

CITY OF ANN ARBOR
CITY CLERK
REC'D

December 15, 2017

2017 DEC 15 AM 5:59

City of Ann Arbor Clerk
Attn: Mayor and City Council
P.O. Box 8647
Ann Arbor, MI 48107

Re: The Glen Mixed Use Development PUD Rezoning (File # 17-1749 on the 11/20/17 agenda)

Dear Mayor and Council:

I am the owner of 1010 Catherine Street and would like to formally protest this rezoning of the above mentioned project per Chapter 55, as I believe my property is more than 20% of the adjacent land area required for the 8 affirmative votes.

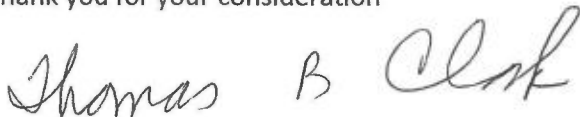
I would appreciate a response to the following issues prior to any council action on this rezoning.

- Great concern over the extent to which this project proposes to excavate the site for underground parking, the size and scale of the building and the zero set back and the associated risks to adjacent property. What assurances do I have that the construction will not degrade my property?
 - i) South wall/hill – My property has a retaining wall/hill on the south side of the property as Ann St. sits at a higher elevation than Catherine. What assurances do I have that the construction will not vibrate it so that it collapses, moves, erodes and/or causes it to become in worse condition than it is in prior to construction?
 - ii) Foundation and building – I know from prior high rise buildings that have been constructed in Ann Arbor that adjacent buildings have indeed been impacted. Cracked foundations, cracked walls, etc. have occurred in these buildings. What assurances do I have that the proposed construction will not do this to my building? What about cracked windows? Could the construction do that? My building was constructed in 1966 with single pane plate glass windows that are not tempered glass and will be jagged and sharp if they crack and/or break. A definite safety risk. Many people live at this building.
- Effect on the tenants – 1010 Catherine houses upwards of 75 people. One of advantages the tenants value is the quiet enjoyment it offers and the close proximity to the UM Hospital Campus as it draws many medical students to live here. What has been addressed on how these people will be impacted by living right next door to a project of this scale? Can they be expected to continually have to bear extreme noise, pounding, vibrating in their apartments? After construction, the tenants would have to bear the following permanent nuisances:

- i) Location of mechanical penthouse and exterior roof terrace. Both are proposed on the west side immediately adjacent to 1010 Catherine. ALL mechanical equipment should be located on the uppermost roof and the tenants should be able to expect some sort of noise barrier. Additionally, I am very concerned that events that utilize the roof terrace will negatively impact the tenants of 1010 Catherine (eg. Late evening events, etc.).
- ii) Ground floor retail indicates multiple restaurant retail space. Again, all mechanical equipment shall be placed on the uppermost roof especially any exhaust venting for food services.
- iii) Tenant proximity to construction – Tenants regularly and on a daily basis utilize our property on the edges for parking purposes. Concern over the potential and likelihood of any debris and/or issues from a crane passing over the edges of our property with people regularly utilizing this area of the east boundary. Also concern over the area for the retention wall on the south side. Tenants will be utilizing that area on a daily basis and will be in close proximity to it.

I am not opposed to the property being developed, but would like whatever is approved to more accurately reflect the neighborhood and respect the existing neighboring uses which are primarily residential. I respectfully request you take my concerns into consideration and would ask you do not approve this rezoning ordinance at the second reading currently on the 12/18/17 agenda. However, if this project will go forward, I would ask the City require as a condition of passing a rezoning that the developer provide some mechanism (either by way of insurance, escrow, letter of credit, etc.) that would offer some sort of protection for me and my property from the potentially severe economic and physical impact this project could create. I would also request all city ordinances and codes during construction be strictly enforced.

Thank you for your consideration



Clark Forest LLC

By: Thomas B. Clark

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