

COUNCIL ACTION FORM

SUBJECT: REMOTE PARKING AGREEMENT FOR 111 LYNN AVENUE

BACKGROUND:

Gilbane Development Company intends to construct a new building at 111 Lynn Avenue adjacent to the existing University Towers building on the same site. The new building will be located west of the existing apartment building and displace existing surface and garage parking required for the University Towers apartments. The displacement of parking would be temporary until new parking is built. To allow removal of the existing parking and continued use of the existing apartments, Gilbane has arranged to lease required parking in the parking structure of the Legacy building at 119 Stanton for 13 months. Gilbane requests City Council approval of this remote parking as per Ames *Municipal Code* Section 29.406 (18). (See Attachment A Location Map).

The existing University Towers building is a mixed-use building with some ground floor commercial and 89 apartment units. Parking is required at a rate of 1 space per apartment unit and no parking is required for commercial uses in the CSC zoning district. Gilbane will also renovate the existing apartment building and increase the number of bedrooms and decrease the units during the next year to 82 units. However, to accommodate renovation activities it has been reducing the number of leased apartments for the upcoming year. The parking structure on the south side of the existing building will remain throughout the development process, providing at least 8 spaces within the structure to meet the needs of the current tenants. **Gilbane proposes to lease 80 remote parking spaces although the minimum required is only 56 spaces to meet the City's standards.**

Ames *Municipal Code* Section 29.406(18) allows for remote parking to satisfy required parking needed in the CSC zoning district, subject to City Council approval. It requires that parking be within 300 feet of the subject site and a written agreement be signed that provides for the required amount of parking for the principal use. The proposed remote parking is within the Legacy Building, which is 250 feet from the 111 Lynn property. The 208 parking spaces in the Legacy project exceed the minimum code requirement of 96 required parking spaces for the dwelling units in that building. City records show no other remote parking agreements that commit any of these extra spaces to other buildings. Therefore, parking is available at the Legacy for lease to Gilbane. Gilbane has provided two signed leases documenting that it has secured 56 parking spaces in the Legacy building for July 2015 and 80 spaces in the Legacy building from August 1, 2015 through July 2016.

Because the shortage of required parking for University Tower is temporary, the Applicant proposes a departure from the City's typical requirement to provide remote parking in perpetuity for a proposed use. Typically, the City utilizes a parking easement

as the means of ensuring adequate parking spaces are accommodated at an offsite location. Although the terms of the lease commit the parking spaces for the use of the owners of 111 Lynn through July 2016, these terms are different from other remote parking agreements in that this use is not in perpetuity. When the lease expires, there will be no ongoing restriction on use of the parking spaces at the Legacy. **Staff believes the evidence of the signed lease for temporary parking adequately meets the requirements of the Remote Parking standards without recording an easement that would need to be undone in one year.**

ALTERNATIVES:

1. The City Council can approve the attached Campustown Non-Resident Parking Agreement as the remote parking agreement to provide required parking for the apartment units to remain at 111 Lynn Ave through July 2016.
2. The City Council can deny the attached Campustown Non-Resident Parking Agreement as the remote parking agreement to provide required parking for the apartment units to remain at 111 Lynn Ave through July 2016.
3. The City Council can refer this item to staff or the applicant for further information.

MANAGER'S RECOMMENDED ACTION:

The applicant has worked with staff for several months on various issues inherent in developing a new building on an existing site while other buildings nearby are occupied. Regardless of whether the University Tower is renovated, the new infill parking will temporarily be displaced. It is not financially feasible to have an existing building with 89 units to sit empty for more than a year and still encourage redevelopment of properties in Campustown. The applicant has disclosed to both its existing tenants and its future tenants the parking situation for the next year.

The completed project will increase the efficiency of the use of land in this central location, which is the city's land use policy and provide new and renovated living spaces for future residents. This creative solution to use spaces in a nearby parking structure meets the City's requirement for remote parking. **Therefore, it is the recommendation of the City Manager that City Council approve Alternative #1, thereby approving the attached Campustown Non-Resident Parking Agreement as the remote parking agreement to provide required parking for the apartment units to remain at 111 Lynn Ave through July 2016.**

If at the end of the lease in July 2016 the required on-site parking spaces are not available at 111 Lynn Avenue, occupancy of the apartments will not be permitted.

ATTACHMENT A Location Map



LOCATION MAP 111 Lynn Ave.

