

# Fuller Road Compromise, 1993

by Bob Elton, September 2011\*

I served as the chair of the Parks Advisory Commission in 1993, when the original agreement with the University was created. There was great enthusiasm in Ann Arbor for expanding and preserving the parks system, as shown by the enthusiastic passage of the original park acquisition millage in 1988. I had also served as the chair of the committee that got the millage on the ballot by initiative, and passed by a tremendous majority. It was clear to me then, and it still is, that people in Ann Arbor value their parks and the parks system.

City planners had laid out a plan for revising Fuller road as it passed the VA hospital. Unfortunately it required the removal of a couple of large burr oak trees. Needless to say, there were protests from the community.

It soon became obvious that there was a solution. Re-route the right of way only slightly, and the oaks would be saved.

The problem was that the U of M owned the land needed to change the routing. They were not interested in selling the city any land, not even the small amount, less than half an acre, needed to reroute the road and save the trees.

Then, the University came to PAC and asked for the temporary use of a small part of Fuller Park as a temporary parking lot. The representative from the university told us it was a temporary parking lot until some of the construction of the new hospital complex was finished.

"We only need this for a year or two" he said.

I was stunned. The university was stonewalling us about a sliver of land that they had no real use for, or even the glimmer of plans for use, and at the same time asking us for a favor.

I suggested that perhaps we could trade, the sliver of land to save the oaks in return for the temporary parking lot.

"They're not the same issue" he said.

But, I suggested, they could be made into the same issue, and I intended to do just that.

At the next PAC meeting, the representative of the university was back. "We only need this lot for a little while, and we can return the land to its original form, replant the grass." That was the promise.

PAC voted to have Ron Olson negotiate a deal to swap the sliver of land to save the trees for the temporary use of this piece of the park.

"If we can negotiate this issue and save the trees, we'll be the real heroes" I said, and was quoted in the newspaper.

PAC agreed that the city would loan the university the parkland for a parking lot, temporarily, and that the university would cede the sliver of land needed to save the trees to the city. Council approved the agreement, and the deal was done.

The land was clearly parkland at the time, and it still is parkland, purchased with money raised by taxing the citizens of Ann Arbor. It is clearly shown to be parkland on the city maps in 1993, and it still is. To claim otherwise is more than a little devious.

I considered saving the oak trees a significant achievement of my tenure on the Parks Advisory Commission.

## Time passes

The "temporary" parking lot seemed to take root. Almost 2 decades later, it was still there, albeit still unpaved. I suspect that most people were happy enough to have saved the trees that they paid little attention to the lot.

Memories fade over time, including mine. It is obvious now, after reading about the agreement that we reached, agreeing to a 15 year loan of the land, meant that the university had no intention of having a "temporary" parking lot. And, agreeing that they could continue to renew the loan agreement indefinitely, reinforces the sense that this was never going to be temporary.

Had we been a little less elated over saving the trees, and a little more critical of the agreement, perhaps we should have realized this at the time. But we didn't.

## So, what's the point?

Ann Arbor, city of trees and parks, is apparently willing to give away part of a park, on the river, for a parking structure, and even assume some of the financial liability, of the structure, in return for an ephemeral vision of train travel that may not arrive, and even if it does, offers no real solution to either energy, pollution or safety concerns. How does this benefit the citizens of Ann Arbor?

*\*In 2009 the FITS (Fuller Intermodal Train Station) "concept was presented to PAC, and it was apparent that the fact that the site was Parkland was obfuscated "it's been a UM parking lot for twenty years". This is part of the history I got from Bob in an effort with others to reconstruct the history of the parking leases and the protection of the Bur Oaks. Gwen Nystuen, member of PAC in 2009.*

liable for the biggest chunk of the back taxes, at \$680,000. The city owed the county

This resolution-passed Council in December 1992, and the story appears to be

items and mental health consumers, many of whom would, without such a facility,

percent of median income don't live in the shelter; they're the ones who work at the shelter.

# Heritage Oak Update

by Barbara Bach

Ann Arbor citizens value and support their parks, open spaces, wetlands and trees and, it's up to us to insist on putting existing guidelines into planning ordinances and development practices. The city doesn't identify what's important to protect nor support development in an ecologically sound way.

Two projects with enormous impact on Ann Arbor's remaining valuable natural features have come before Council this past year: the VA expansion project and road in a very old Oak Grove and a development plan in woodlands off Green Rd. Negotiations between citizens and planners/developers have been non-existent or so fragile in the eleventh-hour, we could hardly breathe at times. Here is a summary of the status of these projects —

## Oak Grove at the Veterans Hospital Expansion Project Site

*The plus side —*

- The Oakway realigned road is no longer in the magnificent oak grove and will be located further east.
- The VA has promised no water drainage into the off-site grove and

no construction disturbance to off-site woodlands.

*Problems —*

- The nose (1/3 of the new VA parking structure) will substantially intrude into valley of oak grove and other valuable specimen trees. Total structure will be 5 to 6 stories high and cover an area of a football field. Clearing and construction begins November 1. Final drawings were available to us just 3 weeks ago.
- Signed agreement from VA officials of details for preserving off-site trees during construction still pending.

*Unfinished business —* how to get public concerns addressed when there is no "law" requiring public dialogue on major federally funded projects?

## Woodlands at Green Road Parcel — (Gunther) Proposal

*The plus side —*

- Residents convinced city Planning Department and Council public serious about environment and ecosystem preservation.
- Verbal agreement reached regarding value of Natural features on this

- site and important to protect.
- Finally sitting at table to write agreement (PUD — a Planned Unit Development, which functions as an ordinance for the specific site for which it is written and allows for exemptions from extant zoning) to protect natural features for long term health.

*Problems —*

- Citizens fought the same battle five years ago, but now they have to do it again.
- A written agreement to protect and maintain all of the important natural features on this site is still pending.

*Unfinished business —* A tier such an agreement is written, we still have the problem of how to enforce protection during the construction and life of the natural features saved.

For more information and to help, leave a message at 994-4571. We can use your assistance. Thanks to Ann Attarian, Warren Attarian, Barbara Bach, Wendy Carmen, Chris Graham, Kim Waldo, Peter Ward, and many others.

WE'VE BARELY BEGUN TO GET A PRESERVATION MESSAGE ACROSS. A MAJOR SHIFT IN CITY POLICY IS REQUIRED.

Oakway Realignment Coalition





## Fuller Road Oak Trees

On September 22, the city's Urban Forestry and Natural Resources Planning Coordinator met with Veterans Administration (VA) Hospital staff for a site visit to assess and discuss trees on the VA property. Several areas of the property were assessed during the site visit and they are identified in the attached map. The field visit started at the dirt contractor parking lot off Fuller Court. At this site, City staff observed two dead Hickory trees within the parking lot, an oak tree that is showing signs of decline at the southeast corner of the parking lot and a dead oak tree approximately 15-20 feet east of the parking lot. The two Hickory trees appear to have died due to soil compaction caused by vehicles parking on the trees' roots, and the oak on the corner of the parking lot also appears to be suffering damage due to soil compaction. The suspected cause of death of the dead oak tree located outside the contractor parking lot could not be determined.

The second area inspected was northeast of the VA parking structure. This area is also a dirt parking lot and contains staff vehicles and VA emergency buses. City staff observed several dead Burr oak trees in this parking area (see pictures below). Vehicles have been parked on the roots of these trees and they also appear to have died due to soil compaction.

City staff and VA staff walked through the wooded area east of the VA parking structure and west of Fuller Road. This wooded area is owned in part by the VA and in part by the University of Michigan. The trees within this area are maintained as a natural ecosystem, and they appear to be in good health. This woodlot contains many large oak trees, including two Burr oaks that are just east of the VA Hospital entrance off Fuller Road, these trees also appear to be in good health.

While the City does not have jurisdiction over trees on the VA Property, city staff provided the following recommendations to VA staff to address the dead trees and to preserve and protect remaining trees on their property. The VA staff were very receptive to the suggestions provided by city staff.

### **Contractor Parking Lot (off Fuller Court):**

- Remove dead trees
- Remove parking spots from under struggling oak tree at the corner of the parking lot
- Prune deadwood from oak tree
- Add mulch to former parking area under the mulch to improve soil composition
- Move vehicle/equipment from the critical root zone (dripline) of any trees that are on the edge of the parking lot.

### **Parking area northeast of Parking Structure:**

- Remove dead trees
- Pull vehicles on the east side of parking area away from the edge of the woodland and add protective fence at the edge of woodland.
- Add mulch to former parking area to improve soil composition



Dead Burr oak trees northeast of VA parking structure. View from parking structure (left photo). View from lawn area north of parking structure (photo below)



- Avoid parking trees and/or equipment in the critical root zone (dripline) of any trees that are on the edge of the parking area.

The University of Michigan arborist was to attend this site visit but had to cancel unexpectedly due to another meeting. City staff followed-up with the University arborist.





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	Railroads
	Parcels

# Fuller Park looking East



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