



## Legislation Text

---

**File #:** 24-1009, **Version:** 1

---

Resolution to Approve the 3380 Nixon Road - Owl Creek Phase 2 Site Plan and Development Agreement (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Approval of this resolution will allow for the construction of one 99,985 square foot building containing 131 housing units on the site of Owl Creek Phase 1.

### Petition Summary:

The Site Plan proposes the construction of a 131-unit, 99,985 square foot residential building on the site of Owl Creek Phase 1. The building will be fully electric and new solar panels on the site will generate 10,000 kwh annually. There will be a net loss of eight parking spaces on the site, from 548 to 540, and a net gain of 10 installed and 86 capable EV parking spaces (currently zero).

A development agreement has been prepared to address electrification measures being incorporated into the project, a water main easement to the City, and construction of a 12" water main, sanitary sewer pump station, private storm water management system, and private sidewalks.

The petitioner addressed issues raised by Planning Commission by adding a description of sustainability and electrification measures included in the project on the site plan.

The City Planning Commission, at its meeting of February 22, 2024 recommended approval of this request.

Attachments: February 16, 2024 Planning Staff Report  
February 22, 2024 Planning Commission Minutes  
August 7, 2024 Draft Development Agreement

Prepared By: Jill Thacher, City Planner

Reviewed By: Brett Lenart, Planning Manager

Derek Delacourt, Community Services Area Administrator

Approved By: Milton Dohoney Jr., City Administrator

Whereas, BRE Nixon Road Associates, LLC has requested site plan approval in order to develop a 99,985 square foot building with 131 housing units;

Whereas, a development agreement has been prepared to address electrification measures, a water main easement, and construction of a 12" water main, sanitary sewer pump station and private storm water management system;

Whereas, The Ann Arbor City Planning Commission, on February 22, 2024, recommended approval of the petition;

Whereas, The development would comply with the R4D (Multiple-Family) zoning with conditions established pursuant to the requirements of Chapter 55, and with all applicable local, state, or federal

laws, ordinances, standards and regulations; and

Whereas, The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated August 7, 2024;

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 Owl Creek Phase 2 Site Plan dated March 25, 2024, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.