



## Legislation Details (With Text)

**File #:** 17-1118      **Version:** 1      **Name:** 9/18/17 Gallery Site Plan & Planned Project  
**Type:** Resolution/Public Hearing      **Status:** Passed  
**File created:** 9/18/2017      **In control:** City Council  
**On agenda:** 9/18/2017      **Final action:** 9/18/2017  
**Enactment date:** 9/18/2017      **Enactment #:** R-17-362  
**Title:** Resolution to Approve The Gallery Planned Project Site Plan and Development Agreement, 441 S. Ashley Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. The Gallery ElevationsPerspectivesNew.pdf, 2. Gallery Citizen Participation Meeting M.PDF, 3. 1-18-17 DRB Minutes APPROVED.PDF, 4. Gallery Staff Report with Attachments, 5. The Gallery Development Agreement.pdf

Date	Ver.	Action By	Action	Result
9/18/2017	1	City Council	Held and Closed	
9/18/2017	1	City Council	Approved	Pass

Resolution to Approve The Gallery Planned Project Site Plan and Development Agreement, 441 S. Ashley Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Approval of this resolution will allow for the construction of The Gallery Site Plan for City Council approval, with Planned Project Modifications requested to exceed the maximum required front setback on S. Ashley by 11.77 feet and to allow a four-story streetwall height. The proposed project is located at 441 S. Ashley & 112, 116 and 118 W Jefferson to comprise a total lot area of 17,449 square feet. The proposed development will be a 23 unit residential development in one 34,810 square foot building.

**Petition Summary:**

- The site plan proposes to combine four lots and demolish the structures on each to construct a five-story, 34,810-square foot residential building. Parking is located below the building, though none is required as this site is located in the DDA. The west portion of this site is located in the floodplain. An easement is proposed over this area as a future connection to the Allen Creek Greenway.
- The petitioner is requesting a planned project modification to exceed the maximum required front setback on S. Ashley by 12 feet to stay out of the floodplain and to exceed the 3-story street wall height by one story due to the sloping nature of the sight. The petitioner indicates there are public benefits provided by providing open space in excess of the minimum required from 10 to 22 percent, the proposal is pedestrian oriented with close proximity to bus stops and transit center, and dedicating an easement over the southwest portion of the site for future connectivity to a greenway.

- A development agreement has been prepared to address the Parks Contribution, proposed greenway easement and floodplain construction requirements.

The City Planning Commission, at its meeting of June 6, 2017, recommended approval of this request.

Attachments: 6/6/17 Planning Staff Report  
6/6/17 Planning Commission Minutes  
9/5/17 Draft Development Agreement  
Prepared By: Chris Cheng, City Planner  
Reviewed By: Brett D. Lenart, Planning Manager  
Derek Delacourt, Community Services Area Administrator  
Approved By: Howard S. Lazarus, City Administrator  
Whereas, The Ann Arbor Builders, Inc. has requested site plan approval in order to develop a 5-story, 34,810-square foot building;

Whereas, The Ann Arbor City Planning Commission, on June 6, 2017, recommended approval of the planned project modifications to exceed the maximum required front setback on S. Ashley by 12 feet and to allow a four-story streetwall height in exchange for providing a green roof, providing additional open space beyond what is required, designing a pedestrian oriented project close to bus stops and transit centers, and granting an easement over the southwest portion of the property for future connectivity to the Allen Creek Greenway;

Whereas, A development agreement has been prepared to address the parks contribution and pedestrian connections;

Whereas, The Ann Arbor City Planning Commission, on June 6, 2017, recommended approval of the petition;

Whereas, With the planned project modifications, the development would comply with the D2, Downtown Interface District, 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 September 5, 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;

RESOLVED, That the Mayor and City Clerk approve the Gallery Planned Project modifications to

exceed the maximum required 10 foot front setback on S. Ashley by a maximum of 12 feet, and to allow an additional story of streetwall height beyond the three-story streetwall height maximum, in exchange for providing 12 percent of additional open space beyond the 10 percent requirement, designing a pedestrian oriented project close to bus stops and transit centers, and granting an easement over the southwest portion of the property for future connectivity to the Allen Creek Greenway; and

RESOLVED, That City Council approve The Gallery Planned Project Site Plan dated June 30, 2017, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.