

Hi, Folks –

Having been involved in City matters for well into three decades as Planning Commissioner, as a long-time Environmental Commissioner, and as an integral player in the development of Natural Features protections and regulations – to say I am NOT enthusiastic about “The Plan” so far would be an understatement.

The following things seem to be true:

You (and the Council) have been purchased or inhabited by development interests whose major contribution seems to be to propel matters with their money. While that is not necessarily a problem -- it is when you overturn long-standing, sensible, needed procedures and regulations to facilitate their activities (in return for their significant donations). And, it is when you would uproot the very physical fabric of long existing residential neighborhoods. And it is when you develop a plan that deliberately clouds with fancy reasons (some of which have been thoroughly debunked) these issues and does not directly ask the very people that would be most affected by these changes whether they approve them, or they do not. Or most effectively, you do not ask those most affected to design changes near them with you.

I assure you that many people owning property and living on much of the 40 some percent of the City DO NOT support what you are doing – to the extent they are aware of what you are doing. You have not done enough to make them aware. You have even covered your efforts by enlisting a bunch kids and folks who do not live in the City to be supportive of what you are doing, saying that is proof of your efforts. You say you did a conclusive survey. It was as statistically invalid in about every way it could be.

Of course, more housing is a good idea. Of course there are many places to do that. Of course, that housing needs to be more affordable. Of course everyone wants a single-family house, well built, with a nice garden and big trees, near a park. Of course everyone would like to drive less. Of course, making these things happen is not easy – if much possible on an already built and happy place. There are serious headwinds not just from those of us who do not like your approach or reasons for proceeding in the manner you are. Take the cost of land and building in Ann Arbor as one serious headwind for all but large buildings as a key example.

Yet exactly the kind of building you want has been happening around Ann Arbor (and on vacant lands in the City over the last 20 years). That work has certainly included the vaunted “missing middle” of structures. Alas, why are we focusing just within the City’s limits? The reasons you give are not the real one. Increasing tax income is the real reason.

How do we do these things with an admirable process rather than a deplorable one?

Instead, we are fallen again into the trap of an age-old story – the developer types of all stipes buying the decision makers and duping or misleading them and the public into believing they will always operate to our benefit, that they will provide us with architectural excitement, sustainable structures, enlightened and interesting outdoor spaces that function well. They want us to believe that they will provide these things of their own volition, rather than not. Too often, without effective procedures and regulations and stipulations things do not work out that way. Giving away “the store” (our wonderful place) “by right” is truly objectionable. In this case it is not even well-paying jobs or a high employment factory we are supposed to receive -- it’s just “a lot more housing.”

If what happened on 904 and now 906 Lincoln is a sign of what you will permit and what your new rules will invite, even in a venerable and wonderful old neighborhood that deserves highly sensitive treatment, we are in trouble.

The point is you CANNOT do these kinds of changes without strong public involvement every step of the way. You cannot do so without the direct involvement of our own citizens -- especially without the involvement of those most affected by the changes. You CANNOT fail to get them (us) involved! It is your job. To hide from that responsibility is flat out unacceptable, no matter the apparently important reasons.

Giving up public notice of nearby plans, giving up public hearings, giving up directly inclusive planning processes, giving up effective design review (not ever done well) means exactly that you are short circuiting and eliminating that involvement. This is an undemocratic and undesirable and at least somewhat dishonest approach you are using.

Having had design training and certainly some urban planning training there is much more I would say about where you are in this endeavor with "The Plan." What I know most about is Natural Features. I will focus on that here -- to throw all that work of many years by many wonderful people on the junk pile is highly offensive to me. It is to others who know the substance of that work and what you are trying to do.

Here is how I would (a fledgling attempt) rewrite your Section 10 to reflect how seriously IMPORTANT at least this (Natural Features regulation) is to what you are intending to do to the neighborhoods so many of us love (exactly for their trees, gardens, birds, butterflies, privacy, peace and quiet and much more).

Goal 10:

Improve and expand protection of Natural Features in the City to all projects and to all properties, especially to defend Landmark and Heritage Trees from the impacts of development. There should be NO further loss of old trees that is not precisely intended in accordance with an approved Natural Features site plan (mini – similar to storm water control provisions).

Improve and adapt the Natural Features Master Plan to incorporate what we have learned over the past 20+ years, to constructively incorporate current circumstances and current goals – but certainly to be a bulwark of support for continuing to protect Landmark Trees, Heritage Trees, Native Forest Fragments, Wetlands, Watercourses and their adjacent watercourses and floodways, steep slopes, rare species habitats and buffers for these features.

It has always been the intent of this work that we should first know carefully what is on a site, then design deliberately to minimize the impacts upon the Natural Features present, then require mitigation of taken or threatened Natural Features, and to require careful protection from construction activities of Natural Features which remain.

Recognize that standards for the retention of storm water on every site undergoing development must be gradually increased to counter increases in runoff resulting from more impervious surfaces and loss of old trees.

The City will work diligently through education, encouragement, and regulations to protect the City's wonderful current tree canopy on all lands, while insisting that new development fit harmoniously into that canopy without damaging it -- particularly insisting that old trees be retained to the fullest extent possible.

Strategy 10.1

Expand, improve, and adapt regulations governing the City's Natural Features to apply to all projects and all activities which may threaten or impact Natural Features (usually trees on residential sites) on all properties in the City.

On sites where Natural Features exist, old trees will be particularly vulnerable to increasing the density and size of housing on those properties. All due effort will be made to avoid removing old Landmark and Heritage (native old trees) and to prevent practitioners from damaging their roots. It is NOT acceptable to trade old trees for the sake of more buildings inharmoniously forced. It is certainly NOT acceptable to do that without a significant mitigation requirement for each removed tree (or other Natural Feature). It is NOT acceptable for such activity to happen "by right," with no provision for direct public input to all levels of government to alert decision makers of abusive plans and practices.

New young trees will take decades to become large enough to match the ecosystem services that old trees provide. To remove old trees is NOT a sustainable strategy in an increasingly warming, troubled climate.

Increasing housing density CANNOT trump sound environmental protection. That is simply shortsighted and stupid. The need for a large quantity of new housing CANNOT trump the need for harmonious, excellent design, well-conceived and conducted property management work, and procedures/regulations to assure that these things are obtained from developers.

This is our town, not the developer's town to plunder.

Strategy 10.2

Agreed, there is much that can be done on public parks and public spaces to greatly increase their plant and animal biodiversity, their overall health, their natural and scenic values, the pleasure they give to people. Programs already in place can be expanded and improved. Certainly, we need much less turf grass and much more green infrastructure based upon local native ecosystems.

Such work does NOT replace the clear need to protect Natural Features on long existing housing districts which cover 40 some percent of the City.

All proceeds from mitigation fees shall go toward the end of supporting more work on Natural Features and Biodiversity increase on public spaces, adding to what already is a public commitment with wide support from the people of Ann Arbor for such efforts. Those fees need to be large enough not to allow Natural Features to be simply trampled by development interests.

Various City programs exist and can be enhanced which can help property owners obtain and plant new trees and otherwise increase especially native plant biodiversity on their properties. This work does NOT mitigate the need to protect existing old trees and other Natural Features from the impact of projects and development where they now exist.

There shall be no “densified” residential property development permitted which does not include and see consummated a landscape plan that provides planted green space and/or an interesting water feature, rain garden filled with thriving native plants and/or rooftop garden, and/or green open space not just for plants but for people to be outdoors among them, or other “natural features.” Those plans will specify a sustainability program set up with requisite funding that works in perpetuity for maintenance of those installations (on properties not owned by its residents).

Strategy 10.3

Storm water problems in the City will not be assisted by wholesale increases in the volume and speed of runoff in heavy events resulting from significant increases in impermeable surfaces. Existing problems must be solved even as development happens, which means in part, that control requirements on individual properties must increase apace beyond current requirements.

Storm water systems needed must also be attractive, exciting, highly functional “natural features” which are well maintained insofar as it is possible and reasonable to require.

I am sure what I have said here is not perfectly crafted nor fully proofed for grammar and spelling. I hope you will forgive me for that and for not saying these things on one page. I hope you can get down to doing the right things with “The Plan.” I hope you do that at least for Natural Features which most Ann Arbor citizens want to protect, expect you to protect, will be surprised and dismayed if you do not.

Thank you

Christopher Graham, ASLA
Oak Arbor Company LLC