

**Subject:** Comments for last night's Planning meeting  
**Attachments:** Planning 3\_4\_25.pdf

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**From:** Hank Barry  
**Sent:** Wednesday, March 5, 2025 10:12 AM  
**To:** Planning <Planning@a2gov.org>  
**Subject:** Comments for last night's Planning meeting

Dear Planning -

Attached are comments I attempted to deliver in person at last night's Planning meeting.

Will you please attach them to the (many) other comments you received so that they appear in the meeting minutes.

Thanks.

Hank

Hank Barry  
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Ann Arbor, Michigan

## **Planning Commission comments on Comprehensive Plan 3/4/2025**

There are many substantive issues relating to the Plan, which many are calling “a massive upzoning scheme disguised as a comprehensive plan.” You should read the attachments to tonight’s agenda.

Others will have comments on those substantive issues. I would like to focus on 4 process points that I believe this Commission must address soon in order to avoid confusion and years of costly litigation.

(1) First, in light of the changes you have made since the community outreach meetings of last year, a fair process and Michigan law requires a do-over on that outreach.

(2) Second, you should stop saying that “the comprehensive plan is just a roadmap, the specific zoning changes will come later.” That is inconsistent with Michigan law and misleading. You should stop saying it.

(3) Third, you need to release the results of any study you have done regarding the fiscal impact of the Plan, and any studies of current and future housing requirements. If you have not conducted any such studies, you should explain why.

Finally, (4) Acknowledging his contributions to the Planning Comm., I believe Chairman Lee should recuse himself entirely from the Comprehensive Plan process. Not just from votes but from portions of meetings where the Plan is being considered.

So let’s take those one at a time:

**1. Community Engagement Do-over.** The **Michigan Planning Enabling Act**<sup>1</sup> mandates public notice, hearings, and opportunities for community input in the master planning process.

In several public presentations last year, Planning representatives presented slides showing that after public input the Commission was considering a plan for all zones of low rise residential housing with a 35’ height limitation and from 1-4 units. In a recent Commission meeting, in response to statements from the Commission - Brett Lenart said, among other things:

*“There was conversation about the appropriateness of Lockwood to be imposed in that. I am interpreting the balance of your conversation as, that’s fine - if Lockwood goes into a*

<sup>1</sup> (MPEA) (Act 33 of 2008, MCL 125.3801 et seq.),

*neighborhood that's fine as long as it is meeting, whatever those form-based requirement height, that is fine so we are not going to be trying to somehow arbitrary scale down the size of buildings beyond some large parameters to provide the most flexibility.”*

And here is a picture of Lockwood.



That's a 50 foot tall building, with 154 units. Under your plan, that building could be built in any R1 or R2 zone in Ann Arbor. Clearly, this is a material change. No matter what the final Plan contains, unless it reflects what our Ann Arbor citizens heard, it will be misleading. You need to go back.

**2. Don't Panic.** The second point relates to the often-repeated claim of Planning representatives (in Council and in the community meetings) that “the comprehensive plan is just a roadmap, the specific zoning changes will come later.” The message to the community here is “**don't panic** about what you are hearing about or seeing in the Plan, we are going to sort it out in the zoning later.”

However, Section 33 of the Michigan Planning Enabling Act says you have to provide zoning recommendations in the Plan.<sup>2</sup> Indeed, the City's November 2009 Master Plan Land Use refers to specific zoning proposals in almost every section - the word “zoning” is used 134 times. So you should stop saying that zoning is not part of this Plan.

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<sup>2</sup> “(2) A master plan shall also include those of the following subjects that reasonably can be considered as pertinent to the future development of the planning jurisdiction: . . . .

(d) For a local unit of government that has adopted a zoning ordinance, a zoning plan for various zoning districts controlling the height, area, bulk, location, and use of buildings and premises. The zoning plan shall include an explanation of how the land use categories on the future land use map relate to the districts on the zoning map.”

3. **Fiscal study?** This Plan will impact our infrastructure, water, power, social services, police, fire, schools, public transit, healthcare, roads, etc. for many years. Your community outreach process does not to my knowledge include a description of any studies or projections you have done or have had done on the costs and fiscal impact on the city of the Plan, as required by Michigan law.<sup>3</sup> You should disclose any such studies. If you don't have any, you should disclose that.

(4) **Recusal.** Finally, Chairman Lee, while acknowledging your contributions as Planning Chair, I believe you should recuse yourself from any consideration of land use matters, including but not limited to the Comprehensive Plan.

On LinkedIn, you describe your current position with the Song Family Office as follows: "Managing Director of Real Estate at the Song Family Office, responsible for the creation of a real estate venture arm of the family office. Responsible for real estate strategic planning, transactions, advisory services, and asset management."

Your immediately previous position, as also described in the your linkedin profile, was [Chief Real Estate Officer for Oxford Properties.](#)

On its web site Oxford Properties describes itself as "the dominant force in all areas of investment real estate in Ann Arbor."

So - your background, your interests and commitments are to real estate developers and development. Nothing wrong with that, but as chair of the Planning Commission you are in a position where you have to be a fair and impartial advocate for all the people in our city with regard to all the important planning issues we face. I believe your background and current employment leads you to strongly favor development interests, and this precludes a balanced approach.

So - to sum: (1) Do over on community engagement, (2) stop telling people not to panic, (3) please add fiscal analysis, and (4) Mr. Lee needs to recuse himself.

Thank you.

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<sup>3</sup> Sec. 33. "(1) A master plan must address land use and infrastructure issues . . ."