



Legislation Text

File #: 16-0830, **Version:** 1

Resolution to Approve Kingsley Condominiums Planned Project Site Plan and Development Agreement, 221 Felch Street and 214 West Kingsley Street (CPC Site Plan Recommendation: Denial - 5 Yeas and 3 Nays)

Approval of this resolution will allow for the construction of the Kingsley Condominiums residential development.

Petition Summary:

- This petition has a companion petition to rezone the site from M1 (Limited Industrial) to R4D With Conditions (Multiple-Family Dwelling).
- The Allen Creek drain culvert, which is 13' 9" wide and 8' 8" tall and buried just beneath the ground surface, cuts the site in half lengthwise. The Allen Creek 100-year flood plain covers all but the far northwest corner of the site. A series of one and two-story garage and storage buildings (which is in fact one building) were constructed on top of the buried culvert. Several other industrial and utilitarian buildings exist on the site.
- The Site Plan proposes demolition of all existing buildings except for the 3,000-square foot building at 214 West Kingsley, and construction of an elevated five-story, 125,000-square foot, 51-unit residential building. The new building will be entirely outside of the Allen Creek drainage easement and elevated above the floodplain. Access to the site is proposed from the current driveway to West Kingsley and a relocated driveway to Felch. An oversized storm water management system is proposed to control a 100-year storm, located outside of the floodplain. The storm water management system has been oversized because no infiltration (only detention) of storm water is permitted.
- Two public pedestrian routes are proposed to cross the site. One is proposed over the walkway on the east side of the building. This walkway connects Felch and West Kingsley, meandering across the site and running past the bioswales adjacent to the building. A second path is proposed along the west side of the site with a straight connection between Felch and West Kingsley that could become a segment of the Allen Creek Greenway depending on the recommendations of the pending study.
- Planned project modifications are requested to allow a 33-foot west side setback. Due to the building's 225-foot length, the typical west side minimum 30-foot setback is increased to 58 feet.
- The site is a brownfield and has metals and polynuclear hydrocarbons (PNAs) in the soil and/or groundwater. The existing structures contain lead and asbestos. A joint application to the County's and City's Brownfield Redevelopment Authority has been made for

reimbursement of the extra costs to remove the contamination, proper demolition of the buildings, and installation of new infrastructure on the site.

- A development agreement has been prepared to address the pedestrian and nonmotorized easements, and parkland contribution, in addition to the typical provisions for site plan developments.

The City Planning Commission, at its meeting of May 17, 2016, recommended denial of this request.

Attachments: May 17, 2016 Planning Staff Report
April 5 and May 17, 2016 Planning Commission Minutes
May 4, 2016 Draft Development Agreement
Prepared By: Alexis DiLeo, City Planner
Reviewed By: Benjamin Carlisle, Interim Planning Manager
Derek Delacourt, Community Services Area Administrator

Whereas, Kingsley Condominiums, LLC. has requested site plan approval in order to develop the Kingsley Condominiums (221 Felch) development;

Whereas, A development agreement has been prepared to address parkland contribution, public access easements and on-site and off-site utilities and public improvements;

Whereas, The Ann Arbor City Planning Commission, on May 17, 2016, recommended denial of the petition;

Whereas, The requested planned project modifications to reduce the west side setback are requested to provide a beneficial arrangement of buildings, subject to maintaining 50% open space and 1 foot additional front setback, in compliance with the standards set forth for planned project approval in Chapter 55;

Whereas, The development would comply with the R4D With Conditions (Multiple-Family Dwelling District) zoning established pursuant to the requirements of Chapter 55 subject to planned project approval, 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 July 19, 2016;

RESOLVED, That City Council approve the Kingsley Condominiums Planned Project modifications to reduce the west side setback, subject to maintaining 50% open space and providing 1 foot of additional front setback, in exchange for providing a beneficial arrangement of buildings, and

RESOLVED, That City Council approve the Kingsley Condominiums Planned Project Site Plan upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.