

**Ann Arbor Discovering Downtown
Downtown Zoning Advisory Committee**

25th April, 2007 Meeting
6th Floor Conference Room, City Hall

Members Present: Bonnie Bona, Bob Johnson, Carol Kuhnke, J. Bradley Moore, Sonia Schmerl

Staff Present: Wendy Rampson, Lindsay-Jean Hard

Guests: Claire McGinn (Self), Ethel Potts (Planning Commission), Alice Ralph (Design Guidelines Advisory Committee)

1) Zoning Changes in Interface Areas

Staff questioned members whether they had any changes to be made to the meeting notes, and one member questioned the line stating that Calthorpe had suggested no ultimate cap on FAR. After review, it was determined that the Calthorpe report suggested a 660% cap on FAR, and a member noted that that had been a last minute edit in the report. Staff noted that this would be corrected in the previous meeting's notes.

Staff reviewed the information provided to the committee members, including four different maps based on areas previously defined as Interface areas; Kerrytown, West Downtown, S Main/Madison, and E William. Staff directed members' attention to the Zoning Map Changes handout, noted that currently much of the Interface is zoned C2B/R and C2B, and expressed concerns regarding increasing development rights in the floodplain. Staff suggested that this might lead to having two different zoning approaches in the Interface.

Staff reviewed that in Kerrytown, Calthorpe had suggested a lesser density transition between the neighborhood and the core—although this area currently has R4 flip-backs—so one option staff shared would be to keep the by right consistent, but lower premiums. Staff clarified that this would lower the potential development only in terms of premiums, not in terms of the by right FAR, and suggested 300% by right and 500% FAR with premiums as a starting point for discussion. One member felt this might be too much, as Kerrytown has a special character. A member suggested 300% FAR by right with no premiums. Another member suggested going to 400% with premiums in order to encourage green building.

One member questioned what the recent developments in the area were. Staff responded that there are two PUDs in this area, one will be The Gallery, at 599% FAR, and the other will be Kingsley Lane, at 365% FAR. A member noted that Kerrytown is a really vulnerable area and expressed a need to maintain its character by limiting FAR and adding height limits. The member felt that the higher the potential FAR, the more attractive the prospect to build larger, whereas a lower FAR would be less tempting to develop. A member noted that if the goal is to maintain the current character, they shouldn't even be suggesting 300%. The previous member agreed, but felt they would then get into the issue of taking away development rights. Staff noted that down-zoning can be done, it is just more susceptible to challenge, and it may also increase the likelihood of getting PUDs. A member noted that they were not opposed to new building in the area, if limited in scope. One member suggested down-zoning and then allowing the premiums to be higher. Staff said that it would be possible to set by right at 200% FAR and then having the ability to get to 300% or 400% FAR with premiums. The number of buildings that would become non-conforming would have to be determined by staff.

A member noted that they would prefer to tell people what they want to see in certain areas, rather than set something and hope it doesn't get developed. The member expressed a preference to create a more proactive

zoning ordinance. Staff reviewed the Calthorpe Report's suggestions for the Kerrytown area, and a member questioned whether requirements would be set for percentage of lot coverage or setbacks. Staff confirmed that percentage of lot coverage requirements would likely be used. One member suggested setting 200% FAR by right and getting up to 400% with premiums. A member suggested requiring green space at the ground floor level, which was followed by a member suggestion to require green space as well as less than 100% of lot coverage.

One member then suggested just 300% FAR by right with no potential for addition with premiums. Another member disagreed, noting that they'd really like to see 400% with premiums, and added that residential is really important to that area. Staff questioned members whether they'd like to set a larger premium for residential. One member questioned whether residential should be a gateway requirement to access other premiums. Staff noted that they could set residential as the only possible premium. A member clarified that all additional FAR would then be residential.

A member questioned whether Kerrytown had enough retail to support residential. One member recalled a previous discussion during which they'd discussed letting the market take care of residential. A member noted that it wouldn't be bad for the neighborhood to have office, but residential would be good to have, so the first 200% FAR could be anything, and after that would have to be residential. Staff noted that members could also set requirements for footprint and green space.

- Committee members agreed upon 200% FAR by right, 400% FAR with residential premiums, 80% maximum lot coverage, and a 10% greenspace requirement for the Kerrytown Interface Area.

Staff prompted members to think about how they want to handle the floodplain area. One member felt that the floodplain area didn't need to have different restriction than they'd just suggested, as the floodplain would have restrictions of its own. One member was not satisfied with the proposed zoning changes for Kerrytown, but wasn't sure what to do with it. One member wanted to follow the floodplain line, rather than go by block. Staff noted that it would be difficult to do that, as the floodplain wouldn't follow parcel lines, and the floodplain boundaries can change. Staff noted that the floodplain area is currently C2B, and explained that that tends to allow more auto-oriented uses. One member questioned whether the group wanted to go back to the earlier suggestion of 200% by right, and 300% with premiums to make the whole area unified. Staff noted that west of Ashley seemed to have a different character. One member suggested adding those two blocks into the West Downtown Interface area.

A member noted that in terms of maintaining character, it might make more sense to create dividing lines along the back of a property line, rather than the middle of a street, in order to create less disparity. Another member disagreed, noting that it would feel worse to the backyard neighbors if the houses on the west side of Ashley were taller, instead of just on the east side of Ashley. A member noted that it was historically the case that if a more intense use abuts a historic or residential area, a rear setback would have to be adjusted accordingly.

Staff remarked that in the interest of time, conversation should move to a new Interface area, and suggested members discuss the West Downtown area. Staff also noted an orphan block west of Ashley between Ann and Miller, and prompted members to think about how that block should be treated, as it is at the top of the hill and it isn't in the floodplain. One member felt Calthorpe made a mistake by categorizing the entire West Downtown area as one single area. Another member suggested adding that block into the Core.

Members began discussion the M1 zoning area and one member questioned whether light industrial uses could be allowed as a special exception. Another member questioned whether the committee wanted to allow MI uses in all areas of the fringe. The member questioned what is currently in M1 that would become prohibited with a zoning change. Staff and members noted that Maynard battery, Fox Tent & Awning, and other contractors and assembly places would not be allowed.

One member questioned whether large artist studios like the Potter's Guild would be allowed in commercial districts, and staff confirmed that they would be allowed. One member questioned what the downfall to leaving the M1 would be. Members noted that there would be a risk for more industrial uses, and no residential uses. One member noted that they weren't sure that they would want residential everywhere. Staff noted that many communities have kept their industrial zones areas as a statement that these areas are important to preserve.

Staff questioned whether members want to keep the same approach in the East William Interface as was used in Kerrytown. Staff noted that currently the zoning allows 300% FAR by right and 660% with premiums, but added that it is almost entirely within a historic district, so it would be difficult to get that much FAR. A member noted that that interface can serve as a buffer, and felt that treatment similar to Kerrytown would be appropriate. There was also some discussion among committee members regarding whether the portion not in the historic district should be treated differently or not.

- Members agreed that the requirements suggested for Kerrytown could be presented for all Interface areas as a starting point for discussion at the public meetings

Staff suggested floodplain properties not be eligible for premiums. One member disagreed, agreeing with that for the floodway, but not the floodplain, as the member felt a talented design professional could avoid the floodplain. One member conceded if the FAR was calculated on the non-floodplain area. The previous member disagreed with that suggestion. Staff noted that this would be allowing more development rights, and reminded members that they were still talking about the floodplain.

2) Format and Objectives for Public Meetings

Staff directed committee member's attention to the agenda, which lists the dates, times, and locations for the two upcoming public meetings:

- Wednesday, May 2nd, 7:00 pm, Conor O'Neill's Celtic Room
- Friday, May 4th, Noon, DDA Office

3) Public Comment

A member noted that committee members seemed to be depending on design standards and guidelines that have yet to be developed. She encouraged the committee to think about the zoning changes and design recommendations in an integrated way.

Another member noted that there is a community interest in green space. One unintended consequence of requiring green space is that it results in a taller building.

4) Next Meeting

The committee's next meeting will be scheduled in May after the workshops.