

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of December 2, 2014**

**SUBJECT: 221 Felch Conditional Rezoning and Area Plan for City Council Approval  
(221 Felch Street)  
File No. AP14-002, Z14-0025**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 221 Felch Conditional R4D Zoning and Area Plan.

**STAFF RECOMMENDATION**

Staff recommends that the conditional zoning to R4D and area plan be **postponed** to give the petitioner an opportunity to address staff comments regarding the proposed conditional zoning.

**LOCATION**

The site is located on the south side of Felch, just north of Kingsley (Central Area, Allen Creek Watershed).

**DESCRIPTION OF PETITION**

The petitioner is requesting R4D (Multiple-Family dwelling district) zoning and Area Plan approval of the 2.05 acre site in order to construct 51 attached residential units in one building along the west side of the site. 51 parking spaces are proposed under the building while 41 surface parking spaces are proposed on the east side of the site. The units provided will be a mixture of one, two and three bedrooms. No units providing 4 or more bedrooms will be constructed.

Currently the site contains three parcels and three buildings containing a total of 28,395 square feet. All parcels will be combined after site plan approval and before construction. Two of the structures are currently used for industrial/storage/office use and will be removed. One of the structures (fronting on Kingsley) that is currently used as office will remain, but will be converted to a community center for use by the residents of the new development. The office use will need to be removed due to the fact that the site will be zoned residential which does not permit office as a principal use.

The site is proposed to be accessed by two curb cuts; a continuous drive will connect Felch Street with Kingsley Street. This drive will be used to access the under-building parking. Solid waste and recycling facilities will be provided underneath the building in the enclosed parking areas, bicycle parking will also be located in this enclosed area.

Stormwater management will be provided underground with infiltration as required by the Washtenaw County Water Resources Commission (WCWRC). The site falls under the jurisdiction of the WCWRC due to the location of the Allen Creek Drain and drainage easement traversing the site. The Allen Creek drain runs underground through this site. It is located directly beneath an existing building. That building will be removed with the new building constructed on the opposite side of the site. There are 2 landmark trees located on the site and both trees are proposed to be saved.

An Area Plan is required for all rezoning of land with the exception of single or two-family residential parcels. While an Area Plan does not provide the same level of detail as a site plan, it does provide general details and a conceptual layout of what is proposed and is reviewed to ensure compatibility with all existing City codes and regulations. An Area Plan is valid for three years or until replaced with a site plan. An area plan can be waived if the petitioner chooses to proceed directly to site plan approval. Construction of a project cannot begin based on Area Plan approval, a site plan is required for construction.

Rezoning – A petition to rezone the site from M1 to R4D with conditions has been submitted in conjunction with the proposed area plan. The current development, as industrial/office, conforms to the present M1 zoning designation for use. The rezoning is proposed to allow for redevelopment of the site with multiple-family units. The R4D zoning district allows all forms of residential use – single-family detached, single-family attached, duplexes, townhouses and multiple-family buildings. The petitioner has voluntarily offered conditions limiting the height of the proposed structure that can be constructed.

### CITIZEN PARTICIPATION

The petitioner held a meeting for interested citizens on August 12, 2014 prior to submitting the petition. Invitations were sent to 922 residents and property owners within 1,000 feet of the site, as well as all subscribers to the GovDelivery planning update service. Twenty people attended the meeting. The attendees asked questions about height and number of units within the building, impact on the floodway/floodplain of Allen Creek; impact on utilities and traffic for the area. The full report provided by the petitioner is attached.

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Office/warehouse	M1 (Limited Industrial)
EAST	Residential	R4C (Multiple-Family Residential District)
SOUTH	Residential	D2 (Downtown Fringe)
WEST	Residential	R2A (Two-Family Residential District)

### COMPARISON CHART

		EXISTING	PROPOSED*	REQUIRED
Zoning		M1 (Limited Industrial)	R4D(Multiple-Family)	R4D(Multiple-Family)
Gross Lot Area		89,480sf (2.05 acre)	89,480sf (2.05 acre)	83,000 sf
Setbacks	Front	4 ft (Felch) 19.3 ft (Kingsley)	16.2 ft ( Felch) 19.3 ft (Kingsley)	15 ft MIN 40ft MAX
	Side(s)	0 ft (West) 3 ft (East)	35.4 ft (West) 67 ft (East)	30 ft MIN
	Rear	N/A	N/A	30 ft MIN
Height		25 ft (approx)	57 ft 6 inches*	120 ft MAX*
Parking - Automobiles		Approximately 40 spaces	93 spaces	77 spaces MIN
Parking – Bicycles		0 spaces	6 spaces – Class A 6 spaces – Class C	11 spaces MIN total (50% Class A, 50% Class C)

\* Petitioner has offered conditions on the R4D zoning limiting height to maximum average above grade of 57 feet 6 inches with limited exceptions for architectural extensions and elevator shafts only.

### HISTORY

The existing warehouse structures on the site were constructed pre-1940. The east building was constructed directly over the Allen Creek Drain structure. The office building at 214 West Kingsley was constructed in 1996.

### PLANNING BACKGROUND

The City of Ann Arbor Master Plan: Land Use Element recommendation for the future land use of this site is continued industrial use; there is no site specific recommendation.

Chapter Five of the City of Ann Arbor Master Plan: Land Use Element recommends following community oriented design for the site plan. The specific design recommendations for this site will be noted when a site plan is submitted for consideration.

### STAFF COMMENTS

Systems Planning – Adequate utilities exist to serve the site. Footing drain disconnects will be determined at site plan stage.

Floodplain Programs Coordinator - This site falls within the jurisdiction of the Washtenaw County Water Resources Commissioner(WCWRC) due to the Allen Creek Drain and easement traversing the site. As such, the storm water review and approval shall come from the WCWRC. Without the support of the WCWRC, development on this site is not possible.

Planning – The proposed use is not consistent with the future land use map in the Master Plan which indicates Industrial uses of the parcel. However, this recommendation was part of the

original Central Area Plan adopted in 1992. Conditions have changed in the area, and the residential use of the property just outside of the DDA boundary, while removing a significant structure in the floodway and directly over the Allen Creek Drain, is consistent with neighboring uses and goals of the Master plan for higher density housing near the downtown and existing services

Staff is studying the proposed R4D Zoning. The petitioner has offered voluntary conditions limiting the height to approximately 60 feet for the final building design. Staff has responded and is awaiting further response from the petitioner at this time. The density proposed would result in 24.8 units per acre; the maximum density permitted in the R4D Zone is 25 units per acre.

For site plan submittal, Staff has encouraged the petitioner to consult the City's Master Plan: Land Use Element for final design guidelines for the building as well the overall site layout.

Parks – A parks contribution will be requested at site plan stage.

Prepared by Matt Kowalski  
Reviewed by Jeff Kahan

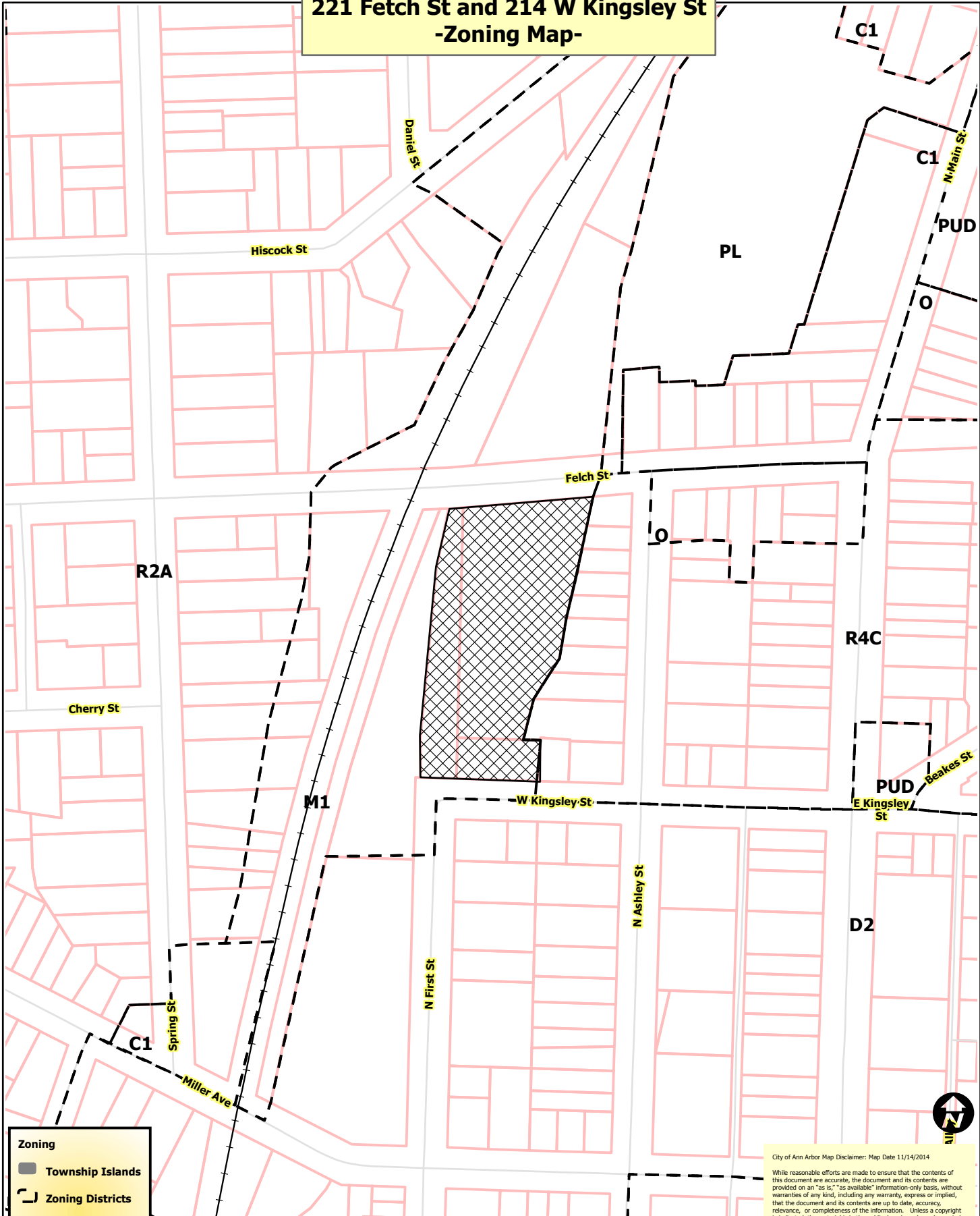
Attachments: Parcel/Zoning Map  
Aerial Photo  
Area Plan

c: Petitioner: 221 Ventures Inc.  
Mr. Fred Beal  
221 Felch Street  
Ann Arbor, MI 48130

Petitioner's Representative: Brad Moore  
J. Bradley Moore & Associates  
4844 Jackson Road Suite 150  
Ann Arbor, MI 48103

City Attorney  
Systems Planning  
File Nos. AP14-002, Z14-025

# 221 Fetch St and 214 W Kingsley St -Zoning Map-



**Zoning**

- Township Islands
- Zoning Districts
- Railroads
- Parcels
- Huron River



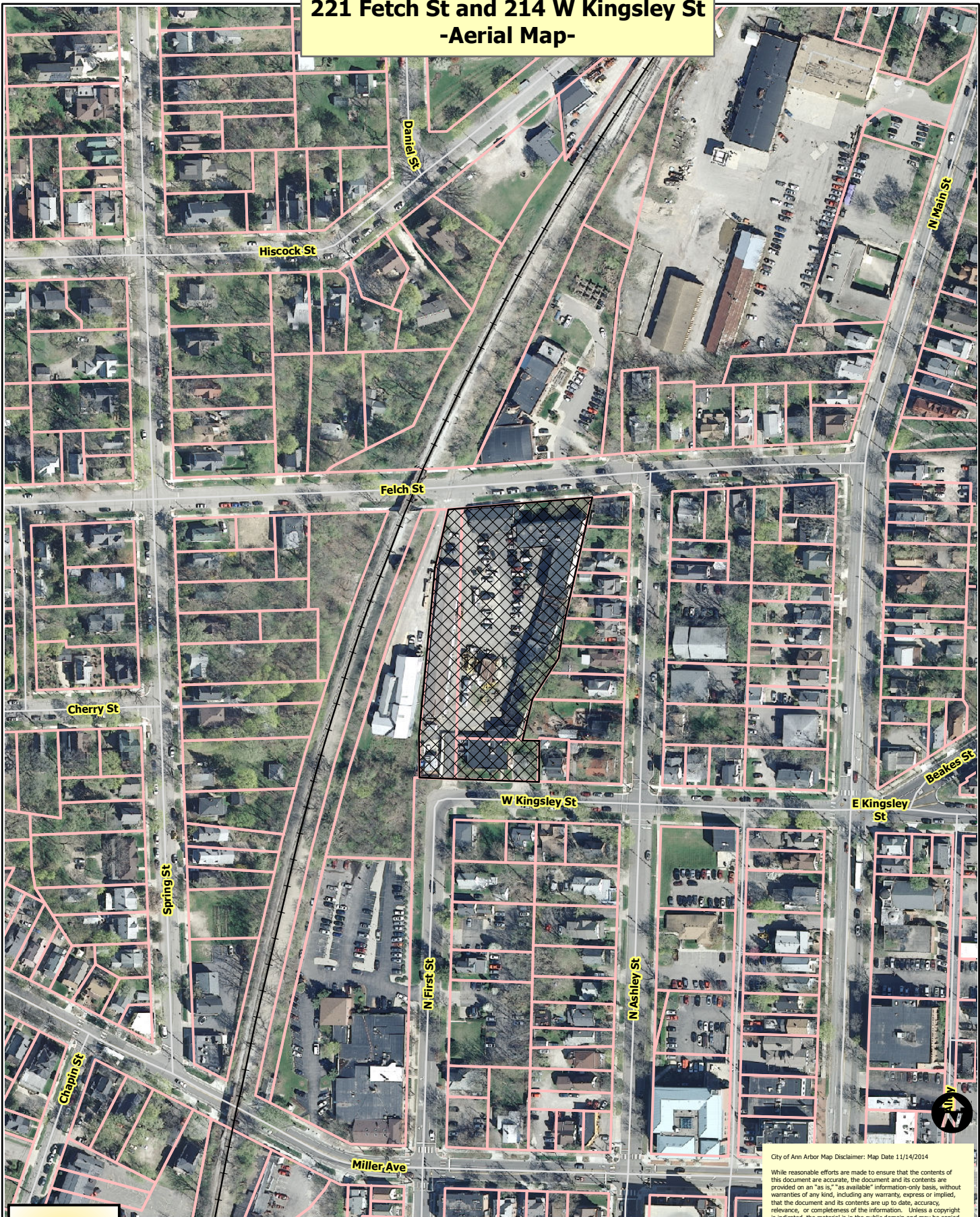
City of Ann Arbor Map Disclaimer: Map Date 11/14/2014

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# 221 Fetch St and 214 W Kingsley St -Aerial Map-



-  Railroads
-  Parcels
-  Huron River

City of Ann Arbor Map Disclaimer: Map Date 11/14/2014

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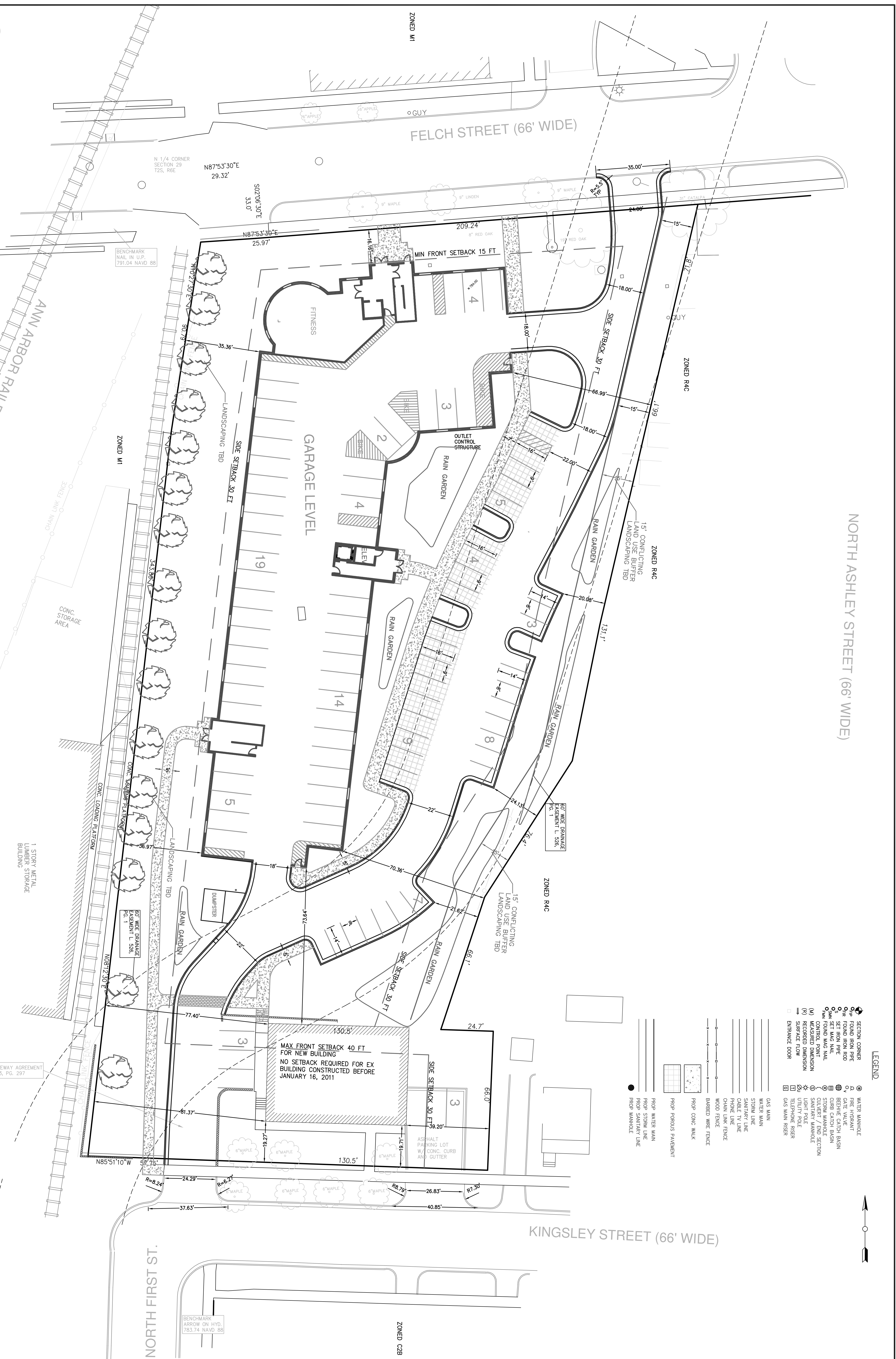
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811  
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NOT FOR CONSTRUCTION



- LEGEND**
- SECTION CORNER
  - FOUND IRON PIPE
  - FOUND IRON PIPE
  - SET IRON PIPE
  - FOUND MAG NAIL
  - FOUND MAG NAIL
  - CONTROL POINT
  - MEASURED DIMENSION
  - SURFACE FLOW
  - ENTRANCE DOOR
  - WATER MANHOLE
  - FIRE HYDRANT
  - BEDDING CATCH BASIN
  - CURB CATCH BASIN
  - STORM MANHOLE
  - VALVE / END SECTION
  - SHRIFT POLE MANHOLE
  - UTILITY POLE
  - TELEPHONE RISER
  - GAS MAIN RISER
  - GAS MAIN
  - WATER MAIN
  - STORM LINE
  - SANITARY LINE
  - CABLE TV LINE
  - PHONE LINE
  - CHAIN LINK FENCE
  - WOOD FENCE
  - BARBED WIRE FENCE
  - PROP. CONC. WALK
  - PROP. POROUS PAVEMENT
  - PROP. WATER MAIN
  - PROP. STORM LINE
  - PROP. SANITARY LINE
  - PROP. MANHOLE

DATE: 8-25-14  
 SCALE: 1" = 20'  
 DR. K.K. CH. K.K.  
 P.M.  
 BOOK  
 SHEET NO.  
 SHEET NO. AP-03

CLIENT: 221 VENTURES INC.  
 221 FELCH AREA PLAN LAYOUT

SECTION 29  
 TOWN 2 SOUTH, RANGE 6 EAST  
 CITY OF ANN ARBOR  
 WASHTENAW COUNTY

**Notice:**  
 Construction site safety is the sole responsibility of the CONTRACTOR. Neither the owner nor the engineer shall be expected to assume any responsibility for safety of the work, of persons engaged in the work, of any nearby structures, or of any other persons.



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