

PUD 228 Packard on city block spanning South fifth Avenue and South fourth Avenue between Madison and Packard.

I would like to voice my opposition to this project as a citizen of Ann Arbor and a neighbor of this development for the following reasons:

- i) **Legal:** The proposed developed is not compatible with the current zoning (R4C). Thus, the developers are petitioning for a PUD. The proposed project does not provide any benefits or improvements to the neighborhood or the city as a whole to merit such a zoning exemption. In fact, this development would remove more than 100 low-income apartments and replace them with high end units. In addition, this massive building would be placed in a section of town that is already a bottle neck for traffic taxed by high volumes on narrow and steep neighborhood roads.
- At least two previous attempts at overturning city regulations in this area have been made. The developers of the “Moravian”, which encompassed only about 1/3 of the same block, also applied for a PUD. Their application was denied by city council in 2010. “City Place”, a similar project one block further north on 5th AVE, was scaled down until it fit R4C zoning in 2009.

Therefore, there is no legal precedent for the city granting a PUD in this neighborhood. The only difference is that 228 Packard is more massive with a developer, Subtext, that has more resources to appease neighbors and influence city administrators to ignore zoning regulations. This preferential treatment of one powerful developer exposes city and people involved in the PUD process to legal liability.

- ii) **Traffic flow:** The main arteries for southbound traffic from the downtown area are Main Street and State Street. Packard provides the East/West connection that enables drivers to get around the blockage of North/South traffic by the sports complex (Stadium, Crisler Arena, etc). The narrow and steep stretch of 5th AVE has always been used around rush hour as a detour to escape the backups at the Packard/State intersection. This unofficial detour became official when AATA routed 4 bus lines down this one-way narrow neighborhood street.

Thus, this block of 5th AVE experiences intense and heavy traffic flow from the early morning until the buses stop running late at night. A casual inspection of the pothole density will testify to the abuse this street is taking. The high-rise buildings constructed in the D1 and D2 zoning areas over the last decade have added to the “detour” traffic resulting in reliable traffic jams every late afternoon.

By placing a 1450 bed building at this bottle neck the situation will become untenable. This would be a result of the piece meal approach afforded by the PUD system, as

opposed to the more inclusive concepts of zoning that takes city wide issues, such as traffic patterns, into account.

The developers fail to mention the projects that are approved in the downtown area that will put additional pressure on the roads in this neighborhood (Y lot, and U of M Credit Union lot on Williams). Instead, they prominently display the future developments of the U of M on Division Street, which is further outbound and past the bottleneck. The developer's proposal to convert this stretch of 5th AVE to a two-way street shows that even they realize there is a problem. However, just painting a median will not solve any problems, it may even attract more traffic. It will for sure make it impossible for us and our neighbors to back out of our driveways as it is already a challenge with the speed and density of traffic. Luckily, now the uphill traffic light provides a short window of reduced traffic.

iii) Affordable Housing: It is well documented that Ann Arbor has a scarcity of affordable housing. This development will destroy a whole city block of this precious resource. This neighborhood is targeted by developers because they know it is vulnerable. The profit margins for the landlords are small as the apartments are modest and often don't offer the latest upgrades. The developer exploited this vulnerability by offering under the cover of non-disclosure agreements cash buyouts at twice the market rates. Only 6 out of 28 were able to resist this temptation. Some gave in after many sleepless nights. Such tactics would not have worked in a wealthier neighborhood. Thus, the affordable housing gets the short stick once more and city officials will continue to bemoan the affordable housing crisis.

iv) Flood zone: The southern third of the parcel is in a flood zone. The University of Michigan is well aware of this and is going to relocate Elbel field to the former Fingerle's lumber yard located in this same flood zone. The developers on the other hand ignore this issue in their proposal and it shows that Subtext is not interested in the local constraints and unwilling to adapt to local conditions. Furthermore, the replacement of a whole hillside of mostly permeable back yards with impermeable skyscraper and parking structure will make floods at the bottom of the hill more likely and increase the risk of water spreading to the nearby West Side and down the Allen Creek corridor.

I thus strongly recommend that the planning commission/ city council reject this PUD as it will destroy the heart of a whole neighborhood, Germantown, without providing any benefits to the community. Other high-density developments under development in D1 and D2 zoning areas will already tax the transportation infrastructure and a PUD of this size would undo the zoning regulations that has helped Ann Arbor become a vibrant and attractive place to live and work.

Sincerely,
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