

To: City Planning Commission

From: Philip Stoll

1314 Broadway

Date: April 4, 2017

I am writing you concerning the 1140 Broadway rezoning with conditions and site plan. Nancy and I live at 1314 Broadway with our three kids.

The neighbors on Broadway are generally in favor of building on the old Kroger lot.

The neighbors have concerns in several areas including:

- The height and density doesn't blend well with historic character of Lower Town.
- The proposed C1A/R rezoning sets a precedent for future developments to request C1A/R, and provides inadequate protection for the neighborhood.
- The plan does not agree with the recommendations and design guidelines of the Master Plan.
- The height and setback of the buildings near Traver creek continue to be a concern.
- The impact of increased traffic. In particular, backed up traffic will block intersections, and cars will cut through Broadway St and Jones Dr.

The neighbors have met in amicable discussions with Ron without him agreeing to any substantive changes to the plan with regard to footprint and height. Ron responds to Planning Commission concerns. So we need your help getting him to respond to our concerns.

We ask that you reject the 1140 Broadway rezoning with conditions and site plan as it currently stands. Our hope is that Morningside will realize it is in their best interest to come back with a revised plan.

I attended the Planning and Development Services' March 10 meeting, and I was heartened that representatives of various city departments and units raised many of the same concerns that the neighborhood had, in particular about traffic and the failure to conform with the Master Plan. Keep it up.

The neighborhood has a number of specific concerns.

The proposed C1A/R zoning district is the least restrictive zoning for this area and sets a precedent for future developments in Lower Town.

- It allows up to 300% "Residential Maximum Usable Floor Area in Percentage of Lot". The proposed FAR is 284%.
- It sets no "Maximum Height". The planned buildings are mostly 7 stories. Ron said the buildings cannot be taller than 7 because that would require more expensive construction.
- It sets no "Minimum Usable Open Space in Percentage of Lot Area" requirement. The plan provides no open space except where required along the creek and a pool amenity.
- It sets a "Required Setback Line Minimum and Maximum Dimensions in Feet" of 10 feet plus a few inches. The plan's request a reduction to 7 and 5 feet at Maiden Lane, and 9 and 3 feet at Broadway.

- The developer is proposing the least restrictive zoning and building and packing in as many units as zoning allows.

This plan does not do enough to bring about a vital Lower Town, something that we all want. Only 0.7% of the square footage is retail. The former Kroger site is the last large parcel in Lower Town – and the last chance to get it right. The plan as it stands should be rejected.

There is a sidewalk only on one side of Maiden Lane, with heavy traffic on one side, and 7 story buildings on the other. Walking would be safer if the sidewalk were moved away from the road slightly and if building setback was increased. With 6 ½ acres to work with, there is no reason why the developers cannot place the buildings with the required setback.

The neighbors have concerns about the impact of increased traffic and noise on the adjoining neighborhoods, but I won't list those concerns because I believe they will be addressed by the city's traffic engineers.

Parking is a concern. Morningside is requesting that the City allow it to build fewer parking spaces than are normally required, and is speculating that some renters will choose not to own cars. Once all the spaces are rented some renters will have no choice but to park on the street. Today, hospital workers use most of Broadway's on-street parking, so there aren't spaces for more cars.

The neighborhood is very concerned about the setback from the creek. We support the MP's calling for a pedestrian path along the creek and plant restoration. Given that the path would be on private property, public access needs to be made permanent and irrevocable.

Although '1140 Broadway Plan Set Combined' does not show the setback distance from the creek bank, we measured it on the drawing as about 32 feet. We also took measurements on the site. From the creek bank the first 10 feet slope steeply, the next 10 feet slope significantly, and the last 12 feet level out. This last 12 feet is where an impermeable path for pedestrians and bicycles would likely have to go. There would be a 60 foot building 32 feet from the creek bank, and we don't believe this appropriate for a park-like pedestrian path, or the for health of the creek.

As noted in the MP, the creek from Nielsen Ct to the river is already quite degraded, being lined with cement debris and enclosed in cyclone fence. An apartment building and a swimming pool were built exceedingly close to the creek. Mallard ducks try to use this creek but are thwarted by manmade banks and fence. This was all to code when it was built. Just as '1140 Broadway Plan Set Combined' is to code. The concern is that we don't repeat the mistakes of the past by allowing building so close to waterways.

We agree with the MP that “The height of new residential buildings near Traver Creek should not exceed 4 stories in height to minimize visual impacts to adjoining neighbors.”

We feel there is too much height and density and not enough open spaces for there to be a good quality of life for the residents and the neighborhood. The proposed 7 story buildings don't go with the surrounding historic buildings and low rise apartments. Young urban professionals are going to be attracted more to downtown with its shopping or neighborhoods with open spaces and bike paths.

The neighbors are waiting to see the plans for the mechanicals on the roofs and what their noise and visual impact will be.

Solar water heating on the roof of building A has been proposed as public benefit. If the public benefit is in fighting global warming then shouldn't solar panels at least be considered?

Addendum

City of Ann Arbor Master Plan p. 51

*Buildings fronting Broadway should be limited to the approximate height of the Anson Brown Building (three to four stories).*

*The design of future development should complement the historic character of this part of Ann Arbor and help create a more vibrant and pedestrian friendly environment.*

*The height of new residential buildings near Traver Creek should not exceed 4 stories in height to minimize visual impacts to adjoining neighbors. Most new buildings in the remaining portion of the village center should be between 3 and 5 stories in height with some buildings as tall as 8 stories.*