

Dear Commissioners:

My brief, page-by-page suggestions for Chapter 5 are at the end of this letter. If any of those need further explanation, please find it below. I feel strongly that the current draft is insufficient to meet our housing crisis head-on and allow housing abundance in the decades ahead.

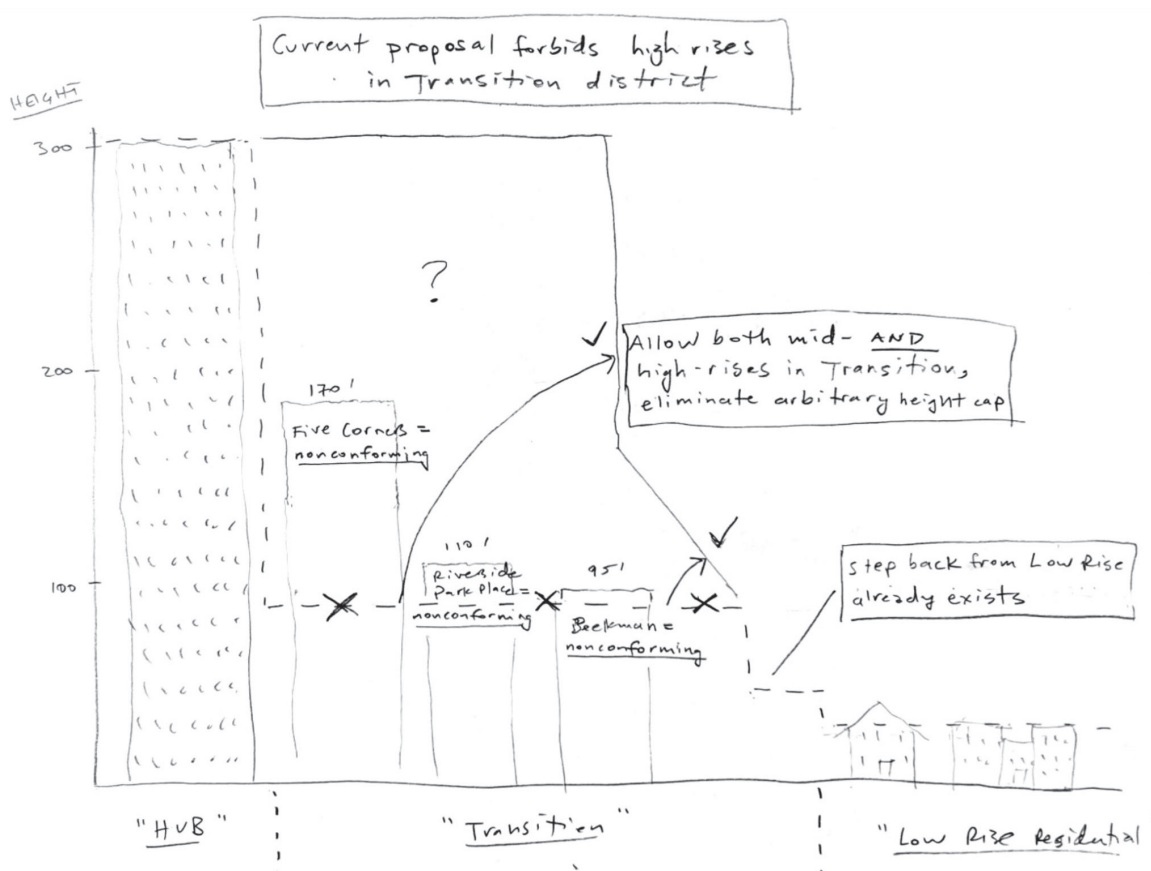
Given how much time has been spent discussing new types of districts in the past few months, there has been little discussion of the map boundaries and rationale. This needs a lot of attention and may be difficult to finalize in one meeting.

Here is the thematic feedback with additional context:

Allow tall buildings in Transition when not immediately next to Low Rise Residential.

The current draft prohibits large buildings in Transition — even when far from Low Rise — with no reason given. A height-tapering formula has already been presented to make sure large buildings taper down to Low Rise areas (and you already have a vetted step-down rule in the books that's part of the TC1 district). In other words, proximity to low-rise is taken care of. Why should a whole *district* have an arbitrary “medium” height? This will prevent hundreds of acres from being redeveloped into high-rises, excluding tens of thousands of potential units.

Housing exclusion is already happening in the D1 areas due to the height cap that City Council installed in the late aughts against CPC advice — and now we see how many buildings have been built to their allowed height that clearly would have gone taller. Permanently restricting large swaths of high-demand housing areas to an even lower arbitrary height limit would sacrifice the most housing potential of all the proposals coming from the consultant. A clear sign of this: a fixed height like 80' as recently proposed would render Beekman, Five Corners (before it's even completed), and Riverside Plaza near the hospital to become nonconforming. (See sketch.)

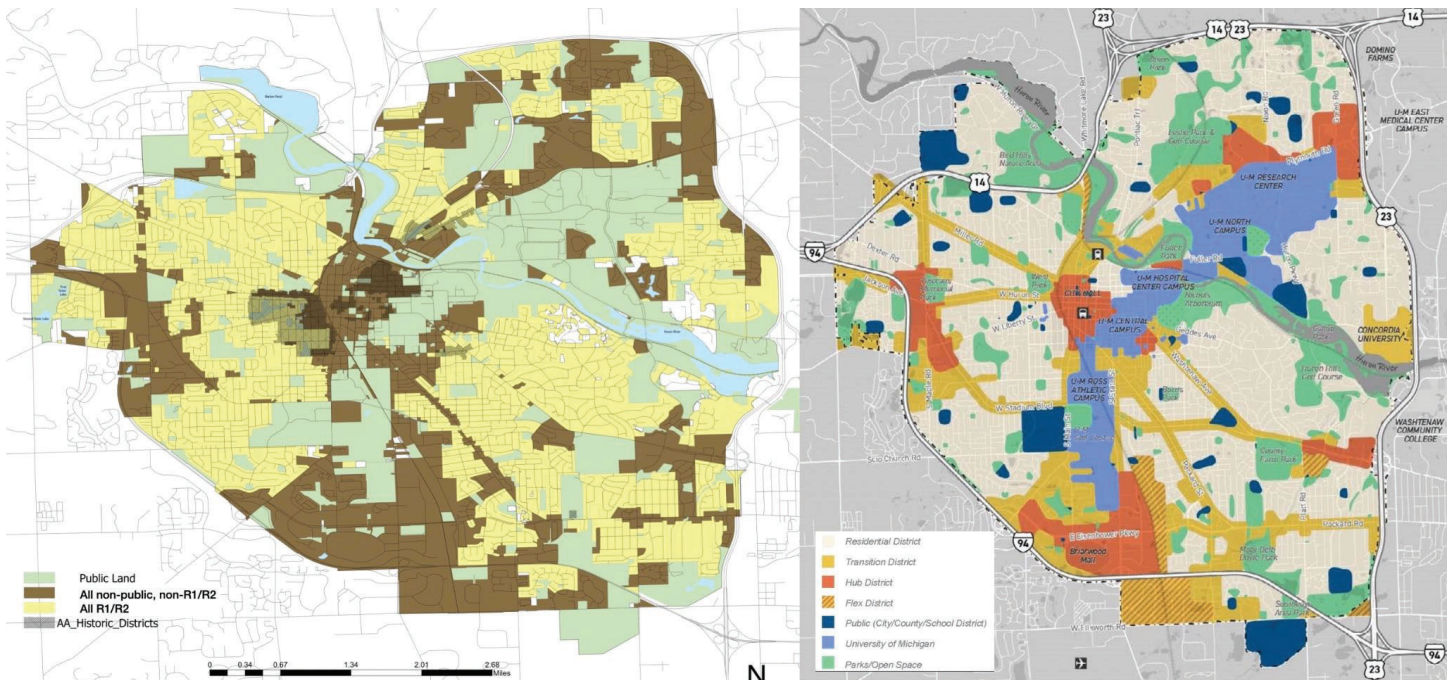


Imposing concentric circles of arbitrary heights on a map is a relic of the old-fashioned “wedding cake” style of planning where planners try to replicate the tiered shape of central cities that organically occurred pre-zoning. As we see in multiple areas in downtown, this is a quixotic endeavor: high rises *won't* necessarily get built where we allow them to (due to certain property owners not wanting to sell their land, the inability to assemble parcels), and developers *will* want to build them outside of where we originally intended (due to lucky property assemblies). We simply should allow density everywhere it's politically feasible.

Please do not exclude high rises from Transition and focus instead on a politically-acceptable taper mechanism when the zoning process begins.

Put all multifamily (R3+) and commercial land (that isn't already Hub) into the Transition district — unless there is a clear justification for excluding certain properties.

Chen Lyu created the attached map that shows all higher-density commercial, mixed-use, multifamily (R3+) in brown, R1/R2 in yellow, and tax exempt in green (historic districts are hatched). Looking at this map side-by-side with the one proposed by the consultant, you can see how many R3+ were not included in Transition. Why?



While most of these brown areas won't be redeveloped for decades, there are lots of aging townhouse- or medium-density communities (that aren't included in Transition) that may be redeveloped in the short term.

Putting some R3+ into Low Rise instead of Transition as the map currently does:

1. creates arbitrary sorting within existing categories that will create disputes,
2. could inadvertently downzone hundreds of acres (depending on the ultimate zoning of low-rise), and
3. unnecessarily creates a need to later come up with *distinctions within* Low Rise residential (when instead it should be applied equitably across all R1/R2 neighborhoods).

Just like downtown- and corridor-adjacent neighborhoods, all R3+ townhome or apartment communities should be allowed to be much taller when redeveloped, as long as their edges taper down to single-family.

(Also of note: do not give the Old Fourth Ward a special “carve out” from the Transition district. This is not done with downtown area historic districts.)

There was an effort early on by the consultant to neatly “collapse” existing zoning districts into fewer proposed future land use districts. I felt like this was a logical idea, creating an environment of fairness and accelerating the rezoning process. In that spirit, by putting all non-R1/R2 land into Transition, instead of just some, it makes this process cleaner and fairer, avoids nonconformities, doesn’t complicate Low Rise zoning later, and ensures an outcome that’s denser with less controversy.

[On a related note, in November or December, the consultant abandoned the “bucketing” idea of collapsing zones and proposed picking some arterial/collector R1 and R2 (e.g., Miller and non-TC1 parts of Washtenaw and Stadium) and putting them into Transition. These are the “spokes” heading out of downtown. While this is less worrisome than the issue above of leaving parcels out of Transition, I still don’t think this is advisable. On the positive side, it may allow another floor or two when these parcels redevelop, but proposing yet more *divisions within existing districts* could politically endanger adoption of the plan (at worst) or create many months or years of community divisiveness over which corridors, how many parcels deep, etc. (at best). My assumption is that rental parcels along busy streets will naturally be the first R1/R2 to get redeveloped into new attached buildings allowed in Low Rise — without needing to assign them to a new district. Again, this issue of unnecessarily including select R1/R2 is less fraught than leaving many R3+ parcels out of Transition because you could just choose later to not pursue upzoning of these arterial R1/R2 areas; however it would be very difficult or impossible to later “upzone” some neighborhoods from Low Rise into Transition. It’s a one-way ratchet.]

Delete Flex, and delete all language inferring that 1) strip malls should be incrementally redeveloped (creating new decades-long leases) and 2) housing should be contingent on the inclusion of other uses.

I feel like this has been thoroughly debated and do not understand why the consultant inserted it in the draft. While you may not pursue these recommendations, it is dangerous to leave them in the plan.

The current consultant draft does not treat our housing situation as a crisis. It should have framed the process with the assumption that development would be permitted to be as dense as the market (and political tolerances) would allow — and then refine from there. Instead, it’s been an exercise from the outset in restricting, prohibiting, and making certain uses contingent on others.

Kirk Westphal

Chapter	Page	Original		Type of change			Reason
		Text	Graphic	Replace With	Omit	Add	
5	100	"Residential District: Provide diverse housing options that reflect the character of Ann Arbor's traditional neighborhoods... "			X		Strike the phrase about "reflecting the character." Words like "character" and "context" can mean too many things to different people and can be weaponized.
5	100	Transition District	X			Transition graphic should allow development scale to go to "Large" in the graphic.	Transition heights should not be arbitrarily capped overall; it should be unlimited height, except forced to taper down to Low Rise.
5	100	Flex District	X		X		Eliminate Flex district text and graphic.
5	101	Flex District	X		X		I thought this was a settled question.
5	101	Parks/Open Space		Parks			Eliminate the nonspecific term "Open Space" and only use "Parks" with parcels that have been officially designated as parkland in city code. This has been a major problem in the past, eg. people claiming the Fuller parking lot by the hospital that's rented to UM is a "park" and repurposing should be subject to vote of the people.
5	101		X			<ul style="list-style-type: none"> - Label ALL non-park, non-public, non-R1/R2 land as "Transition" or "Hub" - The TC1 areas near Trader Joe's (Washtenaw) and Baskin Robbins (Stadium) should be "Hub" not "Transition." - Several city and county parcels downtown are missing the "Public" designation. - The Ann Arbor Golf and Outing property should be "Transition" - Cemeteries should not be labelled "Parks." - Old Fourth Ward and private land north and east of it should be "Transition"; historic districts have their own rules but should not be exempt from upzoning in the event they lose historic status. - Extend "Transition" all the way up South Industrial to Stadium. 	<p>It is much safer to start from the assumption that only R1 and R2 areas should be "Low Rise," and then selectively include some other parcels as necessary into Low Rise. Everything else should be "Transition" or "Hub."</p> <p>The current map only designates commercial/mixed-use/near-downtown multifamily — and corridors — as "Transition" and shows many R3 and R4 townhouse and multifamily areas as "Low Rise." This must be fixed as a) it does not start from an assumption of housing abundance, b) it could make very large communities nonconforming, depending on what the zoning ends up being, c) it could cause a "need" to customize Low-Rise zoning neighborhood by neighborhood, and d) when some of these apartment communities reach the end of their lives soon, it would require Low-Rise redevelopment.</p>
5	102	Transition District building form currently says "Low- to mid-rise buildings"		"Low- to high-rise buildings"			Allow unlimited height in "Transition" when not next to "Low Rise." It should not be arbitrarily capped in height, just taper to Low Rise residential. The height caps that have been floated for "Transition" would make Beekman (Lowertown) and Five Corners (State/Packard) nonconforming.
5	102	In Residential District building uses: "Small-scale neighborhood- serving services on corners, minor arterials, and collector streets. "		"throughout the district."			Some of the city's best-loved neighborhood retail isn't on corners. Restricting services to corners limits opportunities by an order of magnitude; how does this help the community?
5	102	Flex District			X		
5	102	Public/Open Space		Public			
5	103		Transition District photo	Show images of high-rises when not next to Low Rise			Why would we want to exclude high density when not next to Low Rise?
5	103	Flex District			X		
5	104	First set of bullets: "Medium scale (Transition)"		"Medium to large scale (Transition)"			Transition should be allowed to be tall away from Low Rise

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5	104	"Residential District: Buildings are limited to four stories in this district. Commercial spaces should be directed toward arterials and collectors, rather than local streets "					Strike commercial restriction. Also will create many months or years of disputes about how many parcels should be considered a "corner," should they be on every corner, which streets, etc. It is simpler and allows more opportunity to not define.
5	104		"Transition" graphic			Include high-rise buildings in "Transition."	
5	104	"Higher-intensity uses should be concentrated at key nodes and major intersections."			X		No distinction should be made between uses at major intersections and elsewhere on the corridors, aside from preserving some limited corner ground floor space for commercial uses (as is partially contemplated in TC1). The concept of "node" is limiting.
5	105	Call-out box on "nodes"			X		Eliminate all mentions of "nodes."
5	105	"Hub District: Building heights within these districts vary depending on their proximity to Residential District areas. The most intensive uses and tallest buildings should be located near major transit stations, and key commercial nodes. "			X		Strike all language about transit stations and nodes. Again this implies changing zoning along corridors.
5	107	" Improving the public transportation system needs to be an upfront investment before and during increase in density, as opposed to a response to perceived demand. "			X		Delete. This quote make the case to limit residential development in parts of the city that have less frequent transit than others. We have excellent transit and a housing crisis.
5	108	" There is strong resident support for more housing of various types and prices, but also concerns about maintaining neighborhood character and [and concerns about] the rising cost of living. This district would allow an incremental increase in density that helps recreate the scale of the walkable, historic districts near downtown that people love. "			X		- Omit all mentions of "neighborhood character," which is an unhelpful term. - This is a plan, not a focus group debrief. If you want the neighborhoods to evolve, do not insert language that pushes for preservation. The choices that participants made in engagement sessions were not "incremental" nor did they reflect the "scale of historic districts."
5	109	Under "Secondary Uses," " Stacked flats - on corners, collectors, or arterials "			X		Omit location mandates.
5	109	Under "Neighborhood Commercial," " corner store " - on corners, collectors, or arterials"			X		Omit location mandates.
5	110	Nodes			X		Omit all mentions of "nodes"
5	110	" However, some residents have expressed concerns about noise, overcrowding, and traffic "			X		Again: not a focus group. Unless this indicates a specific action to take, language like this is very problematic to include.
5	111	In "primary uses/buildings"				Add "mixed-use/apartment buildings"	Apartment buildings should be allowed in "Transition"
5	112	" There is strong support for higher density in areas of the city aligned with major transit infrastructure, though concerns remain about affordability and environmental impact. "			X		- Do not restrict housing to "major transit infrastructure" - Do not platform fundamental misunderstandings about housing supply and density in the Comp Plan.
5	112	"ultimately reducing vehicle miles traveled and lowering carbon emissions"		"immediately reducing per-capita vehicle miles traveled and carbon emissions."			
5	113	" new public space "			X		Omit this from graphic. Inserting random open spaces in downtown is contrary to prior PROS recommendations. Instead, recommending a process by which high-quality, privately-constructed public space lined with active uses would be a valued addition to the work plan.

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5	115	“Shopping centers often have complex ownership structures and long-term lease agreements, while office parks must balance the need for new development with preserving space for employment opportunities. As these sites evolve into mixed-use environments, it will be important to maintain a strong commercial tax base while adapting to new land use patterns.”			X		This all appears contrary to the direction given previously by CPC.
5	116-117				X		Delete all Flex sections. Contrary to previous CPC direction.
5	118	“Residents have expressed strong support for preserving existing open spaces and ensuring that the city can meet the future needs of a growing population.”			X		Again, not a focus group report, not the prevailing sentiment, not aligned with PROS plan, and not sustainable or actionable.
5	118	Under "Public," “When city-owned properties are proposed for sale or a change in use, adjacent land use types should be taken into account to help determine their appropriate future use.”			X		These are inherently political decisions; language like this is unhelpful.

