



## Legislation Details (With Text)

<b>File #:</b>	21-1650	<b>Version:</b>	1	<b>Name:</b>	10/18/21 Concord Pines
<b>Type:</b>	Resolution/Public Hearing	<b>Status:</b>	Passed		
<b>File created:</b>	10/18/2021	<b>In control:</b>	City Council		
<b>On agenda:</b>	10/18/2021	<b>Final action:</b>	10/18/2021		
<b>Enactment date:</b>	10/18/2021	<b>Enactment #:</b>	R-21-394		

**Title:** Resolution to Approve Concord Pines Site Plan, Wetland Use Permit and Development Agreement, 660 Earhart Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 660 Earhart Staff Report w Maps.pdf, 2. 660 Earhart Development Agreement 2021.pdf, 3. Final 9-8-2021 CPC Minutes.pdf, 4. WLN clipping Concord Pines Site Plan - Public Hearing Notice.pdf

Date	Ver.	Action By	Action	Result
10/18/2021	1	City Council	Held and Closed	
10/18/2021	1	City Council	Approved	Pass

Resolution to Approve Concord Pines Site Plan, Wetland Use Permit and Development Agreement, 660 Earhart Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Approval of this resolution will allow for the construction of 57 single-family homes on this 34-acre vacant lot with access off Earhart Road. The site is zoned R1B, Single-Family Residential.

### Petition Summary:

- The Site Plan proposes to develop 57 single-family homes on this 34-acre vacant lot subject to land division and land transfer approval with Concordia University. There are 447 landmark trees on site with 311 proposed to be removed. As required by code, 50% of the trees must be replaced. There are also 741 low level woodland trees on site with 450 of these trees removed. The petitioner proposes planting 1,788 replacement trees to be planted throughout the site with the remainder of mitigation addressed through a contribution to the City tree fund.

A wetland use permit has also been submitted. There are two wetlands located along the proposed southern property line of this site with the southeast detention basin discharging into the southernmost wetland. Boring under this wetland is also proposed to connect to sanitary sewer. These impacts require approval of a wetland use permit. No structures are proposed in the wetlands or their 25-foot wide wetland buffer.

- A development agreement has been prepared to address natural features tree mitigation (\$265,500) and off-site Parks contribution (\$35,625).
- The petitioner addressed issues raised by Planning Commission by removing any exclusions of roof solar panels and Accessory Dwelling Units in the Master Deed. CPC inquired about

adding a pocket park on site and the petitioner responded the added cost of putting a fire suppression system in every house affects the economics of the project and removing a housing unit is not under consideration.

The City Planning Commission, at its meeting of September 8, 2021, recommended approval of this request.

Attachments: 9/8/21 Planning Staff Report  
9/8/21 Planning Commission Minutes  
9/3/21 Draft Development Agreement

Prepared By: Chris Cheng, City Planner

Reviewed By: Brett D. Lenart, Planning Manager  
Derek Delacourt, Community Services Area Administrator

Approved By: John Fournier, Assistant City Administrator

Whereas, Toll Brothers has requested site plan approval in order to develop 57 single-family homes on this 34-acre vacant lot;

Whereas, A development agreement has been prepared to address mitigation of natural features and Parks contribution;

Whereas, The Ann Arbor City Planning Commission, on September 8, 2021, recommended approval of the petition;

Whereas, The development would comply with the R1B, Single-Family Dwelling District, 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 9/27/21;

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 Concord Pines Site Plan dated 6/28/21 and the Wetland Use Permit, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.