

Washtenaw County
Brownfield Redevelopment Authority (WCBRA)
Meeting held in-person at 200 N. Main, downtown Ann Arbor
Lower Level Large Conference Room

APPROVED MEETING MINUTES
Thursday, September 8, 2022, 9:00 a.m.

Board Present: Trevor Woollatt – Chair, James Harless, Allison Krueger – Vice Chair, Sam Baushke, Colleen O'Toole, Christy Maier,

Board Absent: Sue Shink, Joe Meyers - Secretary

Staff: Nathan Voght – OCED, Jacques Jones – OCED Planning and Policy Intern

Joining the Meeting: Mary Hoeh, SME, Tim Loughrin and Dorian Neubecker – Roberts Bros Homes, Bret Stuntz, SME – 303 N. Fifth, Mark Smith, 300 W. Michigan, Jamie Taralunga, 2 W. Michigan ON ZOOM: Adam Patton and Aaron Snow, PM Environmental for 4025 Packard Road, Jared Belka attorney for Robertson Bros Homes, Dirk Mammen – ECT for 175 N. Main.

Handouts: None

1. Call to Order

Chair Woollatt called the meeting to order at 9:03 a.m.

2. Public Comment

There was no public comment.

3. Approval of Agenda

J. Harless moved to approve the agenda, (2nd C. Maier), and the motion passed unanimously.

4. Approval of August 11th, 2022 Meeting Minutes

A. Krueger moved to approve the August 11th meeting minutes (2nd C. O'Toole), and the motion passed unanimously.

5. Board Member Conflict of Interest Disclosure

None disclosed.

N. Voght introduced Jacques Jones, a new Planning and Policy intern, currently studying at U of M Dearborn in Urban and Regional Studies. Mr. Jones introduced himself to the Board.

6. Business

1. 303 N. Fifth-312/314 Detroit Street Act 381 Work Plan and Reimbursement Agreement – Action

Staff referred to the Work Plan and Agreement in the packet. The Board had a short discussion.

C. O'Toole moved to approve the Act 381 Work Plan (2nd J. Harless), and the motion passed unanimously.

2. 220 N. Park Reimbursement Agreement – Action

N. Voght referred to the Reimbursement Agreement, with changes requested by the Developers' attorney, Kurt Brauer. Staff has reviewed all revisions with the County Corporation Counsel, and several were not accepted. The version presented to the Board has been approved by Corporation Counsel.

J. Harless asked that the last sentence of Recitals, #8, be removed. And the last sentence of Terms and Conditions #4 be removed, and moved back to #5, but add that costs may shift from the Brownfield Plan amounts, but only within each category, Environmental and Non-Environmental.

J. Harless moved to approve the Reimbursement Agreement with the changes noted, and changes discussed at the table, (2nd C. Maier) and the motion passed unanimously.

3. 4025 Packard Road Reimbursement Agreement – Action

Staff referred to the Agreement in the packet. It uses the Board's template, and particulars of the project have been added.

C. O'Toole moved to approve the Reimbursement Agreement as presented (2nd S. Baushke), and the motion passed unanimously.

4. 2 W. Michigan, Increase Environmental Assessment Grant Application – Action

Staff summarized the project status, and previous assessment grants given, including \$20,000 from the Downriver Community Conference, and \$15,000 from the Brownfield Authority. Both act as 50% matches for the other, allowing most of the costs to be covered. However, SME has prepared a proposal for the next stage of due diligence, and the cost exceeds the available \$15,000 previously granted by \$12,700. So, the request is to increase the award by that amount.

The Board discussed the Assessment Grant adopted policy, and maximum amount allowed for private developers at \$15,000. The concern is deviation from the policy. Further, there is an opportunity to fund this extra cost through a Brownfield Plan with TIF. Staff pointed out the capped assessment with SEV at about \$275K and TV at about \$115K, that with the uncapping, provided a Brownfield Plan is approved prior to the 2023 Assessment Roll becoming active, there will be at least \$10K per year of increment to fund eligible activities.

A. Krueger moved to deny the request for additional assessment grant funds (2nd C. O'Toole), and the motion passed unanimously.

5. 175 N. Main, Washtenaw County, Phase II Environmental Assessment Grant

Staff discussed the Board's previous grant award for this Washtenaw County-owned site for a Phase I, which revealed a Recognized Environmental Concern of a former gas station to the north. Therefore a Phase II is recommended to take soil sample on the north side of this site. The County is exploring the site to partner with a developer for affordable housing.

J. Harless moved to approve the Phase II Environmental Assessment Grant Application for \$6,845.18 (2nd C. O'Toole), and the motion passed unanimously.

6. Village of Ann Arbor Project Introduction, and Form Brownfield Review Sub-Committee, City of Ann Arbor, Robertson Brothers Homes – Presentation

Tim Loughrin, with Robertson Bros Homes, was in attendance and presented an overview of the project. The site is 58 acres, and 484 homes, both rental and for-sale, are proposed. Bret Stuntz, with SME, the Environmental Consultant on the project, provided information on the environmental conditions, and how they will address Due Care.

Staff stated that City of Ann Arbor staff have had various meetings related to the project and requested Eligible Activities. About \$20 million in Environmental is included, and about \$6 million in Non-Environmental. However, the Non-Environmental consists of sustainability items the City Planning Commission has requested. Although, the City Brownfield Policy requires affordable housing for any Non-Environmental request. Therefore, the City will have to determine, from a policy perspective, how they value sustainability versus affordable housing.

Authority members S. Baushke, J. Harless, A. Krueger, and C. Maier volunteered to serve on a Brownfield Plan review sub-committee to assist with reviewing the draft Brownfield Plan, prior to City submittal.

7. 300 W. Michigan Avenue (former EMU COB), Phase II Environmental Assessment Grant – Action

Mark Smith, with MI-HQ, the potential purchaser, was in attendance. His environmental consultants, Aaron Snow and Adam Patton, with PM Environmental were also in attendance via Zoom.

The Board had questions about the proposed scope, including GPR, and soil testing and GPR around the perimeter of the building.

The Board further discussed the size of the project, and ability to roll these costs into a Brownfield Plan for future developer reimbursement. Mr. Smith estimated that annual taxes will be about \$300,000.

J. Harless moved to deny the Phase II Environmental Assessment Grant application (2nd A. Krueger), and the motion passed with 6 in support, and T. Woollatt against the motion.

A. Krueger had to leave the meeting at 10:30 a.m.

8. August Financial Report – Action

Staff referred to the Report, which includes summer 2022 City of Ann Arbor capture, and reimbursements to developers, and one final LBRF capture for Michigan Inn.

C. Maier moved to approve the Financial Report and all noted transactions (2nd S. Baushke), and the motion passed unanimously.

7. Other Business

J. Harless mentioned the Reimbursement Agreement Template used by the Board, and it may be time to review it and update it. He's noticed some areas that could be improved.

Mr. Harless and T. Woollatt agreed to review the template with staff and present recommendations at a future meeting. They asked staff to send recent examples of the agreement, and the comments that Kurt Brauer made to the 220 N. Park Agreement.

8. Public Comment:

None.

9. Adjournment:

The meeting was moved by C. O'Toole to adjourn at 10:45 a.m. (2nd J. Harless), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the October 6, 2022 meeting, held at 200 N. Main, lower level large conference room, downtown Ann Arbor.