

Comments at Ann Arbor City Council Meeting, December 6, 2010 Public Hearing, Agenda Item PH-1

I am Rita Mitchell. I live at 621 Fifth St.

You will be considering rezoning multiple parks tonight to the designation of Public Land (PL) based on Chapter 55 of the City Code. Included in the list of parks are Mallets Creek Nature Area, and Bluffs Park, which is part of the beautiful green gateway to the city. I highlight these two parks of those under consideration because they are most familiar to me specifically, but I recognize each of the others as familiar, loved and enjoyed by many Ann Arbor citizens and visitors. It is possible that each of these parks have benefited from the care of volunteers and have provided as recreational resources. Certainly each has given benefit to the community by providing green open space, water retention, cleansing of the air and our watershed, and homes for wildlife and plants...that is, ecosystem benefits.

I ask that you join me and each Ann Arbor park's set of fans, in providing the best, strongest, long term protection of park land status that each park, and that each citizen of Ann Arbor expects and deserves.

I know that you have voted the PL designation to a number of Ann Arbor Parks over recent years, and more recently, I have become concerned about your decisions. The Chapter 55 zoning designation of PL, Public Land, allows not only Open Space, Conservation lands, Forest preserves, and parks, but it also allows schools, civic centers, government offices and courts, and most recently per your decision: transportation facilities.

Although Chapter 55 clearly states that **"No structure shall be erected or maintained upon dedicated parkland which is not customarily incidental to the principal use of the land."** * The proposal to build a parking structure in Fuller Park violates that regulation by the strange loophole that the city does not have to obey its own zoning rules. That loophole is disturbing to me.

The PL zoning allows you, Council members, to re-purpose parks zoned as Public Land, without consulting the citizens, the very people who voted in 2008, by over 80% that we want a public vote on the sale of park land.

The repurposing approach was tried recently, and was changed based on public opposition, when football parking was proposed for Almendinger and Frisinger parks. The projects to build a parking structure for over 1000 cars in Fuller Park and to privatize Huron Hills are being taken with the same orientation: Public

Land does not require input from the citizens to change its use. That is not what Ann Arbor citizens want.

How long before the park zoned as public land nearest your home is suddenly designated a parking lot, a court house or a transportation center? Will it be Gallup Park? West Park? Rierside Park? I urge you to move forward with strong protections for park land, beyond the designation of Public Land status so that Ann Arbor continues to deserve the green title that we have enjoyed for so long.

*** Chapter 55; 5:10.13. PL public land district.**

(1) Intent. This district is designed to classify publicly owned uses and land and permit the normal principal and incidental uses required to carry out governmental functions and services.

(2) Permitted principal uses.

- (a)** Outdoor public recreational uses, such as: playgrounds, playfields, golf courses, boating areas, fishing sites, camping sites, parkways and parks. **No structure shall be erected or maintained upon dedicated parkland which is not customarily incidental to the principal use of the land. [emphasis added]**
- (b)** Natural open space, such as: conservation lands, wildlife sanctuaries, forest preserves.
- (c)** Developed open space, such as: arboreta, botanical and zoological gardens.
- (d)** Educational services, such as: public primary and secondary schools, and institutions of higher education.
- (e)** Cultural services, such as: museums and art galleries.
- (f)** Public service institutions, such as: hospitals, sanatoria, homes for the elderly, children's homes and correctional institutions.
- (g)** Essential services, buildings containing essential services and electrical substations.
- (h) Transportation facilities. [emphasis added]**
- (i)** Civic center.
- (j)** Government offices and courts.