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TO: Mayor and Council

FROM: Sumedh Bahl, Community Services Area Administrator  
Craig Hupy, Public Services Area Administrator  
Wendy Rampson, Planning Manager  
John Seto, Police Chief  
Colin Smith, Parks & Recreation Services Manager

CC: Steven D. Powers, City Administrator

SUBJECT: Council Agenda Responses

DATE: 5/18/15

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**C-1 – An Ordinance to Amend Chapter 55 (Zoning), Sections 5:10.20 and 5:10.20. A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval 7 Yeas and 0 Nays)**

**Question:** Even looking at the diagram provided in the staff report, I’m still a bit confused on how the new Tower Diagonal standard (130 feet) is measured. Can you please clarify? (Councilmember Lumm)

**Response:** The proposed definition for Maximum Diagonal is “The longest horizontal dimension of a building or tower, as measured from corner to corner of a story.” In other words, the distance from one corner of the building or tower to the opposite corner, diagonally across or “kitty-corners” of the footprint of the building, in plan view (i.e., looking from above). In geometry terms, the maximum diagonal is the diagonal of the square or rectangle.

**Question:** I’m also confused as to what the specific impact is on each of the properties in the East Huron 1 and 2 overlay districts – is there a document that describes that you could share and if not, could you please summarize the changes for second reading? (Councilmember Lumm)

**Response:** There currently is not a document that outlines individual property impacts. Planning staff will prepare this document for the Council packet associated with Second Reading.

## **DC-2 – Resolution to Establish Speed Limits No Greater than 25 mph throughout Near-Downtown Residential Neighborhoods**

**Question:** Staff please elaborate upon speed limit setting criteria, legal constraints and safety considerations. (Mayor Taylor)

**Question:** Does Council have the authority to establish speed limits? The resolution also mentions the "near downtown". How is this defined?  
(Councilmember Grand)

**Response:** City Council does have the authority to set speed limits. However, the Michigan Vehicle Code, 257.627 generally provides the method for setting speed limits on streets; the statute contains speed limits for business districts, speed limits for specifically defined "residential" districts, and speed limits based on "vehicle access points" within a half-mile stretch of road. The sections of MCL 257.627 that provide the access point formula were never intended as the substitute for a traffic study. In fact, the statute states that "nothing in this section shall be construed as justification to deny a traffic and engineering investigation." Access points are but one factor to use in determining proper speed limits. (MCL 257.627 was intended to provide a tool for smaller rural communities that do not have traffic engineers, as a proxy for a more comprehensive study.)

Many factors are considered by traffic engineers when setting a speed limit. These include: street geometry; the 85th percentile speed (i.e., speed exceeded by 15% of motorists); the role of the street in the surrounding street network; driveway density; safety analysis; non-motorized and school related activities; etc. Further, MCL 257.629(4) permits local authorities to adjust speed limits on streets adjacent to a public park or playground. Using a pure access point formula as described in MCL 257.627 may not reduce the speed limits at all locations, in fact could result in the recommendation to raise speed limits at some locations.

Simply signing a new speed limit may not affect motorist behavior; motorists will likely continue to drive in a manner that feels comfortable. That is why a traffic study might be useful prior to implementation. Artificially lowering the speed limit may have the unintended consequence of providing motorized and non-motorized users with a false sense of security that could ultimately decrease safety. Changes to the roadway design, such as geometric and lane configuration changes, would be more effective to reduce vehicular speeds.

To elaborate further, there are several questions regarding the proposed resolution that would need to be answered in order to fully elaborate on the criteria for setting speed limits or in order to fully implement this resolution, including:

1. The proposed resolution does not include a definition of the “near downtown” either by definition or by map. Staff does not have a formal definition of the term “near downtown.”
2. Relatedly, would this resolution include all streets within that area, or only streets of a certain classification?
3. Who is to approve the Administrator’s actions as to substance (as indicated in the resolution)?
4. Is this resolution requesting a traffic study prior to implementation?
5. Is the Administrator free to employ any means he deems appropriate to implement the resolution, including a traffic study?
6. Is Council imposing a deadline for implementation?

**Question:** Which specific streets (or portions thereof) would be impacted by this and what is the current speed limit? (Councilmember Lumm)

**Response:** Please see response provided above.

### **DS-3 - Resolution to Approve Fiscal Year 2016 Fee Adjustments and New Fees for the Community Services Area**

**Question:** Has PAC provided the written recommendation referenced in the cover memo? (Councilmember Lumm)

**Response:** PAC provided their recommendation on the proposed fee increases and proposed budget in their resolution sent as a communication (F-5, 15-0483) as part of the May 4th City Council agenda and also is attached for your review. PAC supports both the proposed new fees and fee increases.

### **DS-4 – Resolution to Approve Fiscal Year 2016 Fee Adjustments for Public Services Area – Project Management, Systems Planning, and Field Operations**

**Question:** Why is the City considering adding DOM fees? Will there be discussions with developers regarding the recommended changes? Can consideration of the fees be postponed until after that stakeholder meeting? (Councilmember Briere)

**Response:** The Developer Offset Mitigation (DOM) fees that are proposed to be added to the City's fee schedule are to cover the City's costs to verify, document and track developer mitigation efforts, which up to this point have been paid by the Sewer Fund without reimbursement or cost to developers. Through discussion with staff during the recent Sanitary Sewer Wet Weather Evaluation (SSWWE) project, and discussion with that project's Citizen Advisory Committee (SSWWE CAC) it was noted that City costs associated with development should be borne by the developers rather than the utility rate payers.

The SSWWE CAC did specifically recommend that the development community be engaged by the City as part of the modifications to the DOM program itself, particularly

modification to detailed aspects of the program such as the methodology and basis for flow calculations to determine mitigation requirements for developments. This engagement will be undertaken as part of the process to examine and propose these modifications.

The approval of these particular fees could be postponed by Council through an amendment to agenda item DS-4 removing the specific fees, and they could be reintroduced at a future date in a separate resolution related to modifications to the DOM program. As one fee is based on average efforts related to a footing drain disconnection at a single-family or two-family home (the most common method of mitigation) and the other is an hourly fee for other mitigation methods to only charge for time spent, the proposed fee amounts will not change even at the later date. Additionally, sewer rater payers will continue to fund this effort until the fee is adopted.

## MEMORANDUM

TO: Mayor and City Council

FROM: Parks Advisory Commission

DATE: April 21, 2015

RE: Park Advisory Commission Resolution on the FY 2016/17 Proposed Budget and Budget Plan for Parks and Recreation Services and Park Operations

Attached is the Parks Advisory Commission (PAC) resolution with our recommendations for the FY 2016/17 Parks and Recreation Budgets.

The PAC Budget and Finance sub-committee met on March 18th and April 8th with Colin Smith, Parks & Recreation Services Manager, to review the proposed budget and fee increases in detail. The sub-committee shared their work with PAC at the April 21, 2015 regular meeting and developed final recommendations on the budget for the coming two years (FY 16 FY 17).

In regards to new fees and proposed fee increases, PAC is pleased to see new programs established at the golf courses that reflect best practices and new ideas with the goal of attracting more people to the game and introducing new users at Huron Hills through Foot Golf. Similarly the addition of new programs in the field of river recreation is positive. Fee increases at Argo and Gallup liveries are the first since 2008 and reflect improved customer service, better amenities, and higher quality rental equipment. When analyzing the comparative data the proposed fee increases still place the Ann Arbor Liveries in an extremely affordable position. The proposed fee increases at the Golf Courses are primarily for 'peak' times when the courses are at capacity and doesn't impact their ability to offer specials and remain competitive in the market. Swim team increases are also seen as fair. PAC feels comfortable with the fee increases and scholarships are available to any City of Ann Arbor resident that qualifies. A scholarship provides for multiple uses throughout the year and activities such as swim team are fully covered for families that meet the financial criteria.

PAC supports the operating budgets as proposed and agrees with the focus on setting staffing levels so that outstanding customer service can be provided to visitors. PAC is pleased to see an overall revenue projection increase resulting from increased participation and fee increases. In addition, PAC supports the capital budgets and planned projects for FY 16 and FY 17 that focus primarily on rehabilitating aging infrastructure, in addition to making disciplined improvements in areas such as Bryant Community Center and sustainability initiatives such as transitioning from gas golf carts to electric.

PARKS ADVISORY COMMISSION RESOLUTION ON THE FY 2016/17 PROPOSED BUDGET AND BUDGET PLAN FOR PARKS AND RECREATION SERVICES

Whereas, a vibrant, extensive, and healthy parks system is part of every great town and city;

Whereas, Ann Arbor residents value their parks, natural areas and recreational facilities and support these amenities through their taxes and patronage;

Whereas, the Parks Advisory Commission (PAC) commends staff for their continued efforts to engage PAC members in the budget process, and in producing a budget draft that follows PAC's recommended budget priorities to sustain facilities and activities for all residents, but especially children, low income residents, and seniors, particularly where these services are not otherwise available;

RESOLVED, That PAC recommends that City Council approve the Administrator's recommended budget for Parks and Recreation Services and Park Operations developed by staff highlighting the following items:

1. Increased revenue budget resulting from increased participation and adjusted fees
2. New programs that reflect programming trends
3. Increased expenditure budget in order to accommodate busier facilities with the goal of providing outstanding visitor experiences
4. Capital projects that focus on rehabilitating existing infrastructure and improvements where sustainable and practicable