



## Legislation Details (With Text)

**File #:** 22-1988      **Version:** 1      **Name:** 1/23/23 - Resolution to Approve First Amendment to 841 Broadway Development Agreement  
**Type:** Resolution      **Status:** Passed  
**File created:** 1/23/2023      **In control:** City Council  
**On agenda:** 1/23/2023      **Final action:** 1/23/2023  
**Enactment date:** 1/23/2023      **Enactment #:** R-23-024

**Title:** Resolution to Approve First Amendment to 841 Broadway Development Agreement

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 841 Broadway DA - form as approved by City Council - 7-21-20.pdf, 2. 841 Broadway - First Amendment to Development Agreement.pdf

Date	Ver.	Action By	Action	Result
1/23/2023	1	City Council	Approved	Pass

### Resolution to Approve First Amendment to 841 Broadway Development Agreement

Approval of this resolution will amend the Development Agreement to allow for the construction of the required affordable housing contribution as either units on-site or payment in lieu (the originally approved development agreement only provided for payment in lieu). In addition, revisions permit the developer to construct required infrastructure improvements subject to City approvals. No other changes are proposed.

### Petition Summary:

- Proposed modifications allow petitioner to construct a minimum of 15 affordable housing units (15% of 96 proposed units) on-site instead of the payment in lieu option.
- Developer will now construct required infrastructure improvements to the Broadway Bridge according to City requirements and under review of City staff.
- City Council approved the PUD zoning and PUD Area Plan on July 1, 2019.
- City Council approved the PUD Site Plan and original development agreement on July 21, 2020

**Attachments:** Development Agreement form as approved by City Council July 21, 2020

**Prepared by:** Matt Kowalski, City Planner

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

**Approved by:** Milton Dohoney Jr., City Administrator

Whereas, The Developer has received site plan approval for certain land in the City of Ann Arbor, described below and site planned as 841 Broadway;

Whereas, The Developer requests amendment to the Development Agreement to allow the construction of affordable housing units on site;

Whereas, The Developer requests amendment to the Development Agreement to allow the construction of all required infrastructure improvements by the Developer; and

Whereas, The City and Developer have agreed in principle to the attached amendment;

RESOLVED, That City Council approves this first amendment to the 841 Broadway Development Agreement approved by City Council on July 21, 2020, substantially in the form attached; and

RESOLVED, That the Mayor and City Clerk are authorized and directed to sign the amendment after approval as to substance by the City Administrator and approval as to form by the City Attorney.