

R4C/R2A Advisory Committee Meeting  
September 25, 2013, 7:00pm  
Basement Conference Room, Larcom City Hall,  
301 E. Huron Street, Ann Arbor

**In Attendance:**

Wendy Carman  
Ray Detter  
Jay Holland  
Nancy Leff  
Carl Luckenbach  
Ethel Potts  
Ellen Rambo  
Ilene Tyler  
Julie Weatherbee, Chair

**Absent:**

Sabra Briere  
Anya Dale

**September 11, 2013 Meeting Minutes**

Received and Filed

**1. Short Debrief of Meeting with Bonnie Bona (round-table)**

Potts stated that she felt it was worthwhile having Bonnie Bona; but didn't feel that she added anything to what she already knew. She added that at least we made an effort and had the satisfaction of hearing how they arrived at the points that they did and it was clear that they were going in a different direction.

Leff stated that she felt it was really helpful, especially to hear how they came up with the group housing and what their thinking is on that. She said it's interesting how when you look at these documents you think it is all set in stone and then you find out that it's a discussion and not really set in stone, at least from what Bona said.

Tyler said that it didn't seem that she provided any substantive opinion of the ORC (Ordinance Revisions Committee) but only represented her participation in the process and that that role was going to continue. She said regarding the things going to the Planning Commission, she didn't seem decisive on either side, and she would prefer someone with a real opinion on how they felt and not this sort of waffling. She said that she didn't feel that they had chosen the wrong person to represent the ORC and not have a staff person, but felt there was not as much of a commitment there to represent the opinions of the ORC but more of a hands-off possibility and really not trying to carry a

certain message and willing to see it our way and she was definitely not willing to support it our way.

Carman stated that the ORC made recommendations on the R2A district, but didn't figure out how many lots they had, just felt that we should make them smaller for more infill, and they made all these suggestions on how to use the overlay zones with somewhat of an expectation that what they proposed should be okay. She said she is still not convinced that it's legal, and that she has had conversations with a previous City attorney about this and she has read the enabling legislation and she is not sure they could do what they propose. She said those two things made her think that what they really were wanting was flexibility and some experimentation ways of dealing with this. She said her feeling on the day when they presented their report to the Planning Commission they out of hand rejected what we had proposed. She said Bona was very helpful in being flexible, but she felt they hadn't done their homework and it wasn't a part of their deliberations.

Holland asked, wasn't Bona on the ORC.

Carman and Potts said, yes, that she provides the leadership to the ORC.

Holland said that to say she wasn't cooperative with our ideas, when she is probably feeling that we are not being cooperative with her ideas, since she has reviewed it and the ORC's charge is to take our ideas, put their spin on it and then submit it to Council. Our charge is to submit to them and he felt it was wrong for us to say that she wasn't receptive to our ideas when she had seen our ideas.

Tyler said that she expressed a willingness to be flexible in how they looked at these issues, when she didn't have a strong opinion that it should go forward, she also didn't indicate that issues had merit and maybe she should support what the Advisory Committee was doing.

Holland added that maybe she was supporting her committee.

Tyler stated that she was supporting her committee's presentation to the Planning Commission.

Weatherbee said, I was thinking we were all going to meet but that didn't happen and probably won't happen, which is a shame because she got the feeling from Bona that there was some flexibility and she was reporting out and she wasn't necessarily strongly in favor of one thing or another.

Potts said that at the ORC meetings, with Bona as the leadership, a lot of what they produced, staff originated, but she was leading them in the direction they were going. She said she didn't hear her backing off too much from what they had agreed to.

Detter said that they went to several of their meetings and there was never any interest that they had, at all, in finding out what was communicated to them. He said Bona only showed up as part of the last two meetings of the R4C advisory committee and then she was only there for like 10 minutes.

Carman said that she replaced Jean Carlberg that is why.

Detter said that was his point, with all of this that she was not aware of but on the other hand, went right ahead to ignore what it is that had been done in 2 years. He said he had a meeting with Kirk Westphal last week, and he said we could eliminate the student neighborhood concept. He said, if you felt so casually about that, why in the world did you emphasize that as something that was important. He said Bona had referenced the Central Area Plan. He said the purpose was to look at the R4C area and make recommendations for the future, and not just have someone's interpretation or something that was in the Central Area Plan and had been around for a long time. He said as far as he was concerned, she did a very good job at presentation at the last meeting, but he felt the whole thing was really a cover of something that was really very wrong. He said another person who showed up at the ORC meetings was Giannola and she always had ideas that generally supported development in the downtown neighborhoods and not the Committee views. He said he felt it was very important that they watch this document very carefully and that this committee has a communication with the ORC where they are talking in the process.

Luckenbach said that he felt Bona did a good job at defending her position and was a little defensive at times, adding that they won't make a convert out of her and they ought to work on someone else.

Detter said that he felt the discussion last time in regards to overlay districts was very interesting because overlay districts is essentially where they were going in terms of them allowing for a special exception use. He said but when he found out there was no examination at all on the direction of the overlay districts, and why they were proposed as the solution he doesn't know. He said because what they have is still limiting the combination of lots and limiting the lot size is something they have as an interim. He said limiting that lot size should not be used in stead of that limitation.

## **2. Discussion of Document the Advisory Committee will Send to Planning Commission and Council (round-table)**

Carman said that her position would be to send something abbreviated directly from them instead of having some words from staff and some from them.

Weatherbee asked if the Committee felt it made sense to leave the items that they agree on together with the ORC.

Carman said she thought they should put in every point, whether they agree or not.

Tyler said she was very comfortable with the document that was sent out to the Committee for review.

Detter asked if they need or have any support from staff on the document.

Weatherbee said she believes they can have support of Planning staff, if they want.

Carman said she felt it better not to involve too many layers.

Holland asked if the document is what went on to Council.

Tyler said it is what Matt Kowalski wrote with our names on it.

Holland said for going with an ordinance, he would go more with the ORC's recommendations since they make more sense, and some of the committee's comments and recommendations are a little more emotionally charged.

The Committee reviewed the draft document and discussed inclusion and exclusion of suggested comments submitted.

Carman expressed concerns about inaccuracies in the previously submitted report, specifically noting that they had asked for a new look at parking, and included several things that staff removed and only left in things that the committee had not agreed to. She said the submitted report was the 'staff report' and they now had this opportunity to correct anything they don't like or to change it to be more like what the ORC wanted, depending on what the committee wanted.

Leff recommended putting in the reference to the whole name of the report.

Potts asked if they were given the charge to correct the report, and if so she was confused, adding that there were things in it that she didn't like.

Leff suggesting changing the wording to reflect their consensus without being negative.

Potts said it is important to let the officials understand that staff wrote the report and we had like a couple of minutes to review it and correct it. She said she tried some corrections but they went nowhere because they were considered to be too late.

Leff said that it could say that Planning staff wrote 'a report', not that they completed it.

Potts said the committee didn't write a report nor did they edit it.

Detter asked if there was any discussion by any member of the committee with Matt on preparing the report.

Carman said we were able to email him.

Detter asked if people did that and if there was any back and forth discussion sort of thing.

Rambo said that at our last meeting we were promised another meeting specifically to review this together and then we were told we were finished and our services were no longer needed and the report was released and we didn't get to see the report first, as were promised.

Carman said we were invited to comment and write, which some of us did, but not all of the comments got into the report. She said that Matt had told her that her comments could be included in a note in the front but could not be in the report.

### **3. Editing of R4C-Advisory Committee Memorandum (attached)**

The Committee reviewed the recommendation on lot combinations.

Holland stated that while he realized the committee agreed with the suggested comment, he wanted to go on record that he disagreed, and that lot combinations should require Planning Commission and Council approval and lot combinations can be done at the time of a site plan, opposed to putting a restriction to a minimum lot size. He said his understanding is that currently one simply goes to the Assessor's office and combine the lots, and he sees there is a problem with that, but he doesn't think this solves every problem, adding that he knows he is a minority.

Weatherbee agreed that it doesn't solve every problem but her big problem with this is that there were no design and massing standards that were given. She said it was kind of like, well there should be site plan approval but no one knew what those standards would be.

Holland said they want to write those standards.

Weatherbee said she is concerned that they are not there now and they may not be.

Detter asked what the point was in discussing the whole thing again, and wanted to move on.

Holland commented that they could move on and he would just bring his concerns before Council.

Carman said the actual number should be 6,525.

Detter said that Bona herself had proposed a limitation on the combination of platted lots. He said at the last meeting he had thought that was a good idea. He said there was a mistake in the minutes where it referenced East Street, since he had used N. Fifth and Kingsley Street. He said in those situations where you have platted small lots of 6,535 sf, you might be able to take out four houses which is a massive range in character to the neighborhood. He said he sees nothing wrong with this and a maximum combination of platted lots to 2.

Carman said this is a statement that she has been making since the previous committee; she said she isn't sure they can do anything about lot combinations, legally.

Weatherbee said so even if the attorney says yes?

Carman said we have asked.

Potts stated that we had received an opinion at their last meeting.

Detter said the opinion came from Jeff Kahan who said it was allowed, absolutely, and read from the memo.

Carman asked if it addressed having a maximum lot size.

The committee said, yes.

Carman said that is a different issue that lot combinations. She said we can put a maximum lot size but she is not convinced that on whether they can or cannot play around the rules of lot combinations. She said she would personally like if they could play around them and have some standards but she has been told by a previous City attorney that they cannot.

Leff said you couldn't limit it to 2 plats, or regulate it.

Carman said she understands from Jeff Kahan's memo that you could put a maximum lot size on a particular zoning category and that is why they went that way. The number, because it allowed 3 units on it, which is arbitrary to some extent, but the idea that they could come up with some lot combination rule that the State would allow them to do, is open for discussion.

Detter asked if they can say, if legally permissible, limited combination of lots to 2 platted.

Holland asked if it needed to say restrictive or through Planning Commission approval based on compatible standards which would basically be getting a variance.

Carman said the problem with building design and massing has nothing to do with lot combinations.

Holland said it certainly does.

Carman said they didn't ask for a legal opinion. She said what happens to a lot is that they have 2 lots and 1 isn't big enough to do what I want on it, so they buy 10 feet from their next door neighbor and that's a lot combination or they want to build a big building so they buy up lots and combine them to 1 and as far as she has been told by a previous City attorney, there is nothing they can do about that.

Luckenbach suggested that they not play lawyer around the table but that they proceed on what they think is right now and wait and see if it is permissible or not.

Holland said suppose there is a variance.

Carman said the idea that they might do some combination of lots.

Holland said the wording is directly from the report recommendations.

Weatherbee added the wording to the draft.

Detter asked which City Attorney it Carman has spoken to.

Carman said it was the City Attorney just before the current one.

Detter asked if the current City attorney had ever been asked.

Carman said, supposedly, but they got no response.

Detter said then they really don't have a response.

Carman said that is correct.

Detter said that we need further information.

Carman said it is more in line with the idea that combining lots based on plats is in line with what they are interested in than this thing about site plans and passing standards.

Potts said, I don't know why we are putting this in, because it goes against what we've decided on and uses fluffy standards that have not been written, and Planning Commission making decisions based on that. In other words the developer, property owner, the public has no idea of what is going to happen in any case; we need something pinned down. She said she didn't care if we don't call it 'combined lots', we can call it maximum sized lots. She said the important thing is that if we agree and she thinks they have, on a maximum size of lots, we don't even have to use the words combining lots. She said I don't remember how the lot got to be that size, but it is the maximum.

Luckenbach said he has a theory about documents like this; they don't only have words, but they have music and the words tell you one thing but the music says something else. He said the music here, with the last bullet point says, Oh yeah, lot combinations are okay, as long as you do this and that, and get us guys to bless it for you. The music you want is, they are not okay, except under extraordinary circumstances and then you go through an appeal process or the ZBA and get some relief.

Potts said she agreed.

Carman said what we have said here is nothing about lot combinations.

Luckenbach said yes, we are making a strong statement about lot combinations.

Holland said if the ORC disagrees with you, you will give up your ...(inaudible)

Weatherbee said no, because it shows elsewhere in the document, and all this is maximum lot size and it doesn't say anything about lot combinations.

Carman said it does say we would like to see lot combinations associated with same zoning or we would like to keep, or if you combine 2 lots, we would like them to keep the same zoning for you to combine them. It doesn't say you would like to keep lot combinations, still keep the pattern of the platted lots.

Weatherbee asked, do we want it to say that.

Carman said I am just pointing out what it doesn't say.

Detter said, ultimately the City Council will decide if it's legal of course, but Jack Eaton is back there, and he will be part of the new Council when this is decided. I'm assuming there will be a majority on the City Council to support it, that we have, if its legal, and that's what I'm approaching all of this with.

Potts said and the platted neighborhoods was one of the things we talked about a lot and was one of the things we were trying to maintain; the pattern that goes with the plat and these are old neighborhoods were platted, so what we were trying to do with this was not buy into the ORC too much, to keep it as close to the old plats as we could get. The ORC's wish is that everything is free and open and we'll eventually write standards that we all like and we'll all like it. But no, when you are dealing with land ownership and development you want to know what you can do.

Tyler said what we want to say is that lot combinations should meet standards of minimum and maximum lot standards. Lot combinations should meet the standards that applied for R4C, the way we were writing it.

Holland said, so to a certain extent you are saying there won't be lot combinations in certain neighborhoods.

Potts said no.

Holland said, typically when lots were done in chains they were 66 x 132, which is over the maximum, so you couldn't even combine 2 lots.

Potts said that with Matt's research, we discovered that many of them are very, very small and you could even combine 3 lots in some cases because the lots are small. Every neighborhood is different; we assume there will be lot combinations.

Holland said every neighborhood is a little bit different, and when you restrict this you are basically saying that you will not combine lots.

Tyler said they are trying to take away the dimensional size from this category and then refer the reviewable lot combinations section under the R4C. Other criteria that talk about maximum are something they never talked about in the report.

Weatherbee noted that there was no change to document for minimum or maximum under R4C, and it will be moved to the top.

Leff said during our public meeting we had lots of public input and that's how we came up with these numbers; a lot of developers, apartment owners and residents.

Carman said the reference to lot combinations can be taken out. The ORC did not agree with the committee, and their thing is that they want to look at approvals on a case by case basis, which belongs in the lot combination section.

Detter asked if it is going to be the policy that the committee is not going to deal with the ORC's positions.

Weatherbee clarified that the suggestion referred to moving their recommendation to another section in the document, since they weren't responding to a maximum lot size.

Tyler said we never really dealt with maximum lot size as a stand alone requirement; this is like a new piece, which may mean a tricky thing trying to put it in, in the end.

Leff said we didn't deal with it, way back when, because we thought it was illegal to set a maximum lot size, but we did it through lot combinations.

Potts said we have to leave the ORC's comment about that because that is what they say.

Detter said but we are only putting it in because that is what our opposition thinks.

Weatherbee said we will note that this is not unanimous.

Detter suggested the report say the majority supported it, but it is not unanimous.

Carman said we had information on the lot sizes and how many are in each category, but she can't reproduce that. She said the question is how many properties are over 6,525 sf, but there are not many. She noted there are some really large lots, but they are not in the central area; there is one off of State, and there is another one off of Main Street, out by the expressway, and we recommended that those lots that are 16,000 square feet or more be rezoned because they don't go along with the central area intent and don't fit the definition. They could be just as dense with a different zone.

Holland asked if this is just for the central area.

Leff said, yes, in theory, that the R2A started in 1984, and R4C was changed in 19... something and a few times before that. So the number of lots between 6,525 sf and 8,500 sf are small, and if that number needs to be changed to a different number that would be a good place to begin because the really big lots are on the fringes of the city and they should be rezoned and we recommended a different zoning.

Carman said our goal is to limit the density to 20 units per acre that currently exists.

Potts said it says that in our original report, so we need to put into this report.

Carman said the goal of that was to stop 6 bedroom units.

Potts said it's not the goal.

Carman said it was the intent to de-incentivize the 6 bedroom units.

Weatherbee added that right now they are the cheapest thing to build, not necessarily the thing that everyone wants to build, but they are the cheapest and the goal was to have everything equal as far as cost and you could make the determination of what configuration you wanted but right now we are incentivizing the 6-bedroom.

Carman said, so this is now to de-incentivize it.

Holland said apparently lofts must be cheap to build these days since they are coming up everywhere and you will see a lot of converting on the fringe. He said he talked to a landlord today who thinks a lot of this will be self-correcting because the fringe areas seem to be going down and the student rental properties up close to the campus seem to be going up because the rents on those units ...(inaudible)

Weatherbee said she thinks there will be some self-correcting.

Holland said he thought we will see income property being reverted back. He said with lot sizes if you want to keep the character of the neighborhoods, you contradict yourself if you say they can't have less than 25 feet setbacks and 12 feet on each side; when you have minimum lot widths of 40 feet and you take 24 feet, that leaves you 16 feet, which is a problem, and once you start making rules that contradict it becomes a sham. He said the setbacks suggested do not address the existing neighborhoods and may leave more nonconforming, in conflict with the goals of this committee. He said he supports adjacent property averaging for the front setbacks and for the side setbacks.

Carman suggested going through the points one by one in the draft.

Carman asked what is existing; it is 25 feet?

Leff said it is 25 feet.

Luckenbach said it's the averaging, but not less than 25 feet.

Leff said no, it allows it to be less.

Carman said the only time the front setback comes into play is if you tear the house down and build a new one.

Holland said, but you can still get a variance.

Carman said you can ask for one.

Potts said keep what is existing, as it is clearly written in the code and if we reinforce that is what we want then it related back to the historic plats.

Carman said its not currently ...(Inaudible); its on the same side of the street.

Potts said we can change that.

Holland said the front setback should be unchanged.

Carman said we do averaging all the time, and the only thing that goes wrong with averaging is that we have staff that can't calculate it.

Detter said, is averaging in the ordinance right now?

Committee said yes, 100 ft on either side.

Potts said the problem is that Planning staff only does it once in a while; it should be an automatic thing that you average a front setback, but it is not always done today.

Detter said with averaging, if the buildings come close to the sidewalk that's what we support because it goes with the scale.

Weatherbee said there is no change to rear setbacks.

Weatherbee said she put this in the draft, but we need to have a whole section on enforcement. She said there are already rules and regulations on the books, and if we could enforce those we could resolve some of these problems.

Carman said our current recommendation is we weren't changing the setbacks.

Weatherbee asked the committee about side setbacks.

Tyler said it's really talking about multi-family structure and for two-family structures in the R4C zone, and so are we talking about buffers or are we really making a distinction between those buildings that are used as multi-family. She said we recommended keeping the 12 feet from multi-family structures but it reverts to only 5 feet when it's single-family. She asked how do we make the distinction when they are all rentals, whether one or two units? She said it is not relevant to talk about this multi-family categorization in the R4C.

Potts said all different uses are legal in the R4C; this year it is a single-family house, next year it is a multi-family house. She said the setbacks have to be the same.

Carman said what happens is the house is on the lot with whatever setback it had, the use of the house is used as an R2A. It has 2 units in it, if it has 1 unit in it, then staff says all you have to have is 5 feet. If it's got 3 units in it or 4 units in it then you have to have 12 feet. She said if they don't have 12 feet, they come to the ZBA and they are only coming to us when they add a unit.

Potts said that's not good.

Carman said if it's a 2 unit or a 1 unit use, then they only have to have 5 feet.

Potts said, this could be the same no matter what the use is.

Carman asked, so do you want them all to be 5 feet.

Potts said, or 12 feet or something.

Leff said the ORC might actually be correct. You have the bigger lots, you can require the 12 feet; with the smaller lots, you use the 5 feet, regardless of use.

Tyler said so we are more inclined to go with the ORC recommendation, because that is really more realistic unless we really want to figure out if the 8,500 square feet should be changed to 6,525.

Luckenbach said it does not make sense to jump from a 5 foot setback to a 25 foot setback when you add 1 square foot to your lot. It should be proportional. He said that a sliding scale is done in communities all around us.

Holland said, the taller the building the ...

Luckenbach said this is already in the ordinance, buried in some other place. He said there might still be some imperfectness, but existing increases are already built in, where the building exceeds a certain height.

Tyler asked if there should be a sliding scale or should they make an arbitrary change from 5 to 12.

Holland said his concern is when you take a lot with the maximum square footage of 6,525, and you take out a 30 in the back and a 12 and a 12 on the side you are left with 1900 square feet for a driveway, parking, and a house. So, you might find someone coming and arguing that you have taken their property without fair compensation.

Weatherbee said that it sounds like the ORC recommendation seems better to us, but maybe not as good as it could be.

Tyler said she agreed with Holland and that is why she is fine to go with what the ORC is saying, but she has not given it enough thought to say, where is that threshold.

Potts suggested 10 feet.

Holland suggested a combined 17 feet, with no side setback less than 5 feet.

Tyler said she thought that was in the ordinance.

Leff said the lots are all like that in her neighborhood.

Carman said whatever is decided here needs to get circulated again.

Tyler asked, do we really want it to be 17 feet, or do we just want to go with the ORC is suggesting.

Leff said if it's any bigger, we might want it to be 12 and 12.

Tyler said, to just settle it, let's go with what the ORC says.

The committee agreed on this point.

### **LOT COMBINATIONS:**

Leff said someone said it very well that any lot combinations must meet the R4C maximum and minimum lot size requirements.

Potts said she thinks that is great, so no one misses the point, like setbacks is the only thing you have to worry about, you also have to have minimum.

Carman suggested draft language.

Discussion regarding the 6,525 sq ft versus 8,500 sq ft minimum lot size continued.

Leff said, theoretically if someone had 2 side by side lots and they wanted to make them bigger, and one smaller, the smaller should have a minimum allowable size.

Holland said it will be hard to find any lots that could be split and still meet the minimum proposed lot size of 6,525 sq ft.

Potts said number 3 might be useful to leave there.

Tyler said these restrictions lead to a more predictable environment for the developer. She said you must say the character and scale of the neighborhood.

Detter asked how you determine that. He said he raises that only if we have a situation where the Planning department moves to a Phase 1, Phase 2, approach; hopefully, they have an overlay developed that will have something defined. He said that at this particular point we are saying it must fit the character and scale of the neighborhood, but we haven't defined that.

Weatherbee asked if they wanted her to take that draft language out.

Detter said he wanted it in there, or if they could say, character and scale if overlay districts are subsequently developed within the R4C area.

Potts said this is very popular with Council, that we are reducing the number of non-conformances in the City, to the benefit of everybody.

Holland said he did have a concern regarding the non-conformance. It's the same concern mentioned earlier, it's the 18 months to commence reconstruction. He said sometimes it takes developers time when they want to do some rezoning, make some changes, and it might take a year and a half and they are nowhere near getting the project finished.

Leff asked why they would be going for a rezoning.

Holland said they might be going for a PUD or could be in insurance litigation for a long time; he said it's a housekeeping thing.

Carman said she thought they discussed this in the original, where they could get an extension through the ZBA.

Weatherbee said and that is what City staff thought was reasonable, and the ORC agreed with all that. She said the purpose was to limit construction from going on forever and ever.

Detter said so the ZBA could give them more time.

Carman said it was mostly the staff who didn't want us to make it too long.

Detter said this is the one thing throughout 2 years of discussion that everyone has agreed on and is a good idea.

Holland said another concern is when you say an existing lot is grandfathered, as long as it is an original plat. There are lots out there in the original plat, 110 years ago or more that were built on a half lot and the way you have worded it, that half a lot may or may not be grandfathered. He said he had one that was 33 x 152.

Weatherbee asked if the committee thought there should be any changes to the R2A.

Carman said she was not sure that their justification is correct, but we did decide that we were not recommending any changes to R2A.

Potts said considering what we have heard from the public and there are a considerable amount of people living in the R2A who came to our meetings, the biggest problem is enforcement. She said a lot of problems deal with illegal parking, illegal residency, so that isn't what we are dealing with. She said she wanted to make a strong statement that R2A neighborhoods do have problems, but they are not related to zoning.

Detter said if the ORC position recommended further study that further justification just went away.

Carman said she is sure we will hear from the audience.

Potts said that they definitely did not agree to the ORC recommendation.

Carman said the current recommendation should have read, that we wanted the calculated parking requirements dependent not only on unit type, but maximum potential occupancy, number of bedrooms and lot size. She said what the committee has proposed is actually less parking than what is existing.

Holland asked how many spaces they wanted per bedroom.

Carman said right now the requirement is 1.5 and what this is working out to propose is actually requiring less, and we are not proposing less.

Weatherbee said if you have six 6-bedroom units, right now it requires 9 parking spots and it would stay the same. She said it doesn't seem to be enough, but she's not in favor of doing some giant parking lot either.

Carman said they were close to coming up with parking recommendations, but didn't quite make it. She said it's a very complicated thing and she didn't think they could cover it today.

Potts said she proposes a graduated requirement, slightly more like 1 space for 1-2 bedrooms and 2 spaces for 3-4 bedrooms, 4 spaces for 5-6 bedrooms. She said she did not think that this was enough, but it's a little more required parking.

Carman said the problem is, if we are going to recommend parking, we need to spend more time thinking about it.

Holland said by the time you take out the side setbacks and put in a driveway, you haven't even put in the parking yet. He said effectively you are going to have 1 unit.

Carman said she was not proposing to put anything in the report. She said we recommend that there be some sort of graduated scale, calculated on all those things we voted on before, and take more time to come up with a plan.

Weatherbee asked whether it's this group or a different group.

Luckenbach said the ORC did propose there are issues that ought to be looked at, beginning with the parking, and we should hand the problem back to them.

Potts asked if everyone agreed with her, that they must maintain required setbacks and open-space. She noted that's where property owners can always get a lot of parking in.

Weatherbee said that's an enforcement issue. She said the committee will send it with a recommendation for further study.

Rambo said there are overwhelming problems with parking solutions in residential areas throughout the City.

Weatherbee said the reason developers want to build 6 bedroom units is because it requires the least amount of parking.

Tyler said the required parking and permits are all a part of what needs to be studied.

Detter said in the Old Fourth Ward, because of the assistance of Sandi Smith, they could just push it right through, but in other areas, like the Germantown area, they wanted

residential permit parking but they didn't get it. He noted that having this as a recommendation helps them in getting what they need and how they want the future to be.

Potts said the alternative options were based on residents not having cars.

Holland observed that with no parking requirement in the D district, they will be penalizing the people in the R4C.

Potts said that's because they have public parking provided in the D area.

Weatherbee said there is the Krause parking lot in the middle of the residential neighborhood and people use it all the time. She noted it's not entirely out of the question that a residential neighborhood have a parking lot.

### **CONFLICTING LAND USE BUFFER:**

Tyler said the big thing was the ORC took out the multi-family uses for where it is required.

Discussion pursued on conversions of houses from single-family to multi-family and how the land use buffers might or might not be needed.

Carman suggested they let someone else figure it out.

Weatherbee agreed.

Potts said for her it had to do with lot size, and if the lot was too small they shouldn't require a buffer.

Detter asked if that is something the ZBA can decide.

Carman said, probably. She could only remember one request that had come before the board.

The committee decided to leave this item for another group to study further.

### **OVERLAY ZONING DISTRICTS**

Carman said it will take a long time to study overlay districts, and it needs to be done on a zone by zone basis, and it can't be capricious. She said she was not in favor of it.

Potts said overlays can be good planning tools if they are in place, but it could take 5 years to get them.

Detter said there needs to be studies done with public input.

Weatherbee said the committee needs to finish up this document. Please email your final comments.

Detter said he would like to see a simple statement that this group does not support development of a student area, except the part of a phased iteration of overlay districts of the R4C area. He said he was not opposed to such a concept.

Weatherbee asked if the committee was interested in a moratorium.

The consensus of committee members was no.

Weatherbee said when Bona was talking about communities needing help; all the help they need is enforcement through community standards.

Committee members said these issues need to be included in a cover letter, because they didn't have anything to do with zoning.

#### **4. Public Commentary**

Eleanore Linn said she has some concerns with this minimum and maximum lot size where they could combine smaller lots to still have a development and that you have to go for a variance. She said she has issues with the rear and side setbacks: if those side setback are big, people tend to park in them illegally, but the City will not ticket cars in the rear and side setbacks, if there is a space. She said the committee had done a really good job.

Christine Crockett said she still hasn't heard anything about how the front of buildings will look and is still very concerned buildings that get built that just don't fit, like fake front porches or lack of porches.

Ellen Ramsburgh said the committee has done a really good job and have had to really do their homework and she appreciated it. She said it was disturbing that Bona said the group housing was arbitrary and these neighborhoods just needed some help. She was concerned when Bona suggested a moratorium, seeing so much on the horizon.

Detter said people from this committee need to be ready to speak at public meetings, at the Planning Commission and at Council meetings to make opposition.

#### **5. Wrap up and Next Steps**

Weatherbee said she would go through the draft document and send it to all committee members adding, we won't be able to do too much over email back and forth because we go outside of the Open Meetings Act.

Holland thanked Weatherbee for running an efficient meeting and her professionalism and for listening to his diverse opinions.

Potts asked who will tell us when this goes before the Planning Commission and City Council.

Carman asked if they should also send the report to Council since they appointed them.

Holland said it's a courtesy.

Weatherbee thanked the committee for being willing to discuss the items openly. She said there was discussion that this should only go to City Council, but they decided not to do that, but send it to the Planning Commission.

Notes recorded by Mia Gale

Planning Division  
City of Ann Arbor