

From: Gretchen Kennard [REDACTED]
Sent: Friday, July 14, 2017 8:28 AM
To: Planning <Planning@a2gov.org>
Cc: Taylor, Christopher (Mayor) <CTaylor@a2gov.org>; Frenzel, Jason <JFrenzel@a2gov.org>; Kailasapathy, Sumi <SKailasapathy@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>; Westphal, Kirk <KWestphal@a2gov.org>; Ackerman, Zach <ZAckerman@a2gov.org>; Grand, Julie <JGrand@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Krapohl, Graydon <GKrapohl@a2gov.org>; Smith, Chip <ChSmith@a2gov.org>; Warpehoski, Chuck <CWarpehoski@a2gov.org>
Subject: Proposed Ground-Mounted Solar Collector Zoning

Members of the Commission:

We are writing to ask that the Commission postpone its consideration of the proposed revision to the city's zoning ordinances for solar energy systems at its meeting next Tuesday, July 18.

On April 17, the City Council imposed a 180-day moratorium on ground-mounted solar panels and arrays in the front open space in residential districts. We have just learned that the Planning Commission intends to take up a proposed revision to the city's zoning ordinances for solar energy systems at its meeting on Tuesday, July 18. We are extremely upset to see that the draft proposal will allow installations in front yards of homes in residential districts. The draft proposal and other documents for next Tuesday's meeting are attached here.

The proposed changes include a provision (2. Ground-Mounted SES), which is in direct opposition to assurances neighbors of Brockman Boulevard received from the Commission and the Council last December and January. We were told that all were in agreement that these do not belong in front yards.

The draft proposal would allow such installations only where houses have setbacks of sufficient depth. **In short, this will open the door to large front-yard solar collectors in residential areas with large front yards. This would be an extraordinary inequity that would affect only certain areas of the city.** And, as the Commission's own Community Research document shows (attached), this would make Ann Arbor a national outlier, since zoning in most US cities and towns prohibits front-yard installations.

The only concession in the proposed ordinance is that front-yard collectors can be no higher than 6 feet and must be screened. Surprisingly, they would be limited to no more than 35% of the front yard outside the required front setback area. This seems to make little sense. On a section of Brockman where house front setbacks average about 125 feet, and the required front setback area is 40 feet from the sidewalk, the allowable footprint for such collectors would be massive, or about 2,230 square feet. Equally astonishing, the proposed changes would permit installations to reach a nationally unprecedented height of 21 feet in rear or side yards.

While we understand and fully support the contributions that well-designed solar energy installations can make, the proposed ordinance is wholly inappropriate for Ann Arbor and its neighborhoods that, after all, is the environment within which we live and that we seek to sustain.

We are asking that you postpone consideration of this ill-advised draft proposal until Ann Arbor residents who may be affected of its potential far-reaching changes have been informed and had time to understand it, and are able to express their views. For the commission to take up this proposal with no notice in mid-summer, when so many residents are away, is not in the public interest. **This ordinance change will seriously affect residential spaces and the quality of life in this city.**

Many thanks for your consideration of this request.

David and Greta Kennard
2801 Brockman Blvd.
Ann Arbor, MI

From: Julie Dybdahl [REDACTED]
Sent: Sunday, July 09, 2017 11:23 PM
To: Planning <Planning@a2gov.org>
Subject: 1140 Broadway

Dear Commissioners,

Ever since the July 5th Planning Commission meeting, I've been thinking about several comments I heard. First, when Eppie Potts spoke against the current proposed development plan, she pointed out that 1140 Broadway has a lovely natural feature - Traver Creek - which runs along its edge. She suggested that a really *good* design would take advantage of this and build a green area focused on this treasure.

Eppie is right. This is a special little piece of nature within our city. My kids grew up playing along this creek, and each year pairs of ducks mate and nest there. We've watched fishermen wade in search of crawfish for bait, and families just sit and relax as the water flows by. If the developer did this right, he could create a lovely park area for his future residents to enjoy. If the buildings were not so high that they cast shadows in the afternoon, this park would greatly increase the desirability of these apartments.

A second point: What good is this project bringing to our community and to the city at large? After hearing all the views expressed at the meeting, I do not see that this project benefits anyone but the developers. This project needs to be altered so that it *enhances* life in Ann Arbor by bringing needed resources to the neighborhood, such as a market, a cafe, a yoga studio, for example.

Lastly, I am appalled by the cavalier attitude about ignoring the City's Master Plan and changing the zoning designation. Many people worked hard to create that Master Plan. What is the value of planning, if the next developer to come along asks for changes that will only benefit him? I surely hope the Planning Commission has the integrity to stick to the well-thought-out plans laid out in the recent past.

Thank you much for your consideration of these comments. I urge you to require any developer to adhere to good City planning and be responsive to community ideals.

Sincerely,
Julie Dybdahl
Owner of 1216 Broadway
Resident at 1619 Harbal Drive

Be kind whenever possible. It is always possible. ~ the Dalai Lama

From: Laura Strowe [redacted]
Sent: Thursday, July 13, 2017 10:02 PM
To: Planning <Planning@a2gov.org>
Subject: "1140 Broadway" Proposal

To the City of Ann Arbor Planning Commissioners:

Thank you for listening to the concerns of the neighborhood about the proposed "1140 Broadway" development. We were all impressed by your thoughtful responses to our comments.

At the July 5th Planning Commission Public Hearing I spoke in my capacity as the representative of the Broadway Area Neighborhood Association. I have attached those comments for the benefit of the commissioners who were absent that night and to remind you of our major concerns. There were three big areas of concern I discussed at the hearing: 1) The density, height and massiveness of the proposed buildings; 2) the lack of space around Traver Creek; and 3) the paucity of retail and public benefits.

After hearing all the comments made at the hearing, and listening to the discussion of the commissioners and the responses of the development team, I feel there are some additional points that need to be made.

The Creek

We were all moved by the suggestion by one speaker that the developer should look to Traver Creek not as an impediment to his design but as an asset to the site. It is a natural feature, which, if preserved and enhanced, could greatly add to the development's attractiveness. It is one of the few creeks in Ann Arbor that is open for its entire length, and, along with the river into which it flows, we are obligated to preserve it for future generations. Yet in this plan it will be hidden and crowded by Building A, so much so that there isn't even room for a permanent path between the creek and the building. The developer argued that people do not want a path that is as far away as it would have to be to avoid the wetland buffer, but that is not true. Look at all the parks in town that are along the Huron River. The paths there meander in and out of view of the river and are greatly loved and used, as would a permanent path along the Traver Creek. We recognize that the area is already well served by parks, and we are not asking for a park. We are merely asking to allow for enough room for a greenway and path along the creek.

Our obligation to the future of the creek also requires that it not be in the shadow of a massive and tall building. Thus, we also ask that the developer honor the Master Plan and reduce Building A to four stories.

This development could be a model for future development or re-development along the creek, not its worst example.

Set-Backs

Another important issue that came up during the hearing and subsequent discussion is the lack of adequate set-backs along Maiden Lane. The developer's excuse for small set-backs is that it mimics urban design. But this is not an urban setting; calling it so doesn't make it so. The sidewalk on Maiden Lane is already a problem, especially since there is no sidewalk on the other side of the street. Because there is not enough safe room for bicycling on the street, especially during heavy traffic, pedestrians and bicyclists have to share a narrow sidewalk that is unusually close to the roadway. This would be exacerbated by having the buildings close to the sidewalk, as they are in the Morningside proposal. We urge you to require the developer to push back Buildings B and C to give the pedestrians and bicyclists a safe and attractive route on a well-used sidewalk.

Roundabout

After the Public Hearing I heard many people who had not seen it before, remark on the proposed roundabout at "Long Street" and Broadway. The general view is that it would be a disaster. Roundabouts are usually installed to solve back-ups at intersections of two (or more) busy streets. However, that is not the situation here. In fact, it would create a worse situation since it would become clogged with traffic backing up from the Broadway/Plymouth intersection.

Cul-de-Sac and Pool

Finally, I heard many comments after the meeting about the developer's plans for creating a "public plaza" on city property at the end of the Broadway cul-de-sac. We do not need it or want it. Neighbors do not want to "gather" at a busy intersection when we have a park nearby where, in fact, we have a popular annual neighborhood picnic. We resent being offered this dubious amenity as a public benefit, when the creek is ignored. Furthermore, there was general skepticism about the placement of the pool. Its location and size will make it unattractive and useless for the tenants, and will be a constant irritant to neighbors passing by. We would like you to urge the developer to eliminate these "amenities" and concentrate on the creek instead.

Conclusion

Making changes to the proposal to satisfy the concerns of the neighborhood and the commissioners will require making the development smaller. It is the density that is driving most of the problems: the height and massiveness of the buildings, the lack of room for a creek greenway, the small set-backs, and the almost complete dismissal of the intent and details of the city's Master Plan. The developer argues that it must be so in order for the development to be financially sound. However, I do not doubt that a reasonable profit can be made with a reduced footprint and reduced height with the compromise being possibly a smaller profit margin.

Thank you,

Laura Strowe
1327 Broadway
Ann Arbor, MI 48105

I am the representative of the Broadway Area Neighborhood Association. As such, I want to present the main concerns of the immediate neighborhood that I have heard from meetings with neighbors and messages on the neighborhood listserve.

My neighbors want development, and want the contamination cleaned up. However they are distressed by some aspects of this proposal. The three areas of most concern are: 1) The density, height and massiveness of the proposed buildings; 2) the lack of space around Traver Creek; and 3) the paucity of retail and public benefits.

All 3 of these items are addressed in the Master Plan, which you recently re-approved. The intent of the Master Plan for this parcel is to have a mixed-use development whose design respects the character of the neighborhood. This proposal, while adhering to minor aspects of the Master Plan, disregards its major recommendations, and violates its intent.

The Morningside plan does not provide a gradual transition from the Wall Street buildings to the neighborhood of mostly small residences. The Master Plan calls for a variety of heights and a step-down to a maximum of 4 stories near the creek. It specifies that the buildings in the remainder of the property should be 3-5 stories with some slender parts as tall as 8 stories. This is clearly not a description of the Morningside proposal. In particular, Building A, the nearest to the creek,

is 5-7 stories. It is too tall, too massive and too close to the neighborhood.

The Master Plan also calls for the preservation and enhancement of the area around Traver Creek, with a public path alongside. However, Building A abuts the wetland buffer, so no path can be constructed there. The developer claims he is "keeping his promise" to the neighborhood by offering a "public access easement," but this is a fancy way of saying he is doing nothing. As the planning staff points out, with a parcel of almost 280,000 square feet, the developer has plenty of space to cede a portion to a public greenway and a proper path.

As for retail, although "1140 Broadway" is touted as "mixed-use urban," there is only a small portion that is non-residential. At present, less than 1 %. However, because of a lack of parking, even this small amount will unlikely be retail. It will more likely be some kind of small restaurant, desirable, but not fulfilling the neighborhood desire for functioning stores.

What else is the neighborhood---and the city---getting from this proposal? Very little. The developer claims that the project will be a bulwark against U of M expansion, yet the U has never expressed an interest in this property. The clean-up, or containment, of the contamination will occur with any development, and its cost is covered by the TIF. As for "affordability," the offer currently of 15 units---out of 607--- of affordable housing is barely worth mentioning. We understand

that the city needs more housing and we welcome a reasonable influx of new neighbors, but 600-1200 new residents on 6.4 acres is a density unequalled outside the campus dorm area. The traffic abatement measures are merely addressing the increased traffic that will be generated by the development. As for "sustainability," the small green roof is merely a token, and the solar panels---just for heating the water in one building--- will only be installed if they are funded by the Brownfield TIF. These dubious benefits do not compensate the city for ruining a historic neighborhood with this massive project.

Morningside is requesting a zoning change from PUD to C1A/R. This zoning, meant for downtown and campus, has minimal restrictions on height, density, open space, set-backs and use. It is the driving force behind this inappropriately sized proposal. With this free-for-all zoning and the developer's rejection of the important points of the Master Plan, the developer is acting as a de-facto city planner, deciding what is good for the city. This is not wise policy, as a developer's goals are not necessarily compatible with the community's goals.

We hope you will deny the request for the zoning change, require the developer to re-think his proposal and demand from him a plan more consistent with the Master Plan.

From: John Godfrey [REDACTED]
Sent: Thursday, July 13, 2017 8:43 PM
To: Planning <Planning@a2gov.org>
Cc: Taylor, Christopher (Mayor) <CTaylor@a2gov.org>; Frenzel, Jason <JFrenzel@a2gov.org>; Kailasapathy, Sumi <SKailasapathy@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>; Westphal, Kirk <KWestphal@a2gov.org>; Ackerman, Zach <ZAckerman@a2gov.org>; Grand, Julie <JGrand@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Krapohl, Graydon <GKrapohl@a2gov.org>; Smith, Chip <ChSmith@a2gov.org>; Warpehoski, Chuck <CWarpehoski@a2gov.org>
Subject: planning commission - proposed ground mounted solar collector zoning

Members of the Commission:

We are writing to ask that the Commission postpone its consideration of the proposed revision to the city's zoning ordinances for solar energy systems at its meeting next Tuesday, July 18.

On April 17, the City Council imposed a 180-day moratorium on ground mounted solar panels and arrays in the front open space in residential districts. We have just learned that the Planning Commission intends to take up a proposed revision to the city's zoning ordinances for solar energy systems at its meeting on Tuesday, July 18. We are very upset to see that the draft proposal will allow installations in front yards of homes in residential districts. The draft proposal and other documents for next Tuesday's meeting are attached here.

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The draft proposal would allow such installations only where houses have setbacks of sufficient depth. In short, this will open the door to large front-yard solar collectors in residential areas with large front yards. This would be an extraordinary inequity that would affect only certain areas of the city. And, as the Commission's own Community Research document shows (attached), this would make Ann Arbor a national outlier, as zoning in most US cities and towns prohibits front yard installations.

The only concession in the proposed ordinance is that front yard collectors can be no higher than 6 feet and must be screened. Surprisingly, they would be limited to no more than 35% of the front yard outside the required front setback area. This seems to make little sense. On a section of Brockman where house front setbacks average about 125 feet, and the required front setback area is 40 feet from the sidewalk, the allowable footprint for such collectors would be massive, or about 2,230 square feet. Equally astonishing, the proposed changes would permit installations to reach a nationally unprecedented height of 21 feet in rear or side yards.

While we understand and fully support the contributions that well-designed solar energy installations can make, the proposed ordinance is wholly inappropriate for Ann Arbor and its neighborhoods which, after all, is the environment within which we live and that we seek to sustain.

We are asking that you postpone consideration of this ill-advised draft proposal until Ann Arbor residents who may be affected of its potential far-reaching changes have been informed and had time to understand it, and are able to express their views. For the commission to take up this proposal with no notice in mid-summer, when so many residents are away, is not in the public interest. This ordinance change will seriously affect residential spaces and the quality of life in this city.

Many thanks for your consideration of this request.

John Godfrey & Irma Majer
2809 Brockman Blvd.
Ann Arbor 48104

DRAFT

SECTION xxxx - SOLAR ENERGY

June 8, 2017

SYSTEMS A. Intent

The City of Ann Arbor promotes the effective and efficient use of solar energy systems. It is the intent of the City to permit these systems by regulating their siting, design, and installation to protect public health, safety, and welfare, and to ensure their compatibility with adjacent land uses. Ground-mounted solar energy systems, as defined in this Ordinance, shall comply with the provisions of this Section and are only permitted as authorized by this Section.

B. Definitions

1. **Ancillary Solar Equipment** shall mean any accessory part or device of a solar energy system that does not require direct access to sunlight, such as batteries, electric meters, converters, or water heater tanks.
2. A **Solar Collector Surface** shall refer to any part of a solar energy system that absorbs solar energy for use in the system's transformation process. The collector surface does not include frames, supports, and mounting hardware.
3. **Solar Energy** shall mean radiant energy received from the sun that can be collected in the form of heat or light by a solar energy system.
4. A **Solar Energy System (SES)** shall mean a system (including solar collectors and ancillary equipment) either affixed to a permanent principal or accessory building or functioning as a freestanding structure, that collects, stores, and distributes solar energy for heating or cooling, generating electricity, or heating water. Solar Energy Systems include, but are not limited to, photovoltaic (PV) power systems and solar thermal systems.
 - a. In R1 and R2 Zoning Districts, A **Personal-Scale SES** shall mean a solar energy system that is accessory to the principal residential use on the site. The sale and distribution of excess available energy, if permitted, to an authorized public utility for distribution shall be incidental to this type of system, and not its primary purpose.
 - b. A **Ground-Mounted SES** shall mean a freestanding solar energy system that is not attached to and is separate from any building on the parcel of land on which the solar energy system is located.

C. Standards for SES -

In Zoning Districts other than R1 or R2, A SES is permitted subject to the standards of Accessory Buildings, Section 5:59. In R1 and R2 Zoning Districts, Personal-Scale SES shall be permitted subject to the following standards:

1. Application for Zoning Compliance Permit of Personal-Scale SES

A Personal-Scale SES requires a Zoning Compliance Permit, except as stated in Section xxxx below. An application for a Zoning Compliance Permit shall include the following:

- a. Renderings and/or specifications of the proposed solar energy system.
- b. Plot plan or survey to indicate where the solar energy system is to be installed on the property, including property setbacks and the total Solar Collector Surface area, and total footprint of SES.
- c. Elevations showing the height of the SES.
- d. Description of the screening to be provided for ground-mounted solar energy equipment.

2. Ground-Mounted SES

Ground-mounted, personal-scale SES shall be subject to the following additional standards:

- a. **Setbacks:** In all Zoning Districts, ground-mounted solar energy systems can be located in the rear or side yard and shall be located at least three (3) feet from the property line.

A Solar Energy System may be permitted in the front yard, but not the Required Front Setback Area. The SES and all related equipment shall cover no more than 35% of the front yard area outside of the Required Front Setback Area. Within the front yard, the SES must adhere to side setback requirements for the zoning district.

- b. **Height:** Ground-mounted SES shall not exceed six (6) feet in height in the front yard and shall not exceed 21 feet in height in the rear or side yard, measured from the ground at the base of such equipment to the highest point of the system.
- c. **Screening:** Ground-mounted SES shall be screened when located in the front yard. Screening shall consist of fencing, wall, evergreen vegetation, berm or combination thereof with a minimum of 80% opacity.
- d. **Installation and Maintenance:** SES shall be installed, maintained and used only in accordance with the manufacturer's specifications.
- e. **Compliance with Additional Codes:** SES, and the installation and use thereof, shall comply with the State construction code, the electrical code and any other applicable State codes. Installation of a SES shall not commence until all

necessary permits have been issued.

h. **Lot coverage:** Solar energy systems shall not occupy greater than 35% of the required rear setback area.

3. Building Mounted SES

- a. **Setbacks:** In all Zoning Districts, building-mounted SES shall comply with Area, Height, and Placement requirements for Principal Building or Accessory Building Standards, as applicable to placement of SES.
 - b. **Installation and Maintenance:** SES shall be installed, maintained and used only in accordance with the manufacturer's specifications.
 - c. **Compliance with Additional Codes:** SES, and the installation and use thereof, shall comply with the State construction code, the electrical code and any other applicable State codes. Installation of a SES shall not commence until all necessary permits have been issued.
4. **Ancillary Solar Equipment:** Ancillary solar equipment shall be located inside of a building or screened from public view. All ancillary solar equipment such as, but not limited to, water tanks, supports, batteries, and plumbing shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the State Building Code and when no longer in use shall be disposed of in accordance with applicable laws and regulations.



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Text File

File Number: 17-0585

Agenda # DC-2

Introduced: 4/17/2017

Version: 1

Current Status: Passed

Matter Type: Resolution

Resolution to Impose a Temporary Moratorium on Ground Mounted Solar Panels and Arrays in the Front Open Space in Residential and Parking Zoning Districts



Resolution to Impose a Temporary Moratorium on Ground Mounted Solar Panels and Arrays in the Front Open Space in Residential and Parking Zoning Districts

Whereas, The City's Zoning Ordinance does not specifically define ground mounted solar panels or arrays, but they are considered an accessory structure included in other definitions in the Ordinance;

Whereas, Accessory buildings are currently allowed to be placed in front of a principal building as long as the accessory building is behind the required or average front setback line;

Whereas, The "required front open space" is defined as the area between the front lot line and the front setback line and the "front open space" is defined as the area between the front lot line and the front of the principal building;

Whereas, In some cases, there is enough space to place an accessory building behind the setback line yet still in front of the house in residential districts with more than the 40' setback;

Whereas, Recent application for accessory structures have brought to the forefront the need to revise the City's Zoning Ordinance to define ground mounted solar panels or arrays, and to ensure that the Ordinance provides for specific requirements for placement of ground mounted solar panels or arrays in the front open space, given their size, and compatibility with other surrounding residential uses;

Whereas, City Council is concerned that allowing ground mounted solar panels or arrays, in the front open space between the dwelling unit and front setback line was not specifically contemplated when the ordinance was drafted; and

Whereas, The City has received 3 applications for ground mounted solar panels or arrays in the front open space;

RESOLVED, That, for the purposes of this resolution, "ground mounted solar panels or arrays" shall include any solar energy panels mounted on racks, poles, or other structures affixed to the ground;

RESOLVED, That City Council hereby directs the Planning Commission to make recommendations regarding regulations for ground mounted solar arrays within 180 days;

RESOLVED, That City Council hereby imposes a moratorium deferring consideration of all requests for permits to erect new ground mounted solar panels or arrays in the front open space of all R-1, R-2, R-3, R-4, R-5, R-6, and P zoning districts for a period of 180

days from the date of this resolution;

RESOLVED, That City Council finds it necessary to impose this temporary moratorium in order to promote the public health, safety, and welfare of City residents, while the Planning Commission develops regulatory language pertaining to ground mounted solar arrays in the front open space; and

RESOLVED, That, prior to the expiration of this moratorium, City Council may extend this moratorium for an additional 180 days to allow sufficient time to consider appropriate regulations.

Sponsors: Ackerman, Grand and Taylor

Municipality	Front Yard	Maximum Lot Area coverage	Height Maximum	Setbacks	Screening Required
Ann Arbor DRAFT	Yes, Not in Required Front Setback Area	Yes, Maximum 35% of required front or rear open space	6 feet in front yard, 21 feet side or rear yard	3 feet in the side or rear yard, required side setback for front yard	Yes
Evanston, IL	No	Yes, 25% of primary building	10 feet	Same as Accessory Structures	No
Madison, WI	Yes	Yes	Height of principal building or 15 feet, whichever is less	Same as Accessory Structures	No
Manchester Township, MI	No	No	16 feet	10 feet from side or rear property line	No, but equipment shall not have adverse visual impact
Seattle, WA	Yes, same setbacks as principal structure	N/A	Same as principal structure	3 feet side, 15 feet rear	No
Chapel Hill, NC	No	No	N/A	8-17 feet (depending on district) from all property lines, possibly zero with special review	No

Municipality	Front Yard	Maximum Lot Area Coverage	Height Maximum	Setbacks	Screening Requirements
Troy	Yes, subject to site plan review	N/A	40 feet	N/A	No
Milan	No	N/A	40 feet	N/A	No
Chicago, IL	No	No	N/A	18 inches into required side setback 3 feet maximum into required rear setback	Yes
Fayetteville, NC	No	N/A	N/A	At least two feet from side or rear lot line	No
Massachusetts MODEL ordinance	Possibly, must be locate in the side or rear yard to the extent practicable	N/A	Same as Accessory Structures	Small – Half the required setback distance Medium or Large- 20 feet	N/A
Utah MODEL ordinance	No	No	Same as Accessory Structures	Same as Accessory Structures	No
New York State MODEL ordinance	No	Yes	Same as Accessory Structures	Same as Accessory Structures	No

Blended Solar - Guidelines for Aesthetic Solar Energy Installations in Ann Arbor, MI

As Ken Butti and John Perlin's excellent book, *A Golden Thread: 2500 Years of Solar Architecture and Technology*, illustrates, solar design and architecture and related building integration have roots dating back to Roman Times, the American Southwest and before. With advancements in materials and manufacturing technology the economics of solar energy have improved to a point of cost-effectiveness with traditional fossil fuels. Communities seeking to become more climate-action friendly, however, face new barriers about how best to integrate solar technologies into their neighborhoods, common spaces and buildings and green spaces.

A common refrain often heard in Ann Arbor is that the city is a very special place where people really care for the community, its outward appearance, and its global impacts. In December 2012, with its passage of the Climate Action Plan (CAP)¹, the Ann Arbor City Council expressed an ambitious multi-strategy vision to reduce its greenhouse emissions: 8% by 2015; 25% by 2025; and, 90% by 2050 (relative to year 2000 baseline carbon dioxide equivalent (CO₂e) emissions levels). As part of this vision, the CAP's *Solar Goals* call for 2.4 MW of new solar PV to be installed each year over the next ten years, to displace electric power produced from fossil fuel combustion (for a total of *24 MW in new capacity within ten years*).

As the city and community go about the task of installing large-scale solar energy, it is important that care be taken to ensure that solar system designs and installations are aesthetically pleasing and enhance our architectural, landscaping, urban forest, and water-based assets. Towards that end, the following are suggestions for how to aesthetically blend solar systems into our community.

Building Integrated Solar Design - Building-integrated solar design integrates solar PV panels with traditional building materials and designs so that the array becomes part of the existing or new structure. Good solar PV planners/designers work hard to improve the aesthetic appeal of a building by integrating solar panels into the existing shape, fenestration, and slope sections of the roof (particularly south-facing). Solar can also be used as window awnings to provide summer shading and reduce cooling cost and glare. Because solar panels lower the operating costs of a building and can further protect the structure from weather and solar irradiation, they can also increase the value and longevity of the property. Finally, solar can be added to carports to blend with electric car charging stations.

Ecological Blending - As a direct-from-nature (and point-of-origin) power source, solar panels blend well with the environment and with habitat-friendly designs such as trees, gardens, fountains, ponds and birdfeeders. Finally, solar panels can blend well with environment and habitat-friendly construction, such as art work, vegetation including shade trees, butterfly gardens and storm water management areas.

Historical Buildings and Solar Energy - With documented applications dating back to the Roman Empire and before² solar energy is a proven technology that harnesses energy from the sun's light to create localized energy to produce work (i.e., heating, cooling and electricity). Solar Energy has long been integrated into American's buildings. 18th Century Elizabethan homes and structures regularly included solariums and greenhouses. Solar Hot Water – Wood Stove Hybrids were used extensively in cities to heat domestic hot water.

In modern times, it is *solar photovoltaics (PV)* that has the greatest potential as a viable, environmentally friendly, unlimited and economically sound source of energy for the world. Indeed, as Thomas Edison famously noted, "*I'd put my money on the sun and solar power.*" "Photovoltaics" (PV), is a Greek term that simply means "light volt." A French scientist discovered the photovoltaic effect in 1839. In 1905, Albert

¹ See: <http://www.a2gov.org/a2energy/be-informed/pages/climate-partners.aspx>.

² See: Ken Butti and John Perlin, *A Golden Thread: 2500 Years of Solar Architecture and Technology* (Palo Alto California: Cheshire Books) 1980.

Einstein published a paper that explained the photoelectric effect, a discovery of which led to the “quantum” revolution” and, in 1921, for which he was awarded the Nobel Prize for his “*discovery of the law of the photoelectric effect.*”

In 1952 President Harry S. Truman’s Material Commission Report, *Resources for Freedom*, urged that solar energy be rapidly developed by the United States. In 1953, American physicists developed the first silicon solar cell capable of powering everyday electronics. During this time, vastly improved photovoltaic cells were developed by Bell Telephone Labs (Murray Hill, New Jersey), primarily for the Space Program and NASA.

By 1956, *Look* magazine was running advertisements for Solar PV (“Bell System Solar Battery Converts Sun’s Rays into Electricity”). In 1975, Michigan’s own President Gerald R. Ford signed the Energy Policy and Conservation Act which, among other things, called for a dramatic increase in the use of *solar energy* as a way to achieve *energy independence*. Today, Ann Arbor’s Climate Action Plan calls for 2.4 MW of new solar PV to be installed each year, for a total of *24 MW in new capacity in ten years*.

North-side Landscaping - Most would agree that the backs of solar panels are not aesthetically pleasing to the eye. Poorly designed systems have their backsides to the viewscape. Well-designed solar eliminates this backside affront by careful array placement and north-side landscaping. Shrubs, trees, berms, boulders and more!

Unobtrusive Solar - Most agree that the back side of solar panels – just like belching smoke stacks, pollution-laden sunsets, strip mining and oil rigs - are not aesthetically pleasing to the eye. Poorly designed solar systems – such as those that prominently show their backside to inhabitants – essentially show “contempt” for the community. Solar designers can reduce this backside affront to the view shed by: reducing the solar array size, innovatively positioning panels within an array, using topographic features or elevated surfaces, and growing vegetation behind an array.

Solar Access and Land Use Planning - Solar access is the ability of one property to continue to receive sunlight across property lines without obstruction from another’s property (buildings, foliage or other impediment). Protecting solar access rights under existing and future land ordinances and covenants is important to Ann Arbor’s meeting the CAP’s solar goals. Without a set of well-coordinated solar access laws, Ann Arbor could face conflicts between stated city priorities, such as higher density development, tree preservation, and renewable energy adoption. By logically incorporating solar energy considerations into zoning codes and ordinances, Ann Arbor can clarify the responsibilities of various parties, achieve balance between city priorities, and avoid costly and time-consuming lawsuits. Towards that end, the Solar America Board of Codes and Standards published a report in October 2008 reviewing the status of solar access laws nationwide, and recommended a model state statute and best practices for local governments.³

Solar Energy and the Urban Forest - Solar energy and trees share a common need for sunshine. As the host of an Urban Forest, Ann Arbor is affectionately called “Tree Town.” While shadowing from trees can block solar access, the urban forest provides many environmental, economic and social benefits to the community, including reduced storm water runoff, improved water and air quality, moderated summer temperatures, reducing noise, lowered utility costs, improved quality of life, and a beautified city. It is estimated that Ann Arbor’s city-managed urban forest, which includes trees growing along streets and in mowed areas of parks, provides nearly \$4.6 million in benefits each year.⁴

³ <http://www.solarabcs.org/>

⁴ See: The Urban Forest - <http://www.a2gov.org/departments/field-operations/forestry/Pages/The-Urban-Forest.aspx>.

Good solar design works in harmony and blends with urban forestry – and landscapes on the north side of all solar installations. Tree removal occurs only when there are no other viable alternatives. Good solar design includes features such as: (a) actively tilting solar panels so as to maximize their output; (b) mounting solar panels at grade versus potentially shaded roofs; (c) canopy or ground-mounting of solar panels if roofs are shaded; and (d) using open site areas (e.g., Community Solar projects) rather than removing shade trees of value.

The following are resources for those interested in researching more about solar integration: Ken Butti and John Perlin book titled, *A Golden Thread: 2500 Years of Solar Architecture and Technology*; National Renewable Energy Institute (NREL), Implementing Solar PV Projects on Historic Buildings and in Historic Districts.⁵; and, Ann Arbor is part of the American Institute of Architects, Huron Valley Chapter⁶, which has resources and information on blended and integrated solar design.

⁵ See: <http://www.nrel.gov/docs/fy11osti/51297.pdf>

⁶ See: <http://www.aiahv.org/>.

Ann Arbor Theatre and Cultural District
&
Renaissance Town Square

Historic / Program Narrative

This urban redevelopment project is a Community-based Arts and Economic Initiative to create a world-class, internationally renown *Performing and Cultural Arts Complex* together with an adjacent *European Town Square* of support retail, commercial, and residential space here in Ann Arbor, Michigan; creating new opportunities for Michigan while drawing a regional and national public to its performances, concerts, art expos and activities. Based in the historic origin of Ann Arbor, along the Huron River, it will serve as a legacy for generations to come in much the same way as the Stratford Shakespeare Festival, the Shaw Festival at Niagara on the Lake, and numerous European Art Expos all do, such as: the International Art Show in Basel, Switzerland; the Maastricht (European Fine Arts Fair) in The Netherlands; and Les Expositions des Arts in Paris, France.

This exciting project involves two distinct symbiotically related components:

The *first component*, the ***Ann Arbor Theatre & Cultural District***, is comprised of a Cultural and Performing Arts Complex that will act as the hub of the wheel and drive the urban renaissance of the oldest district and origin of Ann Arbor known as Lowertown, along the winding Huron River. Its proposed site is to be located on the now vacant, former MichCon property, on the northwest side of the Broadway Bridge. It is to become a major international performance facility that will house two spectacular theatrical stages: the first is a large flexible stage that will offer a proscenium arch 3 season amphitheatre venue, with pavilion covering of approximately 2500 outdoor seats with an additional 2500 lawn seating on its hill; with a second indoor flexible stage balcony theatre of 650 seats, ideal for numerous presentations and community productions including theatre, film, video as well as corporate, university and public events.

The intimate balconied 650 seat high tech theatre will at times and throughout the winter months utilize its incredible back-stage area that doubles as the spacious main stage for the attached outdoor amphitheatre venue. This main-stage amphitheatre will be able to accommodate a complete symphony orchestra, operatic & theatrical productions, playing out to an outdoor audience of 5000 plus. It includes a flexible multi-use art and exhibition gallery, administrative and public space. The versatility of this design can be observed in the attached images of its model, rendered by architect and former Dean of the University of Michigan School of Architecture, Kent Hubbell. Kent also designed the impressive Chene Park performance facility in Detroit, along the Detroit River.

Ann Arbor Theatre and Cultural District & Renaissance Town Square

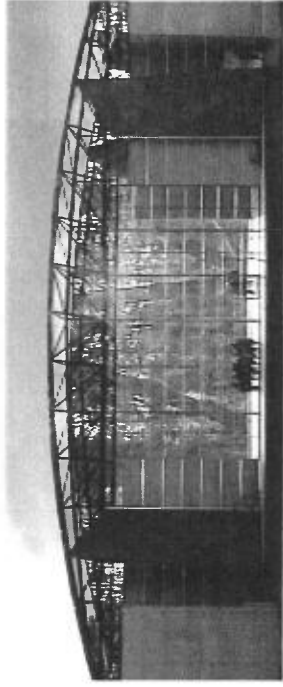
Historic / Program Narrative

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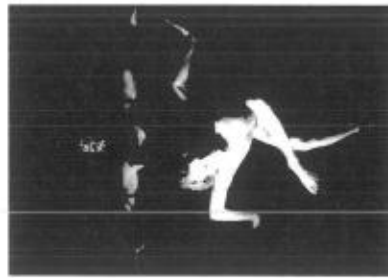
Main Stage, Riverside Theatre Complex, Hubbell Design

Year round programming for this Performing Arts Complex will be comprised of the finest national and international talent in the areas of theatre, classical music, opera, jazz, film, video, and art. In short, we intend to bring the world's finest culture to this unique district.



Annual theatrical productions from the Stratford Shakespeare Festival and the Shaw Festival, as well as NYC's Broadway and other significant international theatrical stylized productions will be brought to this spectacular venue. Our distinguished President Emeritus of the University Musical Society, the late great Gail Rector, designed a *Music by the River Series* before his passing, assembling the finest world-class symphonies and orchestras to perform at this outdoor venue during our fine-weather

months. His work is continued by his son, Rick Rector. International theatre arts producer/presenter, Brian J. Trim, has compiled a host of prestigious *stylized-theatre troupes* and *theatrical extravaganzas* from around the world to be presented at this incredible venue, on the order of the many Michigan firms he has brought here. These will include the likes of The Grand Kabuki of Japan; The Peking (Beijing) Opera; Cirque du Soleil; Sankai Juku; La Nouvelle Compagnie apres Marcel Marceau; "Comedia d'elle Arte" National Theatre of Italy; Theatre Milchenye of Poland; as well as the most *stylized theatrical art forms of nations and indigenous cultures worldwide*. This will provide a truly unique international theatrical focus; a special niche and draw for its public, unparalleled elsewhere in the world. We are also working in collaboration with our international colleagues in the world of Opera to bring us the finest outdoor operatic productions imaginable.



During the winter months, this flexible main-stage facility will host an *Annual International Art Expo* on the order of the European models described above. Further, artists' markets, corporate product launchings, trade shows and events will continue to generate revenue in this space throughout the year that will assist in financing the complex's operation.

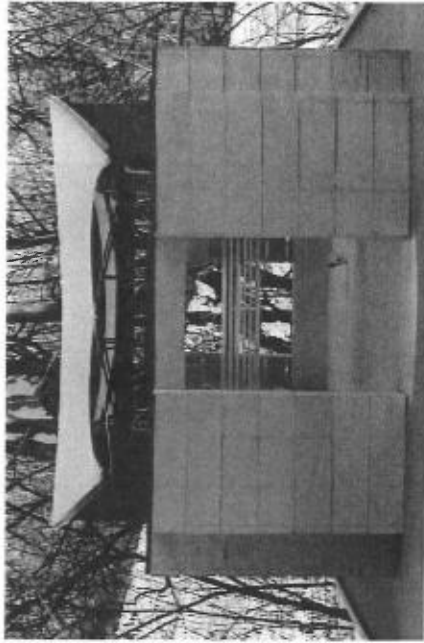


In conjunction with our international artistic program, relevant cultural symposia as well as diplomatic lectures and dialogue would be hosted at this spectacular forum. Set in the context of cultural exchange, ideological discourse, and the promotion of eventual understanding of divergent solutions to world issues, this forum would provide another unique regional, national and international draw. Additionally, it would provide a complementary function to the cultural, artistic exchange intrinsic in our performance program and serve as a valuable contribution at a local/regional level toward the better comprehension of all sides of complex world issues.

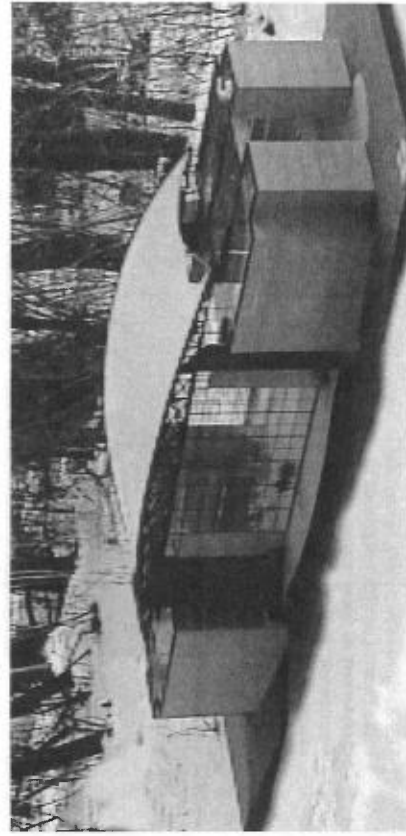




MAIN STAGE CONCEPTUALIZATION



YEAR - ROUND INTIMATE THEATRE



3 - SEASON OUTDOOR MAIN STAGE

The second component of this project is called **Renaissance Town Square** which is a *for-profit community enterprise* formed from a *private / public partnership to develop the remaining property of the site, creating a European-styled Town Square and Marketplace* that would include, among other, neighborhood support, retail, residential, and commercial space including a *world-class Multi-Media Technology & Renewable Energy Information Center* on this site. This technology hub would provide commercial and educational programs that offer a private and public function. Focusing on the communications media industry in the new millennium, specifically in the high tech development of digital audio, video, film production; renewable energy information; the areas of law/legal representation for these new advances, this Multi-Media Technology Research Center is conceived to be unique in the world. By offering an integrated commercial / educational application of the industry, it combines the best of both worlds.

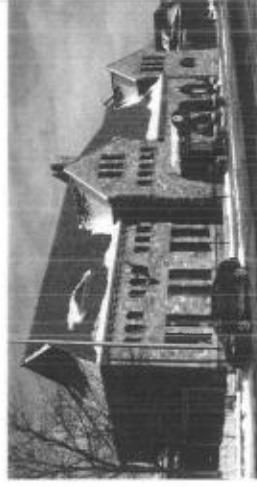
Thus, this two-tiered project is a cultural/commercial/educational and redevelopment project of incredible economic potential that will serve as an impressive urban renewal model based in the Arts. The resulting new tourism it will attract and revenue it will generate will be significant to our City and State's economy. It has historically been borne out in our nation's history that Americans continue to spend entertainment dollars despite economic downturns.

This Multi-Media Technology Center is also conceived to function, in part, as a small commercial soundstage, operating 24 - 7 production schedules. It would act as an attractive alternate site for smaller scale commercial projects from the automotive and entertainment industries, providing a niche for industry needs that are currently not being met in Metro Detroit. This will be an attractive resource for various regional corporations, their operations in Michigan, as well as Michigan Industrial and Film Entertainment Projects.

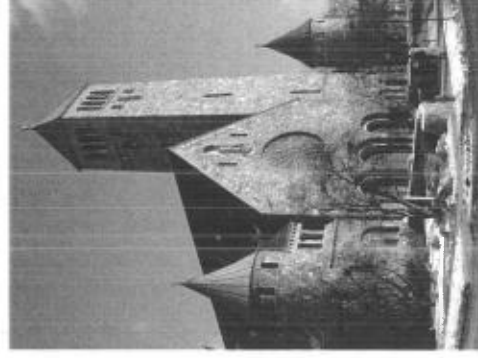
Additionally, it is conceived to offer unique *educational* programming for students from the University of Michigan, all state universities and colleges interested in participating, as well as other national and *international educational institutions through remote communication*, and in a limited A.P. program to statewide high schools. Its curricula will be modeled after the most progressive initiatives in the communications/multi-media technology field worldwide. It is to be accredited by the University of Michigan, through which all other participating institutions could receive academic credit for their student population. Renewable energy problem solving initiatives could be recruited worldwide and communicated through the Center in this way.

Its educational component would offer the student a unique opportunity of participating in its intern / apprentice program. This program would ultimately streamline the student from the academic world directly into the professional world within the communications technology industry. By accessing the commercial side of the Center's client base in the energy, automotive and entertainment industries, the educational component would be able to offer the student a direct link and transition into the professional communications technology industry.

This *European-styled Town Square and its Multi-Media Technology Center's* proximity to the Theatre Complex will provide for complementary, related functions and synergistic opportunities to these unique performance venues. These include the possibility of simultaneous broadcast of performances, recording opportunities, film and video opportunities, special effects opportunities for the live performances and theatrical productions, etc. All of this would greatly enhance the world-class nature and reputation of both sites and their respective programs.



Stylistically, the various components of this European-styled Town Square are currently conceived to celebrate the same Romanesque and Classic design of the nearby Gandy Dancer, St. Thomas and St. Andrew's Churches, as well as many other historic stone churches and buildings throughout the City.

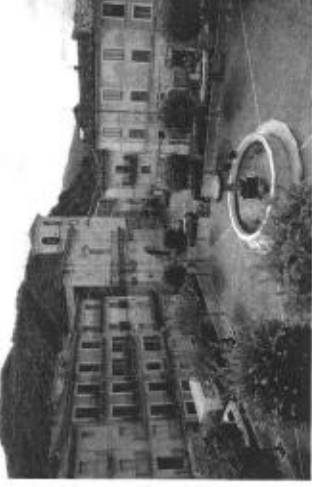


Based on the European model of the Medieval Town Square, offering a piazza, glockenspiel, and fountain, additional components of the Town Square would be contained within its cloisters and retail space bordering the piazza at ground level. They might also contain such elements as editing suites, post-production facilities, broadband & broadcast studios, and an *Arts in Medicine* research & rehabilitation space for unique therapeutic approaches and programs.

The Multi-Media Technology Center's main soundstage façade is conceived to simulate a grand Town Hall in medieval Europe, with Romanesque cloistered shops at ground level surrounding it. Above these shops would be 3 stories of mixed residential and commercial space. One might look to the example of the University of Michigan's Law Quad in neo-gothic architecture as a local example of a similar layout, where the Law Library represents the Multi-Media Technology Center / Town Hall: a classic design rendered with modern technique and materials, that might include Romanesque as well as other classic design elements rendered in part in local fieldstone where appropriate.



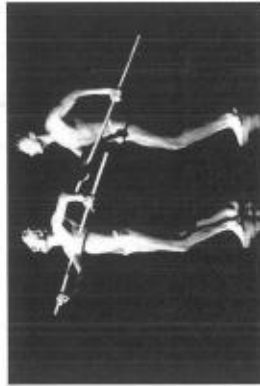
Additional ground level shops on the interior and exterior sides of the Town Square are conceived to be made up of neighborhood support retail such as might include a bakery, butcher, wine shop, cheese shop, fish market, grocery shop, produce market, hardware store, music store, bookstore, barber shop, cleaners, cafés, coffee shops, bistros, diner, bicycle shop, hair and beauty salon, bank, boutiques, pubs, deli, library outlet, mail outlet, high-end restaurant, pet supply store, shoe repair shop, etc. Above the Town Square, housing units are designed to offer attractive apartments, condominiums, and an affordable housing component all within the first three levels, with commercial loft space above. These are all conceived to be in the same classic style throughout the Town Square, with parking garage decks below and attached beyond the retail shops of the Town Square façade. On the top levels, are commercial / residential loft spaces designed to look both onto the Town Square as well as out to the City's skyline.



It is this project's goal to acquire this site for these purposes in the immediate future. This approximately 11.5 acre development site is owned by DTE which has graciously allowed us a window of opportunity within which to formalize our plans at which time they will favorably consider vacating other opportunities for the vacant MichCon site on behalf of our project.

The residents of the neighborhoods it borders praise our plan, feeling it is in character, scale and function to the residential and commercial area it would occupy. They support our plan to service their population by providing both residential and commercial development for their families, in many cases generations old. We are currently recruiting the leadership and strategic development investment partners in this development to meet our community needs in this way.

This two-tiered redevelopment project is particularly relevant, given the valuable nature of this specific real estate and our community's long-term interest in seeing our cultural legacy of the proposed Theatre & Cultural District and related adjacent Renaissance Town Square realized. The Theatre District and its European Town Square would enjoy a synergistic energy and symbiotic relationship of financial support. The resulting urban renaissance it would engender based in this artistic, cultural and historic spirit described would make it an international model for urban renewal. We are, therefore, presently soliciting the necessary financial and investment leadership partners in order to prevent this historic opportunity from being missed.



The concept of this cultural legacy enjoys the support of numerous civic, cultural and professional leaders from around the State and region. Originally conceived of several years ago by the then young Arts producer, Brian J. Trim, he was immediately joined in this vision by the University Musical Society's legendary President Emeritus, Mr. Gail Rector, together with local philanthropist and former University of Michigan Regent, Eugene B. Power – contributor of the U. of M. Power Center for the Performing Arts, as well as the world famous "Charlie Chaplin of Theatre" – Marcel Marceau. While these three iconic leaders in their respective fields have since passed on, a host of many local, state, and regional leaders have since joined the growing support and enthusiasm this proposed project has garnered.

Our international performance and cultural program is a project of immense potential and appeal in terms of commercial advertisement, sponsorship, and public relations value for American and foreign corporations alike. We have enjoyed a warm reception by a growing number of international corporate and governmental interests that would act as sponsors for their respective performance troupes from around the world. Given that our Theatre and Cultural District will be showcasing *National Treasures* and their stylized theatrical art forms of their respective countries and people from cultures worldwide, it will be a prestigious and unique International American venue for them to adopt as its sponsor. It will, in turn, demonstrate our commitment to and respect for culture of all lands.

The positive economic impact it will create in the way of increased tourism to our State and sustained local economic redevelopment will truly be significant to the region and serve as a model for urban renewal, based in and through the Arts; a vehicle that transcends language and political, ideological barriers.

We are, therefore, respectfully asking you for your assistance in our two-tiered project, as we continue our mission to make this potential legacy a reality for Michigan, and thank you for your time and consideration of this historic opportunity.

On behalf of the supporters of the Ann Arbor Theatre & Cultural District and Ann Arbor Renaissance Town Square,

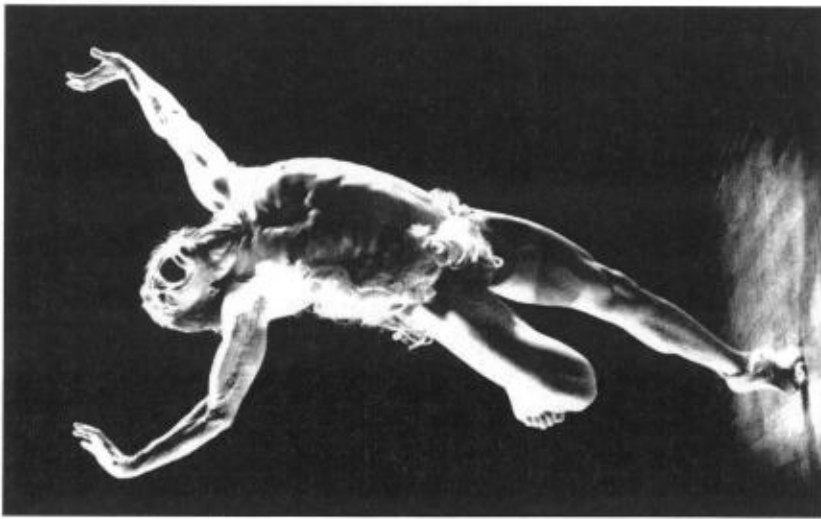
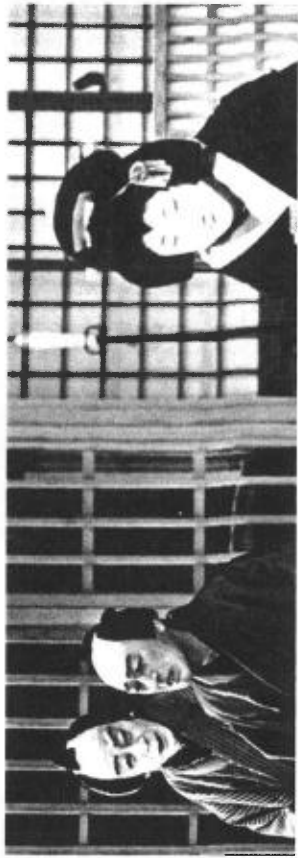
We remain respectfully yours,

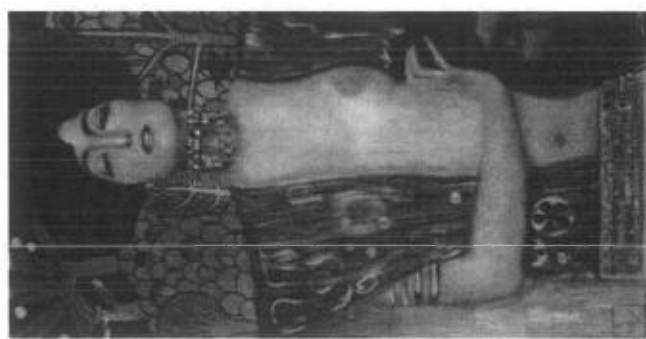
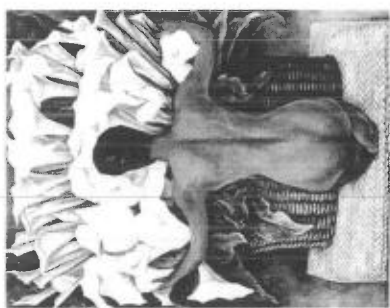
posthumously Gail W. Rector President Emeritus, University Musical Society	Brian J. Trim Producer/Director Spectrum Theatre Productions	Owen Z. Perlman, MD. Community Leader & Philanthropist	Robert Black Architect, President Sunnstructures Architects
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Together with,

The People of Ann Arbor







July 4th, 2017

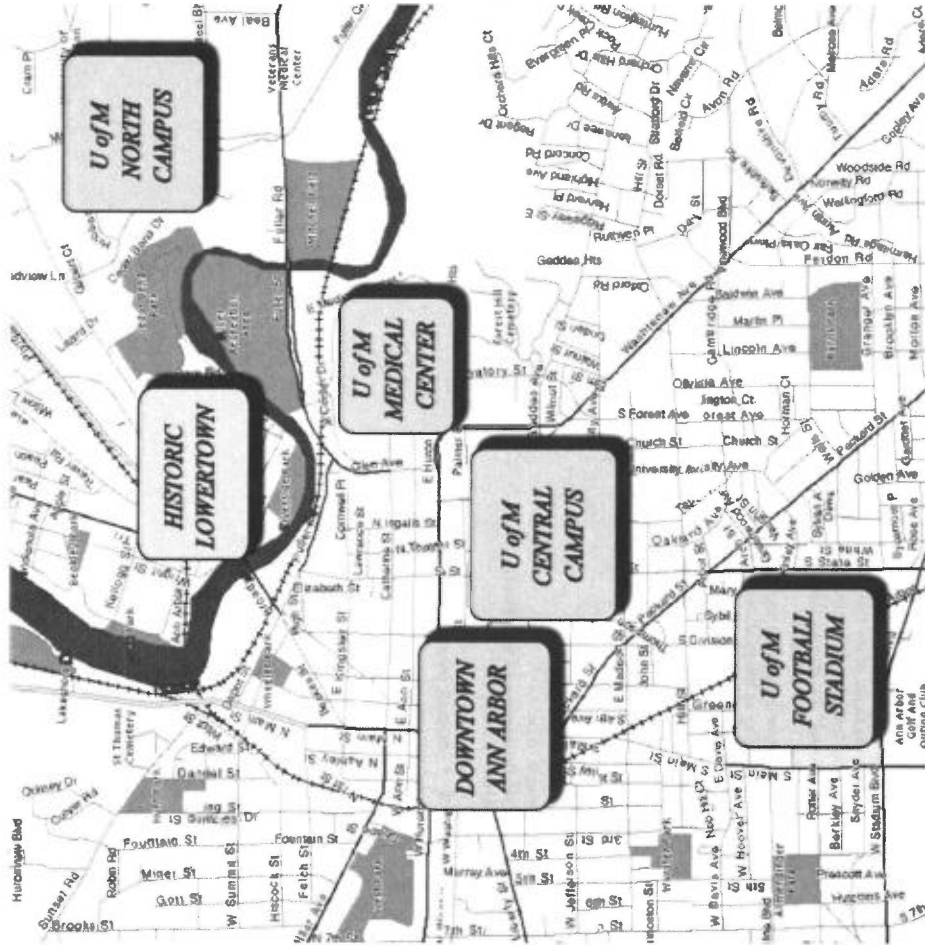
Dear Ann Arbor City Council,

I am writing to you today to not only echo every objection that you have already heard or will hear regarding the proposed development by Morningside for the Old Kroger's site at the base of Broadway Hill, 1140 Broadway; all of which I agree with and hope that you will consider completely. However, my reason in writing to you today in opposition to this proposed development is distinctively different and in addition to all that my good neighbors have so competently assembled for your consideration.

It is true that the zoning issues are indeed alarming, as is its proposed size, the massing, the setbacks, the lack of open space, and its proposed zoning change to a C1A/R classification, which as you know has very few restrictions. This has allowed the developer to set his own limitations that are aesthetically inconsistent with the surrounding area and ignores that which includes the Historic District of Broadway as well as Traver Creek. It also ignores the much needed retail function that previously existed there when Kroger's provided for the adjacent neighborhoods' grocery and shopping needs; as well as the additional community retail that was previously provided there with adjacent shops. To allow the developer the C1A/R change is sort of like allowing the Fox to design the Chicken Coupe.

However, my objection goes beyond the specifics of building and planning requirements, zoning considerations, the current Master Plan, and all the well-articulated arguments and objections that are being presented to you in opposition to this proposed development. Rather it speaks to the notion of responsible governance itself and what your roles should be as our elected representatives of this incredibly gifted and talented community we all enjoy the privilege of living in and being a part of - making up this great unique City of Ann Arbor. That being, it is your responsibility to view development opportunity within the City from a macro rather than a micro myopic perspective, allowing and encouraging development that provides the greatest contribution to the City and our quality of life as a result of that which you approve; or conversely deny that which falls short of what should be required to meet the highest standard of contribution to the City as a whole, and its impact on our quality of life.

My objection therefore, is that this is just "more of the same" sort of ugly massive industrial-style and scale of residential development crammed into the maximum number of housing units that maximizes the developer's profit while squandering the only opportunity we will ever have to redevelop this historic origin of Ann Arbor, nearly adjacent to the winding Huron River that runs through this historic area originally known as Lowertown. If properly redeveloped, this area could provide for an enhanced quality of life for all our citizens, while also providing a mechanism by which the long term health and economic vitality of our Downtown is protected and secured. This should be of paramount importance to you, our representatives, as this particular opportunity will not reappear in our lifetimes, and once lost will be lost forever.



This particular real estate when viewed from this perspective then becomes much more important to us than just a vacant parcel of land that we all must race to develop at the first opportunity now that the economy is improving. It is part of our City's physical origin as well as its historic center of commerce, retail and trade. Though it is now vacant and adjacent to other important vacant and underdeveloped parcels it could prove to be some of the most valuable property to our future if responsibly developed. Therefore I am asking you to pause and not race to approve this Morningside development proposal, which falls short not only in all the ways my neighbors are pointing out, but too, from this larger perspective that I am asking you to consider.

Should Morningside decide not to reconsider its plan and design if not approved by you, our representatives, then there will be many others who will be forthcoming with development proposals for you to consider and ultimately approve the one which most benefits the future of our citizens quality of life and our City's financial stability – including that of our Downtown which could be enhanced if this area is properly redeveloped* and directly linked to its long-term sustainability.

That must be the greatest consideration for you, our elected officials, as it impacts the future quality of life of all our citizens. We must not allow ourselves to become myopic and race to build something, the first thing that comes along or “anything at all that produces tax revenues” on this property that has admittedly been vacant for several years. To do so would be to squander the opportunity to do something better, something more for our citizenry who have elected you to look out for their best interests and make decisions that take the big picture and ultimate health of our entire community into consideration when so doing.

Respectfully submitted,

Brian J. Trim
1548 Broadway (at Cedar Bend)
48105

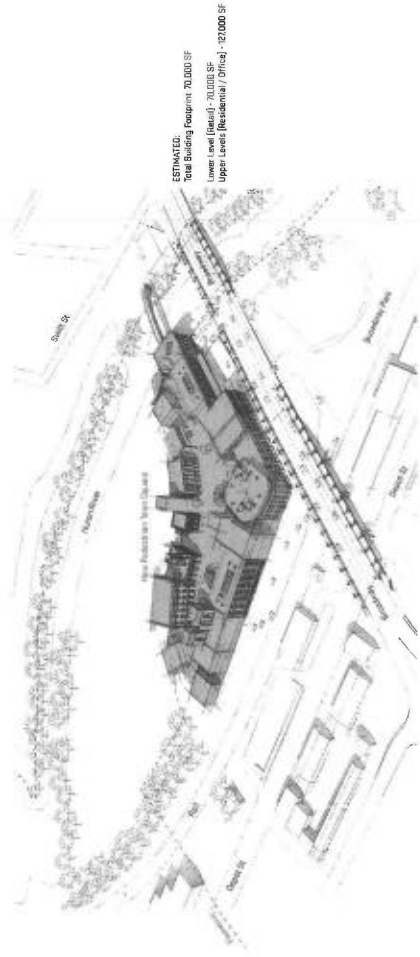
P.S.: * - example presented under separate cover



Ann Arbor Theatre & Cultural District Conceptual Studies

January 16, 2017
Ann Arbor, Michigan
OXSTUDIO
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Cultural Town Square

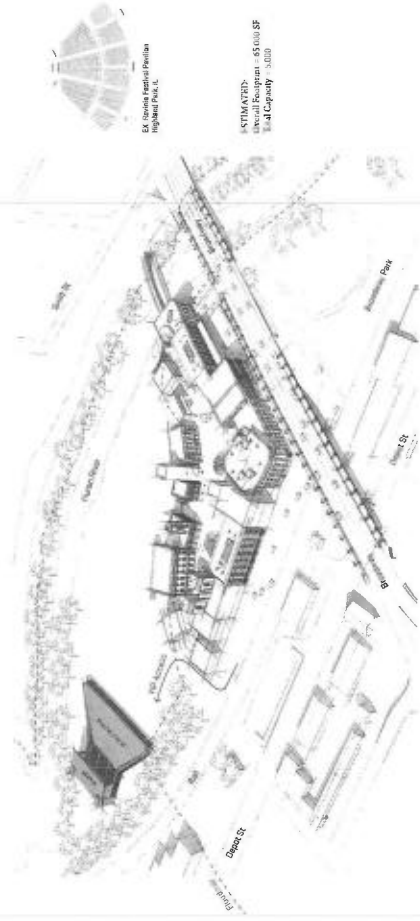


ESTIMATED:
Total Building Footprint: 70,000 SF
Lower Level (Retail): 30,000 SF
Upper Level (Residential / Office): 40,000 SF

Ann Arbor Theatre & Cultural District

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Theatre District



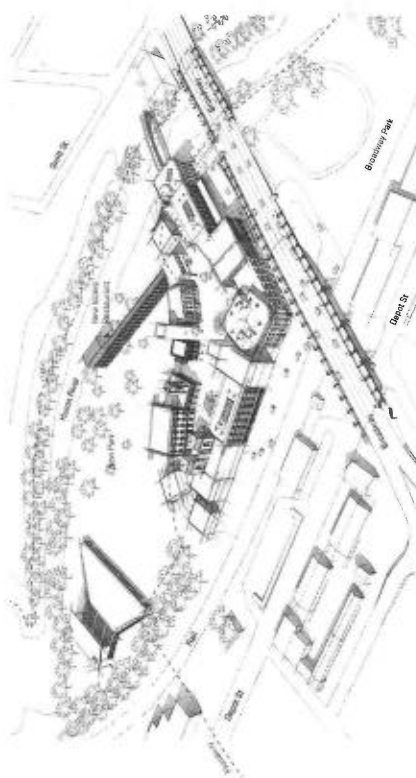
Est. Theatre District Footprint
Highland Park, IL

ESTIMATED:
Theatre District Footprint: 65,000 SF
Total Capacity: 1,000

Ann Arbor Theatre & Cultural District

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Explore

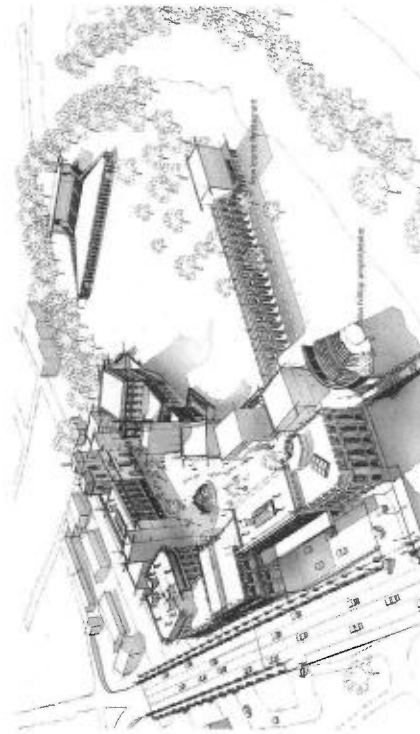


Ann Arbor Theatre & Cultural District

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Explore

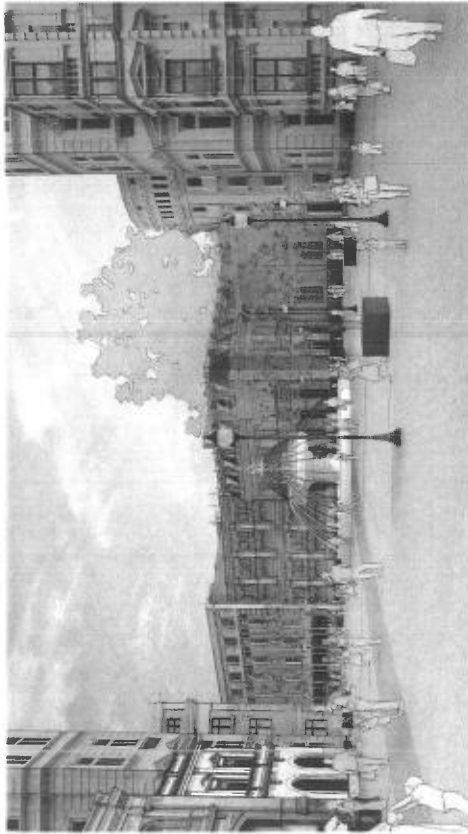


Ann Arbor Theatre & Cultural District

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Town Square View



Ann Arbor Theatre & Cultural District

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Broadway View



Ann Arbor Theatre & Cultural District

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Theatre View



Ann Arbor Theatre & Cultural District

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