

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of May 18, 2010

**SUBJECT: Windsong Site Plan for City Council Approval (east side of Stone School Road south of I-94 and north of Champagne Drive)
File No. SP10-008**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Windsong Site Plan and Development Agreement, subject to preliminary approval from the Washtenaw County Water Resources Commissioner prior to City Council approval.

STAFF RECOMMENDATION

Staff recommends that this petition be **approved** because the development would comply with local, state and federal laws and regulations; would limit the disturbance of natural features to minimum necessary to allow a reasonable use of the land; would not cause a public or private nuisance; and would not have a detrimental effect on public health, safety or welfare.

LOCATION

The site is located on the east side of Stone School Road, south of I-94 and north of Champagne Drive (South Area, Malletts Creek Watershed).

DESCRIPTION OF PETITION

The petitioner seeks to construct a 32-unit multiple-family affordable housing development in six buildings, each with attached one-car garages. The proposed units will be a mixture of two and three-bedroom units. This development will be the second phase of a 44-unit site plan approved as 'The Oaks of Ann Arbor' in March 2005. The first phase, which consisted of 12 units, was constructed in 2005-06. These 12 units are currently occupied. The remaining 32 units in the second phase were never constructed. Building foundations for two of the proposed buildings are built, but will be removed and re-constructed to ensure structural stability. All utilities, storm water detention, parking and the private drive were constructed with the first phase in 2005-06.

The previous site plan for 'The Oaks of Ann Arbor' expired in May 2008. The only change in the current Windsong proposal is a slightly smaller footprint for two end units in two of the buildings to accommodate barrier-free access. The petitioner is required to obtain site plan approval in order to construct the second phase because the previous site plan approval was not extended and all construction activity ceased in 2006. The project is proposed to be an affordable housing development financed by Low-Income Housing Tax Credits administered by the Michigan State Housing Development Authority (MSHDA) tax credits. The minimum affordability period is 15 years.

The proposed and existing buildings are arranged along the perimeter of the site on the outside of a circular drive. Vehicular access to the site is provided by a single curb cut connecting with Stone School Road. The connection is aligned with the existing drive for the Pheasant Run apartment complex, on the opposite side of Stone School Road. A sidewalk is proposed around the perimeter of the drive with extensions on the northern and southern side to the bike path along Stone School Road. The sidewalk currently is installed only along the front of the occupied units.

An above-ground storm water detention basin and a 6,250-square foot recreation area with play equipment are located in the center of the drive. Additional parking is provided with parallel spaces on the inside of the circular drive, as well as a six-space parking lot located on the eastern end of the drive. These spaces have been constructed with grass pavers to minimize storm water runoff. However, due to improper installation and lack of maintenance, these pavers will need to be re-constructed in order to function correctly.

The minimum side and rear setbacks are increased for buildings over 50 feet long or wide in the R4B district; this site plan reflects the greater side and rear setback requirements. Based on 126-foot long buildings on the south side, the minimum required south side setback is 21.5 feet; a setback of 21.5 feet is proposed. Based on 84-foot wide buildings along the north side, the minimum required north side setback is 18.25 feet; a setback of 29.75 feet is proposed. Based on 120-foot long buildings along the rear, the minimum required rear setback is 38.75 feet; a rear setback of 40 feet is proposed. The R4B (Multiple-Family Dwelling District) district also requires a minimum of 55 percent open space. This plan provides a total of 58.5 percent open space.

Storm water detention review is under the jurisdiction of the Washtenaw County Water Resources Commissioner (WCWRC). Staff has received notice that the proper plans have been submitted to the WCWRC for review. The approval of the WCWRC will be required before this plan will be placed on a City Council agenda. First flush, bankfull and 100-year storm detention are all provided onsite as required by City Code. Plant material around the detention basin will consist of native grasses and shrubs.

A development agreement has been drafted to address required footing drain disconnects; maintenance of the sidewalks, drive and landscaping, and installation of playground equipment.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Residential	TWP (Township District)
EAST	Single-Family Residential	R1C (Single-Family Dwelling District)
SOUTH	Multiple-Family Residential	R4B (Multiple-Family Dwelling District)
WEST	Multiple-Family Residential	R4A (Multiple-Family Dwelling District) and R4B

COMPARISON CHART

		EXISTING (PHASE 1)	PROPOSED	REQUIRED
Zoning		R4B (Multiple-Family Dwelling District)	R4B	R4B
Gross Lot Area		174,064 sq ft	174,064 sq ft	14,000 sq ft MIN
Min. Lot Area Per Dwelling Unit		14,505 sq ft	3,956 sq ft per unit	2,900 sq ft MIN
Min. Open Space in % Lot Area		75%	58.5%	55% MIN
Setbacks	Front	300+ ft to closest bldg	25 ft	25 ft MIN
	Side(s)	38 ft to closest bldg	29.75 ft north 21.50 ft south	18.25 MIN north (due to 84 ft bldg length) 21.50 ft MIN south (due to 126 ft bldg length)
	Rear	38 ft to closest bldg	40 ft	38.75 ft MIN (due to 120 ft bldg width)
Height		28 ft	30 ft	30 ft MAX
Parking - Automobiles		66 spaces	66 spaces (44 garage, 22 surface) Including 3 Barrier Free	66 spaces MIN (based on 1½ space per unit)
Parking – Bicycles		None	12 spaces – Class C 44 spaces – Class A	9 spaces MIN total (50% Class A, 50% Class C)

HISTORY

A site plan was approved on March 7, 2005 for 44 residential units in the same layout as currently proposed. Construction began in 2005 and ended in 2006 with only the rear two buildings containing 12 units being completed. The storm water detention basin, private drive, some landscaping and parking were constructed in 2005.

Condominium master deeds have been recorded for both phases. The Phase 1 master deed was recorded for the entire site in November 2004, and the Phase 2 master deed was recorded as a subcondominium in July 2005.

PLANNING BACKGROUND

The City of Ann Arbor Land Use Plan identifies this parcel as part of Site 7 in the South Area. The recommendation for Site 7 is:

Industrial and other nonresidential, nonconforming uses should be discouraged. Single-family attached and detached uses are recommended on the north portion, which includes this site.

STAFF COMMENTS

Washtenaw County Water Resources Commissioner (WCWRC) – Plans have been submitted to the WCWRC for review. Preliminary plan approval is required from the WCWRC before City Council approval.

Systems Planning - As a result of the sanitary sewer flow evaluation, 13 footing drain disconnections or equivalent will be required. Four disconnects have been completed for Phase 1, the remaining nine will be required before Certificates of Occupancy are issued for the remaining units in Phase 2.

Parks and Recreation – Recreational amenities will be provided in the central recreational area, including play equipment and benches. Parks and Recreation staff has reviewed and approved the planned equipment for this area. Staff concludes that this is a significant contribution and as a result, is not requesting a parkland donation. It is also noted that all maintenance and improvements to the play area and equipment will be the future responsibility of the condominium association and not the City of Ann Arbor.

Planning – The petitioner has been in conversation with the neighbors to the east and has agreed to install a six foot tall privacy fence along the eastern edge of the property to address trespass and privacy concerns. The plan will also be modified to permit the extension of the southern sidewalk directly to the bike path along Stone School Road, eliminating the need for the private drive crossings and bike path near the center of the site.

To meet the intent of the Malletts Creek Resolution, the petitioner is minimizing impervious surfaces by providing the minimum number of parking spaces onsite and using grass pavers for all parking areas excluding barrier-free spaces. The petitioner also agrees to use low or no-phosphorous fertilizers in the maintenance of the lawn and landscaping.

Community Development – The Office of Community Development is supportive of affordable housing at this location.

Prepared by Matt Kowalski
Reviewed by Wendy Rampson
jsj/5/14/10

Attachments: Parcel/Zoning Map
Aerial Photo
Site Plan
Landscape Plan
Elevations
5-14-10 Draft Development Agreement

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City Attorney
Systems Planning
File No. SP10-008