



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Council Action

Resolution/Public Hearing: R-17-448

File Number: 17-1420

Enactment Number: R-17-448

Resolution to Approve 1140 Broadway Planned Project Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

Whereas, Morningside Lower Town, LLC has requested site plan approval, including planned project modifications, modifications to the Landscaping and Screening Ordinance, and authorized activity in the natural features open space in order to develop 1140 Broadway;

Whereas, A development agreement has been prepared to address off-site streetscape, utilities and traffic mitigation surrounding the site, and access easements adjacent to Traver Creek and a parkland contribution;

Whereas, The Ann Arbor City Planning Commission, on August 1, 2017, recommended approval of the petitions;

Whereas, The Ann Arbor City Planning Commission, on August 1, 2017, recommended approval of the planned project modifications to reduce the required front, side and rear setbacks which will result in an arrangement of buildings which provides a public benefit, such as transit access, pedestrian orientation and a reduced need for infrastructure or impervious surface, and an additional space beyond the minimum requirement;

Whereas, The activity in the natural features open space is in the public interest, and the benefit which is reasonably be expected to accrue from the proposal is greater than the reasonably foreseeable detriments of the activity;

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;

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;

Whereas, The development would comply with the C1A/R WITH CONDITIONS (Campus Business Residential District with conditions) zoning established pursuant to the requirements of Chapter 55, and with all applicable local, state, or federal laws, ordinances, standards and regulations; and

Whereas, The Ann Arbor City Planning Commission, on August 1, 2017, authorized activity in the natural feature open space;

RESOLVED, That City Council approve the planned project modifications to allow reduced front, side and rear setbacks in exchange for a better arrangement of buildings and a providing minimum of 30% open space where there is no minimum open space requirement;

RESOLVED, That City Council approve the modification to the Chapter 62 landscaping and screening requirements to waive the requirement that interior landscape islands be designed for infiltration into groundwater since this infiltration is not recommended for brownfield sites;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated November 2, 2017;

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 1140 Broadway Planned Project Site Plan with authorized activity in the natural feature open space and modifications to Chapter 62 Landscape and Screening, upon the condition that 1) the Development Agreement is signed by all parties, 2) all terms of the Development Agreement are satisfied, and 3) the lots are combined prior to issuance of any permits.

At a meeting of the City Council on 12/4/2017, a motion was made by Chip Smith, seconded by Chuck Warpehoski, that this Resolution/Public Hearing R-17-448 be Approved. The motion passed.

Yeas: 7 Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman, and Councilmember Smith

Nays: 4 Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton, and Councilmember Bannister