



## Legislation Text

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**File #:** 13-0534, **Version:** 1

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### Resolution to Approve the First Amendment to The Varsity of Ann Arbor Development Agreement, 425 East Washington Street

Attached is a resolution to approve the First Amendment to The Varsity of Ann Arbor Development Agreement. Approval of this resolution will change one paragraph, P-11, addressing required parking. Use of a car sharing service for a small portion of the required off-street parking for this multiple-family structure was originally proposed and approved. In the time since the development agreement was finalized, the petitioner has decided instead to provide remaining required-off-street parking that does not fit in their underground parking garage through the Contribution in Lieu process. One parking garage space was lost due to a re-design of the foundation to accommodate mechanical units, resulting in a total of 69-parking garage spaces. The proposed amendment commits the petitioner to purchasing 7 monthly parking permits in the Liberty Square parking structure (or as otherwise assigned by the DDA) to complete the off-street parking requirement for 76 vehicular spaces.

#### Petition Summary:

- The Varsity of Ann Arbor Planned Project Site Plan and Development Agreement were approved on November 10, 2011 for a 13-story, 177,180-square foot apartment building containing 181 dwelling units (415 bedrooms) and 78 off-street vehicle parking spaces. A minimum of 76 off-street parking spaces were required.
- The off-street vehicle parking space plan included a two-level garage underneath the building for 70 vehicles and 2 surface parking spaces on the adjacent site, also owned by the petitioner, dedicated for a car sharing service, counting as 4 vehicle parking spaces each (8 total).
- The petitioner was unable to come to an agreement with a car sharing service. Further, one parking space was eliminated in the underground garage. They are seeking to revise their off-street vehicle parking space plan to switch the 2 surface parking spaces on the adjacent site from being reserved for a car sharing service to 69 spaces in their parking garage and 7 spaces in the public parking system. On June 5, 2013 the DDA approved a resolution to support a parking contract to provide the 7 spaces in the Liberty Square public parking structure. This revised plan will provide 76 off-street parking spaces, the minimum number required to support the premium floor area included in the approved development.

Attachments: Proposed Resolution, 5/3/2013 Draft Development Agreement First Amendment, 11/10/11 Approved Development Agreement

Prepared By: Alexis DiLeo, City Planner

Reviewed By: Wendy L. Rampson, Planning Manager and Sumedh Bahl, Community Services Area Administrator

Whereas, The CS Potomac Holdings, LLC received requested site plan approval in order to develop The Varsity Ann Arbor Planned Project Site Plan;

Whereas, The approved site plan included dedicating two off-street vehicle parking spaces for a car sharing service as part of its off-street parking requirement, and Paragraph P-11 of the approved development agreement addressed logistical details to implementing the car sharing service;

Whereas, The petitioner was not able to come to an agreement with any car sharing service for use of those dedicated spaces and thus is required to provide for the minimum number of off-street vehicle parking spaces in another manner;

Whereas, City Code allows required off-street parking in the D1 zoning district to be provided on-site, off-site, or by payment of a contribution in lieu of required parking consistent with the formula adopted by City Council, or any combination thereof;

Whereas, City Council adopted a policy for contributions in lieu of required parking on April 2, 2012 that includes monthly parking permits in the City of Ann Arbor parking system;

Whereas, City Council has determined that adequate parking for this development is available in the City of Ann Arbor Parking System to satisfy the City's Policy for Contributions in Lieu of Required Parking and this parking arrangement is in the best interest of the downtown; and

Whereas, the Downtown Development Authority approved a total of seven parking spaces in the Liberty Square parking structure for The Varsity on June 5, 2013;

RESOLVED, That City Council approve the First Amendment to The Varsity of Ann Arbor Development Agreement, substantially in the form of that attached, dated May 3, 2013; and

RESOLVED, That the Mayor and City Clerk are 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.