

MEMORANDUM

TO: Honorable Mayor Hieftje and Members of City Council, Ann Arbor, MI

FROM:  Beverly J. Strassmann, President, Germantown Neighborhood Association (GNA)

DATE: 27 March 2010

The Germantown Neighborhood Association respectfully urges City Council to vote NO on the Moravian PUD Zoning District and PUD Site Plan. The premise behind this PUD is that the thin benefits alleged by the petitioner are sufficient to over-ride the Central Area Plan, flood plain management plans and other planning documents, as well as relevant ordinances and statutes on zoning. Our analysis below shows that the Moravian does not provide the substantial benefits required for an affirmative vote.

I. AFFORDABLE HOUSING

1. The Affordable Housing to be Gained should be compared to the Affordable Housing to be lost. The petitioner, Mr. Jeffrey Helminski, and the City Staff report (January 5, 2010) state that the Moravian increases the supply of affordable housing. The Germantown Neighborhood Association (hereafter "GNA") conducted a survey of the 8 buildings to be demolished for the Moravian and determined that they are 100% in residential use, despite the mix of M1 and R4C zoning. These buildings have 19 dwelling units as opposed to the 12 units of affordable housing in the Moravian. The City and the petitioner did not document the rents in these 19 units to determine whether they are presently affordable. The GNA conducted a door-to-door survey of the tenants in the 8 buildings in March 2010. We compared the rents in the 8 buildings to the HUD income and rent report prepared by Mirada Jenkins in the Office of Community Development in Ann Arbor (**Exhibit A**). The eight 1-bedroom units are affordable at the fair market value 40th percentile as is the studio apartment and two of the 2 bedroom units. Four units are borderline affordable at the 40th percentile and one unit has no certificate of occupancy. Finally, two units are affordable at the FMR 40th Percentile when one takes into account the fact that multiple wage earners occupy them. The Moravian developer stated, at the Planning Commission hearing on January 5, 2010, that his "affordable" efficiencies will rent for \$690. Efficiencies in the Moravian will rent for \$191 more than the tenants are now paying for 1-bedroom apartments.

Conclusion: These statistics demonstrate that the Moravian will adversely impact the supply of affordable housing. The Moravian has fewer affordable units and each one is more expensive.

As shown in **Exhibit B and C**, the square footage of the 19 existing apartments is 12,832 SF whereas the square footage that is affordable in the Moravian is

only 6288 SF. The source of this information is the City of A2 On-Line Assessment and Property Tax Data: Property and Land Search and the Moravian PUD, respectively. Conclusion: The Moravian will reduce the square footage of affordable housing by 6544 SF or 49%.

The Staff Report (January 5, 2010) floats the idea that there is a need for new affordable one-bedroom apartments in Ann Arbor. The notion that a particular size unit is needed cannot be used to circumvent the affordable housing requirement in the ordinance (5:80:6e). The Moravian PUD fails to satisfy the ordinance because it would drastically increase density beyond that which is allowed under R4C and M1 zoning while generating a net loss in affordable units. The Moravian is not similar to the Near North PUD because the latter provided 100% one bedroom affordable units whereas the Moravian provides 80% market rate units that are NOT one-bedrooms. When the flex rooms in the Moravian are used as bedrooms, then 68% of the units are three and four bedroom apartments. In contrast with the developer's assertions, the Moravian is configured in a manner that is similar to the high-end private student dorms, such as 4-11 Lofts, the Courtyards, and Zaragon Place. The existing housing stock that will be demolished is the true low-income work-force housing, not the Moravian. The units in the Moravian will be newer, but that must be balanced against the attraction of green space, walnuts trees, front porches and the family-friendly scale of the present houses. Like all buildings the houses need upkeep, but failure to provide upkeep should not be encouraged as a strategy for obtaining a PUD. Conclusion: The Moravian entails a drastic increase in density relative to the underlying zoning, which cannot be justified based on the provision of only 9 new one-bedroom units and 3 efficiencies.

2. According to the 2007 "Affordable Housing Needs Assessment for Washtenaw County," there is NO NEED for additional affordable rental housing units in the Campus Tract, which is where the Moravian is located (p. 187).

This information can be accessed at the Community Development website, which distinguishes between the "Campus Tract" (which includes the Moravian site) and the "Downtown Area", and the "Rest of Ann Arbor." The only recommendation for the Campus Tract is to preserve existing special needs units and shelters and to improve the facades of the existing rental units. For the Downtown area the recommendation is "Preserve 20 rental units for 80% AMI and less, 10 new efficiency & 1 bedroom units for 50% AMI, 20 new efficiency and 1 bedroom units for 80% to 120% AMI." These relatively small increases are for the Downtown, but the Moravian is not in the Downtown, by the county's definition. For the "Rest of Ann Arbor" the rental need is: "Preservation of 600 additional subsidized 0-4 bedroom units for 0%-80% AMI, preservation of all existing income-restricted rental units. Construction of 120 new rental units 0%-50% AMI 1-3 bedrooms."

In discussions with staff in the Community Development Office, we learned that the policy was shaped around the nature of the target population. The County

does not want to target students (as they have other forms of assistance), instead the County wants to target the neediest of Ann Arbor households that lack the loan opportunities available to students. This is such an important point that the County is not even targeting the Campus Tract for affordable rental housing. The petitioner states that he wants to target specific populations (especially young professionals), but he would not be able to keep students out of his affordable units. Conclusion: The petitioner's stated goal of creating affordable housing is inconsistent with the County's assessment that it has no need for affordable housing in the University Tract Area where the Moravian will be situated. Hence the provision of such units does not meet the standard for granting a PUD.

II. DETRIMENT TO SURROUNDING NEIGHBORHOOD

The Moravian is detrimental to the surrounding neighborhood and is therefore not in compliance with the PUD ordinance. The petitioner and the Staff report fail to demonstrate that the Moravian has a beneficial effect on "surrounding land uses," as required by the PUD standards (55:VI:5:80:6a):

"The use or uses, physical characteristics, design features, or amenities proposed shall have a beneficial effect for the City, in terms of public health, safety, welfare, aesthetics or convenience, or any combination thereof, on present and potential surrounding land uses." (emphasis added)

The Moravian is detrimental to the surrounding land uses for 6 reasons:

1. The Moravian is grossly out of scale with the adjacent and nearby houses and apartment buildings on S. 4th Ave., S. 5th Ave., and E. Madison. This can be seen in the difference in square footage shown in **Exhibit C**. Whereas the Moravian is allowed to be 74,408 SF, the average square footage of the houses and apartment buildings in the neighborhood is only 1947 SF (range is 784 to 5706 SF). Conclusion: The Moravian is 38.2 times larger than the average home or apartment building in the neighborhood.

The petitioner compares the Moravian to two University of Michigan buildings: 109 E. Madison and the Perry Building on Division St, using them as his references for scale. However, in other parts of his application he states that he is saving our neighborhood from intrusion by the University. The truth of the matter is that the city has no control over the size of university buildings, but it does have the obligation to uphold the zoning ordinance for parcels that pay taxes to the City. The presence of two university buildings in the vicinity in no way releases the petitioner or the City from the obligation not to exceed the allowable density under R4C and M1 unless SUBSTANTIAL benefits are provided. Regarding the adverse impact of out of scale development, The Central Area Plan states (p. 61):

"In various locations around Ann Arbor, houses are overshadowed by larger commercial, residential, or institutional buildings that are out of scale with existing surrounding development. In addition to being aesthetically displeasing, out-of-scale construction alters the quality of living conditions in adjacent

structures by blocking air and light and by covering open green space with excessive building mass."

Conclusion: The Moravian has a negative impact on the surrounding development through excessive scale and mass.

2. The Moravian is a threat to the health, safety, and welfare of neighborhood residents. For the residents of Germantown, a university building is preferable to a super-sized apartment building because the occupants of the university building generally work only during the daytime 5 days per week. The residents of a private student dorm are home on the evenings and weekends when we are home. *As described in the letter to City Council by Mr. Kenric Van Wyk, from Acoustics By Design, we have every reason to fear a loss in our quality of life due to noise disturbance.* Fred Steingold, dated August 4, 2009, also addressed this matter in a letter to the City Council. The Central Area Plan acknowledges this problem on p. 60: "Often on their own for the first time, young students are not always aware that the effect of their noise, parties or behavior creates conflicts with other residents." The membership of the GNA includes students and we welcome them in our neighborhood. However a balance between student rentals and owner occupied dwellings is desirable. We are concerned that the excessive density of the Moravian will destabilize our harmonious and diverse mix of people, ages, lifestyles, and income levels. The Moravian will drive out the permanent residents, many of whom have lived in the neighborhood since the seventies and eighties. *Conclusion: The Moravian will decrease the diversity of the neighborhood because, contrary to Mr. Helminski's claims, it will drive out the work force population. This is an adverse effect on the surrounding neighborhood.*

Another critical difference between the university buildings and the Moravian is that the University faculty and staff have sufficient parking in the Thompson street structure or in the surface lot for the Perry Building. The Moravian, however, is predicated on the unrealistic assumption that most residents will not have cars. Sixty-eight percent of the apartments in the Moravian will be sleeping at least 3-4 people (even with the unrealistic assumption that no bedrooms are shared and that no student will invite an overnight guest), 13% will have at least two people, but there are only 1.25 parking spaces per dwelling unit. We justifiably anticipate a shortage of parking. In his petition of September 2, 2009 (p. 10), Mr. Helminski states that street parking will be added for the Moravian:

"It is worth noting that, at the request of city staff, parking is now proposed along S. Fifth Avenue just north of Madison where none was previously permitted, thus increasing the on street parking supply in this area."

The return of the street parking is not a solution because this parking was removed in December 2001 for safety reasons. Twenty-one residents of S. 5th Avenue between Packard and E. Madison signed a petition (**EXHIBIT D**) dated March 6, 1994 requesting the abolition of street parking and the enforcement of the speed limit. The City realized that we were backing out of our driveways into high-speed traffic and responded by removal of the street parking that the

Moravian wants to restore. Mr. William R. Wheeler's letter of December 21, 2001 (EXHIBIT E) to the residents of S. 5th Ave states:

"In an attempt to address this safety issue, the City will remove parking on both sides of the 500 block of South Fifth Avenue according to the attached diagram. This will enable residents to have a clear line of site while exiting their driveways."

In response to the scarcity of parking spaces for tenants of the Moravian, the city planning staff propose the return of parking on S. 5th Avenue south of Packard. Conclusion: The return of these street parking spaces would re-create a safety hazard for the other residents of this block.

It is well established that sunlight deprivation is detrimental to a person's physical and psychological well-being. The Moravian towers above the adjacent properties, especially 548 S. 5th Ave owned by Mr. Walter Spiller and 543 S. 4th Ave. owned by Mr. Richard Williams and Ms. Sharon Potoczak. To document this point, we have a physical model of our neighborhood (prepared by the architect, Mr. Shaun Smith) that we are happy to bring to you at your convenience. The adjacent home-owners have the right to expect that the City will enforce the setbacks that are part of the underlying zoning. The Moravian building goes almost up to the property lines with setbacks of only 4 feet (E. Madison), 8 feet (S. 5th Ave), and 14 feet (S. 4th Ave). To the north, the Moravian building is only 12.4 feet from the Williams/Potoczak house and 31 feet from the Spiller home. In the City of Ann Arbor, even for a PUD, this is an unprecedented infringement on these adjacent parcels. These adjacent properties will lie in its shadow for the entire winter. This is unacceptable--especially when the ordinance requires that a PUD must have a beneficial effect on surrounding land uses.

III. OTHER DETRIMENTAL ASPECTS

1. The Moravian has setbacks that are too small even for Downtown.

The Moravian site is not in the Downtown, but the setbacks are smaller than what is allowed in the Downtown. For example, on South University, a building height of 60 feet is accepted, which is the height of the Moravian, but the minimum side and rear setback is 40 feet (see p. 47 of the Downtown Character Overlay zoning Districts Building Massing Standards): *"For D1, a minimum 30 foot setback. For D2, a minimum 40 foot setback. This setback shall be measured from the rear and side exterior walls of the building"*. Putting a downtown-sized building into a residential neighborhood and with smaller setbacks than are allowed in D1 is detrimental to the surrounding land uses. To date, there is no precedent for doing this in Ann Arbor. Conclusion: The Moravian is a downtown sized building and it is at the wrong location.

2. The Moravian does not provide the alleged benefit of innovation in land use.

The Moravian is a building that looks a great deal like The Courtyards on North Campus. It is yet another private student dorm, which is a concept that is

no longer innovative in Ann Arbor. The design of the building is unappealing and integrates poorly with the surrounding neighborhood of historic houses. The inclusion of such amenities as tanning salons, a fitness room, and so forth is typical for the private student dorms and is a path that is by now well-trodden. It is so tall, that even though it is at the bottom of the hill, the Moravian is higher than the roofs of the houses at the top of the hill on Packard. It does not take into account the topography in an aesthetically pleasing way.

3. The Moravian is in the floodway and floodplain for the Allen Creek, which is contrary to State Law, FEMA policy, and the City's own flood plain management plan that was approved by City Council. The Moravian site is at the lowest point topographically along that part of the Allen Creek corridor and surely will be inundated in the event of a 100-year flood. The 109 E. Madison building is often flooded and is situated on the same topographic line. It is illusory to expect two tanks that can hold only 24 hours worth of rain to be able to withstand several days' worth of floodwater. The tanks are designed so that the water flushes directly into the Allen Creek drain and thence into the Huron River (carrying pollutants along with). In a properly designed system, the water is released gradually into pervious soils that remove contaminants so they do not reach the groundwater. The Moravian PUD envisions that cars will be submerged in the event of a flood. Conclusion: The threat to human safety is real and the detriment to the environment is substantial.

4. Payment of a penalty is sufficient to release the petitioner from his obligation to achieve LEED certification. The Moravian Supplemental Regulations (February 12, 2010 draft) make this point clear (p. 5):

“Penalties for nonperformance in achieving LEED certification and failure to submit an application for certification shall be provided in the PUD Development Agreement. Payment of the penalty provided shall constitute compliance with this provision. “

At the planning commission hearing on January 5, 2010, commissioners raised the topic of the penalties but no dollars amounts were given. The GNA strongly opposes the use of vague and unspecified penalties as a means for a developer to avoid his obligation to create a green building. Moreover, in regard to the environmental aspects of this PUD, the model prepared by the Germantown Neighborhood Association shows that the Moravian uses up most of the 8 combined parcels with the building itself. The existing 8 dwellings have considerable green open space between them, including lawns, a grove of mature walnut trees, birds, invertebrate populations, and pervious soils that help mitigate the presence of the floodway. The loss of this green space cannot be construed as a benefit.

Conclusion: The Moravian PUD does not offer any significant energy or environmental benefits.

5. The Moravian does not clear up a Brownfield, instead it creates one.

The building that is alleged to be an eyesore or Brownfield has 4 one-bedroom apartments that provide affordable housing at the FMR 40th percentile. It is not in industrial use and has been an apartment building for over 20 years. It is only 3476 square feet whereas the Moravian is 74,370 square feet. The GNA views the Moravian as the true Brownfield: it is out-of-scale and out-of-character with the historic neighborhood on E. Madison, S. 5th Ave., and S. 4th Ave.

6. The Moravian can be built in a D2 zoning district and therefore is not in compliance with the PUD ordinance. The PUD ordinance specifically prohibits rezoning parcels to a PUD district, if the project could be built in another district in the City: The beneficial effect “*shall be one which could not be achieved under any other zoning classification.*” The other private student dorms, such as Zaragon and 411 Lofts are both now in D1, but were built under C2 and C2A/R district regulations respectively. If the Moravian is built in an R4C neighborhood, it will create a developer rush to build PUDs in other R4C areas where the land is cheaper, destabilizing them, and generating legal exposure for the City. In conversations with the neighborhood, the petitioner admitted that he targeted our area because land is cheaper. I asked him why he was not building at the site of the old Y, and his answer was that he could not afford the higher land values. He is clearly trying to use the PUD mechanism for the purpose of getting around the zoning ordinances. Conclusion: The Moravian is at the wrong location. It belongs in a D2 zoning district.

7. The Moravian would physically remove historic homes and it would destroy historic streetscapes, especially the intact 500 block of S. 5th Ave. The PUD ordinance states (5:80:6h)

“Disturbance of existing natural features, historical features and historically significant architectural features of the district shall be limited to the minimum necessary to allow a reasonable use of the land and the benefit to the community shall be substantially greater than any negative impacts.” (emphasis added)

The structures to be demolished as well as the homes that are adversely affected on S. 5th Ave and S. 4th Ave were found by the Germantown Historic District Study Committee to be “contributing.” Moreover, the data sheets generated by this committee show that the houses are similar in age and architectural style to the houses slightly to the north that Council included in the boundaries of a possible historic district. The ordinance does not allow these historic features to be disturbed, let alone demolished, in exchange for the negligible benefits and substantial detriments (please see above) of the Moravian PUD. The petitioner can make reasonable use of the land while showing greater sensitivity to the historic resources on his property and in the adjoining neighborhood. Four doors away is the Raoul Wallenberg house, which once had a historic plaque. The 109 E. Madison building is also historic as is the former Perry School, now the University of Michigan Perry Building. Conclusion: This PUD must rise to a higher standard of benefit since historic features will be disturbed.

IV. PUBLIC PARTICIPATION AND THE LACK OF NEED FOR MORE STUDENT HOUSING

1. The Moravian is not in compliance with the public participation ordinance.

The City of Ann Arbor Citizen Participation Ordinance Guide for PUDs (and other rezoning actions) states that the City of A2 adopted a Citizen Participation Ordinance for three reasons, including:

“To ensure that petitioners seeking approval of certain types of projects pursue early and effective citizen participation in conjunction with their proposed developments, giving citizens an early opportunity to learn about, understand and comment upon proposals, and providing an opportunity for citizens to be involved in the development of their neighborhood and community.”

Several residents and homeowners (Walter Spiller, Marianne Zorza, Cathleen Connell, Richard Williams, Beverly Strassmann) have objected to the petitioner’s depictions of conversations he held with us. Unfortunately, he employed two tactics in our discussions: (1) stating that he was building something far smaller than he actually intended (see email to Council by Sharon Potoczak), and (2) being vague and refusing to respond to questions. His characterization of his conversation with me was invented. He also publicly asserted that various individuals supported his project who were in fact opposed. His letter of December 26, 2008 is seriously at variance with the truth—for a correct version of the meeting on December 23, 2008 please refer to the article in the Ann Arbor Chronicle. Due to this systemic pattern of inaccuracies and his lack of openness to genuine citizen participation, we do not feel that the petitioner satisfied the public participation requirement. We are also concerned about the inappropriate timing of two meetings (December 23, 2008—Christmas break) and February 26, 2009 (Spring Break for the University of Michigan and Winter Break for the Ann Arbor Public Schools). Finally, we question the appropriateness of holding a meeting in a non-neutral venue (namely the home of the petitioner’s realty agent, Newcomb Clarke). Conclusion: The developer is not in compliance with the public participation ordinance.

2. The Moravian does not fulfill a need for more housing.

A total of 41 projects have been approved by Council since 2000 but have not been built. Examples include: 601 Forest, Ann Arbor City Apartments, 42 north, Broadway Village PUD, and Kingsley Lane Lofts PUD. If the demand were adequate, then these projects would not have stalled. The private student dorms have a high vacancy rate, as noted in the Michigan Daily on January 15, 2010, as well as in other media. The GNA spoke with the managers of 411 Lofts in March 2010 and confirmed that this continues to be true. Conclusion: There is no need for a glut of new student apartment buildings.

IV. CONCLUSION

In conclusion, the Germantown Neighborhood Association requests that City Council deny the petitioner's application for PUD rezoning and PUD Site Plan approval. The Moravian PUD proposal and site plan fail to comply with Ann Arbor's zoning ordinance (Chapter 55), Master Plan and land use regulations (Chapter 57), as well as the public participation ordinance.

EXHIBIT A: 2009-2010

Rents in the Apartments to be Demolished for the Moravian PUD

<u>Address</u>	<u>Number of Bedrooms</u>	<u>Number of People</u>	<u>Monthly Rent per unit</u>	<u>Monthly Rent per person</u>	<u>Notes</u>
554 S. 5th	2	2	950	475	1/2 heat included
554 S. 5th	2	2	978	489	Heat included
554 S. 5th	1	1	595 ¹	595	Utilities extra, studio
558 S. 5th	4	4	1,350	338	Utilities extra
558 S. 5th	2	2	800 ¹	400	Utilities extra
215 E. Madison	4	4	1200	300	Utilities extra
211 E. Madison	3	3	925	308	Utilities \$200.00 in winter
211 E. Madison	2	2	800 ¹	400	Utilities extra
201 E. Madison	4	4	1200	300	Utilities extra
553 S. 4 th	1	2	595 ¹	298	Utilities cost \$77/mo
553 S. 4th	1	1	599	599	Heat and water included
553 S. 4th	1	1	599	599	Heat and water included
553 S. 4th	1	1	595 ¹	595	Utilities extra
551 S. 4 th	1	1	525	525	Heat included
551 S. 4 th	1	1	550	550	Heat Included
551 S. 4 th	1	1	550	550	Heat included
551 S. 4th					No occupancy permit
551 S. 4 th	1	1	550 ¹	550	Heat included
547 S. 4 th	2	2	950	475	Utilities extra

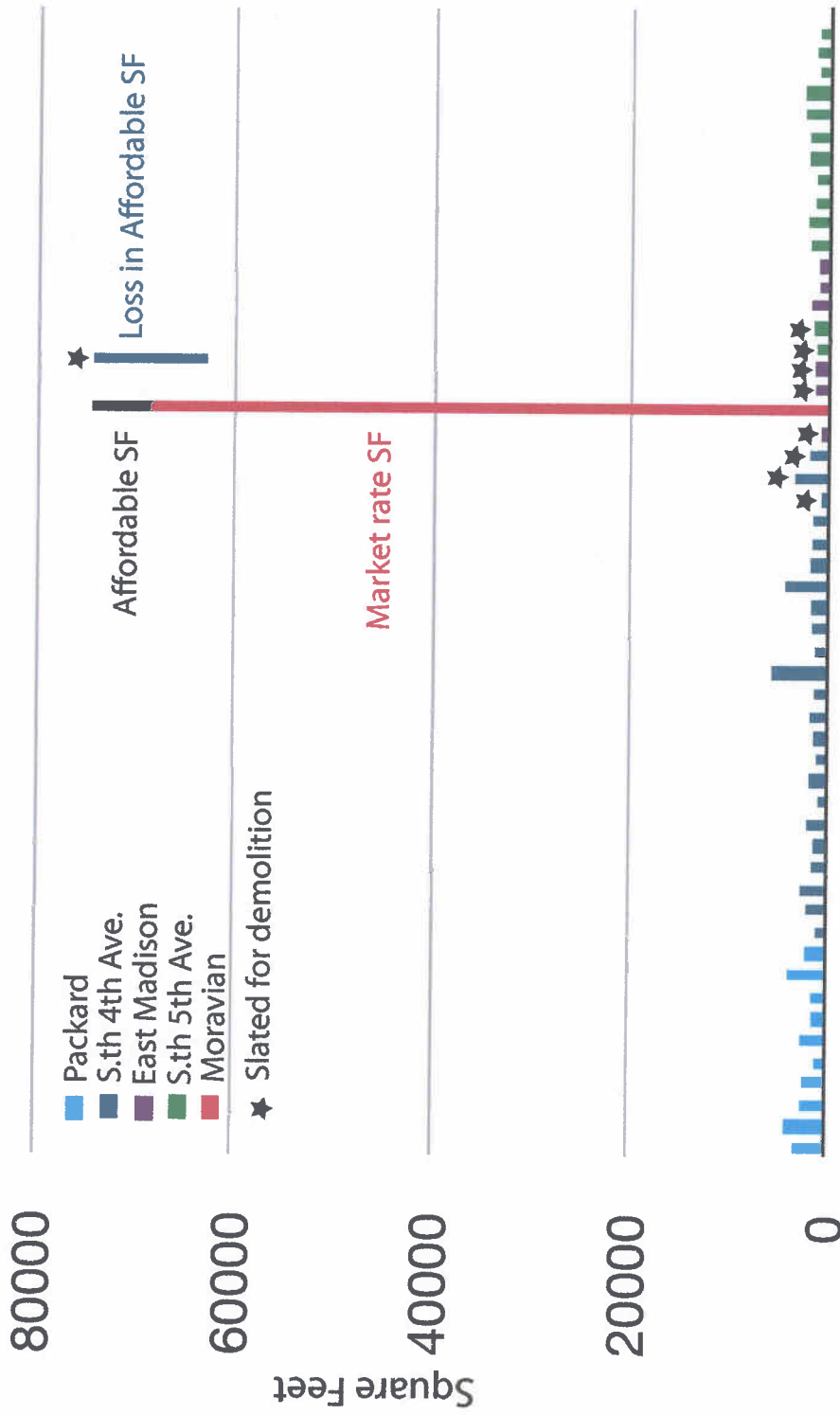
¹Apartment unoccupied, rent is for 2010

The apartments with rents indicated in green are affordable at the FMR 40th Percentile. The rents indicated in purple are borderline affordable at the 40th percentile. All of the rents are affordable at the FMR 40th Percentile when one takes into account the fact that multiple wage-earners are sharing the units. The Moravian developer stated at the public hearing at the Planning Commission on January 5, 2010 that his "affordable" efficiencies will rent for \$690. **Efficiencies in the Moravian will rent for \$191 more than the tenants are now paying for 1 bedroom apartments.** The petitioner states in his narrative that in order to qualify to rent "affordable" units in the Moravian, tenants need to be at the 50th- 80th percentile for Area Median Income (AMI).

2009 Fair Market Rent Levels (Washtenaw and Lenawee Counties) 40th Percentile

Efficiency	\$689
1 Bedroom	\$773
2 Bedroom	\$940
3 Bedroom	\$1183
4 Bedroom	\$1217

The Moravian is Too Big for the Neighborhood



Buildings in Germantown South of Packard

EXHIBIT C

Sources: Data on Square Feet is from the City of Ann Arbor On-Line Assessment and Property Tax Data: Property and Land Search. The Data on the Proposed Moravian PUD is from the Combined Area Plan for Rezoning and PUD Site Plan. The data on the affordability of the houses slated for demolition is from a door-to-door survey of tenants conducted by Claudius Vincenz in March 2010. The survey includes data on rents, utilities, car ownership, and parking.

Address	Total Square Feet	Average SF of house in the neighborhood	Median SF of house in the neighborhood
120 Packard	3185		
126 Packard	4104		
200 Packard	2498	1947	1636
214 Packard	2304		
216 Packard	1120		
220 Packard	2541		
226 Packard	1438		
228 Packard	1488		
306 Packard	3881		
314 Packard	2158		
508 S.th 4th Ave	1080		
510 S.th 4th Ave	2049		
512 S.th 4th Ave	2640		
515 S.th 4th	1548		
516 S.th 4th Ave	1352		
517 S.th 4th	2020		
521 S.th 4th	912		
522 S.th 4th Ave	1845		
522 S.th 4th Ave	1135		
523 S.th 4th	1404		
524 S.th 4th Ave	1798		
525 S.th 4th	1390		
527 S.th 4th	5706		
528 S.th 4th Ave	1326		
		Average SF of house slated for demolition	Smallest house slated for demolition
		1604	784
		Median SF of house slated for demolition	Largest house slated for demolition
		1453	784
		Total SF of houses slated for demolition	Largest house slated for demolition
		12,832	3476
		Comparison with the Moravian	
		3 efficiencies X 440 SF = 1320 SF	
		9 one-bedroom units X 552 SF = 4968	
		Total SF "affordable" in the Moravian =	
		6288.	

NET LOSS in AFFORDABLE SF = 6544

530 S.th 4th Ave	1623	
533 S.th 4th	1742	
536 S.th 4th Ave	4400	
537 S.th 4th	1833	
543 S.th 4th	1648	
541 S.th 4th	1565	
547 S.th 4th	784	*
551 S.th 4th	3476	*
553 S.th 4th	1920	*
201 Madison	810	*
211 Madison	1411	*
215 Madison	1495	*
303 E Madison	1873	
309 Madison	1068	
311 Madison	1104	
526 S.5th Ave	1973	
528 S.5th Ave	2265	
532 S.th 5th Ave	1534	
535 S.th 5th	1440	
538 S.th 5th Ave	2182	
539 S.th 5th Ave	2154	
544 S.th 5th Ave	2622	
545 S.th 5th Ave	2669	
547a S.th 5th Ave	1173	
548 S.th 5th Ave	1484	
549 S.th 5th Ave	1162	
554 S.th 5th Ave	1312	*
558 S.th 5th Ave	1624	*
Moravian	74,370	

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Exhibit D

PETITION

3/6/94

CITY OF ANN ARBOR
CLERK

We, the undersigned, ask the City of Ann Arbor to correct a long-standing safety hazard through the following two actions: 1) Abolition of street parking on S. Fifth Ave. between Packard and E. Madison, and 2) Enforcement of the speed limit on this block of S. 5th Avenue.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Beverly Strassmann	Beverly Strassmann	545 S. 5 th Ave #2
Claudius Vincenz	Claudius Vincenz	545 S. 5 th Ave #2
James Hynes	James Hynes	545 S. 5th Ave. #1
Tracy Friesen	Tracy Friesen	558 S. Fifth Ave
Rachel Pinsky	Rachel Pinsky	558 S Fifth Ave #1
Alex Schorck	Alex Schorck	551 S 5 th #1
WILLIAM BOLEY	William Boley	551 S 5 th #1
M. SUPICA	M. Supica	544 S 5 th #3
Tom Sullivan	Tom Sullivan	532 S 5 th Ave #1
JEFFREY ZOELLNER	Jeffrey Zoellner	532 S. 5th Ave. #2
Kevin Mitchell	Kevin L. Mitchell	528 S 5 th Ave #2
Chad DeYoung	Chad DeYoung	528 S 5 th Ave #2
Brad Martin	Brad Martin	528 S FIFTH, Apt #1
William Braxton	William Braxton	535 S. Fifth Ave.
Michael Dagan	Michael Dagan	539 S Fifth Ave.
Kevin McKay	Kevin J. McKay	548 S. FIFTH AVE.

PETITION

We, the undersigned, ask the City of Ann Arbor to correct a long-standing safety hazard through the following two actions: 1) Abolition of street parking on S. Fifth Ave. between Packard and E. Madison, and 2) Enforcement of the speed limit on this block of S. 5th Avenue.

3-11-94

Name

Signature

Address

MARIANNE ZORZA	Marianne Zorza	538 S. FIFTH AVE. #3
JOHN A. WELCH	John A. Welch	538 S. FIFTH AVE #2
RICHARD JACOBSON	Richard Jacobson	538 S FIFTH AVE
Mitchell K. Gasche	Mitchell K. Gasche	544 S. FIFTH AVE #1
ALEXANDER DAVIS	Alexander Davis	538 S Fifth Ave #1

Exhibit E



CITY OF ANN ARBOR, MICHIGAN

100 North Fifth Avenue, P.O. Box 8647, Ann Arbor, Michigan 48107-8647
<http://www.ci.ann-arbor.mi.us>

Engineering Division	(734) 994-2744	Fax (734) 994-1744
Fleet Services Division	(734) 994-2815	Fax (734) 994-2701
Transportation Division	(734) 994-2818	Fax (734) 994-1765

Public Services Department

December 20, 2001

S. Fifth Avenue Residents
500 Block of S. Fifth Avenue
Ann Arbor, MI 48104

Re: Parking on S. Fifth Avenue

Dear Fifth Avenue Resident:

The City of Ann Arbor has been approached by some of your neighbors with safety concerns created by vehicles parking in the 500 block of S. Fifth Avenue, and the speed of traffic through the neighborhood. The combination of parking and vehicular speed makes it difficult for residents to safely enter and exit their driveways.

In an attempt to address this safety issue, the City will remove parking on both sides of the 500 block of South Fifth Avenue according to the attached diagram. This will enable residents to have a clear line of site while exiting their driveways.

Staff will monitor this situation and we encourage feedback from residents to determine the effectiveness of the parking restriction.

Very truly yours,

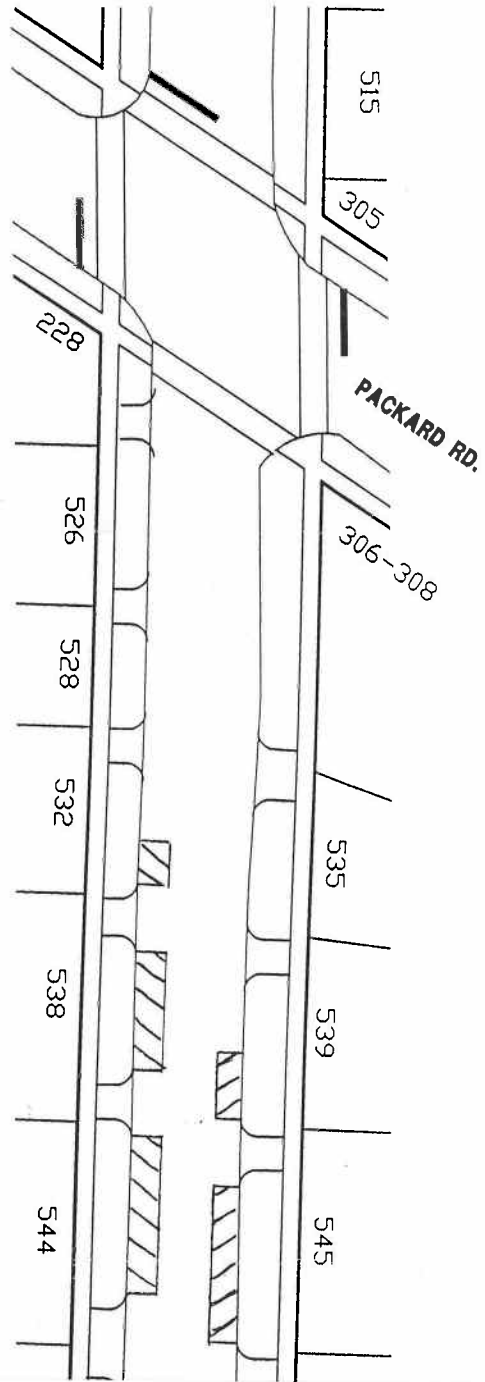
William R. Wheeler, P.E.
Public Services Director

Prepared by: Michael A. Scott, Parking & Street Maintenance Manager
Donald W. Todd, Project Manager

C: John Hieftje, Mayor
Christopher S. Easthope, Ward 5 Councillor
Wendy A. Woods, Ward 5 Councillor
Ronald A. Olson, Interim City Administrator
Susan Pollay, Associate City Administrator
Homayoon Pirooz, P.E., Deputy Director, Chief Engineer



Public Services Department



S. FIFTH AVE.

SKETCH PREPARED BY: DON LADD - CIVIL ENGINEER DIVISION 12/04/01

FIFTH AVENUE -

PACKARD TO MADISON
 = NO PARKING

REVISIONS TO
 DECEMBER 2001

