

NORTHBURY CONDOMINIUM ASSOCIATION

2707 Argonne, Ann Arbor, MI 48105

Northbury@sbcglobal.net

734-222-9379

12 August 2015

In speaking about the election results this week, Mayor Taylor said, "Ever since I was elected in November, I've been focusing on providing basic services of the city and taking real progressive steps to improve residents' quality of life. I think that was the message and vision that voters ratified today."

If that is true, we urge Mayor Taylor and members of City Council to listen to the residents living in the Northeast who will be adversely impacted by the rezoning of Nixon Farm North and South Properties to R4A. While we not opposed to the development of these properties, we are concerned the proposed design is not compatible with other developments in the area, and we feel that this must be addressed. Specifically we object to the wall of buildings along Nixon Road, South of Dhu Varen, and request that it be softened either by the creation of more generous landscaped areas between some of the buildings or set back behind a more effective landscape buffer along Nixon Road. Also we would like to see the proposed units distributed more evenly between Nixon Farms South and Nixon Farms North. Additionally, we are worried about how the ever-increasing traffic will be handled. It is of paramount importance that this be determined prior to any rezoning. This development in the Traver Creek watershed with the resultant loss of wetlands and the likely water incursion problems that will occur in adjacent neighborhoods is an additional area that requires attention.

We at Northbury have been working over the last few years to become more responsive to the environmental challenges we are all facing. Although the city espouses their environmental leadership position, we feel that the position is more reactive than proactive. Why not address these issues before any project is approved so that remediation is not required?

We urge the Mayor and City Council to listen to their constituents and to not approve the rezoning until there can be assurance that the issues of greatest concern (neighborhood compatibility, wetlands loss, and traffic congestion) have been constructively addressed.

We are attaching letters we have written in the past regarding the parcels being considered for rezoning.



Mary Anne Drew, President of the Northbury Condominium Association,

With respect to the vote by City Council on August 17, 2015 we are objecting to the rezoning of the Nixon Farm South Property

2015 AUG 12 PM 12:02
REC'D
CITY CLERK
CITY OF ANN ARBOR

5/29/15

NORTHBURY CONDOMINIUM ASSOCIATION

2707 Argonne – Ann Arbor, Michigan 48105

Phone: 734-222-9379; Fax : 734-222-9378

Northbury@sbcglobal.net

The Board of Directors of the Northbury Condominium Association is committed to improving the quality of life not only in the Northbury community but also within the City of Ann Arbor. Thus the Board feels compelled to comment on the Master Plan, and urges that you give careful consideration to the views that follow, carefully crafted by our Vice President Fred Mayer,

One of the major shortcomings of the City's present approach to master planning is the tendency to apply a single theoretical approach to all parts of the City with little regard to the feelings or desires of the people who live there. At present, it takes the form of trying to "urbanize" the built environment of all parts of the City, which forces those who wish to live in a quiet, green, residential setting to relocate to the surrounding townships. One of the attractive qualities of Ann Arbor up to this point is the diversity it offers in terms of the character of the built environment. Those who seek a vibrant, urban lifestyle can find it in the downtown and campus-area neighborhoods. Those who prefer a quiet, family-oriented neighborhood of single family houses set amongst abundant greenery can find that too. This diversity is worth pursuing if we wish to retain our position as an inclusive City with a place for a variety of lifestyles, but some of the policies of the current master-planning approach fail to pursue this goal. We believe that a less rigid, more flexible approach is needed that would give greater weight to the opinions of the residents, particularly in established residential areas.

We are not opposed to higher density, mixed use, or urban environments, but we feel they are most appropriate in the central area of the City where they are close to restaurants, shopping, the library, museums, theaters and other entertainment venues as well as the many cultural assets available on the University campus. These, after all, are the elements that give interest, vitality, and excitement to urban living. Some of the older, close-in-neighborhoods such as Burns Park and the Old West Side possess some of these same features, and their residents prefer this type of environment and choose to live in these neighborhoods for just such reasons. In other neighborhoods, however, people choose to live there because they want a low-density environment with lots of trees and open space and no commercial uses mixed in with their homes. This style of living may not be in vogue with planning professionals these days, but this does not mean the people should be denied the right to such a lifestyle if they so choose. It seems that the City needs to do a far better job of listening to and abiding by the wishes of the residents of established residential areas in its decision-making process if it wants to retain its vitality as a living environment with a diversity of lifestyles.

Such a policy would not eliminate the opportunity for the growth of either the tax base or the number of residential units available to those who choose to live here. The transformation that is taking place in the central area has added significantly to the tax base of the City, the number of units available, and the economic vitality of central Ann Arbor. This trend shows no sign of

stopping. In addition, a number of major arterials in the City, such as W. Stadium Boulevard, E. Washtenaw Avenue, and Packard Road south of Stadium, are also ripe for redevelopment, and some is actually taking place. If properly managed, these opportunities can serve to grow the tax base, increase the supply of housing and enhance the quality of life in the City. The encouragement of such goals should be a major objective of the master plan.

Finally, one of the major shortcomings we see in the current planning process is the lack of a mechanism to direct the actual design of a proposed project to increase its compatibility with the surrounding area and its overall impact on the community. Zoning, which is the major tool available to the City at present, is a negative tool. It tells the developer what he/she cannot do, but it does not let the City tell the developer what it wants done. The result has been a series of recent projects that are at best mediocre and in some cases downright ugly. In addition, developers are often insensitive to both environmental and human needs. The City needs to create more effective tools to control the actual design of projects to produce better quality outcomes. It has been said that design-review processes can stifle individual creativity on the part of the architects. This can be true, and a system must be developed which avoids this result. However, in the past fifty years we cannot think of a single example of outstanding design (outside the University campus) that has been created, although no such controls existed. Also, people mention the difficulties of establishing such controls under present State law, but the city of Kalamazoo has implemented such a process, so it must be possible. In summary, we feel it is essential that an effective design - review process be developed if the quality of projects being proposed in the City is to be improved and the controversy that has surrounded so many recent projects reduced.

With respect to issues currently facing the City, the proposed Toll Brothers development along Nixon Road provides an excellent case in point. The original plan presented by the developer did not include any commercial uses. The neighborhood has made its opposition to the inclusion of such uses in either the plan or zoning very clear. Yet the Planning Commission and staff have chosen to substitute their own preference for this type of development over the clearly stated views of the neighborhood. It is hoped that the members of City Council will choose to pay attention to the views of their constituents and overrule the Commission.

Other controversial elements of the proposed plans, such as the balance of higher and lower density units to the North and South of Dhu Varren Road, the wall of buildings along Nixon Road, the appropriate size and location of natural areas and landscaped buffers are in fact design issues, not zoning issues, and they should be resolved as part of the design review process, not as part of an annexation or zoning discussion. Our present planning review process, however, does not allow for this.

The Ann Arbor planning process as it exists today promotes unnecessary confrontations and controversy. Few people really object to the idea that the Toll Brothers parcel should become a part of the City and that it will ultimately be developed. The controversy stems from the nature and design of the development itself. Many of these issues could be resolved in a much less confrontational manner if the planning process is reformed to allow the neighborhood to share its views with the developer **prior** to the beginning of the design process, and if the City would then support the neighborhood preferences in its review and approval of the proposals when dealing with established residential areas.

These same principles apply to the proposed developments in the South Pond area and the site just north of Arborland. In fact, in any established residential area of the City, the views of the existing residents of that area should be the determining factors when reviewing proposed changes to the character of the existing residential community. There are ample opportunities in Ann Arbor for redevelopment and increased density that will both increase the tax base and enhance the opportunity for urban-style living. They include both the central city and the more densely developed areas along major arterials such as Plymouth Road, Washtenaw Avenue, Stadium Boulevard, South State Street, Main Street, etc. (but not arterials such as Hill Street, Geddes Road, Green Road, Pontiac Trail, Nixon Road, Pauline Boulevard, Seventh Street, Scio Church Road, etc). In this way Ann Arbor will be able to preserve its existing diversity of lifestyles while at the same time enhancing its tax base to support necessary city services. We believe these are both desirable and achievable objectives.

Sincerely,

R. Ward Bissell
Secretary, Northbury Condominium Association

May 29, 2015

NORTHBURY CONDOMINIUM ASSOCIATION
2707 Argonne, Ann Arbor, MI 48105
Northbury@sbcglobal.net
734-222-9379

2 April 2015

Dear Mayor Taylor and City Council Members:

We are writing to follow-up on two previous letters that we have sent regarding the Nixon Farms Development.

The Planning Commission's review process on the Nixon Development addressed the development plan compatibility with laws and the AA Master Plan. However, missing from this process is the widespread concern of the electorate who live in this area of the city. We are not going to restate the concerns of our previous letters, but rather discuss additional proposals for consideration regarding density and traffic.

Density:

1. Achieve the same total housing density for the Nixon North and Nixon South Developments combined, but with a mixed-type design (i.e., mixing the proposed units, perhaps including other styles).

OR

2. Move the high density, three-story structures of the Nixon South Development to the Nixon North site, and vice-versa

Either of these changes would:

- Provide better percolation above and adjacent to the natural drop-off of the land to the south. This would help mitigate the Traver Creek watershed problem.
- Provide the land for a green setback between the Nixon South Development and the easements on Nixon and Dhu Varren. At the last Planning Commission meeting Toll Brothers stated that the current design provides no enhanced green setback between the development and the easement. This is needed for consistency with all existing residential and commercial developments in northeast Ann Arbor.
- Provide land to break up the currently proposed monolithic wall of buildings on Nixon and Dhu Varren, more appropriate for a downtown setting than the existing neighborhoods.

These last two aesthetic improvements would make the Nixon Farms Development compatible with the existing Northeast AA neighborhoods. In fact, these aesthetics were achieved in the existing Barclay Development on Nixon (directly east of the proposed North Nixon Development), which also contains high-density, 3-story structures. Aesthetic issues are appropriate for the Council to consider in a community that prides itself as a desirable city based on both art and the aesthetics of the city development.

Nixon Road Traffic:

City Council requested a traffic study of the Nixon-Dhu Varren intersection, but did not request a comprehensive traffic study of Nixon between Huron-Parkway and Pontiac Trail, perhaps because they were unaware of the other issues. Nixon is a high-traffic egress from, and entry into Ann Arbor. Also, two schools (Logan Elementary and Clague Middle) are accessed from Nixon Road. There currently are gross inconsistencies in the bike paths and sidewalks, making this heavily used road quite dangerous. As evidence of the traffic problem, our sidewalk construction between Haverhill and Clague Middle School has been delayed for the third year in a row, because "it would interrupt the (current) traffic". The problem will only be exacerbated during the construction and later occupancy of the Nixon development, as well as by the other developments, south and north of M-14. As the result of the last public meeting, the comprehensive study has now been moved up, but the study and the solution are yet years away. It is reasonable that the City Council require a comprehensive Nixon traffic study and solution to be scheduled in step with the Nixon Development construction and occupancy. If 1500 feet of sidewalk construction is too disruptive to the current traffic flow, what will our school children and we have to put up with during a future implementation of a solution?

In addition to density and traffic we wish to reiterate our strong opposition to the inclusion of any non-residential uses in the Nixon Farms development and to the creation of an unbroken wall of buildings close to the right-of-way on Nixon Road. Both of these concepts would be completely disruptive to the character of the surrounding neighborhood and are adamantly opposed by the residents of the surrounding community.

We also share the concerns of the Sierra Club with respect to the protection of natural features. Although the Planning Commission and City Council publicly espouse the need to be environmentally responsible, we feel that the decisions being made fail to fully protect our wetlands and negatively impact our waterways that are so vital to a healthy community.

Thank you for your time and consideration.

Board of Directors
Northbury Condominium Association

NORTHBURY CONDOMINIUM ASSOCIATION

2707 Argonne – Ann Arbor, MI 48105

734-222.9379 – Fax 222.9378

Northbury@sbcglobal.net

To: Members of the Ann Arbor Planning Commission

From: Northbury Condominium Association Board of Directors

Date: September 23, 2014

Subject: Nixon Farm Annexation and Development

We are writing to follow-up on our letter of July 24, 2014 (attached) concerning the proposed North and South Nixon Farm Development Projects. We have been working with the other Northeast Ann Arbor Neighborhood groups and wish to support their concerns on the following points:

1) **Neighborhood Compatibility** is our major concern, both during the “5 to 7 year construction period” and in the long run. Specifically:

A. The Character of Nixon Road: As development has occurred along Nixon Road, north of the Huron Parkway Circle, care has been taken to maintain the **green** image of the roadway itself. This has been done in one of two ways:

1. Where housing faces the road, a generous, landscaped setback from the right-of-way or a landscaped berm has been provided.
2. Where housing is built closer to the right-of-way, it has been positioned perpendicular to the roadway to avoid creating a “wall” along the road.

In the site plan shown at the public hearing a series of buildings were placed close to the right-of-way and parallel to the road (south of Dhu Varren) resulting in exactly the “wall” effect that all the other developers along Nixon Road have taken pains to avoid. We wish to maintain the green character of Nixon Road. Such building placements, as proposed in the preliminary site plan may be compatible with denser, central-city

neighborhoods, but it is definitely not consistent with our neighborhood, and we want to see the site plan revised so as to maintain the green image of Nixon Road.

B. Building Heights: The majority of the residences in this part of the City are two stories high. The proposed development contains three story units. We do not object to three story units per se, but feel that they should be kept back from the existing two-story homes so as to maintain compatibility. One option is to include two-story perimeter structures with three-story structures clustered toward the center of the site. Another option could be to move the three-story structures north of Dhu Varren, where they would be placed along M-14 or sited with views of the wetlands preservation areas. Coupled with the two-story perimeter strategy described above, three-story town houses would be separated by wetlands and two-story structures from residential housing on the west and consistent with the two-story perimeter housing and three story town houses inside the Barclay development.

C. Effective Landscape Buffers should be provided along all the perimeters of the site, including Nixon and Dhu Varren Roads, to screen existing residential units from the new development.

D. Rigorous Enforcement of laws relating to such things as construction noise, hours of operation, dust control, sediment and runoff control, etc., should be applied to minimize the negative impact of the construction process on the surrounding area.

- 2) We continue to support the developer's decision to undertake a residential-only development. Our community would be adamantly opposed to including commercial or office uses on this site.
- 3) We share the concerns for protecting the natural character of the site expressed in the A2NE position paper. We note that City and State environmental review agencies have begun to apply requirements to the proposed site plan in order to protect wetlands and other natural features of the site, control storm water runoff, and assure that the development respects the natural character of the site. We trust that the developer will be required to comply with their recommendations.
- 4) Traffic is a major concern, and the City has authorized a traffic study to recommend the best solution for improving the Nixon/DhuVarren/Green intersection and the roads leading to it. We recognize that the traffic problem is due to traffic from outside AA and other developments, and not the Nixon Farm Developer's responsibility. However, we expect the planning commission will revisit this issue after completion of the traffic study, but prior to construction, so that the Nixon Farm Developer can contribute to the implementation of these recommendations by providing the necessary right-of-way

required to mitigate the Nixon Road traffic problem *during* and after the years of construction.

We understand that this development project will go forward, but we wish to insure that the development is compatible with the natural character of the land and existing subdivisions and developments along Nixon Road. Decisions being made now have long-term consequences. We feel strongly as neighbors and taxpayers that there should be no negative impact on current or future residents or properties that border this project.

cc: Ann Arbor Mayor John Hieftje
Members of the Ann Arbor City Council
Alexis DiLeo
Wendy Rampson-Gage

NORTHBURY CONDOMINIUM ASSOCIATION

2707 Argonne – Ann Arbor, MI 48105

734.222.9379 – Fax 222.9378

Northbury@sbcglobal.net

July 24, 2014

Mr. Jerold Lax
Pear Sperling Eggen & Daniels, PC
24 Frank Lloyd Wright Drive
Ann Arbor, MI 48105-9484

Dear Jerry:

We are writing as residents of Northbury, a 116-unit condominium community, located across Nixon Road from the proposed Toll Brothers development site. We wish to express some thoughts about the proposal at this preliminary stage of the process. To begin with, many of us recognized when we purchased our units that the Nixon property would not remain undeveloped forever, but we want to see it developed in a manner that respects both the natural features of the site and the established character of the surrounding neighborhood. Initially, we were pleased to learn that Toll Brothers would be the developer because they have a reputation for quality development, and we would expect that those high standards will be maintained in the development of this parcel. With that in mind, we would like to make the following recommendations.

1. The decision to pursue a residential-only development is a wise one, and we recommend that you adhere to it. Commercial use would be extremely detrimental to the surrounding neighborhood.
2. Traffic is a major concern, but we recognize that the City will have a lead role in roadway design. We do recommend that the developer cooperate with the City and provide the right of way for the proposed roundabout at Nixon and Dhu Varren Roads.
3. The drawings shown at the July 10th meeting did not demonstrate an understanding of the natural systems impacting the site. We recommend that a qualified landscape architect or environmental consultant be retained to perform such an analysis and that any final site plan be based upon this analysis. The site concept shown on July 10 has a number of unacceptable features from our point of view.

4. Density (or the appearance of excessive density) was also a major concern. In this regard, the decision to locate all of the townhouses south of Dhu Varren seems unwise. We recommend it be reconsidered. If this is not feasible, the area south of Dhu Varren should be redesigned to reduce density.
5. Landscape buffers should be provided on all sides facing existing residential areas. This includes the Nixon Road frontage.
6. The single most objectionable feature of the July 10 concept was the wall of townhouses jammed up tight against Nixon Road, south of Dhu Varren. This element should be redesigned to either eliminate them or move them back significantly and create a landscaped buffer area along the road. This is consistent with the other developments along Nixon Road.
7. Architecturally the design of the carriage houses seems to be consistent with the surrounding neighborhood, but the townhouses, particularly those with the raised porches, seem more related to the most disliked design in the area (Barclay Park) than to the more admired ones. They were described as "Brownstones" but they seem less like the elegant townhouses of Manhattan in the 60's to 80's than the working class districts of Bridgeport Connecticut. We recommend that the exterior appearance of these units be reconsidered

At the July 10th meeting, several speakers commented that the proposed development was "too dense." Presumably they want fewer units. All of the preceding recommendations require only adjustments to the plan; they do not require reducing the number of units. We believe that if these recommendations are implemented, they will demonstrate to the community that the developer is prepared to listen and address the concerns of the neighbors and that the changes will help to reduce the appearance of "excessive density."

We appreciate the fact that we were given to opportunity to meet with the developer in the early stages of the project to provide input in terms of what will make the proposed development compatible with the neighborhood while at the same time achieving the goals of the developer. It is in this light that we offer the foregoing recommendations. We believe that if they are adopted it will go a long way toward reducing citizen opposition to this project. At this point, the neighborhood is open-minded with respect to the project, but we want to see some changes made to the concept identified above. We hope the developer will be willing to do so and gain the support, rather than the opposition of the surrounding community. We think it would be in the best interest of everyone concerned if a mutually acceptable solution can be arrived at. We know you will receive similar input from other

members of the neighborhood with respect to your proposed development. For our part we would be happy to meet directly with Toll Brothers to discuss our concerns and recommendations. Please let us know if you wish to do so.

One final note – it is imperative that the water concerns and environmental impact of this project be addressed, and we are aware of concerns of other neighborhoods abutting the project. If these issues cannot be addressed satisfactorily, we would not be supportive of the annexation of the Nixon parcel by the City of Ann Arbor. In addition, we expect that the landscaping of the project will adhere to the city’s goal of a 60% tree canopy.

Sincerely,

Northbury Condominium Association
Board of Directors

R. Ward Bissell
Mary Anne Drew
Ronald Durbin
Donald Scott Kennedy
Fredrick W. Mayer

Copies of this letter are being sent to:
Mayor John Hieftje
Members of City Council
Members of the City Planning Commission
Candidates for Elected Office (Election 8/5/14)

We the residents of Nixon South are opposed to the rezoning of Nixon Farm South Properties to R4A. While we are not opposed to the development of these properties, we realize that an R4A designation will bring density that will only further increase the traffic congestion we are already experiencing. It will challenge the watershed of Traver Creek, destroy vital indigenous wetlands and likely present water incursion problems in the neighborhoods at a time when changing weather patterns already challenge the infrastructure of the city. We urge you to visit the area, explore the creek and the associated wetlands, and observe the rush hour traffic back-ups even while school is not in session.

The Northeast Area Plan does not represent the views of the residents living in this area. The development that will commence following a zoning designation to R4A is not compatible with other complexes on Nixon Road, Green Road or even Huron Parkway. With respect to the vote by City Council on August 17, we are objecting to the rezoning of the Nixon Farm South Property and urge Council to deny this rezoning request.

NAME: Kurt and Penny Shantz

ADDRESS: 1 Haverhill Ct., Ann Arbor

DATE: 8/9/2015

SIGNATURE:

A handwritten signature in black ink, appearing to read "Kurt and Penny Shantz", written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Individual
objections
from
Northward
residents
within 100
feet

We the residents of Nixon South are opposed to the rezoning of South Properties to R4A. While we are not opposed to the development of these properties, we realize that an R4A designation will bring development that will only further increase the traffic congestion we are already experiencing. It will challenge the watershed of Traver Creek, destroy indigenous wetlands and likely present water incursion problems in the neighborhoods at a time when changing weather patterns already challenge the infrastructure of the city. We urge you to visit the area, explore the creek and the associated wetlands, and observe the rush hour traffic back-ups even while school is not in session.

The Northeast Area Plan does not represent the views of the residents living in this area. The development that will commence following a zoning designation to R4A is not compatible with other complexes on Nixon Road, Green Road or even Huron Parkway. With respect to the vote by City Council on August 17, we are objecting to the rezoning of the Nixon Farm South Property and urge Council to deny this rezoning request.

NAME: IRA KONIGSBERG, Martha Price
ADDRESS: 2 HAVERHILL CT
ANN ARBOR, MI 48105
DATE: AUG. 7, 2015
SIGNATURE: Ira Konigsberg, Martha Price

We the residents of Nixon South are opposed to the rezoning of Nixon Farm South Properties to R4A. While we are not opposed to the development of these properties, we realize that an R4A designation will bring density that will only further increase the traffic congestion we are already experiencing. It will challenge the watershed of Traver Creek, destroy vital indigenous wetlands and likely present water incursion problems in the neighborhoods at a time when changing weather patterns already challenge the infrastructure of the city. We urge you to visit the area, explore the creek and the associated wetlands, and observe the rush hour traffic back-ups even while school is not in session.

The Northeast Area Plan does not represent the views of the residents living in this area. The development that will commence following a zoning designation to R4A is not compatible with other complexes on Nixon Road, Green Road or even Huron Parkway. With respect to the vote by City Council on August 17, we are objecting to the rezoning of the Nixon Farm South Property and urge Council to deny this rezoning request.

NAME: James J. Kralik

ADDRESS: 3 Haverhill Court

DATE: August 11, 2015

SIGNATURE:



We the residents of Nixon South are opposed to the rezoning of Nixon Farm South Properties to R4A. While we are not opposed to the development of these properties, we realize that an R4A designation will bring density that will only further increase the traffic congestion we are already experiencing. It will challenge the watershed of Traver Creek, destroy vital indigenous wetlands and likely present water incursion problems in the neighborhoods at a time when changing weather patterns already challenge the infrastructure of the city. We urge you to visit the area, explore the creek and the associated wetlands, and observe the rush hour traffic back-ups even while school is not in session.

The Northeast Area Plan does not represent the views of the residents living in this area. The development that will commence following a zoning designation to R4A is not compatible with other complexes on Nixon Road, Green Road or even Huron Parkway. With respect to the vote by City Council on August 17, we are objecting to the rezoning of the Nixon Farm South Property and urge Council to deny this rezoning request.

NAME: Sarah Bristol
ADDRESS: 20 Westbury Ct.
DATE: 8/11/15
SIGNATURE: 