

Downtown Area CAC Meeting Minutes- Feb. 5, 2013 and Comments to the DDA- Feb.6, 2013

Last night, after 33 speakers and four hours of discussion, the Planning Commission by 5-3 failed by one vote to recommend approval of the 401-413 E. Huron project. 6 votes are required. The developers, however, will take the project to City Council.

I should mention,--even those who voted for it, expressed their dislike for the size, mass and design of the --which will be the largest in downtown Ann Arbor.

Our CAC members took the position that “no project should be described as “by right” until it conforms to our adopted city plans and ordinances—and does not have a major negative impact upon its neighbors.”

Over two years ago our new A2D2 Zoning, Design Guidelines, and Design Guidelines Board and Process were approved by City Council. We thought we had done a satisfactory job--but we were pleased when Mayor and City Council promised to revisit what we had done, after a year, and make improvements as needed. The Downtown Area CAC and the Downtown Neighborhood Design Review Committee representing eight downtown neighborhood groups believe that now is the time to make those changes.

City departments are now looking into revising the pattern of Public Participation meetings because they are not working as expected. In the case of the 401-413 E. Huron the out-of- town developers called the meeting, ignored much of what was said by the public, and then wrote the inaccurate report that was given to Planning. That must not happen again.

These out-of-town developers appeared at the one required meeting before our Design Review Board. They listened--but made none of the important changes highly suggested by the Board--in mass and setbacks, and reduction of the negative impact upon the nearby residential and historic neighborhood. They only had to appear once and, as you know, compliance is voluntary. Next week, the Design Review Board is scheduled to meet to consider future changes in the guidelines and the process. Guidelines need to be clearer and more specific. The process must have more teeth. And Planning Commission and City Council must be willing to discuss them as a part of the approval process.

For future projects on five downtown public sites, the DDA’s Connecting William Street recommendations ask the Planning Commission to report to City Council how future developers considered changes in their design in response to the Design Review Board process. The DDA’s Connecting William Street recommendations on “Density and Massing” for future buildings on city-owned downtown lots makes clear that “surrounding context should be considered and buildings designed to step back from lower-scale neighbors.” What the DDA’s Connecting William Street pattern requires for developments on City-owned property should also be required for all new buildings in the downtown—private and public.

Our design guidelines and zoning should reflect our adopted city plans and ordinances. Our 2009 Downtown Plan includes a section on Development Character and “Sensitivity to Context”. It establishes as a goal: “Encourage design approaches which minimize the extent to which high-rise buildings create negative impacts in terms of scale, shading, and blocking views.” The city’s Central Area Plan recognizes potential conflicts in areas where the downtown commercial core meets low-scale downtown residential areas. In the case of 413 East Huron, our Historic District Commission recently passed a resolution saying that it is “incompatible in scale and massing” with the adjacent Old Fourth Ward Historic District.” It would “severely and adversely impact” that District. These issues need to be talked about as a part of the approval process.

Finally, the zoning—it’s wrong! This development clearly has a negative impact upon its neighbors. It should have been D-2. We clearly made a mistake in conflict with city-adopted plans. This is not the only one. How many of you know the zoning of the surface parking owned by UM Credit Union on East Ann Street? It’s D1 (2), which on that site allows a 18-story building constructed from the Ann Street sidewalk in all directions to the lot line. That’s right across Ann street from the historically designated residential houses of the Old Fourth Ward. That’s wrong! The zoning of 401-413 is also a mistake.

It’s time for us to take a look at our zoning, city ordinances, Design Guidelines, and Design Review Process and bring them into compliance with our adopted Master Plans.