



## Legislation Details (With Text)

**File #:** 08-0689      **Version:** 1      **Name:** 8/18/08 42 North Site Plan  
**Type:** Resolution      **Status:** Passed  
**File created:** 7/21/2008      **In control:** City Council  
**On agenda:** 9/8/2008      **Final action:** 9/8/2008  
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**Title:** Resolution to Approve 42 North Site Plan, Development Agreement and Wetland Use Permit, 15.32 Acres, 1430 South Maple Road (CPC Recommendation: Approval - 7 Yeas and 1 Nay)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 42 North Dev Agt.doc, 2. 42 North Minutes.doc, 3. 42 North Staff Report.pdf, 4. 42 North\_SanitaryDistricts, 5. 42 North\_Creeksheds, 6. 42 North Site Plan Protest Letter from Surrey Park Apartments, 7. 42 North Petition, 8. 42 North Protest Letter 2, 9. Communication from Adam L. Kochenderfer

Date	Ver.	Action By	Action	Result
9/8/2008	1	City Council	Approved	Pass
8/18/2008	1	City Council		
8/18/2008	1	City Council	Held and Closed	
8/18/2008	1	City Council	Postponed	Pass
7/21/2008	1	City Council	Held and Continued	
7/21/2008	1	City Council		
7/21/2008	1	City Council	Postponed	Pass

Resolution to Approve 42 North Site Plan, Development Agreement and Wetland Use Permit, 15.32 Acres, 1430 South Maple Road (CPC Recommendation: Approval - 7 Yeas and 1 Nay)

Attached is a resolution requesting approval to construct 120 four-bedroom student dwelling units in five buildings. In addition to the dwelling units, 494 parking spaces, a clubhouse, a central recreation area and a maintenance/pump house will be provided. An AATA bus stop is proposed to be located along the front of the property for direct service to the University of Michigan Central Campus. The two existing structures on the site will be removed and the subject property will be divided from the existing Grace Bible Church site.

The petitioner has requested a wetland use permit to remove up to 57,107 square feet of wetland area. A mitigation plan has also been requested, including construction of at least 105,953 square feet on the adjacent Grace Bible Church site and restoration and monitoring of the remaining wetland area. The revised mitigation area is part of the Grace Bible Church Site Plan for Planning Commission Approval, which was approved by the Planning Commission on July 1, 2008.

A development agreement has been prepared to address public and private utilities, a future special assessment district for improvements to South Maple Road, street name signage, tree preservation, park contribution, on-site storm water management, a fully private pressurized water distribution

system, Energy Star ratings, lawn care fertilizer use, a Wetland Monitoring Plan, footing drain disconnections, and elevations. The City Attorney's Office has reviewed the agreement and the petitioner has acknowledged concurrence with its provisions.

The City Planning Commission, at its meeting of May 20, 2008, recommended approval of this proposal, subject to approval of a land division and approval of the alternative wetland mitigation. The alternative wetland mitigation is no longer necessary, as the developer is providing all required wetland mitigation on the Grace Bible Church site, as shown on the Grace Bible Church Site Plan for Planning Commission Approval approved by the Planning Commission.

Prepared By: Laurie Foondle, Management Assistant

Reviewed By: Mark Lloyd, Planning and Development Services Manager  
Jayne Miller, Community Services Administrator

Approved By: Roger W. Fraser, City Administrator

Whereas, WP East Acquisitions LLC has requested site plan approval in order to construct 120 four-bedroom student dwelling units in five buildings at 1430 South Maple Road;

Whereas, WP East Acquisitions LLC has also requested approval of a wetland use permit to remove up to 57,107 square feet of wetland area;

Whereas, A development agreement has been prepared to address public and private utilities, a future special assessment district for improvements to South Maple Road, street name signage, tree preservation, park contribution, on-site storm water management, a fully private pressurized water distribution system, Energy Star ratings, lawn care fertilizer use, a Wetland Monitoring Plan, alternative wetland mitigation funds, footing drain disconnections, and elevations; and

Whereas, The Ann Arbor City Planning Commission, on May 20, 2008, recommended approval of said requests;

Whereas, The contemplated development will comply with all applicable state, local and federal law, 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 or welfare;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated July 8, 2008;

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;

RESOLVED, That City Council approve the 42 North Site Plan, upon the conditions that (1) the Development Agreement is signed by all necessary parties, (2) all terms of the Development Agreement are satisfied, and (3) land division approval; and

RESOLVED, That City Council approve the 42 North Wetland Use Permit for removal of up to 57,107 square feet of wetland area.