

From: Brian G
Sent: Tuesday, February 22, 2022 12:44 PM
To: Planning <Planning@a2gov.org>
Subject: 3010 S. State proposal - Outback Steakhouse

Hi there,

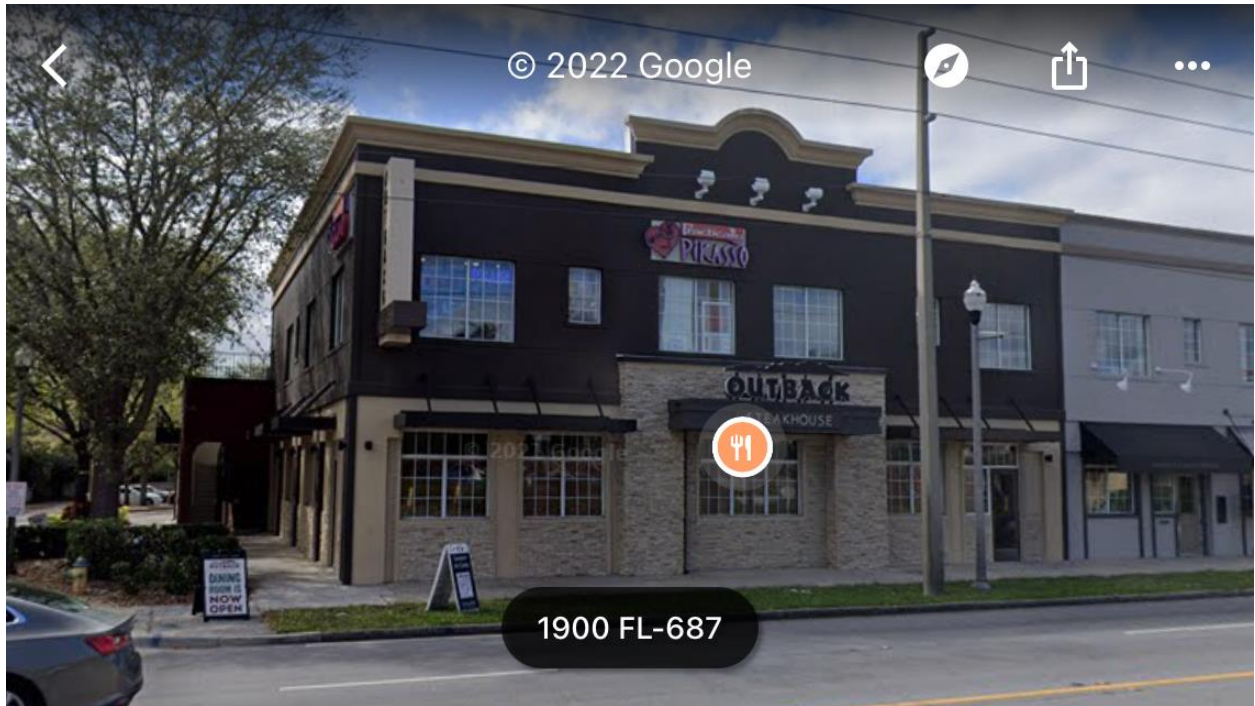
I am an Ann Arbor resident who has been following the progress of the City's Transit Supportive zoning initiative along major corridors (with the Eisenhower/State St area being the first focus of the Planning Commission). I was excited to see this new zoning designation move forward in hopes of creating more vibrant, walkable areas outside of downtown.

I just wanted to express my disappointment (and confusion) regarding the proposed Outback Steakhouse building that would replace a demolished Macaroni Grill at 3010 S. State. As stated in a recent MLive article and depicted on potential site plans/renderings submitted to the City, this development keeps the same car-centric footprint with oversized parking lot and large setback along State. Isn't this the exact type of redevelopment that the City was targeting when initiating the TC1 zoning for those 69 parcels in this area?

I am confident that a large chain restaurant can successfully occupy a walkable, pedestrian-friendly building, as I've seen the Outback Steakhouse in St. Petersburg Florida (1400 4th St N) do this very thing - - they are in the ground floor of a 2-story bldg. with zero setbacks from the sidewalk, along a busy 5-lane corridor with parking around back. I've attached a picture below taken from Google streetview. I understand that the City has limited input/say for by-right projects, but I had thought that rezoning those 69 parcels (which include this one) requires that developers adhere to TC1 guidelines, no?

Just my two cents. Thank you for your time.

Outback Steakhouse
Address: 1900 4th St N, St. Petersburg, FL 33704



Best Regards,

Brian G.
Ann Arbor resident, 5th Ward

From: Rita Mitchell
Sent: Tuesday, February 15, 2022 9:46 PM
To: Planning <Planning@a2gov.org>
Subject: Additional Comments: 3874 Research Park Drive.

Dear Planning Commissioners,

I appreciate your discussion with the developer about 3874 Research Park Drive about renewable energy and energy efficiency for the project. I am disappointed that the building will continue use of natural gas, which will become a relic of the fossil fuel industry. One more stranded asset for a company that seems to understand the need to move forward toward renewable energy. Perhaps they will change their minds in the course of their ongoing development.

I want to add one more consideration to discussions for all future construction and for replacement of windows and large glass panel-walls, all of which should be designed to support passive solar gain. The additional consideration is bird-safe glass. Every year billions of birds are killed when they mistake a reflection for open air, hit a window, and die. There are types of glass and treatments that can markedly reduce bird strikes, and improve energy efficiency of buildings with large expanses of glass.

I ask that you forward information on bird-safe glass to the developer of 3874 Research Park Drive, and request installation of a glass product that will avoid bird deaths. Exterior and interior lighting management should be addressed as well, as the project progresses to limit excess use of energy, as well as to help reduce bird-window strikes.

The Javits Convention Center in New York City reduced bird strikes and energy consumption with a change-out of glass to a type that allows birds to see the solid surface for what it is and to avoid it. The outcome is a significant improvement.

<https://www.nytimes.com/2015/09/05/nyregion/making-the-javits-center-less-deadly-for-birds.html>

Please continue to push for developments that will be sustainable in the coming 50-100 years. Our world depends on it. Developers should consider these investments as pre-payment for energy use in the future, and be encouraged to take actions now, or scale back their projects.

Thank you,

Rita Mitchell
621 Fifth St.
Ann Arbor, MI 48103

From: Kirk Westphal

Sent: Tuesday, February 15, 2022 7:23 PM

To: Planning <Planning@a2gov.org>

Subject: parking maximums & unbundling = VMT reduction & fairness

Dear Commission and Staff:

Do you think the future growth of Ann Arbor should disproportionately cater to drivers, or non-drivers?

If your answer is “drivers,” you’re in luck: you can skip this message! (But I would like to have a conversation with you about the sustainability framework, carbon neutrality plan, Vision Zero transportation plan, etc.)

If your answer is “nondrivers,” I agree. So read on!

The City Council looks to you for advice, expertise, and implementation of our comprehensive plans. I value the work of CPC and staff because I believe that you have the greatest control over the city's vehicle miles traveled (VMT), transit use, and housing equity problems. Your actions directly influence car use and market-rate housing rents.

Passing our affordable housing and transit millages were extremely important (and passing a sustainability millage might be important, depending on how it's used), but your tools for regulating the private market for residential density and overall car use will always overpower all government-funded attempts to spend our way out of these problems. For example, the housing millage might create 2000 units (out of tens of thousands of market rate units), the DDA operates around 7000 parking spaces (out of tens of thousands of private parking spaces), and the AAATA provides a few thousand inbound daily trips (out of 80,000+ individual car trips).

I'm confident that density will increase city-wide, but the existing and future parking regulations are a critical factor in VMT, transit use, equity, and so many downstream factors that residents care about.

Summary

While you're eliminating parking minimums, liberalizing duplexes, and hopefully expanding TC1, I ask you to also please take action on the following:

1) Most urgently, please implement either a) a moratorium on non-TC1 projects along all bus service areas with 15-minute headways or better, or better yet, b) a simple, use-agnostic, city-wide parking maximum to go along with the elimination of minimums that states that the total vehicular use area, no matter how it's arranged, may not exceed usable interior floor area.

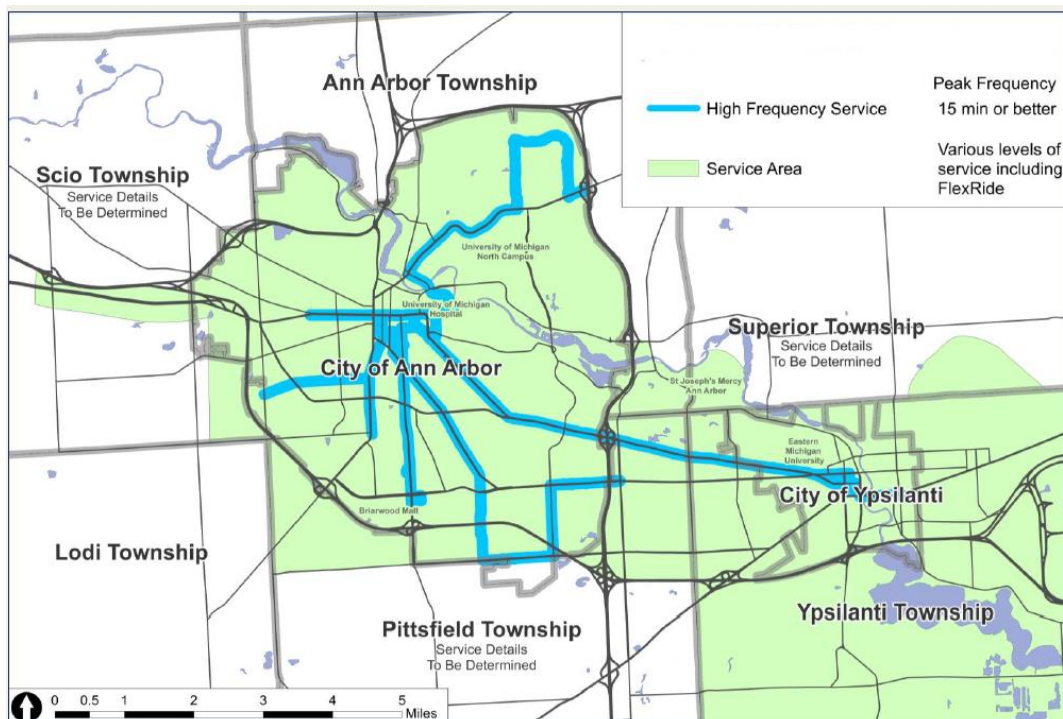
Rationale: Since we are committed to a reduction in VMT, car use should at least not increase. And we know that when people own cars, and there is cheap and copious parking at the origin and destination, they will drive—no matter how good the transit is. We must address parking supply. VMT is unable to grow without more places to park, so it's critical to at least stop the worst car-dominated developments and provide opportunities for developers who want to build in a less-suburban fashion, particularly along frequent bus corridors.

2) Less urgently but also important, please adopt a meaningful **parking unbundling/cash-out ordinance** that prohibits parking privileges from being included in residential rents and employee wages and instead mandates that parking must be valued at market rate. (In the case of office workers, this would likely involve an extra payment to people who do not park on site instead of a charge on those who do, hence, “cash out.”)

Rationale: Existing policies that leave it up to property owners to decide residential rents and office salaries without regard to individuals' use of parking infrastructure create and reward car use while financially hurting those who don't consume the parking.

Moratorium or Maximum?

I don't love the idea of a development moratorium, but it is a useful tool for cities that have decided to rezone areas to protect them from inappropriate development in the meantime. If we care that inappropriate development might occur in places that have been identified for TC1 zoning (like the drive-through bank that was proposed on Stadium, which I'm told is now being advertised as being suitable for a car dealership), then we should protect these areas. The concern is not just about the loss of the land, but the fact that undesirable developments exert a negative externality on surrounding parcels for decades. Since there is no schedule for TC1 rezonings after Eisenhower, I think a moratorium should be considered for all corridors served (pre-COVID) by 15-minute or better bus headways (see graphic).



However, I prefer the idea of implementing a simple city-wide parking maximum instead, one that doesn't pick winning and losing uses but instead mandates a modicum of respect for city land: a maximum 1:1 ratio of vehicular use area to indoor space.

A couple of weeks ago, we learned from staff that some of the more efficiently-parked suburban-style shopping centers in the city limits (eg. the Washtenaw Whole Foods and Trader Joe's) have a 3-3.3 parking spaces/1000sf interior space parking ratio (forgive me if my numbers are off). Since the total area dedicated to a parking space is roughly 333 sf (including

the actual space, driveways, and aisles), those shopping centers are at about an even ratio of vehicular space to interior space.

So, do you think that developers should be able to build more of these environments that cater only to drivers, perpetuate a car-only environment, and reduce the ability to move commercial areas toward residential?

If you don't want more of them, shouldn't we at least prohibit developments that are more heavily parked than them?

We currently have parking maximums of 1 space/250sf of retail and office, which equates to 4 spaces/1000sf. This has given us new, car-only strip malls like Arbor Crossings on Washtenaw. (Note: this is on a bus line with less than 15-minute headways, and I guarantee that 99.5% of patrons arrive by car.) And because these maximums are even more permissive for banks (5.5 spaces/1000sf!), and there are none for restaurants, we now have new standalone banks and fast food places on bus corridors (again, some of them with 15-minute headways).

Again, I hope you do not want more of these. Yes, the parking maximums for TC1 (unless they're changed) will prevent such driver-only developments once areas are rezoned. But as you know, because of the lengthy process of rezoning, these areas are vulnerable in the meantime to bad by-right development. (PS: which corridors are next, and can they be done concurrently?) I have already expressed my dismay at the limited length of the TC1 corridors (for example, why are we requiring TC1's higher densities and less parking on State near Briarwood, but not for the more desirable properties further north near UM?). Therefore not only is future TC1 land not being protected, but transit corridors that should be TC1 (or denser) but aren't currently planned as such are also vulnerable. (It has been mentioned that additional zones could be invented for more downtown-proximate areas, but I think our zoning, climate, affordability, and traffic issues are too great—and staff time too important—to create further complication within our zoning ordinance when I can't think of any reason why TC1 would not be appropriate for these areas either. The zone self-adjusts to neighborhood context already.)

With regard to residential or mixed-use development, an umbrella parking maximum ratio of 1:1 vehicular space to interior space would allow a parking space for a 333sf micro-unit, and 2 spaces for an average apartment. I think allowing this much parking goes against our affordability and transit goals—and should not be permitted in TC1 areas—but for the sake of simplicity, I don't think it's worth setting a different maximum ratio for residential city-wide.

A parking maximum may also incentivize some projects with complementary parking peak usage times, such as office and residential.

I think a 1:1 ratio works as a simple, disaster-proof “backstop” against the worst types of development, and it allows many of the projects that you're currently dealing with. For example: the petition you're looking at tonight for the large research facility? That easily passes the 1:1 test. But that drive-through bank on Stadium? Nope. Standalone fast food surrounded by parking? Nope. Car dealership? Nope.

I know that some property owners will cry “foul” and say that such a parking ratio does not allow the types of development they would like “given the current lending environment.” As I've said before, I think that's ok. Not all land in the city is ready for more urban-style development, yet. We've worked tirelessly for decades to prohibit density in 95% of the city and create a car commuter paradise, and it will take decades to redevelop in a more sustainable way. It will likely start with land closer to the hospital and UM campuses. Please don't sacrifice outlying city land at the altar of “better office parks” because “that's what's realistic” in the next 10-20 years. Once

that land is developed to cater to car-only users, it won't be walkable for 40-50 years (unless you count a few workers who might walk instead of drive to Applebee's for lunch).

Since we know that some parking must be allowed in some locations, and we also know that parking significantly increases construction costs and therefore rents, I think it's critical that you implement a policy that doesn't punish non-car-owners who live or work in a building with parking—which brings me to the next section.

Parking unbundling/cash out

The practice of unbundling parking seeks to ensure an efficient allocation of the cost of parking, so that the users of parking spaces are contributing to the cost of the infrastructure, while non-users are not (or at least not as much). I'm told that Seattle, Bellevue, San Francisco, Oakland, Berkeley, and Santa Monica have unbundling policies of varying degrees. Not coincidentally, some of these cities are known for their progressive climate, transit/nonmotorized, and housing affordability policies.

Studies have shown that unbundling and pricing parking appropriately, both for residential and commercial spaces, incentivizes transit use. With respect to residential unbundling, one recent study concluded: "Households with bundled parking use transit less, spend more on gasoline, and—when they do take transit—are more likely to drive from their homes to the transit stop." ("Parking behaviour: Bundled parking and travel behavior in American cities," <https://doi.org/10.1016/j.landusepol.2019.02.012>)

Moreover, in one notable randomized study using affordable housing lotteries, researchers established that having a parking space available to you for free makes it more likely for you to purchase a car. "Although increasing transit accessibility significantly reduces driving, we found that parking has the greatest influence on travel. Access to parking has an effect on transit use three times as large as the effect of living in a neighborhood with good transit access... Our survey also shows that less parking leads to less car ownership and less driving. In the buildings we examined without on-site parking, only 38% of households own a car. In buildings with at least one parking space per unit, more than 81% do." (<https://transfersmagazine.org/magazine-article/issue-8/what-do-residential-lotteries-show-us-about-transportation-choices/>)

I've heard that some unbundling cities unfortunately do not set a minimum fee for parking or enforce the policy, so its effectiveness has been compromised. (I assume the American Planning Association has research packets on unbundling, with ordinances included, and can be easily obtained with a phone call.)

My proposal is that residential spaces must cost at least 7% of the rent of the median apartment in the building per month, which might work out to \$80/month, appropriately depending on how close to downtown or campus; for office/research, a minimum cost of 20% of the average downtown structured parking hourly rate times 8 hours/day, about \$2/day).

My anecdotal understanding is that virtually all downtown residential rentals already charge more than this rate. My concern is that new parking-heavy residential projects being proposed outside of downtown will not charge for parking, and therefore punish non-drivers.

Additional resources on unbundling and cash out is here:

<https://tsmowa.org/category/managing-transportation-demand/unbundled-residential-parking>

Conclusion

Recently, the claim was made that “developers don’t build more parking than they need.” First, I believe this is largely untrue. Whether it’s the fault of the developer or the lender, there is clearly a glut of parking across the city—even in downtown residential buildings.

But even we were to believe this statement, the problem is that many developers literally describe all areas outside of the downtown as “the suburbs.” So, what they really mean is that they won’t build more parking than they have to for suburban standards, where everyone drives. Some of the current land owners outside the downtown have made it clear that they do not care that the vision of the community is to urbanize our frequent bus corridors. They want the freedom to develop to suburban standards, which is what will make them more money in the short term. It is up to you to break the cycle of suburban development and say “no” to more of the same. Development proposals that allow every worker and resident the ability to use a car is completely incompatible with what the community wants.

Parking literally creates cars and driving. Free parking is even worse. Please treat our car problem with the urgency it deserves.

Sincerely,
Kirk

PS: With regard to TC1, as I commented at ORC, I strongly disagree with the proposal to completely uncap parking if it’s in structures. This abuses city land and creates danger for everyone by inviting more cars into the city. Let these types of developments go to the townships. There is no reason to invest in transit so they can run by parking structures. Please do not consider any maximums in excess of 2.5 spots per 1000sf for any uses in TC1.

Lenart, Brett

From: Kirk Westphal <writetokirk@gmail.com>
Sent: Thursday, February 24, 2022 5:10 PM
To: Planning
Subject: Work plan input

Dear Commissioners,

Please consider these suggestions for the work plan.

1. Agree on timetable for adding TC1 corridors (eg Washtenaw, Plymouth, Stadium/Maple, add S Main near Stadium). Conduct concurrent, staggered processes over 1-2 years instead of sequential efforts over the course of 3-4 years.
2. Expand proposed lengths of TC1 corridors, especially S State (please rezone all the way to Packard intersection) and Plymouth (should go all the way west to Broadway Bridge). I believe TC1 is a good district and there is no need (or time) for TC2, TC3, etc.
3. In addition to eliminating parking minimums (timeline?), institute a broad citywide parking maximum in all commercial zones that limits vehicular use areas to no more than usable interior space (in other words approximately 1 space per 333sf). This will be a stopgap measure to prevent destructive suburban development everywhere in the city. Without this, you are effectively stating that you desire additional drive-only development on corridors (and other places) until other rezonings take effect. If this cannot be done concurrently with eliminating minimums, please address it soon after.
4. Eliminate affordable housing premium for D1 and D2; give away the density or revert to residential premium.
5. Require parking unbundling (for residential) and parking cash-out (for commercial) to help ensure that parking costs do not get shared as much with car-light or car-free residents and workers.
6. There is comprehensive planning documentation recommending eliminating single-family zoning in unbuilt areas. If there is any of this land left, please upzone it.
7. Reform on-street parking outside the downtown. Address the poor utilization of on-street parking, preferably by instituting metering or at least increasing the cost of residential parking permits.
8. Adopt the Carbon Neutrality as a comprehensive planning reference document to replace the 2013 Climate Action Plan. Definitely determine if it can be adopted as part of the official comprehensive plan.
9. Define a public engagement plan as a prelude to defining the scope of the upcoming comprehensive planning RFP.
10. What happened to the "equity in zoning" citizens investigation of the history of exclusionary zoning?

Regards,
Kirk

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Sent from Gmail Mobile

From: Kirk Westphal

Sent: Sunday, February 27, 2022 6:52 PM

To: CityCouncil <CityCouncil@a2gov.org>

Cc: Dohoney Jr., Milton <MDohoney@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>; Planning <Planning@a2gov.org>

Subject: please stop suburban development now

Dear Council,

Many of us [recently learned](#) that the next project in one of our future TC1 zones is going to be... an Outback Steakhouse with a parking lot about 7x the size of the building.

The problem is, this parcel isn't zoned TC1 *yet*, nor are several other areas that are queued up to be rezoned to TC1 after State/Eisenhower (Washtenaw, Plymouth, and Stadium/Maple). Staff has said that these rezonings could take several years.

I have expressed my fear to planning staff and commission over the past year that as the economy recovers, these areas will be vulnerable to undesirable development. And announcing the areas that will be rezoned—absent any preventative measures—might precipitate a bunch of suburban developments like this one, with property owners hoping to get bad projects in "under the wire" before they are rezoned to something that the property owners don't typically build or aren't financially feasible in the short run.

In my view, projects like this are part of a death by a thousand cuts for dense development along our corridors. It's not just that a standalone restaurant chain becomes a car-magnet for decades, it's the externalities that come with it: it decreases the likelihood of future housing, biking, walking, and transit near it, and increases the inherent dangers of additional car use like road trauma and pollution. Who wants to live next to a pollution-choked, parking lot heat island? Why do we want more of these in our city?

I hope that planning staff, commission and City Council act quickly to prevent more suburbia from being built in the city. In my opinion, imposing a simple, generous *citywide* parking *maximum*—like limiting the amount of parking to the amount of interior space on a parcel—would be fast to implement and prevent super-suburban places like this from being built. It would protect the future TC1 zones *and* all of the city's commercial areas from repeating the mistakes of the past 60 years. (Eliminating parking minimums is supposed to be on the docket soon, I believe a parking maximum could be passed in tandem or follow right behind with very little work.)

Preventing additional car-only development is not only in line with what the community has asked for in our land use and climate plans, it is one of the few powerful levers the city has to shape a more sustainable future. For example, studies show that making transit attractive increases ridership somewhat, but allowing lots of parking negates the effect of better transit several times over. In other words, if you allow residential and commercial to have tons of parking, you are simply not going to get significantly more people walking, biking, or using transit—they will drive because they already have cars and can park them easily.

I'm sorry if this sounds harsh, but if the city won't even summon its no-cost legislative power to stop the *expansion* of car use, which is the known leading threat to air quality (enabled by more

parking and lane widening) and public health (crashes are the top cause of preventable injury), how can it justify raising property taxes to fund smaller-scale sustainability projects?

Thank you for your consideration.

Best,
Kirk Westphal



From: Jean Wohlever
Sent: Tuesday, February 22, 2022 3:03 PM
To: Planning <Planning@a2gov.org>
Subject: 3874 Research Park Drive Site

To the Planning Commissioners,

I am writing in regards to your approval of the plans for 3874 Research Park Drive Site. I am concerned that this building is going to depend on natural gas for its energy needs. I have heard that the company is unable to make much use of solar energy but that geothermal is a good possibility. Solar energy also appears to be a good possibility if the company can make use of solar panels that are placed in a different location than on the roof that is too crowded and has little room for solar panels.

I have been encouraged by Ann Arbor's A2Zero goals. We can't reach those goals unless the use of fossil fuels in new construction is curtailed. This is an opportunity to do exactly that. I understand that this given the requirements of this type of business that finding a way to not rely on fossil fuels for energy will be a challenge but it is a challenge that we all need to face. As the scientists who may work in this proposed building all know, the only way to address climate change is to drastically cut back the use of fossil fuels.

Please put final approval for this site on hold and ask the company to draw up plans for geothermal energy or for wider use of solar power.

Thank you,

Jean Wohlever
210 Montgomery Ave
Ann Arbor, MI 48103