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**North Central Property Owners
Association, Incorporated**

To: Ann Arbor Planning Commission & Staff
From: NCPOA Area Planning Committee
Date: February 9, 2009
Re: "Near North" PUD & Site Plan

The North Central Property Owner's Association (NCPOA) strongly opposes the proposed Near North site plan and PUD application. The scale and design of this project grossly violate both the site's current R4C/Office zoning and the City's Central Area Plan.

NCPOA has worked to build a positive future for our area for almost fifty years. We are proud of our neighborhood and we are committed to maintaining it as a welcoming, diverse, comfortable place to call home. We have great respect for Avalon Housing and would be glad to see them build appropriately sized workforce and/or supportive housing on this site.

Unfortunately, that is not the plan the developers have chosen to submit. As presented, "Near North" would overwhelm both its site and our neighborhood.

Please review the enclosed memo, which details how this project would adversely affect the neighborhood and contradict both long term zoning and planning for this area.

We call on the City to defend its plans for this area by rejecting this destructive proposal.

Sincerely,

Tom Fitzsimmons
President

The North Central Property Owner's Association (NCPOA) strongly opposes the proposed Near North site plan and PUD application for the following reasons:

I. Detrimental Effect on the Residential Character of the Neighborhood

The city recognizes Kingsley Street as the northern boundary of the Downtown area. Both current zoning and the Central Area Plan (CAP) clearly distinguish our neighborhood from the adjacent Downtown and call for it to remain a low- to medium-density residential area. That zoning and plan encouraged many of us to buy homes and raise our families here.

The "Near North" project would obliterate that boundary, extending Downtown densities all the way to Summit Street. The developers have described it as a "Gateway to Downtown" and compared its density to high-rise residential projects in the Downtown area. A massive, 44,000-square-foot block rising four stories from the sidewalk, it would dwarf the neighboring one- and two-story homes,

Ours is an area of small homes set close to the street, where front porches encourage walking and neighborly encounters. Yet Near North would further set itself apart, and constrain residents' interaction with the neighborhood, by limiting access to the sidewalk to just two public entrances. Its overwhelming size and modern, institutional design would effectively annex this block to Downtown—hurting both present and prospective residents.

II. Site is Inappropriate for Proposed Size & Density of Development.

There are now eight single-family houses on the nine lots proposed for this project. The current zoning of O-R4C would allow construction of up to 24 units on the site, a 300% increase in density. The developers are proposing 39 units, including the three houses that would remain at the north end of the site (we assume the houses are part of the PUD, since their lot areas are included in the overall lot area calculation). This would be a roughly 500% increase in density.

Alternatively, using the currently allowed 40% Floor Area Ratio, the site could support a building of up to 20,734 SF. The developers are proposing a building area of 43,779 square feet—more than double the permitted maximum.

The developers' architect, Damien Farrell, has worked hard to improve the appearance of the building, but he's been given an impossible task. A 44,000 square-foot building can't help but overwhelm an R4C neighborhood.

III. Proposal is Contrary to Long Term City Planning Goals

The proposed project is inconsistent with the Central Area Plan in numerous ways.

A. The Plan recommends single and two family residential uses for this site.

B. The proposed building's scale and massing violate the Plan's over-riding goal, "to protect, preserve and enhance the character, scale and integrity of housing in established residential areas, recognizing the distinctive qualities of each neighborhood."

C. The proposed project is contrary to the following specific recommendations of the Plan regarding scale and character:

- To encourage the development of new architecture and modifications to existing architecture that complements the scale and character of the neighborhood.
- To ensure that new infill development is consistent with the scale and character of the neighborhood.
- To protect housing stock from demolition or conversion to business use and to retain the residential character of established sometimes fragile neighborhoods adjacent to commercial or institutional uses.
- To encourage the construction of buildings whose scale and detailing is appropriate to their surroundings.
- To encourage the preservation, restoration or rehabilitation of historically or culturally significant properties, as well as contributing or complimentary structures, streetscapes, groups of buildings and neighborhoods.
- To preserve the historic character of Ann Arbor's Central Area.
- Where new buildings are desirable, the character of historic buildings, neighborhoods, and streetscapes should be respectfully considered so that new buildings will complement the historic, architectural and environmental character of the neighborhood.
- To promote compatible development of sites now vacant, underutilized or uninviting, wherever this would help achieve the plan's overall goals.

The proposal also is inconsistent with the 2004 Downtown Residential Task Force Report. The task force recommended that the proposed site be zoned as R4C to preserve the character and feel of the neighborhood.

We call on the city to uphold its zoning and long term planning for this site.

IV. Contrary to PUD Regulations and Standards

PUD applicants must explain the beneficial effects to be achieved by the PUD status and explain why these effects cannot be accomplished under any other zoning designation.

NCPOA agrees that low-income housing aspect of this project meets the PUD standard requiring that a significant public benefit be provided. However, PUD guidelines also require that that the proposed use does not have a detrimental effect on the surrounding properties. As explained above, the "Near North" project so far exceeds the permissible scale for a building on this site that it will do irreparable harm to the residential character of this block

One Planning Commissioner described this as the right project in the wrong place. Put another way, it's the right project on the wrong scale.

In Conclusion:

NCPOA has worked to build a positive future for our area for almost fifty years. We are proud of our neighborhood and we are committed to maintaining it as a diverse, comfortable home that welcomes residents of all income levels.

The City's PUD zoning appropriately permits some increase in density for projects that provide affordable housing. We would welcome this project if the developers could successfully intergrate it into the neighborhood by meeting the requirements outlined above. As we and other neighbors pointed out at the pre-planning meetings on this project, the key issues are size, scale, massing, and the horizontal "rhythm" of the neighborhood.

Unfortunately, the developers have shown neither the willingness nor the ability to do this. On the contrary, they have stated repeatedly that the "numbers don't work" for any project that complies with the site's zoning and the Central Area Plan.

As presented, "Near North" would overwhelm both its site and our neighborhood. We call on the City to defend its plans for this area by rejecting this destructive proposal.