply with the environmental tenets. If, at the time that a project applies for PRAD assistance, the project is under construction or being rehabilitated, the project shall be subject to the environmental review requirements applicable to new construction or rehab if the work has **not** progressed beyond a stage of construction where modifications can be undertaken to avoid the adverse environmental impacts addressed by the requirement.

Citations to authorities in the following paragraphs are for reference only; to the extent that property standards or restrictions on the use of properties stated in the following paragraphs are more stringent than provisions of the authorities cited, the requirements stated in the following paragraphs shall control:

- (1) Site Contamination (24 CFR 50.3(i)). It is HUD policy that all properties for use in HUD assisted housing be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property (24 CFR 50.3(i)(1)). Therefore, projects applying for assistance shall:
- (a) Assess whether the site (i) is listed on an EPA Superfund National Priorities or CERCLA list or equivalent State list; (ii) is located within 3,000 feet of a toxic or solid waste landfill site; (iii) has an underground storage tank other than a residential fuel tank; or (iv) is known or suspected to be contaminated by toxic chemicals or radioactive materials. If none of these conditions exist, a letter of finding certifying these findings must be submitted and maintained in the site's environmental record. If any of these conditions exist, the grantee must provide an ASTM Phase I Environmental Site Assessment (ESA) in accordance with ASTM E 1527-05 (or the most recent edition); OR
- (b) Provide a Phase I ESA in accordance with ASTM E 1527-05 (or the most recent edition).

Note: A Phase I ESA, which complies with these standards, and was prepared within the Phase I ESA continuing viability timeframe for the acquisition of the property or a real estate transaction (construction, rehabilitation, or refinancing) for the property, will be deemed acceptable.

If a Phase I ESA is conducted and the Phase I ESA identifies RECs, a Phase II ESA in accordance with ASTM E 1903-11 (or the most recent edition) shall be performed. Any hazardous substances and/or petroleum products that are identified at levels that would require clean-up under State policy shall be so cleaned up in accordance with the State's clean-up policy. Risk-Based Corrective Actions are permitted if allowed for under a State's clean-up policy.

- (2) Historic Preservation (16 U.S.C. 470 et seq.).
- (a) As the various States, Territories, Tribes and municipalities have established historic preservation programs to protect historic properties within their jurisdiction, all work on properties identified as historic by the State, Territory, Tribe, or Municipality, as applicable, must comply with all applicable State, territorial, and tribal historic preservation laws and requirements and, for projects affecting locally designated historic landmarks or districts, local historic preservation ordinance and permit conditions.
- (b) In addition, all work on properties listed on the National Register of Historic Places, or which the Grantee knows are eligible for such listing, must comply with "The Secretary of the Interior's Standards for Rehabilitation." Complete demolition of such properties would not meet the Standards and is prohibited.
- (c) On site discoveries. If archaeological resources and/or human remains are discovered on the project site during construction, the recipient must comply with applicable State, tribal, or territory law, and/or local ordinance (e.g., State unmarked burial law).
- (3) Noise (24 CFR Part 51, Subpart B Noise Abatement and Control). All activities and projects involving new construction shall be developed to ensure an interior noise level of 45 decibels (dB) or less. In this regard, and using the day-night average sound level (DNL), sites not exceeding 65 dB of environmental noise are deemed to be acceptable; sites above 65 dB require sound attenuation in the building shell to 45 dB; and sites above 75 dB shall not have noise sensitive outdoor uses (e.g. picnic areas, tot lots, balconies or patios) situated in areas exposed to such noise levels.
- (4) Airport Clear Zones (24 CFR Part 51, Subpart D Siting of HUD Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields). No activities or projects shall be permitted
- Airport Clear Zones (24 CFR Part 51, Subpart D Siting of HUD Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields). No activities or projects shall be permitted within the "clear zones" or the "accident potential zones" of military airfields or the "runway protection zones" of civilian airports.
- (5) Coastal Zone Management Act (16 U.S.C. 1451 et seq.). Activities and projects shall be consistent with the appropriate state coastal zone management plan. Plans are available from the local coastal zone management agency.
- (6) Floodplains (Executive Order 11988; Flood Disaster Protection Act (42 U.S.C. 4001-4128)). No new construction activities or projects shall be located in the mapped 500-year floodplain or in the 100-year floodplain according to FEMA's Flood Insurance Rate Maps (FIRM). Existing structures may be assisted in these areas, except for sites located in coastal high hazard areas (V Zones) or regulatory floodways, but must meet the following requirements:
- (a) The existing structures must be flood-proofed or must have the lowest habitable floor and utilities elevated above both the 500-year floodplain and the 100-year floodplain.
- (b) The project must have an early warning system and evacuation plan that includes evacuation routing to areas outside of the applicable floodplains.
- (c) Project structures in the 100-year floodplain must obtain flood insurance under the National Flood Insurance Program. No activities or projects located within the 100-year floodplain may be assisted in a community that is not participating in or has been suspended from the National Flood Insurance Program.

- (7) Wetlands (Executive Order 11990). No new construction shall be performed in wetlands. No rehabilitation of existing properties shall be allowed that expands the footprint such that additional wetlands are destroyed. New construction includes draining, dredging, channelizing, filling, diking, impounding, and related grading activities. The term wetlands is intended to be consistent with the definition used by the U.S. Fish and Wildlife Service in Classification of Wetlands and Deep Water Habitats of the United States (Cowardin, et al., 1977). This definition includes those wetland areas separated from their natural supply of water as a result of activities such as the construction of structural flood protection methods or solid-fill road beds and activities such as mineral extraction and navigation improvements.
- (8) Siting of Projects Activities Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature (24 CFR Part 51, Subpart C). Unshielded or unprotected new construction sites shall be allowed only if they meet the standards of blast overpressure (0.5psi buildings and outdoor unprotected facilities) and thermal radiation (450 BTU/ft2 -hr people, 10,000 BTU/ft2-hr buildings) from facilities that store, handle, or process substances of explosive or fire prone nature in stationary, above ground tanks/containers.
- (9) Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.). New construction shall not be permitted that would result in a taking of endangered plant or animal species as listed under the Endangered Species Act of 1973. Taking includes not only direct harm and killing but also modification of habitat. Maps for listed species and geographic habitat by state can be found at: http://ecos.fws.gov/tess_public/StateListing.do?state=all.
- (10)Farmland Protection (7 USC 4201 et seq.). New construction shall not result in the conversion of unique, prime, or otherwise productive agricultural properties to urban uses.
- (11) Sole Source Aquifers (Section 1424(e) of the Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300 et seq., and 21 U.S.C. 349)). Any new construction activities and projects located in federally designated sole source aquifer areas (SSAs) shall require consultation and review with the U.S. Environmental Protection Agency (USEPA). Information regarding location and geographic coverage of the 73 federally designated SSAs can be found at:

http://water.epa.gov/infrastructure/drinkingwater/sourcewater/protection/solesourceaquifer.cfm.

§ PRA.216 Coastal Barrier Resources Act.

(a) The Grantee must adhere to the Coastal Barrier Resources Act which prohibits activities or projects in Coastal Barrier Resource System (CBRS) units. CBRS units are mapped and available from the Fish and Wildlife Service at: http://www.fws.gov/CBRA/.

§ PRA.217 Lead Based Paint. The Lead Safe Housing Rule (specifically 24 CFR 35, subparts B, H and R) applies to project based rental assistance of pre-1978 housing for persons with disabilities when a child of less than 6 years of age resides or is expected to reside in such housing. For Eligible Multifamily Properties in which such units will receive an annual average of more than \$5,000 of rental assistance in any year, a lead risk assessment, followed by interim controls of any lead-based paint hazards identified must be conducted, and a reevaluation must be conducted every two (2) years during the assistance period. For properties in which such assistance is less than or equal to \$5,000, a visual assessment for deteriorated paint must be conducted during the initial and periodic inspections, followed by paint stabilization of any deteriorated paint identified. The Environmental Protection Agency's Renovation, Repair and Painting (RRP) Rule also applies to such target housing when renovation, repair or painting work is conducted; among other requirements, the work, using lead-safe work practices, must be a

conducted or supervised by certified lead renovator working for a certified lead renovation firm when the amount of work exceeds the RRP Rule's minor repair and maintenance area threshold. See 40 CFR 745.

HTF Environmental Provisions

The Housing Trust Fund (HTF) regulations establish specific property standards for housing that receives HTF funds. These standards include Environmental Provisions for projects involving new construction and rehabilitation. The HTF Environmental Provisions for new construction and rehabilitation under the Property Standards at 24 CFR § 93.301(f)(1) and (2) are similar to HUD's Environmental Regulations at 24 CFR Parts 50 and 58. HTF projects are subject to the same environmental concerns that HUD-assisted projects are subject to. The main difference is that the HTF Environmental Provisions are outcome based, and exclude consultation procedures that would be applicable if HTF project selection was a federal action. Parts 50 and 58 are process based, and include consultation procedures for several laws and authorities where there may be environmental impacts.

What's the same as Part 50/58?

The following Environmental Provisions are the *same* as the Part 50/58 process:

- Coastal Barrier Resources System
- Coastal Zone Management
- Explosives and Hazards
- Endangered Species (informal consultation)
- Wild and Scenic Rivers
- Sole Source Aquifers

What's different from Part 50/58?

The following Environmental Provisions are *not* the same as the Part 50/58 process:

- Historic Preservation
- Farmlands
- Airport Zones
- Floodplains
- Wetlands
- Contamination
- Noise
- Safe Drinking Water

When a project is **only** using HTF funds

- No Level of Review (CEST/EA)
- No Public Comment
- No Request for Release of Funds and Certification
 - No Authority to Use Grant Funds

For a detailed description of the HTF environmental requirements please use the following link; Notice CPD 16-14: Requirements for Housing Trust Fund Environmental Provisions



U.S. Department of Housing and Urban Development

451 Seventh Street, SW Washington, DC 20410 www.hud.gov

espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information
Project Name:
Responsible Entity:
Grant Recipient (if different than Responsible Entity):
State/Local Identifier:
Preparer:
Certifying Officer Name and Title:
Grant Recipient (if different than Responsible Entity):
Consultant (if applicable):
Direct Comments to:

Project Location:			
Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:			
Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:			
Existing Conditions and Trends [24 CFR 58.40(a)]:			
Funding Information			
Grant Number HUD Pr	ogram	Funding Amount	
Estimated Total HUD Funded Amount:			
Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:			
Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.			
Compliance Factors: Statutes, Executive Orders, Steps or Are formal compliance steps or Compliance determinations			ntions

and Regulations listed at 24	mitigation	
CFR §58.5 and §58.6	required?	
STATUTES, EXECUTIVE O	RDERS, AND R	REGULATIONS LISTED AT 24 CFR 50.4
and 58.6	,	
Airport Hazards	Yes No	
24 CED Dort 51 Culorant D		
24 CFR Part 51 Subpart D Coastal Barrier Resources		
Coastai Bairiei Resources	Yes No	
Coastal Barrier Resources Act, as		
amended by the Coastal Barrier		
Improvement Act of 1990 [16 USC 3501]		
Flood Insurance	Yes No	
Flood Disaster Protection Act of		
1973 and National Flood Insurance Reform Act of 1994		
[42 USC 4001-4128 and 42 USC		
5154a]		
STATUTES, EXECUTIVE OI	RDERS, AND R	EGULATIONS LISTED AT 24 CFR 50.4
& 58.5		
Classic Albu		
Clean Air	Yes No	
	Yes No	
Clean Air Act, as amended,	Yes No	
	Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d);	Yes No Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management		
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act,		
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management	Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)		
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances	Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances	Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Endangered Species Endangered Species Act of 1973,	Yes No Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR	Yes No Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No Yes No Yes No Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR	Yes No Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 Explosive and Flammable Hazards	Yes No Yes No Yes No Yes No	
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 Explosive and Flammable	Yes No Yes No Yes No Yes No	

Farmlands Protection	Yes No	
Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658		
Floodplain Management	Yes No	
Executive Order 11988, particularly section 2(a); 24 CFR Part 55		
Historic Preservation	Yes No	
National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800		
Noise Abatement and Control	Yes No	
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B		
Sole Source Aquifers	Yes No	
Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149		
Wetlands Protection	Yes No	
Executive Order 11990, particularly sections 2 and 5		
Wild and Scenic Rivers		
Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No	
ENVIRONMENTAL JUSTIC	E	
Environmental Justice	Yes No	
Executive Order 12898		

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source

documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. All conditions, attenuation or mitigation measures have been clearly identified.

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
LAND DEVELO	PMENT	
Conformance with		
Plans / Compatible		
Land Use and Zoning		
/ Scale and Urban		
Design		
Soil Suitability/		
Slope/ Erosion/		
Drainage/ Storm		
Water Runoff		
Hazards and		
Nuisances		
including Site Safety		
and Noise		
Energy Consumption		
	<u> </u>	
Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
SOCIOECONON	ЛІС	
Employment and		
Income Patterns		
Demographic		
Character Changes,		
Displacement		
1		1
Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
COMMUNITY F	ACILITIE	S AND SERVICES

Educational and		
Cultural Facilities		
Commercial		
Facilities		
1 definites		
Health Care and		
Social Services		
Solid Waste		
Disposal / Recycling		

Waste Water / Sanitary Sewers		
Samary Sewers		
Water Supply		
Public Safety -		
Police, Fire and		
Emergency Medical		
Parks, Open Space		
and Recreation		
Transportation and		
Accessibility		
Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
NATURAL FEATU	RES	
Unique Natural		
Features,		
Water Resources		
Vegetation, Wildlife		

Additional Studies Performed:

Other Factors

Field Inspection (Date and completed by):

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:
List of Permits Obtained:
Public Outreach [24 CFR 50.23 & 58.43]:
Cumulative Impact Analysis [24 CFR 58.32]:
Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]
No Action Alternative [24 CFR 58.40(e)]:
Summary of Findings and Conclusions:

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
	t Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27] nificant impact on the quality of the human environment.
☐ Finding of Significant Im	apact [24 CFR 58.40(g)(2); 40 CFR 1508.27] et the quality of the human environment.
Preparer Signature:	Date:
Name/Title/Organization:	
Certifying Officer Signature:	
Name/Title:	

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

From: <u>David S. Beck</u>

To: Amanda Carlisle; Anna Erickson; Anna Foster; Bannister, Anne; David Blanchard; David S. Beck; Eleanor Pollack;

Floria Tsui; Greg Pratt; James Daniel; Mirada Jenkins; Nora Wright; Paul Sher; Rosemary Sarri; Teresa M. Gillotti;

Thaddeus Jabzanka; Ackerman, Zach

Subject: HHSAB Meeting (3/14)

Date: Friday, March 8, 2019 4:54:46 PM

Attachments: March HHSAB packet.pdf

Hello everyone,

We have met quorum and will be meeting on Thursday, March 14 at 6:30pm at the 200 N Main St, lower level conference room!

The agenda and packet is attached to the email. Have a good weekend!

Best,

David Beck

David Beck

Administrative Assistant

Washtenaw County Office of Community & Economic Development (OCED) 415 West Michigan Avenue

Ypsilanti, MI 48197 P: 734-544-6747

F: 734-544-6749

beckd@washtenaw.org www.washtenaw.org/oced

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AGENDA

Housing and Human Services Advisory Board (HHSAB)
March. 14, 2019 from 6:30 PM-8:30 PM

Location: 200 N. Main St., Lower Level Conference Room Ann Arbor, MI 48104

l.	Convene Meeting (Greg Pratt, Chairperson)	6:30pm		
II.	Introductions / Welcome	6:35pm		
III.	Public Comment	6:40pm		
IV.	Approval of Agenda (ACTION)	6:45pm		
V.	Approval of Minutes from 1-10-19 and 2-14-19 (ACTION)	6:50pm		
VI.	Business	6:55 pm		
	a. Public Hearing – Washtenaw Urban County Annual Action Plan	(Mirada Jenkins)		
	b. U of M student project on affordable housing An updated scope is attached. As this is a semester-long project, we are hoping to hav the students present to the HHSAB in April. If possible, the students would like to request that the <u>April meeting be moved from April 11 to April 4</u> . That will allow ther to present to HHSAB and incorporate any feedback into their final deliverables. (ACTION)			

- c. Y Lot update <u>RFP released</u> for community engagement (Teresa Gillotti) Four proposals have been received, and a staff review team is meeting Monday., March 11, 2019 to score proposals and decide on what teams to bring in for interviews.
- d. Budget request Funding previously committed and expected in the Affordable Housing Fund is either rescinded or on hold. An Attached updated draft resolution to request City Council commit general funds to the AHF in the amount previously approved by City Council in 2017 in the case the rebate funds do not go to the AFH. (see below) (ACTION)
- e. Fee in lieu reintroduction of possible methods for standardizing annual calculations. Staff will present history and options to confirm direction then bring back more detail at future meeting.
- f. Affordable housing "Value or Policy Statement"
 There has been much talk and press about work being done in Minneapolis and even
 Grand Rapids around increasing housing types and providing for more affordability and
 inclusivity in housing
 - Grand Rapids' Housing Now! (click here)
 - Minneapolis' Unified Housing Policy (<u>click here</u>) and change to single family zoning (<u>click here</u>)
 - And also https://www.localhousingsolutions.org/act/

The Washtenaw Housing Alliance has brought together community partners to develop a pledge or policy statement around multiple aspects of affordable housing. Staff would like to introduce this to the HHSAB and discuss how it could be presented to City Council as a policy stance around all aspects of housing. (Attached)

g. Affordable housing education series (*potential* ACTION)

Several community partners have expressed interest in an educational series around housing and its connections to our lives. The Ann Arbor Housing Commission, Avalon Housing, OCED and DDA partnership committee are partner along with City of Ann Arbor Planning Department. We felt it would make sense for the HHSAB to be the lead on this series so wanted to talk through our conversations about the series, and see what appetite the HHSAB would have to engage and even provide for 1-2 volunteers to serve on a committee this winter/spring to help plan the series.

At February meeting Anna Erickson offered to serve on the committee for HHSAB.

h. Affordable housing projects going through the City's development process.

Lockwood – is a proposed senior development including 38 affordable senior units. The project has been considered by the Planning Commission and recommended for approval to City Council. Recent news coverage does not indicate council support: "Ann Arbor council unlikely to OK plans for affordable senior housing"

There are a few other potential projects staff can provide updates on as well. Burton Road – Washington Street

VII.	City Council (Council Member Update)	8:00 pm
VIII.	Public Comment	8:20pm
IX.	Adjournment (ACTION)	8:30pm

Next meeting: April – as determined in this meeting, 6:30 p.m. at 200 N. Main Street, Ann Arbor, basement conference room

Draft Resolution

Memorandum

The City of Ann Arbor has consistently prioritized addition of committed Affordable Housing as a goal. In 2012, City Council and multiple City Boards and Commissions adopted the *City of Ann Arbor Sustainability Framework*. This framework provides an organizing structure for city plans and goals, fitting into three key aspects of sustainability including environment, economy, and equity. *Diverse housing* was identified as a goal within this framework, with the specific charge to "provide high quality, safe, efficient, and affordable housing choices to meet the current and future needs of our community, particularly for homeless and low-income households." One action item identified to meet this diverse housing goal was to conduct an analysis to better understand the current status of affordable housing in the community. With this charge, the Office of Community & Economic Development undertook a comprehensive analysis of housing and related equity indicators in Ann Arbor and across the urban core of Washtenaw County.

On February 17, 2015, the City of Ann Arbor Adopted the Housing Affordability and Economic Equity Analysis, resolving to commit to advancing the goals of this analysis to promote balancing in the County's housing market through policy and resource allocations, partnerships and collaborations throughout the County, including participation in the regional workgroup.

The affordable housing unit goals for the City of Ann Arbor as detailed in the 2015 Analysis included the development of 2,792 rental units affordable to households up to 60% of the AMI by 2035. Broken into an annual goal, the City should add 140 affordable units each year for 20 years. Since adoption of the plan, here is the progress:

- 2015 2 committed affordable units
- 2016 16 committed affordable units
- 2017 26 committed affordable units
- 2018 6 committed affordable units to date

The Regional Working Group, staff and others have noted that there are significant barriers to reaching the goal, and with the resurgent of the housing market, even greater need. One frequently identified is funding for affordable housing.

In mid-2018, there were two funding sources committed to the Affordable Housing Fund, with the potential for funds to be available in 2019:

- 1. Half of the sale price from the Library Lot purchase (estimated at \$5 million) and
- 2. Forty percent of the rebate from the Community Mental Health and Public Safety Preservation Millage, as defined by City Council resolution R-17-261 (estimated at \$800,000-900,000 annually for 4 years, or \$6.4 to \$7.2 million).

With the November vote approving a park at the Library Lot, and recent council action to survey residents about uses for the Community Mental Health and Public Safety Preservation Millage rebate, HHSAB would like to respectfully request that Council ensure annual funding for the Affordable Housing Fund, as they have similarly, for Climate Action Work funded through R 18-464. HHSAB is requesting that City Council allocate a minimum of \$880,000 in general fund to the Affordable Housing Fund

annually, with the ability to repay the General Fund if it is determined to direct the rebate of the Community Mental Health and Public Safety Preservation Millage to the affordable housing fund and supportive services, as previously recommended by the HHSAB. Any project seeking funding would have to make a request to the Affordable Housing Fund, which the HHSAB will review, consider and make a recommendation for further action by City Council. Projects that could seek funding in the next 2-12 months include (not an exhaustive list)

Owner	Address/Request	Request
Ann Arbor Housing Commission	Emergency Repairs to Broadway Terrace (200,000 already committed)	\$200,000 committed through
Ann Arbor Housing Commission	1504 & 1506 Broadway renovations	TBD
Avalon Housing	SRO units at various location requiring sprinkler systems	\$100,000
Avalon Housing	Broadway – lead and structural issues	\$150,000-200,000
Avalon Housing	Hickory Way Apartments Phase II	\$250,000
Avalon Housing	Platt Road	\$400,000
Michigan Ability Partners	Group homes at various locations requiring sprinkler systems	\$240,000-300,000
Habitat for Humanity	Potential new home construction	\$130,000
	Running Total	\$1,340,000 - \$1,580,000

Whereas, the City of Ann Arbor adopted the Housing Affordability and Economic Equity Analysis in 2015 that establishes a goal of supporting 140 new affordable units each year; and

Whereas, affordable housing is a priority for the City of Ann Arbor as identified in planning documents, including the Sustainability Framework; and

Whereas, previous council actions intended to provide substantial funding to the Affordable Housing Fund, available in 2019, but recent actions have either rescinded or put those funds at risk; and

Whereas, City Council has provided project funding to the Sustainability Office from the General Fund, in lieu of using the Community Mental Health and Public Safety Preservation Millage rebate through recent resolution (R-18-464);

Now Therefore Be It Resolved, that in order to support affordable housing creation and preservation, that the HHSAB recommend that City Council provide a minimum of \$880,000 annually, with 75% to the Affordable Housing Fund and 25% to supportive services through the Ann Arbor Housing Commission (as previously recommended by HHSAB) starting with the 2018-2019 fiscal year and funded annually through General Fund, and

May it Be Resolved that the General Fund contribution to the Affordable housing Fund be repaid if Council directs the rebate of the Community Mental Health and Public Safety Preservation Millage to the affordable housing fund and supportive services.

MINUTES

Housing and Human Services Advisory Board
Thursday, February 14, 2019
6:30-8:30pm
200 N. Main Street
Ann Arbor, MI 48104
Lower Level Conference Room

Members Present: A. Carlisle, A. Erickson, J. Daniel, D. Blanchard, A. Foster, A. Bannister, G. Pratt

Members Absent: T. Jabzanka, E. Pollack, P. Sher, Z. Ackerman, F. Tsui, R.Sarri, N. Wright

Staff Present: Teresa Gillotti, Mirada Jenkins, David Beck

Public Present: Glenn Nelson

I. Convene Meeting:

G. Pratt, chair, convened meeting at 6:37 pm

II. <u>Introductions/Welcome</u>

Board introduces themselves

III. Public Comment

G. Nelson: I'm the co-chair for the Citizens for Mental Health & Public Safety, and I wanted to discuss how to spend dollars from county health millage. I have three points:

- The resolution of the issue is going be critical. City council has put out a random survey of how this money should be spent. Forms are due 2/22. Results will be out late-February to mid-March. Budget must be adopted by charger by March 20.
- We have a new website: www.a2mentalhealthmillage.com. We believe it would be a good idea for council to ask ideas from this board for appropriate actions. Would appreciate sharing about website.
- Now is the time for this board to give input for this process. I urge you to do this if you favor spending money from the millage on mental health services. We would like to see 40% of city's allocation on mental health services. People didn't vote for majority climate change action. We have supported the 40% for affordable housing. We don't want to affect that 40%. We appreciate the board for your support for supportive services. Thank you for your time.

Anne Bannister: Do you have this on your website?

Glenn: We are deciding to include announcement on website. It'll be on Feb 26th on calendar. CMH advisory council was group formed by WC CMH to advise specifically the

millage funds. They are grouped separate from us. We appreciate their work. Their work is on our website.

III. Approval of Agenda

Board could not approve agenda due to not meeting quorum.

IV. Approval of Minutes

Board could not approve agenda due to not meeting quorum.

V. Business Pt. 1

- a. U of M Student Project on Affordable Housing
- T. Gillotti: We talked about this in the fall and picked discussion on UM's increased enrollment and that impact on housing market. The other piece is looking at 2 possible funding sources that are allowed elsewhere, but not in Michigan. Want to possibly recommend policy changes. We can adjust the scope of this work and have a follow up call on Friday.
- A. Foster: I can contact the professor to give them better direction and information for desired data. Also, these studies don't really address the type of housing. Would like to see their definition as a student. Right now, it's just 15-24 year old students. Can they account of total income for students over time? Don't see model on private market supply under first goal.
- T. Gillotti: Would like to present on April 4th instead of April 11th.

Board tentatively agrees to hear presentation on April 4th, will finalize later.

- b. Y Lot update RFP released for community engagement (T. Gillotti)
- T. Gillotti: City Council wanted to make decision to possibly buy back Y-Lot. We presented options and suggested community engagement to see what it could look like. It's been confusing as Peter Allen, students from UM, and others are conflating the 2 things. Peter and students are working on projects. We will be bringing in professional consultants (AADL and AATA are included.)
- G. Pratt: What's public process look like?
- T. Gillotti: We're looking for different means for engagement to hear from many different sources. They would also be doing research and engagement.
- A. Foster: Is this what Municipal League does?

T. Gillotti: They use similar consultants.

Board discusses what to do with Y-Lot and library lot. We're focusing on just Y-lot now, not library lot.

- c. Budget Request
- T. Gillotti: We increased amount from 40% from rebate. There's an updated list for partners for projects in the queue.
- G. Pratt: I'm seeing a lot of repair and renovation. Are there new builds?
- T. Gillotti: Habitat, Veridian, and Hickory Way are new.

A. Foster: Can we tie the green sustainability part to affordable housing? Maybe around 80%?

T. Gillotti: That's for climate action. We're asking for 100% for what was written on the affordable housing end.

A. Carlisle: Our recommendation originally was that 75% would go to AAHF and 25% supportive services. Can we specify what the numbers would be?

T. Gillotti: Yes

G. Pratt: Will have more time to talk about it next month?

A. Bannister: It'll be tight, but that is okay. I'll be going to the Council's Tuesday meeting, and will let them know that this is coming.

- d. Affordable housing "policy statement"
- G. Pratt: I was present for part of discussion. Idea behind this is to get ourselves oriented to a vision for housing where we're actually changing how we're going about doing things. We're aiming a little bit in the direction of making not only dedicated funding choices, but also talking about how we can approach land use in different ways that will increase our ability to house more people of different incomes and backgrounds. It's an envisioning statement with benchmarks, and it's not only about creating housing but maintaining what we have as we've been losing affordable units. We want to figure out ways to preserve dedicated affordable housing units and create more units for 60% AMI and below. We also want to watch out for displaced individuals.

A. Carlisle: We had a small group of folks from different perspectives make a working draft document to show values that we have in terms of affordable housing and making sure that everyone in community can live and thrive here. Greg make a good point on improving processes and thinking more about land use. We talked about the education system where writing was incorporated in everything. This is like using affordable housing across curriculum with lenses of equity in the community. We will take this draft to many other groups for input.

G. Pratt: What other groups?

A. Carlisle: WHA, Religious Action for Housing, Interfaith Council, County Equity Leadership team, WCUC, and more. We're hoping to cover the entire county.

Teresa: We're hoping values are across the board. The goals may change by community is the thought.

A. Carlisle: We looked at other communities and polled generously from those communities. We will be asking for permission for some of this.

G. Pratt: So I know this is big in scope and dense, but does anyone have any questions/feedback?

A. Foster: More of a pondering question: What is the first line on draft pledge for draft housing beliefs? "Housing is human right" made me think about how cities have seen tent cities pop up but I'm not sure if that's a thing that we can include in policies in cities like this for how we do/don't welcome people who have alternate housing which is their right. I don't know if we have city policies for that

G. Pratt: We have policies like state and local laws on camping on public land. We do have humane displacement policies. I don't have language, but it would be cool to get input from folks like Mission and Caleb. In the group, they meet every Sunday and a lot of them are staying at tents or shelters overnight. I feel like they'd like to express their thoughts on these policies.

A. Foster: There's things like sanctuary cities in the news where there's tension with state laws.

A. Carlisle: We can consider it and get more input. Michigan Coalition against Homelessness is also doing a lot of work on displacement policies considering homelessness. So a lot of policy examples have been things from HHSAB from our work plans and ideas from other groups. There's a lot here, but looking for any and more input on these topics. You can email me or Teresa if you have more ideas.

A. Bannister: We make new construction and tear down modest-price housing, such as N. Main, for modern condos. I wonder if there were somewhere in here that instead of looking at new tax revenue, we look at possible losses from previous buildings.

D. Blanchard: Maybe we can say that if you take down lower to mid modest cost housing, you must provide a similar number of units in the new development.

A. Erickson: One question: does naming specific housing developments potentially cause opposition and beliefs to be stalled in approval because there's objection to specific developments?

M. Jenkins: We don't want it to look the statement to look targeted too.

A. Carlisle: This is informing document for WHA advocacy to help inform what we're doing.

e. Affordable Housing Education Series

T. Gillotti: So this started in a funny way. DDA partnership committee invited people to ask questions, and we answered them. Wanted to share discussion with community, but some people expressed it's hard because it's the same information that doesn't go deeper. So we asked, what if we brought in different people, videotaped discussion, etc. We thought this was a good body [HHSAB] to lead that. We wanted 8 things, or maybe down to 4-5, to review, and we can have people in committee from our body to put education series together.

D. Blanchard: Value in material is getting it out to community. What if we did it in city council chambers as there's already infrastructure to support video and taping? If we can get a good space and video, we can help set up series in joint working sessions to hear presentations for importance topics in intersection of affordable housing and zoning/other issues.

A. Foster: Was the idea Ann Arbor specific? Or all of Michigan? If we do state-wide, we can bring in more people from like bigger radio and other sources?

T. Gillotti: That's what we're discussing.

A. Bannister: We could even use Michigan Theater as we have 10 times that we can use it for, and there's not much planning to use that space.

Anna Erickson volunteers to be on that team. David Blanchard, in some capacity, is willing to join depending on topic.

Board discusses.

- f. Affordable housing projects going through the City's development process
- G. Pratt: We have public hearing at council for households at \$32k or less a year on the west-side next to Sister Lakes. There's an opportunity to get council on board to get some senior-focused units.
- A. Carlisle: I think that there's a lot of neighbors against development and is asking for rezoning. 40% of development would be for affordable housing. As Greg says, it'd be for lower income (50%). People want developer to commit to 99 years and, knowing that we've lost affordable housing units, specifically senior housing, it'd be a big chance. Trying to get folks out for council and if you're in favor of council moving forward, please join. There's information on Legistar from previous meetings and would encourage folks to contact council and come out on Tuesday.
- J. Daniel: Some vocal neighbors don't want something there. Has the land been bought?
- A. Bannister: Yes, but he wants rezoning from single family housing to PUD. We will probably hear from 1 of the 3 sisters.

Board discusses.

A. Bannister: Other problem is that plume is dense under there. Someone has testified that if we build there, it could move and affect contamination more.

A. Carlisle: The report addresses that there there's enough distance and layers so it wouldn't affect that.

VI. <u>City Council member update</u>

A. Bannister: Human Rights Committee has unanimously recommended to City Council about trespassing laws. We've cleaned it up so police can help direct trespasser to city county services. Also, for nuclear preparedness, we asked county to stock KI (iodine pills) so if radiation leaks, we can take iodine pills to protect from emergency.

Our councilman, Kathy Griswold, is getting a lot of traction on pedestrian safety issues. If you see any problems, we encourage people to submit on the "See, Click, Fix" (SCF) page,

but it seems like we're struggling with city staff to get crosswalks as an issue on the SCF page.

For the Library Lot: We're thinking of ideas to use lot, and have a consultant from that assisted the Detroit Riverfront group. Some ideas are to make it a public place that people can reserve and sell food and drinks.

A. Foster: Any news on annexation?

A. Bannister: I know it's hard for people who are worried about annexing. We lost on that one and annexed 100 properties with 400 more to go.

A. Foster: Are they all to be annexed, or is it just for 100?

A. Bannister: All, but state policies say there is a limit on how many units you can annex at a time.

Criminal Forfeitures: Luckily, AA police doesn't do that, but it's a big issue in the country. The Independent Police Oversight Committee is moving along well with 62 people applying and it will be sorted through and cut down to 30. They really thank everyone who applied and invited to continue participating. There's 4 people who'll sort the applications and announce their recommendations for 11 member oversight around late February. This is going hand in hand with search for new chief. They want the new chief to be data-driven.

Housing: People are upset about single houses being torn down on Washington. One thing the board might be interested in is that this is first to use affordable housing premium.

Board discusses

Teresa: County is in first round of racial equity officer. It'll be a presentation, community question and answers, and meet and greet. It'll be on Monday night.

VII. Public Comment

N/A

VIII. Adjournment

G. Pratt, chair, adjourned meeting at 8:15 pm.

MINUTES

Housing and Human Services Advisory Board
Thursday, January 10, 2019
6:30-8:30pm
200 N. Main Street
Ann Arbor, MI 48104
Lower Level Conference Room

Members Present: A. Carlisle, T. Jabzanka, A. Erickson, J. Daniel, D. Blanchard, E. Pollack, A. Foster, P. Sher, Z. Ackerman, R.Sarri, N. Wright,

Members Absent: A. Bannister, F. Tsui, G. Pratt

Staff Present: Teresa Gillotti, Mirada Jenkins, David Beck

Public Present: Jim Mogenson

I. Convene Meeting:

A. Foster, co-chair, convened meeting at 6:35 pm

II. <u>Introductions/Welcome</u>

Board introduces themselves

III. Public Comment

J. Mogenson: I have a box of the original proposal from T-Lot from the YMCA. I believe this will come around again.

III. Approval of Agenda

R. Sarri moved to approve agenda; P. Sher seconded. Motion passed unanimously

IV. Approval of Minutes

A. Erickson moved to approve agenda; A. Carlisle seconded. Motion passed unanimously.

V. Business Pt. 1

a. Update on 2015 Housing Study

T. Gillotti: A lot of people reached out to see what's changed in the past 3 years to the 2015 Housing Study so here is the Housing Affordability and Economic Equity Study 2015 to Today. It ends up being a tale of 2 markets: an increasing market in Ann Arbor and a decreasing market for Ypsilanti. The big takeaway is to rebalance the 2 cities/regions.

Specifically, there has been an increase in the poverty rates of the 2 cities and surrounding areas, but there are some factors, such as students, which throws off the data.

A. Erickson: This data is without seniors right?

T. Gillotti: Yes

R. Sarri: Many students live closely to the poverty level.

T. Gillotti: Some other data that we're seeing is:

- The housing and rental rates are high
- For rentals, the fair market rate is around \$400 lower than the rates we see in Ann Arbor.
- 10 of the top 20 fastest growing sectors pay below 80% AMI.
- We also see a high percentage of renter households paying >30% of income, especially for people earning <\$34,999 annually.

There are some local actions that are being taken by different cities towards affordability as well. We are adding around 150 units to affordable housing with Avalon Housing and the Ann Arbor Housing Commission, but we're facing a situation with affordable housing units moving out of affordable housing rates (816 units) through different loopholes.

A. Foster: Are a lot of people acting on these loopholes?

T. Gillotti: Not many yet

J. Daniels: What's the difference between low-income and affordable housing?

P. Sher: Affordable housing is tied to a percentage while low-income housing is <60% AMI.

Board discusses.

VI. City Council member update

- a. Library Lot Update
- Z. Ackerman: Proposal A passed, and I haven't heard of anyone paying off Y-Lot. I still want to try to make an effort for affordable housing.
 - b. Update on County Health Millage Rebate and Upcoming Survey
- Z. Ackerman: The millage was supposed to have 40% go into the affordable housing fund, 40% go into climate action, and 20% go to pedestrian safety. Most of the conversation has been about the climate, and not so much on the pedestrian safety or affordable housing. My informed assumption is that it will be split as planned, but ongoing support for that will be huge.

The budget survey, with priority based budgeting group partnership, focused on fixing potholes, water quality, affordable housing, and climate action as priorities. We will be doing a follow-up survey looking just at the public safety dollars. The emphasis will be on data being disaggregated by demographics. Advocacy will be critical.

- c. City Council in 2019 Upcoming Activities and/or Topics
- Z. Ackerman: With the passing of prop A, we need to do something to address affordable housing whether that's different uses of large public land and/or integrating neighborhoods. We want to introduce more housing for the people with 60-80% AMI. Downtown zoning districts have premiums to build densely.

We're looking to integrate some areas of public land to build more affordable housing units, and are looking into the legal ramifications of that. Here are some of the locations I've thought about.

- 721 N. Main St: It would be along the new trail.
- 2000 S. Industrial: The parking lot is city-owned and there would be possibilities for mixed use properties there with housing and spaces/offices for non-profits.
- The SW corner of Veterans park by Jackson and Maple

We are hoping that these locations would be able to successfully integrate to successful communities and to add a few dozen units of affordable housing. We would want to have discussions with the community as well.

Board discusses other locations

VII. Business

- a. 2019 Final Work Plan
- T. Gillotti: I made some edits to the draft from the suggestions from our last meeting.
 - b. Y-Lot Update
- T. Gillotti: Next week, we are planning to release the RFP with 3 suggestions.
 - c. Public Land Review Update
- T. Gillotti: We are planning to show full set of results next month. We reviewed a lot around floodplains and HUD complaints.
 - d. Budget Request
- T. Gillotti: I drafted a resolution that if nothing from the rebate is given to the affordable housing fund, can there be general fund dollars equal to the climate action funds.
- T. Jabzanka: Does this give the council an out? If we're already asking to receive general fund dollars?
- T. Gillotti: Good question.

Board discusses language of proposal.

A. Foster: Could we suggest an affordable housing millage?

A. Erickson: It seems like we always say and think no to this, but we haven't tried in 10 years.

T. Gillotti: There is a lot of work that goes into getting a millage even on the ballot.

A. Carlisle: There was a millage back in 2007 about the taskforce. There was supportive housing services, but the recession messed that up. The endowment, however, still exists and is now at \$3 million.

A. Foster: Another question, do we have breakdowns of what rental units are owned by people who own 1-2 houses vs. bigger developments?

- T. Gillotti: The data is there, but has to be organized.
 - e. SB 110 is now PA Public Act 585

The Governor signed in legislative changes to the rent control act – the amendment is bolded, italicized and underlined.

- Sec. 1. (1) As used in this section, "local governmental unit" means a political subdivision of this state including, but not limited to, a county, city, village, or township, if the political subdivision provides local government services for residents in a geographically limited area of this state as its primary purpose and has the power to act primarily on behalf of that area.
- (2) Subject to subsections (3) and (4), a local governmental unit shall not enact, maintain, or enforce an ordinance or resolution that would have the effect of controlling the amount of rent charged for leasing private residential property.
- (3) This section does not impair the right of any local governmental unit to manage and control residential property in which the local governmental unit has a property interest.
- (4) This section does not limit the power of a local governmental unit to adopt an ordinance or resolution to implement a plan to use voluntary incentives and agreements to increase the supply of moderate- or low-cost private residential property available for lease.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law. This act is ordered to take immediate effect.

- f. Affordable Housing Preservation Activities
- A. Carlisle: We are looking into the Low-Income Housing Tax Credit (LIHTC) program.
- M. Jenkins: HUD is shut down due to the federal shutdown, but we found out it is still open for continued cases such as vouchers. No new activities can happen though.
 - g. Reappointment Process and Open Seats

M. Jenkins: Carrie Hammerman is stepping down from the board so that leaves open 2 seats: 1 business seat and 1 non-profit seat.

Also, for members whose term is expiring in the coming year (2019), the Clerk's office has asked staff to inquire with those members as to whether or not they would like to be reappointed, by March 1, 2019.

VIII. Public Comment

- J. Mogenson: 3 things
 - Please don't forget about the human services part of the HHSAB.
 - For affordable housing types, there's no oversight from the usual systems if they're not in RAD.
 - When talking about affordable housing, pleases remember that the <30% AMI is important to keep in mind.

IX. Adjournment

- A. Foster, co-chair, adjourned meeting at 8:27 pm.
- A. Erickson moved, P. Sher seconded. Motion passed unanimously

WASHTENAW COUNTY OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT + THE FORD SCHOOL APPLIED POLICY SEMINAR PROJECT:

"Washtenaw County Affordable Housing Policy Analysis"

PROJECT PLAN

The student project team seeks to assist the Washtenaw County Office of Community and Economic Development in analyzing several factors affecting affordable housing in the county. In the forthcoming sections, the project team aims to identify and outline the various goals of the project, as well as the necessary deliverables and timetables needed to guide our efforts throughout the semester.

PROJECT GOALS:

- I. Quantify change in University of Michigan enrollment and student housing provision in recent years, and analyze impact on Ann Arbor housing market broadly
 - Quantify recent change in private market housing supply, and determine what share of new development is driven by student demand
 - Collect annual data (ideally 1999-2000 to 2018-2019) on University of Michigan enrollment, number of on-campus beds, on/off-campus student housing split, and future trends where available
 - Sources: University of Michigan
 - Common Data Set (via Office of Budget and Planning)
 - o UMAY Survey (via Office of Budget and Planning)
 - o Number of on-campus beds (via Housing)
 - US Census Bureau
 - o Table 26001-Group Quarters Population
 - Determine current housing supply and (approximate) demand in low- and moderate-income submarkets using ACS 1-year estimates for the City of Ann Arbor. Map changes in affordability and supply-demand mismatch over the past decade
 - Sources: US Census Bureau
 - o Table B10019-Household Income

- o Table B25063-Gross Rent
- Zillow Research Institute
 - Median rent indices for various structure types
- Using number of households headed by 15-24-year-olds as a proxy for student households and with reference to enrollment figures, determine approximately what share of rental households are occupied by students
 - Sources: US Census Bureau
 - o Table B25011-Tenure by Household Type
 - o Table C25004-Vacancy
- Model impact on private market supply and rents of hypothetical student housing development under several scenarios to assess potential benefits and costs of university-led housing construction.
 - Determine what rental submarkets would be most impacted by an increase in university-owned housing, and to what degree. (Method requires further study.)
 - Sources: HUD
 - Fair Market Rent
 - o Income Limits
 - Student rent data (currently being sought from CGS.)
- Distill recent housing developments on UM campus and in downtown Ann Arbor into talking points and infographics
- Benchmark how other US Universities and colleges in similar contexts are planning for and addressing housing
- II. Research state enabling legislation required to authorize city- and county-level revenue collection for purpose of providing affordable housing, and assess the feasibility of policy alternatives.
 - Review state legislation regulating local revenue collection (primarily taxes, with secondary focus on fees and special assessments)
 - Analyze other states' policies for funding affordable housing, and determine what legislation may suit Michigan
 - Assess feasibility of potential policies in following order of priority:
 - Tier One: Bed/accommodations tax; Inclusion of affordable housing in community benefits paid for by nonprofit hospitals

 Tier Two: Fee on short-term home rentals through platforms such as AirBnB; Real estate transfer tax; Linkage fees

PROJECT DELIVERABLES:

- Public-facing infographics summarizing recent housing market trends and student enrollment, with a focus on private-market and university-led development and attendant impacts; executive report with longer appendix containing additional data and findings.
- Briefs on various funding options, intended for city- and county-level policymakers; appendix for inclusion in above report
- Presentation before Housing and Human Services Advisory Board, which advises Ann Arbor City Council and Washtenaw County Office of Community & Economic Development.

PROJECT TEAM:

- Eric Hanss, MPP, 2020, <u>ehanss@umich.edu</u>
- Kyle Slugg, MPP, 2019, kslugg@umich.edu
- Kevin Sweitzer, BA, 2019, <u>ksweitz@umich.edu</u>

PROJECT TIMELINE (1/14/19 - 4/24/19):

- Meeting Dates
 - January
 - 23 Initial conference call with client, Teresa Gillotti
 - 25 Conference call with Teresa to confirm project scope
 - 30 Work plan meeting with Brian Jacob
 - February
 - 6 Progress meeting with Brian Jacob; mentor meeting
 - 7 Meeting with Lan Deng to discuss housing needs analysis
 - 8 Progress meeting with Teresa Gillotti
 - 12 Meeting with Steve Lonn to discuss enrollment, housing
 - 18 Meeting with Jim Kosteva to discuss housing
 - 20 Progress meeting with Brian Jacob
 - 22 Progress meeting with Teresa Gillotti
 - 27 Progress meeting with Brian Jacob
 - TBD interviews with stakeholders, TBD
 - March

- 11 Working meeting with Teresa Gillotti
- 13 Progress meeting with Brian Jacob; mentor meeting
- 20 Progress meeting with Brian Jacob
- 27 Progress meeting with Brian Jacob
- TBD interviews with stakeholders, TBD
- April
 - 3 Progress meeting with Brian Jacob
 - 4 Potential presentation to Washtenaw County Health and Human Services Advisory Board
 - 10 Progress meeting with Brian Jacob; mentor meeting
 - 24 APS final presentation and reception
- Workflow
 - o Project scoping and planning: 1/14/19 2/15/19
 - Milestone: meeting with Brian Jacob
 - Milestone: submittal to Teresa Gillotti and HHSAB
 - Housing Analysis: 2/4/19 4/17/19
 - Student enrollment and campus housing data collection (Contacts: Steve Lonn; Daniel Greene)
 - Meeting with housing experts, policy makers (e.g. Chip Smith, Liz Gerber, Lan Deng, Julie Schneider City of Detroit, Jennifer Hall Ann Arbor Housing Commission; Wendy Carty-Saxton/Larry Catinar Avalon Housing; Derek Delecourt & Brett Lenart City of Ann Arbor)
 - Benchmarking national best practices in planning and providing affordable housing in University-centered markets
 - Ann Arbor housing market scenario modelling
 - Draft report production
 - Review and presentation of initial findings to HHSAB
 - Final report production
 - State Enabling Legislation for Local Revenue Collection: 2/4/19 -4/17/19
 - State enabling legislation review
 - Benchmarking national best practices in local revenue collection and legal risk of court challenges
 - Draft briefs on the legal and practical feasibility of levying the following fees under Michigan, Washtenaw County, and local law:
 - Bed/accommodation tax
 - Nonprofit hospital community benefits funding

- AirBnB (optional)
- Real Estate transfer tax (optional)
- Linkage fees (optional)
- Review and presentation of initial findings to HHSAB
- Finalize one-pagers
- o Information completion: 4/17/19 4/24/19
 - Final production of reports, slides, and one-pagers
 - Final presentation



415 W. Michigan Avenue Ypsilanti, MI 48197

www.ewashtenaw.org/oced twitter@WashtenawOCED 734.544.6748 (P) 734.544.6749 (F)

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City of Ann Arbor request to review and propose update Fee-In-Lieu of Affordble housing calculation

The City of Ann Arbor has requested the HHSAB review the \Fee in Lieu of Affordable Housing calculation as denoted in the zoning ordinance related to Planned Unit Development proposed D1 & D2 ordinance changes. They have further requested that the calculation be changed from a per-unit fee to a fee per square foot, and a means for the calculations to be automatically updated annually.

Previous contributions to the Ann Arbor Housing Fund through the use of the PUD ordinance include: Berkshire Creek, 1310 S. Main and Plymouth-Green (3 separate years),

Background

Several places in the City of Ann Arbor's zoning ordinance provide developers and option to provide affordable housing or a fee-in-lieu of providing affordable housing including the section on Planned Unit Development, as well as the D1 and D2 zoning downtown. For example, Sec. 5:80. - PUD planned unit development regulations and standards for approval. (6) (e) (ii) notes the following (staff emphasis):

Dwelling units affordable to lower income households shall be provided by the development of units on-site, or *payment of an affordable housing contribution in lieu of units consistent with the formula adopted by annual resolution of City Council*, or any combination thereof.

The previous resolution has been amended twice, in 2004 and 2006, and is due for an update. OCED and City staff have looked into best practices for calculating the fee-in-lieu of affordable units and has found two main strategies for calculating the amount.

- 1- One strategy is calculating the actual cost of constructing a unit. The means of determining this amount is often through a nexus study usually done annually by affordable housing consultants. It is often used in states that enable local units to require additional affordable units or fee in lieu of units for new commercial/office and related development, noting that most commercial and office will require lower-wage employees as part of the developments. Michigan state law does not enable this sort of nexus requirement. Since we aren't allowed to require affordable units through a nexus study, and the cost of an annual consultant study is not feasible, staff has ruled out this method.
- 2- The second method is to identify an "affordability gap." The idea of affordability gap is not to charge the developer the full costs of construction, but to calculate the difference between the cost of the affordable and market rate unit over the lifetime of the unit. Construction costs are the same. The affordability gap is the difference between the market purchase price or rent of a dwelling unit and the amount affordable to a household earning the 60% of the Area Median Income. The fee in lieu amount then should be calculated to represent that gap, and be provided to developers to cover the difference in rehabbing or developing new affordable units in the City of Ann Arbor. This method is in-line with previous methods employed, and staff feels that a proxy can be used annually to calculate the gap.



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www.ewashtenaw.org/oced twitter@WashtenawOCED

734.544.6749 (F)

734.544.6748 (P)

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Previous calculations

August 2004, Resolution R-365-8-04

- City Council establishes formula, fund and per-unit contribution amount for Affordable Housing Contributions for PUD Districts
- Formula adopted: (Moderately Priced Housing Unit)-(Sales price of unit affordable to a lower income household) = Per-unit housing contribution
- Moderately Priced Housing Unit = 20th percentile of residential sales between February and April of previous year
- Sales price of unit affordable to a lower income household = 2 times the income of a family of four at 80% Area Median Income
- Per Unit Contribution = \$60,000

January 2006, Resolution R-19-1-06

- City Council update to formula and per-unit affordable housing contribution
- Same formula as 2004
- Moderately Priced Housing Unit = 40th percentile of residential sales between February and April of previous year
- Sales price of unit affordable to a lower income household = 2 times the income of a family of four at 80% Area Median Income
- Per Unit Contribution = \$89,000

September 2007

- City Council update to formula and per-unit affordable housing contribution
- Same formula as 2004
- Moderately Priced Housing Unit = 43rd percentile of residential sales between February and April of previous year
- Sales price of unit affordable to a lower income household = 2 times the income of a family of four at 80% Area Median Income
- Per Unit Contribution = \$93,300

Current Analysis of Formula (2017)

- Utilizing same formula with updated 2015 residential sales data; 80% AMI Household of 4 X2 = \$131,400
- Use of 20th percentile: \$165,000 \$131,400 = \$33,600/unit
- Use of 40th percentile: \$220,000 \$131,400 = \$88,600/unit
- Use of 43rd percentile: \$230,000 \$131,400 = \$98,600/unit

Strengths and weaknesses of this strategy

One strength is that the data is readily available to create the calculation. The weakness is that the deciding metrics are fairly arbitrary, and don't really represent the "affordability gap" as described above.



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Staff Proposed Fee in Lieu Calculation

Staff is proposing refining the fee in lieu calculation using the affordability gap model, with the ability to easily review and update the Fee in Lieu amount annually. The formula utilizes the previous year's sales data, the median housing size, and Area Median Income, to build in the ability for the fee in lieu to fluctuate up and down with the market.

The calculation has two components, and is based on the difference between the two:

- A. The median market rate price for single-family dwelling units of 2,000 or fewer square feet. This will be determined by using the assessor's data from the previous year. This price in 2016 was \$227,500.
- B. The Amount Affordable to a 3-person household at 50% of the Area Median Income (AMI) as defined by HUD annually and includes the standard costs of ownership such as principal, interest, taxes and insurance. The formula for calculating the price shall be published and also assumes 5% down payment and interest rate of 4%. The 2016 analysis of this is: \$108,000

Formula: A - B = Affordability gap - \$119,500

C. To determine the per square foot price, the Affordability gap is divided by the median square footage for houses sold in the previous year. In 2016, that is 1,354 sf. Resulting in a per square foot price of \$88

City and County staff then can easily calculate the fee in lieu price for a developer utilizing the PUD. For example, a developer who is looking to pay a fee in lieu of affordable units where the units would be required to be 700 square feet, would pay \$61,600 per unit.

DRAFT PLEDGE FOR AFFORDABLE HOUSING

BELIEFS

1. Housing is a human right.

Housing is the foundation for health and well-being, enabling people to live with dignity, quality of life, and with basic access to opportunity.

2. We must coordinate housing strategies with complementary strategies in the areas of health, education, transportation, environment, and economic development to improve the overall quality of our community life.

Twenty first century community and economic development strategies must be attend to relational impact of interdependent factors that affect community and individual well-being.

3. There is social, environmental, and economic value in establishing mixed income, highly diverse neighborhoods with increased density in urban areas,

Diverse, racially equitable, mixed income communities are stronger, richer, and more vibrant places to live and work.

4. Government has an essential role and responsibility in the preservation, acquisition, and development of affordable housing to help build an economically diverse, racially equitable community. Public assets and financial incentives should be reserved for households with incomes up to 60% of Area Median Income (AMI) for renters and up to 80% of AMI for homeowners.

The market will not reliably meet the needs for accessible, safe, and affordable housing for all in our community. Public resources should be invested in projects and with developers whose mission is to support affordability in perpetuity.

5. Everyone in our community benefits when we ensure a wide variety of safe, healthy, affordable housing types at a range of price points.

There are assets, value, and cultural wealth in every part of our community. Everyone must be able to benefit from our community's assets.

6. We must improve access to homeownership, especially among low income households, persons of color, and Indigenous Peoples.

Commonly accepted housing policy and practices have effectively segregated communities, limited/excluded economic opportunity in communities of color, while offering public subsidies to others. We seek inclusionary policies that help realize our community's commitment to equity.

7. Renters bring distinctive, essential, social and economic value to our community. Renter voices should be valued. Tenant rights are valued and prioritized.

We must protect housing affordability and stability for tenants so that they can fully participate in the life of our community.



GOALS

I. Create and preserve dedicated affordable housing units.	II. Promote affordability by reducing barriers to new supply.	III. Help households access and afford homes.	IV. Protect against displacement and poor housing conditions.			
Sustainable, adequate funding						
Complementary policies in health, education, transportation, economic development, environment						

POLICY EXAMPLES from BENCHMARKED COMMUNITIES

Municipalities that are committed to affordable housing and equity have employed these policies and practices, among others.

- I. Preserve, acquire, and create dedicated affordable housing units.
 - Preserve Low Income Housing Tax Credit (LIHTC) housing and locally subsidized housing that is approaching the end of its affordability period.
 - Request long-term affordable housing in every project that comes to the community as a standard practice. Asking is the first step.
 - Residential projects of five or more units that either receives financial assistance from the municipality, or is developed on property purchased from the municipality must meet long-term affordable housing requirements for lower-income residents.
 - Municipal dedicated taxes, millage, fees and bond-financing for affordable housing
 - Adopt Municipal Payment in Lieu of Taxes (PILOT) ordinances for qualified projects
- II. Promote affordability by reducing barriers to new supply.
 - Reduce or eliminate mandatory parking requirements in housing developments.
 - Streamline all housing development processes. Implement a "Fastest Track" and no- or low-fee process for affordable housing developments.
 - Support the construction of a variety of housing types, including "missing middle" types like duplexes, triplexes, in all neighborhoods. Allow for housing with up to three units, with denser development in selected urban areas including major corridors.
- III. Help households access and afford homes.
 - Ensure adequate local property tax hardship exemptions and ensure accessible processes to secure exemptions.
 - Increase fair housing education and enforcement activities
 - Strengthen and expand source of income protections to improve voucher holder's ability to access housing.
 - Require owners of rental housing projects to accept tenant based rental housing assistance.
 - Ensure housing vouchers factor into income requirements to maximize access.
- IV. Protect against displacement and poor housing conditions.
 - Increase fair housing education and enforcement activities.

- Maximize maintenance of quality properties through a substantive landlord risk mitigation fund.
- Increase funding for homeowner rehabilitation programs including those that assist seniors to make needed repairs and modifications to their homes to support aging in place.
- Gather data and collaborate with researchers to better understand the causes of eviction in Washtenaw County
- Expand tenant access to representation in eviction cases, such as court-based eviction diversion programs or a civil right to counsel.

WASHTENAW COUNTY MUNICIPALITIES

IMMEDIATE ACTIONS RECOMMENDED

- 1. Preserve, acquire, and create dedicated affordable housing units
 - a. Ann Arbor: Pilot a fast track process for the next affordable housing development to be submitted through the plan review and approval process.
 - b. Affordable Housing Preservation Working group continue prioritization and work plan for preserving affordable units in the county.
 - c. Organize for action on the following future developments in Ann Arbor:
 - i. Lockwood of Ann Arbor (senior housing 38 units) Development
 - ii. Washington Street (behind Michigan Theater) 19 affordable housing out of 245 total units (Alexis City of AA)
 - d. Assess City of Ann Arbor Public Land for use for affordable housing. Where affordable housing is appropriate, provide land to local mission-drive non-profit housing developers for development. In cases where public land is sold, commit 50% of sales proceeds to Affordable Housing Fund.
- 2. Promote affordability by reducing barriers to new supply.
 - a. City of Ann Arbor Reduce/remove parking requirements for affordable housing developments.
 - b. Implement changes to corridor zoning to require mixed use units including residential.
 - c. Consider addition of duplexes and ADUs in all residential areas.
- 3. Help households access and afford homes.
 - a. Streamline local property tax hardship exemption processes.
 - b. Increase awareness of property tax exemptions among low-income homeowners.
 - c. Strengthen and expand source of income protections to improve voucher holder's ability to access housing.
 - d. Increase fair housing education and enforcement activities.
- 4. Protect against displacement and poor housing conditions.
 - Gather data and collaborate with researchers to better understand the causes of eviction in Washtenaw County.
 - b. Explore way to expand tenant access to representation in eviction cases, such as courtbased eviction diversion programs or a civil right to counsel.

c. Support voucher to home-ownership programs to help households using vouchers to build wealth over time.

5. Funding:

- a. City of Ann Arbor: Protect the current commitment of City of Ann Arbor mental health millage dollars for affordable housing and supportive services.
- Protect Washtenaw County mental health millage investment in supportive housing services.
- c. City of Ann Arbor: Identify options for immediate and long range, substantial and sustainable increases to resources for affordable housing.
 - i. City of Ann Arbor: Adopt a dedicated revenue stream to generate at least \$2 million/year for 20 years through a millage, and/or general fund, and/or bond-financing, and/or fees to develop new and preserve existing affordable housing and housing supportive services.
- d. City of Ann Arbor approve Brownfield Policy requiring affordable units when residential is a part of the development, and Fee in Lieu of Affordable housing for commercial/industrial only projects.
- e. Expand parking hours and commit increased parking revenue to the Affordable Housing Fund.

SOURCES

These resources have helped inform these beliefs and goals

- Minneapolis Unified Housing Plan
- Kent County Housing NOW! Plan
- National Community of Practice (CoP) on Local Housing Policy, a project of the NYU Furman Center and Abt Associates.
- December 2018 Housing Coalition Community Meeting
- 2015 Housing Affordability and Economic Equity Study
- 2017 Washtenaw Assessment of Fair Housing
- 2018 City of Ann Arbor Working Session presentation

NEXT STEPS

1. Engage with multiple other groups and individuals working on and affected by affordable housing needs to assess and confirm priorities for advocacy and action within each municipality.

From: Peter Allen

To: Lazarus, Howard

Cc: CHAMBERS Brian; Kelbaugh, Doug (DGT)

Subject: Re: 2.22.19 team term projects

Date: Wednesday, March 6, 2019 12:14:43 PM

All good ideas. Pls come to the Kickoff class next Wed Mar 13 at 6:30. We will talk then about the next 6 weeks, which will be 3 term projects for the teams. A "City Review" like the attached for the city of their choice, a short term project on that same city and the final capstone project on Ann Arbor. You will most needed for the last 4 weeks of class, all Wed nights 6:30-9:30. Plan on coming Mar 13, Mar 27, and April 3, 10th, 17th & 24th for at least the first half of the class, 6:30-8 pm.

I am meeting with 3-4 AAPS Board members Mon, Mar 18th at noon to 1:30 to drive by the AAPS High School sites that are candidates for the class: Huron (already done once), Pioneer parking lot and Community HS parking lot. The AAPS are also concerned about new sources of revenue, like the city. Want to join us for this tour?

I like your site choices: Fingerle, 721 N Main, U of M sites along Ply Rd. But we don't have to finalize the list until Mar 27-April 3. Term projects on these public sites are due April 19th. Peter

On Wed, Mar 6, 2019 at 10:32 AM Lazarus, Howard < <u>HLazarus@a2gov.org</u>> wrote:



I am glad to hear you are enjoying your time in the desert sun. Here are my thoughts:

- I'd like to stay away from the Y Lot in that we have the RFP out and we've received concerns (justified or not) that your work is somehow biasing the outcome of the City's efforts. I also would like to stay away from the train station until the EA is completed through FRA.
- I think a development analysis of 721 North Main under the constraints that Council will consider at its next meeting would be helpful.
- We have not yet looked at North Campus along Plymouth Road. There is a university connection, so I think that is fertile ground, as would be a look at a privatization scheme for the Fingerlee property.

- I'd like to wait on the AAPS properties until I can talk to Jeanice Swift.
- Any options should look at trip reductions and potential carbon or other development credits.
- It would be interesting to see what the economic advantage would be to a home/condo owner by reducing trips, including the potential impact of a \$0.45/gallon gas tax increase.
- I think the benefit of my presence at class is to provide the client's perspective. I'm not sure that requires attendance at every class session, but I can leave that up to you. I am willing if you think it adds value, otherwise let me know which sessions would be helpful to the students.

I am also going to send you my last correspondence with Brian Chalmers about the overall Cooperative Agreement with UM for your information and thoughts.

Howard S. Lazarus

City Administrator

City of Ann Arbor

301 E. Huron Street

Ann Arbor, MI 48104

T: 734-794-6110 ext41102

E: hlazarus@a2gov.org

www.a2gov.org



From: Peter Allen <
Sent: Tuesday, March 5, 2019 12:18 PM
To: Lazarus, Howard < HLazarus@a2gov.org >
Subject: Fwd: 2.22.19 team term projects

Howard: I am sure enjoying spring Palm Desert with 70 degrees & pure sun. We are going to Indian Wells Tennis Tourney today.

I need your thoughts on the term project site for the class starting up again next Wed night, Mar. 13. What are preferred term projects for the 11 teams and what you would like to personally achieve by coming to class. See below and let me know what you think. Thanks, peter

Folks: 2.22.19 possible team term projects candidates for this term. Indicate your favorite and worst options by replying all. I have to have this list finalized to brief the class on their choices by Mar 13 when Howard and I kick off the term project assignment. You should all plan on coming to excite the student teams on which to chose:

- 1. Former Y owned by city and AAATA
- 2. 721 N Main (city)
- 3. Fuller Road MXD/TOD ABOVE train station (city)
- 4. Huron High School (AAPS)
- 5. Pioneer HS (AAPS)
- 6. Claque or Forsyth's/Wines (AAPS)
- 7. Hospital brownfield at Huron HS (U of M)
- 8. North Campus along Ply Rd (U of M)
- 9. Fingerless Lumber Yard (U of M)

Sent from my iPhone

Peter Allen,		

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Lecturer II, Finance Dept., Ross School of Business and Taubman College of Architecture and Urban Planning, University of Michigan Cell;

From: <u>Lazarus, Howard</u>
To: <u>Peter Allen</u>

Subject: RE: 2.22.19 team term projects

Date: Wednesday, March 6, 2019 10:32:00 AM

Peter:

I am glad to hear you are enjoying your time in the desert sun. Here are my thoughts:

- I'd like to stay away from the Y Lot in that we have the RFP out and we've received concerns (justified or not) that your work is somehow biasing the outcome of the City's efforts. I also would like to stay away from the train station until the EA is completed through FRA.
- I think a development analysis of 721 North Main under the constraints that Council will consider at its next meeting would be helpful.
- We have not yet looked at North Campus along Plymouth Road. There is a university connection, so I think that is fertile ground, as would be a look at a privatization scheme for the Fingerlee property.
- I'd like to wait on the AAPS properties until I can talk to Jeanice Swift.
- Any options should look at trip reductions and potential carbon or other development credits.
- It would be interesting to see what the economic advantage would be to a home/condo owner by reducing trips, including the potential impact of a \$0.45/gallon gas tax increase.
- I think the benefit of my presence at class is to provide the client's perspective. I'm not sure that requires attendance at every class session, but I can leave that up to you. I am willing if you think it adds value, otherwise let me know which sessions would be helpful to the students.

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Howard S. Lazarus

City Administrator City of Ann Arbor 301 E. Huron Street Ann Arbor, MI 48104

T: 734-794-6110 ext41102
E: hlazarus@a2gov.org
www.a2gov.org

From: Peter Allen <peter@ptallen.com>
Sent: Tuesday, March 5, 2019 12:18 PM
To: Lazarus, Howard <HLazarus@a2gov.org>
Subject: Fwd: 2.22.19 team term projects

Howard: I am sure enjoying spring Palm Desert with 70 degrees & pure sun. We are going to Indian Wells Tennis Tourney today.

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----- Forwarded message -----

From: **Peter Allen** <<u>peter@ptallen.com</u>>
Date: Fri, Feb 22, 2019 at 2:29 PM
Subject: 2.22.19 team term projects

To: Howard Lazarus < hlazarus@a2gov.org >, Jennifer Hall < hlazarus@a2gov.org >, Teresa

Gillotti < tgillotti@cityofypsilanti.com>

Cc: Michael Quintos < mquintos@umich.edu >, Peter Allen < ptallen@umich.edu >

Folks: 2.22.19 possible team term projects candidates for this term. Indicate your favorite and worst options by replying all. I have to have this list finalized to brief the class on their choices by Mar 13 when Howard and I kick off the term project assignment. You should all plan on coming to excite the student teams on which to chose:

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Sent from my iPhone	Sent	from	my	1P	'hoi	\mathbf{n}
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Peter Allen,

From: Rishi Narayan

To: <u>Taylor, Christopher (Mayor)</u>
Cc: <u>Ackerman, Zach; Jamey Amrine;</u>

Subject: Re: 721 N. Main Street

Date: Tuesday, March 5, 2019 5:41:42 PM

Hi Mayor Taylor,

Thanks for reaching out - we appreciate the heads up!

I think we all understand where this resolution is coming from, and we will continue our search. Not a huge deal!

Thanks again, and hope to see you out at Concordia for a match!

On Tue, Mar 5, 2019 at 11:20 AM Taylor, Christopher (Mayor) < CTaylor@a2gov.org > wrote: | Hi all,

I hope all is well with you all and with AFC A2!

I just wanted to let you know that CM Ackerman and I will be bringing forward a resolution that will ask Council to commit to affordable housing as a priority for any development of 721 N Main. This does not gut the possibility of additional purposes, but it does front burner additional housing. I know and regret that this will complicate matters for you and the team. In the end, I believe that the over arching need for affordable housing, and role that municipal land plays in our limited tool box to move the issue forward, counterbalances when considered at a community-wide benefit level.

The resolution will be up for consideration at the March 18 meeting, and distributed the Thursday prior. If you want an advance copy or wish to chat, please let us know.

Christopher

Christopher Taylor Mayor of the City of Ann Arbor 301 East Huron Street Ann Arbor, Michigan 48104 734-794-6161

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Rishi

| <u>Underground Printing</u> | <u>Chibor Angels</u> | <u>AFC Ann Arbor</u> |

c:734-945-7300 | Follow Rishi: LinkedIn | Twitter