

Comments on September 2008 Draft Downtown Amendments

From: John Ellison [<mailto:jellison@med.umich.edu>]
Sent: Thursday, September 18, 2008 4:40 PM
To: A2D2FeedBack
Subject: Feedback on Zoning

Hello,

I do not like the overall concept of the zoning changes.

1. There needs to allowed the continued building of homes in the downtown area.
2. Front lawns have to be permitted, I don t want to see only commercial buildings for either housing I. e. condominiums or just retail or commercial space.
3. More historic restrictions must be put in place for older buildings for all of downtown.
4. Height restrictions need to be put in place no more then 6 stories maximum. This is an absolute.
5. There needs to be a way more extensive buffer zone established to the downtown zoning code.

The gist of my changes are to keep this town from not becoming a regional business center like Troy, Birmingham or Livonia Michigan. I want Ann Arbor to stay as a small University town and not a business hub. Whatever zoning will dissuade large business from coming is a good thing. Keeping the real estate developers away is another good thing.

I feel very strongly on these points. I attended one meeting at Kerry Town concert house and I was totally discouraged in everything that was presented. This direction is an absolutely against everything I would want for Ann Arbor.

John Ellison

From: Carl J. Weber [<mailto:carljweber@gmail.com>]
Sent: Thursday, October 09, 2008 11:04 AM
To: A2D2FeedBack
Subject: Objection to proposed 240 foot height zoning

The 8/31/08 AANews printed your email address to comment on the new zoning.

It states "240 foot height limit in the Core". If a story is 10', then this permits 24 stories. Taller will lessen the desirability of A2.

A2 should limit building heights to 6 stories.

I strongly object to this. I think that Ann Arbor should try to get BETTER, not taller.

Many cities have done VERY well without allowing taller buildings

Examples are Aspen, Vail, Breckenridge, Carmel, Paris, etc.

I think One North Main, Tower Plaza, University Plaza are eyesores and should never have been allowed. Let's not have any more of them.

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From: Jeff Gaynor [mailto:gaynor@aaps.k12.mi.us]
Sent: Sunday, November 09, 2008 11:02 AM
To: A2D2FeedBack
Subject: bike parking code changes

I appreciate the focus to improve facilities for bicycle parking in the new code.

I have observed, especially downtown, an increased number of bikes locked up to various posts, rather than designated facilities

I also strongly support increased covered bike parking, with parking structures accommodating more than they do now. Should bicyclists pay for parking as drivers do? Perhaps so, in proportion to their size and weight and damage caused to the environment.

I gave up owning a car last January, and trust code changes will encourage more people to do so.

I am not expert enough to quibble over numbers, but I did note this in the code:

(36) Theaters CAR PARKING: One space for each 3 seats.
BICYCLE PARKING: One space per 150 seats.

I guess this just accepts the sprawling megaplexes (Quality 16 & Showcase) in Sprawlville, too far out to bus to - and on too crowded roads to bike to -- but why give in to this mentality?

-Jeff Gaynor
1619 Shadford Rd.
A2 48104

From: Susan Wineberg [mailto:swines@umich.edu]
Sent: Friday, November 14, 2008 12:59 PM
To: A2D2FeedBack
Cc: Susan Wineberg
Subject: Re: A2D2 Update: November 12, 2008 - Briefing Schedule

Unfortunately, it is not possible through this website to click on the link to the A2D2 page. It is also striking that only one meeting or briefing is being held in the evening. Those of us who have jobs are given only one option and unfortunately I have something else that night.

I did manage to find some information through browsing the city's website. It appears that the maps from August have not been updated. The outline of the Old Fourth Ward Historic District still does not include the buildings on the south side of Huron between Division and State.

It is still clear, however, that no other historic district is right up against the D1 Zoning except the OFW. The Old West Side borders are D2 and that should be what is done with the properties abutting the Old Fourth Ward as well. We are only talking about one block here and despite the fact that tall buildings already exist here, there shouldn't be any more behemoths allowed in this block. Borders of districts are always fragile and if we

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intend to protect our historic districts and the ambience they create, we need to downzone this area to D2.

Thank you.

Sincerely,
Susan Wineberg

From: Ed Walsh [mailto:walsh_e@comcast.net]
Sent: Monday, November 17, 2008 2:18 PM
To: Rampson, Wendy
Subject: a2d2 meeting

Wendy:

Thank you very much for the presentation this afternoon. I thought it was very informative. As you suggested, I am taking this opportunity to put a few of my suggestions in writing for further study.

- I would question the extent of the bicycle parking requirement. While I agree that bicycle parking is important, I think that requiring 1 space for every 2,500 square feet of building space is overkill and will perhaps be too expensive for developers to comply. Perhaps having differentiated requirements based on use would be better. It seems to me that certain uses (i.e. residential) would have more need for bike parking than others (i.e. retail, office, hotel).

- I am concerned that the new zoning is so heavily weighted toward residential that it might disincentivize people from developing first class office space. We could be left with an urban core that has only restaurants and housing and no one working there. It would be the opposite of the 24 hour community that is desired. A vibrant core needs to have mixed uses and activity throughout the day, including ones in which money is attracted from outside the area, such as office.

Thanks very much and please do not hesitate to contact me with questions or comments,

Ed Walsh
734-645-2566

From: Shirley Axon [mailto:shirleyaxon@comcast.net]
Sent: Tuesday, November 25, 2008 10:40 AM
To: Rampson, Wendy
Subject: A2D2 Comments

Dear Wendy,

Your review last Thursday was excellent. I liked its centering on efforts to make downtown attractive and require good designs for our buildings.

But I am concerned that the City might allow zoning permits to be approved and construction to proceed without a Design Committee review. That was an exciting recommendation from the Calthorpe effort and should not be let slip.

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I am Chair of a group of League of Women Voters members who have been studying ideas for our downtown for over two years and at our first meeting this fall we listed items we strongly support for how Ann Arbor should develop. Good building design came first.

So I want to urge the City to appoint a professional Design Review Committee and have it functioning before going ahead with new building permits under new zoning.

The City has over and over spoken of good design and creating a town with exciting architecture to attract young workers. The Calthorpe group meetings strongly supported a Design Review group. It is critical that the City make this a priority and appoint a Committee before building begins.

Thank you for your consideration and for the informative meeting.

Sincerely,

Shirley Axon

From: Betsy Price [mailto:cottonbets@gmail.com]

Sent: Wednesday, November 26, 2008 7:42 AM

To: Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike; A2D2FeedBack

Subject: Zone South U D2

I attended a public forum about A2D2 proposals in May. On a map indicating D1 and D2 zones, the assignment of South U. as solely D1 without a surrounding D2 step down zone was striking. City planning staff explained that "South U was too small to warrant a buffer zone".

There are two problems with this conclusion.

First, South University Avenue is a three block long stretch of shops, restaurants, apartments, university buildings and a parking structure. An 18 story tower, an aberration by any standards, is the sole towering sore thumb. There is nothing downtown about this stretch. Parts of it are not even within the DDA, Downtown District Association, boundaries.

South U is removed from the other 6 D1 overlay areas~ all contiguous with one another, all serving purposes unlike those in this small area. It is separate physically and commercially. Prior classification of this area as C 2A must not be the basis for continuing to view it like core downtown. It is separate. It is unique.

Second: Because this area is so small, if zoned D1, there would be no buffer zone between core buildings of unlimited height and immediately adjacent residences. The zoning amendment has recently been adjusted with a 120' cap on buildings in the South U. zone. We appreciate this step in the right direction, but feel all aspects of D2 zoning are appropriate.

South University is struggling. It is time to set aside acrimony. All of us must work together to foster the revitalization of South U, to enhance what attracts residents and shoppers to the area.

Please recognize the unique nature of this neighborhood, and set the stage for neighborhood sensitive growth. D2 zoning permits substantial increase in density, encourages PUD, yet fosters South U's pedestrian friendly character. Now is the time to institute what is appropriate and right for the community.

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Whose input was sought for zoning decisions or the establishment of DDA boundaries or a2d2 guidelines?

The voice of developers and merchants seems to be heard over that of citizens~ homeowners and non homeowners. Residents spoke at the Kerrytown Concert House meeting, at Planning Commission meetings, to Ms. Rampson personally, and at the latest round of A2D2 meetings at the library. We have expressed our concerns in writing, but continue to be told that these views are "not what [I] hear" regarding A2D2 guidelines.

An advisory panel for this process was comprised primarily of those with commercial stakes in development, but homeowners are also stakeholders in the town.

Please establish code that reflects the interests of all "stake holders" fairly. Please zone South U. D2.

Thank you.

Betsy Price
905 Olivia Avenue

From: Steve Bean [mailto:sbean@berginc.com]
Sent: Thursday, November 27, 2008 12:11 AM
To: wbwc@googlegroups.com
Cc: Rita Mitchell; Rampson, Wendy
Subject: Re: [WBWC] A2D2 Plan [Required Parking]

I think that specific suggestions are likely to receive more attention and consideration.

If the requirements for providing bike parking should be higher, how much? Given that the requirements for bike parking compared to car parking vary by use, would a reasonable suggestion be to put a floor on the ratio between the two, so that no use would require less than half as much bike parking as car parking (a 50% ratio), absent a clear reason for an exception? We are talking about downtown, after all, not the suburbs. That would be a considerable increase for many uses. Would it be justifiable (in the long term)? I'll say yes.

Steve

On Nov 25, 2008, at 1:33 PM, Tim Athan wrote:

Rita Mitchel from the Greenway group has attended many WBWC meetings, and she recently sent me the following information in hopes of galvanizing responses to city proposals:

I've been reviewing the A2D2 plan that is up for public comment, and found some things that I think are relevant to WBWC. Specifically, if you have time to review the proposed amendments to the city code here:

http://www.a2gov.org/a2d2/zoning/Documents/Council%20Action/Chap55_9-16-08.pdf

Starting on page 44/49, the section on Required Parking, has standards proposed (actually many are in current code) for parking of both bikes and cars. I'm amazed at the difference in the proportional calculation that's set up for cars, in our city that's supposed to be bike and pedestrian-friendly.

It's not too late to write to the A2D2 Steering Committee! They will meet December 3, and if public comment letters can be in their packets, it may be possible to delay some of their action and ideally to make modifications before the whole set of amendments is put before the Planning Commission and City Council.

There are a lot of things included in the amendments that could make A2 not so fun for non-motorized movement around town, if not modified. Building height, bicycle parking, floodplain building, etc.

If there's even one more letter telling the group to look deeper at what the changes will mean, it will be helpful.

From: Steve Bean [mailto:sbean@berginc.com]
Sent: Thursday, November 27, 2008 12:25 AM
To: Rampson, Wendy
Subject: Question on A2D2 required parking

Wendy,

First, in case it's not clear from the message to the WBWC list that I cc'ed you on, I'd like to suggest the following:

Put a floor on the ratio between the car and bike parking requirements so that no use would require less than half as much bike parking as car parking (a 50% ratio), absent a clear reason for an exception. (And we need to rethink what we might consider exceptions, as well. For example, I had first thought that a furniture store would be one, but people don't necessarily haul their purchase themselves.)

For the consideration of the committee, if the thinking is that we don't need that much bike parking, then it could be reasonably argued that we don't need that much car parking (in the long term.)

Second, a question: when a premium is granted, is the additional floor area counted for the parking requirements? I assume so, but it wasn't clear in the code language.

Sorry if I should have sent this to the A2D2 address, but I wanted to be sure you saw the question.

Thanks.

Steve

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From: William Stebbins [<mailto:stebbins@umich.edu>]
Sent: Friday, November 28, 2008 10:26 AM
To: A2D2FeedBack
Subject: amendments

An excellent plan. It must be passed. Thanks for all your hard work on it.
Bill Stebbins 842 Asa Gray Dr, 48015

From: Kent Newman [<mailto:kentnew1@earthlink.net>]
Sent: Friday, November 28, 2008 8:45 PM
To: A2D2FeedBack
Subject: Buildings in Greenway Energy efficiency of new downtown buildings

Kent Newman
kentnew1@earthlink.net
EarthLink Revolves Around You.

I favor an Ann Arbor Greenway. Building, should be limited, in the Allen Creek floodway.
There should be no additional building in the Allen Creek flood plain.

The current policy on building energy efficiency, is to award additional floors to buildings that meet LEED standards. Overall, it would be much more effective, to require LEED certification for all new down town buildings. As people shift where they live and do much of their shopping, to these buildings, the environmental benefits would be considerable.

From: Jennie Needleman [<mailto:jennienee@comcast.net>]
Sent: Saturday, November 29, 2008 3:29 PM
To: A2D2FeedBack
Cc: AnnArborGreenway@umich.edu
Subject: planning and zoning

Hello all,

I am writing in support of prudent city planning, starting right now. No plan or zoning ordinance can be called prudent if development is allowed in a floodplain or floodway.

When, not whether, we have a flood. With the many examples each spring of foolish, flooded cities that put wishful thinking in place of reason, how can Ann Arbor, a city that prides itself on intelligence, knowledge and forward thinking, ignore the inevitable natural forces that carved out those floodplains and floodways? Do you think that the past 160 years of our city provides adequate predictive information when the land itself tells us that the river will flood in certain places? When the flood occurs, will you say you never expected it? How will you defend the choice of attempting to route the overflow waters in a manner not guaranteed to help us and sure to impact our downstream neighbors?

Cost to the city of a flood. The most cost-effective way to control nature is to avoid over-engineering it. What would happen if a flood were to overcome our downtown? Who would pay for the reconstruction? What would it cost the city in lost revenue or, worse, the loss of entrepreneurs and citizens who would never want to hazard such an event again?

Use of floodplain and floodway in greenway. Alternative uses of city-owned properties in the floodplain or floodway now exist. Potential greenway segments would enhance the quality of life in our city, as other cities have proven. We can create and maintain our city so that it does not fall into the rustbelt blight of indiscriminate development that serves only short term needs. We can ensure that our city grows in harmony with the natural environment, not in conflict with it. We can actually lead the way in creating environmental accountability with our public lands.

Please, make your decisions in light of a long future for our city.

Sincerely,
Jennie Needleman

From: Peter Nagourney [mailto:peternagourney@sbcglobal.net]
Sent: Saturday, November 29, 2008 5:15 PM
To: Rampson, Wendy; A2D2FeedBack
Cc: Greden, Leigh; Taylor@a2gov.org; Hieftje, John
Subject: A2D2 Rezoning

I wish to add my concerns to those expressed by all the others who wish Ann Arbor's zoning to reflect the wishes and needs of citizens, not just developers. Specifically, I hope you will be sensitive to the following issues:

- including planning guidelines that deal with city, neighborhood, and streetscape design
- publishing these guidelines, and after hearing **and paying attention to** citizen feedback, make them available to developers so that developers can match what Ann Arbor wants, instead of forcing Ann Arbor to choke on developers' often ill-designed projects
- recognizing that pedestrian amenities, that may include partial street closure, are what make cities lively and attractive (as happens with the summer festivals and art fairs)
- preserve the South University area with absolute limits on height, to prevent overwhelming the adjacent residential areas (and reverse the ludicrous and counter-intuitive zoning of South University as a "downtown" neighborhood
- insisting that the city's planning department exercises independent judgment instead of merely fact-checking developers' projects and/or accepting their paid-for and biased surveys

Peter Nagourney
Co-Chair, North Burns Park Association

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From: Nancy [mailto:snowshore@comcast.net]
Sent: Sunday, November 30, 2008 3:13 PM
To: Rampson, Wendy
Cc: mikeanglin07@gmail.com
Subject: zoning amendments

Hello Ms Rampson,

As proposed, the amendments will allow new construction in the Allen Creek floodway and floodplain. New buildings will increase risks in the floodplain and further reduce opportunities to create needed greenspace in the center of what will become a heavily developed city core. Here's what we recommend:

- A moratorium on new construction in the floodway and floodplain. Additional buildings will increase flood risk.
- Prepare to add green space in the Allen Creek floodway and floodplain. Residents of the soon to be dense city core should have easy access to green space nearby the city center.
- Modify all city maps related to rezoning to indicate the areas of the floodplain, so that it is clear where development will be at risk for flooding, and should not occur.

You may have heard the above information many times. Sometimes repetition is necessary to emphasize the importance of a situation. The esthetic and wise development of Ann Arbor are worth the repetition.

Thank you for your thoughtful consideration of this perspective.

Nancy Kaplan

From: Ann Larimore [mailto:annevans@umich.edu]
Sent: Sunday, November 30, 2008 5:03 PM
To: A2D2FeedBack; Rampson, Wendy
Cc: Greden, Leigh; Taylor, Christopher (Council); Hieftje, John
Subject: A2D2 Zoning for South University retail shopping/student residencearea

Dear A2D2 Zoning Feedback:

In the A2D2 Zoning, please follow the commitment the City of Ann Arbor gave to the citizens some years ago to cap the height of buildings in the South University at 6-8 stories. Such commitments should be changed only rarely because of the risk of losing citizen confidence and trust in city government. That commitment has been breached twice with the consequence of losing citizen confidence and trust. It's time now to begin to restore it.

South University has been called a "gateway": that designation is from the viewpoint of a visitor to the University of Michigan's central campus, a traveler heading west on South University street, only momentarily in the area.

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South University has been called a "connection" between (as Ellen Ramsburgh put it) between the "rather elegant gateway into the city provided by Washtenaw Avenue and the University campus itself. Again this is a visitor's view.

In crafting the appropriate zoning, I believe that priority should go to permanent residents/citizens' opinions and then student opinions rather than striving to please visitors on their way to somewhere else.

365 days a year South University is a retail shopping district for students and residents of the nearby neighborhoods. It is not part of "Downtown" having none of the anchor functions of a "Downtown". Given South University's character as a retail shopping district, the City of Ann Arbor committed to a 6-8 story height limit.

My question is: What is the reasoning behind the prevailing opinion that the D2 60 foot cap is too restrictive and would hinder South U's necessary revitalization? I would be very grateful for an explanation.

Thank you,
Sincerely,
Ann Evans Larimore

From: Lynn M. Borset [<mailto:lmborset@umich.edu>]
Sent: Sunday, November 30, 2008 10:49 PM
To: A2D2FeedBack; Rampson, Wendy; Planning; Hieftje, John; Anglin, Mike; Hohnke, Carsten
Subject: Zoning, proposed changes

Gentlepeople representing citizens of Ann Arbor,

I have significant concerns about the proposed zoning changes being considered for our city.

In particular I think it is necessary to impose maximum building height limits! The limit should be set quite low, perhaps 8 stories (this is the limit in Paris, France), with exceptions to be considered by a review board. The review board (perhaps an existing board) should have strict guidelines limiting/governing exceptions, which consider the surrounding lower-story dwellings, and severely curtails "high rise" buildings.

Ann Arbor is rightly named "Tree-town, U.S.A." and we should preserve this character and ambiance by making sure that the trees can continue to dominate the landscape, rather than buildings obscuring them.

Lynn M. Borset
322 Virginia Ave.
Ann Arbor, Michigan 48103
668-6379

lmborset@umich.edu

Comments on September 2008 Draft Downtown Amendments

From: Ellen Ramsburgh [mailto:ejramsburgh@hotmail.com]

Sent: Sunday, November 30, 2008 11:40 PM

To: A2D2FeedBack; Rampson, Wendy; Greden, Leigh; Taylor, Christopher (Council); Hieftje, John

Subject: A2D2 zoning amendments

These are my general concerns about the A2D2 zoning amendments.

- 1) Citizen feedback has not been incorporated into the zoning amendments. The zoning amendments have strayed from the original vision incorporated in the Calthorpe report and Nore Winter/Bruce Race recommendations.
- 2) Design guidelines are not being considered hand in hand with the zoning changes.
- 2) Premiums as they are written into the zoning ordinance have the potential to distort the balance of uses that we want to encourage in our downtown.
- 3) Downtown residential neighborhoods are not protected from high density zoning by step down zones or appropriately protective setbacks.
- 4) There should be height restrictions that use the present scale and context of our downtown as a guide for what "fits" our city.

This is a more specific concern for my immediate neighborhood.

I disagree with the assertion that D2 zoning is too restrictive to provide revitalization of South University. The commercial section of S. University is not a 'gateway' but is rather a 'connection' between the predominantly historical and residential character of Washtenaw and the surrounding neighborhoods and the University campus itself. With the exception of University Towers, the feel of S. University is an eclectic, intimate shopping district. Out of scale architecture does not revitalize areas whose character is dictated by the size of the street, the length of the commercial zone, and the context that surrounds. University Towers is the best example of that sad fact.

I would like a better explanation of why D2 is inappropriate for South University than "it is already zoned for the highest commercial density."

The zoning change to allow the highest commercial density has been defended by saying that the change simply allowed S. University to conform with the rest of downtown's zoning. However, since none of the ingredients of that high density zoning are found in the South U. area, that change seems to have been an up-zoning without regard for the existing character of the street or the surrounding neighborhood. That decision has unfortunately led to the difficulty in establishing the best zoning category for South University.

The greatest concern most downtown neighborhoods have is about the lack of buffering between the high-density D1 zoning and the residential neighborhoods that will be most affected by this change. If this problem is not addressed, I fear a general erosion of those neighborhoods.

Ellen Ramsburgh
1503 Cambridge Rd.

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From: Kim Bayer [<mailto:kimbayer@gmail.com>]
Sent: Monday, December 01, 2008 6:46 AM
To: Planning; A2D2FeedBack
Cc: Rampson, Wendy; Hieftje, John; Briere, Sabra; Smith, Sandi; Rapundalo, Stephen; Derezinski, Tony; Greden, Leigh; Taylor, Christopher (Council); Higgins, Marcia; Teall, Margie; Anglin, Mike; Hohnke, Carsten
Subject: Downtown Ann Arbor and the Allen Creek Greenway

Dear City of Ann Arbor Representatives

I am writing in regard to the proposed changes to Ann Arbor's zoning and to urge you to increase downtown green space and protect the Allen Creek floodplain.

My husband owns a small software business downtown and we intentionally chose our house so that we could live close enough to walk and shop downtown. A vibrant and diverse downtown, offering high quality of life aspects like green space and businesses where we can buy groceries and home products, is very important to us.

Please consider the following:

- If we are actually going to have a dense urban core, please put a stop to new, cheap, ugly, unfilled buildings. If developers are going to reap profits, they should be expected to design buildings that offer pedestrian amenities and grace (at minimum) to the city and to our residents over the *long term.* Ann Arbor is not going to draw residents by building cheap eyesores that have to be torn down in 20 years.
- Please implement the ideas for biking, walking, gardening, and art in the Allen Creek Greenway that extends from the Stadium to the Huron River. A Greenway will draw more tax-paying, business owning residents to Ann Arbor. It's hard to think of a less expensive and more community-building means that the city could use to draw a new urban population.
- Please make it clear, once and for all, that no new development will be taking place in the Allen Creek floodway or floodplain. Create new city maps that clearly delineate the areas of the floodplain so that we know where flooding can occur and where development should not.

We are trusting you to do the right thing for the future of a compelling, livable Ann Arbor. Thank you very much,

Kim Bayer
445 Second Street
998.0546.

Comments on September 2008 Draft Downtown Amendments

From: Rita Mitchell [<mailto:rmitchel@umich.edu>]

Sent: Monday, December 01, 2008 9:57 AM

To: A2D2FeedBack

Cc: Rampson, Wendy; Planning; Briere, Sabra; Smith, Sandi; Higgins, Marcia; Rapundalo, Stephen; Derezinski, Tony; Teall, Margie; Hieftje, John; Anglin, Mike; Taylor, Christopher (Council); Hohnke, Carsten; Greden, Leigh
Subject: A2D2 Code Amendment Comments

Dear A2D2 Steering Committee:

I am writing to express my concerns about proposed amendments to Ann Arbor City Codes for Zoning and Required Parking. My comments have to do with the qualitative outcomes of the proposed changes, because I fear that the changes proposed as of September 16, 2008, will not be for the better. In addition, I am concerned that the focus of the A2D2 Steering Committee to date has been directed at components of the city code that should be addressed after establishment of the City Master Plan, and design guidelines.

Overall, I support efforts that will maintain and improve the experiences of walking, bicycling or public transportation, as priorities over using and storing automobiles. A city center that is pleasant for walking and biking will draw people to it, to live and use businesses and services that are located in the built environment. Clear, measurable public benefits that people in the city want, should be the result of any premiums granted to a developer. Walking, bicycling, and use of AATA services can be enhanced with efforts to:

Change the order of the process that is currently underway to allow a result that is rational and is agreed on by the community:

- a) Place a hold on the amendments to zoning and parking, pending an update of the City Master Plan,
- b) Work to create and implement Design Guidelines,
- c) Revise zoning to have an effect that coordinates with building size and location, and that conforms to the Master Plan. Don't re-write the master plan to conform whatever zoning is put into effect.

If the Steering Committee elects to proceed with amendments to zoning and parking now, rather than proceed with a rational ordering of the planning process, then I regret that choice. In the absence of the Master Plan context that is needed to provide a framework for zoning and parking codes, I ask for these changes:

1. Design streets, and enforce traffic to move at slow rates of speed, no to exceed 25 mph in the D1 and D2 zones of the city center.
2. Increase sidewalk width at all new construction, particularly those next to large building masses. Wider sidewalks create a sense of safety and comfort even when traffic moves nearby pedestrians on the sidewalk. To accomplish increases in sidewalk width a premium could be granted to developers who set back buildings from the front lot line, to allow space to walk or sit on benches or chairs/tables, in the space near the building front, thereby expanding public space available at street level. I avoid walking along Huron Street whenever possible, particularly between Ashley and Fifth Avenue because of the narrow sidewalks and the building masses give a

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sense of no protection from moving vehicles. A positive example of wider sidewalks is the area in front of the Campus Inn, where the open plaza creates a sense of space and allows pedestrians to walk farther away from traffic. The inclusion of trees between the sidewalk and streets would be a significant improvement to any new development.

3. Mandate a maximum building height in all re-zoned areas. The D1 zone should have a maximum height of 10 stories. The D2 zone should have a maximum of 3 stories where the zone abuts residential areas, rising to a maximum of 6 stories where the zone abuts the D1 zone.

4. Acknowledge South University as a neighborhood business area, and change the zoning designation to no more than D2. The area lacks civic services that define a core downtown area.

5. Create a D2 zone as a buffer around all areas that are zoned D1, otherwise the result will be the opportunity to develop buildings with radical differences in height and mass next door to two story residential areas.

6. Re-zoning should apply only in areas that are currently designated as within DDA boundaries. By default all other areas are outside of downtown, and should retain their current zoning designations.

7. Affordable Housing: Clarify all references to affordable by stating the value of AMI referenced or attaching a standard reference that is updated yearly, so that citizens have a clear idea of the income level that is targeted to grant a premium to a developer. Specifically, if 100% of the AMI for a single person is \$54,000 per year (as per 2007 information from Washtenaw County), I recommend that affordable housing be set at no greater than 50% of the AMI, which is approximately \$28,000 per year. Let citizens know the dollar value assigned to the AMI for which premiums are granted for each development.

8. No new construction in any city floodplain or floodway. The risks of damage or loss of life are too great to allow additional interference with water flow in known flood-prone areas. Use space that is available to implement plans for a city greenway along Allen Creek, that will reduce flood risk and provide recreational space near the core of downtown where dense residential development will be allowed. A greenway is a public amenity and can provide flood safety as well as other environmental benefits.

9. Take serious steps to implement improvements in the city's green infrastructure. All zoning appears to apply to added concrete and brick in the downtown environment. Add trees and green garden space to attract people and provide a respite from the accumulated effects of concrete and transportation activity in the downtown area. Add zoning requirements that support green infrastructure as a routine part of any construction project.

10. I suggest that bicycle parking be tied to auto parking space equivalents. Up to 10 bicycles can be stored in the equivalent area of a single car parking space. Given that relationship, the parking code should require one bicycle parking spot per auto spot, up to a maximum value, and use the equivalent of one, two or three car parking spots for bicycles, for each 10 car parking spots. The combined result for 10 cars and 10 bicycles (11 car parking spot equivalents) would serve between 20 and 60 people in the parking area, depending on the number of people associated with individual cars.

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11. Use technology to demonstrate to the public the effect of implementing the zoning and parking changes. I understand that Sandra Arlinghaus has software that will allow us to view maximum building heights, shadows, and effects of wind in areas narrowed by surrounding tall buildings.

I love living in Ann Arbor, and I want to continue to feel this way about my city. Please slow down the review process, apply changes carefully, and show the public beforehand the potential result of implementing changes.

Thank you,

Rita Mitchell
621 Fifth St.
Ann Arbor, MI 48103

cc: Planning Commission
Ann Arbor City Council

From: zita-ann riesterer [<mailto:zita.riesterer@gmail.com>]
Sent: Monday, December 01, 2008 10:06 AM
To: A2D2FeedBack; Rampson, Wendy; Planning; Hieftje, John; Anglin, Mike; Hohnke, Carsten
Subject: Building Heights in City

To All Concerned,

As long time residents of Ann Arbor both my husband and I feel that building height limits are essential to maintaining the quality of life in Ann Arbor. Strict guidelines need to be enforced in order to maximize sunlight and allow for our city trees to flourish in order to help with air quality and carbon reduction.

Sincerely,
Mike and Zita Riesterer
400 Virginia Ave
48103

From: Eleanor R Linn 1 [<mailto:elinn@umich.edu>]
Sent: Monday, December 01, 2008 11:10 AM
To: A2D2FeedBack
Subject: A2D2 Rezoning of South University

Please find our comments below and attached.

1321 Forest Court
Ann Arbor, MI 48104
December 1, 2008

Steering Committee
Ann Arbor Discovering Downtown
City Hall

Re: A2D2 Rezoning of South University

Comments on September 2008 Draft Downtown Amendments

Dear Committee Members Higgins, Hewlett, and Pratt:

We are long-term residents of Forest Court, the small residential street just south of South University. We have a significant role in keeping this street viable as a pedestrian and residential environment with a mix of long-term and student residents. We help enforce parking, solid waste, and general upkeep to preserve the charming character of this street. What happens in your rezoning decisions will definitely impact Forest Court and our decision to stay.

As important as height limitations on South University, which have been widely discussed, is the crucial issue of setbacks where properties along South University abut residentially zoned buildings.

The language of the September 16, 2008 draft is totally unacceptable.

It calls for only:

?a minimum 15 foot setback for base of up to 30 feet in height, or minimum 30 foot setback for base greater than 30 feet in height.

Tower: minimum 30 foot setback.? (Table 5:10.20C).

We find the language of the May 2008 draft far superior. It states that:

?The horizontal distance between the building at the top of each story and any residential lot line shall be equal to or greater than the building height at the top of that story.? (Table 5:10.20A) This would be a good regulation above the minimum setback of the base specified in the September 16, 2008 draft. Having a large building so close to a modest residence totally degrades the quality of life of its residents.

Zoning language has looked at the impact of building design from the perspective of the pedestrian on the major street. It has not considered the impact on residents living inside adjacent buildings.

For them, distance from their property is as important, or perhaps more important than building height. Secondly, unusual lot configurations and C-2A zoned alleys make language calling for measurement of setbacks from ?any R zoning district boundary on the same block as the building? (September 16, 2008 draft Table 5:10.20C) extremely important to retain. In keeping with this concern, we disagree with the South University Character Overlay that proposes to ?locate taller portions [of a building] toward the interior of the lot.? (Chart D-2, a.) Large buildings need to have a sizeable setback from nearby residences.

We strongly support a D-2 designation for South University because there is no proposed buffer zone in D-1 between that street and vulnerable residential properties. Moreover, South University is not a downtown commercial district, which, according to planning guidelines houses central offices of banks, corporations, and legal and administrative functions of a city. It is instead a retail district of small stores and businesses that serve the immediate area.

It is the retail character of South University that helps keep the nearby neighborhoods of Burns Park, South University, Geddes, and Oxbridge healthy. Residents of these neighborhoods walk on this street regularly to do their shopping. Therefore, it is important that we not only keep the mixed use nature of the buildings, but that affordable rents make it possible for small locally-owned businesses, such as the pharmacy, grocery store, and bike shop to remain, thrive and continue to serve nearby residents.

Lastly, we feel strongly that development should not deprive local residents of air and light. Light simulations that were shown at the Planning Commission meeting on September 4, 2008 were shocking in their impact on

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certain downtown residential buildings and citizens had no opportunity to respond. Zoning should take into account the impact of development on the light and air of adjacent residences.

We hope that you will consider these comments very seriously. Rezoning can have very grave and unintended consequences to the health of our city.

Sincerely,

Eleanor Linn and Marc Gerstein

From: ajralph@comcast.net [mailto:ajralph@comcast.net]

Sent: Monday, December 01, 2008 12:27 PM

To: A2D2FeedBack; Rampson, Wendy

Subject: A2D2 written comments

01 December 2008

Regarding the decoupling of zoning from planning and design.

The consideration of zoning ordinance amendments separated from plans and proposed design review is a serious process error. Decoupling these three elements threatens years of recent volunteer and professional efforts to positively manage growth and redevelopment.

For reference, I include my comments written in September to the City Planning Commission. For brevity, and emphatic clarity, here are some answers to the questions posed at the beginning of my previous comments.

The purpose of zoning is not to encourage development but can play a part in managing it. e.g. Note the recent controversy over the massive '601 Forest' proposal. Markets and trends may have inhibited development more than zoning. The 2006 re-zoning in the South University area alone did not address community concerns over the characteristics of building proposals. Raw zoning failed to protect neighborhoods.

The Downtown Plan must come first so that Zoning Ordinance amendments can be informed by it. The Plan must drive the zoning. Zoning must defend the Plan.

e.g. Based on an adopted Master Plan, an appeals court recently ruled in favor of Pittsfield Township in its refusal to rezone to accommodate a developer.

The proposed re-zoning is a blunt instrument that fails to recognize the complexity of our existing downtown.

e.g. A developer has proposed replacement of historic downtown urban fabric on South Fifth Avenue with resource-hungry new construction that might be found anywhere. Reliance on zoning alone to manage development may gain Ann Arbor admission to the country of "Generica" (cf. Repkema)

The proposed downtown zoning amendments are reactive. They do not realize a future embraced by our community. Mere amendments to Zoning cannot be expected to address the need for diverse housing choices.

e.g. Development proposals have trended toward student housing even as the UM is building a new residence hall and upgrading existing ones. Amended zoning can't anticipate the next trend

when that market is glutted or economic conditions change. Instead, a Downtown Plan has a primary role in stimulating desirable development and providing recession resilience.

Immutable factors shape the desirable characteristics of downtown development intensity.

e.g. Downtown is defined by fragile watershed topography (Allen's Creek and the Huron River) and the autonomous UM campus areas. In its scarcity, sunshine is highly valued in our climate. Height, mass and orientation are poorly addressed by zoning alone.

e.g. Ann Arbor recalls 'trees' by its very name. Without accessible natural landscape zones, the intensity of downtown development becomes unattractive and even unhealthy, defeating our intentions.

e.g. We should not perpetuate the degradation of watershed areas by permitting new construction in flood zones. Our plans and policies should be integrated to mitigate risk, restore beneficial functions and create humane enhancements.

By arbitrary or artificial boundary definitions, the proposed zoning amendments avoid important issues of adjacent neighborhood relationships and enhancement.

e.g. The South University area is separated from the Downtown core area. This area is uniquely oriented to the eastern campus edges and surrounding residential neighborhoods. Visitors also typically differentiate the two areas. If core zoning is applied, this distinct area will be degraded by inappropriate intensity, exemplified by the singular existing skyscraping residential building. The adjacent neighborhoods will be underserved may become unstabilized. Similar negative impacts can be expected in other areas where proposed zoning alone fails to graciously buffer conflicting uses and contrasting intensity.

Fundamentally, we must have a community-based revised Downtown Plan in place before determining what zoning ordinance amendments will support the Plan. We must also concurrently devise a Design Review Process that will knit the two together to create the kind of places we envision at the heart of, and throughout, our community.

Sincerely,

Alice J. Ralph

Urban designer and Registered Architect

Community advocate, Third Ward Resident on East Stadium Boulevard

(Member of the former A2D2 Design Guidelines Advisory Committee, continuing observer and discussant of the A2D2 implementation process and related projects)

12 September 2008

Regarding revision of Downtown plans and zoning—screaching collision or confident progress?

Months of official tinkering and incremental editing of plans and ordinances have torn at the moorings of consensus and put public efforts adrift. Questions resurface.

Is the purpose of zoning to encourage development or to manage it?

Does the downtown plan inform the zoning or does the new zoning create the need for justification in a new plan?

Does the new downtown zoning force artificial conformity on distinctly different areas? Does the new downtown zoning react to development pressures by validating a fleeting market condition? At what limits does downtown development intensity become untenable?

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Do the revised downtown plan and zoning ordinance set up conditions that may have undesirable impact on established neighborhoods?

Fundamentally, will the new downtown plan and zoning help to shape the kind of place we want at the heart of our community?

Some major points of determination include:

- Topography of the Allen Creek valley.
- Location and extent of University of Michigan land
- Proximity of the Huron River
- Unique isolation of the South University area
- Artificiality of the DDA/TIF district boundary
- Connections, transitions and edges of distinct areas
- Existing residential development

A few years ago, developers were asking the City to 'Just tell us what you want and we will provide it.' The Ann Arbor community has said, 'We want no more ugly buildings, we want easy access to work and entertainment, we want trees for airy light in the winter and cool shade in the summer, we want stable neighborhoods with all of these things and connection to active places.' Some developers have changed the tune and have been telling the City what they want to build, essentially demanding that the City change codes to make their plans possible. With plan amendments and code revisions the City has responded to these developers. Ann Arbor may not be getting what we want.

Fewer 'ugly' buildings. We used to revile certain bulky buildings downtown. Even with public outcry, we now have many more targets of derision and losses of everyday landmarks. Without integrated design guidelines and robust design review, we are likely to get more proposals that will technically meet newly revised codes, while diminishing the places we enjoy. We want beautiful new buildings downtown that draw us to places we want to be.

Trees. Ann Arbor's urban forest is a defining and sustaining characteristic. Increases of density or development intensity in our downtown must be balanced with trees and soft landscape. The presence of trees not only mitigates the drawbacks of urban concentration, but also ensures pedestrian-friendly places. Landscape that supports both trees and people reflects our healthful attitudes toward social and environmental interaction.

Connections. Perhaps the best protection of healthy and stable neighborhoods is to ensure connections among them and to desirable destinations. Connections must take into account both topography and function. Connections collect defining characteristics into a diverse whole. Connections include visual cues, transitions in scale, secure walking and bicycling routes, strategically distributed convenience parking, access to transit, active uses on primary central streetscapes downtown. Connections make Ann Arbor livable.

Active places. Where and what is our downtown? Downtown is not just a 'tax increment finance district' boundary. Downtown is where the action is. Remember the lyrics of Petula Clark's 'Downtown'? Downtown lifts our spirits and connects us. Downtown is a different neighborhood, a lively one that we want to go to and one that should be lovely to live in. Radiating neighborhoods have different characteristics and benefit from humane connections to downtown. Neighborhoods have relatively active places that give them daily focus. Active places give downtown a uniquely extended and secure daily focus into the night.

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Please review the proposed plan and zoning changes for fundamental and intended community benefits. We don't want to proceed in a direction that may have become pragmatic defense against temporary conditions. Let's not make meager plans and makeshift fences, when we have the ability to make major changes for the common good.

Sincerely,
Alice Ralph
Urban designer and Registered Architect
Community advocate
Resident on East Stadium Boulevard in Ward 3
(Formerly of the A2D2 Design Guidelines Advisory Committee and continuing observer of the implementation process and related projects)

Additional specifics and details are available from me and the rest of our community.

From: Karen Sidney [mailto:karensidney@msn.com]
Sent: Monday, December 01, 2008 12:29 PM
To: A2D2FeedBack
Subject: A2D2 downtown zoning

I think the proposed downtown zoning changes should be revised to incorporate restrictions on development in the Allen Creek floodplain. A town that prides itself on commitment to the environment should have ordinances that do more than the minimal required under state and federal rules. The proposed changes value concrete over green. If Ann Arbor is to retain it's reputation as a livable city, we need to add green space to offset the additional density from massive buildings. Restricting development in the Allen Creek corridor not only helps protect our environment by providing space to retain and clean stormwater, it also can provide the green space we need to make our city livable.

Karen Sidney

From: mavmoore@aol.com [mailto:mavmoore@aol.com]
Sent: Monday, December 01, 2008 12:32 PM
To: Rampson, Wendy; A2D2FeedBack; Greden, Leigh; Taylor, Christopher (Council); Hieftje, John
Cc: cottonbets@gmail.com; apvh@umich.edu; kris.m.moore@gmail.com
Subject: COMMENTS ON THE A2D2 "DOWNTOWN" REZONING

Planning commission, staff, and council has done an excellent job trying to reconcile all the diverse opinions concerning the South University rezoning.

Our feeling remains that South University should be zoned D2, with council reserving the right to grant special approval for buildings taller than 60' (but not to exceed 120').

Thanks for the opportunity to comment.

Eric and Kristine Meves, 1706 Cambridge Rd.

Comments on September 2008 Draft Downtown Amendments

From: Kathy Boris [mailto:kbor@isr.umich.edu]
Sent: Monday, December 01, 2008 1:19 PM
To: Rampson, Wendy
Subject: A2D2 comments

November 29, 2008

Ms Wendy Rampson:

I am not convinced that Ann Arborites generally have been clamoring for rezoning, especially the sort of rezoning which will loosen constraints on developers rather than tighten them. If we want to protect our city's unique character we need to be careful to preserve those elements in our built environment which make us the bike and pedestrian-friendly "tree city" of cafes, small shops, and bookstores that we have been until very recently. Over-sized and overly-tall buildings must not be allowed to dominate and degrade the grid of older buildings that have survived many occupants and updates and served us well over the decades. Mixing new buildings with old is nothing new of course, but it should be done with care because those who come after us will have to put up with what we have built, or allowed to be built. New buildings which offer only a view of cars and utility pipes on their street level (Denali, for instance) add nothing, and, in fact, subtract quite a lot from our pedestrian environment. Rezoning, then, should provide an opportunity to make sure that Ann Arbor will continue to be a city that primarily values people and their interactions rather than cars and "big-box" buildings.

Therefore I urge the Planning Commission and City Council to specifically limit the height of buildings in the D1 and D2 areas, to provide wider sidewalks and setbacks so that there are additional places for people to meet and talk, to provide more adequate and sheltered bike parking to encourage people to come and go without cars, to provide more green spaces for everyone's enjoyment, and most importantly, to specify that street levels of new buildings be for shops, businesses, restaurants, cafes, banks, post offices, small grocery stores, but definitely not for parking cars!

Kathy Boris
1726 Charlton
Ann Arbor

Comments on September 2008 Draft Downtown Amendments

From: Ilene R. Tyler [<mailto:ityler@QUINNEVANS.com>]
Sent: Monday, December 01, 2008 1:29 PM
To: Higgins, Marcia; rfhwitt@Redhawkannarbor.com; evan.pratt@ohm-eng.com
Cc: Miller, Jayne; Rampson, Wendy
Subject: Ann Arbor Preservation Alliance memo

A2D2 Steering Committee:

Please accept the attached memorandum as a sincerely and carefully wrought document for considered changes and improvement to the zoning amendments currently being developed for downtown Ann Arbor.

We look forward to a productive dialogue and will continue to monitor the documents as they evolve through the approval process.

Thank you.

ANN ARBOR PRESERVATION ALLIANCE
Ilene R. Tyler, Co-Chair

>>>>>>SEE ATTACHMENT

From: Lisa Jevens [<mailto:ljevans@yahoo.com>]
Sent: Monday, December 01, 2008 3:16 PM
To: Rampson, Wendy; A2D2FeedBack; Greden, Leigh; Taylor, Christopher (Council); Hieftje, John
Subject: A2D2 comments

To: Wendy Rampson, et. al.
From: Lisa Jevens, 1312 Cambridge Road, Ann Arbor

I am writing to express my top two concerns re: the proposed A2D2 zoning.

No. 1: South University should NOT be zoned D1.

It is not downtown and cannot mimic downtown because of sheer physical limitations which cannot be changed: street and sidewalk width and lack of parking. This was the view of the consultants the city hired several years ago (see Calthorpe Report). The many reasons why South U should not be lumped in with downtown have been reiterated in meeting after meeting by residents who support the area and live there. I assume you all have heard them and are simply choosing not to deem their experiences valid enough to change the ill-conceived zoning passed in 2006, since A2D2 mirrors that.

Another egregious omission is the fact that there is no step-down zone planned around South U, as is the case in the true downtown area. This entire situation needs to be corrected because South U abuts residential. The city's short-sighted zoning decisions will soon create another U Towers in our midst when 601 Forest is built. Please fix this now, so no more over-large by right buildings like this must be "approved" in a climate of developer blackmail and threats of legal action like those City Council recently experienced.

NOTE: If D2 is deemed too restrictive for redevelopment of South U, then another zoning classification should be created. The new zoning should serve the residents, not the other way around. It is the city's responsibility to figure this out and do it right. Whats on the table now is not right.

Concern No. 2: Zoning/building laws need to include parking requirements.

Adequate parking must be included for any new residential project anywhere in Ann Arbor, and should be a factor in downtown business development. Ann Arbor officials need to face the reality that even though Ann Arbor is pedestrian friendly, the majority of Americans drive almost everywhere they go and they will continue to do so for convenience and time savings, no matter what the cost particularly with an aging population. This habit is even more pronounced in the upscale population the city is trying to attract.

The thought of an entire city full of apartment or condo dwellers living without cars is ridiculous in a location with no grocery stores, pharmacies, hardware stores, home goods stores or affordable clothing stores within walking distance. If office towers are built, how will the people who work in them get to and from? Many people avoid downtown Ann Arbor and South U businesses because of lack of parking already. Nobody's green vision is going to change that.

This year we watched the city stand powerless against the ill-conceived 601 Forest project. What have we learned? Developers love to propose and build dense housing and street-level businesses with inadequate parking to maximize profit, with no regard for their impact on the surrounding community. Having a parking requirement tied to zoning would have prevented this overbuilt structure and the traffic and parking headaches it is sure to cause.

Most major cities require a certain number of parking spaces per unit of development as standard urban planning. Ann Arbor should do the same, and it should be made law.

Lisa Jevens

(734) 302-0030 home

(773) 816-7926 cell

[ljevens@yahoo.com](mailto:ljevans@yahoo.com)

From: Christine Brummer [mailto:cbrummer@aigroup.org]

Sent: Monday, December 01, 2008 3:26 PM

To: A2D2FeedBack; Rampson, Wendy

Cc: OWSBoard@umich.edu

Subject: Old West Side Association urges A2D2 Steering Committee to push for coordinated guidelines and to incorporate "buffers" in zoning proposals

Members of the Board of the Old West Side Association as well as many of our residents participated in the A2D2 process. Now comes the distillation of recommendations through codification and process. We urge the Steering Committee to insure that all of the components stemming from the A2D2 initiative reach fruition. By design, Council has broken that system down into zoning, parking and related (statutory) matters with a streamlined development process bolstered by design guidelines to articulate and illustrate goals.

As we understand it, A2D2 was born to coordinate creating a better development environment for Ann Arbor. The City had fundamentals laid out in various incarnations of area plans but more specifics were required. Calthorpe Associates' *Recommended Vision & Policy Framework for Downtown Ann Arbor* showcased obvious needs if any doubt remained after lawsuits and failed projects. *Ann Arbor*

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Discovering Downtown or A2D2 was billed as an implementation plan broken down into five committees. We saw City staff given a central role with citizens appointed as voices of the constituencies. Enormous effort yielded fairly broad recommendations to Council for changes in City Code and policy in 2007.

Planning Commission and others have re-worked and refined those recommendations through 2008. Notably, strategies for parking and transportation are moving toward realization with AATA, getDowntown, ZipCar and DDA plans. City Council unanimously approved a unified historic preservation ordinance. *Ann Arbor Historic District Design Guidelines* are drafted, approved by the State Office of Historic Preservation, and await the pleasure of Council to complement the new statutory language. City personnel are already well launched on a timetable implementing software tailored to the development process and subcomponents such as special consideration for Brownfield Credits. Two important facets, downtown zoning and urban design guidelines, are on the agenda but have outstanding issues for us.

First, why aren't these two items moving forward in tandem? Identifying special zoning for downtown without the explanatory design guidelines leaves out the illustrations for the intended areas of development. Just as we conformed our historic district ordinance to state enabling legislation, we incorporated Federal and other standards in guidelines for historic rehabilitation so all parties would have a clearer understanding of what was meant. Our reading of the timelines approved for implementation indicated a clearer coordination between the components of downtown zoning and downtown guidelines. If Planning Commission requires more time to bring both sets of measures forward, we urge that this be taken to insure that one complements the other as intended.

Second, how do the two remaining areas for implementation fit with the rest of the A2D2 agenda? We know that the downtown design guidelines and the historic district design guidelines were drafted one with knowledge of the other--a certain meshing was intended. But, how does the new zoning as proposed (including character overlay areas and delineated set-backs) work within or next to a historic district? If the foundation for downtown development intentions is grounded in the area plans, what has happened to the concept of buffers between downtown proper and the encapsulating neighborhoods? Concerns regarding building height, setback, and context must be fleshed out via guidelines to address details not currently a part of the zoning language. Otherwise we risk friction as differing laws/goals collide like tectonic plates for projects proposed at the edges.

Third, the core of Ann Arbor benefits from the vibrant neighborhoods ringing it. Continued viability of these residential properties is directly related to their integrity. If D1 and D2 zoning extends beyond the boundaries of the DDA district, that integrity is in question. Historic district designations will protect a limited number. The A2D2 process clearly identified priorities for development--focus should be trained there first. Statutory language, design guidelines and the development procedures at City Hall ought to specifically target complementary new construction downtown while enhancing neighborhood livability. The message that the neighborhoods are protected should be a part of A2D2.

Finally, A2D2 means that the system by which developments are conceived, fleshed out, evaluated and vetted should be clear to all parties. That set of steps should also be the means by which the recommendations born from A2D2 reach maturity. The same goals for buy-in apply in each case. However, the Planning Commission has not finished work on coordinating planning, zoning and design implementation so that Council and citizens receive a clear roadmap. Part of this no doubt stems from the fact that these are the last components but the package must be made complete. Even if the details enumerated above are not fully laid out, the means for consistent resolution should be. We feel that all of this speaks to delivering a mechanism by which future development downtown can be effectively accomplished.

We look forward to meeting with Wendy Rampson on December 8. She has promised us an overview of the zoning amendments with time for some feedback on our part.

Thanks for your part in this process. It is important that we get the development outline right. Once that blueprint is in place, the fruits of A2D2 will benefit all of us.

Comments on September 2008 Draft Downtown Amendments

Sincerely,

Christine Brummer
President
Old West Side Association

From: Nancy [<mailto:snowshore@comcast.net>]
Sent: Monday, December 01, 2008 3:34 PM
To: Rampson, Wendy
Subject: library presentation

Hello Wendy,

Yesterday I viewed your presentation on the history and new zoning measures on CTN. I was very dismayed to learn that the downtown core has no height limitations, building is still OK in the flood plain, and the idea of height limits is only a possibility in the East University student area. Builders come and go. They have no vested long term interest in this community. I am wondering if the new city hall follows the diagonal roof dimension (FAR?) you talked about.

Density downtown can be done in many ways and height is just one way and big boxes is another ---- neither are desirable. Has a plan been visualized? Drawn out to see the possibilities?

Now that the library is on indefinite hold we, the community have time to think. We too need to think about the bond climate, the perks we give to builders that have long term revenue implications for the general fund. The growth of the DDA does not serve the entire community and certainly not the general fund. What about growth on our periphery? Why do builders get premiums for doing what they should be doing? Are they encouraged to use quality materials and creative design? Why not reward these aspects? We could have building of the year, designer and developer of the year recognition. We don't need to give them monetary rewards --- builders should build what they can afford to build. Strange to give builders tax breaks and yet ask our citizens to fix their sidewalks and increase our water and parks millages. Think about who comes first --- the community or the developer.

Thanks for all your hard work.
Nancy Kaplan

From: Anthony Pinnell [<mailto:tony.pinnell@gmx.com>]
Sent: Monday, December 01, 2008 4:08 PM
To: A2D2FeedBack
Subject: A2D2 Rezoning of South University

To: Steering Committee
Ann Arbor Discovering Downtown, City Hall

Re: A2D2 Rezoning of South University

Dear Committee Members,

Some members of municipal bodies in charge of zoning have been pursuing downtown zoning for the South University area based on superficially conceived, one-sided reasoning. They see tall buildings as the only answer to

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packing more people into smaller horizontal spaces. Some officials, who themselves do not live in apartment blocks and who themselves drive their cars to most or all of their jobs and meetings downtown, want to force their poorly informed vision of high-density living on an area in which few of the residents and neighbors want this lopsided vision of high-density living.

The originally envisaged height limit of 6 to 7 stories on South University will provide this area with more than enough people to ensure a lively human and business environment. Yes, allow structures to go higher than they are now - but not more than the city's original vision. The area will thus retain its human-scale atmosphere.

It is for these very reasons why cities like Frankfurt am Main, Germany, impose height limits for residential housing in urban renewal projects on prime real estate downtown along the Main River. For the sake of Ann Arbor and its tree-town heritage: look and learn from those cities and societies that have much more experience and knowledge than you about creating and managing high-density urban environments: darkened concrete high-rise canyons kill street life and make street life more dangerous. This is the proven experience all over America. Canyons benefit solely developers' pocketbooks - not the residents. Even in New York City, residents seek to live and shop in neighborhoods beyond the skyscrapers.

One critical issue that many of you city officials have ignored far too much in this debate is loss of sunlight to existing buildings and streets areas due to massive, high structures. In this day and age, with the nation verging on an energy revolution and the requisite technology waiting in the wings, too many officials seem Hell-bent on a vision of high-rise, massive buildings that block all sunlight to vast swaths of existing structures. This issue appears to be whole insignificant to your considerations. Yet here again, take your own home as a simple measuring stick: I am certain that no one on the commission or council would want to have all sunlight blocked from your own home. There is nothing green about loss of sunlight.

If you are one of those city officials who has NOT lived in high-rise urban settings for long periods of time, then listen and learn from people who have: On South University, financially and humanly successful development does not mean 14 stories or higher. The city made that mistake once, at 601 Forest. South University is not downtown. It is a separate business quarter - not downtown. Or do you want to replace fringe residential sprawl with downtown urban sprawl? If someone wants to build higher than 6 or 7 stories - let them do it where downtown truly is.

Respectfully yours,

Tony Pinnell
1328 Minerva Road
Ann Arbor, Michigan
tel. 734 929-2032

Comments on September 2008 Draft Downtown Amendments

From: Andrea Van Houweling [<mailto:apvh@umich.edu>]
Sent: Monday, December 01, 2008 4:17 PM
To: Rampson, Wendy
Cc: A2D2FeedBack; Greden, Leigh; Taylor, Christopher (Council); Hieftje, John
Subject: Comments concerning A2D2 proposal

To: Wendy Rampson

From: Andrea Van Houweling, 920 Lincoln. Ann Arbor

RE: Some of my concerns about the proposed A2D2 rezoning

The expansive rezoning of the South University business district that placed it under the same zoning rules governing downtown Ann Arbor allowed "by right" an enormous building of almost ½ million square feet that would have towered 25 stories over the adjacent residential neighborhoods. This recent experience exposed several issues that need to be addressed in the proposed A2D2 rezoning of the central Ann Arbor commercial areas.

The proposed A2D2 rezoning needs to limit the height of buildings, not only in the South University shopping area but also in the central business areas downtown.

To the frustration of nearby neighbors, citizens across the city, and many Council Members, the downtown zoning code left no room for judgment in the proposal for 601 Forest. Because the building meet all the applicable codes of the zoning district, it was deemed "by right" and City Council felt it could not restrict, alter, or judge inappropriate any aspect of the proposal. I believe very massive buildings, like the 25-story University Village/601 Forest structure, should be given special review (perhaps as PUDS), allowing the decision makers to assess the project more critically and make it more compatible with the surrounding neighborhood.

Neighborhoods need to be protected and carefully buffered from high-density core commercial districts. D1 areas should always be surrounded by the more restricted D2 zones, and when the commercial area is too small for such buffering (like in the case of the South University area), it should be zoned D2. Case in point: The University Village/601 Forest project as originally proposed at the corner of South University and Forest avenues would have abutted strictly residential neighborhoods to the east and the west, and the structure would have been 9 to 10 times as tall as the adjacent family homes on Forest Court.

The new A2D2 zoning should not extend beyond the DDA boundaries as it currently does in the South University business area as a result of the expansive 2006 rezoning. This expansion inappropriately annexed both residentially zoned properties and an area of much less intense commercial use, allowing high-density construction to reach further into the residential area.

There is a lesson to learn from the 2006 rezoning and the enormous tall building it made legal. I urge you to consider the consequences of the A2D2 rezoning be carefully considered because it is hard to downgrade zoning once it is adopted. This dilemma is demonstrated by the reluctance of city officials to zone the South University business area D2 because this area is already zoned like downtown as a result of the 2006 change.

Mistakes are often hard to reverse. I urge you to proceed carefully with the A2D2 proposal, waiting for the new downtown design guidelines and taking into account shortfalls in the current zoning.

Thanks to you and the A2D2 Task Force for taking time to consider my concerns.

Comments on September 2008 Draft Downtown Amendments

From: White, Douglas [mailto:dkwhite@umich.edu]
Sent: Monday, December 01, 2008 4:17 PM
To: A2D2FeedBack; Rampson, Wendy; Planning
Cc: Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike
Subject: Proposed Downtown Zoning Amendments

As a long-time resident of, and inveterate pedestrian in, Ann Arbor, I and my friends, as well as visiting family and friends, deeply value the pedestrian-friendly environment of the downtown and campus areas. It is an integral part of the attraction to and enjoyment of this city. The Planning Commission and City Council should be very aware of this when considering any revision of zoning and other planning elements. They should move not to decrease in any way, but, if anything, foster friendly and welcoming sidewalks and other pedestrian ways, with places to sit and talk, green spaces and plantings to add life and oxygen, with easy access to invitingly local, human-scale, unique, diverse and high-quality businesses (not only up-scale) and organizations in this area - not corporate-style edifices, with generic franchise chain businesses. To ignore this is to risk killing the proverbial goose that laid the golden egg of Ann Arbor's magnetic quality - "pave paradise, put up a parking lot." People enjoy being here and come here to live and shop because of this element, and do not and will not come for an urban version of strip development. A relatively early example of good planning and implementation gone awry was the construction of the high-rise apartment building at the corner of South University and Forest. From the beginning this stuck out like a sore thumb, and never was part of the Ann Arbor that people love. People do not like walking by or being near this building, or any other of a number of such soul-less developments that have recently popped up - and believe me, I and my fellow pedestrians know where we like to walk and why, and this kind of development is perceived as unfriendly. Rather than facilitate more of such things, they should be left to run their course and not be replaced or multiplied. The city should strive to capitalize on and increase what still makes it very appealing and desirable.

Sincerely,

Doug White
330 S. Seventh St.
Ann Arbor, MI 48103

734-846-6018

From: Charles D Lewis [mailto:cdlewis@fastmail.fm]
Sent: Monday, December 01, 2008 4:22 PM
To: A2D2FeedBack; Rampson, Wendy; Planning
Cc: Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike
Subject: Proposed Downtown Zoning Amendments

Dear fellow Ann Arborite,

Along with many others, I am greatly concerned that appropriate mass and height limits be established for Ann Arbor's D1 and D2 downtown districts. Without such limits, the boundary of our downtown is destined to become the leading edge of urban blight in adjacent residential neighborhoods. What possible benefit can there be in our abandoning the fundamental principles of sound city planning?

Comments on September 2008 Draft Downtown Amendments

Very truly yours,

Charles D. Lewis
330 South Seventh Street
Ann Arbor, MI 48103

734-662-8572

--

Charles D Lewis
cdlewis@fastmail.fm

From: Edward West [mailto:ewest@umich.edu]
Sent: Monday, December 01, 2008 4:37 PM
To: A2D2FeedBack
Subject: South University D2

December 1, 2008

FR: Ed & Kate West
1025 Baldwin Avenue
AA, MI. 48104

TO: Steering Committee
Ann Arbor Discovering Downtown
City Hall

RE: A2D2 Rezoning of South University

Dear Committee Members Higgins, Hewlett, and Pratt:

As relatively new residents (4 years) of Burns Park, we have come to appreciate the quality of the life in this part of town. In addition, our work with local neighborhood organizations has given us an even greater appreciation of South University's nearness to our residential neighborhood and how the quality of this shopping area impacts our environment. This realization has prompted us to be very concerned about height limits and the setback regulations that shape these spaces.

We urge you to make specific rulings and recommendations that allow the creation of D-2 designation for South University because there is no proposed buffer zone in D-1 between that street and vulnerable residential properties. Moreover, South University is not a downtown commercial district, which, according to planning guidelines houses central offices of banks, corporations, and legal and administrative functions of a city. It is instead a retail district of small stores and businesses that serve the immediate area.

South U. is our "small town" and we are concerned that without sensitive response to the lived experience of those of us who reside and shop in the immediate area our city will move away from the very things that make AA a valued environment. For those whose residences directly abut these future structures please consider that issues such as quality of life are being considered, including the impact of potential development on the light and air for adjacent residences.

Our recent experience with height and massing of recent proposed structures at 601 Forest have demonstrated how important it is that your committee consider both best AND worst case scenarios to prevent unforeseen consequences of any change to guidelines.

Thank you for your consideration of your neighbors in Burns Park.

Ed & Kate West

Comments on September 2008 Draft Downtown Amendments

From: W.L. Rogers [<mailto:w.l.rogers@umich.edu>]
Sent: Monday, December 01, 2008 5:00 PM
To: A2D2FeedBack
Subject: Re: A2D2 Rezoning of South University

Steering Committee
Ann Arbor Discovering Downtown
City Hall

Re: A2D2 Rezoning of South University

Dear Committee Members Higgins, Hewlett, and Pratt,

Our family has lived in the Burns Park area on Cambridge near Olivia for 38 years and strongly oppose removal of a height restriction for buildings in the South University area. South University serves as a main approach to the University of Michigan campus and is an area for small businesses serving the campus and immediate neighborhoods. It is not downtown. University towers, built in violation of existing height restrictions, is an example of the ugliness that results when the scale of the surrounding structures is violated. It also engenders severe wind shear problems at street level on windy days. Removal of height restrictions and reducing set-back requirements should not be approved.

Sincerely,

Les and Ann Rogers
1425 Cambridge Road
Ann Arbor

From: [Virginia Simon](#)
To: planning@a2gov.org
Sent: Monday, December 01, 2008 4:12 PM
Subject: proposed zoning changes

Dear Planning Commission Members and A2D2 Members:

In your deliberations regarding proposed zoning regulation changes, please remember that you have been entrusted with and have accepted responsibility for making decisions about building downtown which will affect all of us well into the future.

You have the power to honor the soul and spirit of our downtown by making decisions that make it more beautiful, more gracious and tasteful, more life-supporting.

If you allow no height restrictions on buildings and narrow sidewalks and no minimum requirements for green space, you are treating our precious downtown like so much space to be sold for making money. Decisions like that are ugly in spirit...and that's what the result brings....

Don't let that be the legacy of your tenure....

Virginia Simon
830 W. Washington

From: Margaret Wong [mailto:margaretlwong@earthlink.net]
Sent: Monday, December 01, 2008 5:57 PM
To: A2D2FeedBack
Subject: A2D2 Zoning Revision Comments

Dear All,

I attended Wendy Rampson's 11/5/08 A2D2 public briefing. And while I appreciated her comment that the proposed zoning revisions are intended to result in a more "wholistic" approach to downtown planning, I found this message undermined in important ways.

I was dismayed to see that the maps on display that night did not show the Allen Creek floodplain at all. Basemaps showing proposed D1 and D2 zoning were mute on where the hazardous floodway occurs. I brought this up with Wendy following the meeting, and she said she would address this. Wendy also made reference to ongoing city staff work on a dedicated floodplain ordinance. I asked her during public comment about coordination between the two efforts. The understanding I came away with is that there is no substantial integrated coordination.

These two shortcomings are symptomatic of how A2D2 is letting Ann Arbor down. Zoning is a tool that cannot be neutral when it come to accounting for quality of life and quality of place. This means upholding environmental sustainability, experiential livability, public health and life safety, as well as economic viability. The best zoning has a strong grasp of the big wholistic picture and seeks to get the major, crucial pieces of the planning puzzle in the right place. The Allen Creek floodplain is just such a crucial piece. A2D2 is the direct offspring of the Calthorpe process. I will never forget the first Calthorpe public workshop where 19 out of 20 "envisioning" maps placed a major greenway element in the Allen Creek floodplain. Getting the floodplain "right" with the creation of a comprehensive greenway will be one of the most wholistic things the city can do.

The Allen Creek floodplain is not a "special interest". The Allen Creek floodplain is a special zone presenting special opportunities, as well as special risks and responsibilities. Steps to restore optimal environmental function to this floodplain will help the larger watershed in terms of stormwater runoff management and flooding. Ann Arbor must be proactive on this matter; it is the smart, cost-effective way to go. Implementing an integrated system of stormwater quality improvement strategies in the Allen Creek basin will directly benefit the Huron River. The highest and best use of the floodplain is not as a typical building site. The most forward-looking zoning for Ann Arbor will not permit new construction in floodplains, and certainly not in floodways.

It is true that moving toward long term goals can create challenges in the near term. We should look at ways to phase in change. The use of long term leases or inholding strategies could be ways to allow floodplain properties now in active commercial or residential use to transition to open space uses over a comfortable period of time. I urge the A2D2 review committee, the City Council, the Mayor, and Planning Commission to create special overlay zoning for the floodplain that will allow us to move methodically toward the creation of a comprehensive, full-scale greenway over time.

Dedicating the Allen Creek floodplain to greenway open space and pathways is not an "opportunity loss", but a catalyst for all kinds of beneficial change. An historically dirty industrial zone will become environmentally functional and a crucial part of the city's green infrastructure. A longtime "no trespassing" area will be reunited with Ann Arbor's daily life, providing vital and pleasing non-motorized connectivity all along its length. As documented in the existing 1988 Downtown Plan, the Allen Creek floodplain is an important connection zone between close-in residential neighborhoods and the city's central commercial heart. This dedicated system of attractive green public space will be the stimulus for economic development and, more crucially, be the necessary balancing partner to increased downtown density.

It is not enough simply to quantify the parameters of growth, we must envision the quality of change. Establishing design guidelines is as important as setting FARs. We should do everything in our power to make our city evermore green and healthy, evermore beautiful, evermore unique and memorable, evermore supportive of a rich collective

Comments on September 2008 Draft Downtown Amendments

social life, and evermore economically sustainable in the ****long**** term. Crucial policy decisions like the A2D2 zoning revisions must have this intention at their core. Please do what you can to ensure that Ann Arbor has a long and enlightened future.

Sincerely,
Margaret Wong

From: Cendra [mailto:cendra@digitalrealm.net]
Sent: Monday, December 01, 2008 6:33 PM
To: 'Charles D Lewis'; A2D2FeedBack; Rampson, Wendy; Planning
Cc: Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike
Subject: RE: [precinct54] Proposed Downtown Zoning Amendments

I couldn't agree more with what Charles has said.

We, the people whose spirits make Ann Arbor what it is, do not want the tall buildings and the density that you few have been pushing on us. You've used underhanded tricks to bring about this zoning change, and most people are not aware this is going on. You are counting on that to push this through.

Well, the time has come for us to stand up and say NO. NO, we don't want height. NO, we don't want density. Nor do we need it. Bigger is not better. Outside developers can not and do not perceive our needs.

The housing bubble has burst. It's time to let go of these dreams of white elephants and get back to the business of making the city livable for those of us who live here now.

Yours very truly,

Cendra Lynn
121 Crest
Ann Arbor, MI, 48103

734-761-1960

From: drphilldds@aol.com [mailto:drphilldds@aol.com]
Sent: Monday, December 01, 2008 8:04 PM
To: A2D2FeedBack; Rampson, Wendy; Planning
Cc: Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike
Subject: Re: [precinct54] Proposed Downtown Zoning Amendments

As the recent general election came and went, I found myself looking to the future with a renewed sense of optimism. I believe that people are beginning to see that we can do things differently and instead of fearing change, want to lead with new ideas.

I have lived in Ann Arbor for nearly 20 years. After living in several states and small cities I stayed here. I enjoy the "uniqueness" of this city. I work in a nearby community that has a variety of restaurants and shopping opportunities, yet they are all franchised and formulaic and the same as you would find in any other area of developed sprawl.

Comments on September 2008 Draft Downtown Amendments

There are no open spaces, no opportunity for enjoyable walking, no sense of a "downtown" These are the things that I love about Ann Arbor and what I believe makes it such an attractive place to live in and visit.

I am no student of city planning but it seems reasonable to me that if we think more to the future of Ann Arbor we want to encourage and promote development that will maintain and create more of these desirable features. I like knowing that Ann Arbor is a leader in using LED lights and other green technologies. I would like to think that our city will be looked to as an example of planning that may go against prevailing ideas and the focus on larger buildings and parking. Instead we might take a chance on keeping small local businesses, a pedestrian friendly downtown, and green spaces for the enjoyment of citizens and visitors alike.

Sincerely

Philip MacFarland
304 Montgomery
Ann Arbor 48103

From: Laura Strowe [<mailto:leksarts@yahoo.com>]
Sent: Monday, December 01, 2008 9:34 PM
To: A2D2FeedBack
Cc: Rampson, Wendy
Subject: A2D2 zoning amendments

To the committee and others concerned with the A2D2 Amendments:

Having been to the meeting with Wendy Rampson, and having discussed these amendments with people and studied the amendments myself, I would like to raise a few points.

I advocate the zoning of South University as D-2. My reasons are as follows:

1. First of all, S.U. is an island of zoning, separate from the other downtown districts, so it should not be D-1 and bufferless.
2. For another thing, it itself is a buffer between the university and the non-downtown, just as the D-2 districts elsewhere are a buffer between the D-1 and the non-downtown. In all the planning, no reference is made to the university area, which itself is getting denser and higher, and over which we have no control. It is perfectly reasonable that we should create a buffer between the university and the rest of town, in recognition of the potential for University growth. I wish we had one where I live, on Broadway, where the U is threatening all kinds of offenses (including a 6-story parking structure across the street from the new monstrous Diabetes Hospital being built).

These amendments do not adequately deal with the issue of building height. It is clear that the populace of AA wants a height cap. The FAR calculations give developers height in exchange for things that in no way ameliorate the impact of that height.

On another point, I am concerned about the emphasis in these amendments on encouraging the development of residential units downtown, without any provision for services that will make the downtown actually livable, like groceries, drug stores and other needed stores. One approach might be to give points for affordable retail, just as points are given for affordable housing, to encourage local, small, retailers. The rents that are charged for ground floor retail in the new developments are not reasonable for places even as successful as The Produce Station, for example, and we end up with

Comments on September 2008 Draft Downtown Amendments

chain stores that in no way make downtown a reasonable place to live without a car.

To make sure that these new residences that the amendments are encouraging are not merely potential dormitories, points should be given, perhaps, as a way of encouraging a different demographic, for smaller apartments, say 2 bedrooms. And the amendments should rule out proposals that include apartments with more than, say, 3 bedrooms, which clearly are not intended for the supposed target populations: empty nesters and young career people.

Finally, I want to express my fear that this engineering of social change might backfire. Before we institute amendments to encourage this kind of development, we should be convinced that, in fact, there is a clear potential demand for more urban residential units.

Thank you.
Laura Strowe
1327 Broadway
Ann Arbor MI 48105

From: Dorothy Nordness [mailto:DorothyK@isr.umich.edu]
Sent: Monday, December 01, 2008 9:42 PM
To: A2D2FeedBack; Rampson, Wendy; Planning
Cc: Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike; precinct54@yahoogroups.com; abowdn@a2gov.org
Subject: Comments on proposed zoning changes
Importance: High

Dec 1, 2008

To: A2D2 Steering committee members
Ann Arbor Planning commission
Ann Arbor City Council
From: Dorothy Nordness

I write as an avid walker and biker and as a citizen hoping that my comments about what my city will look like in the future will be heard this time. My take, from people I talk with and from looking at the proposed zoning changes to our downtown, is that input from the several public comment sessions I attended have been largely ignored and that developers' pocketbooks are being closely attended to. Development by "fear of lawsuit" seems to be the planning approach that the city has chosen to take for downtown.

My comments arise from observations made during daily back and forth trips through the Main Street downtown area. I work on campus, and either bicycle to work when weather permits, frequently walk when it doesn't, and otherwise take the bus. For the record, I am not opposed to residential density in the downtown area; in fact, I think is a wise direction to go in, BUT it should be done planfully, with design elements developed in conjunction with rezoning. The newly adopted design plans need to be as lawsuit-proof as possible so that the citizens are in the driver's seat and not the developers.

Comments on September 2008 Draft Downtown Amendments

I recently read in the Observer the comments of prominent area architects about a number of the recent additions to our downtown. I noted that many of them agreed with my own untrained-eye opinion. For the record, my “ugly buildings list” includes One North Main (actually one of the better ones in my “ugly list”), the newly constructed building on the north side of Huron between Ashley and First, the horror show on State and Washington at the former site of Olga’s, and last but not least the unsightly Denali building, with its harsh lines, its two-foot wide passageway between it and Seva, its prominent garage door facing the street, and the peace sign window which can only be viewed by standing 1 foot away. I am not anticipating any fondness for the huge constructions in process near Washington and Division. The area it is starting to remind me of the worst of Manhattan – sweltering sidewalks in summer, no trees, and wind tunnels in winter,

The developers of the buildings noted above seem to have given no thought to what I see as pedestrian amenities – planters with greenery and color, trees offering shade, a bench to have a seat on, an overhang with some shelter from rain or snow, buildings set back from the sidewalk, and sidewalks wide enough to walk with friends more than two abreast. Besides requiring developers to include these amenities, the city planners should be proactive in setting aside greenspace in the downtown and nearby surroundings, the Allen Creek Greenway being an excellent example of what should be done. This past summer’s lunch and music at the Liberty and Division park was an excellent instance of combining open space and local talent to provide a pleasant outdoor respite for community members.

On the positive side, there are large-ish buildings downtown that I really like. Two examples are conversions of old buildings – the old armory, and Liberty Lofts (kudos to the designers of those two!!!). The condo/apartment building on the north side of Huron east of Division has a nice feel with the setbacks on the upper stories, and its size is not overbearing. I like the new Y building, and particularly commend the Y designers for including overhangs with a bench or two, for planting flowering natives in the floodplain area facing Huron, and for their use of boulders to accent certain areas. Ashley Mews on South Main, while out of scale size-wise, has some pleasant design features, and the scale is broken up somewhat by the individual units.

I looked over the proposed zoning requirements for the D1 area and I am appalled that the proposed new height limit for the D1 area downtown is “none”. This is not what I want. I work near one of the year-round downtown wind tunnels – the famous one on Maynard and William – and walk past it almost daily during the workweek. City council and planning commission members and A2D2 participants who support “no height limits” in D1 should be required to walk a loop that includes that wind tunnel about 3 days a week November through March before they decide on “no height” limits; some may change their tune.

The new design guidelines should require new buildings that complement, not compete with, the older downtown structures and feel, and should be scaled to blend with existing buildings. Further, ALL of the proposed D1 areas should be surrounded by transitional D2 areas, with no exceptions. And please, no more buildings with only storefront windows as token pedestrian amenities!!

I can only hope that the current economic downturn will give the planning commission and city council time to halt the rush to new zoning regulations and to revamp their thinking to include what many of us have requested for our downtown.

One last thing -- how will I know whether these comments, along with those along similar lines from others, are now being considered?

Comments on September 2008 Draft Downtown Amendments

Dorothy Nordness
114 8th Street
Ann Arbor, MI, 48103

From: vrcaruso@comcast.net [mailto:vrcaruso@comcast.net]
Sent: Monday, December 01, 2008 10:30 PM
To: A2D2FeedBack
Subject: A2D2 Zoning Change Comments

RE: A2D2 Zoning Change Comments

I am providing written comment in addition to comments I made at a public meeting for the A2D2 downtown zoning changes.

As I said in public comment it is unfortunate that the A2D2 changes do not significantly take into effect the uncertain nature and our knowledge of the Allen's Creek (AC) floodplain and floodway.

The maps presented for these public meetings did not have these important landmarks on them. I note also that the Calthorp final maps presented showed residential construction in the AC floodway, which has long been illegal. This after the ACWG comments about this in the early drafts of the maps. Effective planning cannot ignore this important landmarks.

The current maps (FIRMs) and proposed new maps from FEMA are still mainly based on 1968 flood data. The city is collecting new rainfall and flow data designed to separate out residential and commercial "stormwater flow" contributions which may help in watershed flood modeling over time, but this was not the intent of this effort.

A real meaningful watershed study is long overdue. Several scientific studies now clearly show more flooding is expected for Michigan with Global Warming.

The Homeless Shelters first plan had to be scrapped due to poor planning and a loss of \$1M because MDEQ disallowed the plan. The new YMCA site after 1 ½ years occupancy has had a Letter of Map Revision in January 2007 from FEMA raising the flood level for the site one foot. The building was built one foot above the old floodplain. The flood maps for the Eaton Building shows the floodplain and floodway flowing around it. It is hard to believe this given the topography of the area. Placing new residential occupancy was allowed on the lower levels but thankfully not built because of the high insurance payments required due to its potential danger, not city zoning restrictions.

We need a clearer understanding of this flood potential. A greenway in the AC floodway and floodplain seems a very prudent solution, many Michigan communities are doing very similar projects with their floodplains with great success.

A greenway would give the city much needed flood, heat island, and greenspace relief, alternative transportation routes and, citizen gathering and festival space.

Comments on September 2008 Draft Downtown Amendments

The pedestrian friendly nature of the downtown should not be diminished. We should do what we can to encouraging this, in addition we should greatly improved the bike friendly nature of downtown.

Small towns have value in America and Ann Arbor has great benefit being a small town. The stormwater, drinking water, traffic and other infrastructure are currently overtaxed without much hope of improvement in the near future.

The TIF arrangement with the DDA needs to be reevaluated if the downtown is to have upwards of 20,000 new residents without the tax base to support it, taxes from these new residents need to help directly pay for their support not just new parking structures and parking meters.

The U of M should be much more forcefully approached to provide more "Payments in Liew of Taxes" as is the case for other university/collage towns as a means of providing more tax base for the city. For example the city of Providence RI has agreed to receive a payment of about \$25M to cover the next 5 years.

Thank you,
Vince Caruso
Coordinating Member
Allen's Creek Watershed Group, ACWG.ORG

From: Carla Aderente [mailto:mcat00@hotmail.com]
Sent: Monday, December 01, 2008 10:39 PM
To: A2D2FeedBack; Rampson, Wendy; Planning
Cc: Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike
Subject: FW: [precinct54] Proposed Downtown Zoning Amendments

I, too, am very concerned about the proposed zoning changes (which I actually tried to question early on at one of the "zoning" meeting at Connor O'Neil's). I had expressed the concern that again neither the existing nor the recommended downtown design guidelines for city development which is pedestrain friendly, "green zone" and floodplain conscious, and architecturally interesting (not to mention consistent...need I mention the eyesore of an apartment structure that has been built on Liberty in the middle of downtown, 1 North Main, the skyrocketing tower on William, and most of treeless, cemented Huron) would be safeguarded, and indeed in practice can be totally disregarded, by these proposed zoning changes. This is of great concern to many long time residents of Ann Arbor, environmentalists, and most clear thinking business owners. What attracts and keeps people in a city (like New York and Chicago) is the vibrancy of it residential neighborhoods which border almost seamlessly on "business" districts which host a variety of locally owned small shops that people walk to almost daily. In this age of uncertain economic stability, it would seem that "development" should seek to support and expand on the strengths of the existing residents and neighborhoods as they interact with the downtown, rather seek to create an alienating "Downtown District" at the expense of a "green zone" and a neighborhood friendly downtown.

Comments on September 2008 Draft Downtown Amendments

Sincerely,

Carla Aderente
345 Eighth St.
Ann Arbor, MI 48103
734-747-9596

From: Daniel Ketelaar [mailto:dwk@ketdev.com]
Sent: Tuesday, December 02, 2008 5:01 PM
To: Rampson, Wendy
Cc: Higgins, Marcia; 'Roger Hewitt'
Subject: A2D2 Zoning Considerations – Comments

MEMORANDUM

TO: WENDY RANSOM
FROM: DANIEL KETELAAR
SUBJECT: CITY OF ANN ARBOR A2D2 ZONING INITIATIVE
DATE: DECEMBER 2, 2008
CC: FILE

It is my understanding that one of the main underlying purposes of the A2D2 initiative is to support and encourage the development of residential housing in the core or urban areas of our community. As a developer who just went through a very contentious and critical approval process with the city and community I believe my company is in a unique position to provide what I consider to be a practical and applicable viewpoint to the present discussion.

While the zoning ordinance legal process and requirements, as presently defined, are quite clear it became apparent that the present zoning, at least in the instance of 601 Forest, did not reflect the desires and intent of some community members and members of council. As the underlying lot or land assemblage becomes larger the building that is allowed to be built also becomes larger – this of course due to the FAR (floor area ratio) relationship to the underlying parcel. What was discovered was that size does matter.

The zoning suggestions inherent in the A2D2 Recommendations support and encourage the development of smaller parcels in the city and discourage the development of larger property assemblages. To be able to fulfill and encourage the viable development of residential housing in our core areas on smaller parcels I suggest the following adjustments to the A2D2 Zoning Recommendations.

1. ***Section 5:10.19.D1 and D2 Downtown Districts*** – please go to page 12 of 49 under (2) *Uses of Land* section (b)1. This section requires “**a minimum of 60 percent of each building frontage at street level must be occupied by active uses**”.....

- a) Please be advised that in a lot with 100’ frontage with retail planned at grade level, and residential housing to be projected on the upper floors, parking will be required.

Comments on September 2008 Draft Downtown Amendments

b) This parking will probably be behind the retail and either above or below grade but will require at minimum a 16'-18' entry drive.

c) A residential pedestrian entry will also be needed into an elevator and stair lobby, most probably off the street, which will require a minimum of 15 feet frontage.

d) Of the 100 foot frontage 33' will be needed for drive and pedestrian access to the building. Plus, according to this section, 60% or 60' will be required for "active uses." This leaves 7' for other retail uses. For all practical purposes this section requires ALL retail to be "active use."

e) It is our opinion that the section requiring active uses is unworkable and should be deleted.

2. Table 5:10.20C – Downtown Character Overlay Districts Building Massing Standards. See page 23 of 49 specific to the South University district.

a) The State Street, Midtown, Main Street and East Huron Character districts define a maximum building height as determined *above the Base*.

b) According to our projections a Maximum Building Height of 120' will NOT allow the viable development of reasonable cost housing in the South U area. It is also our analysis that the Residential Premiums, as incentives, can not be fully used within this height limitation.

c) We do not believe a 120' **over base** height limitation would in any way compromise the future aesthetics of this area and in fact would allow and support the much needed redevelopment of the South U area.

d) We would strongly urge the South University area *Maximum Building Height* be defined as 120' above base.

3. On page 39 of 49 in **Section (f) Public Parking in D1 Districts** is referenced. This section states that if above grade developed parking is available to the general public it "shall be exempt from the maximum usable floor area in percentage of lot area limitation up to a maximum of 200% the lot area."

a) Why is this exception to the FAR limited to public parking? The explanations I have received to date do not, in my evaluation, have merit.

b) If we are to develop upscale residential housing in the core area of our community the projects will absolutely need to have parking on site for its residents – this will be required to sell these city homes. Older folks willing and wanting to move downtown will NOT go to a remote parking location for their parking.

c) The smaller lots and projects that the city is requiring with this new zoning financially prohibit the ability to develop below grade parking. Below grade parking slips would cost \$50,000 plus per parking space and drive up the cost of a project to where only million dollar homes could be developed.

Comments on September 2008 Draft Downtown Amendments

d) The only alternative is to develop this required on site parking above grade. However if it is counted toward the FAR the number of residential units is so dramatically impacted that once more the project is not viable.

e) We urge you to amend this section to allow all parking developed on site "up to a maximum of 200% the lot area" be exempt from the FAR calculations.

While we have other comments we have limited our review here to items that we believe would impact the development of residential housing in our core areas.

Thank you.

Daniel Ketelaar – President
Urban Group Development Company

225 South Ashley Street
Ann Arbor , MI 48104
E-mail: dwk@ketdev.com
Cell : 734-604-4486
Office : (734) 747-7230
Fax: 815-331-0803

From: C. Robert Snyder [mailto:chazsnyd@gmail.com]

Sent: Tuesday, December 02, 2008 5:18 PM

To: Hieftje, John; Greden, Leigh; Anglin, Mike; Briere, Sabra; Higgins, Marcia; Rapundalo, Stephen; Teall, Margie; Taylor, Christopher (Council); Rampson, Wendy; Derezinski, Tony; Hohnke, Carsten; Smith, Sandi

Cc: Peter Nagourney; Nystuen, Gwen (PAC); Peter Nagourney; Anthony Pinnell; Ann Larimore; Barb Copi; Barry Checkoway; Betsy Price; Donna Tope; Eleanor Linn; Ellen Ramsburgh; Gary Supanich; Owen Jansson; Helen Hill; Kate West; Kathy Sample; Kris & Eric Meves; Laurie Longo; Michelle Derr; Rusty Restuccia; Vickie Danhof; Les Rogers; David Fisher; rwbailey@umich.edu; daveydina2@comcast.net; Frank Casa; Lisa Jevens; Dave Askins; Jack Eaton

Subject: Re: Zone South U D2

Dear Mayor, City Council Members, Wendy Rampson,
and NBPA friends, as well as SUNA friends, and Oxbridge neighbors, too!

In case anyone has been wondering why I have been so uncharacteristically silent on this recent spate of A2D2 / D1 vs. D2 activity and communications, it's because

- 1) I have been pre-occupied with family and personal matters (including health),
- 2) the shadow of 601 Forest has barely been allowed to cast its downsized pall over So. U and its neighboring residential areas to the south and east, with barely a breathing space before "final decisions" regarding A2D2 are thrust upon us,

Comments on September 2008 Draft Downtown Amendments

4) an all-important Presidential Election and Thanksgiving deserving of attention and celebration, not to mention a looming Recession and two wars, and finally,

5) a sense that some all-powerful all-knowing forces within city government (the Planning Department? City Council members? the Mayor? all of these?), DDA, and the commercial business interests, not to mention the developers, have already made up their collective minds--cast in 120-foot concrete structures--that, like it or not, fellow neighbors/residents/citizens, So. U is by declaration "Downtown" and therefore must be "D1".

Never mind that the 2-1/2 blocks of So. U are not by any stretch of the imagination "Downtown" but instead more like an island dropped in the midst of houses and small apartment buildings (University Towers the unfortunate and ugly exception) populated by both permanent and transitory residents.

Speaking personally and on behalf of SUNA, I fully agree with all of the email letters submitted thus far, by the likes of Peter Nagourney, Betsy Price, Andrea VanHouweling, Tony Pinnell, Kate West, Ann Larimore, Eleanor Linn, Ellen Ramsburgh, as well as the recent Oxbridge newsletter, and others whom I have inadvertently left out.

While my own email misses the December 1 (yesterday) deadline before December 3 (tomorrow), I feel I must send it anyway in hopes of reconsideration and a coherent statement and vision of what So. U and surrounding neighborhoods should and can be.

Thus far, I have only heard the Mayor's verbal statement, made in a private one-to-one meeting, a D2-escape vision one could actually visualize. (Made sense to me!)

And by any stretch of the imagination, it shouldn't be D1 (120-feet, 10-12 stories), creating a west-to-east Wind Canyon (whatever happened to the city's stated concern for "health, safety, and general welfare and well-being" of its citizens?).

South University Area should be only D2 (maximum), with serious consideration given to making the two blocks from East U to Forest a pedestrian thoroughfare!
Let's get it right this time around!

Respectfully,

C. Robert Snyder
President, South University Neighborhood Association

From: Owen Jansson [<mailto:ojansson@umich.edu>]
Sent: Tuesday, December 02, 2008 9:35 PM
To: C. Robert Snyder
Cc: Hieftje, John; Greden, Leigh; Anglin, Mike; Briere, Sabra; Higgins, Marcia; Rapundalo, Stephen; Teall, Margie; Taylor, Christopher (Council); Rampson, Wendy; Derezinski, Tony; Hohnke, Carsten; Smith, Sandi; Peter Nagourney; Nystuen, Gwen (PAC); Peter Nagourney; Anthony Pinnell; Ann Larimore; Barb Copi; Barry Checkoway; Betsy Price; Donna Tope; Eleanor Linn; Ellen Ramsburgh; Gary Supanich; Helen Hill; Kate West; Kathy Sample; Kris & Eric Meves; Laurie Longo; Michelle Derr; Rusty Restuccia; Vickie Danhof; Les

Comments on September 2008 Draft Downtown Amendments

Rogers; David Fisher; rwbailey@umich.edu; daveydina2@comcast.net; Frank Casa;
Lisa Jevens; Dave Askins; Jack Eaton
Subject: Re: Zone South U D2

Re # 5 - say it ain't so!

Should D1 become a reality on South U. I will have to wonder whether public input has merely been payed lip service as a concession to the democratic process, part of a bureaucratic sideshow as it were. The notion that D1, or even some sort of "D1/D2 Lite" is necessary for South U.'s "proper" revitalization is hogwash and a barrier to the kind of enlightened and tasteful redevelopment that could really make this district and its surrounding environs nice for permanent residents, students, and visitors alike.

From: Kyle V. Mazurek [mailto:Kyle@annarborchamber.org]
Sent: Tuesday, December 02, 2008 10:59 PM
To: Rampson, Wendy
Subject: RE: A2D2 Feedback

A2D2 Questions, Comments & Concerns

- How does the renovation/rehabilitation of an existing building affect its compliance with the proposed code amendments? Is there grandfathering? Would existing tenants of a renovated/rehabilitated building be required to vacate if they do not meet the new, proposed "active" use requirements?
- Is the definition of hotel (29-day stay) an industry standard? Was the Washtenaw County Hotel & Motel Association consulted to make certain that its industry's needs are met (including extended stay accommodations)?
- What is the objective of the "active" use requirements? Can it be accomplished through required hours of operation or some other means (e.g., window fronts instead of walls) without unnecessarily/unfairly discriminating against financial services firms?
- Does the A2D2 initiative account for U-M property? At a minimum U-M property should be abutted by D2 and in some circumstances D1.
- The City should reconsider implementation of design guidelines. An unintended consequence may be cookie-cutter building designs that destroy the uniqueness of the community and reduces the appeal for the creative class.
- There is concern with using LEED as a bonus guideline because LEED standards change – and also because LEED is not the only green design/development program available. Alternatives do exist. At this point in time, LEED is just the most widely-recognized. There is also concern that some components of LEED are outside developers' control, such that a site could be penalized due to government action (e.g., the placing of public transportation).
- Although single-family, owner-occupied residential neighborhoods should be protected from over-bearing development, multi-family and rental-residential neighborhoods should not receive the same consideration.

Comments on September 2008 Draft Downtown Amendments

- If downtown design guidelines are to be established, then an objective measurement system should also be established in order to make timely design rulings – and, a clear and timely appeals process should be established as well.
 - Why must there be a pre-public meeting on building massing before site plans are submitted? Development should not be subject to the whims of the public.
 - What studies have been completed to measure the bike parking requirements (e.g., of 1 per 2,500 square feet)?
 - A set price for parking payment in lieu of spaces needs to be established before approval so that developers understand the potential cost and impact. As an aside, should we be concerned about the balance of parking in downtown (e.g., a high concentration of residential in one corner of downtown with little to no parking thus expecting a great many to walk, say, 10 minutes in order to get to their vehicle – possibly resulting in overuse of some parking structures and under use of others)?
 - How was it determined that a depth requirement of 25 feet on retail in front of a parking structure is the appropriate figure? Does this figure meet both retailers' and parking operators' needs? Has this figure worked elsewhere and, if not, then what figure was ultimately required?
 - There needs to be clarification on what takes precedent - the new D1/D2 or historic districts. Too much of A2D2 is overlapped by historic districts.
 - D2 limits D1's potential, thus precluding redefinition of downtown.
 - We should reconsider using diagonals since they have no bearing on underlying parcel size, and since they discourage development of additional towers due to prohibitive costs.
 - More detailed information needs to be provided regarding the public/private parking issue.
 - Form based and "new urbanism" seem to be battling it out in the hearts and minds of planners across the country, including Ann Arbor. The former makes a lot of sense and the best way I've seen interests converge is over the idea that you can historically preserve a building if you give a little on the zoning. Easier to do in the downtown where general commercial zoning is pretty much all inclusive. Where I see it being relevant to Ann Arbor and what can be accomplished is all of the M-1, and C2-B zoned properties that run along the railroad track from basically Depot to Hill. There are a dozen or so industrial buildings that run right between the Old West Side and the DDA boundary, which is, some may say inappropriately, the planning-defined downtown boundary. What's ironic is that perhaps due to people's natural desire to resist change of any type, many would rather see these buildings continue in their underutilized, crime ridden and aging use than to see new development, redevelopment, or even reuse with a higher density residential component. Given that the zoning as it exists doesn't allow said use (unless every resident can be designated a "caretaker"), switching to form based zoning would be beneficial by removing the one code snag that those that are resistant to change can hang their hat on...
-

Comments on September 2008 Draft Downtown Amendments

From: Susan Morrison [mailto:smorrison@rentropmorrison.com]
Sent: Wednesday, December 03, 2008 10:03 AM
To: Rampson, Wendy
Cc: finegood@mhpn.org; grentrop@rentropmorrison.com; 'Ilene R. Tyler'
Subject: A2D2 Comments/ 1083.002

Wendy – The attached comments regarding the A2D2 proposed revisions to the Downtown Plan and Zoning Ordinance are being submitted on behalf of the Michigan Historic Preservation Network. If you have questions, please give me a call.

Thanks,
Susan

Susan E. Morrison
Rentrop & Morrison, P.C.
39533 Woodward Avenue, Ste. 210
Bloomfield Hills, MI 48304
(248) 644-6970

>>>>SEE ATTACHMENT

From: Christine Brummer [mailto:cbrummer@aigroup.org]
Sent: Thursday, December 11, 2008 3:12 PM
To: Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezsinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike
Cc: OWSBoard@umich.edu; Planning; A2D2FeedBack; Rampson, Wendy; HDC
Subject: Old West Side Association Board supports A2D2 Zoning initiative AND design guidelines to foster thoughtful development downtown

To the Mayor, Members of Council, Members of the Planning Commission and the A2D2 Steering Committee for Ann Arbor:

The members of the Old West Side Association Board support the adoption of the proposed A2D2 zoning ordinance, with the concurrent passage of design guidelines for historic districts and downtown character areas. We believe that these zoning changes within the DDA district will result in what many citizens of Ann Arbor want – a vital, diverse and pedestrian-friendly downtown.

It is essential that design guidelines be included in the final ordinance. Design guidelines will result in a more thoughtfully designed and interesting downtown. Because the design guidelines call for sensitivity to context in the site planning process, we are reassured that the important buildings in our downtown historic districts will be respected by future developments, and that neighborhoods which abut the downtown will be carefully considered. Design guidelines will also provide a common vocabulary for developers, city staff, and citizens to express their respective interests and desires regarding future development projects.

We support, however, simplifying the implementation of design guidelines by identifying common aspects of downtown character areas and incorporating them into the zoning districts.

We also support recalling the consultants to work with staff and Commissioners to refine the guidelines in light of concerns expressed by the Steering Committee and members of the public.

Comments on September 2008 Draft Downtown Amendments

We applaud efforts to illustrate how provisions should work to limit building height, foster the goals of prior Area Plans, and respect context.

We wish to draw your attention to one detail of the proposed zoning map with which we take issue. The 600 block of South Ashley is included in the planned D2 zoning area. This block is currently zoned C2B, and is within the historic district. It is outside the boundaries of the DDA district. Although most of the buildings on the west side of this block, between Washtenaw Dairy on the north and Armen Cleaners on the south, are now used as offices, they are typical, Old West Side houses. For the most part, the boundaries of the D2 district have been drawn so as to avoid overlapping with the residential Old West Side Historic District, and we believe that this principle should be maintained here. Because the historic district protection limits the redevelopment potential of this block, we feel it would be misleading to rezone it as D2.

We wish to express our thanks to Wendy Rampson, who took the time to meet with us and explain the proposed zoning changes and the process from this point forward.

We urge you to adopt these zoning changes as tools to guide development of our downtown.

Sincerely,

Christine Brummer

Barbara Murphy

Sonia Schmerl

Marylou Zimmerman

Barbara Hall

Allison Stupka

Sarah Okuyama

Richard Cronn

Stephen Borgsdorf

Received
11/20/08

Joe E. O'Neal
1920 Scottwood
Ann Arbor, MI 48104

November 20, 2008

Ms. Wendy Rampson
100 North Fifth Avenue
P.O. Box 8647
Ann Arbor, MI 48107-8647

RE: A2D2

Dear Wendy:

This has been a busy week. I have tried everyday to attend and speak at one of your presentations. Today is no exception – I have an unavoidable obligation at 3:45.

I write as an individual – not in any capacity relating to the Allen Creek Greenway Conservancy. I intend to take this question to the Conservancy Board next Tuesday (if I can get them all together at one time) and, may, after that meeting, have an official position on the part of the Conservancy.

I agree 100% with the Allen Creek Watershed Group relating to A2D2: “Issues of development in the Allen Creek floodway and floodplain need more attention...these important landmarks were not included in the maps presented.”

I recognize that this is an incredibly complex undertaking and that you personally have 100s, if not 1000s, of hours invested trying to sort out all of the many, many facets. However, I sincerely believe that to ignore this fragile and invaluable natural resource will be one of the biggest mistakes this City will ever make.

If the Allen Creek Greenway is not important, it can be zoned out of ever existing or so greatly restricted as to be of inconsequential value to future generations. By the same token, careful zoning steps taken now can ensure its growth to full maturity in years to come. This is our decision to make at this critical point in time. What an opportunity!

Appropriate zoning should be adopted for the Allen Creek floodplain/way if the City wants a Greenway. If it doesn't want a Greenway, then let inaction zone it out of our vocabulary.

Sincerely,



Joe O'Neal

26 November 2008



Ann Arbor
Preservation Alliance

Advisory Board

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Susan Wineberg

MEMORANDUM: Proposed Changes to City of Ann Arbor Zoning Ordinance, Chapter 55

Key positions of the Ann Arbor Preservation Alliance with regard to A2D2 initiatives regarding zoning, design guidelines, and process:

- Approve the Downtown Plan and Zoning Ordinance revisions in tandem;
- Assure a clear relationship between the Plan and Zoning in the adopted text;
- Include strategies for their implementation, with clear illustrations, in the approved documents;
- Make approval contingent on adopting a process and design standards or guidelines for review.

Design Standards and Guidelines have been created but are not yet adopted. Zoning changes are scheduled for review by City Council and require our immediate attention. Zoning changes have been approved by Planning Commission, but returning them to Commission before proceeding to Council is recommended. These A2D2 initiatives were intended to include design guidelines and review standards, and were not meant to be considered separately from the proposed zoning changes.

Key points and concerns:

- Height limits for new construction are inconsistent and should be reviewed against approved design standards that complement zoning.
- Buffer areas adjacent to residentially zoned neighborhoods, historic districts, or historically designated buildings, need to be included in all downtown zoning districts.
- Setbacks in D1 zoning for all character areas should be maintained at 30 feet from all lot lines, with no provision for any structures at any point closer than 30 feet.
- D1 and D2 zoning should not be used outside the DDA district boundary to protect the integrity of downtown residential and historic properties.
- D2 zoning is appropriate for the north side of Huron Street between N. State and N. Division Streets; premiums for development in that area should be denied.
- Corner parcels should require similar minimum setbacks as mid-block parcels, i.e. 30 feet from all lot lines.
- Empty parcels adjacent to historic districts, or historically designated buildings, should be reviewed to mitigate negative affects of adjacent new construction. This includes consideration of building height,



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respectful front setbacks that average that of historic buildings, and access to sunlight and fresh air.

- Require the design review process to be referenced in the revised zoning ordinance.
- Prohibit transfer of development rights (TDR) to any properties that border historic or residential neighborhoods or properties located in the 100-year floodplain.
- Invite the consultants back to complete the design guidelines and standards and train staff, and to integrate these new documents into the revised zoning ordinance. This step should include public education regarding the changes and the new process incorporating design review.

ATTORNEYS AND COUNSELORS AT L A W
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****MEMORANDUM****

TO: Wendy Rampson / City of Ann Arbor

FROM: Susan Morrison / Gary Rentrop on behalf of
Michigan Historic Preservation Network

DATE: 12/03/08

SUBJECT: A2D2 Comments

FILE: 1083.002

The following are some comments with regard to the proposed A2D2 revisions. Page references below are to the 8/29/08 draft of the proposed Ann Arbor Downtown Plan, or as applicable, to the 9/16/08 draft of the proposed A2D2 Zoning Ordinance amendments.

A. PROPOSED MASTER PLAN AMENDMENTS

1. Add properties that are historically designated, including those on the National Register of Historic Places (“Designated Historic Properties”), to the map in the proposed Ann Arbor Downtown Plan (“Downtown Plan”) which now only shows historic districts (Figure 3, page 8 of Downtown Plan).

2. To achieve compatibility of new buildings close to historic districts and Designated Historic Properties, strengthen the “Recommended Action Strategies” language at page 32 of the Downtown Plan to include a reference to adopting zoning ordinance language to create a historic buffer area of 300 feet surrounding both historic districts and Designated Historic Properties. New construction within this historic buffer area should be required by zoning ordinance provisions to meet criteria that achieves compatibility with nearby historic districts and Designated Historic Properties, such as height limits, transitions in height around historic buildings, setbacks, and other design criteria.

3. Revise the last sentence of the second paragraph on page 32 of the Downtown Plan to add the following language in italics:

“This designation constitutes an “overlay” zone which *(a)* requires Historic District Commission review and approval of applications for construction and the alteration, repair, demolition or

moving of structures *within a historic district*, and (b) *requires application of the standards for new construction within the "historic buffer area" adjacent to both historic districts and Designated Historic Properties.*"

B. PROPOSED ZONING ORDINANCE AMENDMENTS

1. Amend the definition of "usable floor area" (Zoning Ordinance Sections 5:1(57) and (58)) to clarify that it is an exterior measurement and shall not include the area of stairways, ramps, elevators, escalators, or mechanical or other utility shafts. (This will help avoid any interpretation of these provisions as allowing a larger building than intended).

2. Create a definition for a "historic buffer area" which extends 300 feet from the boundaries of historic districts and Designated Historic Properties and require standards for new construction located all or partially within that buffer zone that will promote compatibility with and limit the negative impact on the nearby historic resource(s) (e.g. height transitions, height limits, setbacks, design criteria).

3. The exclusion from Floor Area Premium Options for historic districts should also be extended to the "historic buffer area" to help protect historic districts and Designated Historic Properties from incompatible new construction nearby. (See Zoning Ordinance, page 33, Section 5:65). Other provisions protective of historic districts should similarly be extended to Designated Historic Properties.

4. The area, height and coverage requirements set forth in Sec. 5:10:19 should exclude historic districts and historic buffer areas. Separate criteria (as described in item B(2) above) should apply to the historic buffer areas.

5. One provision in Chapter 57 that should be revised before any further zoning ordinance revisions are made is the list of what is considered a "minor" change to a site plan which "may" be approved administratively. (See Chapter 57, Section 5:122(5)). For example, the following items should not be listed as "minor changes": a change in building height (whether or not it creates new floor area); moving a building closer to a property line; allowing an increase in building size; addition of a free-standing storage building; relocation or height increase of a wireless communications tower.

MEMORANDUM

DATE: December 9, 2008
TO: Wendy Rampson, Systems Planner City of Ann Arbor
FROM: Marc M Rueter AIA
PROJECT: Comments on A2D2 zoning rewrite
RE:
CC:

Thanks, Wendy, for your November 19th presentation on the proposed A2D2 amendments to the downtown zoning code. You and the city staff have put a tremendous amount of work into this effort. The approach is a good one, but I have concerns about some requirements. My comments on the specifics generally address how I see the proposed code affecting the architectural aesthetics and the pedestrian experience in the downtown.

1. Proposed Building Frontage Table 5:10.20D

In the downtown shopping district (character area 6 Main Street), the maximum setback for a building or storefront is 1 foot. The delight and pedestrian character of almost all of Main Street and our best shopping districts derive not from a uniform street frontage varying less than a foot, but from a mix of stores with deeply recessed glass display cases. Under this proposed section such delightful stores as Ayla, Selo/Shevel, Footprints, Four Directions, Schlanderer and Sons, and Seyfried Jewelers could not be built. Other districts are allowed to have up to 20% of their front facades recessed. This, however, is still not enough. Many of the stores listed above have well in excess of a 20% recessed frontage. Our most beautiful downtown store, Selo/Shevel, has about 35% of its facade recessed about 12 feet deep. These deep recesses in effect greatly expand the street visual experience like boat slips in a harbor.

Proposal:

Eliminate the maximum front setback requirement. Given our downtown's small parcels and their high cost, the intent of builders is to usually maximize lot coverage. Where in the downtown area has too much storefront setback really been a problem?

Alternative:

Adopt an ordinance similar to Louisville, Ky, which has a similar concept but addresses the storefront problem. See: <http://www.louisvilleldc.org/C05/C05P02p1of5.asp>

2. Downtown Character Overlay Districts 5:10.20 (OFFSET FIGURE 4)

A four-story street-wall or parapet height is locked in by this specific code requirement which seems to contradict its own intent section (5:10.20 (1) f). The intent section advocates new buildings with varying parapet lines. Also, the new Downtown Plan encourages variation in the height of building elements (pg 33). Urban designers have pointed out that Ann Arbor's downtown is different from many traditional towns that have two to four story buildings with consistent cornice heights. In the downtown Main Street District, no uniform building height or cornice line is evident.

Under this proposed section, some of our most important and beautiful mid-rise historic buildings could not be built; the First National Building, the seven story 200 E Washington building and the Glazier building. In the First Street character area, the old King Seely building (Liberty Lofts) and the Almendinger Organ Building would violate the code.

Even if this section of the code is desirable, a 5 foot setback is not visually significant. The small diagram in the code (Figure 4) shows setbacks that appear to be about eight feet. While there are no historical precedents for this design concept in the downtown, there are also very few contemporary examples. The most significant is 301 East Liberty. The first setback along Liberty Street is about 6½ feet with subsequent setbacks of approximately 8 feet. Other design elements such as the Glazier Building's second floor cornice are as visually effective as a 5 foot setback and do not pose the same building structural problems as a minor setback.

Proposal:

Eliminate the street-wall height requirement in the D1 and D2 Districts.

Alternative: Use a setback at a much greater height and at a much greater horizontal setback distance. See Louisville Ky ordinance: <http://www.louisvilleldc.org/C05/C05P02p1of5.asp> . Another option is to provide mass articulation as proposed in the downtown zoning code for Everett, Washington. <http://www.mrsc.org/mc/everett/everet19/everet1922.html>

3. Downtown Character Overlay Districts 5:10.20 (MASSING ARTICULATION FIGURE 5)

If the intent is to create buildings with changes in planes and more visual interest as shown in Figure 2, this code text will not do it. Figure 2 illustrates a building form shaped by the 1916 New York City zoning law. This code established the traditional stepping back we see in historic big city skyscrapers. While the figure is dramatic, the actual code text does not support the sketch. In fact a simple cube with no surface relief would be permitted if the "massing articulation" was achieved only by allowed changes in building material textures. What would be permitted is so vague that flush windows, textured bands of masonry or even slightly projecting brick courses could provide the permitted "articulation".

Proposal:

A simple block diagram and a sentence of text will not make this concept work. Either eliminate this section or adopt a much more complex approach as described in the proposal for #4 below.

4. Downtown Character Overlay Districts 5:10.20 (MAXIMUM DIAGONAL FIGURE 3)

The intent of this section apparently was to create buildings with slender towers or less visible mass like our historic mid-rise buildings. The First National Building at Washington & Main and the Glazier Building at Main & Huron have diagonals of 75 to 100 feet. Figure 1 illustrates a building showing how maximum diagonals would limit a building's mass as it increases in height. However, the text does not accomplish this. In the Main Street District the maximum allowable diagonal for a lower tower is 220 feet. Presently I do not know of any private buildings that are of that size. Our largest private buildings, Ashley Mews (414 S. Main) and Ashley Terrace (111 N. Ashley), have diagonals of about 200 feet. The well received and newly approved "Ann Arbor City Apartments" building has a diagonal of about 230 feet. The maximum diagonal regulation seems to have been written so large that it will have little or no esthetic effect upon future development.

Figure 1 also illustrates a large building with an upper tower, which in the Main Street District would be limited to a diagonal of 120 feet. It is improbable that a new building could ever resemble this diagram. The allowable FAR, even at a rare maximum of 900% with affordable residential premiums, would limit the size of a building well before an upper tower could be added. A building with lot coverage of only 65 percent would top out at a maximum FAR when 13 to 15 stories are reached.

This is below the point at which a slimmer upper tower with a 120 foot diagonal would then be required.

The maximum diagonals seem to be seriously out of whack with the allowable FARs. An allowable FAR of 1200% to 1500% would be necessary to create buildings similar to those shown in Figure 1. In fact, a rough calculation of Figure 1's FAR shows it to be about 1200% to 1300%. As an actual visual illustration, the Ashley Mews building at 414 S. Main could be twice as tall as its present parapet height and still slip well in under the proposed new code. Only a required shallow 5 foot setback at the fourth floor would break up its mass. I know that there was pressure to allow floor plates of over 20,000 sq. ft., but I am not sure the implication of that was fully realized.

Proposal:

It is not possible to codify pleasing building massing and articulation with a few simple diagrams and a brief text. In fact, the new downtown plan recognizes this (see page 33). I know there is a wish to reduce subjectivity in zoning interpretation, but if design control downtown is really what Ann Arbor wants and it is to be meaningful, the only realistic approach is with more detailed guidelines and examples. A good example of this is the downtown zoning code for Everett, Washington. (See <http://www.mrsc.org/mc/everett/everet19/everet1922.html>). Many examples of actual buildings are given along with detailed text recommendations. It is a complex document. I have no idea if it works.

5. Floor Area Premium Options 5:65

Tying premiums to LEED certification rather than allowing premiums for LEED certify-able buildings creates problems. The time and cost associated for certifying buildings as well as the proposed penalties for not achieving goals are issues. (A whole page of zoning text is devoted to punishment for non-compliance). Some cities leave compliance to their building departments and do not require a third party, post construction, certification process. As green building moves through the ICC/ANSI, code-accrediting process, this approach is likely to gain adherents. California has incorporated green building provisions into their ICC /ANSI building code. It will become mandatory in 2010. ICC / ANSI 700-2008 is one rating system that not only provides building code green minimum standards, but offers the novel bronze, silver, gold and emerald categories so that communities can require higher standards than minimum code levels. As a final point, LEED, at least in its present form, may or may not be the eventual green building rating system used for code compliance and may not be the most appropriate to be incorporated into a zoning code.

Premium option (2) (a) requires that every sleeping-room have a certain amount of window area. The Michigan Building Code does not have this requirement. Since the State has taken back from cities the right to enact building codes, it may not be legal. At the very least it would result in creative renaming of spaces where people sleep.

Premium option (2) (e) A street arcade appears to not qualify as a premium since it has been stricken from the present ordinance. However it seems to reappear in the "Inner Arcade Premium" section which could allow it as "*a... covered space which runs through or along the side of a building*". If the intent was to eliminate arcades along a street this does not do so with much clarity. There is no definition in the code of *building side* and it could be construed as the front. Lots have defined sides but buildings have many sides.

6. Special Parking Districts 5:169

Paragraph (2) requires bicycle parking in compliance with Section 5:168.1 but does not specify which type. Is it type A, B, or C? or a combination?



Advisory Board
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Susan Wineberg

30 December 2008

MEMORANDUM: Proposed Changes to City of Ann Arbor Zoning Ordinances, Chapters 55 and 57

The City of Ann Arbor amended Downtown Plan, revised Zoning Ordinances and the Design Review Process and Guidelines should be cross-referenced and coordinated. There should be no conflict between these documents, and these documents need to be approved and activated at the same time. Invite Race/Winter back to complete the program by educating all of us as to the relationship between what will be the Downtown Plan, downtown zoning, and design standards and guidelines applied to the development process.

Key positions of the Ann Arbor Preservation Alliance with regard to A2D2 initiatives regarding zoning, design guidelines, and process:

- Approve the Downtown Plan and Zoning Ordinance revisions in tandem;
- Assure a clear relationship between the Plan and Zoning in the adopted text;
- Include strategies for their implementation, with clear illustrations, in the approved documents;
- Make approval contingent on adopting a process and design standards or guidelines for review.

Key points and concerns:

- Major concepts in the amended Downtown Plan and in the revised Zoning Ordinances should be graphically illustrated, wherever possible.
- Height limits for new construction are inconsistent and should be reviewed against approved design standards that complement zoning. Specifically, if heights are capped at 120 feet for the D1 South University character area, then that same cap is valid and should be applied in the D1 East Huron character area. If height limits are applied, then that height should include any allowed premiums, i.e. 120 feet maximum allowable height.
- Buffer areas need to be included in all downtown areas adjacent to residentially zoned neighborhoods, historic districts, or buildings listed on the National Register, need to be included in all downtown zoning districts. While not necessarily a zoning issue, this illustrates the need for the design review process to be referenced from the zoning ordinance. Examples are the historically designated properties on E. Washington between S. Fifth and S. Division and at 416 E. Huron.
- Setbacks in D1 zoning for all character areas should be maintained at 30 feet from all lot lines, with no provision for any structures at any point closer than 30 feet. We need a specifically stated definition of

30 December 2008



Ann Arbor

Preservation Alliance

Advisory Board

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“rear” lot line so that all lot lines parallel to the street within one parcel comply with the 30-foot setback requirement. If the lot shape jogs, then so should the minimum setbacks for any structure.

- To protect the integrity of downtown and near-downtown residential use and historic properties, D1 zoning should not be used outside the DDA district boundary. This would limit the assembling of land parcels outside the downtown area to create a project that would allow a developer to exceed limitations of height and setback as if the properties were all in the downtown area.
- D2 zoning is appropriate for the north side of Huron Street between N. State and N. Division Streets. Specific design review standards with illustrations for this character area should be included in the A2D2 documents.
- Corner parcels should require similar minimum side and rear setbacks as mid-block parcels, i.e. 30 feet from all lot lines, for all downtown parcels adjacent to residentially zoned property.
- Empty parcels adjacent to historic districts, or buildings listed on the National Register, should be reviewed according to approved Design Guidelines to mitigate negative affects of new construction within 150-foot radius. This includes consideration of building height and mass, respectful setbacks, access to sunlight and fresh air, and other design criteria. National Register properties should be so-identified on the map of historic districts.
- Require the design review process to be cross-referenced throughout the revised zoning ordinance. Add text to section 5:3 as a direct reference to approved Design Guidelines and the design review process.
- Prohibit transfer of development rights (TDR). These are an untested method in Ann Arbor for trading land uses and densities, and warrant further research as to how they are working and have been applied in other communities, before adding them to our local zoning ordinances.
- Invite the consultants back to complete the design guidelines and standards, train staff, and integrate these new documents into the revised zoning ordinance. This step should include public education regarding the changes and the new process incorporating design review.
- Clarify usable floor area definitions in Chapter 55 so that it does NOT include stairwells, ramps, elevators, or mechanical shafts.
- Clarify in Chapter 57 what constitutes **minor** changes to a site plan that may be approved administratively. Remove from the list any changes in building height, moving building footprint, increasing building size, and adding free-standing accessory structures as being **major** changes that therefore require returning the site plan to the Planning Commission.

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DISCUSSION DRAFT
****MEMORANDUM****

TO: Wendy Rampson
CC: Historic District Commission
FROM: Susan E. Morrison / Gary R. Rentrop on behalf of
Michigan Historic Preservation Network
DATE: January 8, 2009
SUBJECT: Proposed Revisions to Zoning Ordinance (Chapter 55), Subdivision Ordinance
(Chapter 57), and Downtown Plan
FILE: 1083.002

I. PROPOSED REVISIONS TO ZONING ORDINANCE (CHAPTER 55)

Page references are to the City's 9/16/08 Draft of A2D2 Ordinance Revisions. Revisions to that draft are shown in italics and underlined for additions and with strike-outs for deletions.

Sec. 5:1 Definitions.

* * * * *

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(22) [New] Historic consideration buffer area. An area which extends 150 feet from the boundaries of a historic district or 150 feet from the boundaries of a property listed on the National Register of Historic Places. A property listed on the National Register of Historic Places shall be referred to herein as a Designated Historic Property. The term Historic Building shall mean a structure within a historic district or located on a Designated Historic Property.

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(29) Lot line, rear. The lot line opposite and most distant from the front lot line; or in the case of irregularly-shaped lots, a line ~~10 feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line~~ which runs parallel to the irregular shape at the required setback distance.

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(57) Usable Floor Area, Nonresidential and Multi-Family. Usable floor area for nonresidential uses shall be measured to the exterior face of the exterior walls for all floors ~~areas~~ that are accessible by a fixed stairway, ramp, escalator or elevator, which may be made fit for occupancy. The measurement shall include the ~~floor~~-area of the floors of any accessory buildings. The exterior measurement for each floor shall not exclude the area of stairways, ramps, escalators, elevators, or mechanical or other utility shafts. Below-grade parking cellar areas only shall not be counted as usable floor area. For the purpose of this subsection, the definitions of cellar and grade contained in Chapter 98 of this Code shall apply.

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(58) Usable Floor Area, Single Family Residential: The measurement of usable floor area for residential uses shall be the sum of the area of the first floor, as measured to the exterior face of the exterior walls, plus that area, similarly measured, of all other stories having more than 90 inches of headroom that are accessible by a fixed stairway and which may be made usable for human habitation; but excluding only the floor area of garages, accessory buildings, attics, breezeways and unenclosed porches. The exterior measurement for each floor shall not exclude the area of stairways, ramps, escalators, elevators, or mechanical or other utility shafts.

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Sec. 5:10:19 D1 and D2 Downtown Districts

(3) Area, height and coverage requirements

(a) All development in the D1 and D2 Downtown Districts, except for development within a historic district or historic consideration buffer area, shall comply with the requirements in Table 5:10:19B

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Sec. 5:10:19(3)

(b) Relationship to downtown character overlay zoning districts. The D1 and D2 downtown zoning districts shall be further regulated by the downtown character overlay zoning districts. Unless otherwise specified in this chapter, the more restrictive of the regulations identified for both the downtown district and the applicable downtown character overlay zoning district shall apply.

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Sec. 5:10:20 Downtown Character Overlay Zoning Districts

(1)

* * * * *

(i) [New] Historic Consideration Buffer Area. This overlay buffer area applies to all Character Overlay Districts within the D1 and D2 zoning districts. Any new development lying all or partially within a historic consideration buffer area shall be subject to requirements set forth in Section ___ above and Section ___ below.

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Sec. 5:10.20

* * * * *

(2) Relationship to D1 and D2 downtown districts. The Downtown Character Overlay Zoning Districts shall provide additional regulations to the D1 and D2 districts. Unless otherwise

specified in this chapter, *the more restrictive of the* regulations identified for both the downtown district and the applicable downtown character overlay zoning district shall apply.

<u>Table 5:10.20C(1) – Downtown Character Overlay Zoning Districts Building Standards</u>					
<u>Overlay Zoning District</u>	<u>Height of Wall(s) Facing Historic Building(s) (“Base”)</u>	<u>Offset for Tower at Top of Wall(s) Facing Historic Building(s)</u>	<u>Building Height</u>	<u>Massing Articulation</u>	<u>Side and Rear Setbacks</u>
	<u>Max. Height</u>	<u>Required</u>	<u>Max. Building Height</u>	<u>Maximum building module length (horizontal dimension)</u>	<u>Minimum Distance from Historic District or Designated Historic Property</u>
<u>Historic Consideration Buffer Area</u>	<u>A height equal to that of the closest Historic Building or the maximum building height, whichever is less.</u>	<u>1 foot of setback (offset) from the exterior of each Base wall for every additional 1 foot of height, not to exceed the maximum building height.</u>	<u>90 feet and 7 stories max. (for sloped roofs, the eave line shall be no more than 82 feet and roof peak no more than 94 feet).</u>	<u>45 feet</u>	<u>(1) Base: Minimum 30 foot setbacks for Base¹ except as provided in footnote 1. These setbacks shall be measured from the rear and side exterior walls of the building to the boundary of any Historic District or Designated Historic Property. (2) Tower: Minimum setbacks (offsets) of 1 foot from the exterior of the Base Wall for every additional 1 foot of height, up to max. building height.</u>

¹ In the case of side setbacks from an existing commercial building in the Main Street, State Street, Fourth/Ann, or Liberty Street Historic Districts which was constructed to share a common wall, then the side setbacks can be eliminated

Table 5:10.20D – Downtown Character Overlay Zoning Districts Building Frontage Standards		
Designation at right-of-way line	Required Front setback	Additional requirements and exceptions
Primary Street	1 foot maximum at the streetwall <i>allowed</i>	(1) Up to 20% of the building frontage may exceed the maximum front setback requirement <i>allowed</i> for entry court or plaza area, except in the Main Street Overlay Zoning District. (2) The maximum front setback may be exceeded up to a maximum of 16 feet from the back of curb to allow for pedestrian circulation. (3) Vehicle access shall be provided from a public alley, if accessible.
Secondary Street	10 feet maximum at the streetwall <i>allowed except as provided in footnote 2.²</i>	(4) Up to 20% of the building frontage may exceed the maximum front setback requirement <i>allowed</i> for entry court or plaza area.
Front Yard Street	15 feet minimum <i>required</i>	(5) The average of the established front setback of buildings within 100 feet may be used, if less than 15 feet. (6) Unenclosed porches may encroach 8 feet into the required front open space.

[Note: although these street designations (Primary, Secondary, Front Yard) are shown on a map at Figure 15 of the proposed Downtown Plan, these terms need to be defined or shown on a map in the Zoning Ordinance.]

Sec. 5:65 Floor Area Premium Options

In the C1A, C1A/R, D1 and D2 zoning districts, the normal maximum floor area in percentage of lot area set forth in Sections 5:43 and 5:10.19 may be exceeded on lots located entirely outside of (a) a historic district; (b) a historic consideration buffer area and/or (c) a floodplain when amenities as described in this section are provided, subject to the premium limits designated in Sections 5:43 and 5:10.19B.

* * * * *

- (1) General regulations.

² Front setback shall be equal to the setback of any adjacent building which is in a historic district or which is a Designated Historic Property, or if not adjacent to a building which is in a historic district or which is a Designated Historic Property the front setback shall meet the average setback of the buildings on the same block which are in a historic district or are Designated Historic Property(ies).

(a) Premium options may be applied only to *(i)* lots that are located entirely outside of an historic district, as designated by Chapter 103 and are located entirely outside of a historic consideration buffer area, as defined in this ordinance, and ~~or~~ *(ii)* properties that contain no part of an 100-year floodplain, as designated by the city's adopted floodplain map.

II. PROPOSED REVISIONS TO CHAPTER 57 OF THE ANN ARBOR CODE, SECTION 5:122(5):

(5) Administrative amendments to approved site plans.

* * * *

~~(b) Change in building height that does not create new floor area.~~

* * * *

(d) Change of location or type of landscape or screening materials provided such change(s) affect the adjacent property(ies) in a manner equal to or better than the original plan approved. Where more landscaping area or materials are shown than required by Chapter 62, these elements may be reduced by no more than 20 percent of the additional amount originally approved.

~~(e) Relocation of refuse collection stations.~~

* * * *

~~(h) Moving a building no more than 10 feet or 5 percent of the distance to the closest property line, whichever is smaller.~~

~~(i) An increase in building size that does not exceed 10,000 square feet or 10 percent of the floor area, whichever is smaller.~~

~~(j) Extension of site plan approval for periods up to 2 years if the plan is in compliance with current laws and regulations.~~

* * * *

~~(o) Addition of one freestanding storage building greater than 240 square feet of floor area, but not to exceed 5,000 square feet of floor area, 5 percent of the lot area, and 14 feet in height.~~

* * * *

~~(q) Replacement or enhancement of a wireless communications tower to accommodate co-location, provided that the tower is not relocated more than 15 feet from the base of the original tower, nor is increased in height more than 20 feet above the original tower height and meets all other applicable regulations.~~

* * * *

III. PROPOSED REVISIONS TO ANN ARBOR DOWNTOWN PLAN DRAFT DATED 8/29/08

Page 8, Figure 3

Change caption to read:

“Downtown Historic Districts and Designated Historic Properties”

Add to the map and key all properties listed on the National Register of Historic Places which are outside a historic district.

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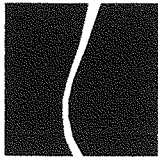
Add the following item 7 at the end of the list of “Recommended Action Strategies”:

“(7) Develop requirements in the zoning ordinance to protect historic properties and historic districts from the effects of looming, shading and incompatibility of nearby new construction and additions, by requiring adequate setbacks, transitions in scale and height, height limits, and design and massing standards within a historic consideration buffer area.”

Page 32, 2nd paragraph

Revise the last sentence to add the following language in italics:

“This designation constitutes an “overlay” zone which (a) requires Historic District Commission review and approval of applications for construction and the alteration, repair, demolition or moving of structures within a historic district, and (b) requires application of the standards for new construction within the “historic consideration buffer area” adjacent to both historic districts and Designated Historic Properties.”



The
Allen Creek
Greenway
Conservancy

Board of Directors
Jonathan Bulkley
Hank Byma
Francesca Cassara
Liz Elling
Joe O'Neal
Martin Schwartz
Margaret Wong

The Conservancy
is dedicated to
creating a Greenway
along the alignment
of historic Allen Creek
through Ann Arbor
from Stadium
Boulevard to the
Huron River.

The Conservancy
is a 501(c)(3)
not-for-profit
corporation.

525 West William St.
Ann Arbor, Michigan
48103
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January 12, 2009

John Hieftje, Mayor
Ann Arbor City Council
City of Ann Arbor
100 North Fifth Avenue
Ann Arbor, MI 48104

**RE: ALLEN CREEK GREENWAY and A2D2 + DOWNTOWN PLAN
AMENDMENTS**

Dear Mayor and City Council:

The Allen Creek Greenway Conservancy appreciates the considerable effort that City officials, City staff, Planning Commission, the A2D2 Steering Committee, and advisory committees have expended in the complex undertaking of revising Ann Arbor's zoning ordinance. However, we view the "A2D2" zoning code revisions, as currently proposed, with concern.

As you may know, the core mission of the Allen Creek Greenway Conservancy is to assist in the creation of a comprehensive Greenway in the Allen Creek floodplain. Our intention is, and has always been, to work closely with the City of Ann Arbor and other interested people in this endeavor. This letter should be understood in the context of that mission and stated intentions.

The current draft zoning revisions appear to take slight notice of the Allen Creek floodplain. It is only as of December 2008 that City staff has revised A2D2 maps and diagrams to show floodplain boundaries. This is a zone with special opportunities, risks, and responsibilities. We sincerely believe that to ignore this fragile and invaluable natural resource will be one of the biggest mistakes this City will ever make. There is no question that major storm events will occur in the future; the only question is how well prepared Ann Arbor will be to minimize the inevitable damage. A practical, prudent, and environmentally sound first step that would effectively protect health, life safety, and property values would be to prohibit all new construction of buildings and surface parking lots in floodway areas. Furthermore, the City must be ready to fully reconcile the

A2D2 revisions with the Flood Hazard Mitigation Plan and the anticipated Floodplain Ordinance. It will be critical to coordinate these measures as quickly as possible, in anticipation of the development and maintenance of the subject properties.

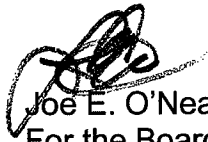
The Conservancy acknowledges that moving toward long-term complex objectives, like the Allen Creek Greenway, can create challenges in the near term. As a 501(c)(3) non-profit land trust, the Conservancy seeks to protect the floodplain and create the Greenway by acquiring properties as they become available. But the City of Ann Arbor must also pursue ways to realize this transformation. Well-established legal measures like long-term leases or inholding (long-term, limited grandfathering) strategies would allow privately owned floodplain properties now in active commercial or residential use to make the transition to Greenway uses over a period of time. The three public floodplain sites at First and William, 415 W. Washington, and 721 North Main offer Ann Arbor the chance to implement ground breaking environmental accountability measures and stewardship through city planning. We urge the A2D2 Steering Committee, City Council, the Mayor, and Planning Commission to create a special overlay zoning category for the Allen Creek floodplain that will enable the methodical planning and creation of a comprehensive Greenway over time.

With the critical decisions that the Mayor, City Council and Planning Commission will make in the near future, the Allen Creek Greenway can be zoned out of ever existing or be so greatly restricted as to be of inconsequential value to future generations. Inaction on a substantial Greenway may also result in substantial liabilities for the City. On the other hand, thoughtful revision of the zoning ordinance can ensure its growth to full maturity in years to come by means of a fair and measured process. We have a chance to make future Ann Arbor residents deeply grateful for steps we take today; we cannot let this opportunity slip away.

We ask that the A2D2 Steering Committee, Planning Commission, City Council and the Mayor not rush the approval process for the proposed revisions. We need a thorough deliberation of significant issues relating to the Allen Creek valley and floodplain. We need to give ourselves planning tools that will support sound and enlightened decision making and that will promote the future health and safety of our community.

Sincerely,

THE ALLEN CREEK GREENWAY CONSERVANCY



Joe E. O'Neal, President
For the Board of Directors

CC: Roger Hewitt, A2D2 Steering Committee & DDA Board Member
Evan Pratt, A2D2 Steering Committee & Planning Commission Chair
Roger Fraser, City Administrator
Sue McCormick, Public Services Area Administrator
Wendy Rampson, Systems Planner
Linda Berauer, Parks Advisory Commission Chair
Janis Bobrin, Washtenaw County Water Resources Commissioner
Harry Sheehan, County Water Resources Environmental Manager
Vince Caruso, Allen Creek Watershed Group
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