

**Ann Arbor City Council Regular Session: December 16, 2019
Email Redactions List Pursuant to Council Resolution R-09-386**

	A	B	C	D	E	F	G
1	<u>Sent Time</u>	<u>Received Time</u>	<u>TO</u>	<u>From</u>	<u>CC</u>	<u>Redactions</u>	<u>Reason for Redaction</u>
2	7:16 PM		Ralph McKee	Ali Ramlawi		Email address	Privacy
3	7:16 PM		Jane Lumm	Jane Lumm			
4	7:31 PM		City Council, Stephen Postema, Howard Lazarus	Jacqueline Beaudry			
5	7:52 PM		City Council	Jane Lumm	Jacqueline Beaudry		
6	8:23 PM		Jane Lumm	Jacqueline Beaudry			
7	8:24 PM		Jeff Hayner	Jacqueline Beaudry			
8	8:26 PM		Jacqueline Beaudry	Jeff Hayner			
9	8:32 PM		Jacqueline Beaudry	Christopher Taylor			
10	9:09 PM		Jacqueline Beaudry	Jane Lumm			
11	9:15 PM		Jane Lumm, Anne Bannister, Elizabeth	Carla Morse		Email address, address and phone	Privacy
12	9:36 PM		City Council, Howard Lazarus	Diane Giannola		Email address	Privacy
13	9:51 PM		Howard Lazarus, Christopher Taylor, Chip	Erica Briggs		Email address, phone	Privacy
14	10:59 PM		Anne Bannister	Lynn Borset		Email address, address and phone	Privacy

Journal Archive

From: Ramlawi, Ali
Sent: Monday, December 16, 2019 7:16 PM
To: Ralph McKee
Subject: RE: 616 E. Washington

Ralph.

Please go back and review the taped recording of the Dec. 2 2019 on CTN. The impression the Pastor of FUMC gave to council that night was that of tacitly going along with the development.

I was not moved by the incremental public benefit that was proposed in the development @ 616 to vote for it.

Warm regards,
CM Ramlawi

-----Original Message-----

From: Ralph McKee [REDACTED]
Sent: Monday, December 16, 2019 4:47 PM
To: Eaton, Jack <JEaton@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>
Subject: 616 E. Washington

Hi,

I was able to reach the pastor of FUMC late this afternoon. Her statement was essentially this: this is a development that the church would rather not have happen; the fact that the church did not spend a lot of energy opposing should not be read as tacitly approving it.

Sent from my iPhone

Journal Archive

From: Lumm, Jane
Sent: Monday, December 16, 2019 7:16 PM
To: Lumm, Jane
Subject: Amendments for CA-8

Amendment 1:

RESOLVED, that City Council endorses the recommendation of the Council-Appointee Team to establish a Steering Committee of 18-20 members, including stakeholders from neighborhood groups, and that a subset of members should be nominated as appointees of each ward and the Mayor. Further, City Council directs the City Administrator to report to Council within 60 days how these recommendations will be incorporated into the plan.

Amendment 2:

RESOLVED, that the City Council endorses the process recommended by the Council-Appointee Team to establish the Values Framework guiding the process by first creating a set of City values through a robust public engagement process and then vetting the set of values through a statistically-valid survey of residents. Further, City Council directs the City Administrator to report to Council within 60 days how this process will be incorporated into the plan, the survey cost, and whether any cost adjustments are required to be made to the contract.


Journal Archive

From: Beaudry, Jacqueline
Sent: Monday, December 16, 2019 7:31 PM
To: *City Council Members (All); Postema, Stephen; Lazarus, Howard
Subject: Reconsideration of 616 E. Liberty Site Plan vote
Attachments: DS-2.pdf; DS-2 ATT1.pdf

Attached is the motion to reconsider as well as the previously approved item.

Jacqueline Beaudry, City Clerk

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City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Text File

File Number: 19-2407

Agenda # DS-2

Introduced: 12/16/2019

Version: 1

Current Status: To Be Introduced

Matter Type: Report or Communication

Motion to Reconsider the December 2, 2019 Vote that Approved the Resolution to Approve 616 East Washington Planned Project Site Plan and Development Agreement, at 616 East Washington Street

I move to reconsider the December 2, 2019 Vote that Approved the Resolution to Approve 616 East Washington Planned Project Site Plan and Development Agreement, at 616 East Washington Street. I voted on the prevailing side, which approved the resolution with a 9-2 vote.

Sponsored by Councilmember Bannister

Motion to Reconsider the December 2, 2019 Vote that Approved the Resolution to Approve 616 East Washington Planned Project Site Plan and Development Agreement, at 616 East Washington Street



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Text File

File Number: 19-2091

Agenda # DB-2

Introduced: 12/2/2019

Version: 1

Current Status: Passed

Matter Type: Resolution/Public Hearing

Resolution to Approve 616 East Washington Planned Project Site Plan and Development Agreement, at 616 East Washington Street (CPC Recommendation: Approval - 6 Years and 0 Days)

Attached is a resolution to approve 616 East Washington Planned Project Site Plan and Development Agreement. Approval of this resolution will allow for the construction of a 255,216 square foot apartment building on .65 acres.

Petition Summary:

- The Site Plan proposes a 19-story building consisting of 255,216 square feet, 127 structured parking spaces, 240 dwelling units, 5,250 square feet of retail space, and improved pedestrian amenities along East Washington Street and in the immediate vicinity. In order for the petitioner to receive an additional 200% of floor area (as a requirement of the Premium section of the Unified Development Code), 19 permanent affordable dwelling units will be provided including 13 units for individuals earning 80% or less of Area Median Income and 6 units for individuals earning 60% or less of Area Median Income.
- A development agreement has been prepared to address a park contribution, shared utilities, LEED Silver verification, electric vehicle charging stations, and easements for utilities, access, and solid waste.

The City Planning Commission, at its meeting of October 1, 2019, recommended approval of this request.

Attachments: Proposed Resolution
10/1/19 Planning Staff Report
10/1/19 Planning Commission Minutes
2/13/19 Citizen Participation Report (linked from staff report)
1/16/19 Design Review Board Summary (linked from staff report)
11/29/19 Draft Development Agreement

Prepared By: Jeff Kahan, City Planner

Reviewed By: Brett Lenart, Planning Manager

Approved By: Derek Delacourt, Community Services Area Administrator
Howard S. Lazarus, City Administrator

Resolution to Approve 616 East Washington Planned Project Site Plan and Development Agreement, at 616 East Washington Street (CPC Recommendation: Approval - 6 Years and 0 Days)

Whereas, H & K Campus Properties has requested planned project site plan approval in order to develop the 616 East Washington Planned Project Site Plan;

Whereas, A development agreement has been prepared to address various easements, park contribution, LEED Silver verification, and electric vehicle charging stations;

Whereas, The Ann Arbor City Planning Commission, on October 1, 2019, recommended approval of the planned project petition which allowed the maximum building height to exceed the 180 foot height limitation by 28 feet and portions the front (E. Washington Street) setback to exceed the maximum 1 foot setback requirements;

Whereas, The developer attempted to address Planning Commission recommendations by providing six of the affordable housing units for individuals with incomes of up to 60% of Area Median Income and to provide additional solar panels on the roof of the building as well as provide solar panels on the roof of 212 S. State Street;

Whereas, The development would comply with the established D1 zoning pursuant to the requirements of the Unified Development Code subject to planned project approval to allow a height of 208 feet (which exceeds the 180 foot maximum height limitation) and allow a portion of the E. Washington Street setback to be up to 45.5 feet (which exceeds the 1 foot maximum front setback limitation), and with all applicable local, state, or federal laws, ordinances, standards, and regulations;

Whereas, The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in the Unified Development Code; and

Whereas, The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety and welfare;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated November 26, 2019;

RESOLVED, That the Mayor and City Clerk are authorized and directed to sign the Development Agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That City Council approve a Planned Project Modification to allow an

increase in the height of the proposed building to 208 feet (28 feet above the requirement) and to allow a portion of the maximum front setback to increase to 45.5 feet (from 1 foot) based on a commitment to construct a building that meets LEED Silver requirements; and

RESOLVED, That City Council approve the 616 East Washington Planned Project Site Plan dated October 18, 2019, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.

Journal Archive

From: Lumm, Jane
Sent: Monday, December 16, 2019 7:52 PM
To: CityCouncil
Cc: Beaudry, Jacqueline
Subject: FW: Amendments for CA-8

Amendment 1:

RESOLVED, that City Council endorses the recommendation of the Council-Appointee Team to establish a Steering Committee of 18-20 members, including stakeholders from neighborhood groups, and that a subset of members should be nominated as appointees of each ward and the Mayor. Further, City Council directs the City Administrator to report to Council within 60 days how these recommendations will be incorporated into the plan.

Amendment 2:

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Journal Archive

From: Beaudry, Jacqueline
Sent: Monday, December 16, 2019 8:23 PM
To: Lumm, Jane
Subject: RE: Amendments for CA-8

This item was tabled. Do you want these amendments attached as “proposed amendments” for when the item returns?

Jacqueline Beaudry, City Clerk

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Sent: Monday, December 16, 2019 7:52 PM
To: CityCouncil <CityCouncil@a2gov.org>
Cc: Beaudry, Jacqueline <JBeaudry@a2gov.org>
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Journal Archive

From: Beaudry, Jacqueline
Sent: Monday, December 16, 2019 8:24 PM
To: Hayner, Jeff
Subject: amendment - DC-1

Can you send me your amendment?

Jacqueline Beaudry, City Clerk

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Journal Archive

From: Hayner, Jeff
Sent: Monday, December 16, 2019 8:26 PM
To: Beaudry, Jacqueline
Subject: RE: amendment - DC-1

Final resolved clause bullet point 3 – Public Restrooms, temporary and/or fixed

From: Beaudry, Jacqueline <JBeaudry@a2gov.org>
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Journal Archive

From: Taylor, Christopher (Mayor)
Sent: Monday, December 16, 2019 8:32 PM
To: Beaudry, Jacqueline

Resolved that nothing in this Resolution requests or directs that the Administrator to take any action that would in the aggregate incur costs or expenses in excess of \$25,000;

Journal Archive

From: Lumm, Jane
Sent: Monday, December 16, 2019 9:09 PM
To: Beaudry, Jacqueline
Subject: Re: Amendments for CA-8

Yes, and thank you, Jackie!

Sent from my iPhone

On Dec 16, 2019, at 8:23 PM, Beaudry, Jacqueline <JBeaudry@a2gov.org> wrote:

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Journal Archive

From: Carla Morse [REDACTED]
Sent: Monday, December 16, 2019 9:15 PM
To: Lumm, Jane; Bannister, Anne; Nelson, Elizabeth; Griswold, Kathy

Dear Councilmembers

I was very disappointed that you voted to approve the 19 storey building on Washington. Having lived in another college town that did not protect it's downtown from developers, I have seen what happens: you end up with a high rise corridor that spoils the character of the town, permanently reducing the area that people truly value to an ever smaller sliver. These buildings primarily benefit students who live in them a short time for the convenience, and not the people who are really committed to Ann Arbor. I urge you to do what we thought we were electing you to do: preserve and protect that which makes Ann Arbor so valuable, not cannibalize our own city. I realize standing up to developers is a difficult and relentless job, especially now when it seems the promise of "affordable rentals" is obfuscating the real decisions to be made. However, this is what we are counting on you to do.

If anyone is interested, the case of State College, Pennsylvania is a cautionary example of how failure to control development can reduce a historic downtown by fifty percent. - Beaver Avenue runs parallel to the one short historic avenue, and is now referred to as "Beaver Canyon" because it's a stretch of high rises for students. It's hard to be there and not imagine what it must have been before the high rises, and marvel at the shame of allowing developers to ruin it.

It's not just the permanence of whatever, inappropriate building is allowed to go up, but others in the future, as you will be opening the door for more of the same.

I urge you to reconsider your vote, to not take the short view on our city. Let's have Ann Arborites be grateful to you for preserving what we love about the place, as many of your predecessors have done, rather than hold you responsible for spoiling it.

Respectfully,
Carla Morse

[REDACTED]

--
Carla Morse, M.A., CCC- SLP
Speech Language Pathologist
Ford Early Learning Center

[REDACTED]



Journal Archive

From: Diane Giannola [REDACTED]
Sent: Monday, December 16, 2019 9:36 PM
To: CityCouncil; Lazarus, Howard
Subject: Library Lot city park-Prop A

All,

It is completely disingenuous to say that the Pro Prop A campaign did not promise private funding to run and establish the park. I found two articles in a simple google search along with the article CM Grand referenced. The voters in Ann Arbor heard these claims and believed them. To spend hundreds of thousands of general fund dollars now for this is not appropriate and is a bait and switch., You all should be much more transparent about using \$100ks for this that will come out of other budgets and might actually defund other items in the budget..

Watching the council discussion is like watching the white house impeachment spin....claiming something was never said when many of us know that it was.

Here are the links to the 2 other articles

<https://www.wemu.org/post/november-election-2018-ann-arbors-proposal>

Alan Haber says there are other options for funding.

“So, when we talked to the Ann Arbor Community Foundation, they said, 'Very interesting. If you get approval, then come and talk to us.' Similarly, the Rotary Club, similarly the other foundations and rich people with whom I and others have talked.”

In Alan Haber's own words...in his youtube video. He mentions private funding and that would not put a load on the city budget or the general fund or parks department.

<https://youtu.be/ltwgPQznY88>

Thank you,
Diane Giannola
4th ward

Journal Archive

From: Erica [REDACTED]
Sent: Monday, December 16, 2019 9:51 PM
To: Lazarus, Howard; Taylor, Christopher (Mayor); Chip Smith
Subject: Re: Comments regarding HB 4738

As a point of follow-up on Council's vote tonight, where does Council's decision leave the City Administrator with regards to the previous letters that were sent to our representatives that suggest the City supports HB 4837? I understand those letters were not intended to read as an endorsement of HB 4837, but it certainly takes an attentive reader to catch those nuances. I hope they can be retracted, given Council's decision to wait until the so-called Vision Zero expert is hired to take a stance on HB 4837.

On Mon, Dec 16, 2019 at 6:09 PM Erica [REDACTED] wrote:

I did not make it on agenda to speak tonight, below are my comments. I am very disappointed I won't be able to share these comments in person.

I urge you not to endorse HB 4738, a bill to create an unsafe statewide crossing law. If we want to be a pedestrian-friendly community, then we need to have policies and infrastructure that make it safe and easy for people to walk. I get upset when I see some Council members claiming they are pedestrian safety advocates when they spend their time working to dismantle policies that have made Ann Arbor a national leader in walkability. Let's be very clear what this bill would do and what your vote tonight means.

HB 4738 creates a state law that would supersede our local ordinance. However, the law that is created is not one that is safer for pedestrians, rather it is one Ann Arbor determined almost 10 years ago wasn't safe for our pedestrians. HB 4738 states that pedestrians must step into a crosswalk to gain their legal right-of-way. For the most able-bodied, it means dashing across the roadway between gaps in traffic. For our most vulnerable pedestrians (kids, seniors, individuals with disabilities), it asks them to take a potentially deadly leap of faith-- step into the street and pray that the drivers will stop.

HB 4738 would nullify Ann Arbor's more protective ordinance that allows pedestrians to wait safely on the curb, out of harm's way, to gain their right-of-way. For the last decade, Ann Arbor has had a much safer law and one that protects our most vulnerable pedestrians. We don't ask a child to step into the roadway or a wheelchair user to wheel themselves forward into the street, we tell them they can remain safely on the curb and it is the responsibility of drivers to observe pedestrians waiting at crosswalks and stop for them.

We have seen Republicans in Lansing vote to limit the power of more progressive cities in the state (for example, prohibiting communities from banning plastic bags), but until now we have not yet seen a progressive city actually ask the Republican-controlled legislature to place limits upon them. HB 4738 would nullify Ann Arbor's ordinance and move Ann Arbor backwards.

Although we still have work to do, we have made major gains in walkability in Ann Arbor this last decade. Just 10 years ago no one stopped for pedestrians, even when they were in the crosswalk. Today we have been able to achieve close to 100% compliance at crosswalks where we've conducted targeted enforcement and made complimentary design changes.

Let's be very clear, if HB 4738 is adopted we will be back where we were 10 years ago, stuck with the same law AAPD told us was unenforceable. We will have frustrated pedestrians waiting on the curb wondering why the police can't stop cars that blow through the crosswalk after they've activated a RRFB. When parents contact you angry that the drivers aren't stopping at crosswalks for their kids trying to walk to school... you will need to tell them the driver did nothing wrong and their child would need to step into that crosswalk in front of a moving car before the driver could be issued a ticket.

If you vote in favor of this resolution tonight, you are voting against our local law. You are voting against pedestrian safety and for a cars-first culture. Many will be watching closely to see how you vote.

Erica Briggs
cell [REDACTED]

Journal Archive

From: Borset, Lynn
Sent: Monday, December 16, 2019 10:59 PM
To: Bannister, Anne
Subject: Re: Reconsider 616 W. Washington

Thank you Anne,
for bringing this back to Council tonight.
I'm disappointed that you didn't get more support.
Lynn

On Sun, Dec 15, 2019 at 12:19 PM Bannister, Anne <ABannister@a2gov.org> wrote:

Thanks, Lynn, you and others have written excellent letters on this topic. I'm open to bringing it back and look forward to discussing it with Councilmembers and residents tonight at Caucus, 7-9 pm.

Thanks again for explaining your well reasoned position. Anne

From: Lynn Borset [REDACTED]
Sent: Saturday, December 14, 2019 1:14:01 PM
To: Eaton, Jack <JEaton@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>
Cc: Ramlawi, Ali <ARamlawi@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>
Subject: Reconsider 616 W. Washington

Hello Jack, Jane, Anne, Kathy, and Elizabeth,

I was dismayed to see each of you vote yes to approve the 19 story development at 616 W. Washington during the 12/2/19 Council meeting. I sincerely hope you will consider making a motion at the 12/16/19 meeting to Reconsider this proposal, and to deny this high rise building.

Of course I have no idea what input you received on this issue, but every person I've spoken to since 12/2/19 was disappointed in your yes votes -- and most of these are people who supported your election campaigns. We thought we had elected people who would reflect our community values, including the distaste for high-rises such as the Library Lot CORE proposal, as reflected in voters approving Proposal A.

Perhaps your yes votes were motivated by the straw dog of "affordable housing" -- that is, the threat that you would be labeled as against "affordable housing" in the upcoming election.

I do not see how voting against this 19-story high-rise could be construed as being against affordable housing. Clearly, we need to re-frame this "affordable housing" discussion and put some facts on the table.

The fact of the matter is there is a net increase of 8 units, replacing 11 existing apartments with 19 in the new building at "affordable" rates. Denying this project and reconsidering it under the new premium rules would have provided 70 + lower rent apartments. How is that being against "affordable housing?"

I've also heard that 'voting against the MI Theater is like voting against apple pie' and that is a threat to your re-election bids. As I understand it, the MI Theatre is selling the land for \$3 million. That is the benefit it receives, not the high-rise. Are they really in favor of the high-rise, or just caving in for the money? (The latter, I suspect.) Does the MI Theater represent your constituents?

I sincerely hope that you will reconsider your yes votes; bring this proposal back, and work with your colleagues Ali and Jeff to vote it down.

Thank you for listening,
Lynn M. Borset

[REDACTED]
Ward 5

[REDACTED]

[REDACTED]