

## PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of October 4, 2011

**SUBJECT: The Varsity Ann Arbor Planned Project Site Plan  
(425 East Washington Street)  
Project No. SP11-023**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Varsity Planned Project Site Plan and Development Agreement.

### **STAFF RECOMMENDATION**

Staff recommends that the petition be **approved** because the contemplated development would comply with all applicable state, local and federal law, ordinances, standards and regulations; the development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; the development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare.

Staff recommends the planned project modifications be **approved** because the modifications will enable an arrangement of buildings that provides a public benefit as well as satisfying all other criteria for approval.

### **STAFF REPORT**

This petition was tabled at the September 20, 2011 Planning Commission meeting.

Revisions to Proposed Plan – The proposed site plan remains almost unchanged from the development presented on September 20, 2011: a 13-story, 177,180-square foot apartment building (695% FAR) containing 181 dwelling units (415 bedrooms) and 70 vehicle parking spaces underground, 2 shared-vehicle parking spaces on the adjacent property, 121 bicycle parking spaces, plazas on the north and south sides of the building and a walkway along the length of the east side of the site. Planned project modifications continue to be requested to increase the percentage of building frontage that is set back farther than the maximum setback line on the south side.

The walkway has been slightly narrowed so that all improvements associated with it are contained on the subject site and do not include the First Baptist Church property. Walkway lighting will now be building-mounted fixtures instead of poles along the east side of the path. Decorative pillars at both ends of the walkway, previously proposed on the east side of the path and on the First Baptist Church property, have been removed from the proposed site plan. Those improvements on the First Baptist Church property, which is in a historic district, would have required approval from the Historic District Commission. The petitioner can, at any time in the future, seek HDC approval and install such lighting and pillars if desired.

Two minor changes to the proposed architecture have been made, consolidating windows in the middle of the north façade and eliminating windows at the ground floor on the west facade. No

changes have been proposed to the streetwalls on East Huron Street or East Washington Street. No changes have been made to the number or location of proposed driveways. No changes are proposed regarding use – retail space is not currently proposed, however, there is nothing that would preclude providing retail uses if and when desired in the future.

Planned Project Modifications – In the days just after the September 20, 2011 Planning Commission meeting, the petitioner expressed concern about their planned project modification request and considered alternative designs to the proposed layout that would eliminate the need for such modifications, ranging from reconfiguring the south front lot line to reducing the size of the plaza to 20% of the lot frontage. Staff suggested the petitioners continue to include the large south plaza as originally proposed in their design and follow through with their planned project modification request. The suggestion to do so was based on the fact that redesigning the project would require major plan revisions, preparation of legal descriptions, survey drawings, easements and agreements. It would also mean that a second property, the First Baptist Church, would be involved in the project, and the petition application would need to be reviewed to determine if any standards or requirements would be applicable when two properties and two property owners are involved.

Continuing to seek modifications through a planned project is a well-established option with a clearly defined procedure. The intent of planned project is to provide flexibility in the placement and interrelationship of buildings when a code modification will result in a beneficial arrangement of buildings and open space. In this case, the proposed plaza will provide a benefit to the entire area, and has been strongly supported by the adjacent property owner and the State Street Association. Enlarging the lobby so that it is within 10 feet of the front property line would only serve the developer and the residents of the building. With the planned project modifications, the site plan does not need to be revised and the petition can stay with its original timeline. Retail uses on the ground floor may still be possible when there is a stronger retail market in the area with minor renovations to the common areas within the building and adding some doors off the plaza.

Solid Waste Plan and Curb Cut Dimension – Several different layouts for storage (and collection) of the development's solid waste and recycling have been proposed during the review process. The width of the proposed curb cut on East Washington Street has consequently varied, and at times has been too wide or too narrow depending on whether it included the service alley adjacent to the entrance of the parking garage or not. The proposed plan now calls for solid waste to be collected in dumpsters, as required by code, which will be on wheels and manually moved to the curb for collection. The proposed curb cut will only serve the entrance to the parking garage and is within the size allowed by code. The outstanding issues raised by Systems Planning staff have been resolved.

Development Agreement – The draft development agreement for this petition has been completed as is attached for reference. In addition to standard issues, the agreement addresses permanent easements and enforcement procedures for the off-site shared-use vehicle parking, documentation of LEED Energy & Atmosphere points, and plaza amenities in lieu of a parkland contribution.

Plan Corrections and Preliminary Approval from Water Resources Commissioner – Corrections to the grading plan sheet and the landscape plans sheet requested by staff have been made. Preliminary plan approval for the storm water management system has been granted by the Washtenaw County Water Resources Commissioner's office.

Pedestrian Counts – Older data on file with the City indicates that 40 pedestrians and 1700 vehicles travel east-west on or along this block of East Huron Street in a peak hour.

Prepared by Alexis DiLeo  
Reviewed by Wendy Rampson  
9/30/11

Attachments: Revised Landscape Plan  
Revised Building Elevations  
Perspective Renderings  
9/28/11 Draft Development Agreement with Exhibits  
9/20/11 Staff Report

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Systems Planning  
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