

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of December 6, 2011

SUBJECT: Proposed Technical Amendments to Chapter 59 (Off-Street Parking) Sections 5:168 and 5:169 regarding Front Open Space Parking, Driveways serving Drive-up Windows and Special Parking District Options

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the proposed technical amendments to Chapter 59 (Off-Street Parking) Sections 5:168 and 5:169 regarding front open space parking, driveways serving drive-up windows and special parking district options.

STAFF RECOMMENDATION

Staff recommends approval of the proposed technical amendments to Chapter 59 (Off-Street Parking). The proposed changes will prevent new parking lots from being constructed in the front open space for sites with more than two frontages; create standards for driveways serving drive-up windows to ensure safer non-motorized access to commercial businesses; and replace the option of providing a contribution in lieu of required parking with the option of executing a contract for parking permits in the City public parking system for sites within the special parking district.

BACKGROUND

While implementing the recent "Area, Height and Placement" and "Ann Arbor Discovering Downtown" amendments, staff has identified two unintended consequences that have arisen from the changes. The two amendments to Chapter 59 described below are proposed by staff to ensure the intent of the original amendments is preserved. Additionally, staff is proposing amendments to improve pedestrian access to businesses with driveways that serve drive-through windows. The draft amendment language is attached to this report.

The Ordinance Revisions Committee reviewed the draft amendments on November 1, 2011 and made several revisions to the proposal.

PROPOSED AMENDMENTS

Section 5:168(2)(c) Design of Off-Street Motor Vehicle Parking Facilities: Chapter 59 includes a section that requires that "parking structures, lots, and spaces shall not be located in the front open space". This section also includes exceptions to this provision. One of the exceptions indicates that for sites with more than one front lot line, the requirement "shall apply to only one front lot line". Although this provision works as intended for lots with two frontages (corner lots), it does not work as intended for lots with more than two frontages. The proposed amendments intend to address this issue by indicating that, "for sites with more than one front lot line, one

front lot line shall be exempt from the requirements.”

Section 5:169(3) Special Parking Districts: As part of the Ann Arbor Discovering Downtown (A2D2) amendments, which went into effect in December 2009, the Special Parking District section was revised to permit a developer of property in the D1 or D2 districts to provide a contribution in lieu of required parking, consistent with guidelines approved by City Council.

Subsequent to the adoption of the A2D2 amendments, the Downtown Development Authority, as manager of the public parking system, drafted policy guidelines for City Council adoption that would implement the “contribution in lieu” requirement (see attached). The draft policy would permit developers to meet their off-street parking requirement by signing an agreement committing to an equal number of monthly parking permits at the standard parking rate, plus a 20% surcharge that would be used as a contribution to the DDA Parking and Transportation Fund. The agreements would run for 15 years.

Prior to bringing the DDA’s draft policy forward for City Council consideration, staff received comments from the City Attorney’s Office indicating that the use of the term “contribution” in Section 5:169(3) should be interpreted to mean a one-time monetary payment to the parking system and therefore did not anticipate that this contribution would be associated with monthly parking permits. To address this concern, Planning staff has drafted amendments to clarify that contracting for parking permits is an acceptable option in lieu of providing required parking on-site.

If this amendment is adopted by City Council, then the draft parking policy will be moved forward for Council action.

Section 5:168(3)(e) Design of Off-Street Motor Vehicle Parking Facilities: Chapter 59 currently does not include design provisions for driveways located in the front open space that serve drive-through windows. The intent of this modification is to provide standards that ensure safer pedestrian access to buildings with a proposed drive-through driveway located between the right-of-way and the building entrance. The standards are also intended to minimize the visual impact of a driveway in the front open space and ensure that a driveway is not provided in the front open space if two access drives are proposed.

The proposed amendments include: a) limiting the width of the driveway to a maximum of 12 feet, b) requiring a raised sidewalk crossing and bollards to better inform a driver of a pedestrian pathway, c) requiring additional landscaping in the front open space, and d) preventing drive-through driveways in the front open space for sites with more than 1 driveway accessing a public right-of-way.

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11/30/11

Attachments: 11/30/11 Draft Amendments
06/10/11 Draft Special Parking Districts Policy for Contributions in Lieu of
Required Parking