

Subject: By right unit/bed numbers in the CLUP

From: tony.pinnell

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To: City Council <CityCouncil@a2gov.org>; Planning <Planning@a2gov.org>

Subject: By right unit/bed numbers in the CLUP

Dear Mayor Taylor, Ann Arbor City Council Members and Planning Commissioners,

We believe that the revisions to the CLUP that City Council have proposed in resolutions earlier this summer are constructive and impactful: meaningful solutions based on insightful input from residents and your onward planning analysis.

We're very grateful for your flexible response to feedback because it's beginning to shape practicable, wise and balanced solutions that can be realistically implemented to densify the city without ripping the community apart. These resolutions are neither political pandering nor window dressing. We take you for your word.

The by-right numbers of living units in residential areas originally envisaged by Planning Commission may have been well-meaning in theoretical quantitative terms, but they overlooked the most crucial real-world factor that impacts ALL residents of dense urban settings: NOISE and hazards from road vehicle congestion. The CLUP may ostensibly be a broad, holistic plan, but it must - it absolutely *must* - factor the consequential *audio* soundtrack and traffic hazards into its *visual, physical* concept. Disregarding the socially destructive impacts of noise and dangers from traffic on narrow residential streets is like designing a high-speed railway without factoring in the design-basis physics when your train hurdles into a narrow railway tunnel at 200 mph: you risk a catastrophic train wreck.

This has nothing to do with "fear" of future development or new neighbors. This is not intolerance, nor is it some NIMBY complex. It has everything to do with informed, smart engineering based on concrete facts.

We've lived most of our lives in crowded European cities, and since 2007 on a narrow, 100-meter-long Ann Arbor street of small 1915-era homes, a mix of owner-occupants of all ages (including 11 children, most under the age of 5) and student rentals built on Ann Arbor's smallest lots. There are no garages. We *know* how high-density co-existence works, and where things go badly wrong. So, we appreciate you taking public input seriously.

Ann Arbor has no street trams, no subway system, no local or regional commuter lightrail. The only means of public transportation is by bus. Our arterial roads are *much narrower* than other Midwestern college towns, and nobody wants them widened. The only commuter options besides road vehicles is walking or cycling. There are no major plans to expand our city limits. The State of Michigan prohibits rent control and restricts camera audio-visual enforcement of traffic violations. The University of Michigan continues to up its student and employee numbers exponentially, with little regard for the financial and social impacts on city government and the property-tax-paying owner-occupant residents. Many rental property owners and real estate agents - absentee corporate developers in particular - exploit these conditions by pushing rents and home prices sky-high. Property prices do not go up magically, caused by some invisible, intangible economic force that floats about in the air, like the 19th century Miasma theory Londoners had about what caused Cholera: it's big players - people - who drive up college-town prices to maximize profit from students and their parents willing to pay any price for four years in Ann Arbor.

These are very difficult boundary conditions.

In non-highrise rental housing, the ratio of cars-per-student rental house is much higher than most comparable owner-occupant houses. With every two beds you add to such units, you put at least 1 more car or pickup truck on the street. There's already little or no parking vacancy on near-campus streets. In a nutshell: you can't simply ignore the additional cars and trucks injected into streets by each added living unit. This is America, and no matter what we or you wish for, Cars Are King. It's no good hoping that, 10 or 20 years down the road, most "new" residents won't own a car or pickup - *especially if you (and we) continue to own and drive a motor vehicle*. That's like saying "It'll be alright on the night": it won't be.

Which is why the more moderate approach you have now taken is smart, prudent, realistic, and more conducive to keeping mixed neighborhoods intact and achieving real goals.

This is about public safety and noise control so that EVERYONE can continue living EVERYWHERE in Ann Arbor. Any walled-off district designed and intended only for university students is unacceptable in any modern urban setting - period. There are only two entities in this town: the University of Michigan campus, and the City of Ann Arbor. The CLUP must not create a modern-day covenant that evicts working families from the town center.

Already now, this fall, the growing number of vehicles racing up and down our residential streets and cruising for parking spaces at all hours make huge amounts of noise. Potential groundfloor retail (only 50 meters away from us, within the Packard Street Transition Zone) will also add delivery vehicles to the mix, operating day or night, with reverse beeping at all hours. If you think we're exaggerating, then you obviously haven't ever lived in tight urban settings. Commercial vehicle noise comes on top of the normal, long-known conflicts of work-play-sleep rhythms in college towns. This is not NIMBY: we already have businesses in our "backyard" - two or three blocks away on Packard Street, or half a mile away on Stadium Boulevard, or South University - all reachable on foot, by bike, in a motorized wheelchair, or by car. We want other A2 neighborhoods to have this same walkability to businesses.

So, it's our hope and expectation that the flexibility offered by the recent City Council resolutions will make the Land Use Plan smarter and more agile. Again: **NOISE** is one of the single-most critical factors you have yet to consider - and that "N-word" doesn't even appear *once* in the most recent version of the CLUP.

This flexibility will hopefully also enable modern zoning to address the other crucial topic: the fact that one general building height standard for all current R1/R2 ("single-family"-zoned) areas will largely eliminate development potential in Ann Arbor's wealthier-property neighborhoods. It essentially creates a No-Go zone - a modern-day covenant for the land-wealthy - that protects huge lots (e.g. in Arbor Hills east of Washtenaw) from any threat of development because the return on investment (RoI) is too little for developers to buy and rebuild such properties.

We strongly hope that you intend to address this inequality of the CLUP's impact through the stated flexibility of building heights, shapes and setbacks in residential areas. There must be equitable potential for development - i.e. *threat* of development - across the entire city, on every street. The CLUP already shapes the free-market forces in countless ways, so you can shape this equitable impact as well. There is no "free-market" excuse for not doing so. Downtown and campus can be easily reached *from every corner* of Ann Arbor on foot and by bike, e-bike, motorcycle, car, and public or UofM bus.

Unfortunately, a few residents living less than a mile or two from campus on huge lots of land, five, ten or 15 times larger than ours, have been name-calling city-center residents "NIMBYs" at Planning Commission meetings. They do their finger-pointing while knowing full well that the CLUP currently sidesteps incentivizing development in *their* neighborhood to due to the lack of RoI.

The clear solution applied in most European urban areas is to allow height limits by lot size: the larger the lot, the higher you can build - provided your adjacent neighbors' lots are of similar size. This of course includes higher reinforced concrete structures where, traditionally, only wood and masonry buildings have stood: mixed luxury and affordable units built with appropriate setbacks to allow sunlight exposure for everyone, minimized loss of large trees and greenspace, and required minimum off-street parking. This is the fair and equitable way to distribute upzoning, and fitting low-, mid- and high-rise development throughout the entire city. You have got to stop perpetuating the same self-destructive error that countless American cities have been doing for over 100 years. Like modern electric power generation installations: you need to distribute and decentralize upzoning.

Ann Arbor needs to shape its own future and not copy the mistakes of other cities. Leverage your flexibility to stop creating highrise canyons downtown, stop destroying your historic Oldtown, and allow more, higher low- and mid-rise structures on lots away from the city center. It might be politically difficult to upset generous political donors in single-family-zoned areas, but it's the only fair way to do it: ensure that the potential - and thus threat - of development is equal across the city: building heights and setbacks fitting to the given lot size. The city government has all the necessary data on its books in its property tax records. Otherwise, the supposedly "equal" application of one building height across any lot size is a disingenuous red herring: **a new exclusionary covenant that you are signing off on.**

One final point: Much of the anger among residents stems from the University of Michigan forcing us to absorb its never-ending increase in student, faculty and staff numbers, while the UofM keeps its vast North Campus like a commuter community college in suburban Kentucky. It is UofM growth that is robbing Oldtown space and housing from modest-earning tax-paying residents. The UofM needs to sell off and privatize some of its vast swaths of North Campus land to allow infill, with privatized rental flats for students, more near-campus businesses, as well as affordable and market-value flats. The UofM cannot sit on those tracts of land like a medieval lord's hunting grounds, and expect us folks in the inner city living on small lots to accept loss of sunlight from highrise structures and tons more noise from cars, etc. **We will not accept it. Times have changed, and there are no sacred cows**

anymore. Pressure from Ann Arbor must be brought to bear - locally and at state level. Otherwise, the UofM's story becomes one of arrogance that major journalists can't wait to get their teeth into - and that would not bode well for the UofM, especially in these times.

We know you Commissioners and City Council members are working hard, and have been the targets of a lot of flak - much of it false accusations, caustic and without merit. That's unfair: you all are our neighbors. On the other hand, we were also shocked by the harsh, belittling response from a few City Council members to the letter historian and filmmaker Ken Burns sent to the Planning Commission. All he was asking for was good, sensible, state-of-the-art densification that considers our history while achieving our goals. Your recent steps are moving in that direction, and a better-targeted CLUP is taking shape.

So, moving forward, please responsibly factor inherent noise and traffic hazards into your planning. We will not sacrifice our dreams and modest but hard-earned investments just so the UofM can blithely continue to pursue its every whim with no consideration of its impacts on us. That is 19th Century robber-baronism. We are two small shareholders in this organization - the City of Ann Arbor - and we welcome a CLUP that drives smart change with holistic wisdom and surgical precision. But a CLUP with a strong message for the University of Michigan: they need to do much more to alleviate the pressure on us, and especially on YOU - our Mayor, City Council and Planning Commissioners.

And don't fret about the bit of extra time needed to get the CLUP right. There's only one thing worse than not acting at all when action is needed, and that's acting hurriedly too soon. That lesson, hard won by WWII British military planners from the horrid debacle of the 1943 Dieppe Raid, is one of the Ten Commandments of leadership decision-making. This is wisdom that you, our leaders and urban planners, certainly have and want to show as well.

Our sincere gratitude to you for your work, and for reading and considering these points.
Sincerely,

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