

Hello members of the Planning Commission,

I would like to express my support for the [execution proposal](#) from Commissioner Adams. I hope you will approve it at the soonest available opportunity.

There are some positive suggestions in the [“Comp Plan Implementation Options”](#) staff memo, like the proposal to consider the entire Hub category at once, but there are also serious problems in the options presented. All three options deprioritize Transition areas that have a much higher potential for new housing than Residential areas. They also reopen questions settled by the Comprehensive Plan.

The Sequence of Categories

Each of the three options in the staff memo suggests rezoning the Residential Category before the Transition category. However, there is far more potential for new housing in the Transition category than the Residential category for several reasons:

1. The Transition districts will allow high density housing, with high-rises [permitted](#) when far away from residential districts, while the future Residential districts will allow only low to medium-density housing.
2. Transition areas tend to be closer to Central Campus, North Campus, and Michigan Medicine, where demand for housing is very high.

The high potential for new housing in Transition has been proven by the numerous recent rezoning requests in Transition areas, including the 5 Corners development containing [376 apartments](#) and the Woodbury Gardens request to build [342 dwelling units](#).

The city does not currently have a zoning district suitable for many of these Transition areas, as shown by the commission’s rejection of the Woodbury Gardens rezoning request. While the commission approved the 5 Corners project as a PUD, it is not good policy to rely on one-off rezonings, and it is not certain that future Councils will continue to approve these rezonings.

If these high-rises stop getting built, and the University of Michigan continues to increase its enrollment by 500 to 1,000 students each year, these students could displace thousands of other residents from the city. The new Wolverine Village dorms will provide some slack, but their effect will be cancelled out by expanding enrollment in just a few years if current trends continue.

To prevent and reverse the displacement of residents, it is necessary to allow high density housing in the Transition areas near campus. The Adams resolution would prioritize this task.

In contrast, it is unlikely that allowing more small-scale housing in Residential areas will lead to a large number of new units, given the experience of other cities that have allowed multifamily housing in formerly single-family neighborhoods. In Minneapolis, from 2017 to 2022, [87%](#) of permitted units were in buildings with 20 or more units, while just 1% were in buildings with two to four units. In Portland, from 2018 to 2022, 76% of new housing was in buildings with seven or more units, while 16% was middle housing of up to six units ([Portland HNA, p. 45](#)).

Because there is much more housing potential in Transition, it makes sense to prioritize rezoning Transition before the Residential category. Prioritizing Transition over Residential changes would also be beneficial for several other reasons:

1. The Residential rezoning process will probably take a long time. It would not make sense to begin this long process when there are less-controversial, higher-yield changes to be made in Transition.
2. There are temporary measures available to allow more missing-middle housing in Residential districts before the new residential districts are created. Petitioners can introduce simple text-amendments, like the one The Ann Arbor Community Land Trust is putting forward, to implement changes clearly supported by the CLUP.

Rebutting Counterarguments

We already have workable districts for Hub and Transition.

One possible counterargument is that the city already has lots of development in Hub and Transition areas, so it is more important to allow new housing in Residential areas. The staff memo says “The majority of housing being developed in the City already occurs in areas programmed to be Hub or Transition areas, but there remain challenges to realizing missing-middle scale housing in existing R1 designated areas.”

The denial of the Woodbury Gardens rezoning request shows that there are also challenges to building housing in Transition areas—namely, there is no flexible mixed-use district for use outside downtown. Creating that missing district is more important than creating a new Residential district, because small-scale development in single-family neighborhoods will probably yield only a very small number of units compared to large apartment buildings in Transition.

The Woodbury Gardens redevelopment would create a net increase of more than 300 units. It’s possible that this project alone will create more housing than the entire Residential category for several years.

Transition needs a Residential district to adjust to.

Another possible counterargument is that the Residential category must be rezoned first, so that the self-adjusting standards of the Transition district have something definite to adjust to. But the key features of the Residential category are already well defined. The plan makes it clear that the Residential districts will allow small-scale housing and neighborhood businesses with a three-story height limit. That description provides all the information needed to design a self-adjusting height limit in the Transition district. It is not necessary to establish every dimensional rule and every restriction on neighborhood businesses in Residential before rezoning Transition areas.

Also, the CLUP suggests that Hub districts should also have self-adjusting height limits near Residential districts ([CLUP p. 117](#)), so regardless of the Transition-Residential order, the commission will need to create self-adjusting rules before the Residential districts are finalized, unless Residential is implemented first.

Settled Questions

The options in the staff memo suggest several steps that would be either unnecessary or redundant with the Comprehensive Planning process. These steps could delay important reforms for years.

Where to rezone

The staff memo suggests that in order to implement the Hub category, the commission must:

“Identify areas that are appropriate for rezoning based on criteria, including: existing zoning vs. future land use category, and availability of infrastructure to support development.”

It is not necessary to identify areas appropriate for rezoning, because the commission completed that task during the comprehensive planning process. The commissioners painstakingly refined the boundaries of the Future Land Use Map and even hand-sorted a batch of parcels one by one.

Staff may refine boundaries or correct errors when they prepare map amendments, but there is no need for the commission to repeat the process of identifying areas to rezone.

Whether we need new zoning districts

The staff memo lists another step for implementing Hub:

“Consider modification of existing districts, consolidation of districts, or establishment of new districts best advance plan goals”

This step is not necessary, because the comprehensive plan unambiguously states that the Hub category will be implemented with a single new zoning district, and the other categories with one or more new zoning districts ([CLUP p. 117](#)).

It is time for the commission to start creating new zoning districts, not discuss whether new zoning districts are necessary.

A review of recent developments

The staff memo lists another prerequisite for implementing the Hub category.

“Review development that has occurred in the areas over the past 5 years to identify desirable outcomes/opportunities for improvement”

Reviewing the last five years of development in large sections of the city could easily take months, during which time the city’s restrictive zoning policies would continue to cause harm.

Looking for “improvements” would in practice mean considering new regulations to restrict building types the commission does not like. Developing further restrictions should not be a priority. Instead, the commission should scrutinize its own regulations to look for ways to provide more flexibility, not less.

Infrastructure

The staff memo claims that rezonings may need to be delayed until infrastructure improvements are made. This concern is understandable, but it overstates what rezoning would change. Rezoning does not itself authorize construction or entitle a project to permits. Even if a development is allowed by right, it still must comply with the city’s utility, stormwater, engineering, and permit requirements.

If a proposed development could not be adequately served by water or sewer infrastructure, or if the applicant could not provide the required mitigation or improvements, the city could deny approval and withhold permits because the project would not comply with the city’s requirements.

The city requires developers to fund the project-specific infrastructure costs needed to serve new development, including sanitary sewer [offset-mitigation](#), [water service connection fees and sewer tap fees](#), extension and [capital recovery charges](#), water [meter fees](#), [utility easements](#), and public right-of-way improvements.

If we use taxpayer dollars to make major infrastructure improvements in an area before rezoning it, we may end up subsidizing hypothetical development rather than coordinating improvements with actual projects. We also risk misjudging where upgrades will be needed most, since upzoning does not guarantee that developers will build in any particular location.

Some infrastructure constraints may require larger planned upgrades that cannot be pushed onto individual developers. But the need for these upgrades is not a reason to postpone the rezonings called for by the Comprehensive Plan. It is a reason to plan improvements as redevelopment actually occurs.

Conclusion

The Adams resolution provides a logical sequence of reforms, guidance on what kind of reforms to make, and important procedural recommendations. The three options in the staff memo do not have the same rigor and are unlikely to yield as good a result. I encourage you to adopt the Adams proposal at the next voting session of the commission.