



## Legislation Text

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**File #:** 16-0829, **Version:** 1

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An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.0 Acres from M1 (Limited Industrial District) to R4D With Conditions (Multiple-Family Dwelling District with Conditions), Kingsley Condominiums Conditional Rezoning, 221 Felch Street and 214 West Kingsley Street (CPC Recommendation: Denial - 5 Yeas and 3 Nays) (Ordinance No. ORD-16-15)

Approval of this resolution will rezone this 2.0 acre parcel from M1 (Limited Industrial) to R4D With Conditions (Multiple-Family Dwelling District with Conditions) to allow the site to be redeveloped for residential use.

The Master Plan future land use recommendation calls for continued industrial use on the site. The M1 district is intended for "various types of industrial and manufacturing uses" on large lots with deep setbacks in low-scale buildings. Office, research, storage and warehouses, manufacturing and assembly, and vehicle repair are among the permitted principal uses. Residential and retail commercial uses are prohibited. The R4D district is intended to permit high density residential uses outside of downtown in high-profile locations where the development can both support and benefit from commercial, service and employment centers and where the site size, location and geography minimize the impact of the intensity of land use.

The petitioner has offered to condition the requested R4D zoning designation with the following restrictions:

1. Maximum height for any building shall be 60 feet.
2. Maximum number of dwelling units shall be 51.
3. Maximum number of bedrooms shall be 110.
4. A path across the site mimicking the historic route of Allen Creek shall be constructed and made available for public use.
5. Up to 50% of the building at 214 West Kingsley shall be made available at minimal consideration to serve as an office and/or interpretive center for the Allen Creek Greenway Conservancy.

Accompanying the conditional rezoning petition, as a separate submittal, is a planned project site plan petition to demolish all existing structures (except for the building at 214 West Kingsley) and construct a 51-unit, five-story building with covered and surface parking. Planned project modifications are requested to reduce the west side setback.

Although the City Planning Commission was in agreement that rezoning the site for residential use was desirable, they determined that the specific proposed rezoning to R4D With Conditions is not consistent with the adjacent zoning, the surrounding land uses, or the City's Master Plan and recommended denial of the request at its meeting of May 17, 2016.

**Attachments:** Conditional Zoning Statement of Conditions  
May 17, 2016 Planning Staff Report

Prepared by: April 5, 2016 and May 17, 2016 Planning Commission Minutes  
Alexis DiLeo, City Planner  
Reviewed by: Ben Carlisle, Interim Planning Manager  
Derek Delacourt, Community Services Area Administrator  
ORDINANCE NO. ORD-16-15

First Reading: July 7, 2016  
Public Hearing: August 4, 2016  
Approved: August 4, 2016  
Published: August 11, 2016  
Effective: August 21, 2016

KINGSLEY CONDOMINIUMS  
(221 FELCH STREET AND 214 WEST KINGSLEY STREET)

AN ORDINANCE TO AMEND THE ZONING MAP, BEING A PART OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. THE ZONING MAP, which, by Section 5:4 of Chapter 55 of Title V of the Code of the City of Ann Arbor is made a part of said Chapter 55, shall be so amended as to designate the zoning classification of property described as follows:

Parcel I: That part of land being Lots 2 through 7, Block 4 North, Range 2 East, James B. Gott's First Addition to the City of Ann Arbor, as recorded in Liber 50 of Deeds, pages 61 and 62, more particularly described as follows:

Beginning at the point of intersection in the Southerly line of Felch Street with the Easterly line of vacated First Street; thence Easterly along the Southerly line of Felch Street to a point in the centerline of Allen Creek as existed in 1861; thence Southerly along the meandering of said creek, as existed in 1861, to a point in a line parallel to the Northerly line of Kingsley Street, which parallel line intersects the Easterly line of vacated First Street at a point 66 feet Northerly of the Northerly line of said Kingsley Street, measured along the Easterly line of vacated First Street; thence Westerly along said parallel line to the Easterly line of vacated First Street; thence Northerly along the Easterly line of vacated First Street to the point of beginning.

Parcel II: Commencing at the North ¼ corner, Section 29, Township 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan; thence N87°53'30"E 29.32 feet along the centerline of Felch Street, as shown on Assessor's Plat No. 22, as recorded in Liber 9 of Plats, page 6, Washtenaw County Records; thence S02°06'30" E 33 feet for a Place of Beginning; thence S04°27'50"W 436.08 feet along the east line of First Street (now vacated), as shown on the Plat of James B. Gott's Addition to the City of Ann Arbor, as recorded in Liber 50 of Deeds, pages 61 and 62, Washtenaw County Records, thence N85°51'10"W 57.75 feet along the

north line of North Street (now west Kingsley Street), as shown on said Gott's Addition; thence N08°12'40"E 343.86 feet; thence N10°27'30"E 90.79 feet; thence N87°53'30"E 25.97 feet along the south line of Felch Street to the Place of Beginning; being part of vacated First Street, as shown on the Plat of James B. Gott's Addition to the City of Ann Arbor.

Parcel III: Land in the City of Ann Arbor, Washtenaw County, Michigan, as described as:

Lot 1, Block 4 North, Range 2 East, James B. Gott's Addition, as recorded in Liber 50 of Deeds, pages 61 and 62, Washtenaw County Records. Also the part of Lot 1, Block 4 North, Range 2 East, of the Original Plat of Ann Arbor, as recorded in Transcripts, pages 152 and 153, Washtenaw County Records, not replatted into James B. Gott's Addition, except the East 3.5 feet thereof.

in the City of Ann Arbor, Washtenaw County, Michigan as R4D (Multiple-Family Dwelling) District WITH CONDITIONS, in accordance with the attached Conditional Zoning Statement of Conditions which is hereby adopted and incorporated herein.

Section 2. This ordinance shall take effect and be in force on and after ten days from legal publication.

### **CERTIFICATION**

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of August 4, 2016.

Jacqueline Beaudry, City Clerk

Date

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on August 11, 2016.

Jacqueline Beaudry, City Clerk