

From: Tom Stulberg <tomstulberg@hotmail.com>
Sent: Sunday, August 23, 2020 9:51 AM
To: Planning <Planning@a2gov.org>
Cc: Laura Strowe <leksarts@yahoo.com>; Mary Underwood <marymunderwood@me.com>; Tom Stulberg <tomstulberg@hotmail.com>
Subject: C1A and C1A/R Zoning Districts

Planning Commissioners:

In preparation for your upcoming ordinance revisions committee meeting on Tuesday 8/25/20, I believe that you will find a particular document quite helpful to understand the history and intent of the C1A and C1A/R Zoning Districts. It was written Susan Friedlaender, a highly regarded expert on this area of the law, on 11/17/17 to the mayor and city council prior to their vote on the LowerTown Development.

You can find this document at <https://lowertownlife.org/read-the-filing>. It is the second link, labeled "1140 Broadway Rezoning Comment SKF". On page 8, she included the November 13, 1987 memo from the planning director to the planning commission titled: "Analysis of the C1A/R, C2A/R, and C2B/R Zoning Districts in the Downtown Area". I trust that you will find this document quite interesting and essential preparation for Tuesday night's meeting.

I look forward to participating with you on this matter.

Tom Stulberg
spokesperson for Ann Arbor Neighbors for Responsible Development

(Board of Directors cc'd)

From: Lauzzana, Emile <lauzzanae@aaps.k12.mi.us>
Sent: Thursday, August 27, 2020 4:28 PM
To: Kowalski, Matthew <MKowalski@a2gov.org>
Cc: Steve Gabrys <sgabrys@lockwoodcompanies.com>
Subject: Lockwood Development

Hi Matt,

Hope you are well. Wanted to give you an update as I understand this project is scheduled for a hearing next week.

Ann Arbor Schools and Lockwood Companies have preliminarily agreed in concept to reduce a high area on the western edge of the Lockwood of Ann Arbor site to minimize need for a retaining wall. This will enable both sites to look more balanced and uniform to the mutual benefit of Ann Arbor Schools and the Lockwood development. In return, Lockwood could directly offset costs for the school property as appropriate which may include sharing material, performing work or contributing funds. In addition, there are synergies between the Bryant gardening program and similar programs for the Lockwood senior residents which opens the possibility for joint programming in the future.

Feel free to reach out with any questions.

Be well,

Emile Lauzzana

Executive Director, Capital Projects

Ann Arbor Public Schools

2555 South State Street

Ann Arbor, MI 48104

Office: (734) 994-8118

Cell: (734) 545-6821

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From: Jennie Bach <jennie@foresthillscoop.org>

Sent: Monday, August 31, 2020 2:07 PM

To: Planning <Planning@a2gov.org>; Kowalski, Matthew <MKowalski@a2gov.org>

Subject: 2195 Ellsworth - Lockwood

Dear Planning Commission and Mr. Kowalski,

Attached, please find a letter from Aiji Piphon regarding the scheduled meeting tomorrow, September 1st, 2020 regarding Lockwood of Ann Arbor PUD Zoning District, File No. SP20-010 & Z20-027 together with letters from concerned citizens in the area.

If you should have any questions, please contact Aiji Piphon at 734-223-3102

Kind regards,

Jennie Bach

Managing Agent

734-971-9270



m

FHCBoard
Aiji K. Pipho
Secretary, Board of Directors
Forest Hills Cooperative

Planning Commission
Ann Arbor, Michigan

Dear Members of the Commission:

I am shocked to learn that the matter before you at tomorrow's meeting includes the zoning change requested on the property at 2195 Ellsworth Rd., by the Lockwood Corporation of Southfield, Michigan. Nowhere in the report handed in by the Planning Department, does it address the multiple concerns that have been voiced by the residents of this area, to many city officials and at the 2 public meetings required by the city to be held by anyone looking for changes that will alter the lives and wellbeing of the people to be affected. In fact, we are listed as nothing more than a footnote, when, in fact, we were all against the changes.

I find it further shocking that the Planning Department felt it their place to furnish you with a ready-made motion, with which to rubber stamp this zoning change.

We, the citizens of Southeast Ann Arbor, do not want this zoning change, and do not want the project proposed by the Lockwood Corporation. The population density in this small half square mile area is nearly 5000. Where else in this city is there such excess population density, especially with no amenities, activities or services? Your own city demographics point out the utter lack of any amenities in this area of the city. Is this because we ARE THE AFFORDABLE AREA OF TOWN, and, thus are not entitled to any consideration by the city? We have major concerns about every aspect of this project coming in here and we have clearly been given no consideration or voice whatsoever.

Since the Lockwood Corporation has clearly been given ample time and biased consideration since last November, it seems only fair that the citizens of this city be given equal time to consult and present their concerns and desires to the city. At the very least, we demand a postponement of the issue until such time that we can put together a presentation of our side.

Sincerely,

Aiji K. Pipho

From: Lenart, Brett <BLenart@a2gov.org>
Sent: Wednesday, August 26, 2020 1:07 PM
To: susan baskett <susanebaskett@gmail.com>
Cc: Gale, Mia <RGale@a2gov.org>; Kowalski, Matthew <MKowalski@a2gov.org>
Subject: RE: Proposed Lockwood II Petition

Thank you for your comments, they will be shared with the Planning Commission. You may submit comments via email to planning@a2gov.org in advance of the meeting, in addition to participating in the public hearing (which will be via phone call in).

Sincerely,

Brett Lenart, AICP | Planning Manager

City of Ann Arbor Planning Services

301 E. Huron Street, P.O. Box 8647

Ann Arbor, MI 48107-8647

blenart@a2gov.org | Direct (734) 794-6000 #42606 | General (734) 794-6265 | www.a2gov.org

From: susan c <susanebaskett@gmail.com>
Sent: Wednesday, August 26, 2020 12:58 PM
To: Planning <Planning@a2gov.org>
Subject: Proposed Lockwood II Petition

Good afternoon ladies and gentleman,

I am concerned about the proposed Lockwood II development on E. Ellsworth Rd.

My neighbors and I plan to outline our specific concerns at your next meeting.

We hope that you will consider our concerns as residents living very close to the proposed location on E. Ellsworth Rd.

Thank you,

Susan Baskett

734.474.8221

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From: Shirley Cohorst <alreco2001@aol.com>
Sent: Friday, August 28, 2020 12:39 PM
To: Planning <Planning@a2gov.org>
Subject: Lockwood of Ann Arbor PUD (2195 East Ellsworth)

Letter to Planning Commission : our objections on the property located at 2195 East Ellsworth Ann Arbor MI 48108

Ladies and Gentlemen of the Commission:

I am writing as a concerned citizen in regard to the proposed use of the property located at 2195 East Ellsworth Road, Ann Arbor, MI 48108. As a resident of the adjacent Forest Hills Cooperative community, I have some concerns about the Lockwood II development in terms of immediate and long-term impacts to our existing community and the vision of Ann Arbor as set out by recent elections and community standards.

Forest Hills is a long-standing neighborhood with quiet streets and minimal noise and light pollution. The co-op is a home to families and senior citizens who enjoy a quiet life with limited financial resources to make a home elsewhere in the city, but still maintain strong ties to the community on the southeast side of Ann Arbor. The southeast section of the city is already home to much of the affordable housing in the city and many of the less desired city requirements including the Wheeler Service Center, the large vehicle facility directly across Ellsworth Road, and the recycling and garbage facilities.

I am concerned that the size and scope of the project will fundamentally alter the noise and light pollution levels in my home. By its very nature the independent living facility will be larger and taller than anything in the area full of townhomes creating a beacon of light in our otherwise quiet neighborhood. The higher density of the facility will also increase noise and the nature of the residence would suggest an increase in emergency calls to the area.

Further, the traffic on Ellsworth Road during high traffic times is already standstill for several hours a day. Adding a staffed housing complex and all the new residents will only exacerbate the congestion. More importantly, the very nature of the facility and its higher than average call for emergency services is actually quite dangerous given the traffic concerns. Response times and transport times are unlikely to be within benchmark goals given this congestion. Ann Arbor Fire Department was already at double the response time in 2019 so siting a high demand facility in a highly congested area can only hamper both our ability to improve this important metric but also put the very residents supposedly served at higher risk than necessary (https://www.mlive.com/news/ann-arbor/2018/01/aafd_not_meeting_national_resp.html) .

The proposed location is also of concern based on topography. Forest Hills already has a drainage issue that floods the storm sewers in times of medium to high rainfall. Building a large building and nonporous flattening of a hill of entirely porous landscape will only add to the problems downhill. In this case, the problems will literally roll downhill. Forest Hills should not bear the responsibility or risk of flooding to satisfy a developer.

The acreage assigned to this lot seems to be up for debate. Previously the property has been listed at 6.54 acres. The City of Ann Arbor maintains this size for the lot on the Parcel Search completed 8/27/2020 for parcel number 09-12-10-304-098 (<https://bsaonline.com/SiteSearch/SiteSearchDetails?SearchFocus=All+Records&SearchCategory=Parcel+Number&SearchText=09-12-10-304-098&uid=283&PageIndex=1&ReferenceKey=09-12-10-304-098&ReferenceType=0&SortBy=&SearchOrigin=0&RecordKeyDisplayString=09-12-10-304-098&RecordKey=1%3d09-12-10-304-098%3a%3a4%3d09-12-10-304-098&RecordKeyType=1%3d0%3a%3a4%3d0>). The property is also zoned residential. However, the documents presented by the developer assert that the lot is almost a quarter larger at 7.9 acres. (According to the notice of public hearing post marked August 17, 2020, the size is 7.9 acres.) This is also not a residential building.

If the first incarnation of this property in the much more prosperous area around Jackson Road found it too large, too intrusive and not meeting the character of the neighborhood, why is it once again being left to the southeast side of town to make it work? In the case of the original site, the zoning was the same pure residential zoning of this site. The rejection of the previous site said it was the right project at the wrong spot, is southeast Ann Arbor once again going to be the home of every other residents Not In My Back Yard complaints?

Shirley A Cohorst
2271 Hardyke Court
Ann Arbor MI 48108

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Dear Planning Commission Staff,

We're writing to express grave concern about Lockwood's proposed 3-story, 157-apartment senior center at 2195 E. Ellsworth. We address issues that your professional staff is already aware of.

That land is currently zoned for single-family houses (R1C). Our city's Planning Dept Master Plan recommendation for this area (South Area, Site 9) reads as follows:

"This 20 acres is located on the east of Stone School Road, north of Ellsworth. Approximately 8 (?) adjacent to Bryant School is recommended for neighborhood parkland, playground addition to Bryant School,

and a possible expansion to the Bryant Community Center. The remainder of the area is recommended for single-family attached and detached use. Due to proximity of the approach to Ann Arbor Airport,

noise buffering should be considered in new residential construction. The Ellsworth and Stone School intersection could develop as a gateway intersection with careful attention to the northeast corner."

(From:
Area, p. 112)

- "South

From reading over City documents regarding

[] "Design Requirements for Stormwater Management Systems" (the paving over a significant area of land for parking surely begets a significant level of stormwater runoff onto Ellsworth Road and we're gravely concerned about severe road flooding and flooding onto the County agency and the businesses shops at the corner of Ellsworth and Stone School,

[] preservation of (VI-5) "Land Forms and Steep Slopes (steep slopes facing Ellsworth), city rules for use of heavy construction equipment on land adjacent to family homes (unable to re-find those rules),

from careful inspection of the trees and shrubs on the land, the changes needed to build such a senior living center - the changes to the surrounding vegetation - would drastically alter the character of the area and alter it in ways that will strip it of vital natural benefits to the area as well as the aesthetic pleasures it now offers to residents of Forest Hills, University Townhouses, and the Townhouses north of 2195 E. Ellsworth.

The substantial increase in traffic density got from the proposed 157-apartment senior center will present real safety concerns from cars exiting onto and entering from Ellsworth, in addition to the health concerns from the additional car pollution. Traffic on Ellsworth in the morning (8am) and the evening (5pm) is already backed up. It's straightforward to imagine what some 100+ additional cars leaving and returning to the proposed center will mean to traffic at those times.

And this doesn't begin to address the issues of health and safety brought to this area from the construction traffic, its noise, its pollution. The construction of a 3-story, 157-apartment senior center on this land just doesn't make development sense to us. We've lived at University Townhouses for 41 years and effortlessly imagine how drastic a change it would mean for the more than 5000 people who live in the area.

Try as we have, we can't understand why this parcel of land is so important to Lockwood. There must be other parcels of land eminently more suitable for their proposed senior living center. All of us at Forest Hills and University Townhouses practice affordable housing every single day. We've practiced it here at University Townhouses every day for 41 years. The details of of Lockwood's senior center looks nothing like affordable housing to us.

Best

mark and Judy Wenzel

From: Scott Trudeau <scott.trudeau@gmail.com>

Sent: Monday, August 31, 2020 3:52 PM

To: Planning <Planning@a2gov.org>

Subject: comments on Lockwood (Ellsworth edition) & Work Plan

Hi Planning Staff & Commission,

I am writing in support of the proposed Lockwood PUD on Ellsworth Rd. We desperately need more senior and more affordable housing to accommodate our aging population. This project fits in nicely and more than justifies the incremental density increase with the addition of 65 <50% AMI units. Given likely traffic patterns of senior residents, I also am not at all concerned about traffic generation from this site, which seems to be the most likely complaint.

I am also particularly happy to see on the work plan education on the intersection of race & equity with land use established as a goal--though I'd like to see those TBD's get filled in!

Also, as someone who lives on a (very) nonconforming lot in a very nonconforming neighborhood and in a very nonconforming zoning district (R4C), I'm also happy to see nonconformities as a line item on the list. Small lot size (mine is 25' wide) with little to no parking are great and there is no good reason not to allow more smaller subdivided lots. Neighborhoods like mine are proof that a lot of small lots can make for a dense, charming and diverse in character (both income, racial & built environment) are possible and it is a shame we disallow the kind of small incremental changes that were once permitted and created some of our oldest and most treasured neighborhoods.

Scott

From: RICHARD PLEWA <rplewa@aol.com>

Sent: Monday, August 31, 2020 3:18 PM

To: Planning <Planning@a2gov.org>

Cc: Taylor, Christopher (Mayor) <CTaylor@a2gov.org>; Van Harrison <rvh@med.umich.edu>

Subject: Comments on Proposed Floodplain Zoning Overlay Ordinance for 9/1/20 Meeting of Ann Arbor Planning Commission

Could Planning Department staff please confirm by return e-mail that these written comments have been received and will be sent to Planning Commission members for their meeting tomorrow evening on 9/1/2020? Thank you!

August 31, 2020

To: Members of the Ann Arbor Planning Commission

From: Pumping Station #2 Condominium Association Property Owners on

Mulholland Avenue, Old West Side Historic District

Subject: Lack of Outreach to Affected Property Owners in Connection with Proposed Floodplain Zoning Overlay Ordinance

We are writing to express our serious concern about the lack of any significant and substantive outreach to - and engagement with – existing property owners across the city who would be significantly impacted by the city’s plans to adopt a floodplain zoning overlay ordinance. While we are supportive of the need to manage and mitigate risks associated with existing and future development in the city’s floodplains, a properly conceived and executed planning process would, we believe, recognize the importance of broadly communicating these major regulatory changes to those most directly affected by them and then engaging with those property owners to hear and respond to their questions and concerns.

In fact, when City Council defeated a resolution in December 2015 that would have placed a floodplain overlay ordinance on the Planning Commission’s list of priorities, it did so because it reasoned that a zoning change that would affect hundreds of property owners needed to be the product of a robust public engagement process which had not yet occurred. In response to a letter sent to Mayor Christopher Taylor by twenty-two Mulholland and Murray Avenue property owners prior to that Council meeting, the mayor wrote back on 12/9/2015 that although Ann Arbor’s future response to its storm water challenges might eventually involve a zoning overlay ordinance,

“I can promise you this, it absolutely will not move forward without broad, substantial, and painstaking outreach.”

As of this writing, this robust outreach process has not taken place. This is especially true with respect to affected property owners in the floodplains who will bear the major burdens under the proposed regulations via new and often very expensive compliance obligations and reduced property rights and asset values, at a minimum. No mail notifications were sent to the hundreds of owners whose properties will be affected. Very few of us patrol the city's webpages regularly looking for meeting announcements or agendas that might portend relevant regulatory actions that may be coming. Most of us do not subscribe to – or even know about – the Washtenaw Legal News publication in which some City meetings are apparently noticed. **Accordingly, amidst the unprecedented distractions of these pandemic times, it is highly probable that many or even most affected property owners are not aware that this regulatory initiative is occurring and moving forward at great haste without their input.**

We hope that this is an oversight rather than a deliberate strategy on the part of the Planning Department. But we do have cause to wonder. After conducting no discussions at all with affected property owners in the period since 12/2015, the City simply announced a webinar on its website on 6/30/2020 and held the webinar on 7/16/2020 to present highly selective information on the proposed new ordinance to a wide array of stakeholders with highly varied interests and agendas. The material presented did not even attempt to anticipate and address in any balanced way the questions and concerns of affected property owners as a group. Planning Department staff actually prevented some of our own association members who were on the webinar call from submitting questions related to key definitions and provisions of the ordinance so that we could begin to understand its effects upon us.

All questions had to be submitted via the Chat function in Zoom, and Planning staff – having received an indication of the issues we wished to discuss in the Q&A via the Chat - informed us in a private Chat response that the webinar was not the appropriate place for these issues to be brought up. When we inquired when and where a subsequent forum in which to raise these issues would be held, we were quickly informed that the next stop would be the Planning Commission. Jerry Hancock, the City's Floodplains Coordinator, kindly agreed to meet with owners privately after the webinar to hear and answer specific questions. This he has graciously and helpfully done to the best of his ability, and some of our feedback to him has already resulted in changes to ambiguous provisions in the initial draft of the proposed ordinance. **Other key questions and issues, however, remain unresolved as of this writing, and the speed at which the process is moving forward has prevented even Jerry from being as responsive as he would like.**

Lastly, with no means – so far - for affected property owners to know and/or to hear about the issues which other owners have raised, we have no way of knowing what the full range of concerns might look like if the planning process were truly open to citizen inquiry and input. **Surely, Ann Arbor’s interests are not well served by pushing forward a major regulatory initiative of this type without a thorough engagement with the regulated parties that enables all to understand how they will be affected.** Even now, many property owners across the city are making long-term decisions about investments in their homes and about insurance and mortgage financing issues that should be informed by a complete understanding of the coming regulations. Are we a city that only espouses full public participation and transparency in our policy-making and regulatory processes, or do we actually deliver them?

Among many issues that need to be discussed and fully/further clarified for affected property owners are the following:

- Scope of the Substantial Improvement (SI) exemption for historic structures, given that language in the ordinance references the Michigan Building Codes, which have inconsistent provisions
- Policy decision made by city to establish a 10-year accumulation period for tracking SI projects, which overly restricts owner’s ability to carry out separate repair and alteration projects over time
- Policy decision made by city to define market value in the draft ordinance and its impact
- Mechanics of administering the permitting process for multi-family versus single-family residential structures
- Implications of become a non-conforming use under new zoning ordinance
- Consequences of substantial damage events, as they appear to be more restrictive than current ordinance provisions applicable to non-conforming properties
- Implications for insurance and mortgage financing under various scenarios that may occur upon adoption of the proposed ordinance

In closing, we reiterate our support for floodplain regulations that intelligently manage and mitigate Ann Arbor’s very real storm water and flood hazard risks, but believe that such regulations need to be adopted after careful consultation with affected stakeholders, including those who will bear the brunt of such new regulations and their associated costs. Any such regulations must transparently weigh and balance the public benefits and private costs imposed on existing property owners, many of whom came to own their properties when they were not yet identified as lying in known flood hazard areas. **We strongly urge the Planning Commission to request that the Planning Department conduct the robust outreach to affected property owners that is warranted by this important regulatory initiative.**