

## MEMORANDUM

TO: Mayor and City Council

FROM: Wendy Rampson, Planning Manager

SUBJECT: Correction to Resolution for 413 E. Huron Site Plan

DATE: May 20, 2013

On Monday, May 13, 2013, City Council approved the site plan for the 413 E. Huron project. At the meeting, Council revised the approval resolution to reflect the most recent development agreement date, but did not update the plan set date, which is referenced in the last Resolved clause.

The plan set dated March 28, 2013 was included in the City Council packet for the site plan and incorporates the reduction of floor area and massing changes presented by the developer at the March 18, 2013 City Council meeting. In addition, a perspective drawing dated April 4, 2014 was provided to City Council in a communication from the petitioner dated April 11, 2013. While perspective drawings typically are not part of a site plan set, these drawings are required by the development agreement as guidance for the materials and color palette to be used for the building and are attached for your reference.

Please note that the petitioner provided staff with several updated sheets in the plan set dated April 4, 2013 to show an extension of the raised planting bed along the rear driveway and make minor changes to several windows on the second level. These plans were not formally reviewed by staff, although they were included in the plan set placed in the City Hall lobby. If the petitioner wishes to make these changes, they would need to be submitted as an administrative amendment.

Staff recommends that the original resolution be reconsidered and the following corrected resolution be adopted at your May 20, 2013 meeting:

Whereas, The Ann Arbor Green Property Owner, LLC has requested site plan approval in order to develop 413 East Huron Street Site Plan;

Whereas, A development agreement has been prepared to address a variety of items, including alternative tree mitigation, a parks contribution, required footing drain disconnections, off-site sanitary sewer capacity improvements, street lighting, documentation of LEED Energy & Atmosphere points, and architectural design and materials

Whereas, The Ann Arbor City Planning Commission, on February 5, 2013,

recommended denial of the petition;

Whereas, The development would comply with the D1 Downtown Core base zoning district, East Huron 1 character overlay district), and Secondary Street building frontage 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 April 11, 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 413 East Huron Street Site Plan dated March 28, 2013 and perspective drawings dated April 4, 2013, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.

#### Attachments

c: City Attorney's Office  
Petitioner