



Legislation Text

File #: 14-1533, **Version:** 1

Resolution to Publish Notice of Intent to Vacate Roadway Rights in a 50-foot by 178-foot Area Fronting 2727 S. State Street **(8 Votes Required)**

On October 6, 2014, Council set this vacation petition for a public hearing to be held on November 6, 2014. To ensure adequate notice is published in a newspaper of general circulation, this resolution sets a date of December 15, 2014 for an additional public hearing and final consideration of the vacation petition.

The petitioner, MAV Development (MAVD), requests the vacation of unexercised City roadway rights to allow development of a proposed financial institution building at 2727 S. State Street.

The petitioner requests that the City vacate an approximately 50-foot wide, 178-foot long right for future roadway across 2727 South State Street. The City obtained the right to use this area for roadway in 1973 and has not exercised this right to date. This area is currently part of a parking lot belonging to the parcel at 2727 S. State Street.

In the past, the City obtained 50-foot wide rights for roadway across 2727 South State as well as other parcels along South State Street. These parcels are not contiguous and the City has no plans to obtain similar rights from other parcels or to use the existing ones.

Project Management and Systems Planning Unit staff evaluated this location and its position relative to future road improvements and determined it was farther north than a potential boulevard would expect to be constructed. Planning staff noted that the building pattern is largely fixed to the north. Vacating these roadway rights will not alter the existing S. State roadway and will make the front setback at 2727 S. State consistent with buildings on nearby parcels.

Approval of this resolution announces the City's intent to vacate its roadway rights over the described area and serves as notification that City Council will hold a public hearing on this vacation on December 15, 2014. A resolution to approve the vacation also will be scheduled and placed on the December 15, 2014 Council agenda.

The Planning Commission held a public hearing on September 3, 2014 and recommended approval of the proposed roadway rights vacation. A map indicating the area proposed for vacation is attached.

Attachments: September 3, 2014 Planning Staff Report, September 3, 2014 Planning Commission Minutes

Prepared By: Chris Cheng, City Planner

Approved By: Wendy Rampson, Planning Manager and Sumedh Bahl, Community Services Area Administrator

Whereas, There has been presented to the City of Ann Arbor a written request seeking the vacation of City roadway rights located within the MAV Development site at 2727 S. State Street, more particularly described as:

Commencing at the Southwest corner of Section 4, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, thence N01°53'00"W 250.00 feet along the West line of said Section; thence N87°09'00"E 51.25 feet; thence N02°03'20"W 614.05 feet along the Easterly right-of-way line of South State Street to the POINT OF BEGINNING: thence continuing N02°03'20"W 178.59 feet along said right-of-way line; thence N87°01'00"E 51.15 feet; thence S01°53'00"E 178.60 feet; thence S87°01'00"W 50.61 feet to the Point of Beginning. Being a part of the Southwest 1/4 of Section 4, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan and containing 9,086 square feet of land, more or less;

Whereas, Public Services Area staff have determined that the area of the requested vacation is not required for public access or utilities;

Whereas, The Planning Commission held a public hearing on September 3, 2014 and recommended approval of the vacation; and

Whereas, On October 6, 2014, Council set this vacation petition for a public hearing to be held on November 6, 2014, however to ensure adequate notice is published in a newspaper of general circulation, Council wishes to set an additional public hearing;

RESOLVED, That City Council appoints December 15, 2014 at 7:00 p.m. at 220 N. Main, Washtenaw County Board of Commissioners Board Room, Ann Arbor, Michigan, as the time and place City Council will meet to hear objections to this proposed vacation of roadway rights;

RESOLVED, That notice of such meeting, including a copy of this resolution, shall be published not less than four weeks before the time appointed for such meeting in a newspaper of general circulation in the City; and

RESOLVED, That objections to this proposed vacation may be filed with the City Clerk in writing and that all persons wishing to address this proposed vacation will be heard by the City Council at the public hearing noticed in this resolution.