

The proposal for a 14-story student high-rise at 413 East Huron Street downtown has had overwhelming public opposition. It is a 14-story massive black box built right to the zoning boundaries and imposing itself on residents of Sloan Plaza and three low-scale residential historic districts. The proposal had almost universal opposition at the first public input session, and had dozens of speakers in opposition at the first hearing by the planning commission, and even more during four hours of public input and deliberation at the February 5th planning commission meeting.

This opposition is not simply local neighbors expressing NIMBYism (Not In My BackYard). Continuing opposition has been voiced by representatives of eight downtown or near-downtown associations, including the Old Fourth Ward Historic District, the North Burns Park Association, the Old West Side Association, the Downtown Area Citizens Advisory Committee, the North Main Property Owners Association, the Oxbridge Neighborhood Association, the South University Neighborhood Association, and the Germantown Association.

Opposition to this "student warehouse" has also come from citizens, committee members of the A2D2 Committee, and professionals in the fields of architecture, city planning, and landscape architecture. Members of the city's Design Review Board questioned its massive scale, which is 100,000 square feet larger than The Varsity project now under construction across the street. Even the city's Historic District Commission and the Michigan Historic Preservation Network testified that this project will cause irreparable damage to the character of the city's oldest historic districts.

The city's summary of the comments made by the Design Review Board was revealing: "In conclusion, the design as presented does not meet the intent of the design guidelines in responding to the context of the site, responding to a unique corner opportunity, respecting adjacent properties, or enhancing the pedestrian experience."

While some in this city say there is nothing we can do, the fact is the city CAN do something if it takes action. Council must recognize that D1 zoning for the downtown district north of Huron Street is not in conformance with the city's Master Plan, its Downtown Plan, its Central Area Plan, its Design Guidelines, and its Historic District Guidelines. The city has the legal power to change the zoning in two key blocks along Huron Street from D1 to the less dense D2, the category originally proposed in a 2007 planning document. This is legally possible, and necessary, because according to Michigan law the zoning ordinance as applied to this area is not in compliance with the city's planning documents. A change in zoning could be instituted by City Council at this time, since the developer for 413 E. Huron currently has no vested rights in the project; legally their work and costs thus far would be considered speculative on their part. Such a change in zoning would not stop development on these parcels, it would only bring any developments into conformance with the city's planning documents.

If this development at 413 E. Huron, which goes against all of the city's relevant plans and guidelines regarding scale and residential interface and ignores overwhelming community opposition, is approved by Council, then it must bring into legal question the purpose of the city's planning process. We are not opposed to development on this site, but hope for a development that is in keeping with guidelines previously established after much community input. This is not a "by right" project as argued by the developer, it is a "by wrong" project. It is the wrong building, the wrong location, the wrong developer, and the wrong zoning. A devastating precedent would be set, allowing other developers to snub their noses at the city's planning process, and would be devastating to the downtown. The proposed massive black box currently proposed to be built at the corner of Division and Huron would haunt the city for decades to come.