



CITY OF ANN ARBOR, MICHIGAN

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Community Services Area

Meeting Summary

Date: March 11, 2010

Time: 6:30 pm to 8:00 pm

Location: Washtenaw County Building, 200 N. Main St.

Re: R4C/R2A Zoning Study – Rental Property Owner Focus Group

Attendees: (see attached sign in sheets)

City of Ann Arbor—Matt Kowalski, Wendy Rampson, Chelsea Burket (intern)

Comments and Questions from the Focus Group:

Non-conformance

- Under what conditions does a grandfathered, non-conforming property have to become conforming? What is the justification?
- If we rezone some areas and the current properties are grandfathered in/become non-conforming, what is the point of rezoning?
- In Ypsilanti you can apply to rebuild a property to its non-conforming state. Perhaps this is something that Ann Arbor could consider.
- It's been the philosophy of the city to due away with non-conformance and this is part of that process.
- The reason you allow for grandfathering is because if you didn't, you risk a takings. Non-conforming use follows the property, not the owner, as long as you don't abandon or stop the use. Abandonment according to case law is intended; not finding a tenant doesn't mean abandonment. Requiring a property to be rebuilt to conformance after 70% damage is particular to Ann Arbor but common. It's important that properties are documented (e.g. number of bedrooms) with the city.
- Non-conforming lots are greater than shown on the map if consider other types of requirements (e.g. setbacks).

If this summary does not agree with your records or understanding of this meeting please advise the City of Ann Arbor in writing within seven days of issuance; otherwise, we will assume this document is accurate.

- If all you want to do is reduce the square footage to make the zoning fit the houses that are there – that sounds reasonable, but if you try to make additions on a small lot, you don't end up with any green space. If all houses started to expand that might be problematic.
 - This shouldn't be a problem if side and front setbacks are enforced.

Implications of Density - Affordability, Taxes, Land Use

- After the last session, people were annoyed that there had already been 4 meetings that hadn't included landlords and students. The tone was that this was a first step, but they don't want students in their neighborhood. This town is a university town; students belong here, despite issues. Students have the right to choose where they live, the same way everyone else does. The city has a vested interest in high rises because of the increased taxes they generate. The city should also care about affordability of student housing.
- Students don't have an endless amount of money for rent. Students are moving to cheaper properties outside of town and driving in which is creating more problems.
- Consider the tax ramifications of rezoning. A lot of single family homes occupied by families are benefiting from 6 person rentals. Decreasing 6 bedrooms to 4 could be a huge hit to city tax rolls by decreasing values. How will they make up for those lost funds?
- The city wants more density out of high-rises that people can't afford. If you decrease density in current student housing market, students will be pushed further out in the community/residential neighborhoods. Students want to be living in rentals close to campus. City needs to look at height limits that allow high-rises.
- Where did the 8500 sq ft come from in the first place? In '63 the lot size requirements were less (used bedrooms). There have been at least 2 initiatives since then to reduce density in student neighborhoods by increasing lot size requirements.
- If the city's intent is to bring more houses into conformance, why can't they just reduce the lot size? *[followed by applause]*

Enforcement

- Part of the problem has been that most of the students are well behaved, but recently more kids have been causing problems with noise, partying, etc. Couldn't city better enforce current ordinances to make the kids more accountable in those neighborhoods.

Don't want to kick them all out and stereotype them all as bad. Enforcement could help. At MSU they send out a booklet explaining expectations for living in a residential neighborhood.

- Burns Park has a welcome to the neighborhood brochure to share with organizations and rental companies.
- The university should be handing out welcome packets. University takes no responsibility for informing students of how to behave when they invite them to live in their communities. University is absent.
- University has historically encouraged students to live close to campus and be part of the community.
- Going back to enforcement, a big driving force is students in residential neighborhoods, so if you're going to have enforcement issues, there have been serious problems getting consistent enforcement in student neighborhoods. Student areas are dead zone in terms of enforcement. There needs to be more than ticketing for red cups. *[followed by applause]*

Parking

- I wonder about the parking requirement being per unit rather than per bedroom. This doesn't make sense; it should be per bedroom.
- In response to what homeowners were expressing, parking seems to be a reoccurring issue. Couldn't permits be a solution – allowing only people who live in the neighborhood to park on the street? They seem to work well where they are implemented.

Student Preferences

- It seems that there are some assumptions being made, for instance about what young professionals want. We're also making assumptions about what students want. We need to ask students why they live where they live.
- Students have repeatedly voted for the idea that they want single family homes, because despite new high-rises, many single family rentals don't have vacancies. They're voting with leases. We need to know if high-rise buildings are reflecting true vacancies. Single family homes offer parking on site, porches, basements, yards, lots of common space, and large bedrooms. It's important that students have a say. We do not want to push them away by downsizing 6 bedrooms to 4 bedrooms because they aren't going away.

They will either cheat, have to move into high-rent high-rises, or move further out of town.

- Get student survey out before semester ends.
- Landlords can pass student survey on to their renters.
- Students are stakeholders and if you want some participation from landlords as to what goes on the survey that would be good.

Scale, Character, and Density

- What I don't want to see is neighborhood torn up for inappropriate developments out of scale and character. Wouldn't mind a situation in which developers were limited in terms of combining lots, as long as what they're asking for is within scale and character. Currently developers are requesting PUDs on a combined lot that aren't in scale and character which no one wants.
 - By downzoning the areas we'll encourage more 601 type developments because you can't get enough people in there so they're suddenly economically viable.
- Aesthetics, density, and diversity. There are optima of what we like. Young professionals want comfortable scale, ability to go out in a green area, maybe houses would be a little closer together. There are optimal living situations that we all prefer. We're getting extremes though due to a lack of long-term planning. Zoning should be in compliance with long-term planning. Meanwhile we've got very dense high-rise efforts in places where we have maybe not enough density. We'd be happy to put in more density, but maybe there are ways to do it without the high-rises. If your property is non-compliant you can't put another unit in your basement or add on to you house, but someone can come in and put in a PUD. The worse neighborhoods that aren't being patrolled are the ones where there aren't any owner-occupied homes. There needs to be a diversity of owner-occupied and non-owner-occupied homes. We should start meetings by getting everyone together and proposing solutions that meets everybody's needs.
 - We can increase density with what we already have by fitting more people in current homes. This is currently prevented by zoning.
 - In terms of future issues, we haven't heard much about aesthetics, but we need to think about it. Certain areas need to be preserved. There needs to be a plan for the future. Ann Arbor's current scale and character is attractive and attracts people to live here.

- Clearly the R4C areas are near the downtown core; we should think about what's going to happen in the future and think as a community about how to create an urban community that's sustainable in the long-term. That means that we'll have to increase downtown and surrounding-downtown densities. If we want scale-development, that means we're not going to change anything and not increase density downtown or near-downtown. In the DDA boundaries, if you look at parcels available to be developed, there's very few. When we talk about increasing density in the urban core, there's a low limit to new residents that can come into DDA. That means it must come in the area around downtown. So it's important to think (central area plan was before climate change concerns, vmt concerns) – we may need to uncomfortably change some of the areas. Single family housing isn't sacrosanct. Maybe we need to look at townhouses. The broader community has to be engaged. The bulk of R4C was built before the suburban zoning ordinance that we have now was enacted. If we really want to increase density we need to think about that critically, about how it can really happen. Otherwise development will be further out, which goes against greenbelt ideas. Increase density along transportation corridors.
 - There are plenty of places downtown to build, though they're owned by city and county. This gives the city a lot of power to make things happen. They could encourage density downtown by considering a TDR program whereby people in near-downtown who are restricted from building can sell development rights for area above their homes to be used downtown so they are compensated for the restrictions on their property but we get the density where it belongs.
- Perhaps there should be a dense zoning for the student area.

Measuring – unit vs. bedroom vs. other

- Why don't we define occupancy based on the area of the building? It used to be based on bedrooms, but they can be different sizes.
- There is concern that the city has been discriminating against students based on familial status. It might be more appropriate to base unit size on habitability. Bedrooms don't speak to habitability. At the turn of the century, some of the family units had more people living in smaller units. Landlords can't ask if students are or aren't related based on fair housing act, but city holds them accountable to that.
- A 5 person family is okay in a R2C, but 5 students aren't okay - artificial standards.

Misc.

- Maybe you could allocate a few minutes at advisory committee meetings for the public to ask questions so things can be cleared up and rumors aren't spread.
- Zoning on Michigan and S Forest from Cambridge to Wells should be rezoned to R4C
- Has R2B been downzoned to R2A?

R4C/R2A Zoning District Neighborhood Associations Focus Group Meeting

Thursday, March 11, 2010

6:30 pm to 8:00 pm

Washenaw County Building at 200 North Main, Lower Level Conference Room

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