



ATTORNEYS & COUNSELORS

300 East Long Lake Road Suite 200
Bloomfield Hills Michigan 48304-2376

t 248 540 2300
f 248 645 2690
www.stroblpc.com

NORMAN HYMAN
DIRECT DIAL: (248) 205-2762
EMAIL: NHYMAN@STROBLPC.COM

January 10, 2013

The Honorable Planning Commissioners
of the City of Ann Arbor
301 East Huron Street
Larcom City Hall, 1st Floor
Ann Arbor, MI 48104

Re: 413 E. Huron
Site Plan Review

Dear Commissioners:

We represent Sloan Plaza on its own behalf and as representative of the residents, present and future, of the Sloan Plaza property. As you know, Sloan Plaza is a successful development of upscale residences. It is widely considered an important and beneficial asset to downtown Ann Arbor. Sloan Plaza wishes to express its serious concern regarding approval of the proposed site plan for the proposed student housing project at 413 E. Huron ("413") on property abutting Sloan Plaza. Sloan Plaza's primary concerns are set forth below:

**Violation of Design Review Guidelines
and Incompatibility with the Neighborhood**

The proposed development is physically incompatible with the neighborhood. It juts out and intrudes into the sight line from properties east of 413 along Huron Street, towards Division Street, and for pedestrians walking west along Huron toward the intersection. The proposed site plan is thus not consistent with the City's Design Standards, nor with sound land use planning principles.

**Failure to Follow Design Review Board's
Recommendations and Recommendations of Staff**

413's developers have failed to follow several recommendations made by the Design Review Board and by members of the City's staff. Some of the proposed



amenities in the proposed development, combined with the heavy emphasis on 3 and 4 bedroom apartments, make it clear that this project is to be for transient student housing. The inclusion of amenities is designed to maximize the developer's profits, regardless of their incompatibility with the character of the area.

Front Setback

To be more compatible with the streetscape along Huron, the front yard setback and the width of the sidewalk should be increased.

East Side Setback

The east side setback is insufficient and should be increased for several reasons:

1. Fire Safety – The site plan in its entirety, including the east side yard, imposes a serious risk to fire safety. See the Fire Safety section below.
2. Threat of Intrusion/Trespass on Sloan Plaza Property – The small width of the east side setback will create a substantial risk of trespass by construction equipment, such as cranes, in the air space above Sloan Plaza's surface, and during 413's future maintenance activities. The narrow setback will also impair maintenance activities to the detriment of 413's residents.
3. Interference with Sun and Light- A wider separation between Sloan Plaza and the 413 building will reduce the interference with access for Sloan Plaza's residents to sun, light and view. The Commissioners might also consider a height setback easterly from the height at the Huron/Division intersection. We also note that the developer should be required, before any action on the site plan, to provide a sun/shade study of the impact of the 413 building on Sloan Plaza's access to sun and light.
4. Peace and Quiet of Sloan Plaza Residents – The proximity of the building and its garage on the ability of Sloan Plaza residents to enjoy their homes should be considered; a meaningful side yard setback should be required.



Fire Safety

The proposed site plan ignores safety concerns and would result in a serious hazard. The site plan provides for insufficient access for fire vehicles into and out of the property and a total lack of maneuverability within the property.

The proposed building will have a 14 story heavily fenestrated building, 150 feet high. Without the ability of fire vehicles and suppression equipment and ladders to access all of the walls in the building from the interior of the site, fire suppression is extremely compromised. The hazard is increased if a fire occurs on a higher floor, where the access problem increases. This would also create a risk of a fire on a higher floor spreading from the windows or roof of 413 to the windows and roof of Sloan Plaza. Moreover, with no access into the Property, fire vehicles parked on the street would, of course, interfere with traffic on Huron and/or Division. We find it inconceivable that a site plan would be approved which did not require full access into the property and maneuverability, including a loop, within the 413 property.

FAR Issues

Sloan Plaza is not clear how the FAR premium was calculated, and is concerned that the development is not entitled to the premiums which have been proposed. A detailed explanation of the FAR premium is required.

Traffic Impact

Sloan Plaza is concerned that the traffic impact study provided by the developer does not fully and adequately answer all issues relating to traffic impact. Among issues not adequately addressed are location of curb cuts and relation of turn movements to property on the south side of Huron and to the Huron/Division intersection.



ATTORNEYS & COUNSELORS

The Honorable Planning Commissioners
of the City of Ann Arbor
January 10, 2013
Page 4 of 4

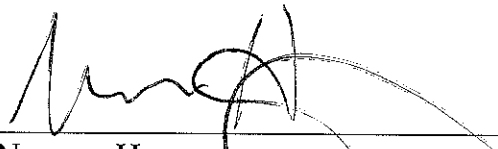
Conclusion

The proposed site plan does not adequately address or ignores numerous issues raised by the Design Review Board, the City's staff, and neighbors. No site plan should be approved until the problems with the proposed site plan are adequately addressed and it is given further study.

Very Truly Yours,

STROBL & SHARP, P.C.

By:



Norman Hyman
Attorneys for Sloan Plaza

NH/kva

cc: Mayor and City Council Members (via e-mail)
Wendy Rampson, AICP (via e-mail)

*S&B\107017\001\LTR\SB398382.DOC