



## Legislation Details (With Text)

**File #:** 13-0168      **Version:** 2      **Name:** 3/18/13 - 413 East Huron Street Site Plan  
**Type:** Resolution/Public Hearing      **Status:** Passed  
**File created:** 3/18/2013      **In control:** City Council  
**On agenda:** 5/20/2013      **Final action:** 5/20/2013  
**Enactment date:** 5/20/2013      **Enactment #:** R-13-124  
**Title:** Resolution to Approve 413 East Huron Street Site Plan and Development Agreement, 413 East Huron Street (CPC Recommendation: Denial - 5 Yeas and 3 Nays)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 413 E Huron Perspective 04-04-13, 2. 413 Council Staff Report 4-1-13, 3. 2/5/13 Planning Staff Report, 4. Development Agreement Draft 4-11-13, 5. 413 E. Huron Development Agreement Draft 3-27-13final, 6. Development Agreement Draft 3-5-13final, 7. 1-15-2013 City Planning Commission Minutes-413 E Huron Project, 8. 2-5-2013 City Planning Commission Minutes-413 E Huron Project, 9. 413 E Huron - new trash proposal, 10. 12327Solar study, 11. Plan Set 03-28-13, 12. H. Scott Diels Communication, 13. Letter\_City Council 3.29.13.pdf, 14. Ltr to Mayor and City Council Members, 15. Ltr from Norman Hyman dated 3-14-13, 16. Communication from Attorney Patrick Lennon, 17. Communication from Susan Friedlaender dated may 6, 18. Conor McNally of Carter letter dated May 3, 2013

Date	Ver.	Action By	Action	Result
5/20/2013	1	City Council		
5/20/2013	1	City Council	Reconsidered	Pass
5/20/2013	1	City Council	Amended	Pass
5/20/2013	1	City Council	Approved as Amended	Pass
5/13/2013	1	City Council		
5/13/2013	1	City Council	Amended	Pass
5/13/2013	1	City Council	Approved as Amended	Pass
5/6/2013	1	City Council	Continued	
5/6/2013	1	City Council	Held and Closed	
4/15/2013	1	City Council	Postponed	Pass
4/15/2013	1	City Council	Held and Continued	
4/1/2013	1	City Council		
4/1/2013	1	City Council	Held and Continued	
4/1/2013	1	City Council	Postponed	Pass
3/18/2013	1	City Council	Held and Closed	
3/18/2013	1	City Council		
3/18/2013	1	City Council	Postponed	Pass

Resolution to Approve 413 East Huron Street Site Plan and Development Agreement, 413 East

Huron Street (CPC Recommendation: Denial - 5 Years and 3 Nays)

Attached is a resolution to approve the 413 East Huron Street Site Plan and Development Agreement. Approval of this resolution will allow for the construction of a 14-story apartment building with a 122-space underground parking garage and 10 surface parking spaces.

Petition Summary:

- The site plan proposes a 14-story, 271,855-square foot apartment building containing 216 dwelling units (533 bedrooms) and a total of 132 off-street parking spaces. Retail space and accessory uses for the residences are proposed on the first floor. Two curb cuts, one each to East Huron Street and North Division Street, are proposed. Storm water management for the 100-year storm volume is provided, and mitigation for impact within the critical root zone of a landmark tree on an adjacent site is proposed - half provided on the subject site and half to be provided alternatively in the form of a contribution to the street tree planting fund.
- A development agreement has been prepared to address the alternative tree mitigation, a parks contribution, required footing drain disconnections, off-site sanitary sewer capacity improvements, street lighting, documentation of LEED Energy & Atmosphere points, and architectural design and materials.
- The petitioner has responded to questions about the citizen participation meeting raised by the Planning Commission by submitting a supplemental citizen participation report.

The City Planning Commission, at its meeting of February 5, 2013, failed to pass the motion to approve this petition by at least six votes and thus recommended denial of this request.

Attachments: 2/5/13 Planning Staff Report  
2/5/13 Planning Commission Minutes  
3/5/13 Draft Development Agreement  
2/14/13 Petitioner Citizens Participation Report Supplement

Prepared By: Alexis DiLeo, City Planner

Reviewed By: Wendy L. Rampson, Planning Manager  
Sumedh Bahl, Community Services Area Administrator

Whereas, The Ann Arbor Green Property Owner, LLC has requested site plan approval in order to develop 413 East Huron Street Site Plan;

Whereas, A development agreement has been prepared to address a variety of items, including alternative tree mitigation, a parks contribution, required footing drain disconnections, off-site sanitary sewer capacity improvements, street lighting, documentation of LEED Energy & Atmosphere points, and architectural design and materials

Whereas, The Ann Arbor City Planning Commission, on February 5, 2013, recommended denial of the petition;

Whereas, The development would comply with the D1 Downtown Core base zoning district, East Huron 1 character overlay district), and Secondary Street building frontage 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 April 11, 2013;

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 approve the 413 East Huron Street Site Plan dated March 28, 2013 and perspective drawings dated April 4, 2013, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.

**As Amended by Ann Arbor City Council on May 13, and May 20, 2013**