

**From:** Dan Atkins <[deatkins@gmail.com](mailto:deatkins@gmail.com)>

**Sent:** Saturday, April 17, 2021 7:53 AM

**To:** Planning <[Planning@a2gov.org](mailto:Planning@a2gov.org)>

**Subject:** TIME SENSITIVE - Please read before City Council meeting on April 19

Members of the Ann Arbor City Planning Commission,

We are sending the attached to be sure you are aware that the developer of the Valhalla Project has submitted conditions for RE4 zoning that are NOT consistent with your motion for approval of the zoning for the project. In particular it does not hold the developer to the commitment Brad Moore made to you that the project will be 100% electric.

If you agree that the zoning should not be approved without a 100% percent commitment to 100% electric, please let Council members know.

Thank you.

Daniel E. Atkins  
Emeritus W.K. Kellogg Professor of Information and Professor of EECS  
University of Michigan  
Ann Arbor, MI 48109  
voice: +1.734.277.1297  
[email: atkins@umich.edu](mailto:atkins@umich.edu)

**To: Ann Arbor City Council**

**Re: RE4 Conditional Zoning for Valhalla Project on Council Agenda for April 19, 2021**

**Date: April 16, 2021**

I am writing on behalf of residents of the Meadows Association and the Country Place Condominiums on Scio Church Road, about 1200 feet west of the Valhalla project. For reasons given below **we are asking you to vote “no” on the Conditional RE4 zoning request for the Valhalla Project** on the Council agenda for April 19, 2021.

We initially heard about the project in September 2020 and since then we have spent many hours learning more about it and the process for development approval in the City. We have watched the relevant video recordings of the Planning Commission meetings. We have met with the Mayor and all Council members except one, who declined to meet, to discuss this project. We very much appreciate your generosity in the time you spent with us. We continue to believe that the following are true:

- The density of the project is inappropriate for the site.
- Spot zoning of the site is a horrible method of planning and sets a bad precedent for other areas in our neighborhood.
- Major issues of traffic flow and safety around the project remain unresolved.

Furthermore, in the course of our research we discovered that major factors in recommending the conditional R4E zoning are the developers commitments to electrification and affordable housing made in negotiations with the Planning Commission. The Commission aspires to make this a seminal pilot project in sustainability and a contribution to the A2Zero goals. The motion for approval from the minutes of the Planning Commission July, meeting is as follows:

*Noting no further public speakers, the Vice Chair closed the public hearing. Moved by Wendy Woods, Seconded by Erica Briggs, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the annexation and the Valhalla Ann Arbor Rezoning Petition to R4E (Multiple-Family District) based on the proposed zoning and accept these conditions:*

- *The maximum density not to exceed 50 units per acre.*
- *The maximum height of any building will be 74 feet.*
- *The inclusion of fifteen affordable housing units as described in Statement of Conditions.*
- ***The entire project will be serviced only by electricity and not connected to natural gas services.***

*The approval is subject to executing a Conditional Zoning Statement of Conditions. and The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve Valhalla Site Plan and Development Agreement.*

Please note, however, that to date, **the developer has not met the terms of this recommendation** from the Planning Commission. Item number 4 in the Conditions for Rezoning to RE4 most recently submitted to the City by the developer reads as follows:

*The entire Project shall be all electric and not serviced or connected to natural gas services **provided that the electric utility has capacity to serve the Project or in the event such capacity does not exist, the electric utility is prepared to timely upgrade its service capacity for the Project at its expense.** This condition shall not prohibit the use of back-up generators powered by natural gas or other fuel for emergency use in the event of power outages.*

**The developer has not committed to 100% electric if DTE can't provide the required power or is unwilling to upgrade to do so in a timely way at DTE expense.**

We hope that we all agree that we cannot let a highly visible pilot project in sustainability fail and that therefore, it should NOT be approved unless the developer is willing to give a “no exceptions” commitment to 100% electric as specified in the motion for recommendation from the Planning Commission. I hope we all agree that the City Council does not want to appear to be the victims of bait and switch.

We are especially concerned that the project will not end up being 100% electric because 1) the developer has had ample time to produce a worst case estimate of power requirements and to get indication from DTE about whether or not they can provide it; and 2) because the all-electric commitment was not originally in the developers site or financial plan but was added on short notice to win Planning Commission support after that body initially rejecting it. **The ability of DTE to provide the necessary power, on a timely basis, and without degrading existing service in the area, should be documented and verified as a condition of approval.**

**Please vote “no” on this zoning request unless it includes an unconditional commitment to 100% electrical power and no use of natural gas except for power backup.**

On behalf of our residents, thank you for your attention to our request.

Daniel E. Atkins  
2003 Marra Dr.  
Ann Arbor, MI 48103