



## Legislation Details (With Text)

**File #:** 14-0818      **Version:** 2      **Name:** 6/16/14 Main Street Overlay Text Amendments  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/16/2014      **In control:** City Council  
**On agenda:** 1/5/2015      **Final action:** 1/5/2015  
**Enactment date:** 12/1/2014      **Enactment #:** ORD-14-12  
**Title:** An Ordinance to Amend Chapter 55 (Zoning), Section 5:10.20.A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval - 6 Years and 3 Nays) (Ordinance No. ORD-14-12)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 14-12 Briefed and Approved.pdf, 2. Revised Main Street Overlay Amendments 11-17-14.pdf, 3. 14-12 - Downtown Character Overlay Zoning Districts Ordinance as Amended on 6/16/14.pdf, 4. Downtown Character Overlay Zoning Districts Ordinance as Amended on 6/16/14, 5. Downtown Character Overlay Zoning Districts Ordinance.pdf, 6. 5/6/14 Planning Staff Report, 7. Main St Overlay - CPC Minutes 05-06-14.pdf, 8. 2013208 425 S Main Rezoning 11-21-14 Compressed.pdf, 9. 14-12 Downtown Character Overlay Zoning Districts Approval Notice.pdf

Date	Ver.	Action By	Action	Result
1/5/2015	2	City Council	Held and Closed	
1/5/2015	2	City Council		
1/5/2015	2	City Council	Amended	Fail
1/5/2015	2	City Council	Amended	Fail
1/5/2015	2	City Council	Amended	Fail
1/5/2015	2	City Council	Adopted on Second Reading	Pass
12/1/2014	2	City Council	Approved on First Reading	Pass
11/17/2014	2	City Council		
11/17/2014	2	City Council	Postponed at First Reading	Pass
9/15/2014	1	City Council		
9/15/2014	1	City Council	Postponed at Second Reading	Pass
7/21/2014	1	City Council	Held and Closed	
7/21/2014	1	City Council		
7/21/2014	1	City Council	Postponed at Second Reading	Pass
6/16/2014	1	City Council		
6/16/2014	1	City Council	Referred	Pass
6/16/2014	1	City Council	Reconsidered	Pass
6/16/2014	1	City Council	Amended	Pass
6/16/2014	1	City Council	Approved as Amended on First Reading	Pass

An Ordinance to Amend Chapter 55 (Zoning), Section 5:10.20.A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval - 6 Yeas and 3 Nays) (Ordinance No. ORD-14-12)

Approval of these revised zoning amendments will establish maximum height and minimum side and rear setback requirements for D2 (Downtown Interface base zoning district) parcels in the Main Street character overlay district.

Council amended the proposed language at first reading on June 16, 2014, reducing the proposed maximum height limit from 100 feet to 60 feet. Action on second reading was postponed on July 21, 2014 and September 15, 2014 so that the Planning Commission's Ordinance Revisions Committee (ORC) could work with staff and the property owner of 425 South Main to identify potential revisions.

The ORC and Planning staff reviewed two different conceptual presentations of zoning scenarios offered by the property owner at meetings in September and October 2014. Based on the provided information, the ORC recommends allowing a tower up to 120 feet at the north end of the site and a 60-foot height limit for remaining, southern portion. In addition, the ORC recommends adding a 30 foot setback from residential district boundary anywhere on the same block. In the case of 425 S. Main, this requirement would result in a 30-foot total separation from the rear property line of the residential properties on Fourth Avenue, or, in other words, a 14 foot setback from the edge of the 16-foot wide public alley.

The proposed revisions are consistent with an option presented in the ENP Downtown Zoning Evaluation Report that called for a taller element at the key gateway corner of Main Street and William. The committee used this recommendation to develop the proposed compromise, which will allow the property owner of 425 S. Main the flexibility of building a taller building on the north end of the site, consistent with the established building pattern to the west and north, while limiting massing and shading impacts on the residential neighborhood to the east. It should be noted that the proposed D2 zoning for this site will limit the overall size of the building to 400% FAR with premiums, compared to the current D1 zoning, which would allow a 700% FAR with premiums.

Prepared by: Alexis DiLeo, City Planner

Reviewed by: Wendy L. Rampson, Planning Manager and Sumedh Bahl, Community Services Area Administrator

#### ORDINANCE NO. ORD-14-12 REVISED

First Reading: June 16, 2014

Public Hearing: July 21, 2014

Approved: January 5, 2015

Published: January 12, 2015

Effective: January 22, 2015

#### DOWNTOWN CHARACTER OVERLAY ZONING DISTRICTS BUILDING MASSING STANDARDS (CHAPTER 55 ZONING)

AN ORDINANCE TO AMEND SECTION 5:10.20.A OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Section 5:10.20.A of Chapter 55 of Title V of the Code of the City of Ann Arbor is

amended as follows:

<b>Table 5:10.20A - Downtown Character Overlay Zoning Districts Building Massing Standards (Additional Regulations for the D1 and D2 Districts)</b>							
<b>Overlay Zoning District</b>	<b>Streetwall Height</b>		<b>Offset at Top of Street wall</b>	<b>Max. Building Height</b>		<b>Massi ng Articu lation</b>	<b>Side and Rear Setback</b>
	<b>Max. Height</b>	<b>Min. Height</b>	<b>Require d Average</b>	<b>D1 Distric t</b>	<b>D2 District</b>	<b>Maximum Building Module Length (Horizont al Dimensio n)</b>	<b>Minimum from <del>Lot L</del> <del>R-Zoning</del></b>
South Universi ty	3 stories	2 stories	5 feet	150 feet	60 feet	45 feet	For D1, a 5 foot setback <u>line abutting</u> <u>zoning dist</u> a minimum setback. T shall be m the rear an exterior wa building to district bou same bloc building.

State Street	3 stories	2 stories	5 feet	180 feet	Not applicabl e.	None	Not applicable.
Liberty/ Division	3 stories	2 stories	5 feet	180 feet	60 feet	40 feet (in D2 only)	5 foot setback <del>from a</del> side <del>and</del> or rear <u>lot line</u> <u>abutting any R zoning</u> <u>district</u>

East Huron 1	3 stories	2 stories	None	150 feet	Not applicable	None	Rear or side exterior wall of the tower shall be located no further than 150 feet from the East Huron property line. Rear or side exterior wall of the base and the tower shall be located no closer than 30 feet to a lot line abutting a residential zoning district. In no case shall the required setback reduce the width or depth of a lot suitable for building to less than 25 feet.
East Huron 2	4 stories	2 stories	5 feet	180 feet	Not applicable	None	Not applicable
Midtown	4 stories	2 stories	5 feet	180 feet	Not applicable	None	Not applicable
Main Street	4 stories	2 stories	5 feet	180 feet	<u>Not applicable 60 feet, except 120 feet in any area extending 150 feet from the East William Street property line</u>	None	<del>Not applicable</del> For D1, none. For D2, a minimum 30 foot setback shall be measured from the exterior walls of the building to any R zoning district boundary on the same block as the building.

Kerryto wn3 stories2 stories5 feetNot applicab le60 feet40 feet10 foot setback from a side <u>lot</u> <u>line</u> <u>abutting</u> <u>any R</u> <u>zoning</u> <u>district</u> 20 foot setback from a rear <u>lot</u> <u>line</u> <u>abutting</u> <u>any R</u> <u>zoning</u> <u>district</u>							
First Street	3 stories	2 stories	5 feet	Not applic able	60 feet	66 feet	15 foot setback from a side <u>lot line abutting any</u> <u>R zoning district</u> 20 foot setback from a rear <u>lot</u> <u>line abutting any R</u> <u>zoning district</u> 10 foot offset from a side <u>lot line</u> <u>abutting any R zoning</u> <u>district</u>

Section 2. That this ordinance shall take effect and be in force on the tenth day following legal publication.

**CERTIFICATION**

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of, January 5, 2015.

Jacqueline Beaudry, City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on January 12, 2015.

Jacqueline Beaudry, City Clerk