

**Subject:** TC1 Washtenaw, East Stadium, Pittsfield Village Area Rezoning  
**Attachments:** Brixmor Arborland Center Zoning Issues Letter.pdf

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**From:** Rich Dippolito  
**Sent:** Monday, June 3, 2024 5:44 PM  
**To:** Planning <[Planning@a2gov.org](mailto:Planning@a2gov.org)>  
**Cc:** Lauren Robinson  
**Subject:** TC1 Washtenaw, East Stadium, Pittsfield Village Area Rezoning

To whom it may concern,

Attached is a letter regarding the TC1 Washtenaw, East Stadium, Pittsfield Village Area Rezoning specifically as it relates to Arborland Center. Please forward a copy to all planning commissioners for their meeting on June 7<sup>th</sup> with a copy to each of the Mayor and City Councilmembers.

Thank you!

**Rich Dippolito**  
VP, Re/Development  
> Direct 847-562-4101 > Cell 678-428-0867





June 3, 2024

City of Ann Arbor  
301 E. Huron St.  
Ann Arbor, MI 48104

**RE: Arborland Center  
Rezoning of the Washtenaw Avenue Area to TC1 (Transit Corridor) District.**

Dear Mayor, City Councilmembers, and Planning Commissioners

I am writing on behalf of Brixmor Property Group, the proud owner of Arborland Center. I'd like to begin by stating that we applaud your efforts to rezone the Washtenaw Avenue Area corridor to facilitate, encourage, and support redevelopment and infill development. We hope that the zoning will help the City realize its goals of enabling mixed use developments and achieving mixed use corridors. However, similar to the concerns we raised about Maple Village, we are concerned about the new code's impact on our ability to effectively manage, operate, and incrementally redevelop our shopping center. While we are not opposed to redeveloping Arborland Center into a mixed-use destination in the long term, we have long term leases of 20-30 years that prevent that possibility for the foreseeable future.

Last year, Brixmor's Maple Village Shopping Center was rezoned to a Transit Corridor District (TC1) along with other properties in the West Stadium Boulevard and North/South Maple Road Area. The rezoning has already hindered our ability to incrementally redevelop the shopping center. We urge you to consider establishing an overlay district instead of the rezoning. An overlay would permit the additional development you desire without requiring property owners to comply with a new set of zoning ordinances that are not consistent with their current business plans. We have leased the property and invested in capital projects with the expectation that the property would continue to be able to be operated and improved under the existing entitlements.

We continue to believe that a TC1 overlay, coupled with market forces, is the most likely route to realize the City's goals, as opposed to regulatory requirements that may actually impede such goals. Nevertheless, if an overlay district is not of interest, we respectfully request that you consider making the following amendments to the ordinance. We note that these could also be implemented by applying these proposed amendments only to large acreage parcels like ours. These amendments will enable us to continue to maintain Arborland Center as a first-class shopping destination serving the needs of City residents as the center evolves over the coming years.

**Requirement:** Drive-through Facility (as Accessory Use) not permitted.

**Issue:** Drive-through ordering and pick up has become an essential component of many retailers' operations. To compete for quality retailers that meet local demand, we need to be able to accommodate a retailer's drive-thru requirement.

**Request:** Remove the prohibition of drive-through facilities.

**Requirement:** Minimum 2 story buildings

**Issue:** Arborland Center was designed and leased up as a big box shopping center. Its national retailers have very defined prototypes for their store designs and layouts. Their buildings are almost universally designed to be one story and leases often limit the heights of surrounding buildings. Until the long-term leases expire, and the property can be completely redeveloped, future retailers will choose alternative locations that require few

adjustments to their plan rather than alter their design to conform to a 2-story requirement. That is, this requirement will likely deter potential tenants. Even if constructed, virtually no retailers that would select a big box location would use this second floor thereby significantly increasing costs for adding space that will remain vacant.

**Request:** Limit the requirement of two story buildings to those parcels containing less than eight acres in size. Enable existing buildings to be modified or rebuilt, if necessary, as single-story structures to accommodate new tenants provided such structures remain substantially within the existing building footprints.

**Requirement:** Minimum 60% transparency of first floor

**Issue:** Articulation and transparency of the façade is largely a function of each retailer's brand standards and interior layout. Anchor retailers who primarily occupy the inline space on the side and rear of the center utilize the interior perimeter for merchandising and display, and do not desire storefront windows for displays in that it reduces merchandising space. A minimum of 60% transparency would require a significant alteration to the store design and, similar to above, will create challenges for us to re-lease anchor spaces.

**Request:** Enable existing anchor buildings of 10,000 SF or greater to be modified or rebuilt, if necessary, without a 60% transparency requirement.

**Requirement:** Minimum 75% frontage

**Issue:** The shopping center is not designed to meet the frontage requirement. While additional buildings may be added over time, it is unlikely that the frontage requirement will be met with the first new buildings. This requirement potentially could be met incrementally over time. This frontage requirement issue is compounded when combined with the Blocks of 250 feet requirement, and the maximum 360 feet diagonal requirement.

**Request:** Limit application of this requirement to those parcels containing less than eight acres in size. Allow construction of new buildings or expansion of existing buildings without meeting the frontage requirement.

**Requirement:** Blocks of 250 feet

**Issue:** The shopping center is not designed to meet the block requirement, and retailers may not require such a large building or desire this shape, in which case this requirement will likely impede redevelopment.

**Request:** Limit application of this requirement to those parcels containing less than eight acres in size. Enable existing buildings to be modified or rebuilt, if necessary, to accommodate new tenants provided such structures remain substantially within the existing building footprints.

**Requirement:** Parking maximum of 1/250SF.

**Issue:** Some of our leases require a minimum parking ratio of 1/200SF for the center. In addition, they include Protected Areas that prevent us from altering the parking areas. As buildings are redeveloped, the existing parking area will need to remain without reduction to the existing parking ratio. While eliminating the minimum parking requirement makes sense, implementing a maximum does not. Market forces will dictate the appropriate amount of spaces. We will not incur the expense of constructing parking spaces that are not necessary, but we need to provide parking as determined and required by tenants.

# BRIXMOR<sup>®</sup>

Property Group

**Request:** Limit application of this requirement to those parcels containing less than eight acres in size. Allow construction of new buildings or expansion of existing buildings without reducing the parking ratio.

**Requirement:** Parking lots to be located only on side or rear yards.

**Issue:** As mentioned above, we have little flexibility in changing the parking areas and ratios.

**Request:** Allow construction of new buildings or expansion of existing buildings without modifying the existing parking areas.

**Requirement:** Max 2 driveways per lot

**Issue:** The existing center is one large parcel and has 4 access drives on Washtenaw Ave in addition to multiple interior drive lanes which provide the most efficient access and circulation across the site. Reducing the drives will severely impact the property circulation. Both Westgate and Arbor Farms shopping centers have (at least) three access driveways.

**Request:** Limit application of this requirement to those parcels containing less than eight acres in size. Enable the 4 access points to remain as the property redevelops.

Thank you for your time and consideration. I would welcome the opportunity to speak with you further regarding the above. Please don't hesitate to contact me with any questions at 847-562-4101.

Respectfully,



Rich Dippolito  
VP Re/Development Midwest