



## Legislation Details (With Text)

**File #:** 18-2007      **Version:** 1      **Name:** 5/6/19 -- 309 North Ashley Street Site Plan and Development Agreement  
**Type:** Resolution/Public Hearing      **Status:** Passed  
**File created:** 5/6/2019      **In control:** City Council  
**On agenda:** 5/6/2019      **Final action:** 5/6/2019  
**Enactment date:** 5/6/2019      **Enactment #:** R-19-217

**Title:** Resolution to Approve 309 North Ashley Street Site Plan and Development Agreement, (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. November 7, 2018 Planning Staff Report, 2. Brownfield Conditions And Activities Summary.pdf, 3. 11-7-2018 CPC Minutes .pdf, 4. 309 N Ashley Development Agreement 11-21-18 draft.pdf

Date	Ver.	Action By	Action	Result
5/6/2019	1	City Council	Held and Closed	
5/6/2019	1	City Council	Approved	Pass

Resolution to Approve 309 North Ashley Street Site Plan and Development Agreement, (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Approval of this resolution will allow for the construction of a new five-story, 39,080-square foot residential building providing between 17 and 25 condominium units and 34 parking spaces in a split level parking garage.

### Petition Summary:

- The site is made from four lots, two of which are vacant and two of which contain single-family homes, and has frontage on both Miller Avenue and North Ashley Street. (The site wraps around but does not include the corner lot at 202 Miller, a former auto garage and recently approved for a medical marijuana provisioning center.) It is in the D2 (Downtown Interface) zoning district, the Kerrytown Character zoning overlay district, and has a front yard street designation.
- The Site Plan proposes a 39,080-square foot, five-story residential building with two below-grade parking garages. The proposed building will provide between 17 and 25 units depending on buyer's choices (the building has been designed in such a way that the exterior will not change even if buyers choose to buy half of unit, one unit, or to combine one and one-half units). The development uses the residential premium floor area option to exceed the normal FAR limit, and has 269% FAR. Thirty four parking spaces are provided in below grade parking garages. Each parking garage level is accessed separately, one from Miller Avenue and one from North Ashley Street.
- A development agreement has been prepared to address off-site improvements that are

necessary to support the project including upsizing the water main in North Ashley Street, streetscape restoration consistent with the Street Design Manual, parkland contribution, and relocating utility poles and guy wires, as well as constructing the design and using the materials proposed.

- A brownfield plan application has been submitted for reimbursement of removal of contaminated soil, construction of auger cast piles along the property line to stabilize adjoining properties and that will be part of a vapor intrusion mitigation system, dust and track-out control, protection fencing, public utility upgrades, brick pavers, streetscapes, a green roof for storm water management, and other project-critical items described in the Brownfield Plan.

The City Planning Commission, at its meeting of November 7, 2018, recommended approval of this request.

Attachments: November 7, 2018 Planning Staff Report  
November 7, 2018 Planning Commission Minutes  
November 21, 2018 Draft Development Agreement  
Brownfield Conditions and Activities Summary  
Prepared By: Alexis DiLeo, City Planner  
Reviewed By: Brett Lenart, Planning Manager  
Derek Delacourt, Community Services Area Administrator  
Approved By: Howard S. Lazarus, City Administrator

Whereas, The 307 North Ashley, LLC has requested site plan approval in order to develop a five-story, 39,080-square foot residential building;

Whereas, A development agreement has been prepared to address water main upsizing, relocating utility poles in the right-of-way, streetscape restoration, and building architecture and materials;

Whereas, The Ann Arbor City Planning Commission, on November 7, 2018 recommended approval of the petition;

Whereas, The development would comply with the D2 (Downtown Interface), Kerrytown Character (overlay), and Front Yard Street 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 55; 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 23, 2019;

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 309 North Ashley Street Site Plan dated October 11, 2018, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.