Minutes
Downtown Development Authority Board Meeting
Thursday, May 9, 1996

Place: Fourth Floor Conference Room, 100 N. Fifth Avenue, Guy C. Larcom, Jr.
Municipal Building (City Hall) Ann Arbor, Michigan 48107

Time: The Chair, Leah Gunn called the meeting to order at 5:05 P.M.

1. Roll Call


Members Absent: Lorri Sipes.

Audience Participation: Jerry Billiter, National Garages; Ray Detter, DDA Citizens Advisory Council.

2. Approval of Minutes - April 11, 1996

Mr. Shaffran made a motion and Mr. Fritz supported that the minutes for the Regular Board Meeting dated April 11, 1996, be approved:

A vote on the motion showed:

AYES: DeVarti, Fritz, Gates, Gunn, Harshe, Pohrt, Shaffran, Ungrodt.

NAYS: None.

Absent: Berlin, Gillett, Relyea, Sipes.

The motion carried.
3. Audience Participation

None.

4. New Business

a. Insurance Settlement - Tiffany Hopkins - (Maria Harshe)

Maria Harshe gave the Board a chronological overview of the events related to the insurance settlement for the accident that occurred in August 1992 that injured Tiffany Hopkins. There was discussion regarding how the City and DDA arrived at the agreement. Karl Pohrt will contact Al Gatta, City Administrator at the time of the settlement, and report back to the Board. Maria Harshe will send Board members a written copy of her report.

b. Parking Structure Security - (Karl Pohrt)

Karl Pohrt made a motion and Bob Gates supported the following resolution be adopted by the Board:

Resolution on Parking Structure Safety and Security

WHEREAS, it has been brought to the attention of the Parking Committee by members of the State Street Area Association and officers of the Ann Arbor Police Department that public safety and security could be better served in the Maynard and Liberty Square parking structures; and

WHEREAS, according to the contract between the DDA and National Garages, to the extent security services are not provided by employees of the manager, manager agrees to provide services of a reputable professional security agency which shall patrol the facilities during those hours designated by the DDA. Such security personnel shall be considered agents of manager and not as agents of DDA. (p.4, Section F. Security);

THEREFORE, BE IT RESOLVED that National Garages will provide customer service staff to patrol the Maynard and Liberty Square parking structures from 2:00 to 4:00 P.M., and from 6:30 P.M., to 2:30 A.M., five days a week. In addition, they will patrol the Forest Street parking structure from 6:30 P.M. to 2:30 A.M. The security staff will not exceed 132 work hours per week, for a weekly cost not exceeding $1,400.00. The customer service staff may be temporary and/or seasonal, and terminated at the request of the DDA;
WHEREAS, according to the contract between the DDA and National Garages, manager shall implement such additional security measures as shall be specified by the DDA. (p.4, Section F. Security);

THEREFORE, BE IT RESOLVED that National Garages is instructed to spend not more than $23,000 to install a 10 ft. high "residential" chain link fence on the top levels of the Maynard Street and the Liberty Square parking structures (see attached diagrams). This fence must be installed in a manner approved by the city engineering department.

A vote on the motion showed:


NAYS: None.

Absent: Berlin, Gillett, Relyea, Sipes.

The motion carried.

c. DDA Executive Director Recommendation to the Board (Deanna Relyea)

Ms. Relyea reported that two candidates canceled, and the Personnel Committee interviewed five finalists for the DDA Executive Director's position. Also, they made reference checks on three of the candidates. The Committee recommended that the DDA Board make a job offer to Susan Pollay.

There was discussion regarding the recommendation. Mr. Shaffran requested that the minutes reflect the following:

I have advocated from the beginning as to whether or not the DDA needs an executive director. In having being entrenched into the parking structures, as to their severity, and to the problems that they really have, the persons being interviewed, I am not sure that we are making the right decision in hiring someone; whether or not they have the qualifications to implement what is probably going to be the DDA's main emphasis in the next 3-5 years. The DDA has changed since taking on parking structures as its business. Now we know what the deterioration of the structures are and what they will continue to be. I am not sure if this type of director can take on that type of responsibility.

I would prefer to see an interim basis of a couple of people. We could take advantage of two or three different people with knowledge of construction, engineering and budget as we proceed through this process. After we gather all of the information from the engineering studies as to what it's going to cost; where we are going; then we find the person that is best suited to move in that direction.
Mr. Berlin stated that he agrees with Mr. Shaffran, and feels that it is not the appropriate time to make a decision, but believes Ms. Pollay will make a tremendous contribution to the City.

Mr. Gates presented the following resolution and Ms. Relyea supported:

RESOLVED, the Personnel Committee of the DDA is authorized to negotiate the terms of an employment contract for the position of Executive Director with Susan Pollay. Execution of the contract to be subject to the approval of the DDA Board.

A vote on the motion showed:

AYES: DeVarti, Fritz, Gates, Gillett, Gunn, Harshe, Pohrt, Relyea, Ungrodt.

NAYS: Berlin, Shaffran.

Absent: Sipes.

The motion carried.

d. **Approval of the Operating Budget for National Garages**

Mr. Shaffran made a motion and Mr. Ungrodt supported that the Operating Budget for National Garages, FY 1996-97 be approved.

A vote on the motion showed:


NAYS: None.

Absent: Sipes.

The motion carried.

5. **Report by DDA Citizens Advisory Council**

Ray Detter submitted the following report:

You may have noted in your April minutes that the Citizens Council Report included was actually one that was presented at your March meeting. My April report was brief and
included a hopeful comment on the possibility of removing the 4th Avenue canopy on the
Ann Arbor Inn (urging you to help make that happen); an announcement of the Michigan
Historical Preservation Conference held in Ann Arbor April 19, and 20, 1996 (which
included a very successful downtown walking tour—thanks to Ed Shaffran, Russ Collins of
the Michigan Theatre; and a number of enthusiastic downtown residents and developers,
and an announcement of an important meeting on the possibility of future development of
the Library Lot organized by Ulrich Stoll, and held on April 24.

The Library Lot Meeting was attended by 14 people including Leah Cunn from the DDA,
three members from City Council, representatives from the Library Board, the Planning
Department, the Parks Department and Bill Martin. The most important private land
owner on the block. The meeting focused on possibilities of implementing the 1991
Library Block Study Report. I thought the discussion was very positive from all
directions. The Library Block report called for the cooperation of all private and public
parties in the development of a four phase plan that includes 550 units of underground
parking, a city surface park plaza, 120 units of housing, backyard space for retail and
restaurant courtyards, internal pathways and connectors, and a possible continuing
education center - but all present agreed leadership had to come from the DDA and City.

The Citizens Council has long thought this should be a top-priority, long-range DDA
project. They have asked me to request that the DDA have its new director undertake the
examination of the possible ways in which the DDA might be involved in making the
Library Lot Plan a reality. We continue to believe that this is an excellent mixed-use,
cooperative public-private plan that would be most significant in building a successful
future for the downtown—if the DDA has the will and the means to help make it happen.

Citizens Advisory Council Brochure

Members of the Citizens Council wanted you to have the first copies of our new brochure,
which we plan to distribute to new and old residents of the downtown as well as other
persons who might be interested in our role in assisting the DDA in promoting the
economic health and growth of the downtown. Although all our members played a part in
putting together this brochure, it was largely made possible by the hard work and skill of
Joan Blos, one of our long-time members. She did an excellent job.

Downtown Ann Arbor Historical Street Exhibit Program

With a recent grant from the Ann Arbor Area Community Foundation of $10,000, we are
now within $1,000 of the $70,000 needed to fabricate and install the Courthouse Square
Exhibit this fall. We have the full approval of the County Administration, and are now
working on the necessary City and MDOT approvals.
Citizens Advisory Council Comments to DDA

A Surprising Development on West Huron and North Ashley. Much to the disappointment of Citizens Council members, we learned last week that Burger King has signed a purchase agreement with First of America for the buildings and an adjoining lot on the northwest corner of West Huron and N. Ashley. They plan to construct a large drive-in, fast food Burger King on the site if they can get the approval of the Planning Commission, City Council, and MDOT.

So far, we can find no one in the downtown Ann Arbor community who is in favor of this project. It is clearly not in the interests of the Ann Arbor community as a whole—which highly values the character of its successful downtown. Most believe it is no in the interests of First of America, the seller, or First Martin Corporation, the real estate broker. Many believe it will ultimately not be in the interests of Burger King.

The proposal is clearly in conflict with community expectations as outlined in the Ann Arbor Downtown Plan of 1988 and the Central Area Plan of 1992—both of which called for a rezoning of this area to encourage a greater density of development and use, with emphasis on higher-rise residential, office and retail space. The goal was to foster a pedestrian-oriented, rather than a traffic-oriented, future for the area. Unfortunately, although that rezoning is in progress and replaces the commitment of this community, it has not been completed. We can only hope that Burger King eventually and wisely recognizes that this project is not desired in this community. We feel it will eventually be in the interests of all parties if the project is dropped.

Nearby residents see this as a proposal, if approved, that would have a major negative impact upon their living environment. It is not only a question of traffic congestion, noise, trash, smell and neighborhood image. In the case of the former walk-in Burger King at Liberty and Maynard, and the former walk-in MacDonalds on Maynard between Liberty and William, both left the area in part because they attracted people who discouraged the presence of other patrons. These locations, as well as the Taco Bell on East University, became public nuisances that often required policy supervision. There might be those who would argue that by providing public toilets close to the Bus Station, the night-time shelter, and the day-time drop-in center, that Burger King might be providing a downtown service. But our experience with these other examples was that lack of supervision, mounting problems, sometimes the closings of toilets, created major problems for the neighborhood. This is, after all, downtown Ann Arbor. It is not an outer area where these enterprises can be successful.

If this project were to be approved, it would define the area in a manner that might encourage similar types of developments. Furthermore, it makes poor use of property that might be developed over time, in ways that would benefit the downtown. The Citizens Advisory Council included this property as one of the areas in their "Potential Downtown Housing Sites" brochure of last year. In deed, we understand that there are currently
groups exploring the possibility of housing on this site. Perhaps Burger King was able to move quicker and pay more. But they must recognize that downtown residents, business owners and nearby associations are united in believing that a Burger King at this location is in conflict with all their expectations for the downtown.

Although the DDA may be limited in what it can do as a group to discourage this project, the Citizens Advisory Council has asked me to state that it would be very helpful, at this early stage, if members of the Board individually and as a group expressed their belief that this development does not fit into their expectations for the health and growth of the downtown area.

6.

Financial Reports

The Financial Reports for April 30, 1996 were distributed. There were no comments regarding the reports.

Committee Reports

Parking Committee

Mr. Shaffran reported that the Parking Committee has interviewed three entities in Phase I of the RFP to evaluate the parking structures. The Committee has not finalized their recommendation. Also, the Engineering Department has requested that the First and Washington structure be evaluated as a full blown appraisal.

Pedestrian Improvements

Mr. Fritz reported that the Pedestrian Improvement Committee has been meeting weekly, and they have been working with representatives from the State Street Area Association to develop a schematic plan for pedestrian improvements in the State Street area.

Mr. Fritz made a motion and Mr. Pohrt supported that the following resolution be adopted by the DDA:

WHEREAS, a committee comprised of State Street Area business representatives and Downtown Development Authority (DDA) Pedestrian Improvement Committee representatives have been meeting over the past several months to jointly discuss plans for streetscape improvements in the State Street area.
WHEREAS, we must maximize the efficacy of the resources available to us for this project, including limited volunteer time commitment and a cap of $1.5 million dollars to be available for the project in phases over the next few years.

WHEREAS, we need to consider the unique features, problems and assets in the portion of downtown Ann Arbor abutting the western edge of the University of Michigan central campus.

WHEREAS, we must also consider a wide range of important issues, including traffic flow (pedestrian and vehicular), retail mix, parking, lighting, and other design elements.

WHEREAS, the area to be addressed includes S. State Street between E. William and E. Washington Streets; N. University between S. State and Thayer Streets; E. Liberty Street between S. State and S. Fifth Avenue, E. Washington Street between S. State and S. Fifth Avenue; and E. William Street between E. State and S. Fifth Avenue.

BE IT RESOLVED, that the DDA requests proposal for a conceptual plan for the proposed State Street Area Pedestrian Improvements. This schematic design must take into account an extensive analysis of current and potential traffic flow. It must consider the unique challenges and features of a historic commercial area located immediately adjacent to a major university campus. It must offer design elements that encourage pedestrian traffic, retail investment, and the development of additional housing. Given the pivotal location of the area, the plan must be developed with the thorough involvement of area stakeholders, including area merchants, community residents and representatives of City government and the University of Michigan.

A request for proposal will be announced July 1, 1996. Proposals will be accepted through August 1, 1996, with a selection announced September 1, 1996. Architects selected for this project must indicate the following: what form the final presentation will take; project personnel (their credentials and assignments); as well as timeline for completion.

A vote on the motion showed:


NAYS:    None.

Absent:  Sipes.

The motion carried.
8. Other DDA Business Matters

a. New Meeting Location

The DDA will check the availability of City Council Chambers for DDA Board meetings.

b. Burger King

Mr. Gillett made a motion and Mr. Pohrt supported that the item be referred to the Public Relations Committee.

A vote on the motion showed:


NAYS: None

Absent: Sipes.

The motion carried.

9. Adjournment

There being no further business, the Chair declared the meeting adjourned at 7:08 P.M.

Submitted by,

Leah Gunn