



## Legislation Details (With Text)

**File #:** 13-0110      **Version:** 1      **Name:** 3/4/13 - 515 North Fifth Site Plan and Development Agreement  
**Type:** Resolution/Public Hearing      **Status:** Passed  
**File created:** 3/4/2013      **In control:** City Council  
**On agenda:** 3/4/2013      **Final action:** 3/4/2013  
**Enactment date:** 3/4/2013      **Enactment #:** R-13-060

**Title:** Resolution to Approve 515 North Fifth Site Plan and Development Agreement, 515 North Fifth Avenue (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1/3/13 Planning Staff Report, 2. 12-28-12 Draft Development Agreement

Date	Ver.	Action By	Action	Result
3/4/2013	1	City Council	Held and Closed	
3/4/2013	1	City Council	Approved	Pass

Resolution to Approve 515 North Fifth Site Plan and Development Agreement, 515 North Fifth Avenue (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Attached is a resolution to approve the 515 North Fifth Site Plan and Development Agreement. Approval of this resolution will allow for the construction of one building containing four dwelling units and four garage parking spaces.

### Petition Summary:

- The site plan proposes demolition of an existing multiple-family dwelling and construction of a new three-story, four-unit building with an attached garage.
- A development agreement has been prepared to address footing drain disconnects and off-site utility issues
- The project received a variance from the Zoning Board of Appeals on January 26, 2013 to reduce the width of the conflicting land use buffer on the north and south side of the parcel.

The City Planning Commission, at its meeting of January 3, 2013, recommended approval of this request.

**Attachments:** 1/3/13 Planning Staff Report  
1/3/13 Planning Commission Minutes  
12/28/12 Draft Development Agreement  
**Prepared By:** Matt Kowalski, City Planner  
**Reviewed By:** Wendy L. Rampson, Planning Manager  
Sumedh Bahl, Community Services Area Administrator

Whereas, The 515 North Fifth Avenue LLC has requested site plan approval in order to develop one residential structure containing four dwelling units;

Whereas, A development agreement has been prepared to address footing drain disconnects and off-site utility issues;

Whereas, The Ann Arbor City Planning Commission, on January 3, 2013, recommended approval of the petition;

Whereas, The Zoning Board of Appeals granted variances from the conflicting land use buffer requirements on January 26, 2013;

Whereas, The development would comply with the R4C zoning established pursuant to 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 December 28, 2012;

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 515 North Fifth Site Plan dated December 27, 2012 and architectural elevations dated December 7, 2012, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.