

MEMORANDUM

TO: Mayor and Council

FROM: Jayne Miller, Community Services Administrator

DATE: January 5, 2009

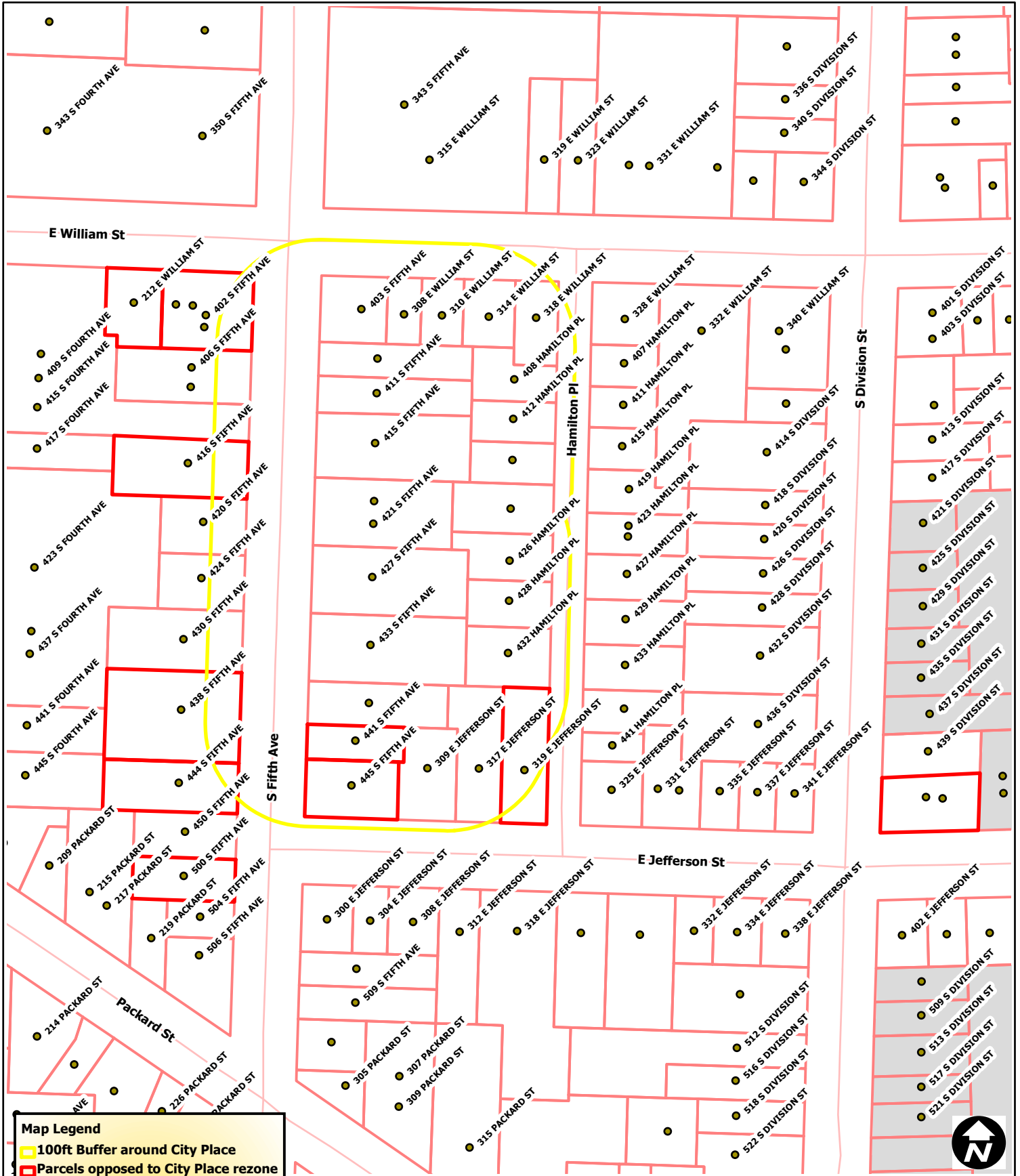
SUBJECT: An Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling District), to PUD; East Side of South Fifth Avenue, South of William Street ("City Place").

Property owners representing 11 properties have submitted material protesting the City Place rezoning proposal. Of the eleven properties, seven of them fall within 100 feet of the property and have valid signatures. Staff has verified that the owners submitting the protests own over 20 percent of the land included within the area extending outward 100 feet from the boundary of the City Place property. As a result, adoption of the rezoning will require at least eight affirmative votes (Chapter 55, Section 5:107(5)).

Prepared By: Steve Bartha, Management Assistant
Reviewed By: Mark Lloyd, Planning and Development Services Manager
Jayne Miller, Community Services Administrator
Approved By: Roger W. Fraser, City Administrator

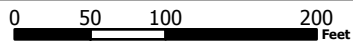
Attachments: Aerial Photo
Letters of Protest

City Place Protest Boundary



Map Legend

- 100ft Buffer around City Place
- Parcels opposed to City Place rezone
- City Boundary
- Railroads
- Parcels
- Parks
- Schools
- Non City Open Spaces
- University



Maps available online:
<http://gisweb.ewashtenaw.org/website/mapwashtenaw/>

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Petition in Opposition to Rezoning

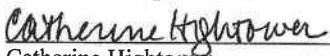
To: Ann Arbor City Clerk

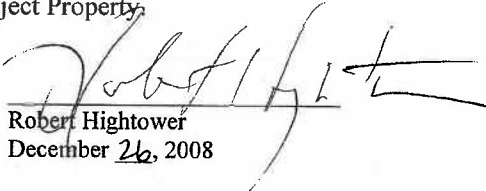
We, the undersigned, own property which is located within 100 feet of the 1.23 acres of property (407 – 437 South Fifth Avenue) which is the subject of the proposed rezoning action (“Subject Property”).

The Subject Property was described in a December 16, 2008 Notice of Public Hearing to Rezone City Place property (R4C to a Planned Unit Development District) which we recently received.

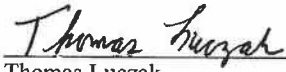
We object to the proposed rezoning of the Subject Property as described in the December 16, 2008 Notice of Public Hearing and protest the same.

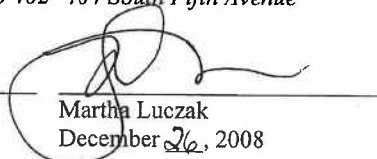
We believe that our combined property ownership constitutes at least 20% of the land within 100 feet of the Subject Property. As such, eight (8) affirmative votes of Ann Arbor City Council should be required to approve the rezoning the Subject Property.


Catherine Hightower
December 26, 2008

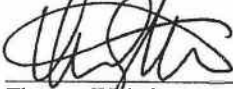

Robert Hightower
December 26, 2008

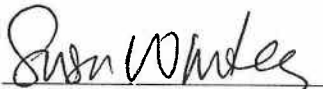
Robert and Catherine Hightower are the owners of:
-402 -404 South Fifth Avenue (having frontage on South Fifth Avenue directly opposite Subject Property);
-416 South Fifth Avenue (having frontage on South Fifth Avenue directly opposite Subject Property); and
-212 East William, adjacent to 402 -404 South Fifth Avenue


Thomas Luczak
December 26, 2008


Martha Luczak
December 26, 2008

Thomas and Martha Luczak are the owners of 438 South Fifth Avenue (having frontage on South Fifth Avenue directly opposite Subject Property)


Thomas Whitaker
December 26, 2008


Susan Whitaker
December 26, 2008

Thomas and Susan Whitaker are the owners 444 S. Fifth Avenue (purchased from Catherine Walz Estate, 10/29/2008, and having frontage on South Fifth Ave opposite the Subject Property, adjacent to the Luczaks).

Bethlehem United Church of Christ

By: _____

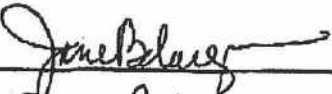
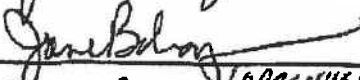

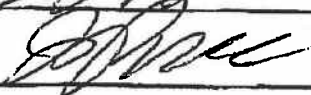
Its: _____

December ____, 2008

Bethlehem United Church of Christ is the owner of 423 South Fourth Avenue, whose property includes three parcels of between 416 South Fifth Avenue and 438 South Fifth Avenue, having frontage on South Fifth Avenue directly opposite Subject Property

2009 JAN -2 PM 2:52

CITY OF ANN ARBOR
CITY CLERK
REC'D

<u>Name</u>	<u>Signature</u>	<u>Affected Property Address(es)</u>
Jane Belanger		441 S. 5th Ave
Jane Belanger		445 S. 5th Ave
TOM POTTENBERGER	Ludy Paron ^(LOPPENHEIMER) Agent for owner	416 Hamilton Pl.
VAL-TOM, LLC.	Ludy Paron Agent for owner	308 E. William
John Padmos		443 S Division
John Padmos		319 E Jefferson

CITY OF ANN ARBOR
CITY CLERK
REC'DVERA F. POLITIS, BA, MA, MLS
3133 N. Wagner Rd., Ann Arbor, MI 48103
Phone: 734-761-9210 / Fax: 734-761-4986

2009 JAN -2 PM 1:24

December 30, 2008

The Ann Arbor City Council
100 N. Fifth Ave.
Ann Arbor, MI 48104

Re: Proposed Ordinance No. ORD-08-39-City Place Zoning

I write to express my opposition to the proposed rezoning of 407-437 S. Fifth Ave., from R4C to PUD.

I am an Ann Arbor resident for fifty-eight years, and I own the property at 500 S. Fifth for forty-two years. Ann Arbor is a jewel of a city. Unfortunately, changes to its character are taking place just to satisfy developers, that are destroying rather than improving our city. Beautiful residential areas with typical Ann Arbor homes are eliminated to be replaced by ugly blocks of apartment houses, without consideration not only to the aesthetic deterioration of the area, but also, creating overcrowding and bringing in our city all the undesirable problems of big cities.

Heavy traffic, and the pollution that comes with it, is one such problem. Ann Arbor was not planned to have a high downtown traffic. South Fifth Avenue is in the heart of downtown. Traffic on Fifth Avenue is already heavy. Coming out of the parking at the back of 500 S. Fifth, sometimes you have to wait several minutes for an opening in the traffic. The projected apartment house will bring at least 150 cars coming in and out of that spot. That is not acceptable. Housing expansion, if indeed Ann Arbor needs it, should take place away from the downtown area.

Ann Arbor was planned to be and is a university town, not a big city. Ann Arbor is the University of Michigan. This is the charm and beauty of our city. If this rezoning and the project requiring the rezoning is allowed to go through, others like it will surely follow and gradually, before you know it, Ann Arbor will be just another overcrowded town you would want to run away from. The only concern of developers is the money in their pockets. But the City Council bears the responsibility of seeing to it that the unique character of our city, a small university town, is preserved. I urge you to vote down the rezoning request.

Sincerely,

Vera Politis