

**Ann Arbor Discovering Downtown
Zoning Workshops
Questions & Comments**

Questions

From May 2, 2007 Workshop:

Q: When would the new ordinances potentially be on the books?

A: Potentially one year. Ordinances for the new districts would need to be drafted and reviewed by Planning Commission and City Council.

Q: Is this overlay zoning?

A: Not really. The proposal simplifies the underlying zoning. Additional form-based requirements (such as additional setbacks) may be added as an overlay district based on recommendations from the Urban Design Guidelines project.

Q: The use of commercial space on the ground level seems excessive – has there been a study done on whether this would be feasible or not?

A: Not at this time. If the idea is supported as part of the zoning proposal, additional study would be necessary to determine whether the amount of added commercial could be supported by the market.

Q: Why are you suggesting a minimum setback rather than specifying that a certain percentage of the frontage has to be at the build-to line?

A: This setback requirement represents an interest in having development at the front property line. Additional refinements may be suggested as a result of the Urban Design Guidelines project.

Q: Has the Chamber of Commerce or the DDA done any estimates or projections regarding anticipated growth in the next 5-10 years?

A: As part of the Calthorpe report, economic projections for residential and office development were considered.

Q: If a threshold is reached in the downtown for development, what is the contingency plan for spillover to other areas?

A: At this time, there is no recommendation for zoning changes outside of downtown properties zoned for commercial or industrial use. It should be noted that the Planning Commission is currently reviewing zoning regulations in other parts of the city to see if they can be revised to encourage redevelopment of older commercial and office districts.

Q: When this recommendation goes to Council in June, what level of detail will they be approving?

A: The zoning proposal will contain the basic concepts presented at the workshop, with some additional detail about how these regulations might work. It will not contain any proposed ordinance language. Once the concepts have been endorsed, ordinance language will be developed.

Q: What is the intent of the Interface?

A: To provide an area with transitional density between residential neighborhoods and the core of downtown.

Q: How will regulating the floodplain affect potential developers and/or current owners?

A: In some cases, this regulation will reduce the amount of development allowed; in other cases it will have no real impact.

Q: Will the recommendations that come from the design guidelines committee have the same 'strength' at Council?

A: Yes. All of the recommendations from the five A2D2 project advisory committees will be considered in relationship to each other, and there is a conscious effort to coordinate between them.

Q: Has there been any attempt to give volume to these recommendations, for example, to show them in 3-D terms?

A: Not as part of the zoning project, but there may be the opportunity to use this tool in a later phase of the urban design project.

Q: What about properties that are historic but not in a district? Can you explain a little more how TDR would work?

A: A TDR program could facilitate protection of historic properties not located in a historic district by providing a one-time monetary return to the property owner. In a very general way, the difference between the amount of development on a site and the development that would be allowed under the zoning for that site could be converted to "development rights" and sold to a TDR bank. Developers could then purchase these rights to allow additional floor area on their developments in "receiving areas", in this proposal, the Core area.

Q: Is the University exempt from zoning?

A: Yes.

Q: What is the relationship between projects currently in development and these potential new regulations?

A: If a project has received site plan approval, that approval is good for three years, and it is protected from changes to the zoning. After three years, a developer must renew the site plan approval, at which time all of the current zoning requirements must be met.

Q: What happens if a project uses LEED certification as a premium, but then doesn't meet it?

A: This would need to be worked out in ordinance language to provide protections or penalties.

Q: What will happen with PUDs and Planned Projects?

A: The downtown zoning changes will not change the PUD or Planned Project provisions.

Q: Has there been a proposal to close Main Street?

A: Only temporary closures for special events. There is no proposal for permanent closure.

Q: Is there any way to get truck traffic off of Main Street?

A: That is a question for the traffic engineers.

From May 4, 2007 Workshop:

Q: Why are there areas in the core that aren't in the DDA boundary (South U)?

A: When Planning Commission reviewed the proposal to rezone South University to C2A last fall, they decided to extend the zoning for full blocks, rather than partial blocks.

Q: Can we do TDR without state enabling legislature?

A: From our research, it appears that it might be supportable if it is done within the same jurisdiction, rather than across jurisdictions.

Q: In terms of uses, like ground-level commercial, would the new City Hall have to comply with that?

A: The design contract for City Hall has not yet been approved, but City staff working on the project is aware of the A2D2 effort and its goals and will work to incorporate them into the City Hall project.

Q: If not requiring parking, where will the structures go and how will they be paid for?

Will it be part of a project's approval process to ensure there is enough parking capacity downtown for it?

A: New structures may be built by the City and DDA using parking revenue or tax increment financing revenue. New public parking may also be incorporated into private development. The parking study will provide recommendations for how to keep parking supply and demand in balance.

Q: Do we have enough storm sewer capacity for increased development? More density means more impervious surface, which means more run-off into the system.

A: New impervious surface must be mitigated through storm water detention and water quality requirements. Since most of the existing downtown imperviousness is unmitigated, there may be some small improvements in this area.

Q: If more parking is built, traffic will increase?

A: In a general sense, yes. But commuter traffic can be mitigated by transit and other modes of transportation.

Q: Would the one parking space per residential unit requirement stay the same for affordable units?

A: The proposal currently does not distinguish between types of residential units.

Q: 400% by right seems low – what's the developer community comment about that been?

A: We are in the process of getting comments through these workshops.

Q: Regarding having commercial uses at street level, what about mandating retail on Main & Liberty?

A: The current proposal calls for commercial use at street level in the entire core. This could be refined to be a separate overlay for just retail streets, rather than the entire area.

Q: Is affordable housing going to be paying into the fund or actually be housing?

A: The proposal would provide premiums for actually providing affordable units on-site, and in-lieu fees are not suggested for this zoning tool.

Q: Is it possible to have a cohesive system with different overlays?

A: Yes.

Q: How specific will these premiums be when this is presented to Council?

A: Council will be presented with general concepts, with some illustrative detail.

Q: Can you stack premiums?

A: Yes, although the proposal contains an overall cap for both the Core and Interface areas.

Q: Can you explain the TDR in the floodway again?

A: In a very general way, the difference between the amount of development on a site and the development that would be allowed under the zoning fore? that site could be converted to "development rights" and sold to a TDR bank. Developers could then purchase these rights to allow additional floor area on their developments in "receiving areas", in this proposal, the Core area.

Q: If a building is approved and doesn't get built, how long is the site plan approval good for?

A: The approval is good for 3 years. To renew the site plan approval, the project must comply with all code requirements in place at that time.

Comments

From May 2, 2007 Workshop:

- It seems like zoning is depending on the design review committee for things like setbacks – which is something that zoning currently regulates.
- Strongly encourage the committee to not require rear and side setbacks.
- Would like buildings to be pedestrian-friendly, and if they are built to the sidewalk it is hard to move around.
- Not a fan of the two-sizes fits all zoning, it needs to be much more refined, especially concerning setbacks next to residential areas. We need a pedestrian friendly environment, need green requirements – Detroit is the 5th dirtiest city in the nation! – green cleans the air! LEED standards are important, and we need to get people out of their cars. All of these A2D2 efforts need to lead to a good quality of life, not just for the developers, but for the people that live here. We need sunlight and clean air!
- In terms of parking placements, mandating a 50 ft setback to conceal it at ground level seems excessive – perhaps 25 ft would be more appropriate.
- Don't eliminate the residential premium; if we want a livable downtown and support of retail, we need to get people living downtown! While there are many projects approved, they are not yet built, so there is still a need to provide floor area incentives.
- Council needs to ensure that people know what will be built, and this proposal is missing pieces of desirable design. He will oppose zoning changes until he's clear what will happen with the design committee's recommendations.
- Concerned that, with all of the building going up that the floodplain, restrictions need to be much stronger than they are. Density is a negative thing, it increases impervious surface. Need to be checking pipes to see what happens during rain events, at a larger scale than is happening now, especially in the floodplain. Ann Arbor needs to be doing more than it is!
- Should be considering using form-based zoning code, would be much easier for general public to read and understand.
- It would be helpful to provide a visual representation of what the zoning changes could look like over the entire downtown.

From May 4, 2007 Workshop:

- Having only two districts seems elegant and simple, but have concerns with respect to floodplain activity. More elaboration is imperative. The Downtown Plan talks about development sloping down to Allen Creek – this proposal doesn't take that concept into consideration. Regulations for the Interface area don't take into account that development on the slope affects sun, shade and vista issues on adjacent properties.
- We should be encouraging sustainable development, developing inside the core, and not on the edges. Ann Arbor is a pretty small town, so requiring so much commercial on the 1st floor is a bad idea. If the demand is there, it will be built, if not, it will sit empty. The "green" idea is a good idea, but wary of how much it could cost. Higher density zoning should be expanded north on Main Street and out further on Huron – the transportation corridors. Concerned that setting 400% FAR by right in the core will result in only 4 story buildings being built due to cost breaking point from building code requirements. Builders don't build unless they pre-sell the units, and the taller the building, the harder it is to pre-sell.
- Spreading the downtown to the river is a bad idea, since this area is primarily made up of historic districts. There is another high-density opportunity in Lowertown. Since there is so much complexity with the proposals, he would like to see visual representations of the possibilities, such as images of what could happen in certain areas that were presented as part of the Downtown Residential Task Force work.
- Has a problem with idea that must have more development downtown. Out of town developers come in and leave problems with infrastructure. No one is dealing with problems of the cost of growth. Brownfield and TIF take away taxes from the schools. There is no long term financial view in this project.
- Need to reconcile the A2D2 zoning, parking and urban design projects with each other to find the common threads. The process is looking at development downtown like it's an island and not thinking about the impact on the edge of the City where there are a lot of greenfield spaces – we shouldn't compete with ourselves.
- This is a good report. Main concern is with 900% FAR – thinks height restrictions are important, otherwise in order to get maximum profit, older, less-valuable buildings will be torn down and high rises will be built in their place. Need to look at the town holistically and organically – this is neglecting other areas like Plymouth, Huron Parkway, Washtenaw, South State etc. It's incorrect to focus all attention in the downtown – we should look at redevelopment opportunities to incorporate sustainability.
- The density proposed for the floodplain seems too low for it to be reasonable for TDR to work.