Legislation Details (With Text)

File #:	10-0508 **Version:** 2	**Name:**	07/19/10 Zingerman's Deli Expansionw/Attachments
Type:	Resolution/Public Hearing	**Status:**	Passed
File created:	7/19/2010	**In control:**	City Council
On agenda:	7/19/2010	**Final action:**	7/19/2010
Enactment date:	7/19/2010	**Enactment #:**	R-10-268

Title: Resolution to Approve Zingerman’s Deli Expansion Site Plan and Development Agreement, 422 Detroit Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Zingerman's Staff Report - 5-18-10.pdf, 2. Zingerman's Revised Site Plan.pdf, 3. Zingermans Citizen Participation.pdf, 4. Zingermans Minutes - 5-18-10.pdf, 5. ZingermansDevAgreeFinal.doc, 6. Public hearing Notices Zingerman's Brownfield and Site Plan

Date	Ver.	Action By	Action	Result
7/19/2010	2	City Council	Held and Closed	
7/19/2010	2	City Council	Approved	Pass
5/18/2010	1	City Planning Commission	Recommended for Approval	Pass

Resolution to Approve Zingerman’s Deli Expansion Site Plan and Development Agreement, 422 Detroit Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
Approval of this resolution will allow the demolition of the building at 322 East Kingsley and the construction of an addition to the deli building at 422 Detroit Street totaling 10,430 square feet.

The City Planning Commission, at its meeting of May 18, 2010, recommended approval of this request, subject to resolution of loading zone options on East Kingsley prior to City Council action. Since the City Planning Commission review, the petitioner has revised the site plan to eliminate the curb cut on East Kingsley to provide a street loading zone. (See attached Revised Site Plans.)

Petition Summary:

- The Site Plan proposes to demolish the house at 322 East Kingsley Street and construct a two-story, 10,340-square foot addition to the 5,107-square foot Deli building. The orange two-story Annex building at 420 Detroit Street will be incorporated into the addition.

- The existing curb cuts on Detroit Street and East Kingsley will be closed, and the former driveway and courtyard area between the Deli and Next Door will be re-graded to meet ADA requirements. The rear courtyard will be shifted slightly and the tent will be rotated 90 degrees. The Next Door building will remain unchanged.

- Modification of the conflicting land use buffer on the east property line is requested to reduce the width of the buffer and substitute a solid fence for the required landscaping.

- A development agreement has been prepared to address footing drain disconnects, existing encroachments into the public right-of-way, and possible water main impact mitigation.

Attachments: 05/18/10 Planning Staff Report
06/23/10 Revised Site Plans
03/08/10 Citizen Participation Report
05/18/10 Planning Commission Minutes
06/22/10 Draft Development Agreement
Prepared by: Jill Thacher, City Planner
Reviewed by: Wendy L. Rampson, Planning Manager
Sumedh Bahl, Community Services Administrator

Whereas, Deli Partners has requested site plan approval in order to develop Zingerman's Deli Expansion;

Whereas, A development agreement has been prepared to address footing drain disconnections, licensing of existing encroachments into the public right-of-way, and mitigation of water main impacts;

Whereas, The Ann Arbor City Planning Commission, on May 18, 2010, recommended approval of the petition;

Whereas, The Ann Arbor City Planning Commission, on May 18, 2010, recommended approval of the proposed modification of the conflicting land use buffer, finding that the proposed modification met the standards of Section 5:608 of Chapter 62 (Landscape and Screening);

Whereas, The development would comply 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 proposed modification of the conflicting land use buffer;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated July 6, 2010;

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 Zingerman's Deli Expansion Site Plan dated June 23, 2010 upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.