



Legislation Details (With Text)

**File #:** 08-0195      **Version:** 1      **Name:** 3-17-08 Liberty Place Planned Project Site Plan  
**Type:** Resolution/Public Hearing      **Status:** Defeated  
**File created:** 3/17/2008      **In control:** City Council  
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**Title:** Resolution to Approve Liberty Place Condominiums Planned Project Site Plan and Development Agreement, 4.65 Acres, Northeast Corner of West Liberty Road and I-94 (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Liberty Place Minutes, 2. Liberty Place Staff Report, 3. Liberty Place Dev Agt

Date	Ver.	Action By	Action	Result
3/17/2008	1	City Council	Held and Closed	
3/17/2008	1	City Council	Approved	Fail

Resolution to Approve Liberty Place Condominiums Planned Project Site Plan and Development Agreement, 4.65 Acres, Northeast Corner of West Liberty Road and I-94 (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attached is a resolution requesting approval to construct seven two-story structures containing 63 dwelling units. The existing structure on the site will be removed. A planned project modification has been requested to allow a reduced front setback along I-94 from 37 feet to 11 feet. Benefits justifying this modification are increased setbacks and usable open space.

This property was rezoned to R4B (Multiple-Family Dwelling District) by Council on June 4, 2007. At that time, the petitioner had requested that consideration of the site plan be postponed. The petitioner has informed staff that he is now ready to proceed. No changes to the site plan have been made during this time.

A development agreement has been prepared that addresses utilities, on-site storm water management, future special assessment for Liberty Road improvements, park contribution, street tree planting escrow, landmark trees, footing drain disconnections, use of lawn care chemicals and fertilizers, 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 March 6, 2007, recommended approval of this proposal, subject to maintaining a minimum usable open space of 63 percent. Preliminary approval of the storm water management system has been obtained from the Washtenaw County Drain Commissioner’s Office. During the meeting, Commission asked the petitioner to consider the following (petitioner’s response in italics):

1. Connection of the sidewalk from Liberty Place to West Towne. This would require permission

from both property owners to the east. *The petitioner has not secured permission or an easement from the property owners to the east in order to make this sidewalk connection; however, the petitioner has indicated that he is pursuing this. The sidewalk on the Liberty Place property ends at the east property line for a future connection.*

2. Continue pursuing the pedestrian easement over the adjacent property to the north to allow residents to connect to the commercial/retail uses. *The petitioner will continue to pursue an easement in order to provide this pedestrian connection.*
3. Move mechanical equipment and any obstructions from a four-foot wide minimum continuous interior walkway running along the entry drive. *The site plan has been revised to provide a four-foot continuous sidewalk.*
4. Consider reducing the entrance drives to each garage parking area from 40 feet to 26 feet. *The petitioner was informed by the Fire Marshal that this was not possible.*
5. Consider using pervious pavers in lieu of the impervious areas leading to the garages and walkways. *The petitioner continues to research the feasibility of installing and maintaining the sidewalks with a pervious paver and the future impact it may have on the condominium association.*

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

## RESOLUTION

Whereas, Liberty Place LLC has requested site plan approval in order to construct seven two-story buildings containing 63 dwelling units at the northeast corner of West Liberty Road and I-94;

Whereas, Liberty Place LLC has also requested planned project modifications from the front setback requirements of Chapter 55 (Zoning);

Whereas, A development agreement has been prepared to address utilities, on-site storm water management, future special assessment for Liberty Road improvements, park contribution, street tree planting escrow, landmark trees, footing drain disconnections, use of lawn care chemicals and fertilizers, and elevations; and

Whereas, The Ann Arbor City Planning Commission, on March 6, 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 March 27, 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; and

RESOLVED, That City Council approve the Liberty Place Condominiums Site Plan and planned project modifications from the front setback requirements of Chapter 55, 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) maintenance of 63 percent minimum usable open space.