

June 12, 2014

Ann Arbor Planning Commission  
City of Ann Arbor  
301 E. Huron Street  
Ann Arbor, MI

Via Hand Delivery

Ms. Alexis DiLeo  
City of Ann Arbor Planning Department  
301 E. Huron Street  
Ann Arbor, MI

Re: Application for Special Exception-1919 Wayne Street/Requested Conditions

Dear Members of the Planning Commission and Ms. DiLeo:

During the discussion of its motion to reconsider the earlier denial of the Jesuit Society's application for a special exception, some of the Planning Commissioners appeared to be thinking of potential restrictions that might be placed on the application so as to protect, as best possible, the existing residential fabric of the neighborhood. I represent the Oxbridge Neighborhood Association (ONA) and on its behalf, I have three suggestions that should be considered, if the Planning Commission does move to approve the application (to which ONA still objects).

**I. Require that the Order be recorded with the Register of Deeds**

To insure that 1919 Wayne Street (the Property) is used only by the Jesuit Society, and in the manner in which the Jesuit Society has represented to the Planning Commission that the Property would be used, the ONA requests that the Commission require that any Order be recorded with the Register of Deeds. This would make the Order and any conditions contained within it part of the public record, and reduce the chance of a future sale or use of the Property in a manner contrary to the Order.

**II. Require that any parking conditions be in written form and permanent in nature**

The Jesuit Society will have a larger number of vehicles at the Property than might be typical of a "functional family." It has also committed to reduce the impact on street parking by using the adjacent parking lot for several of its vehicles. This representation will have little value if in several months the owner of the adjacent lot withdraws its approval. In order for the Jesuit Society's representation to be meaningful, the adjacent

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owner's commitment to allow parking must be in writing and of a permanent nature. Otherwise, the Jesuit Society's representation will be no more than a statement made for purposes of Planning Commission approval, without resolving a potential negative impact on the residential fabric of the neighborhood.

### **III. Limit the number of residents of the Property who can be full time graduate students**

A "functional family" has some element of assumed stability, which is reduced if it is known before-hand that some residents will be students, who by their nature will be more transient. In fact, a group of students is expressly excluded from the definition of "functional family." The Jesuit Society has represented to the Planning Commission that no more than one resident of the Property would be a doctoral student. The Commission could accept the Society's representation, and limit the residents of the Property to no more than one full-time student studying for a graduate degree, such as a masters or doctorate. This will help maximize the stability of residents within the Property and help maintain the residential fabric of the neighborhood.

The ONA believes that the Jesuit Society does not qualify as a "functional family" as defined in the Zoning Ordinance. ONA also believes that approving this application may lead to more groups attempting to locate in the neighborhoods close to the University of Michigan, including of course the ONA neighborhood. Notwithstanding these very real concerns, ONA requests that if the Planning Commission determines to approve the Jesuit Society's application, that it place the important restrictions noted above on the approval. It is very important to remember that these conditions only reflect the representations made by the Jesuit Society to the Commission and the residents of ONA. As such, they are legitimate and reasonable conditions; if the Jesuit Society has any hesitation in agreeing to them, it indicates there is an issue with its representations.

Thank you in advance for your thoughtful consideration of the concerns of the ONA, and please contact me if you have any questions or need additional information.

Respectfully submitted,

  
Scott E. Munzel

cc: Oxbridge Neighborhood Association