



## Legislation Text

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**File #:** 07-1239, **Version:** 1

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Resolution to Approve 202 South Division Street PUD Site Plan and Development Agreement, 0.20 Acre (CPC Recommendation: Motion to Approve Failed - 4 Yeas and 4 Nays)

Attached is a resolution requesting approval to construct a 62,145-square foot, nine-story, 120-room hotel building. As contained in the PUD supplemental regulations, the petitioner has secured 70 unrestricted parking permits in the Liberty Square parking deck and an additional 50 parking permits restricted to use between 3:30 p.m. and 9:30 a.m. This proposal replaces the Metro 202 planned project site plan approved by City Council in 2006.

A development agreement has been prepared that addresses public and private utilities, on-site storm water management, footing drain disconnections, parking, video or other documentation of foundation elements for those within 300 feet of the subject property, noise, 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 November 1, 2007, recommended denial of this rezoning (four yeas and four nays). As indicated in the attached Planning Commission minutes, concerns expressed about the proposal involved compliance with the PUD standards, the benefits provided as part of the PUD, historic properties, and traffic.

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, First ADT, LLC, has requested site plan approval in order to construct a 62,145-square foot, nine-story, 120-room hotel building at 202 South Division Street;

Whereas, A development agreement has been prepared to address public and private utilities, on-site storm water management, footing drain disconnections, parking, video or other documentation of foundation elements for those within 300 feet of the subject property, noise, and elevations.

Whereas, The Ann Arbor City Planning Commission, on November 1, 2007, reviewed 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 January 9, 2008;

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 202 South Division Street PUD Site Plan, upon the conditions that (1) the Development Agreement is signed by all necessary parties and (2) all terms of the Development Agreement are satisfied.