



## Legislation Text

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**File #:** 07-1185, **Version:** 1

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Resolution to Approve McKinley Towne Centre-Liberty Retail PUD Site Plan and Development Agreement, 1.15 Acres, 515 East Liberty Street (CPC Recommendation: Approval - 6 Yeas and 2 Nays).

Attached is a resolution requesting approval to construct a three-story, 25,503-square foot addition to the existing Liberty Square building. The addition will be located along the south side of the site, spanning between the one-story retail building on the parcel to the west and the stair tower of the parking deck. The existing bank and a portion of the Liberty Square building lobby will be demolished. Following demolition, the net increase in square footage will be 14,744, for a total new floor area of 290,871 square feet.

A development agreement has been prepared that addresses on-site storm water management, future improvements to East Liberty and East Washington Streets, footing drain disconnections, contribution to the Storm Water System Fund, and elevations. The City Attorney's Office has reviewed the agreement and the petitioner has acknowledged concurrence with its provisions.

The City Planning Commission, at its meeting of October 2, 2007, recommended approval of the PUD site plan and development agreement, subject to receiving approval by the Washtenaw County Drain Commissioner's Office, addressing all outstanding Systems Planning comments, and providing a minimum ten-foot wide, clearly identifiable pedestrian access open to the public between Liberty and Washington Streets.

Written comments have been received from Systems Planning confirming that all outstanding issues have been addressed. Approval by the Washtenaw County Drain Commissioner's Office has also been received. Revised plans have been submitted, and reviewed by staff, that set the proposed building back 10 feet 6 inches from the west lot line. The side setback area will be surfaced with brick pavers, creating a 10-foot wide pedestrian alley between East Liberty Street and the remaining portion of the existing alley connected to East Washington Street. The proposed site plan is in conformance with all staff comments, the proposed PUD Supplemental Regulations and the recommendation of the City Planning Commission.

Prepared By: Laurie Foondle, Management Assistant  
Reviewed By: Mark Lloyd, Planning and Development Services Manager  
Jayne Miller, Community Services Administrator  
Approved By: Roger W. Fraser, City Administrator

Whereas, A development agreement has been prepared to address on-site storm water management, future improvements to East Liberty and East Washington Streets, footing drain disconnections, contribution to the Storm Water System Fund, and elevations;

Whereas, The Ann Arbor City Planning Commission, on October 2, 2007, recommended approval of said request;

Whereas, The contemplated development will comply with all applicable state, local and federal law, 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 or welfare;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated December 13, 2007;

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;

RESOLVED, That City Council approve the McKinley Towne Centre-Liberty Retail PUD Site Plan, upon the conditions that (1) the Development Agreement is signed by all necessary parties, (2) all terms of the Development Agreement are satisfied, and (3) MTC 2 LLC enter into an agreement with the City of Ann Arbor for conversion of the general common area of the Tally Hall Condominium necessary to complete the site plan.