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To the Members of the City of Ann Arbor Historic District Commission  
*Sent via e-mail*

Re: 201 Glen Hotel, HDC 15-225, on the agenda for your Dec. 10, 2015 meeting

We are writing regarding the application for "Notice To Proceed" that has been submitted by Catherine Ann Development Company, LLC, requesting permission to build The Glen Hotel at 201 Glen. The request has been made because the Commission decided at the November 12 meeting that the application does not comply with the Secretary of the Interior's Standards for new construction in a historic district. We live at 920 East Ann Street, a half block west of the proposed project. We are writing to request that the Commission deny the developer's request for this Notice to Proceed.

Ann Arbor Municipal Code §8:416(1) states that the applicants must prove two separate things. They must prove that the historic resource presents one of the four conditions listed in subparagraphs (a) through (d), and they must prove that their proposed project is "necessary to substantially improve or correct" the condition. We believe that they fail on both counts.

The applicants assert that the site has the condition in subparagraph (a), that it "constitutes a hazard to the safety of the public," because the site has environmental contamination from the former gas station and dry cleaners. While environmental remediation will be necessary to develop the land, the existence of heavy metals and other contaminants that are buried under the surface of the land do not pose a safety risk as long as they remain buried. Even though three of the five included parcels are contaminated, it does not pose a safety risk in its current condition.

The applicants also state that the site has the condition in subparagraph (d), that "retaining the resource is not in the interest of the majority of the community." The first interest of the community, as reflected in our municipal laws and our history, is retention of the integrity of the historic district. A project that does not comply with the Secretary of the Interior's Standards does not meet this requirement.

The law also requires that, in order to grant a Notice to Proceed, the Commission find that this project is "necessary to substantially improve or correct" the noted conditions. A nine-story hotel is not **necessary** in order to remediate the environmental contamination; any project would be required to remediate the contamination. This project is not necessary.

In their request for a Notice to Proceed, the applicants assert that "it is not economically feasible to remove the hazardous substances from the site without building in the void a substantial project such as The Glen." This isn't a statement that can be made as a generalization; it is only true if the applicants paid too much to purchase the land. If the developers made the mistake of paying too much, it is not the

job of the City or the Historic District Commission to make them whole or guarantee them a profit. You should not ignore our laws, standards and history to do this for them: this would be a violation of the public trust we placed in you when you became a member of the Commission.

We are relying on you to fulfill your mandate as members of the Historic District Commission, and only allow the Secretary of the Interior's Standards to be set aside in the rare instances when a site and a proposed project fall squarely within the statute for issuing a Notice to Proceed. This site does not pose an imminent threat to the public safety, and it is not in the interests of the community to ignore our own historic preservation laws and history. And it most certainly would be wrong for the Commission to ignore the Secretary's standards in order to make a project generate a profit for the developer.

Sincerely,

*Anthony Ramirez & Mary Ivers*