



# CITY OF ANN ARBOR, MICHIGAN

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## Meeting Summary

Date: November 9, 2009

Time: 6:00 pm to 8:00 pm

Location: Cobblestone Farm, 2781 Packard St, Ann Arbor, MI 48108

Re: R2A/R4C Zoning District Study

Attendees (see attached sign-in sheets):

Advisory Committee – Tony Derezinski, Jean Carlberg, Chuck Carver, Ilene Tyler, David Merchant, Wendy Carman, Carl Luckenbach, Ellen Rambo, Michele Derr, Julie Weatherbee, Nancy Leff, Ethel Potts, Anya Dale

General Public – Lisa Jevens, Ray Detter, Bob Snyder, Ellen Ramsburgh, Andrea Van Houweling, Betsy Price, Aaron Miller

City of Ann Arbor – Matt Kowalski, Connie Pulcifer, Chelsea Burket (intern)

*Comments and questions from the Advisory Committee:*

### Non-conforming lots

- The City is limited in what they can approve with non-conforming lots. The intent of zoning ordinance is to limit non-conformities. They can't add units but can add bedrooms.
- Need a better understanding of pros & cons of non-conforming lots.
- What is the difference between non-conforming lots vs. non-conforming structures?
- There is an assumption in the terminology that makes it seem as if what currently exists, in terms of regulating non-conforming lots, is bad. But maybe there aren't too many

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hoops for people to go through. The reason that the ordinance has the hoops is to protect existing neighborhoods and to allow only necessary changes.

- People who have a financial interest in not having to go through hoops spend a lot of time talking to the city and their interests are over-represented.

### Zoning Code Provisions

- What are the provisions of the R4C/R2A zoning and where are they on the ground?
- PUDs are an attempt to work around zoning that isn't working/ in line with today's standards. Existing or proposed PUDs should become a precedent for future changes to zoning.
- Why can't we just rezone the R4C/R2A to be like it was before the zoning was changed in the 60s. What is the appropriate size of lot/house for these districts?
- Averaging of front set-backs is appropriate.
  - Most old established neighborhoods count on certain setbacks.
  - Particularly onerous in R4C because buildings will take over the entire back-yard and reduce neighbor's privacy.
  - Right now no residential FAR, so you can fill up entire setback with building. Parking can be located in rear setback. Could we explore FAR as a means to address setback issues?
  - Instead of averaging front-setback, could we establish a range?
    - Depends on neighborhood. Range from a lot of variance to consistency.
- What is the definition of a duplex? It seems loose. There are instances of a dwelling with another dwelling built behind it with a breezeway connecting them - in an R4C these "duplexes" could have 12 students.
  - Buildings that are being approved do not meet what Ethel is reading in the zoning ordinance – so far as the definition of a duplex.
- Land use plan is in conflict with zoning. Areas recommended for down-zoning. . .

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- Next phase is master plan update so these plans will be updated.
  - Existing zoning language is being clarified – will overlap with master planning.
  - Would be helpful to examine Land Use Plan and compare it to the current zoning and land use.
- Location of the zoning – apparently in the 60s zones were placed with the assumption that apartments would surround downtown, but single-families were already existing in that area. Now the single families are being converted. Have we mislocated where R4C/R2A should be?
  - Residential/office zoning, group housing – need more info about the reference to these uses in the plan.

### Enforcement

- Enforcement of occupancy, parking, and height requirements could address some of the issues that people have with the 6-bedroom units.
- Enforcement is a huge part of this. You can't maintain a minimal standard of living in terms of trash, leaves picked up, noise, parking, etc.
- Homes rented to students are over-occupied, and this is not enforced.

### Parking

- We need creative ways of addressing parking – not more parking, but different.
- If we could limit the number of cars, would a lot of the problems go away?
- Has the resident-only parking situation in Upper Burns Park been successful?
  - They have to have a permit and only a certain number of permits are allowed per house. It helps in the day time to keep commuters out, but not in the evening.
- In some neighborhood there isn't enough parking simply because of the nature of the streets. Some people may not rent there because of lack of parking.

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- There are a lot of illegal parking lots that are not meeting standards set in code. They are legally parking lots because there's more than 5 cars, but they're not being enforced as parking lots.
- Planning Commission approved some large apartment complexes where they assumed that if parking isn't provided then students won't bring cars.
- We need creative solutions for where students can store their cars and we need to be providing more transit, zip car, etc.
- Providing more parking will not solve the parking problems. Perhaps you shouldn't be allowed to leave your car on the street between 2-6 a.m., like in East Lansing.
- Newer developments are required by code to provide bicycle parking. Maybe it should be per bedroom versus unit.
- How do we incorporate information from transportation plan? It will have to be considered.
  - Transportation people are part of stakeholder group.
- One of the major reasons why we have this conflict is because we went through a long period of high economic growth and every student could afford to live in the city and have a car.
- Students love living in houses off campus. Some of the issues being raised can't be helped because there are intangibles (the way children are raised, students can bring cars). Maybe we need a better job of providing more services – convenience stores, transit – to discourage students from bringing their cars. Students have higher expectations now.
- Are numbers and density the issue or is it the cars, back yard parking lots, etc.?

#### Occupancy & General student/family conflict

- Legally the definition of a “family” allows 6 unrelated people to live together. But R2A only allows 4, so maybe R4C could be reduced to 4.

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- Need clarification of occupancy – what is the definition?
- Should we take another look at why we have allowed 4 unrelated individuals in some districts and 6 in others?
- Why should R4C allow more people than R2A? That could solve a lot of the problems.
- There was a Michigan Court ruling that affected the way occupancy could be restricted and required certain groups to be allowed to live together.

This ruling was not dependent on the zoning of multi-family or 2 family or even single family, but required challenged laws to be written to permit certain groups that wanted to live together as functional families.

The regulations as they stand now with 6 unrelated persons being allowed in R4C and 4 allowed in R2 and R1 were part of the changes that were passed to accommodate that court ruling.

- What is the occupancy rate of places such as University Towers?
- What is the vacancy rate in the R4C/R2A zones? And why are they vacant?
- The residency thing is a big deal – it isn't that it's 6 people, it's that it's 6 students. I know we can't discriminate based on age, but undergrads are hard to live around. Conversely, Avalon housing is easy to live next to.
- Multi-family housing – Where we are now, any sort of duplex is looked on a terror because it could be 6 bedrooms/ not designed for multiple families but rather students. Is there a way of fashioning zoning to separate true multi-family from student housing?
- Would it be a problem if the density was families rather than students?
  - Students and families have different behavior patterns.

### Design

- Many people point to an aging housing stock and no room to modernize or grow and the need for property managers to be able to convert existing properties into something that

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can easily be rented to students. But why do we need to allow for them to be modernized? Why can't they be modernized from the inside? Why do we need to modernize houses to meet the demands of students?

- Apartment complexes are being built so that they can't switch between accommodating a family and a group of students.
- Can't discriminate against who lives where – but maybe designing a unit only usable by a certain population (i.e. a 6-bedroom apartment) may be discriminatory.
- Should R2B be included in the study? Should design guidelines be established outside of central district. PUDs are taking away from character of the neighborhood.
- Not all R4C/R2A zoned houses are suitable for 6 bedrooms. Because of new university housing, a lot of the houses in R4C/R2A would return to single family if they weren't converted inside.
- Why shouldn't some lots be combined to accommodate other types of high quality development. Design is an issue.

### Cost

- Economics drives where people live – the reason students live throughout the city is because it's cost effective for people to buy the houses and rent them out. Families are not able to rent in many places because costs are too high. Realistically, the university is not going to build more dorms.
- Design is a huge issue, but so is the fact that it's the cheapest option to build the 6 bedroom. Can the market really bear that or is it just cheaper?
- New buildings may be cheaper to build, but are more expensive to rent than old houses.
- The cost of other services that make the 6 bedrooms the cheapest (e.g. sewer disconnects) need to be made relative to number of bedrooms.

### General Student Housing Patterns

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- What some towns have done is to create an area for student housing to keep them as close to the university as possible and build taller apt buildings.
  - People who want to live close to downtown/near students may be pushed away.
  - Everyone uses central campus. Something would have to be displaced.
  - Concentration creates the problems that people are upset about. Many grad students enjoy living in residential neighborhoods and that creates a lively mix.
  - No student districts – the populations should be more mixed.
  - There's a richness to life around central campus because the campus and community are integrated. North Campus is like Siberia because it's isolated.
  - A lot of students don't want to live in a high-rise with all students.
- Why do students live out past Packard? It's price. But those apartment buildings out there also have smaller number of bedrooms and more of a living area – a space that students would prefer. Also, amenities (grocery stores, Target) are out there.
- In the past zoning was made to cater to the whims of the university and the fact that they weren't building dorms, but what part does the university play in this now?
- All of the new university housing that is being built may correct the issues identified in points 12 and 13.

#### Miscellaneous

- The terminology should be changed – “improvements” as used here refers to additions and additional space – many people do not see these as improvements.
- If you decrease density in one area you are pushing that group into another area. Be aware of trade-offs and consequences of changing patterns.
- R4 not being used as it was predicted to be used – as a house.
- We need to consider how we respond to requests for demolition. Demo is only regulated within historic district, but should be expanded.
- Should R4C/R2A zones outside of the central area also be addressed in a different way?

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- Do we know what other university towns are doing? Someone referenced a study in North Burns Park area. Boulder is also implementing some things we can look into.

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