



## Legislation Text

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**File #:** 13-0856, **Version:** 1

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Resolution to Approve 401 North Fourth Avenue Site Plan and Development Agreement, 401-403 North Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attached is a resolution to approve the 401 North Fourth Avenue Site Plan and Development Agreement. Approval of this resolution will allow for the construction of a duplex dwelling, each with a two-car garage, and 21 surface parking spaces, consistent with the proposed D2 Downtown Interface rezoning.

### Petition Summary:

- The Site Plan proposes construction of a duplex dwelling with two two-car garages and 21 surface parking spaces. Vehicular access to the 21 surface parking spaces will be from the midblock alley (running north/south, parallel to North Fourth Avenue). The front doors to both dwelling units face North Fourth Avenue as well as two garage doors, one for each unit.
- A landscape modification request has been submitted for this petition seeking approval for one long landscape area along the entire north side of the surface parking lot instead of several smaller landscape islands. The size of the proposed landscape area exceeds the minimum necessary to meet code requirements for the proposed parking lot size, but its location is proposed outside of, instead of within, the defined vehicular use area. The Planning Commission recommended approval of the landscape modification petition.
- A development agreement has been prepared to address utility construction and a park contribution.
- The project was reviewed by the Design Review Board for consistency with the Downtown Design Guidelines. All of the Design Review Board's suggested design changes, which were all relatively minor, were incorporated into the proposed design.
- The two outstanding staff comments noted in the staff report have been satisfactorily addressed. The sanitary sewer mitigation calculations have been revised on the plan to include the correct peak factor, and the Solid Waste/Recycling Coordinator has completed his review with no further comments.

The City Planning Commission, at its meeting of May 21, 2013, recommended approval of this request.

Attachments: 5/21/13 Planning Staff Report, 5/21/13 Planning Commission Minutes, 7/2/13 Draft Development Agreement

Prepared By: Alexis DiLeo, City Planner

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

Administrator

Whereas, The Huron Development & Associates, LLC has requested site plan approval in order to develop a duplex building with garages and surface parking;

Whereas, A development agreement has been prepared to address utility construction and parkland contribution;

Whereas, The Ann Arbor City Planning Commission, on May 21, 2013, recommended approval of the petition, including a Chapter 62 Landscape Modification petition to allow interior landscape islands outside of the perimeter of the vehicular use areas;

Whereas, The development would comply with the D2 (Downtown Interface base), Kerrytown Character (overlay), Secondary Street (building frontage) 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 July 23, 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 401 North Fourth Avenue Site Plan dated July 3, 2012 upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.