



Legislation Details (With Text)

**File #:** 09-0227      **Version:** 1      **Name:** 7/20/09 A2D2 Zoning Ordinance  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/6/2009      **In control:** City Council  
**On agenda:** 11/16/2009      **Final action:** 11/16/2009  
**Enactment date:** 11/16/2009      **Enactment #:** ORD-09-28

**Title:** An Ordinance to Amend to Chapter 55 (Zoning) and Chapter 59 (Off-Street Parking) and Rezone Downtown Properties for the Ann Arbor Discovering Downtown Project (A2D2) (CPC Recommendation: Approval - 8 Yeas and 1 Nay) (Ordinance No. ORD-09-28)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD-09-28 Approved As Amended 11-16-09.doc, 2. ProposedOrdinance(7-6-09).doc, 3. (Attachment A) Proposed Downtown Zoning Changes Map(7-6-09).pdf, 4. (Attachment B) Proposed Downtown Character Overlay Zoning Districts Map(7-6-09).pdf, 5. (Attachment C) Proposed Building Frontage Map(7-6-09).pdf, 6. (Attachment D) Parcel Identification List (7-6-09).pdf, 7. Chap55 A2D2 AS AMENDED on 1st Reading.doc, 8. CouncilTransmittalMemo(4-6-09).pdf, 9. (4-6-09)ProposedOrdinance.pdf, 10. (4-6-09)(Attachment A) Proposed Downtown Zoning Changes Map.pdf, 11. (4-6-09)(Attachment B) Proposed Downtown Character Overlay Zoning Districts Map.pdf, 12. (4-6-09)(Attachment C) BuildingFrontageMap.pdf, 13. (4-6-09)(Attachment D) Parcel Identification List.pdf, 14. DZA Recommendations (November 2007), 15. Staff Report (February 2009), 16. Plannign Commission Memo (March 2009), 17. CPC A2D2 Minutes (2-19-09).pdf, 18. CPC A2D2 Minutes (3-3-09).pdf, 19. Communication from Bruce Thompson Received 4/3/09, 20. Letter of Opposition from Elizabeth Walker, 21. LGeib 971.pdf, 22. Letter from C. Brummer re A2D2.pdf, 23. Letter from S. Friedlander re A2D2.pdf, 24. Communication from John L. Etter, 25. Communication from Ben Dahlmann, of Dahlmann Properties regarding opposition of proposed changes to A2D2, 26. letter from John Etter regarding A2D2 zoning, 27. A2D2 Zoning Notice to News.pdf, 28. A2D2 Zoning notice to residents.pdf, 29. List of 1000ft A2D2 DDA Mailer.pdf, 30. DDAResolution\_6-3-09.pdf, 31. StaffResponse\_DDA Resolution\_7-5-09Attach.pdf, 32. CPCResponse\_DDAResolution\_8-18-09.pdf, 33. Properties\_Address\_Alpha9-28-2009.pdf, 34. Email from Susan Weinberg Regarding A2D2 Zoning, 35. Opposition Letter regarding A2D2 Zoning from Susan Friedlaender.PDF

Date	Ver.	Action By	Action	Result
11/16/2009	1	City Council	Held and Closed	
11/16/2009	1	City Council	Amended	Pass
11/16/2009	1	City Council	Amended	Fail
11/16/2009	1	City Council	Postponed	Fail
11/16/2009	1	City Council	Adopted as Amended on Second Reading	Pass
11/16/2009	1	City Council		
11/16/2009	1	City Council	Amended	Fail
11/16/2009	1	City Council	Call The Question	Pass
9/8/2009	2	City Council	Approved on First Reading	Pass

7/20/2009	2	City Council	Postponed	Pass
7/6/2009	2	City Council	Postponed	Pass
7/6/2009	2	City Council	Approved on First Reading	
4/20/2009	1	City Council	Referred	
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Postponed	Fail
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Fail
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council		
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council		
4/6/2009	1	City Council	Approved on First Reading	Pass
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Fail
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Pass
4/6/2009	1	City Council	Amended	Fail
4/6/2009	1	City Council	Amended	Fail

An Ordinance to Amend to Chapter 55 (Zoning) and Chapter 59 (Off-Street Parking) and Rezone Downtown Properties for the Ann Arbor Discovering Downtown Project (A2D2) (CPC Recommendation: Approval - 8 Yeas and 1 Nay) (Ordinance No. ORD-09-28)  
Attached for your review and approval are amendments to the Zoning and Off-Street Parking ordinances developed as part of the Ann Arbor Discovering Downtown (A2D2) initiative.

## Background

In March 2006, City Council approved the Implementation Plan for the Downtown Development Strategies Final Report and directed staff to begin work on five priority recommendations:

- Create special overlay zoning for the downtown that identifies areas of similar character
- Streamline the development proposal process (process mapping and technology improvements)
- Incorporate a set of essential design standards
- Pursue a comprehensive parking strategy for the downtown
- Work with the Historic District Commission to clarify criteria for development

In July 2006, City Council approved the work plans for each of the priority initiatives, and subsequently appointed advisory committees to develop recommendations for Council consideration. Throughout 2007, the advisory committees worked with City staff and consultants to solicit public comment and create recommendations for changes in plans, policies and ordinances.

City Council approved recommendations of the advisory committees for parking and transportation (June 2007), urban design (November 2007) and zoning (November 2007), and charged the Planning Commission with developing master plan and code amendments to implement the recommendations. The report of the Downtown Zoning Advisory Committee is attached.

The Planning Commission began work in January 2008 to revise the Downtown Plan and draft city code amendments to respond to the advisory committees' recommendations. Drafts of both efforts were completed in April 2008.

### Amendment Review Process

The Planning Commission held public open houses and hearings in April and May 2008 to review the draft zoning and off-street parking changes. The Commission tabled the proposals until September 2008 to allow review by the A2D2 Steering Committee and further refinement in response to public comment. On September 16, 2008, Planning Commission held a third public hearing and recommended approval of the code amendments (7 Yeas, 1 Nay).

Subsequent to the Commission's action, the A2D2 Steering Committee requested that additional effort be made to engage the public on the proposal. Between October and December 2008, staff held over two dozen briefings to inform property owners, neighborhood groups, organizations and the media about the draft amendments and to solicit additional comments.

The A2D2 Steering Committee reviewed the comments on December 3, 2008 and recommended that the Planning Commission revisit the draft amendments in light of the new comments. In response, the Planning Commission met in February and March 2009 to review potential changes to the proposed Downtown Plan amendments and A2D2 code amendments.

After holding public hearings on February 19, 2009, the Planning Commission adopted the Downtown Plan amendments and made several revisions to the draft code amendments. On March 3, 2009, the Planning Commission recommended that Council approve the A2D2 code changes and rezoning (8 Yeas, 1 Nay).

To respond to the briefing and public hearing comments, the Planning Commission discussed each of the major concerns in its deliberations on the amendments. The attached memorandum from the Planning Commission summarizes its responses to the public comments received. The Planning Commission staff report and minutes of the meetings are attached.

City Council held a public comment session on March 23, 2009 to receive comments on the latest draft of the amendments. A summary of the comments will be sent to Council in a separate communication.

Throughout the A2D2 code amendment process, the public has been informed about the process and proposed changes through the A2D2 web site, informational mailings, GovDelivery e-mail

notifications, public open houses, individual meetings, briefings, and CTN video-on-demand.

### Next Steps

If the proposed downtown zoning and parking amendments are approved, staff will develop a communication plan for informing local design and engineering firms about the changes and update site plan submittal requirements. In addition, staff will develop an evaluation tool that can be used to determine if the zoning changes produce the desired results. The Planning Commission has requested a status report of the changes within a year of approval.

Prepared by: Wendy Rampson, Systems Planner Reviewed by: Jayne Miller, Community Services Administrator Approved by: Roger W. Fraser, City Administrator  
(See Attached Ordinance)