



Legislation Text

File #: 10-0048, **Version:** 1

Resolution to Approve Plymouth Green Crossings PUD Amended Development Agreement, 3391 Plymouth Road

Attached is a resolution to approve the Amendment to the Plymouth Green Crossings PUD Development Agreement. The development agreement will amend the payment schedule for the affordable housing contribution. Approval of this resolution will extend the payment period until December 31, 2012.

Background Information

The Plymouth Green Crossings PUD was approved in 2005. The project included residential units, which were not permitted by the previous zoning district (Research). As required in Chapter 55 (Zoning), PUD's which propose residential units in excess of what is allowed under the previous zoning district are required to provide affordable housing units or a payment in lieu of providing these units on-site. The petitioner agreed to make a \$315,000 payment to the Affordable Housing Trust Fund in lieu of providing 5.25 on-site units. In 2008, the petitioner proposed amending the original development agreement to allow the affordable housing contribution to be paid incrementally instead of in a lump sum. Council approved this amendment.

The petitioner had originally designed and marketed the residential units on the site for condominiums. Construction began as Pfizer announced it was leaving Ann Arbor and the strength of the region's economy began to decline. After months of unsuccessfully attempting to sell condominium units, the petitioner decided to begin leasing them. The inability to sell the units reduced the petitioner's cash flow and the ability to pay the affordable housing contribution. The petitioner has paid \$60,000 to date.

Staff Recommendation

The proposed amendment to the Plymouth-Green Crossings development agreement spreads payments over the next three years. The Office of Community Development has indicated support for the proposed payment schedule. Staff recognizes the unique economic constraints facing development in Ann Arbor and Southeast Michigan.

Attachments: Draft Development Agreement

Prepared by: Jeff Kahan, City Planner

Reviewed by: Wendy L. Rampson, Interim Planning & Development Services Manager, Jayne Miller, Community Services Administrator

Whereas, The petitioner, Gateway Ann Arbor LLC, has agreed to pay \$315,000.00 to the Affordable Housing Trust Fund in lieu of providing 5.25 required affordable housing units as part of the Plymouth Green Crossing development;

Whereas, The petitioner has paid \$60,000.00 into the City's Affordable Housing Trust Fund to date;

Whereas, The petitioner has requested that payments be revised due to current economic conditions;

Whereas, the Office of Community Development supports the proposed amendment that extends the payment period to December 31, 2012; and

Whereas, The proposed development agreement states that if the balance is not paid by December 31, 2012, the owner of each residential unit on the property shall pay a pro-rata share of the balance of the contribution, or the City may collect the balance as a single tax parcel assessment of each unit;

RESOLVED, That City Council approve the Plymouth Green Crossings PUD Development Agreement Amendment, substantially in the form of that attached; and

RESOLVED, That the Mayor and City Clerk be 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.