



Legislation Details (With Text)

**File #:** 20-1332      **Version:** 1      **Name:** 09/21/20 - 841 Broadway PUD Site Plan  
**Type:** Resolution/Public Hearing      **Status:** Passed  
**File created:** 9/21/2020      **In control:** City Council  
**On agenda:** 9/21/2020      **Final action:** 9/21/2020  
**Enactment date:** 9/21/2020      **Enactment #:** R-20-378  
**Title:** Resolution to Approve 841 Broadway PUD Site Plan and Development Agreement, 841 Broadway (CPC Recommendation: Approval - 8 Yeas and 1 Nays)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 841 Broadway Site Plan Staff Report w Attachmts 7-21-2020.pdf, 2. 841 Broadway PUD Development Agreement 7-17.pdf, 3. WLN clipping 841 Broadway Site Plan - Public Hearing Notice.pdf

| Date      | Ver. | Action By    | Action          | Result |
|-----------|------|--------------|-----------------|--------|
| 9/21/2020 | 1    | City Council | Held and Closed |        |
| 9/21/2020 | 1    | City Council | Approved        | Pass   |

Resolution to Approve 841 Broadway PUD Site Plan and Development Agreement, 841 Broadway (CPC Recommendation: Approval - 8 Yeas and 1 Nays)  
Approval of this resolution will allow for the construction of a mixed-use project containing residential, hotel, commercial and recreational amenities.

Petition Summary:

- The Site Plan proposes the development of a mixed-use project containing 96 attached residential units, parking garage, surface parking lots, 8,200 square feet of retail, 5,600 square feet of restaurant uses, 148 room hotel, and a minimum of six contiguous acres of public open space. The entire site will have a Floor Area Ratio (FAR) of 62%, compliant with the PUD regulations which allow up to 80% FAR.
- The site plan depicts the 96 dwelling units in four six-story buildings with a two-story parking deck attached. Residential units will have a maximum of three bedrooms per unit with the exception of a maximum of eight units which will be permitted to have a maximum of five bedrooms. The retail space will be divided between two detached buildings containing a total of 7,700 square feet and one smaller retail unit in two of the four residential buildings.
- Several surface parking lots are also proposed, this parking will be provided for the retail, restaurant and recreational amenities. The petitioner is proposing outdoor recreation and open space on at least six acres of the site. Recreation opportunities provided will include: ice rink, Interactive water feature, non-motorized watercraft launch area and potential canoe/kayak rental area. Any canoe/kayak rental facility will be operated at the discretion of the City of Ann Arbor. A 9,722 square foot pavilion and concession building is proposed in the

recreation area.

- Parking will be provided in a structured garage and additional surface lots at a rate of one space per 500 square feet of floor area regardless of use (residential, office or commercial). In addition to the required parking 50 additional spaces shall be provided solely for public use in support of the recreational opportunities on site.
- A minimum of six contiguous acres are required for permanent public open space according to the supplemental regulations. The site plan designates 6.09 acres for limited recreational and associated uses. In addition, only 56% of the site is covered with impervious surface, supplemental regulations permit a maximum of 60% impervious cover.
- A new traffic signal will be added to the intersection of this driveway and Broadway Street. A center turning lane will be created by adjusting lane markings with a slight adjustment of the pavement area. The structural elements of the bridge will not be modified; however the sidewalk will be shifted slightly to accommodate the new lane widths.
- Affordable housing is required as part of any residential PUD petition that includes housing density above what is permitted under the existing zoning. The formula for the required amount is listed in Chapter 55 (Unified Development Code). The current petitioner exceeds the base density by over 25%, which requires a minimum of 15% of the total units be dedicated as affordable or a contribution in lieu of units. The petitioner has elected to provide the payment in lieu of units consistent with the formula adopted by City Council resolution. The final amount will be \$ 2,057,350.
- City Council approved the PUD zoning and PUD Area Plan on July 1, 2019.
- A development agreement has been prepared to address off-site easements, affordable housing contribution, traffic mitigation, recreational amenities including possible canoe livery operation.
- The petitioner addressed issues raised by Planning Commission by increasing EV charging stations by 10 while also adding additional electrical conduit to support installation of additional charging stations as demand warrants. Petitioner clarified the natural features protection plan to ensure native plantings will be left adjacent to the river and preserved landmark trees. A detailed list was also provided to summarize the sustainable aspects of the project.

The City Planning Commission, at its meeting of July 21, 2020, recommended approval of this request.

Attachments: July 21, 2020 Planning Staff Report  
July 21, 2020 Planning Commission Minutes  
July 17, 2020 Draft Development Agreement

Prepared By: Matt Kowalski, City Planner

Reviewed By: Brett Lenart, Planning Manager  
Derek Delacourt, Community Services Area Administrator

Approved By: Tom Crawford, Interim City Administrator

Whereas, The Lower Town Partners LLC has requested site plan approval in order to develop 841

Broadway PUD Site Plan;

Whereas, A development agreement has been prepared to address utility easements, off-site emergency access, affordable housing contribution and recreation improvements;

Whereas, The Ann Arbor City Planning Commission, on July 21, 2020, recommended approval of the petition;

Whereas, The development would comply with the PUD 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 July 17, 2020;

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 841 Broadway PUD Site Plan dated August 25, 2020, upon the condition that 1) the Development Agreement is signed by all parties, and 2) all terms of the Development Agreement are satisfied.