

December 15, 2011

Dear Planning and Development Services,

With accordance to the State of Michigan Land Division Act, 560.223, I am filing a complaint of the "Parkway Place Land Division" at 500 Huron Parkway. Such a development will negatively impact the quality of life of current residents, alter public land that abuts the general course of a stream, deny current residents access to three city bus stops on Huron Parkway and destroy the natural ecosystem that borders Huron Parkway.

The parcel division will limit access to a stream which is located on the projected site. The residents within 300 feet of the "Parkway Place Land Division" currently have public access to this area for recreational use. They also have access to three bus stops on Huron Parkway. After the parcel division, this land and the alleys will no longer be available for public utility. Section 560.255 states:

Land in a subdivision dedicated to the use of the public for purposes other than pedestrian or vehicular travel, or land dedicated for a public way which is under the jurisdiction of a municipality, a portion of which public way is within 25 meters of a lake or the general course of a stream, shall not be revised, altered, or vacated except by order of the circuit order in the county in which the land is situated.

The woods along Huron Parkway are an indispensable part of the ecosystem, with streams that run directly into the Huron River. The trees and plants that are native help keep our water clean and provide a habitat for animals. As someone who visits these woods on a daily basis for recreational purposes, I am a witness to the numerous species that inhabit this area. The main reason that many current residents including myself chose to live in this area was the close proximity to a beautiful natural setting, available for public use.

Ann Arbor is a city that takes pride in preserving our natural surroundings. Unfortunately, as we have seen with Mallett's Creek, development can take quite a toll on the health of our environment. The "Parkway Place Land Division" would not only damage the environment, but would also deny current residents access to a public area, thereby violating 560.225 of the Michigan Land Division Act.

I am writing this letter along with other residents within 300 feet of the land division because we assume the city of Ann Arbor cares about the legal rights and concerns of its residents.

Regards,

Allison Riccardi

December 30, 2011

RE: Parkway Place Land Division

I am writing this letter because I am outraged that, even before the city of Ann Arbor received our comments by the stated date (January 11, 2012), the woods at the proposed Parkway Place Land Division have already been demolished.

I am humbly asking that, even though much of the site has already been demolished, you take into consideration how this will affect your current residents, and fight to repair the damage done.

Thank you very much,

Allison Riccardi

PETITION IN OPPOSITION OF PARKWAY PLACE

LAND DIVISION.

Xiaohong Hu 609 Watersedge Dr. /

Margaret Tynan 608 Watersedge Dr.

Irene H. Smith 612 Watersedge Dr.

Glenn Pruey 615 Watersedge Dr.

Suleyman Yalinbas 613 Watersedge Dr.

Nicola Maluk 607 Watersedge Dr.

Patricia Walker 618 Watersedge Dr.

Christopher Binkley 604 Watersedge Dr.

Lyn Marie Heaton 603 Watersedge Dr.

Allison Scott 601 Watersedge Dr.

Tony Thunberg 622 Watersedge Dr.

Allison Hu 620 Watersedge Dr.
(Allison Riccardi)

From: Rampson, Wendy
Sent: Thursday, January 05, 2012 6:45 PM
To: 'riccardi.allison@gmail.com'; Cheng, Christopher; Slizewski, Brian
Subject: RE: Parkway Place Land Division

Ms. Riccardi:

Planning and Development Services has received your comments about the Parkway Place land division, and will forward them to the Planning Commission for its consideration.

I wanted to take a moment to clarify that the sections of the Land Division Act you cite (560.223 and 560.255) refer to changes in platted subdivisions and do not apply to this particular parcel, which has never been platted. The 500 Huron Parkway parcel has no public alley or other public right-of-way that is proposed to be vacated, which is what these sections address.

The property is, however, subject to the Michigan Land Division Act Section 560.109, which covers divisions of parcels into 4 new parcels or less. The statute reads, in part:

(1) A complete application for a proposed division shall be approved if, in addition to the requirements of section 108, all of the following requirements are met:

(a) Each resulting parcel has an adequate and accurate legal description and is included in a tentative parcel map showing area, parcel lines, public utility easements, accessibility, and other requirements of this section and section 108. The tentative parcel map shall be a scale drawing showing the approximate dimensions of the parcels.

(b) Each resulting parcel has a depth of not more than 4 times the width or, if an ordinance referred to in subsection (5) requires a smaller depth to width ratio, a depth to width ratio as required by the ordinance. The municipality or county having authority to review proposed divisions may allow a greater depth to width ratio than that otherwise required by this subdivision or an ordinance referred to in subsection (5). The greater depth to width ratio shall be based on standards set forth in the ordinance referred to in subsection (5). The standards may include, but are not required to include and need not be limited to, exceptional topographic or physical conditions with respect to the parcel and compatibility with surrounding lands. The depth to width ratio requirements of this subdivision do not apply to a parcel larger than 10 acres, unless an ordinance referred to in subsection (5) provides otherwise, and do not apply to the remainder of the parent parcel or parent tract retained by the proprietor.

(c) Each resulting parcel has a width not less than that required by an ordinance referred to in subsection (5).

(d) Each resulting parcel has an area not less than that required by an ordinance referred to in subsection (5).

(e) Each resulting parcel is accessible.

(f) The division meets all of the requirements of section 108.

(g) Each resulting parcel that is a development site has adequate easements for public utilities from the parcel to existing public utility facilities.

City Planning staff is in the process of reviewing this application to determine if it meets the statutory standards, in addition to City Code standards. You can read review comments from City departments on the City's project review website at

<http://etrakit.a2gov.org/etrakit2/Search.aspx?grp=project&activityNo=LD11-007>. Under state law, if

the City staff finds that the required standards are addressed, the City is obligated to approve a land division.

You can find an aerial photo of the property at the website noted above (http://etrakit.a2gov.org/etrakit2/View_Attachment.aspx?grp=project&key=MG1%3a1112190319063134). This photo shows the relationship of this property to your street. Perhaps you and your neighbors were under the understanding that this privately-owned property was part of Ruthven Nature Area, located directly to the south, but the 500 Huron Parkway parcel has never been a public recreation area.

This parcel is zoned R3 (Townhouse District), which allows townhouses, duplexes or single-family dwellings. The owner of this property recently applied for a permit to construct one single-family dwelling, and construction is currently underway for utility connections to serve this house. To protect the adjacent stream and wetlands from construction activity, the contractor is required to maintain soil erosion control measures on the site. If you notice that there is silt eroding into these areas, please contact the City's soil erosion control inspector, Brian Slizewski, at bslizewski@a2gov.org.

Your concern about pedestrian access to Huron Parkway is understandable. As a result of your comment about access to Huron Parkway, Planning staff will discuss with the owner whether he is willing to record a public access easement from Geddes Lake through the site. This would be entirely voluntary on the owner's part. If he is not willing to provide a pedestrian access easement, there may be options on the parkland to the south if a path could be routed to avoid impact to the nearby wetlands.

Thank you for contacting us about your concerns. We will update you after discussing the access issue with the property owner. If you have any questions in the meantime, please contact Chris Cheng at ccheng@a2gov.org or 734-794-6000 x 42616.

Best regards,

Wendy Rampson, AICP
Planning Manager
City of Ann Arbor Community Services
(734) 794-6000 ext 42606 (voice)
www.a2gov.org/planning