

*R4C/R2A Advisory Committee Meeting
August 28, 2013, 7:00pm
Council Chambers, Larcom City Hall*

In Attendance:

Sabra Briere
Ray Detter
Jay Holland
Nancy Leff
Ethel Potts
Ellen Rambo
Ilene Tyler
Julie Weatherbee, Chair

Absent:

Wendy Carman
Anya Dale
Carl Luckenbach

1. August 14, 2013 Meeting Minutes

Received and Filed

2. General discussion of priorities (round-table)

Weatherbee stated that she didn't believe the Committee would have the time to discuss parking issues in the 6 hrs of remaining committee meeting time, so she asked the committee to pay attention to what they could do given the time.

Detter asked if the committee could make a suggestion for parking in the R4C district to follow along the same guidelines as in the Old Fourth Ward Historic District, adding that it has been beneficial.

Tyler added that while the committee will not have time to address the parking issue, she wouldn't want another commission such as the Planning Commission to make those decisions.

Potts stated that for rental property it is important that they don't allow 6 units.

Tyler asked why the City didn't put a limit that they couldn't have more than 6 units in the downtown.

Weatherbee responded that she didn't want to blame staff, but that there were no limits set because the committee couldn't come to a consensus on the matter so staff took over. She said they can not re-do what the Planning Commission did, and the committee shouldn't get bogged down in details. She reviewed the R4C/R2A Priorities List for Meeting # 2 (See attached to file).

Holland stated that he would like to discuss lot size.

Leff noted that most of the homes in the R4C district are single-family homes in an urban neighborhood and if you eliminate the single-family homes in this zone you are completely destroying the character in these zones.

Briere said that one of the difficulties is defining what was originally built for single-family use, and have since become rental homes, cut up into multiple rooming units. She felt that the committee needed to discuss lot combinations as the number one issue.

Potts added that they can not call them single-family homes, and that they need to find another name. She said they want to preserve these neighborhoods no matter who is living there.

Tyler asked about detached vs. semi-detached.

Detter stated that they should start out with wanting to preserve the existing neighborhoods, as directed through their charge from City Council. He handed out a paper that he said Jeff Kahan had prepared about 3 years ago, titled, "Recommendations regarding the scale and character in the Central Area Plan" (See attached)

Holland noted that some of these older homes survived in the old neighborhoods because they were converted and that parking has put a burden on the neighborhoods, because the older homes have to provide parking and it is not fair in comparison to the high-rises.

Weatherbee noted that while they are looking at these homes as single-family houses, not of them actually are single-family.

Holland added that setbacks have a lot to do with it, and that is what the ZBA often sees; parcels needs variances because they don't meet the setbacks.

Priority 1: Lot Combinations (round-table)

Weatherbee felt that there were several issues involved; homes could be large to a single-family house to duplexes and some neighborhoods have tiny lots while others have large lots and all are in the R4C district. She noted that if you were to build, it would depend on which side of the street you were to build on, because they could be

so different. She said trying to come up with lot combinations is not where they want to go, because they don't want to change them.

Potts said that staff had come up with a number that was much larger than what the committee came up with, and the committee modified it to what they wanted.

Leff added that Wendy ? had come up with different numbers and Matt Kowalski failed to include that in his final report because there was a justification in that number.

Weatherbee asked if the committee wanted to bring back that number and make a recommendation.

There was general consensus for this.

Tyler said that they needed a number, otherwise they would be throwing it to the Planning Commission to decide.

Holland said that he was there in 1979 when the City expanded the minimum lot size, noting that he felt it is so contradictory to what the committee is now proposing.

Detter felt that what the ORC recommendations to the Planning Commission were too arbitrary in allowing each lot combination to be reviewed and approved on a case-by-case basis. He mentioned lots like on North Fifth where he wouldn't like to see more than 2 lots combined in order to keep the character of the neighborhood.

Potts said that she wanted the committee to go back to what they originally wanted, and if you proposed something that would violate the code you would have to go to City Council to ask them to override it.

Briere pointed out that if you have a project that doesn't meet the code, it becomes a PUD with its own individual zoning restrictions for that parcel. She said you have to acknowledge that the arbitrary nature of the Planning Commission wanting to create overlay districts was to allow for flexibility through adding limits on density and with premiums attached.

Holland said he believes in urban development there are ways to make things possible; whether through moving houses, instead of the lot lines, etc. He said you limit yourself if you don't go to the massing issue of each development.

Detter said that it will take a long time to get the overlay districts established, noting that the student housing is one of those. He said his ward gave a lot of support to the Fitzsimmons project, and that this developer had acknowledged if lot combinations had been the law, he would not have been allowed to do what he did there. He said they need to be able to look at these issues.

Leff said that these larger homes were saved because they were broken into apartments, so the possibility of them transitioning back into one (1) unit is always there. She said if they become destroyed that hope is gone.

Weatherbee commented that if the City had more Jay Holland's they would have a lot of great projects in the City. She said often projects don't turn out how they envision they would and they become disappointed. She agreed that the existing zoning in the R4C was to keep the suburbia, but that didn't happen and she doesn't see that happening in the future.

Potts said that they want to limit the lot combination so developers can't take down the existing houses and build something bigger; she agreed that they need to look at massing in order to control this because the more they have the more mass they build.

Holland said that lot combinations might be needed to build several detached homes as part of a single project.

Briere asked Holland to think of a way to put that into the code, because that was the issue at hand.

Detter mentioned the discussions with the South Fifth project; City Place, and how he remembers the developer threatening to go to the ORC.

Weatherbee noted that the project had a lot of failure on multiple parts; the Council, the Planning Commission, adding that the former owner wasn't happy with what they got in the end.

Detter said that Fitzsimmons could have gone with a PUD on his project in the OFW but he didn't and he had total support from his neighbors.

Rambo said she was bothered by what was written on page 72 of the Master Plan, 2009 Land Use Element, Action F; 'Off street parking requirements and density limitations, however, should not be reduced in these areas'. She said she would like to talk about how they can have friendly livable streets that meet this.

Holland said that his impression was that Planning was working on that, but it might have slipped through the cracks.

3. Priority 2: Overlay District/Group Housing Zone (round-table)

Weatherbee stressed that in discussing setting up a neighborhood for a certain type, like student zoning, made her very uncomfortable, because she has student neighbors that are great.

Detter added that people can always go to the ZBA if they don't meet the code.

Briere said there are group housing and cooperative that aren't in those districts and if they want to modify their houses then they have to go before the ZBA. She asked how one can modify a building if it doesn't meet the standards. She said she believed that if you want to start something in these districts you have to go before the ZBA and the Planning Commission to get permission.

Detter said the lines are very malleable and very arbitrary, with some student housing "dumps" not even included and other included that he wouldn't consider student housing districts.

Potts said she had a problem with the discussion, asking if they were dealing with overlay districts vs. a new zoning.

Leff agreed.

Holland asked what kind of district they had in Burns Park.

Briere said they have a historic district .

Tyler said that some people view historic districts as a kind of overlay district.

Holland asked if they were better off calling it a historic district or overlay.

Tyler said a historic district because it is mandated through the State.

Holland felt that the requirements in the historic district related more to massing than lot sizes.

Leff said it was impossible to separate lot size from massing.

Detter agreed that the historic districts are a form of overlay and that they need the R4C to have limitations within it so you could not violate the basic provisions in the district.

Briere said that they could increase the number of people living on a lot, but the lots are restricted in an R4C, so you can add restrictions to certain areas using an overlay approach. She expressed the need for this to be non-arbitrary and enforceable as well as clearly understandable and predictable, adding that it was a shame that they hadn't managed to accomplish it yet.

Leff commented that the group housing proposal violates those principles, because there are no regulations or standards.

Briere said that the Planning Commission intends to develop those standards in a second phase of these revisions.

Detter said he had asked Bona where this came from and was told it came from the Planning Commission.

Potts said what they are looking for is flexibility so they could mess around with buildings, mess with attics and basements.

Detter noted that what they want to do is limit the combination of lots based on the original platting.

Potts said 6,525 square feet is the maximum lot size limit desired.

Weatherbee asked if that would be enough.

Holland expressed concern with the limit and said he agreed with the ORC recommendations regarding lot size. He asked that the final report reflect his dissent on the matter.

Tyler said that it wasn't that they were opposing development, adding that there are a lot of people who suffer and not just single-family owner-occupied parcels.

Holland reiterated that he agrees with the ORC, noting that they would be going back to what the code was earlier.

Tyler suggested that they ask Commissioner Bona why the ORC came up with their recommendation.

Detter said there is nothing wrong with an overlay district and that they have agreed to get rid of student overlay.

Potts asked why the ORC suggested this; she asked for their justification.

4. Questions and format for September 11 Meeting with Bonnie Bona (round-table)

The committee reviewed potential topics that should be brought before the ORC representative, Bonnie Bona at the 9/11/2013 meeting.

5. Wrap up and next steps

6. Public commentary

Eleanor Linn stated that the draft questions for Bona were appropriate and some of the legal questions should be answered by Planning staff. She wanted Bona to explain what type of zoning issues the revisions are attempting to correct.

Gwen Nystuen stated that the group housing terminology is unclear. She was happy to see that the committee agreed on the removal of a student overlay district, adding that she has lived next to a fraternity for 50 years so she is familiar with group housing.

Christine Crockett stated that it is important not to designate zoning for specific groups, such as students. She said it's creating a ghetto, saying that this is the senior citizen part of town, or this is the Asian-American part of town, and in encouraging people where to live is a very dangerous direction to go in. She said she was concerned with the demolition of older houses that could be rehabilitated, referring to the houses that were demolished to make room for the City Place project. She said it's more than just lot size, adding that Fitzsimmons had demolished houses but replaced them with new housing that was more suburban in nature, and he didn't have to combine lots to do it. She stated it is alarming to have a bullnose of a garage facing the sidewalk where there once was a porch. She stressed that the committee needed to be specific, since leaving recommendations more vague will leave more room for interpretation of the Planning Commission. She asked the committee to imagine the worst possible scenario because that has happened in this town.

Notes recorded by Mia Gale,
Planning Department, City of Ann Arbor