



## Legislation Text

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**File #:** 10-0507, **Version:** 2

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Resolution to Approve the Windsong Site Plan and Development Agreement, Valencia Circle (CPC Recommendation: Approval - 6 Yeas, 1 Nay)

Attached is a resolution to approve the Windsong Site Plan and Development Agreement. Approval of this resolution will allow the construction of six multiple-family buildings containing a total of 32 residential units. Currently, there are two buildings containing 12 units on the site.

The site originally received site plan approval for 44 units in May, 2005 as 'The Oaks of Ann Arbor'. The 12 existing units were constructed in 2005 along with all required utilities, stormwater detention and parking. Foundations for two additional buildings were constructed in 2005 and never completed. All construction on the site ceased in 2006 and the original 'Oaks of Ann Arbor' site plan expired in May, 2008.

The project has been renamed 'Windsong', and the petitioner would like to construct the remaining 32 units shown in the original site plan. The petitioner is required to obtain site plan approval to construct the second phase because the previous site plan approval was not extended when construction activity ceased.

The City Planning Commission recommended approval of this request at its meeting of May 18, 2010, subject to 1) review by the City Attorney for the site's ownership structure and documentation, and 2) incorporating appropriate security recommendations from Public Safety, including solid screening fences.

The City Attorney has completed a review of the site's ownership structure and has concluded that it is acceptable and documented satisfactorily. Planning staff met with a representative of Police Services to discuss the issues with public safety on the site. Given the nature of the police calls to the site, quality on-site management and increased lighting within the interior of the site were recommended to reduce concerns, rather than fencing. These recommendations have been forwarded to the petitioner for consideration.

### Petition Summary:

- The site is zoned R4B.
- The site proposes a total of 44 units developed in 2 phases. Phase 1 (12 units) was constructed in 2005 along with all infrastructure including: private street, parking, utilities and stormwater detention.
- The new buildings will contain a mixture of two-bedroom apartments and three-bedroom apartments for a total unit count of 32 units.
- 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). The minimum affordability period is 15 years.
- A Development Agreement has been prepared to address public and private utilities, on-site

storm water management, sanitary sewer mitigation, and affordable housing.

Attachments: 5/18/10 Planning Staff Report  
5/18/10 Planning Commission Minutes  
5/14/10 Draft Development Agreement

Prepared by: Matt Kowalski, City Planner

Reviewed by: Wendy L. Rampson, Planning Manager  
Sumedh Bahl, Interim Community Services Administrator

Whereas, Windsong LDHALP has requested site plan approval in order to develop a 32-unit multiple-family development on Valencia Circle, just off Stone School Road and south of I-94;

Whereas, A Development Agreement has been prepared to address public and private utilities, on-site storm water management, sanitary sewer mitigation, and affordable housing;

Whereas, The Ann Arbor City Planning Commission, on May 18, 2010, recommended approval of the petition;

Whereas, The development would comply with the requirements of Chapter 55, and with all applicable local, state, or federal laws, ordinances, standards and regulations;

Whereas, The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in Chapter 57; and

Whereas, The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety and welfare;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated June 10, 2010;

RESOLVED, That the Mayor and City Clerk are authorized and directed to sign the Development Agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That City Council approve the Windsong Site Plan dated April 14, 2010, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.