



## Legislation Text

---

**File #:** 14-0013, **Version:** 2

---

Resolution Regarding Recommended Downtown Zoning Amendments (CPC Recommendation: Approval - 9 Yeas, 0 Nays)

In March and April 2013, City Council passed resolutions (see Appendix A) directing the Planning Commission to review certain aspects of the downtown zoning ordinance and provide recommendations for any necessary amendments. In July 2013, the planning firm of ENP & Associates was hired to assist in this evaluation.

Between July and October 2013, ENP & Associates provided a variety of opportunities for the public to comment on the effects of the 2009 amendments and offer suggestions for changes. The consultants met with the Planning Commission's Ordinance Revisions Committee throughout the process. The attached report and appendices provide a summary of the public input and the consultant's final recommendations for zoning changes.

The City Planning Commission reviewed the ENP & Associates final report and received additional comments from the public at meetings on October 8, October 15, November 6, November 12, November 19 and December 3, 2013. After evaluating the information it received, the Commission developed eight recommendations for changes to the zoning map, the zoning ordinance and the development review process.

At its December 3, 2013 meeting, the Planning Commission recommended that the Mayor and City Council adopt the following resolution to begin the process of implementing the recommended downtown zoning changes.

Attachments: 10/10/13 Downtown Zoning Evaluation Recommendations Report, Appendix A - City Council Resolutions, Appendix B - Summary of Downtown Projects since 2000, Appendix C - Public Input Results

Prepared by: Wendy Rampson, Planning Manager

Reviewed by: Sumedh Bahl, Community Services Area Administrator

Whereas, Downtown zoning amendments were adopted in 2009 as a result of the Ann Arbor Discovering Downtown initiative;

Whereas, The City Planning Commission and City Council recognize the value of evaluating these zoning changes to determine if the resulting development is consistent with the goals and recommendations of the Downtown Plan;

Whereas, City Council passed resolutions R-13-078 and R-13-093 in March and April 2013 that requested the City Planning Commission to address the following issues:

- (i) Whether D1 zoning is appropriately located on the north side of Huron Street between Division and S. State and the south side of William Street between S. Main and Fourth Avenue;
- (ii) Whether the D1 residential FAR premiums effectively encourage a diverse downtown

population;

(iii) Whether a parcel on the south side of Ann St. adjacent to City Hall that is currently zoned D1 should be rezoned to the appropriate zoning for this neighborhood;

Whereas, ENP & Associates was hired by the City in July 2013 to conduct an evaluation of the downtown zoning changes;

Whereas, ENP & Associates provided a variety of opportunities for the public to comment on the effects of the 2009 amendments and offer suggestions for changes and used this feedback to develop a final report with recommendations, dated October 10, 2013;

Whereas, The City Planning Commission reviewed the ENP & Associates final report and received additional comments from the public at meetings on October 8, October 15, November 6, November 12, November 19 and December 3, 2013;

Whereas, ENP & Associates recommended extending the East Huron 1 Character District to Fourth Avenue;

Whereas, ENP & Associates also recommended further study to consider whether D1 zoning is appropriate on other sensitive properties not identified in the City Council resolution, including some areas of South University and Thayer St.; and

Whereas, The City Planning Commission, at its meeting of December 3, 2013, recommended the following changes to City Code and the Zoning Map:

- 1) Rezone the parcel located at 336 E. Ann from D1 (Downtown Core) to D2 (Downtown Interface).
- 2) Reduce the maximum height in the East Huron 1 Character District to 120 feet, include a tower diagonal maximum and consider a step-back requirement to reduce the shading of residential properties to the north.
- 3) Rezone the parcel at 425 S. Main from D1 (Downtown Core) to D2 (Downtown Interface) and establish a maximum height of 60 feet for D2 zoning in the Main Street Character District.
- 4) Revise the premium conditions to require mandatory compliance with core design guidelines for a project to receive any premium in the D1 or D2 districts.
- 5) Reduce the residential premium with the goal of encouraging the use of other existing or proposed premiums to compensate for this reduction, such as increased energy efficiency certification, open space with landscape, active ground floor use, balconies and workforce housing.
- 6) Review options in D1 and D2 districts, with the Housing and Humans Services Advisory Board, for providing additional affordable housing within mixed income projects or through other funding mechanisms.
- 7) Eliminate the affordable housing 900% FAR "super premium".
- 8) Evaluate the downtown real estate market to determine the effectiveness of premium incentives every 2-5 years.

RESOLVED, That the City Council, after reviewing the consultant's and Planning Commission's recommendations and considering comments presented at public hearings, directs the Planning Commission to begin the process of implementation of their recommended changes to City Code and

the Zoning Map, save (4) with respect to which Council requests that the Planning Commission review and consider methods to achieve compliance with core design guidelines in a manner that achieves Design Review Board support, reporting back to Council on these changes by October 20, 2014;

RESOLVED, That the City Council directs the Planning Commission to consider rezoning that portion of Huron Street from Division to Fourth Avenue to conform with the East Huron 1 Character District, and consider incorporating 25 foot minimum side setbacks and 10 foot front setbacks where feasible in the East Huron 1 Character District, reporting back to Council on their recommendation by October 20, 2014;

RESOLVED, That the City Council directs the Planning Commission to consider whether other D1-zoned areas which do not have buffering from adjacent residential neighborhoods, including some areas of South University and Thayer Street and Ann Street between Fourth and Fifth Avenue, should be rezoned to D2, reporting back to Council on their recommendation by October 20, 2014; and

RESOLVED, That this resolution completes the downtown zoning review and report to City Council requested in Resolutions R-13-078 and R-13-093.

**As Amended by Ann Arbor City Council on January 21, 2014**