



Legislation Details (With Text)

File #: 09-1135 **Version:** 1 **Name:** 12/7/09 Platt-Ellsworth Development Agreement
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Title: Resolution to Approve Platt/Ellsworth Commercial Center Site Development Agreement, 3891 Platt Road

Sponsors:

Indexes:

Code sections:

Attachments: 1. Platt-Ellsworth Proposed Site Plan.pdf, 2. PlattRoadDevAgree.DOC

Date	Ver.	Action By	Action	Result
12/7/2009	1	City Council	Approved	Pass

Resolution to Approve Platt/Ellsworth Commercial Center Site Development Agreement, 3891 Platt Road

Attached is a resolution to approve the Platt/Ellsworth Commercial Center Development Agreement. The Development Agreement will require the installation of a public sidewalk along Ellsworth Road upon the City's request. Approval of this resolution will allow Planning staff to proceed with approval of the administrative amendment to an approved site plan to allow construction of an oil change facility on the site.

Background Information

On March 28, 2008 the petitioner for the Platt/Ellsworth Commercial Center submitted a request for an administrative amendment to an approved site plan to remove an existing car wash and construct a 1,400 square foot oil change facility in its place. During the review of this proposal, the Systems Planning Service Unit commented a public sidewalk was to be constructed along the Ellsworth Road frontage per Public Services Department Standard Specifications (PSDSS). A public sidewalk currently exists along the Platt Road frontage. Systems Planning and Planning & Development staff met with the petitioner to discuss this requirement along with the stated goals of the Non-Motorized Transportation Plan to construct sidewalks and promote pedestrian connections throughout the City of Ann Arbor.

The City and petitioner agreed that, since there currently is no pedestrian facility on the bridge over I-94 directly to the east, the required public sidewalk along Ellsworth Road should be deferred until the I-94 bridge is renovated to include pedestrian facilities. Therefore, the petitioner agreed to sign a Development Agreement that requires construction of the public sidewalk along Ellsworth Road from the corner of Platt and Ellsworth to the east side of the site within 90 days of written notification from the City.

Staff Recommendation

The Systems Planning Services Unit has requested sidewalks fronting this parcel and other parcels as part of critical missing links in the City's sidewalk system, which is supported by the current Non-Motorized Transportation Plan. Staff recommends approval of this site development agreement to ensure a public sidewalk is constructed along Ellsworth Road in the future.

Attachments: Draft Development Agreement, Proposed Site Plan

Prepared by: Chris Cheng, City Planner

Reviewed by: Wendy L. Rampson, Interim Planning & Development Services Manager and Jayne Miller, Community Services Administrator

Whereas, Ehab Samaha has requested an administrative amendment to an approved site plan to remove an existing car wash at 3891 Platt Road and construct a 1,400-square foot oil change facility in its place;

Whereas, The Systems Planning Service Unit has completed review of the Platt/Ellsworth Commercial Center petition and determined that a public sidewalk along the Ellsworth Road frontage is required by the Public Services Department Standard Specifications (PSDSS);

Whereas, The 2007 Non-Motorized Transportation Plan recognizes the need for a public sidewalk along Ellsworth Road for connections to the surrounding area, however, currently there is no pedestrian facility on the bridge over I-94 for this sidewalk to which a public sidewalk could be connected;

Whereas, City staff have concluded that construction of the required public sidewalk along Ellsworth Road should be deferred until the I-94 bridge is renovated to include pedestrian facilities;

Whereas, To satisfy the public sidewalk requirement, the petitioner has agreed to sign a Development Agreement that requires construction of the public sidewalk along Ellsworth Road from the corner of Platt and Ellsworth to the east side of the site within 90 days of written notification from the City;

RESOLVED, That City Council approve the Platt/Ellsworth Commercial Center Development Agreement, substantially in the form of that attached;

RESOLVED, That the Mayor and City Clerk be 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 authorize approval of the Platt/Ellsworth Commercial Center Administrative Amendment to the Site Plan, upon the conditions that (1) the Development Agreement be signed by all necessary parties and (2) all terms of the Development Agreement be satisfied.