

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of May 19, 2009

SUBJECT: Amendments to the Downtown Plan

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby adopts the Downtown Plan, as amended, as a subplan of the City Master Plan and hereby incorporates the Future Land Use Map and Zoning Plan for the downtown into the City Master Plan.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the City Council adopt the Downtown Plan, as amended, as a subplan of the City Master Plan and thereby incorporate the Future Land Use Map and Zoning Plan for the downtown into the City Master Plan.

STAFF RECOMMENDATION

Staff recommends that the Downtown Plan, as amended, be **approved**.

STAFF REPORT

On February 19, 2009, Planning Commission adopted amendments to the Downtown Plan to support the recommendations of the Ann Arbor Discovering Downtown (A2D2) initiative. On April 20, 2009, City Council voted to return the plan to the Planning Commission for consideration of additional amendments that support changes Council made to the A2D2 zoning proposal (see attached summary).

The attached draft Downtown Plan incorporates the following substantive text and map revisions to the plan previously adopted by the Planning Commission:

Text Amendments

1. Core Areas (page 28)

Revise Action Strategy (4) to read:

“Incorporate recommended land use and urban design objectives, including the consideration of height limits, into as overlay zoning districts for the review and approval of projects in the Core Areas.”

2. Recommended Zoning Plan (page 53)

Revise 2) *Downtown Interface District, Scale* to read:

“Properties in the Downtown Interface district should have a minimum height of two stories and a maximum height of up to ~~4~~ 6 stories. Placement standards should require a small amount of open space to be maintained and limit the building coverage to 70-80% of the lot. Additional building massing and setback requirements for Downtown Interface properties should be set by the character overlay districts.”

Map Amendments

1. Downtown Planning Zones: Future Land Use Map (Figure 9 on page 30)

Revise the map to show the proposed South University Interface area and to expand the Interface area one parcel east on Kingsley.

2. Future Base and Overlay Zoning Plan (Figure 14 on page 55)

Revise the map to include the proposed South University and E. Kingsley Interface areas, and the proposed East Huron 1 and East Huron 2 character areas (see attached map).

A question was raised at the May 12th working session about the history of planning and zoning for the South University area. The attached summary provides this background.

If the draft Downtown Plan is adopted by the Planning Commission, the plan will be forwarded to City Council for adoption prior to Council’s consideration, at second reading, of the A2D2 zoning and parking amendments.

Prepared by Wendy Rampson, Systems Planner
5/14/09

c: A2D2 Steering Committee
City Attorney
Downtown Development Authority

Attachments: Summary of City Council Action on A2D2 Zoning Amendments – April 6, 2009
May 15, 2009 Draft Downtown Plan (attached separately)
South University Area Planning Background

**Summary of City Council Action on A2D2 Zoning Amendments
April 6, 2009**

City Council reviewed the draft A2D2 amendments at First Reading on April 6, 2009 and made the changes listed below. Second Reading of the revised draft amendments is tentatively scheduled for July 6, 2009.

Map changes

- The South University area outside of DDA boundary (with the exception of the 601 Forest site) was changed from D1 to D2 zoning.
- The East Huron character overlay district was subdivided into East Huron 1 and East Huron 2.
- The building frontage designations for portions of Washtenaw Avenue and Forest Avenue area were changed.
- The D2 boundary was extended eastward to include 322 E. Kingsley.

Text changes

- Height limits were added or changed in several character overlay districts (Tables 5:10.20A and C) , as follows:
 - East Huron 1 – 150 feet maximum
 - East Huron 2 – 180 feet maximum
 - Liberty/Division – 180 feet maximum
 - Main Street – 180 feet maximum
 - Midtown – 180 feet maximum
 - South University – 150 feet maximum
 - State Street – 180 feet maximum
- A 40-foot rear and side setback requirement from residential was added to the South University character overlay district for the newly identified D2 zoning (Table 5:10.20C).
- A description of the Interface/D2 area was added to the South University Character Overlay District in Section 5:10.20(1)(a).
- The maximum building diagonal requirements were deleted (Tables 5:10.20A and C).
- The “active use” requirements for street-level uses on retail streets were deleted from Section 5:10.19 (2)(b) and Table 5:10.19A.

- Massing standards for the newly identified East Huron 1 character overlay district were added, as follows:

Table 5:10.20A – Downtown Character Overlay Zoning Districts Building Massing Standards (Additional Regulations for the D1 Districts)					
Overlay Zoning District	Streetwall Height		Offset at Top of Streetwall	Max. Building Height	Side and Rear Setbacks
	Max. Height	Min. Height	Required Average		Minimum Distance from Lot Line Abutting R Zoning District
East Huron 1	3 stories	2 stories	None	150 feet	Rear or side exterior wall of the tower shall be located no further than 150 feet from the East Huron property line and 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.

- Section 5:40(1)(f) was revised to remove gender-specific references.
- The penalty formula for failure to achieve the LEED certification commitment was revised in Section 5:65(2)(c).

South University Area Planning Background

When the current Ann Arbor zoning ordinance was adopted in 1963, the South University area was zoned C1 Local Business District. In 1966, in response to the recommendations of the Central City High Rise and Parking Study, the properties fronting South University were rezoned to C1A Campus Business District (200% by right/400% with premiums, no height limit) and the properties north and south of South University were zoned C1A/R Campus Business/Residential District (300% by right/600% with premiums, no height limit). Pedestrian amenity premiums were added to the zoning ordinance at that time.

In 1983, the Downtown Development Authority was established. The DDA district boundary in the South University area was drawn to follow the boundary between the C1A and the C1A/R zoning districts.

The 1988 Downtown Plan included little specific guidance for the South University commercial area. South University was identified as a separate district that was neither Core nor Interface, surrounded by a “neighborhood edge” following the Downtown Development Authority boundary. One of the plan maps (Figure 12) indicates that the C1A district along South University should be considered for revised premiums to create incentives for housing, retail and other plan objectives. This map also indicates reducing the maximum floor area ratio (FAR) in the C1A/R districts located north and south of South University to “differentiate from downtown Core” and to introduce height limits. The Housing map (Figure 35) notes “encourage moderate density housing in a mixed use context for this area.”

In 2003, City Council commissioned the Downtown Residential Task Force to explore ways to eliminate barriers to residential development in downtown. The committee noted that “very restrictive FARs, and no residential premiums in some areas such as the South University corridor (designated C1A and C1A/R) that are otherwise ripe for more residential development, constrict additional development in the most urban parts of the city” (page 15). The report’s recommendations included extension of the current downtown zoning to the South University area to allow 4-6 story buildings (page 16). Council accepted the report on July 19, 2004.

In response to the Downtown Residential Task Force report, City Council hired Calthorpe & Associates in 2005 to conduct a visioning effort as the first step in making zoning changes for the downtown. The Vision and Policy Framework for Downtown report, accepted by City Council on March 20, 2006, makes the following recommendations for the South University area:

- Establish “a new zoning overlay and set of design guidelines that 1) Creates a dense, mixed-use core area that is connected to adjacent neighborhoods. The Downtown core will be anchored by four retail and entertainment centers, Main Street, State Street, Kerrytown, and South University and should attempt to strengthen the connection between the centers while retaining their distinct identity” (page 19).
- The “structural plan” identifies maximum heights in the range of 3-8 stories and a FAR of 500% in the South University area, with additional allowances for premiums to exceed these limitations (page 20), with an emphasis on new residential development (page 23).
- The “vision plan” illustrates “higher intensity development along the South University corridor that caters not only to the needs of the students but also the community as a whole” (page 54).

Council accepted the Vision and Policy Framework for Downtown report on March 20, 2006 and approved an Implementation Plan that identified the creation of downtown overlay zoning as a high priority project.

Subsequent to Council action on the Calthorpe report, the Planning Commission initiated a rezoning of the South University area to C2A (400% by right/600% with premiums, no height limit), in addition to text amendments to the zoning premium section of the zoning ordinance and special parking district section of the off-street parking ordinance. City Council approved the South University rezoning in October 2006.

In October 2006, City Council appointed the Downtown Zoning Advisory Committee (DZAC) to implement the recommendation for new overlay zoning in the downtown. The DZAC recommendations, which were approved by City Council in October 2007, identify the South University area as part of the downtown Core, consistent with the C2A rezoning.