



## Legislation Details (With Text)

<b>File #:</b>	15-0493	<b>Version:</b>	1	<b>Name:</b>	5/18/15 East Huron Character Overlay Amendments
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	5/18/2015	<b>In control:</b>	City Council		
<b>On agenda:</b>	7/20/2015	<b>Final action:</b>	7/20/2015		
<b>Enactment date:</b>	5/18/2015	<b>Enactment #:</b>	ORD-15-07		

**Title:** An Ordinance to Amend Chapter 55 (Zoning), Sections 5:10.20 and 5:10.20.A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-15-07)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Chapter 55 Rezoning 15-07 Briefed and Approved.pdf, 2. Chapter 55 Zoning 15-07 Briefed.pdf, 3. Ordinance to Amend Chapter 55.pdf, 4. March 17, 2015 Planning Staff Report, 5. E Huron CPC Minutes 02-03-15, 6. E Huron CPC Minutes 03-17-15

Date	Ver.	Action By	Action	Result
7/20/2015	1	City Council	Held and Closed	
7/20/2015	1	City Council	Adopted on Second Reading	Pass
6/15/2015	1	City Council	Held and Continued	
6/15/2015	1	City Council		
6/15/2015	1	City Council	Postponed at Second Reading	Pass
5/18/2015	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 55 (Zoning), Sections 5:10.20 and 5:10.20.A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-15-07)

Approval of these amendments to the Zoning Ordinance for the East Huron Character overlay zoning district will establish standards for property zoned D2 (Downtown Interface base zoning district), as well as add a maximum tower diagonal standard, reduce the allowable height for property zoned D1 (Downtown Core base zoning district) and provide side/rear setback requirements in certain situations. The proposed amendments also include separate, unique intent statements for the East Huron 1 and East Huron 2 character overlay districts, as well as rephrased statements for clarity and consistency with other recently adopted text amendments.

These amendments are necessary to support a city-initiated rezoning of 336 East Ann Street and expansion of the East Huron 1 Character overlay zoning district. The Zoning Ordinance amendments and map changes are proposed in response to Council and Planning Commission's recommended actions from an evaluation of the current downtown zoning. Rezoning 336 East Ann Street, introducing a maximum tower diagonal dimension, reducing the height maximum in the East Huron 1 Character overlay district, and expanding the East Huron 1 Character overlay district were among the specific recommendations in Council's resolution for implementing the planning consultant's (ENP & Associates) final Downtown Zoning Evaluation report, which was fully endorsed

by the Planning Commission.

The City Planning Commission recommended approval of the request at its meeting of March 17, 2015.

Attachments: March 17, 2015 Planning Staff Report  
March 17, 2015 Planning Commission Minutes  
Prepared by: Alexis DiLeo, City Planner  
Reviewed by: Wendy L. Rampson, Planning Manager  
Sumedh Bahl, Community Services Area Administrator  
ORDINANCE NO. ORD-15-07

First Reading: May 18, 2015	Approved: July 20, 2015
Public Hearing: June 15, 2015 & July 20, 2015	Published: July 27, 2015 Effective: August 5, 2015

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

AN ORDINANCE TO AMEND SECTIONS 5:10.20 and 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(1) of Chapter 55 of Title V of the Code of the City of Ann Arbor is amended as follows:

5:10.20. - Downtown character overlay zoning districts.

- (1) Intent. The purpose of these overlay zoning districts is to supplement the regulations for zoning districts in the downtown to reflect the diversity of historical and built environments within the downtown. These character overlay zoning districts account for differences in the existing street pattern, density, massing and design features that exist throughout the downtown, in addition to the intent of the city for the future development of each area.
  - (a) South University. The South University character district lies along the southeastern edge of the University of Michigan Central Campus, which separates it from the other mixed use districts of downtown. This is an area characterized by a mix of building types and sizes, with retail uses at the street level and relatively narrow lot widths. The intent for this district is to maintain a variety in scale, with design that reflects the small-scale widths and heights of buildings in the area at the streetwall and locates taller portions toward the interior of the lot. The south university D2 character district lies just outside the DDA boundaries, adjacent to nearby residential neighborhoods. The intent for this district is to maintain a variety of small-scale commercial and retail enterprises mixed with some residential uses, minimizing the impact on nearby residential streets.
  - (b) State Street. The State Street character district frames the northwest corner of the University of Michigan central campus and defines the edge of the commercial core. This

area is characterized by a mixture of entertainment and retail uses with strong connections to the campus. The intent for this district is preservation of the integrity of the historic district properties and the overall historic character of the area, with design that includes features of the traditional commercial storefronts at the sidewalk's edge.

- (c) Liberty/Division. The Liberty/Division character district is located in the core of downtown, yet retains a small-scale residential character. A significant portion of this district coincides with the East William Historic District, and for this reason, preservation of the integrity of these resources is a high priority, as is the retention of the overall sense of scale. While increased building mass can be accommodated in this district, it is the intent to maintain the traditional scale and rhythm of residential buildings.
- (d) East Huron 1 and 2. The East Huron character districts center along the eastern portion of the Huron Street civic corridor. These areas differ from most of downtown in that the uses are primarily institutional and are seen "in the round" with open space surrounding them. The intent for these districts are to continue the tradition of free-standing buildings with open space in front, incorporating design that includes signature building elements that give landmark qualities to properties.
- (e) Midtown. The Midtown character district is framed on all sides by other downtown character districts and contains the Fifth Avenue civic corridor. At present, this district lacks a strong sense of identity and is a place where creation of a new context should occur. The intent for this district is higher density development with a strongly defined street edge and active open spaces.
- East Huron 1. The East Huron 1 character district is located on the north side of East Huron Street including North Fifth Avenue and South State Street, on a major transportation corridor through downtown and the address of many civic buildings, institutions and well-known landmarks of the downtown skyline. Most of its properties have free-standing buildings surrounded by open space, or have front courtyards or plazas, several of which are open to the public. There is a significant contrast between the massing and scale of the structures within this character district and the residential scale of the structures within this character district and the residential scale of the adjacent historic neighborhoods which surround the district on the north, east and west sides. East Huron 1 lies between the Old Fourth Ward, Division Street and Ann Street historic districts and a business loop. This context is its defining feature and, therefore, calls for a higher degree of sensitivity in design and massing to strike a balance between the downtown core and adjacent historic residential neighborhoods.
- (e) East Huron 2. The East Huron 2 character district is located on the south side of East Huron Street between South Division and North State streets, on a major transportation corridor through downtown. From east to west, this block's character moves from campus-like settings with iconic, free-standing buildings surrounded by lawns seen "in the round" to historic, utilitarian commercial buildings at the sidewalk edge, matching the character district's placement between the University of Michigan Central Campus and downtown's civic core. North of this character district lies its sister character area, East Huron 1. To the south, East Huron 2 parallels an area of downtown's core that retains a small-scale residential character.
- (f) Main Street. The Main Street character district is the traditional heart of downtown, with a regional entertainment and business focus. The center of the district contains the Main Street historic district, and preservation of these resources is a high priority. The intent for this district is design that maintains the traditional rhythm of existing storefronts along the street edge and varying parapet lines.
- (g) Midtown. The Midtown character district is framed on all sides by other downtown character districts and contains the Fifth Avenue civic corridor. At present, this district lacks a

strong sense of identity and is a place where creation of a new context should occur. The intent for this district is higher density development with a strongly defined street edge and active open spaces.

- (h) Kerrytown. The Kerrytown character district frames the north end of downtown and is characterized by a mix of small-scale commercial buildings and houses that have been adapted to different uses. The eastern part of the district is part of the Old Fourth Ward historic district, while the southeast corner of the district is located in the Fourth/Ann historic district. The intent for this district is retaining traditional existing building patterns, with lower-scale building modules and residential shapes.
- (i) First Street. The First Street character district runs north-south along the Ann Arbor Railroad and Allen Creek floodplain. This area is characterized by oddly-shaped blocks and a mixture of commercial storefronts, industrial buildings and single-family homes. Many of these buildings are located in the Old West Side historic district, which makes up much of the character area. The intent for this district is for infill development that preserves historic buildings' assets, supports downtown activities, and provides non-motorized connections through preservation of a system of public and common open spaces. New development along the Allen Creek floodplain should be sited to provide greenspace on site and be located in such a way that it will connect with greenspace of abutting properties.

Section 2. That Section 5:10.20(3) of Chapter 55 of Title V of the Code of the City of Ann Arbor is amended as follows:

(3) Building massing standards.

- (a) Buildings and additions constructed after the effective date of this section (December 26, 2009) on lots zoned D1 or D2 in the downtown character overlay zoning districts shall comply with the building massing standards in Table 5:10.20A, as applicable.
- (b) The following definitions shall apply in the application of building massing standards:
  - 1. Base: The portion of a building located between the street grade and the streetwall height (see Figure 1).

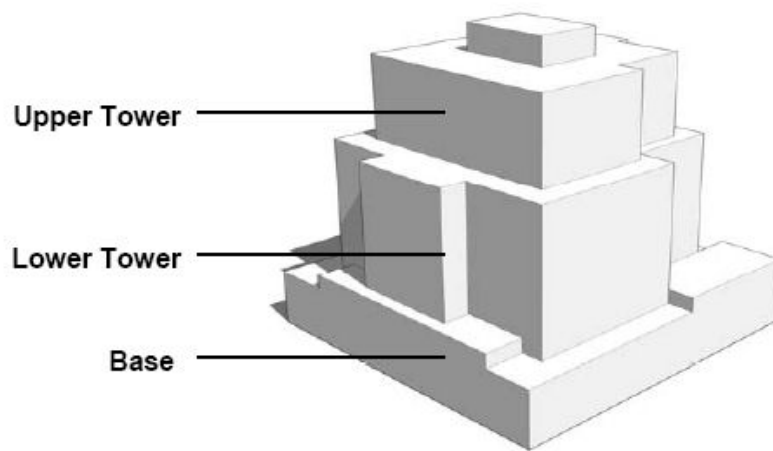


Figure 1 - Base, Lower Tower and Upper Tower

2. Massing articulation: The way in which a building wall surface is broken down into vertical modules, sub-parts or major elements, which are distinguished by changes in materials, texture or surface plane (see Figure 2).

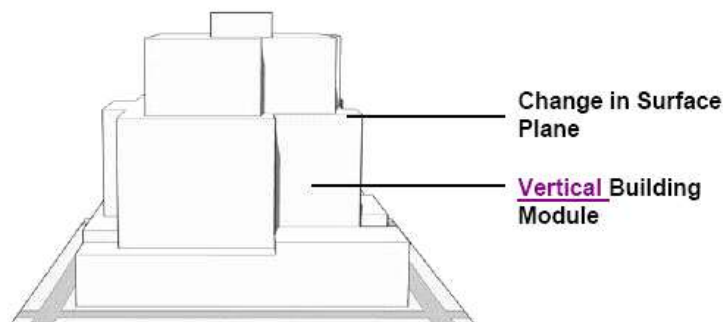


Figure 2 - Massing Articulation

3. Maximum Diagonal: The longest horizontal dimension of a building or tower, as measured from corner to corner of a story (see Figure 3).

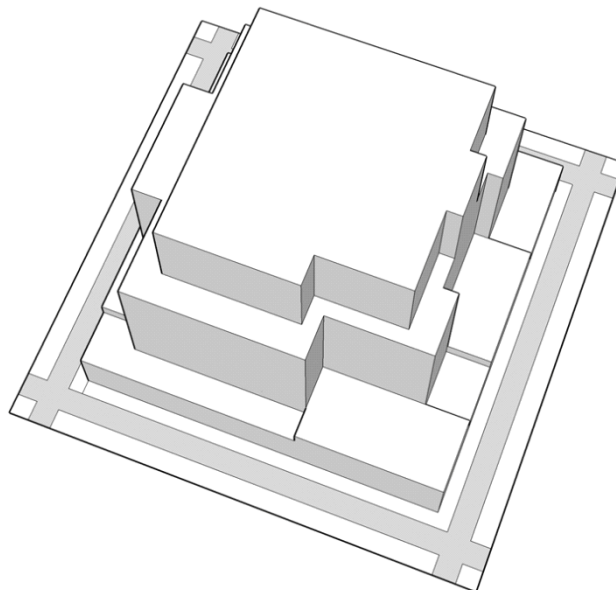


Figure 3 - Maximum Diagonal

4. Offset: The distance that the exterior wall of a tower or upper stories of a building is set back from the streetwall or the exterior wall of the base (see Figure 34). For purposes of this definition, unenclosed balconies are not considered to be part of the exterior wall of a tower.

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Figure 3 4 - Offset <../.../adileo/images/5-10-20-3.png>

5. Streetwall: The exterior face of a building that fronts a public street between the street grade and the streetwall height (see Figure 45). <../.../adileo/images/5-10-20-3.png>

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Table 5:10.20A - Downtown Character Overlay Zoning Districts Building Massing Standards (Additional Regulations for the D1 and D2 Districts)								
Overlay Zoning District	Streetwall Height		Offset at Top of Street-wall	Max. Build-ing Height	Max. Build-ing Height	Massin g Articula tion	Maximur Tower Diagona	Side and Rear Setbacks
	Max. Height	Min. Height	Requir ed Aver-age	D1 District	D2 District	Maximur Building Module Length (Horizon Dimension)		Minimum Distance

South University	3 stories	2 stories	5 feet	150 feet	60 feet	45 feet		For D1, a minimum setback from the lot line at any R zone district. For a minimum 5 foot setback. This setback shall be measured from the rear side exterior walls of the building to the zoning district boundary on the same block as the building.
State Street	3 stories	2 stories	5 feet	180 feet	Not applicable	None		Not applicable
Liberty/Division	3 stories	2 stories	5 feet	180 feet	60 feet	40 feet (D2 only)		5 foot setback from a side or rear lot line of an abutting zoning district.

East Huron 1	3 stories	2 stories	None	150 feet 3 stories, except 120 feet in any area extend- ing 150 feet from the East Huron Street propert y line	Not applic- able	None	130 feet	Rear or s exterior v the tow the tower be locate further th feet from East Hur property Rear or s exterior v the base tower sh located n closer th feet to a abutting residenti zoning d For D1 a the follow setbacks be meas from any exterior v the build minimum feet to a zoning d boundar minimum feet to a zoning d boundar case sha required reduce th or depth suitable building than 25 t
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East Huron 2	4 stories	2 stories	5 feet	180 feet	Not applic- able	None		Not appl
Midtow n	4 stories	2 stories	5 feet	180 feet	Not applic- able	None		Not appl
Main Street	4 stories	2 stories	5 feet	180 feet	60 feet, except 120 feet in any area extend- ing 150 feet from the East William Street proper- ty line	None		For D1, 1 For D2, a minimum setback measure the exter walls of t building zoning d boundary same blo the build
Kerry- town	3 stories	2 stories	5 feet	Not applic- able	60 feet	40 feet		10 foot s from a si line abut R zoning 20 foot s from a re line abut R zoning

First Street	3 stories	2 stories	5 feet	Not applicable	60 feet	66 feet		15 foot s from a si line abut R zoning 20 foot s from a re line abut R zoning 10 foot c from a si line abut R zoning
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Section 4. That this ordinance shall take effect and be in force on the tenth day following legal publication.