Legislation Text

File #: 25-1298, **Version:** 1

Resolution to Approve Amendment #1 For the Broadway Park Redevelopment Brownfield Plan
The proposed resolution would approve the first amendment to the Broadway Redevelopment Brownfield Plan for the property located at 841 Broadway. This Brownfield Plan was originally approved by the City of Ann Arbor on July 1, 2019, and received final approval by Washtenaw County on August 7, 2019. This proposed amendment does not increase the total reimbursement amount. The purpose of the amendment is to accomplish the following:

Activity Updates:
Update eligible activity categories to more accurately reflect site conditions and developer incurred expenses with the exclusion of activities American Rescue Plan Act (ARPA) funds were utilized for. The attached amendment moves $3,128,499.00 in eligible activities from Environmental to Non-Environmental categories. While the $20 Million earmark funding supported public recreation costs, increased costs have resulted in remaining levels of TIF funding in this brownfield plan amendment, including the addition of EGLE and Michigan Strategic Fund (MSF) interest. Part of this shift relies upon an additional $501,000.00 in EGLE funding for environmental activities, which is currently under consideration.

Capture Period:
Update the capture period to reflect experienced project delays from 12 to 14 years. The total estimated duration of reimbursement remains at 10 years, but this updated capture period accommodates project delays at the beginning.

City staff are supportive of the proposed amendment.

Attachments: April 28, 2025 - First Amendment to Broadway Park Redevelopment Brownfield Plan
Washtenaw County Brownfield Redevelopment Authority Staff Report

Prepared by: Brett Lenart, Planning Manager
Reviewed by: Derek Delacourt, Community Services Area Administrator
Marti Praschan, Chief Financial Officer
Approved by: Milton Dohoney Jr., City Administrator

Whereas, Lowertown Partners LLC has requested approval of the Amended Broadway Park Redevelopment Brownfield Plan in order to pursue tax increment financing through the Washtenaw County Brownfield Redevelopment Authority;

Whereas, The Washtenaw County Board of Commissioners established the Washtenaw County Brownfield Redevelopment Authority (WCBRA), which facilitates the implementation of plans relating to the identification and treatment of environmentally- distressed areas within the County of Washtenaw, pursuant and in accordance with provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the 1996 of the Public Acts of Michigan, as amended (the “ACT”);

Whereas The ACT requires explicit consent of each local unit of government included in the Authority, which the City of Ann Arbor joined by resolution R-35-1-02;

Whereas, The property included in the Plan was determined to be a Facility, as required by Act 381;

Whereas, Any reimbursement by the WCBRA based on an approved Brownfield Plan is for actual eligible expenses only;

Whereas, The burden is on the development to building the project and pay taxes in order for tax capture and reimbursement to occur;

Whereas, The City is not liable for any costs associated with the project if the project is not built or if it fails to achieve the estimated taxable value;

Whereas, It is understood that neither the initiation of the review process by the WCBRA for development of the Brownfield Plan nor the recommendation of the Brownfield Plan to WCBRA by the City is a guarantee that it will be approved by the Washtenaw County Board of Commissioners, EGLE, MSF, or that financial incentives will be obtained;

Whereas, The City of Ann Arbor previously approved a Brownfield Plan for the project on July 7, 2019; and

Whereas, The City Council held a public hearing on July 21, 2025 to receive public comment on the Amended Brownfield Plan;

RESOLVED, That City Council approve Amendment #1 to the Broadway Park Redevelopment Brownfield Plan submitted to the City and dated April 28, 2025;

RESOLVED, That the City Clerk be directed to submit a copy of this Resolution to the Washtenaw County Board of Commissioners as documentation of the City’s consideration and concurrence of the Brownfield Plan; and

RESOLVED, That any substantial changes to the Brownfield Plan after the date of this Resolution will require approval by City Council.

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