

## PLANNING SERVICES STAFF REPORT

For Planning Commission Meeting of July 16, 2024

**SUBJECT: Amendments to Unified Development Code (Chapter 55 of the Code of the City of Ann Arbor) related to Transit Corridor Additional Standards and Parking Structures**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the following amendments to Chapter 55 Unified Development Code related to Transit Corridor Additional Standards and Parking Structures:

- To remove the curb cut limits standard from Table 5.17-8 (Section 5.17.7)
- To change the building dimensions from a maximum of 250 feet in width and 360 feet in diagonal to 300 feet in width and 450 feet in diagonal in Table 5.17-8 (Section 5.17.7)
- To remove the building frontage requirements from the TC1 District.
- To remove the development arrangement standard from Table 5.17-8 (Section 5.17.7)
- To consolidate and simplify the specific building type standards into a first-floor standard in Table 5.17-8 (Section 7.17.7)
- To combine the parking structure use specific standard for the D1 and TC districts and specify the requirements apply to the first floor of off-street parking structures adjacent to streets designated as primary and transit corridor on the Street Type Designation Map (Section 5.16.3.L)

### **STAFF RECOMMENDATION:**

Staff recommend **approval** of the proposed amendments to Section 5.16.3.L and Table 5.17-8 in Section 5.17.7 because they provide needed and desired flexibility to development in the TC1 district in clear and concise language.

### **SUMMARY:**

Amendments to Section 5.17.7 and 5.16.3 of the Unified Development Code related to the TC1 Transit Corridor district additional standards to revise the curb cut limits, building frontage, building dimensions, and specific building type regulations, and the parking structure use specific standards to revise the requirements adjacent to streets, respectively.

The amendments are proposed in response to a submitted petition and have been considered by the Ordinance Revisions Committee on April 23, 2024 and the Planning Commission Working Session on May 14, 2024. Further revisions are proposed by staff for simplification.

## **BACKGROUND:**

The TC1 district is the most recently added zoning district to the Unified Development Code, adopted on July 6, 2021 (Ordinance No. ORD-21-19). It was created to address a variety of related goals, such as sustainability, housing access, affordability and choice, reducing vehicle miles traveled, relieving vehicle congestion, supporting transit service, and supporting and expanding nonmotorized transportation, expressed in the documents that comprise the Comprehensive Plan.

The intent of the TC1 district is provided in Section 5.12.9, outlining the geographic characteristics, goals and benefits of the zoning district:

- Located along existing transit corridors with regular fixed service provided by AAATA.
- Intended to realize mixed use developments and achieve mixed use corridors.
- Aimed to support and sustain transit service as well as housing choice and affordability, sustainable development, and reduced resource and energy needs.

The TC1 district is a version of form-based code similar to the base and character overlay zoning districts applied downtown. The design-based controls of the TC1 district were crafted so new buildings and developments, regardless of uses inside the buildings and on the sites, have the density and pedestrian-oriented forms needed and desired by our community to advance our Comprehensive Plan goals.

Since its adoption, standards and regulations related to the TC1 district have been amended twice to date. Ordinance no. ORD-23-25, approved September 5, 2023, permitted certain auto-oriented uses in the district with special exception approval and reorganized the district's additional standards from the use specific standards section to the development standards section.

Ordinance no. ORD-23-33, approved December 4, 2023, amended the front required setback by introducing formal Transit Corridor street type designations and providing different front setbacks depending on whether a lot fronted a designated Transit Corridor street.

To date, no site plans have been approved in the TC1 district but an application was submitted and is under review to construct 15 new buildings in downtown-style development around two existing buildings at 777 and 789 E Eisenhower to develop a 150-room hotel building, eight apartment buildings with a total of 229 affordable and 839 market-rate units, three restaurant buildings, and three parking structures with a total of 2,476 vehicle parking spaces.

## **REPORT:**

A petition was submitted requesting five amendments to the Unified Development Code to:

1. Increase the number of curb cuts allowed in the TC1 district for sites on more than one street.
2. Increase the building dimensions allowed in the TC1 district for larger sites.
3. Allow some exceptions to minimum building frontage requirements in the TC1 district for certain open spaces.
4. Allow some exceptions in the use specific standards for parking structures for design and uses at the street level based on site size or street frontage designation.
5. Add a definition for block.

Each request was considered and discussed individually by the Ordinance Revisions Committee at its April 23, 2024 meeting and by the Planning Commission at its May 14, 2024 working session. Based on the feedback received from those meetings, staff have prepared an ordinance to amend the Unified Development Code for public hearing and recommendation to City Council (see attached). The proposed amendments are presented and analyzed below.

### **Proposed Amendment – Curb Cut Limits**

**Current Standard:** Sites less than 250 feet in lot width may have one curb cut, sites over 250 feet in lot width may have two curb cuts.

**Proposed Amendment:** Remove.

#### **Analysis:**

- The curb cut limitation specific to the TC1 district is proposed to be removed. Section 21.1 Curb Cuts and Driveway Approaches applies as currently applicable throughout the city, allowing one opening for the first 100 feet, a second opening for the second 100 feet, and additional openings for each additional 600 feet of street frontage after the first 200 feet.
- The proposed amendment simplifies the code and allows the opportunity to holistically address how the number of openings are addressed city-wide.
- Although a comprehensive analysis was not performed, the proposed change will only significantly impact lots between 101 and 200 feet. The current standard for the TC1 district limits those lots to one curb cut. The normal standard provided in Section 5.21.1 allows those lots two curb cuts.
- Significant, and increasing, criticisms of very narrowly tailored development standards – whether in unique districts in the Unified Development Code or in PUD Supplemental Regulations – is their overly restrictive, unnecessarily complicated formulas, and their lack of adaptability and responsiveness to wholistic changes in the code. While the UDC is striving to incrementally move development standards in the City toward more sustainable development, it is also striving to be less restrictive, less costly, and easier to understand and implement.

### **Proposed Amendment – Building Dimensions**

**Current Standard:** Buildings are limited to 250 feet in width parallel to the street and 360 feet in maximum diagonal dimension.

**Proposed Amendment:** Buildings may be up to 300 feet in width parallel to the street and 450 in maximum diagonal dimension.

#### **Analysis:**

- The proposed increase in building dimension allows for more flexibility to designers, particularly on larger sites, and enables purpose-built structures such as parking structures to initially have the most efficient use of space and in the future better able to be reconfigured to different uses. More specifically, the decks in a parking structure can be level instead of sloped when the maximum width and diagonal dimensions are 300 feet and 450 feet respectively.

- A brief analysis of existing buildings downtown revealed a minor difference in the pedestrian experience between buildings around 250 feet in width and 300 feet in width. Both take about the same amount of time for a pedestrian to traverse, and the goal of this standard is to ensure that pedestrians can manageably navigate across and through a development to reach all destinations.

### **Proposed Amendment – Building Frontage**

**Current Standard:** Buildings must span 70% of the lot width after allowing for a 30-foot wide driveway and sidewalks normally and a 45-foot-wide driveway, sidewalks, and buffer strip when adjacent to residential zoning.

**Proposed Amendment:** Remove.

#### **Analysis:**

- The amendment presented by staff departs from that proposed by the applicant as well as the previous discussion at the Planning Commission working session on May 14<sup>th</sup>. The Planning Commission emphasized maintenance of the 70% standard, however, staff will present development examples relative to this standard at the Planning Commission meeting.
- Staff explored the application of both the current standard and applicant-proposed amendment to several development typologies and found an array of sites that do or do not meet the standard, that could still be appropriate in the TC1 District.
- The presented ordinance language provides a great degree of flexibility to property owners to realize new development along established transit corridors. The 70% building frontage standard can result in distinct challenges between sites of varying sizes.

### **Proposed Amendment – Development Arrangement**

**Current Standard:** When the site is more than 62,500 square feet, about 1 ½ acres, it must be designed as two or more blocks.

**Proposed Amendment:** Remove.

#### **Analysis:**

- As evidenced by the petition request to define block, this standard is confusing.
- Upon reflection, the development arrangement standard does not provide for any further design principle, standard or requirement not already addressed by other standards.
- Deleting this standard will not change the outcomes of development in the TC1 district but will make applying the additional standards cleaner and clearer.

### **Proposed Amendment – Parking Structure Use Specific Standards**

**Current Standard:** In the TC district, the first floor of a parking structure adjacent to a street must be a permitted primary use at least 25 feet deep.

**Proposed Amendment:** Delete use specific standard in the TC district and include the TC1 district with the D1 district, as well as clarify the existing standard, so that in the D1 and TC1

district the first floor of a parking structure adjacent to a street designated as primary or transit corridor must be a permitted primary use at least 25 feet deep.

**Analysis:**

- The proposed amendment will allow off-street parking use on the first floor of parking structures not adjacent to designated transit corridor streets. This is in keeping with the allowances for parking structures in the D1 district adjacent to secondary and front yard streets.
- As currently, off-street parking uses are allowed on the first floor facing the interior of the site in both the TC1 and D1 districts.
- The reorganization to eliminate a separate paragraph for the TC1 district, when the proposed treatment is identical to the D1 district, will help streamline the code.

**Proposed Amendment – Specific Building Types**

Additional amendments beyond the petition request are proposed in keeping with the goals for simplicity and clarity mentioned this report. Unique standards based on building type are proposed to be removed while retaining and clearly articulating the standard for the first floor facing the street, and at least one wall of interior buildings, must have high quality building materials, must be at least 15 feet in height, and have 60% windows or glazing.

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Reviewed by Hank Kelley, Deputy Planning Manager, and Brett Lenart, Planning Manager

Attachment: Ordinance (Transit Corridor Additional Standards, Parking Structures) – July 16, 2024 Draft  
Petition for Text Amendment