

1916 Old Orchard Ct
Ann Arbor, MI 48103

July 11th 2013

RE: 312 Glendale – Condominium Project

To the Ann Arbor Planning Commission,

We are writing with respect to the proposed Condominium project appearing before Planning Commission on July 16th 2013 entitled “312 Glendale” project.

To date we have written and presented our concerns to the department of city planning on several occasions, we have also attended the two citizen participation meetings. While we’re pleased to note that the developer has addressed a number of concerns raised during these two meetings, there remain several issues that have not been addressed and, in some cases, ignored. Until satisfactory due-diligence has been carried out on this project, we **strongly urge the planning commission to deny approval of this development**. Failure to consider our neighborhood requests and concerns could ultimately lead to legal action between the city council and the residential group with which we are associated.

Attached to this letter is a presentation that we gave to city staff on May 3rd 2013. The salient points are summarized below:

1) Water survey data indicates serious issues in the downstream area adjacent to the proposed development

The Neighborhood Survey conducted by concerned residents highlights the severe issues of flooding related to storm water run-off and sewage overflow. These issues greatly impact the health and safety of the residents in our neighborhood. This development will exacerbate preexisting flooding and sewage overflow and tax the already tenuous infrastructure of our neighborhood. We don’t want to end up in the same position as Lawton.

2) Steep hills in the north east corner

The proposed site plan which includes a massive loss of permeable land, steep roof gradients and proposed grading changes in the north east corner of the site, will result in storm water run-off onto our property located directly downstream of the buildings. This storm water run-off will cause flooding in our basement. City code has governance surrounding listed steep slopes, no regard for city code is shown in the submitted plans.

3) Zoning

The zoning of this site was changed in the past 10 years by the developer, nobody in the

neighborhood was notified. The zoning changes are dubious and possibly questionable from a legal perspective. Until the zoning history is fully investigated the project should not be approved. From a residents perspective we would have opposed these zoning changes, and advocated for single family dwellings only.

4) Significant Neighborhood Impact

This development radically changes the very aesthetic of the neighborhood and topology of the land. City code implies that there should be no significant changes to the natural features of the land (specifically hills and trees), yet the hills and trees are tremendously impacted by this development; of the original trees on the site (probably greater than 50) only four trees will remain with the current plans, new trees and shrubs will be planted but this is absolutely unsatisfactory when looking at this land from a neighborhood perspective, again it just doesn't fit with this neighborhood. The land has also been used by many people, especially mothers with children to safely access Charlton Road (west of the orchard) to reach Westgate, in lieu of using busy Jackson road. A request by City staff for a pedestrian walkway was dismissed by the developer.

5) Town and country planning

The purpose of town and country planning is to ensure that proposed developments "fit" with the surrounding area in an environmental and aesthetic way. The proposed "super structures" are in no way similar to the single family dwellings of the neighborhood. The orchard has always served as a buffer between Hillside Terrace (to the West of the site) and other structures to the south of the site, developing the Orchard in this manner negatively impacts the very essence of this neighborhood. This development in an area such as Burns Park, Barton Hills, or Arbor Hills would never be approved (fit and function), so why is it being allowed in this charming west side neighborhood? (Please see zoning questions above).

6) Traffic

The Glendale/Jackson intersection is already an accident hotspot, proposed changes to Jackson lane configuration will exasperate traffic and exit of traffic from Glendale onto Jackson (especially when heading west) and this development will just make matters worse. As parents of two young children we share a concern with many parents in this neighborhood of increased traffic flow and the safety of our children. City of Ann Arbor has already installed three speed bumps because of the pass through nature of this road from Liberty to Jackson, this in our opinion is already an acknowledgement that this is a traffic safety area (yet another reason why the zoning is so incorrect for this neighborhood).

7) Green space

It is our understanding that the city of Ann Arbor has funds allocated for green space and parks as part of the master plan. Preserving the land at 312 Glendale and turning the orchard into a park presents an opportunity for the city to maintain green space, protect against further flooding and enhance the Greenbelt. This site should seriously be considered for these funds.

8) Community participation

We have yet to receive a satisfactory answer to this question; why were the residents of Hillside Terrace not yet notified of this development (no cards were received and there was no participation by residents at either of the citizen participation meetings)? Perhaps a reason for this omission is that the developer (Jeffrey Starman) is the owner of Hillside Terrace (through GSB Holdings LLC) which presents a conflict of interest.

While we respect the right of the land owner to develop this land, it cannot and must not come at the expense of the residents in our neighborhood. Ownership of land does not give the developer/owner nor city council carte blanche authority to build whatever they like without due consideration for the concerns raised above.

As a tax paying citizens, we implore the planning commission to reject this application until all environmental effects of the proposed development related to health and safety, specifically storm water drainage and sewage, are studied and fully understood. We request that a plan more in keeping with this neighborhood is submitted, and ultimately a review of green space within the city of Ann Arbor and not developing this land would be favored.

Sincerely,

Ian J Hubert (BEng, CEng, MiMechE) & Kira A Slovacek



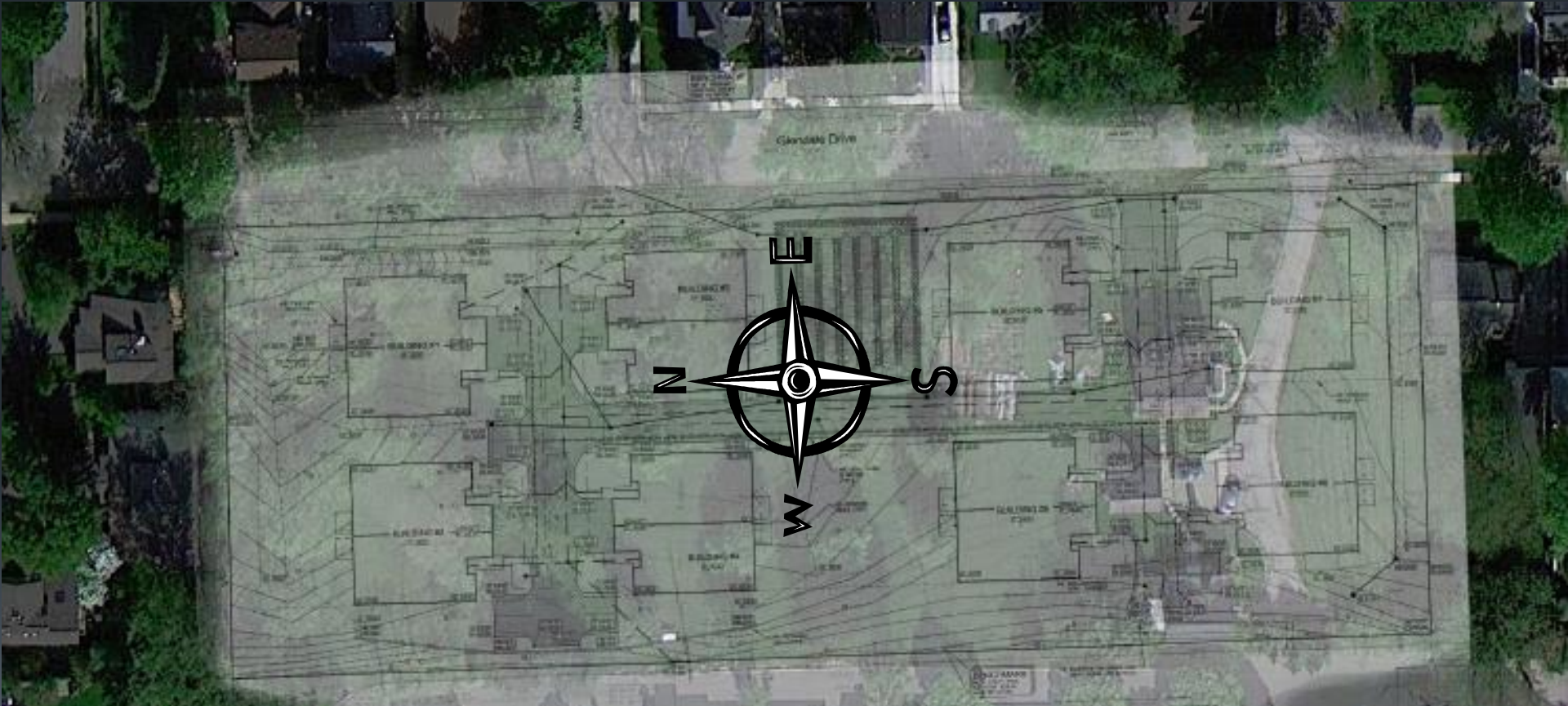
Why Grading is so Important

Glendale Orchard Condominiums
File Number: SP13-010

Ian Hubert – ihube@hotmail.com

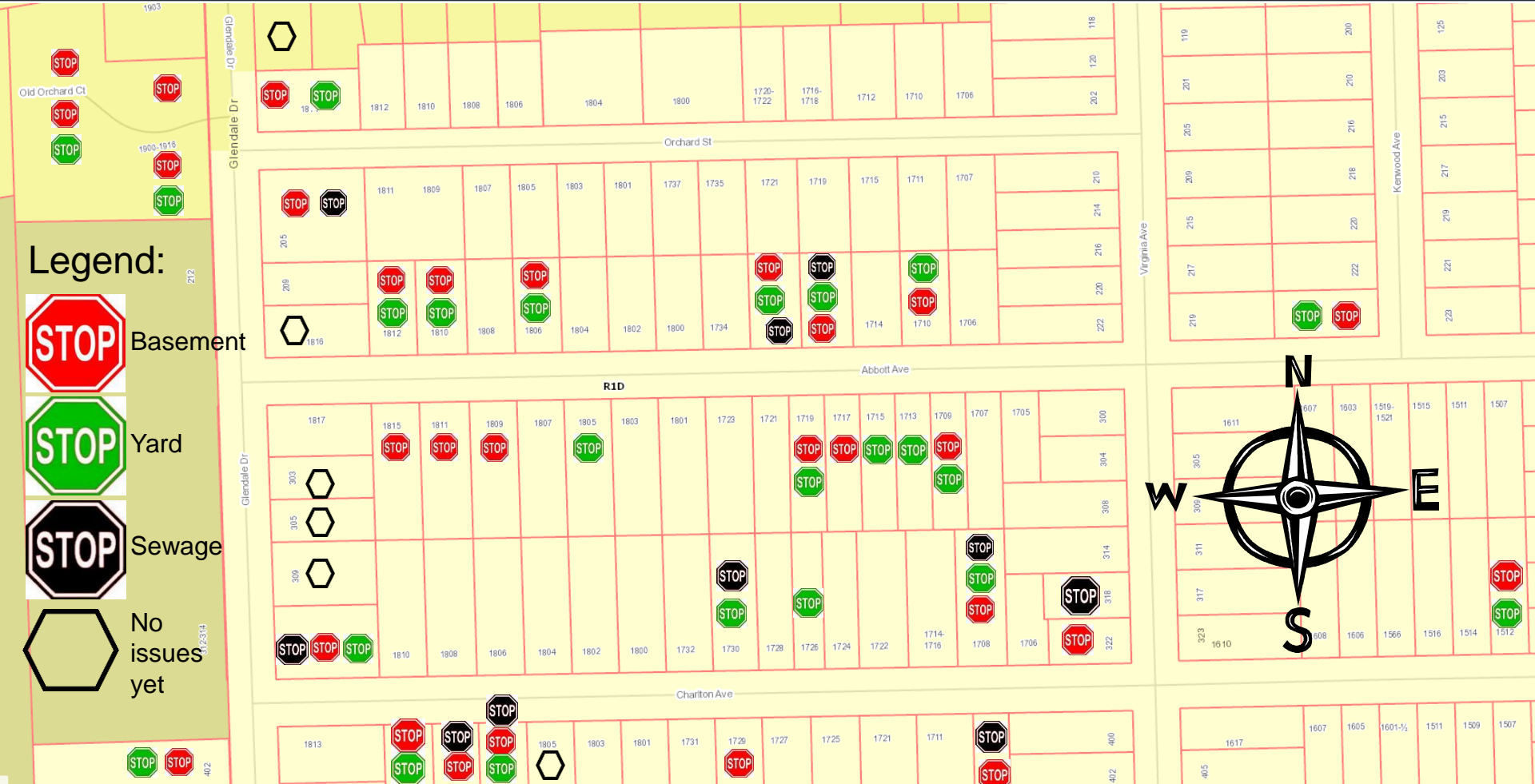
Background

- Which way is North?



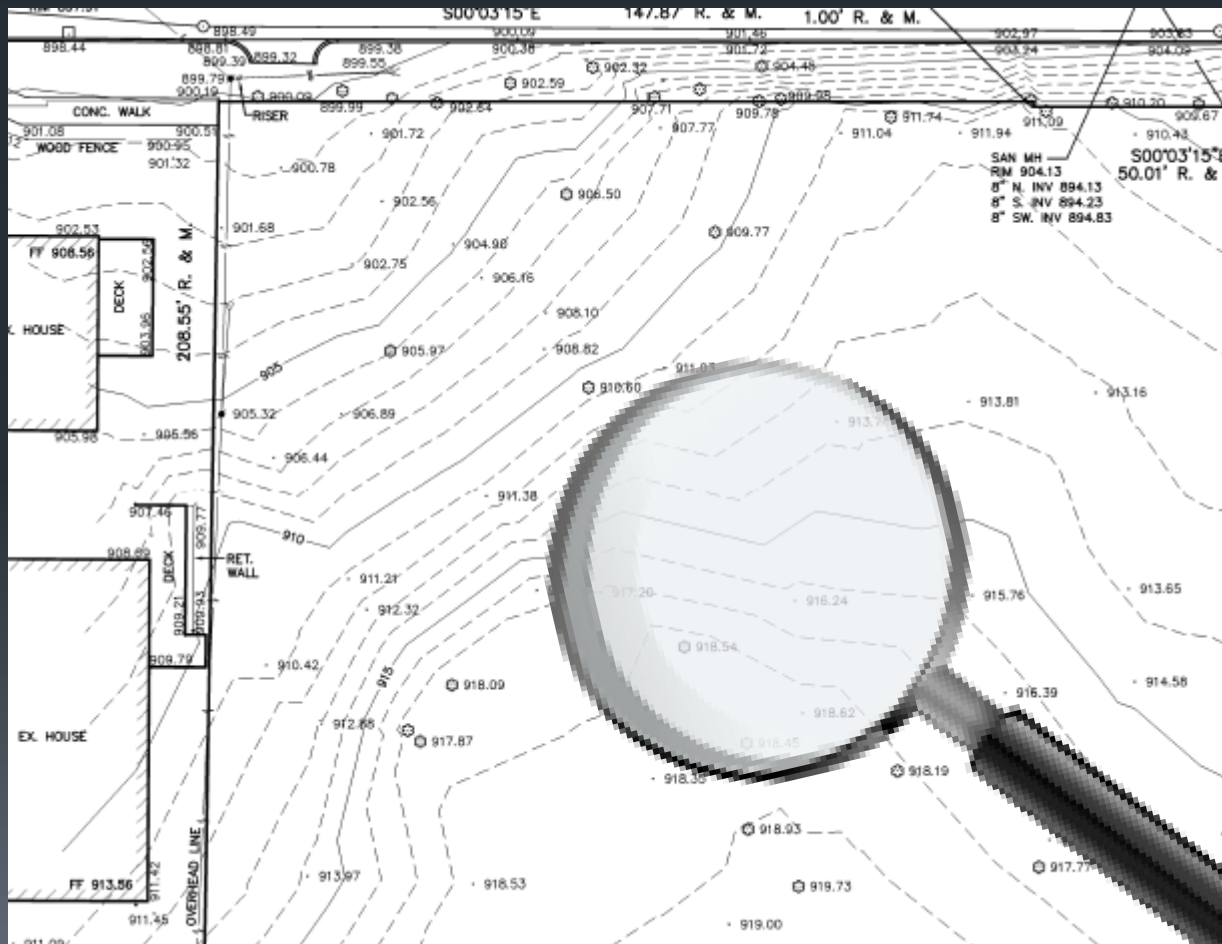
Background

- Current issues, **West to East runs down hill**



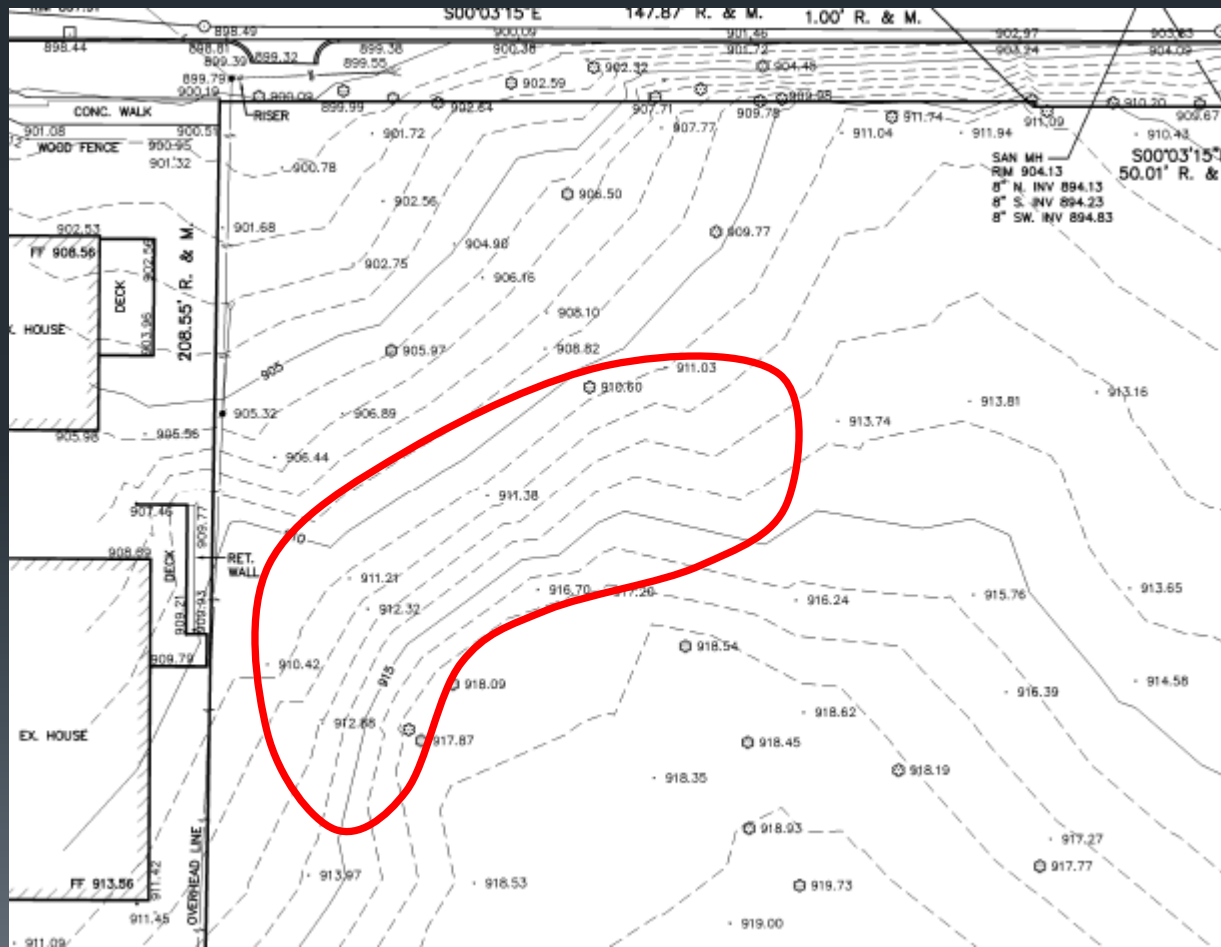
Grading Concerns

- The north east corner of the proposed plan is where the gradients are highest



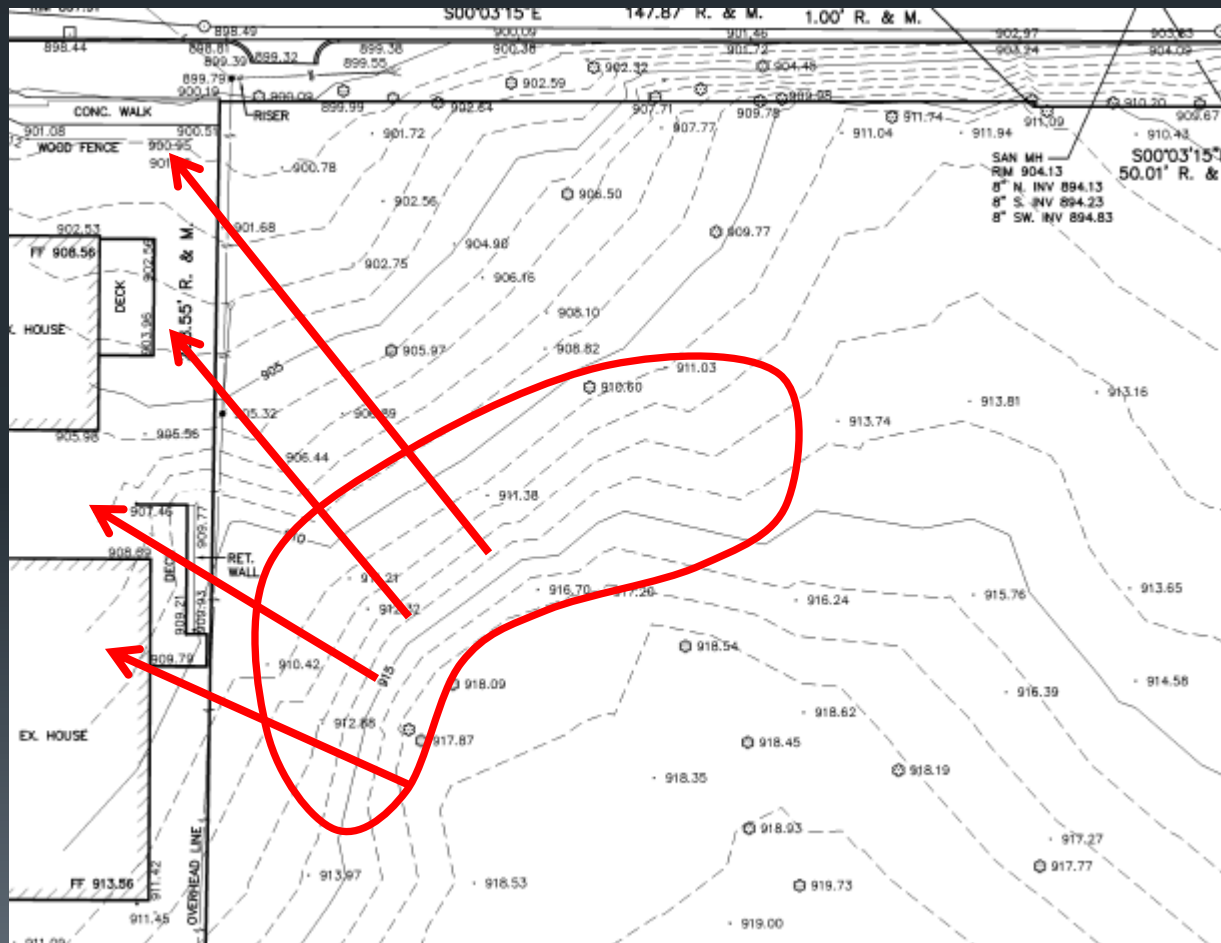
Grading Concerns

- Gradient approaches 25 to 35% in certain areas (extremely steep)
- Gradient forms a natural circular ridge as shown below:



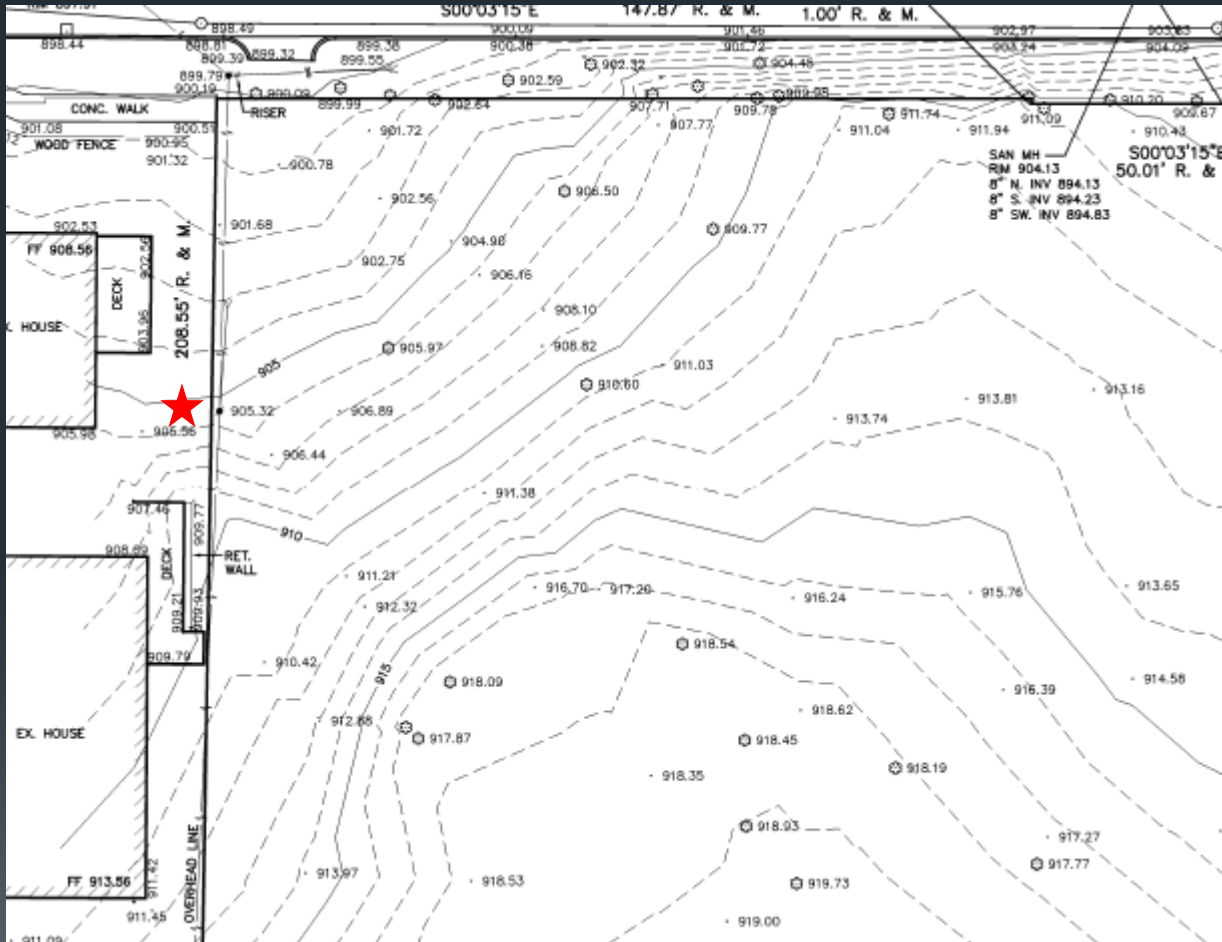
Grading Concerns

- Water run off is perpendicular to the to the hill (assisted by gravity on the steeper gradients):



Grading Concerns

- The following photo was taken from here ★

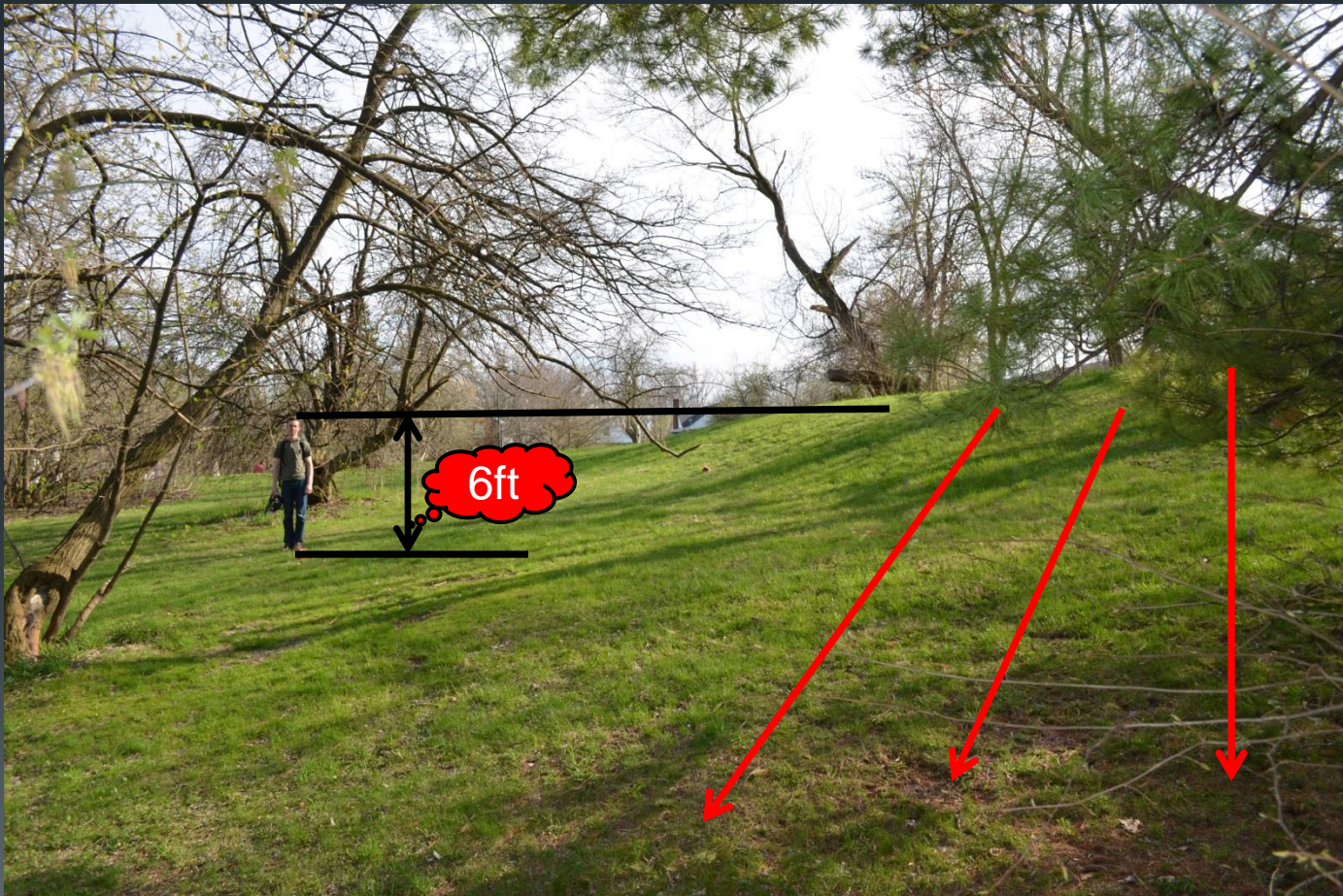


Grading Concerns

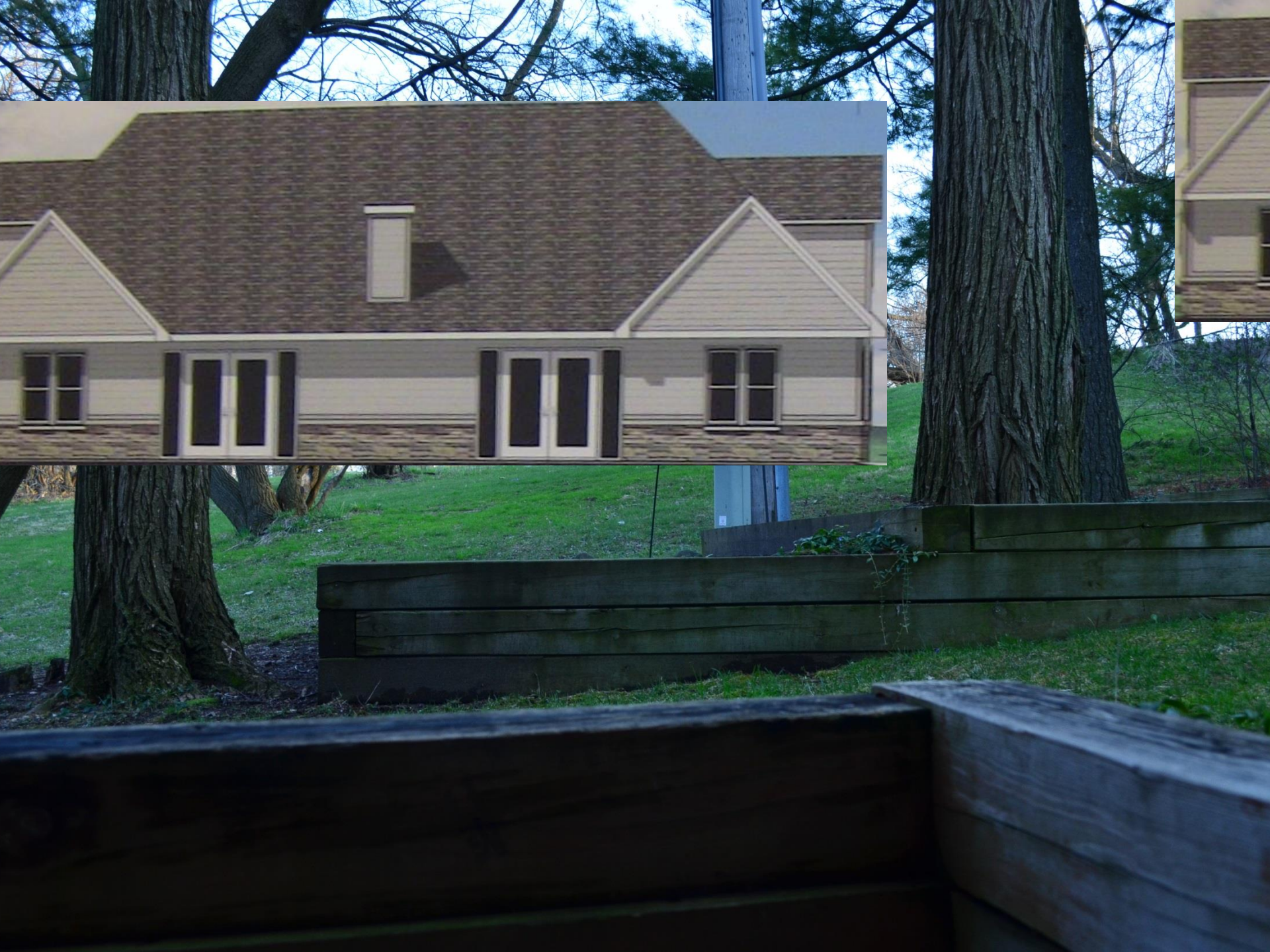


Grading Concerns

- The position of Robbie is approximately where the back of building number 1 is located
- Arrow shows water runoff into existing structures



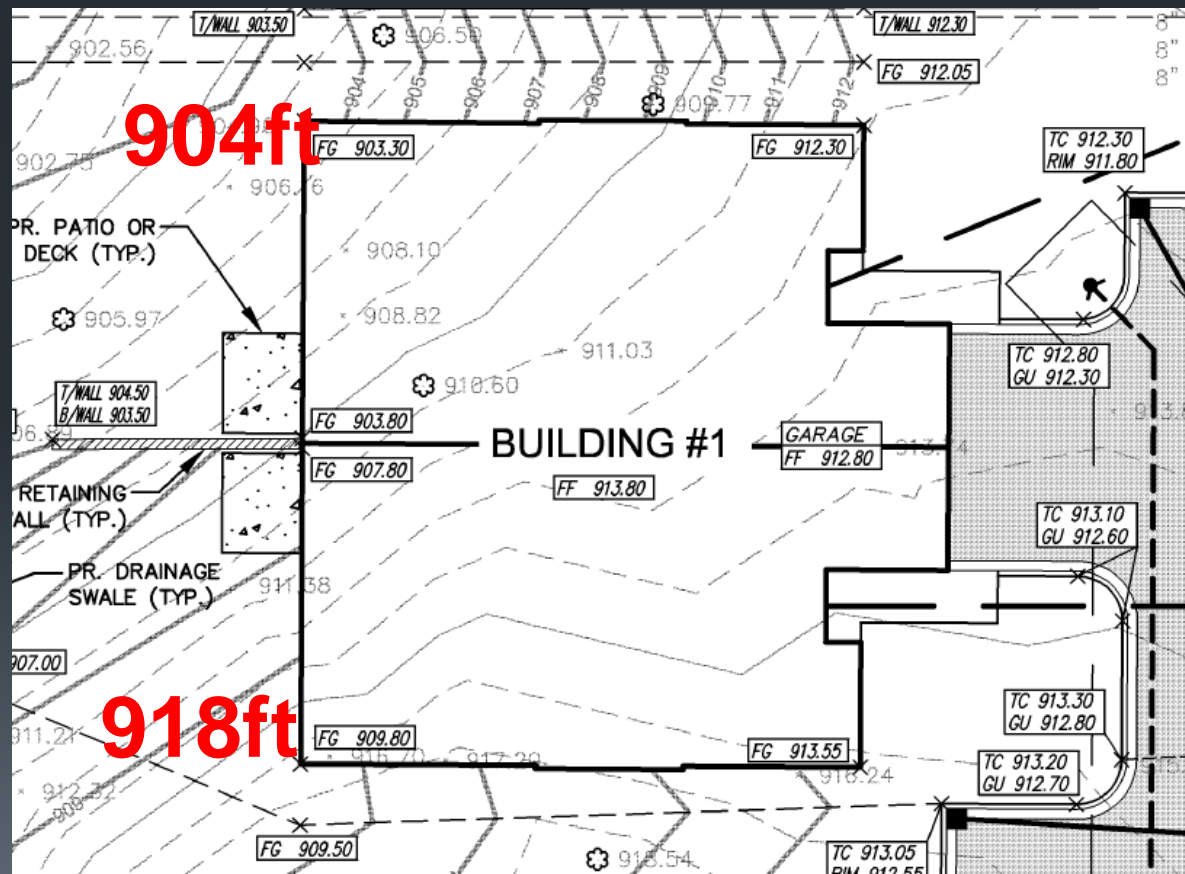






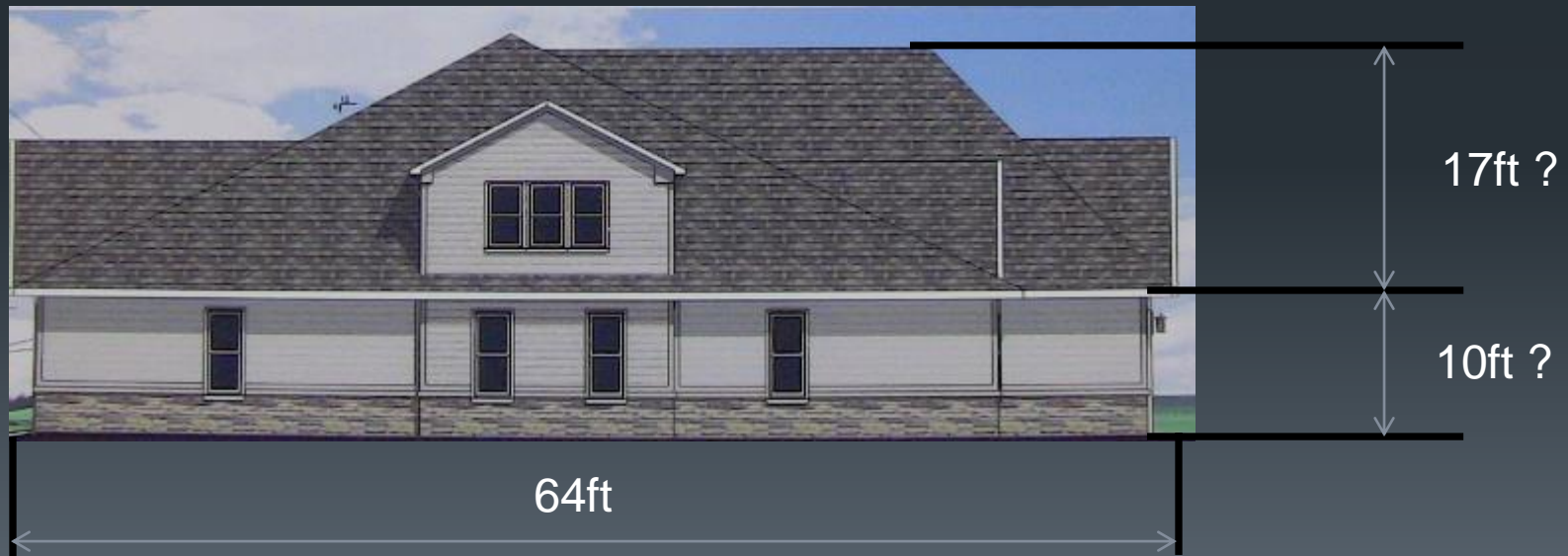
Grading Concerns

- Building 1 will have a height difference from it's NE corner (904ft) to it's NW corner (918ft) of approximately 14ft (equivalent to 1.5 stories):



Grading Concerns

- “Significant” loss of permeable land exasperates the problems with water runoff
- Building footprint (64ft x 60ft)
- The proposed gradient of the roof structure is quite steep ($17/(64/2)$) ~ 50% (estimate)
- Changes in climate (drought/rain) tend to make plan even more concerning

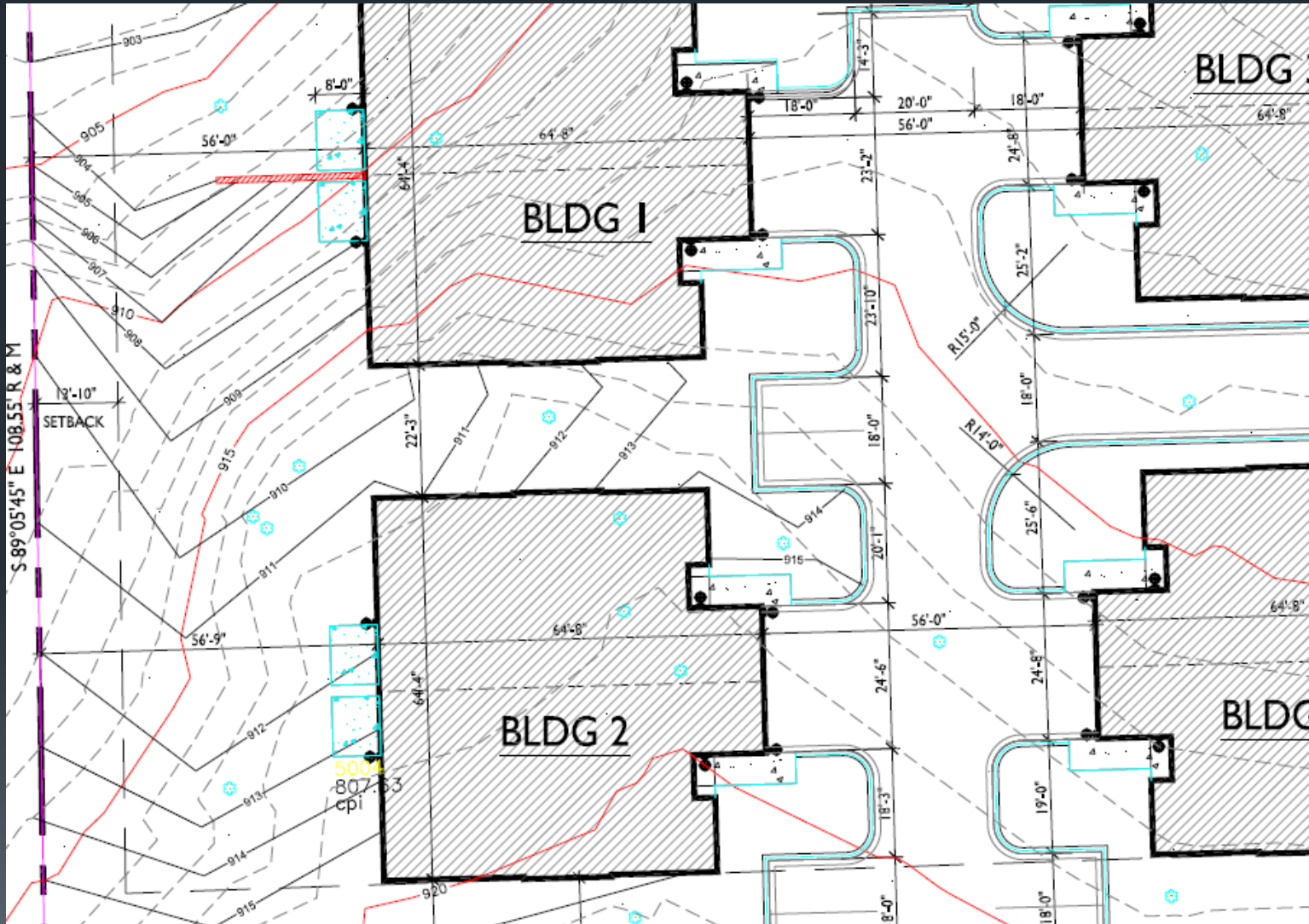


Grading Concerns

- Rainfall on the proposed roof combined with the loss of permeable land and the direction of the existing topology is a disaster for existing homeowners:



Swale?



Grading Concerns

- **Kerry Gray's** review:
 - *"There are steep slopes on the north side of the site that are identified in the "Map of Steep Slopes of Ann Arbor, 2004" and are therefore a protected natural feature per the Land Development Regulations of Chapter 57 of Ann Arbor City Code. They must be added to the Natural Features impact statement."*
- *In the city code: section [5:127: "Mitigation of natural features"](#)*
 - *"Steep slopes: Disturbed areas of steep slopes shall approximate the natural terrain and be planted with native vegetation at the completion of construction. **No new drainage may be directed over areas of disturbed slope.**"*
- *City Master Plan (page 28 – 29):*
 - *"Preserving, through dedication or permanent easement, high and mid-quality natural systems such as landmark trees, woodlands, wetlands, creeks and steep slopes will protect wildlife habitat, water quality and a sense of natural history*

Summary

- Developer plan glosses over re-grading
- Any satisfactory description of the developer plans are missing
- As noted in **Kerry Gray's** review these are **landmark and protected hills per city ordinance.**
- Loss of permeable land along with steep roofs and existing grade is a disaster waiting to happen
- Neighborhood impact/study has not been considered
- Hills are used extensively by the whole community for sledding in the winter and dog walking year round (can provide photos if interested?)
- If the land is re-graded it will be a huge loss for the community
- If the land is not re-graded it is likely significant water damage will be caused to the existing properties
- Existing properties have already reported water problems

What is being requested?

1. Reconsider the location of these two buildings with respect to the topography of the land
2. Reduce the 64' x 60' footprint so that the units are aligned with the “average” size of the neighborhood homes and allow for greater square footage of permeable land
3. Do not approve changes to the existing landscape topography
4. Planning commission staff/city staff and councilors come and look at the land
5. Re-evaluate the plan in a way that “fits” with the existing neighborhood (single family homes) and isn't a blot on the landscape.

http://en.wikipedia.org/wiki/Blott_on_the_Landscape

Thank You

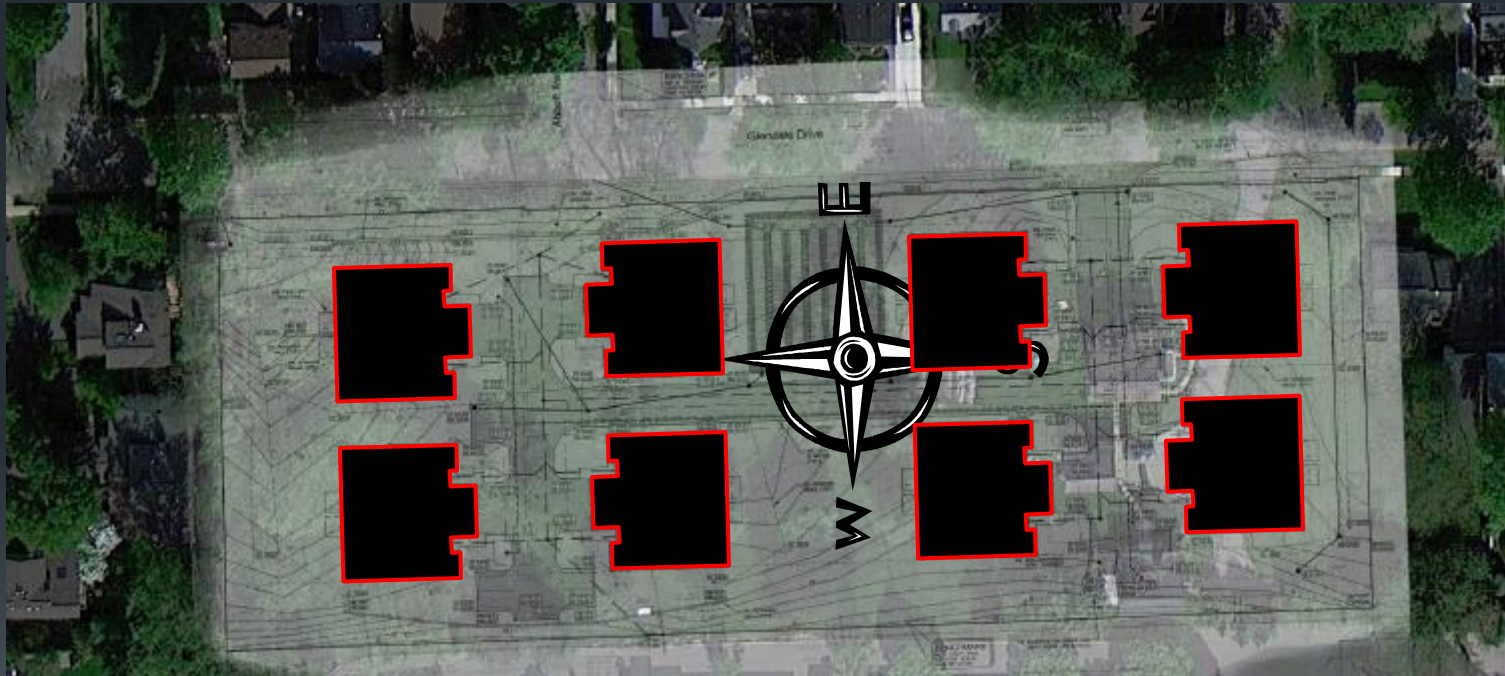


Other Objections

- No consideration for the concept of “Town and Country Planning”, this aims to balance economic considerations with concepts of urban sprawl, pollution, land usage, environmental considerations **and alignment with existing community and dwellings**
 - Clearly these super structures have absolutely no place in this neighborhood, there is no clear fit with the existing properties
 - This is the last green space in the west side of Ann Arbor (other than parks), the removal of the trees will add to the carbon footprint
 - This orchard is central to this close knit community and serves many purposes throughout the year including an immeasurable amount of joy for those who live in this area:
 - Sledding, skiing, snowboarding
 - Walking the dog, throwing the stick
 - Easter egg hunt
 - Picnics
 - 4th July Fireworks
 - Kids running around and playing in open space
 - ...

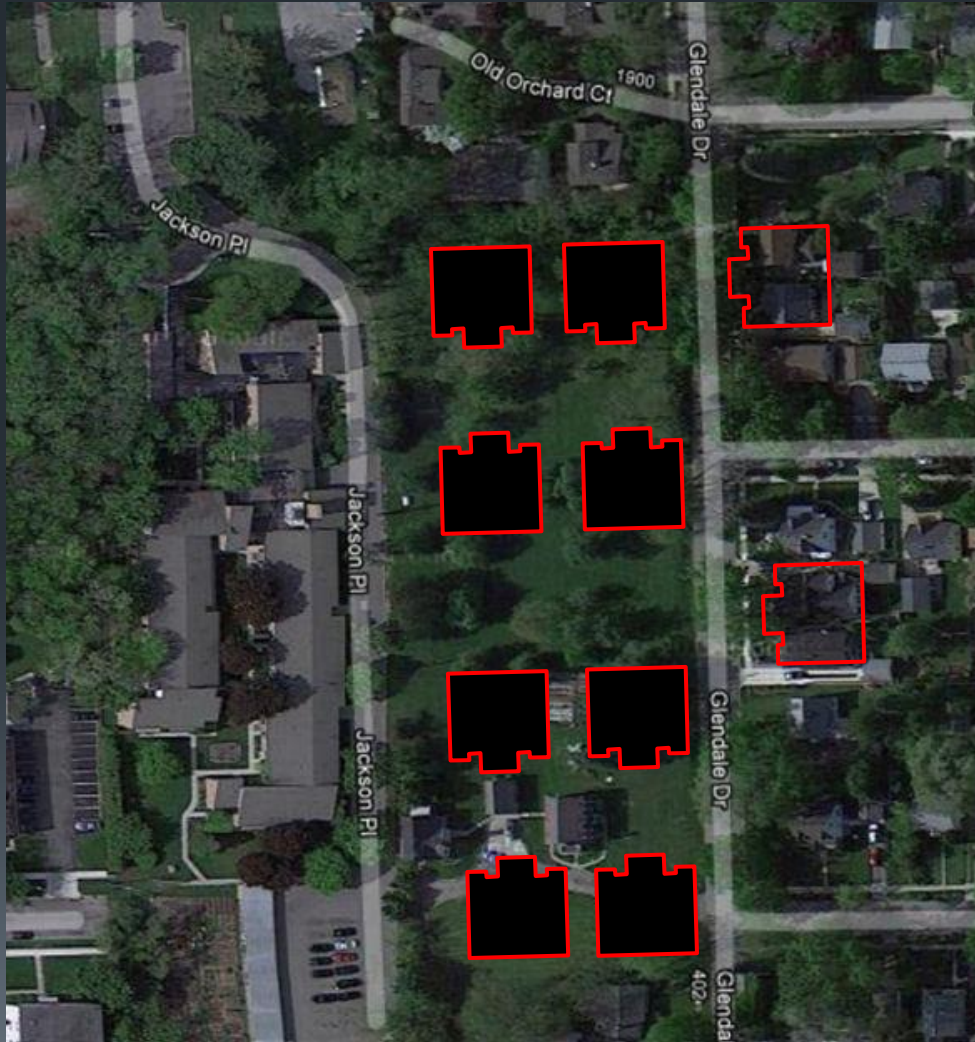
Other Objections

- Looking at the property sizes



Other Objections

- Essentially each structure is the equivalent to two existing individual neighborhood properties and is out of character with the neighborhood.



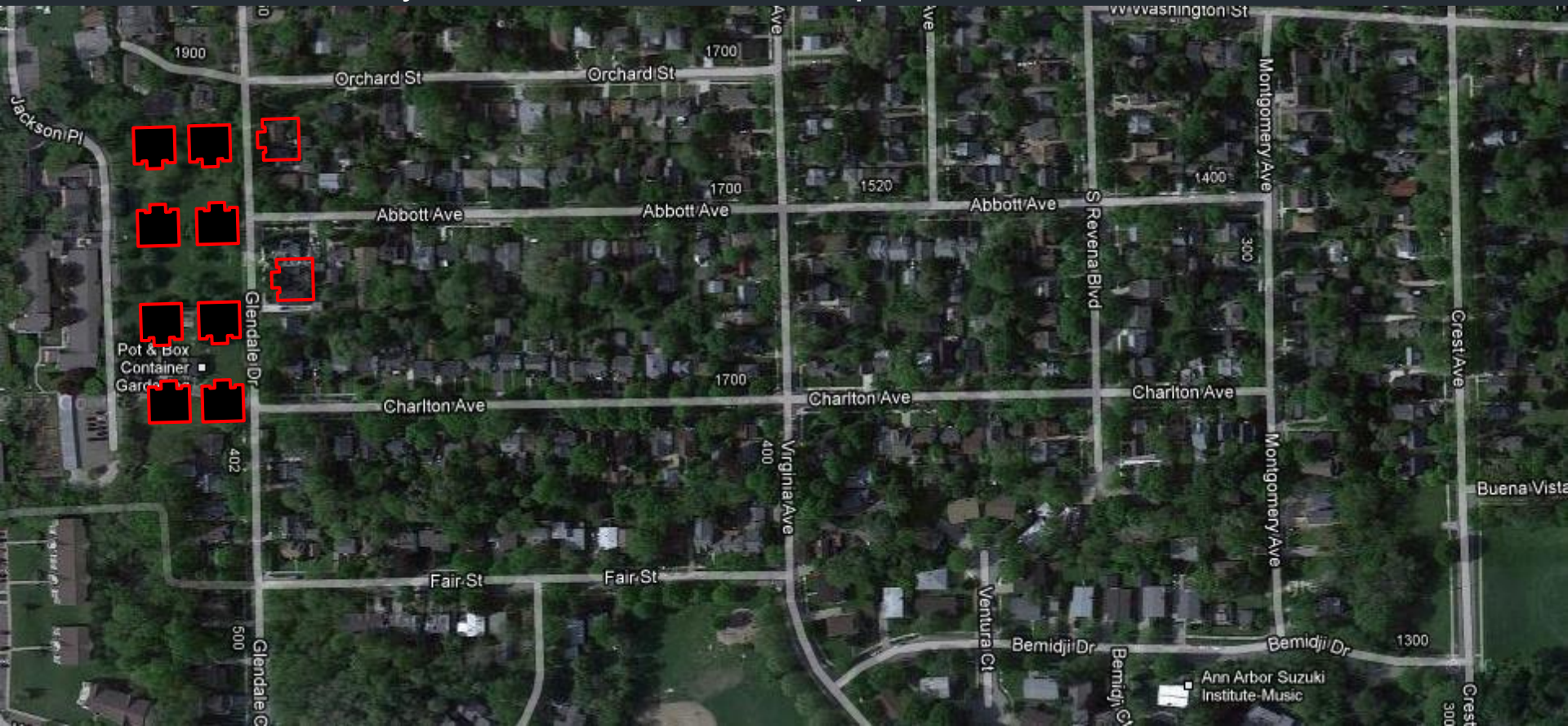
Other Objections

- Environmental impacts could be catastrophic to existing property owners, in particular an already stressed storm system (see neighborhood survey for more details)
 - Drastic landscaping measures (grading)
 - Allen creek considerations
 - Flooding of basements
 - Destruction of historical trees
 - Reduction of sunlight
 - Removal of historical buildings



Other Objections

- There are no similar structures in the neighborhood (look below!), the design of the units lack any imagination or sophistication or ability to blend with the surrounding community. Motel 8 is one description used.



Other Objections

- Significant and drastic changes to a community which have invested in the city of Ann Arbor, would this get approved in Burns Park, Arbor Hills or Barton Hills, I suspect not.



Other Objections

- The development company (Madison Property Company) behind this project do not have a good track record of financial security, their existing buildings are dilapidated and the Orchard for many years has been left in a state of disrepair (fallen trees are left to rot).



Other Objections

- Is this a company that we want invested in our community?



Other Objections

- Taxes are not paid:

Year / Season	Total Amt	Total Paid	Last Paid	Total Due
2012, Winter	\$1,469.73	\$0.00		\$1,469.73
2012, Summer	\$6,069.58	\$0.00		\$6,069.58
2011, Winter	\$1,425.31	\$0.00		\$1,425.31
2011, Summer	\$5,942.96	\$0.00		\$5,942.96
2010, Winter	\$1,473.70	\$0.00		\$1,473.70
2010, Summer	\$6,195.44	\$0.00		\$6,195.44
2009, Winter	\$1,550.33	\$0.00		\$1,550.33

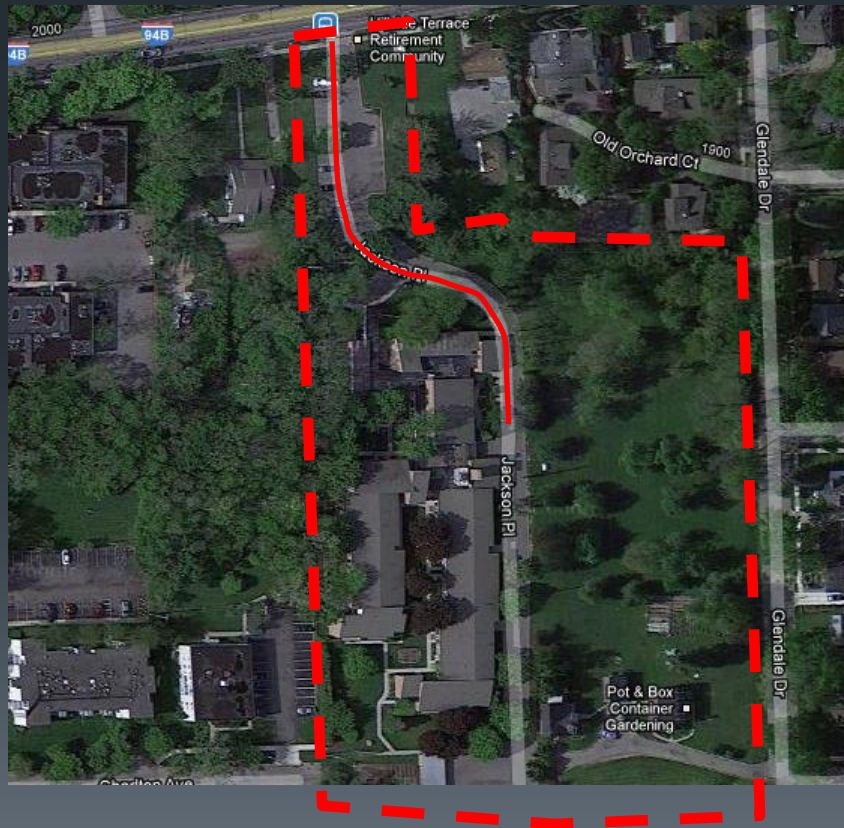
- The amount paid for this parcel of land is highly suspicious, when compared to other plots of land; \$250,000 in 2003 appears ridiculously low for 2.6 acres of prime real estate one mile from downtown Ann Arbor and never went on the open market:

4 sale record(s) found.

Sale Date	Sale Price	Adj Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
11/20/2003	\$1.00	\$1.00	U	CLARK FRANCIS D & CHAPMAN WENDY E	STARMAN JEFFREY S	Quit Claim Deed	4341/173
03/28/2003	\$250,000.00	\$241,835.00	Q	ORCHARD TERRACE	CLARK FRANCIS D & STARMAN JEFFREY S	Warranty Deed	4243/633
08/24/1995	\$1.00	\$1.00	U	HILLSIDE TERRACE	ORCHARD TERRACE	Warranty Deed	3169-0883
06/27/1994	\$1.00	\$1.00	U	GATEWAY COMMUNITIES, INC.	HILLSIDE TERRACE, INC.	Warranty Deed	3011-0491

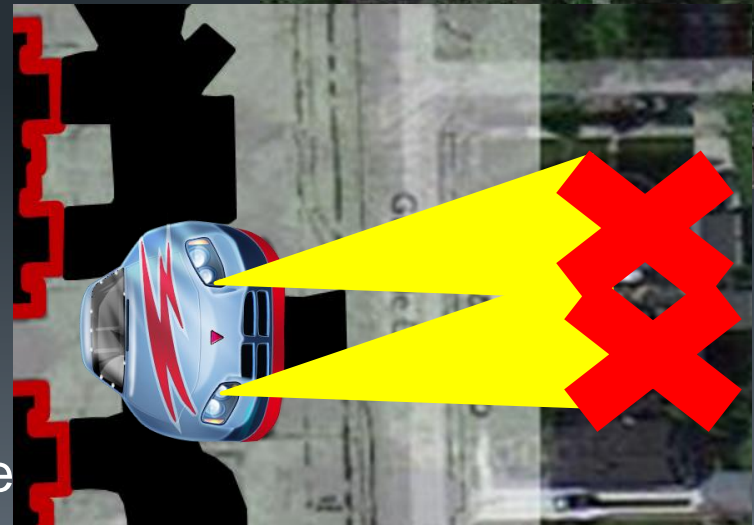
Other Objections

- The zoning of this land is interesting, the land was originally zoned for the retirement community and adjacent orchard with planned traffic coming directly from Jackson Road as shown below:



Other Objections

- They are now trying to utilize Glendale Drive for traffic, this presents a number of **major** issues:
- There have been numerous accidents at the intersection of Jackson Road and Glendale drive this will only get worse with the increased traffic from this proposed development and traffic calming measures currently proposed for Jackson Road
- Exit from the proposed development is directly into existing properties causing disruption of headlights
- There are many families with young children that live in this neighborhood, speed bumps were installed to assist in traffic calming



Hillside Terrace

- A retirement community is situated to the west of this development, is this how we reward our seniors in their retirement?
 - Including a World War two veteran
- None of them are aware of this, probably because the owner of Hillside terrace is the main developer.
- Question? How many citizens from the retirement community showed up at the two citizen participation meetings??? Answer – NONE, they were not made aware!

