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Dated: September 23, 2021

A handwritten signature in black ink, appearing to read "Shane Mirkovich", written over a horizontal line.

Shane Mirkovich, General Manager
For Net Transcripts, Inc.

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DESIGN REVIEW COMMITTEE MEETING

Q=Mike Talbot

Q1=Chris Samples

Q2=Maureen Gresham

Q3=Chad Weltzin

Q4=Doug Russell

Q5=Jenah Thornborrow

Q6=Brett Labrie

Q7=Derek Hurd

A=Jason Jones

A2=James Herbert

Q: Well first, uh, good evening and, uh, welcome to the community members and staff with, uh, City Council, Garden City Council and, uh, other members of the community. We are in the second round here of describing and submitting where Project 2, um, the last meeting we had was informative. We heard a lot of what you guys suggested and, uh, as well and they community. They, uh, had some good suggestions. Our task was to move it back and see what we could do with that. Um, some of them were some pretty daunting tasks. Um, some that we were not sure we could achieve in both economically or structurally from design, but I am very excited that we were I think here today to present to you a complete response to almost every concern if not all the - that was, uh, directed to us in the last meeting. Um, (unintelligible) architects are here and the line worker here to specifically respond or answer any questions specifically. My little task will be to basically try and critique what we've heard, uh, and then what we've done in larger 30,000-foot level of - to address those issues. Um, in - in no particular order or importance, uh, I'd like to just go ahead and start announcing what we've got here. The first was massing the project. There was concerns of massing of the project within the community and for that we have done other things to affect really which is mostly the 406 Building 'cause we're movin' in the neighborhood and a few community members are here that live by that property. Um, so to address the massing, we - it was coupled with both the parking condition and the concern that it was deemed a public parking facility, which it was not. It was just probably prop- improper use of terms of the first application. The parking within that building is solely for the residents of this mixed-use project. Um, what we were able to do was I think should be very pleasing because we were able to remove the entire floor - literally bring the building down one floor

46 which will move that parking underneath the boardwalk. Uh, we would
47 expand of the underground parking facility and then spread the parking
48 throughout the rest of the project. So that in itself, from a massing standpoint,
49 I believe is a huge, uh, concession. And then we are acquiring another lot on
50 the Greenbelt, which is, uh, the first, uh, parcel if you will. Here - this trailer
51 park here, the bus, the, uh, the Greenbelt, and we're gonna be requesting a
52 Cross Parking Agreement there temporarily until we finish the entire
53 development. Then coupled with the parking underneath the boardwalk, uh,
54 build out satisfies the loss of that parking that we removed from the 406
55 Building. The second thing that we've heard from you all was there was a
56 privacy for these properties and those were the three trailer parks on the east
57 side of the (unintelligible) as well as, um, the two smaller trailer parks up in
58 (unintelligible) to the Greenbelt and I believe our Committee member will
59 agree that indicating your concern of timing and (unintelligible) will build on
60 it, and then you don't know how long it would take. So by acquiring that
61 parcel we are now indicating the timing is now so we are going to be, uh,
62 posting contract along next door. We'll just have some family issues basically
63 with our - we are their buyer - they just need some time to get their stuff in
64 order and therefore those two parcels will then be involved with our large
65 mixed use. The Blue River part of trailer park I believe she wrote a letter into
66 you folks and debated she was pleased with what we're doing and was excited
67 for the change in the neighborhood, but I don't think we have an issue with
68 the east side, uh, of the boardwalk in that area off of 40th. Uh, going forward,
69 um, that pretty much was addressing privacy issues with the east side and
70 parking. We feel that this coupled with some other landscape stuff that we're
71 gonna talk about in a minute continues to provide the privacy on that. The
72 privacy on the south side of 406 Building which is this building here which is
73 where really, we've had most if not all our comments. Um, the first thing that
74 helps that - the - the development on the other side is that we can produce a
75 floor level (unintelligible). The second thing is we have moved the curb cut.
76 It's on 40th Street and as the old plan used to have a curb cut right there on
77 40th and pulled into the parking facility and that is now removed and if you
78 can see - can you get that up there? (Unintelligible) This is the new elevation
79 of that facility where is now is nice and landscaped screen, additional trees for
80 the new building and we were able to move the building back another - I think
81 it was, uh, uh, two and - two and half to, uh, seven and a half feet which
82 allowed us to keep the, uh, which allowed us to keep the - the, uh, fire lane as
83 well as put some vegetation here and trees - an additional set of trees to
84 provide privacy. Ten to keep in mind that we've dropped the floor, we've
85 removed the curb cut and now come on property - if you look at this - we now
86 come on the property to go into the facility for the parking. So there's no
87 longer any kind of appearance or - or concern and looked like or felt like it
88 was up level parking facility. Um, now the continuous landscape - left it along
89 the south edge with three times the number of trees (unintelligible) providing
90 additional screen. Um, we allocated 75 apartment stalls that will be in that

91 building and again over to the boardwalk apartment building itself
92 underground. Uh, we've eliminated new windows from the south facing
93 bedrooms so up the top here we have this building does now step back five
94 feet from the top floor so you can step back through here and these windows
95 are high ventilated windows so that there's more way to indeed look down
96 into someone's apartment here or, um, a backyard or your home. And if you
97 look at (unintelligible) schedule or the listing for the actual view - the line of
98 sight - can you pull it?
99

100 Q3: Yeah.

101
102 Q: We wanna show you that - that the level now of, um, residential level - there it
103 is - we now provide for the privacy. These guys are actually not able to see
104 down into this property. With the additional setback we did on the east over by
105 the 406 - we're now almost eight times the acquired setback for that property.
106 So coupled with all that I think - and it is our opinion that we think we've
107 really done a great job with trying to provide the privacy to other neighbors.
108 Talked about the public parking which seemed to be a concern, but the city
109 would like this as a public parking. We - we'd like it as well. It will help the
110 businesses, the retail and the restaurant and it definitely would be nice to those
111 people that have access to their clients and the quicker and easier access than
112 driving or walking a couple blocks away. So eventually, um, for now that
113 cross parking would be over there on the Greenbelt to provide access to the
114 ro- the retail section of the boardwalk itself - the retail, uh, on the boardwalk
115 building. So if - I'll provide the additional tree vegetation screening. We've
116 removed the curb cut. We've dropped an entire floor and we've now moved
117 all the 75 of those cars will no longer access off of 40th so the traffic pattern
118 will be lighter as well. Um, we've addressed what I believe was a concern of
119 timing with the development which include when's that gonna happen? We
120 know it will happen but could take years.

121
122 Man: (Unintelligible)

123
124 Q: Um, we submitted a parking plan to - to, uh, staff basically with what we think
125 we need and we're providing 20 parking spaces over and above the - the
126 required or what we think brought the count of parking spots for property are
127 and we would like to dedicate that for the public use to accommodate the
128 request from the city. Um, those are the things I think we've heard from - by
129 this i-, uh, the committee or the residents and I think we've done a pretty darn
130 good job in knockin' all of 'em out and addressing them. Uh, at that - this
131 point, I'd like to open up for questions and obviously the architects and, uh,
132 the engineers here if you have any specific questions.

133
134 Q5: Thank you. Any questions for the applicants?
135

- 136 Q2: I have one question. You're proposing to, um, uh, take away some of 41st
137 Street from public right of way? Where is that line?
138
- 139 Q: I would let Mr. Russell, uh, respond to that. You're talkin' about the cul-de-sac
140 area?
141
- 142 Q2: Mm-hm. Yeah. Which part of 41st are you tryin' to vacate is the question?
143 (Unintelligible).
144
- 145 Q4: It's gonna be to the right. It's over here.
146
- 147 Q4: So, um, this is 41st Street between the hotel and the, uh, lower block of - and
148 the area - the right away that we are looking to vacate is down here at the end.
149 (Unintelligible) plaza, um, and provide access to the Greenbelt. Is that - am I
150 answering your question?
151
- 152 Q2: So will the cul-de-sac be public or private?
153
- 154 Q4: Um, you know, we still have to have some discussions with ACHD on that.
155 The idea is that they were - it would definitely be accessible by the public.
156 Um, we know that what we're proposing here in way of the, uh, cul-de-sac
157 and the - of the plaza and the access to the Greenbelt kinda falls outside of,
158 um, the things that ACHD typically allows within the right of way however in
159 our discussions with them, um, they're definitely open to this idea and, uh,
160 they are currently reviewing these, uh, plans as well and they're gonna be
161 providing us, uh, feedback through their staff report. Generally speaking, they
162 have indicated this is going to be doable, but they needed to see the details of
163 it and, um, but to answer your question it will be accessible by the public. It
164 will be the official turnaround in 41st Street and it will provide access to the
165 Greenbelt. And, uh, at some point in time, at some point in time, after we get
166 it sorted out with ACHD, we'll be writing some legal descriptions on the
167 portion of right of way (unintelligible) and detailed out it will get better at that
168 point.
169
- 170 Q2: Thank you.
171
- 172 Q5: Any other questions to the applicant? Thank you, staff.
173
- 174 Q1: Uh, Chris Samples, staff of Garden City, representing the staff report
175 DSRFY2019-25.
176
- 177 Q2: Mm-hm.
178
- 179 Q1: Uh, this matter has been continued from the December 2, 2019, hearing, um,
180 to offer additional, uh, time for revisions and, um, to address comments from

181 the public and, uh, from the Design Review Committee. Uh, late exhibits, um,
182 we did receive some public (unintelligible) that is located, um, on your iPads.
183 A copy has been provided to the applicant. Um, so just quick stats on the, um,
184 on the development. Um, the number of potential units hasn't changed. Um,
185 the square footage is - I don't have the previous square footages up on the
186 screen immediately but there has been some minor adjustments to them. Uh,
187 and parking, um, as the applicant had mentioned, um, they're proposing now
188 44 spaces by cross parking located along the Greenbelt and, uh, bicycle
189 parking, um, is roughly the same. Um, comments on the revisions, um, we do
190 know that the building, um - the 406 Building on the south side of the
191 development has been revised and shifted further away from the, um, south
192 property line. Um, the first two floors do not have windows, um, it's the
193 parking garage. The upper floors, um, do have a few windows but the top is
194 way - way back. Um, and then the - as the applicant mentioned the s- third and
195 fourth is kind of hiding windows. Um, initially, I thought they were new
196 windows but they're not. Um, sidewalks - detached sidewalks are required by
197 (unintelligible) applied for by the applicant. The applicant has shown attached
198 sidewalks in his type plans. That is something that I think we would need to
199 address with you. Um, there has been some talk of - of whether rezone is
200 required or not. And so, just to be clear, the portion of our agreed property is
201 located over the 406 Building on the south side and the i- hear the identified
202 use is, uh, multifamily which is an allowed use in that zone. Now, um, a
203 rezoning, um, based in staff opinion, sh- probably could not be automatically,
204 um, accomplished through wild land adjustment as mentioned in the
205 application. Some of the - the state code had very specific provisions...

206
207 Man: Mm-hm.

208
209 Q1: ...about rezoning is to take place as well as Garden City code. Um, it's just
210 that a rezone in this case may not be met - possibly necessary solely because
211 the - there's not a change in use there that would trigger rezone. For example,
212 under conditional use. Now, there is some - in those public comments you
213 received, there is some dispute to that. Um, and I'll talk about that in a
214 moment. It had to do with parking. Um, cross parking is allowed under
215 Garden City Code 8-4 and E-, uh, 6. Um, through Cross Parking Agreements
216 with Adjoined Properties and, uh, parking facility is prohibited in the R-3
217 Zone. So I'll touch a little bit on - on that. Um, this goes back to the slide from
218 the previous, um, from the December presentation that is worth bringing up
219 again. So to actually determine parking Garden City Code 8-4D and Parking
220 Analysis for the specific members as far as parking spaces for mixed-used
221 development. The planning official may set determination through the
222 administrative process. The administrative process is the, um, building permits
223 and Certificate of Occupancy so as the building is constructed, and use is
224 identified that's when a parking analysis takes place. Typically, during the
225 designing phase, the tenants aren't usually specifically identified. We don't

226 know enough about a tenant to make that analysis. Um, during the Conditional
227 Use Permit process say for the hotel for example, um, the timings of these
228 conditions can set parking requirements and also can hear appeals of parking
229 official parking determinations. So for regarding the parking facility on use -
230 so the definition of parking facility specifically talks about service space-
231 service lot and parking garage.

232
233 Man: Mm-hm.

234
235 Q1: So with any development on a single property or having multiple properties
236 with Cross Access Agreements, um, it's just my opinion that so long has -
237 we're not offering that to the public. Say this is a parking garage for someone
238 to pay and use for example. Then you're not offering a parking facility. You
239 are providing parking for the development. Garden City Code 8-4D is, um,
240 silent about - at least internally about where that parking should be. Um, you
241 can certainly have cross parking exterior to that within a quarter mile as long
242 as that is a walkable - reasonably walkable distance so your sidewalks or
243 pedestrian pathways that can get you to the property then you can certainly do
244 cross parking. Um, so you get into this kind of (unintelligible) about whether
245 some of these are parking facilities or not isn't gonna be a good use of - my
246 professional opinion goes down to whether you're actually A - offering it to
247 the public specifically for purposes not onsite and B - I think if you're
248 charging a fee for it then clearly, you're - you're providing a parking service
249 with a parking facility. Uh, finally for the public and committee reference
250 (unintelligible) I do have the Zoning Exhibits easily available - the site plans,
251 fire access, the determined entry points, landscape plans as well as all of the
252 (unintelligible) throughout so if you grab the sheet that needs to be referenced,
253 I can pull those up, uh, quickly on to the PowerPoint. And with that, um, I
254 stand for any questions. Thank you.

255
256 Q5: Um, thank you Mr. Samples. Uh, your staff report had indicated, uh, that the
257 sidewalk is attached, um, but there's not, uh, a waiver requested?

258
259 Q1: I didn't see one in the application materials, but that is something that the
260 applicant can address in their rebuttal (unintelligible).

261
262 Q5: Thank you. Are there any other questions to staff? Thank you.

263
264 Q1: Thank you.

265
266 Q5: Um, with that we'll open it up, uh, for public testimony. Uh, before I start, um,
267 can you put a sign-up sheet, uh, with e-mail addresses from anybody that
268 wishes to be an interested party?

269
270 Q1: Yeah. I can do that right now with that. Mm-hm.

271
272 Q2: Mm-hm.
273
274 Q1: Mm-hm.
275
276 Q5: Uh, Mr. Sample will be putting up - out a signup sheet, uh, just if you're in-,
277 um, if you wish to be, uh, an interested party in any further actions that is
278 noticed on this application. We'll send you an e-mail. Uh, so if you wish to get
279 further notification of any further action, uh, please do sign up. Um, and
280 before I open it up to public testimony, uh, uh, the first I have is somebody not
281 wishing to testify. Uh, Pryce Robinson, uh, indicates that they support the
282 application. Um, Jason Jones, uh, u- indicates that, uh, he would like to testify.
283 Um, um, please come up and, uh, please do try to limit your testimony to three
284 minutes unless, um, you're a spokesperson.
285
286 A: Thank you. Uh, Jason Jones 208 E. 33rd Street Garden City. Uh - uh,
287 (unintelligible) on there. Um, so I honestly - I actually like the idea of the
288 hotel a lot. Um, I think my only part of the neutrality to the project is more,
289 um, that we're losing more affordable housing in Garden City with this
290 project. So - and - and actually today (unintelligible) proposal we lose even
291 more 'cause they bought another trailer park next to it to provide more
292 parking. And so I think, um...
293
294 Q2: Mm-hm.
295
296 A: ...just to read a little section of the Comprehensive Plan. Uh, 6.3 Objective is
297 to Maintain Diversity of Housing and it says, "To continue towards more
298 opportunities and encourage mixed income housing in new developments,"
299 and so I think, you know, I'd like to see -- as part of this project -- some sort
300 of look that would try to lead the people that are being basically pushed out of
301 Garden City. Leave them a spot. Because what's gonna go in here is gonna be
302 more expensive than what's already there today, and that's being removed. So
303 I think that's my - my biggest complaint would be that. I also think that for the
304 design review one of the other things to consider is that, um, this project is
305 actually going to redefine what's normal for that area. So a lot of code speaks
306 to, um - um, I'll - I'll kind of read a little section. Um, it should complement
307 surrounding structures. That's in the prohibition section of the Non-
308 Residential Code. The idea here is that this is gonna redefine what that part of
309 the area looks like so it's definitely complimenting what's already there today.
310 It's gonna redefine that. So when they see it's approved that's gonna be the
311 new look of that area so that's kinda just what I wanna mention. Thank you.
312
313 Q5: Thank you. Um, and it looks like I may have missed something thinking that it
314 was a duplicate. Um, I believe that there is also a Piercy Robinson that, uh,
315 supports the application and does, uh, does not wish to testify. And then next

316 on the list, um, i- is Jan Joseph who opposes the application, um, but does not
317 wish to testify indicating that it's too big, there's not enough staff parking and
318 not suited for the rest of the area. And then I have a number of members that I
319 believe are wishing to dedicate their time, um, to James Herbert as a
320 spokesperson, um, and that's (Jodi Bennant), uh, (Kurn Totowa). I s- and I
321 apologize if I'm killing anybody's name...

322
323 Man: Mm-hm.

324
325 Q5: ...name and (Matthew Henderson). Uh, is that correct?

326
327 A2: Yes ma'am.

328
329 Q5: And with that, um, Mr. Herbert if you would like to come up and address the
330 board?

331
332 A2: Okay. Uh, my name is James Herbert. I live in 404, uh, East Foyer. I'm the
333 property adjacent to, uh, 406 Place and the boardwalk development. Um,
334 thank you for the opportunity to speak. Um, I'd like to thank the developer
335 and the architect for, uh, some of the changes they've taken to plan. It's
336 definitely appreciated. It's - it's comin' along guys. Um, there are a few things
337 I'd like to address. Um, do you want me to start by saying a quick few things?
338 Um, I'm - I'm for development - believe - but believe there's a difference
339 between development and responsibility, you know, and we're at the
340 beginning stages of, uh, a large amount of, um, exploited development in our
341 city and while keeping the population density high and it promotes to city
342 centers and public amenities is important - it's also important to recognize that
343 our city is still young and lacks a lot of amenities that are required to support
344 (unintelligible). Um, we're gettin' there and I look forward to positive growth
345 but can't overlook the current demographics and the population in the process.
346 Um, and all of this is very important to stick to code and not allow gray areas
347 to get exploited to bypass City ordinances. Um, it's the responsibility of the
348 comi- Committee and the developers, the public, city planners to ensure its
349 plans are approved through the correct avenues here to establish zoning
350 (unintelligible). Um, allowing gray areas in coding to be exploited and set
351 precedence for the growth of our city would be really difficult to recover
352 from. Uh, I hope the committee and the developers understand and agree that
353 proper protocol through following good efforts be made to ensure
354 developments are thoroughly evaluated to ensure, uh, our Garden City
355 approves projects that are well within current codes - zoning and are in the
356 best interest to our community, residents as a whole. Um, this next bit is in
357 regards to 406 Place particularly. Uh, again than- thank you guys for the
358 adaptations. They've really, you know, are - are making, uh, a big difference.
359 Um, we appreciate the changes with, uh, addition of, uh, uh, non-view
360 windows in the bedrooms, um, there's also an element of that that suits the

361 future ne- the needs of the future apartment residents as much as they do us.
362 You know every balcon- every unit still has a balcony - then the large rooftop
363 (unintelligible). Um, and a, uh, um, kind of a solution to that would be, you
364 know, we've asked that the railings on the balconies, uh, be solid so no metal
365 or glass so something opaque so that people sitting on there can't see us will
366 still get sunlight - certain views (unintelligible). It really allows a little bit of
367 privacy in that. Um, uh, an idea with rooftop balcony would be to have step
368 back from the parapet wall of, you know, a minimum of say, like, five feet and
369 the (unintelligible) wall be a minimum of, uh, 48 inches, uh, and the idea
370 behind that is send Chris a picture of what we could do with, like, a, uh,
371 (unintelligible) providing some sort of barrier be it, like, green plant or
372 something like that or let's have a, uh, parapet walls so that again you don't
373 lose views, you don't lose sunlight, you don't lose any of that and it provides
374 us on the ground level a level of privacy. Um, and to that note I kinda did
375 some research on standard rooftop deck codes, um, and apparently what I
376 found is standard rooftop deck code requires that new roof decks not be
377 visible from surrounding streets or public sidewalks so as not to alter the
378 character or appear- or appearance of the building or its streets. This typically
379 requires a substantial setback, the extent of which (unintelligible) of the
380 proposed deck and it's framing (unintelligible), uh, height of adjacent
381 buildings, the topography of the area, the width of the street and views from
382 the public vantage points surrounding the building. So basically, in short, the
383 deck or its inhabitants should not be visible from - from street level
384 (unintelligible) feasible way to maintain privacy without them losing views or
385 sunlight or anything like that. Keeping this very, you know - it won't affect
386 the value or the demand for an apartment - not being able to look out. Also,
387 increase the safety roof down there. Um, and I feel like those are pretty -
388 pretty minimal requests to make, um, that would have a large impact on us
389 down to the ground level. Um, few comments on parking reductions. Um,
390 requesting a res- a share of I believe 45 parking spots for the restaurant and
391 retail space, um, which I think is really only and acc- an acceptable reduction
392 if the operating hours of both of those things do not overlap. So if you're retail
393 closes at 5:00 and your restaurant doesn't open 'til 5:00, I think that is more
394 than adequate, uh, adjustment. However, if there is overlapping times, I don't
395 see how that can be a very, uh - um, easily acquired reduction. Um, did ask for
396 shared car reduction, which I think is a great idea. I think it's a wonderful
397 thing that I'd like to see moving forward in the future. Um, I found it hard to
398 be applicable because there are no ride share companies here in main
399 operation in Garden City. We don't have a (Car To Go) or anything along
400 those lines. And I feel it would be appropriate to, you know, not base parking
401 on something that we don't currently have. Um, now onto fun stuff. Uh,
402 parking facility, um, for us - it's, uh, I'd like to start with the legal definition
403 of parking facility - "Any building, structure, land, right of way, equipment or
404 facility used or useful in connection m- in connection with construction are
405 doing development, maintenance or operation of any area or building for off

406 street parking (unintelligible).” Um, just like I said according to zoning
407 provisions, uh, a parking facility is not a reliable use on an R3 property. Um,
408 at the last meeting Chris did I think mention that there is no maximum
409 window on the number of parking spots which one must provide which is not
410 exactly true. Um, uh, um, the parking spots in 406 may not be used to where
411 it’s been acquired parking for the boardwalk, hotel, apartments or public
412 usage. Um, all - all public, commercial or residential parking for the
413 boardwalk, apartment or board hotel must be supplied on that property or a
414 property that is properly exempt for that. Uh, you may not use a residential
415 property unit to f-f- fulfill the parking needs of the commercial property more
416 or less. Um, currently they are providing what would be 3.63 spots per
417 apartment in 406 which seems an excessive amount of parking to supply for
418 the new apartment. Especially seeing is they’re tryin’ to have a lot of parking
419 reductions, you know, providing a building with the (unintelligible) source of
420 lots per unit seems a lot. Um, and particularly as it been asked to the overall
421 height and, uh, invasiveness for the long-term resident and it makes the
422 building far less cohesive with the current neighborhood. Um, on, uh, let’s see
423 Code 8-4Dstates, “No use shall provide less than the minimum or more than
424 the maximum number of off-street parking,” so according to 8-4D-5 for a
425 multifamily unit one bedroom equals one spot. For more than one bedroom
426 that equals two spots. Um, and for a mixed use that is the parking amount is
427 determined by, uh, the proposed uses which for a big piece of property it’s
428 proposed as a residential use, um, if the use in the vicinity which are primarily
429 residential, um, the available on street parking which is virtually nonexistent.
430 Shared parking which there is none of - public parking which is there is none
431 of. Um, and public transportation which we have a bus um, or other services,
432 um, uh, under Letter C in that same, uh, Code, uh, “When a determination of -
433 of,” uh, “It’s the determination of a planning official to determine whether
434 parking is over supplying or unsuf- or insufficient.” At which, you know, it
435 just means it’s the planning official’s du- decision to decide if you know,
436 supplyin’ too much or too little parking. Um, if required although with 4 acres
437 ofC2 property it seems pretty unreasonable to think there’s not room for
438 parking on there. Uh, parking then being moved offsite or cross-parked. This
439 however does not supersede existing zoning in other properties. Um,
440 throughout there’s guidelines for shared and remote parking, uh, 8-40-6A, uh,
441 “This does not supersede usage or zoning,” uh, and does not specifically state
442 you can use any property in order to achieve such. Um, kind of a few
443 acceptable outcomes would be to remove the eg- excess parking from 406 and
444 utilize commercially zoned land provided parking. Um, this would hopefully
445 reduce building (unintelligible) and it would be much less invasive to the
446 current residents. Um, another option is to rezone 406 to C2 so in-, you know,
447 actually it’s in a allowed use at that point. Um, on the condition the building
448 doesn’t get any larger i- any more densely populated, setbacks are cur- are as
449 currently proposed - do not get smaller, uh, and parking is not increased from
450 the proposed numbers. Um, understand rezoning will be a priority involving

451 City Council and more public hearings but city and public improvement in
452 development of this nature is a good thing. Uh, it's - it's an important step and
453 responsible for government. Um, yeah. Thank you all for the time and
454 consideration of the arisen issues. Hope the decision made accurately
455 represents the best intention of the city and its residents so, uh, I would also
456 like to know, uh, along with Jason that something that I would really just like
457 to see as the project move forward is, um, low income and affordable housing
458 'cause this is a very important thing to maintain especially in a apartment city
459 that is primarily low income, uh, residents and, you know, it's big - big
460 problem is the gentrification of cities happenings to not provide means for
461 those who apparently live there and stay within their city and be able to live
462 there so you know there's not a whole lot set forward by city code in order to
463 require such but I feel like with the amount of growth we're now seein' it
464 would be a really important thing to address and to come to some sort of
465 requirements that whether the - whether the developers decides not to do it but
466 have to pay into a fund that would provide housing for, uh, low income
467 assistance or provide a percentage of, uh, any new bill to be for low income
468 housing so I think it's a very important step as a city that was especially, uh,
469 and actually has the chance to do that - grow in a - in a way that doesn't, you
470 know, very beneficial to all its residents so, um, yeah. Thank you, guys, again
471 for the attention (unintelligible) very much appreciate it so thank you guys.
472

473 Q5: Thank you Mr...

474
475 Man: Thank you.

476
477 Q5: ...Herbert. Before you walk away does the Committee have any questions for
478 Mr. Herbert?

479
480 Man: (Unintelligible)

481
482 Q5: And that's all we know that were signed up. Where there - is there anybody
483 that I'm missing? I'm gonna say no. I'll close the public testimony, um, and,
484 um, Mr. Talbot or representative? You get the last say.

485
486 Q: I wanna point out just a few things. We - we do get the comments. We do get
487 the concerns and I think we've shown the understanding and appreciation of
488 what in fact this project will do in the neighborhood. Um, I'll give you
489 (unintelligible). We're not doin' a rough guess on 406.

490
491 Q1: Oh. Okay. Cool. Awesome. Love it.

492
493 Q: Yeah.

494
495 Q1: Thank you.

496
497 Q: But here's nothing there.

498
499 Q1: Mm-hm. Mm-hm.

500
501 Q: Goes far as the view from the balconies what he said - if you look at the
502 architectural on it - they are not protruding out over the building therefore
503 providing different vascular angle to the backyard. Um, the (unintelligible)
504 that, uh, Chad discussed the parapet wall and the design of the (unintelligible),
505 um, and it was, uh, referenced several times about parking reduction requests.
506 Didn't think we requested any reduction of parking. I think we are overparked
507 for what we calculated based on your code and lack of definition of code
508 we've used (unintelligible) code as well as just reasonable common sense. The
509 restaurant and the retail are overlapped. The restaurant will probably start up
510 around three o'clock in the afternoon and go through the evening and the
511 retail obviously will be during the day and probably done especially in the
512 wintertime around four o'clock. Three o'clock we're getting chilly out there
513 so probably won't do a lot of business but in the summertime the retail
514 probably will stay open 'til 5:00 - 5:00 - 6:00. We have I think accommodated
515 for that, um, with the different, um, uh, ideas we're throwing with the, uh, the
516 Zip Cars as well as biking - we - we think there's a huge emphasis to bringing
517 less cars to the property and more bikes and walking and ride share and it
518 seems to be a trend so we're - we're almost trying to not promote we have
519 plenty of parking for you. We don't - don't want them to bring those minicars
520 down there. There's enough to accommodate the code and there's enough to
521 accommodate the application and we also wanted to make sure we had enough
522 for the business side of it - retail and the - the restaurant and the bar which we
523 think will be very successful and very popular to the ten and they are gonna
524 need for their own purposes access to and so we think we've done a really
525 good job there. We acknowledge that we will do a CUP for the hotel at a later
526 date. Um, and the phasing of - we discuss it or if this is the right time to
527 discuss it but in the phasing of this project when we talked a little bit with
528 staff and we - we would probably wanna see a four- or five-year phasing plan
529 so that we can, uh, get this whole property done in sequence and meet parking
530 conditions as we go. So I'll, uh, turn this over to Chad and just ask some of
531 the architectural specifics and then we'll take any further questions.

532
533 Q3: Chad Weltzin (unintelligible). Um, just to clarify a few things, um, first off I
534 think it was mentioned that we shifted the 406 Place Building, um, two and
535 half to seven and a half feet away from the property limit and it was actually
536 ten feet away from the property line. The entire building was pushed back.
537 Um, talking about the use of the 406 Place Building and specifically the R3
538 Zone portion of our site, um, first of all our intention is to vacate all property
539 lines within that overall parcel slew and it becomes one parcel. However, we
540 don't intend to use that as a means for spilling in the zoning - the - the

541 (unintelligible) zoning and the R3. We actually are designing it to meet all
542 code requirements as an R3, um, parcel. Um, specific to the discussion on
543 parking, um, above and beyond to Chris's, uh, points and, uh, and, you know,
544 professional opinion about what makes a parking structure and what doesn't,
545 um, I wanted to mention that, um, the city code talks about parking structure
546 and defines it as, "A primary use of a site for parking," and clearly that's -
547 that's not what we're doing here. That site is an apartment building and
548 general parking. Um, so again we - we don't feel we really need to rezone that
549 - that parcel. We - see have met all the dimension standards and everything
550 else and a lot of uses that are (unintelligible). Um, about the architecture on
551 the south side of the building, um, some of the things that were mentioned,
552 um, again - yeah - there was no roof deck. I'm not sure if that was
553 misconstrued. Um, there is a - there's a public patio on the Third Floor which
554 is the podium level or the - the courtyard level of that building but we have a
555 planter and a (unintelligible) and it's set up - so far it's set about 13 to 15 feet
556 in from the (unintelligible) so there's zero impact visually though we can go
557 anywhere near the edge to - to look down into the neighboring property. Um,
558 the balconies that are part of the units that face south are totally inset. So first
559 of all, we pushed two and half to seven and a half feet back inside the
560 (unintelligible) and then within that the balconies are inset - and it's even
561 further and (unintelligible) so there's - there's no sideline where you can look
562 in the neighbor's yard. Um, let's see. The view from that diagram that we, um,
563 the - the intention of this diagram really was to show that we've pushed the
564 building with, um, back far enough now and inducing its height that there's
565 really no more impact on the view or assumed privacy that a two-story home
566 that has 10 feet in property. Um, the view angle too is - is - is just the same.
567 Um, lastly, um, I'm not sure exactly what numbers, um, (unintelligible) the
568 3.63 spaces per unit and that felt inappropriate, um, that's not what, uh, the -
569 our data shows. Um, there are 109 spaces, um, within that building, um, uh,
570 and there are 38 units. Um, also there are 28 units of the boardwalk building.
571 There are, um, (unintelligible) portion of the site, um, so we even
572 (unintelligible) 66 units - 109 spaces and the numbers is nowhere near the
573 3.63 per unit that was - that was mentioned so I think that's all.

574
575 Q5: Eh, thank you. Um, any questions? Oh. Excuse me.

576
577 Q: We had one comment in addition. Uh, this seems to be that you're sometimes
578 confused that the 406 Building's a separate project or a building for the re- for
579 the mixed-use boardwalk. It is one big family. It is one big development and
580 as Chad pointed out the south building is gonna use some of the parking
581 which is better located in the 406 Building for its quicker access to walk and
582 park and so we look at it as a whole. We don't separate the buildings and the
583 units. It is a large mixed-use development.

584
585 Q5: All right. Thank you, Mr. Talbot. Um, before - before we leave you, uh, could

586 you please address the - the sidewalk, um, situation where the s- the sidewalk
587 being attached rather than...

588
589 Q: Sure. Uh, I will. I'll actually ask Mr. Russell to add to this if he has anything
590 to add but as we I need to discuss with you in a few days - we've driven the
591 entire neighborhood and - and found very (unintelligible) one instance where
592 that was a detached sidewalk situation and we think from our conversations
593 when we're workin' with ACHD that they are gonna want attached and
594 everything we see in the neighborhood is attached so that's how we're
595 proposing it.

596
597 Q5: Um, m- is - were there - is there any - aside from desire is there any reason
598 that would preclude a detached sidewalk?

599
600 Q: I think only the cul-de-sac area would be - but from a developer's standpoint -
601 from my personal opinion, um, when you add the attached you have the
602 Greenbelt there. You have landscaping of some sort. It becomes damaged. It
603 becomes unmaintained. It becomes a trash area. It - vegetation will die. I- i-
604 unless it's a well-manicured and not walked on I don't necessarily - personally
605 like the parkway idea. It's just another area to - to water, maintain and cut. I
606 think it's cleaner without it. I was there with (Demetri Wellace) with the trees
607 and so fourth and I think they have a four- or five-foot setback, uh, uh, s- or
608 area design for the Greenbelt and my personal opinion is - is hard to, uh, keep
609 this type of thing. If you refer to the - the - the drawings here on the map
610 (unintelligible) very clean look if we get that reattached and have it out up
611 here - rock, debris, trash of some sort it could actually break up the
612 (unintelligible) of what you're looking at, though, but Mr. Russell, has
613 somethin' else to add to that - that there is an issue with the cul-de-sac that we
614 have to probably look at (unintelligible).

615
616 Q4: Hi. It's Doug Russel, uh, 462 East Shore Drive New York. Um, you know,
617 what I would add to that is kinda what we s- stated and spoke about in the last
618 hearing regarding the, uh, Garden City Code related to Sidewalk Standards 8-
619 40-6, uh, Letter C specifically says that, um, you know, "Detached sidewalks
620 are required unless in conflict with the street plan adopted by the Transport
621 Authority and/or the city ordinances (unintelligible), uh, adjacent to the
622 property," and, you know, (unintelligible) and they've pointed us to this chart
623 on what they want us to do with the streets. We've got a, uh, um, 33 foot, uh, a
624 47-foot highway - 33 foot, uh, section and, um, it's coming out from the
625 attached sidewalk and, uh, two feet from back wall to property line and so we
626 generally have been, you know, following that, uh, as directed and, uh,
627 (unintelligible) policy. The other thing is is, um, that Mr. Talbot indicated, um,
628 though we've been s- driving around the neighborhoods in this area which is
629 (unintelligible), you know, things of that nature and there's a lot of attached
630 sidewalks (unintelligible) and we feel like this creates, you know, a fainter

631 look. Also, um, we're just concerned about, uh, some of the other features like
632 for instance if you look at this picture here it detached the sidewalk, you
633 know, or you'd be running into fences and - and things of that - of that sort
634 and so we just feel like truthfully we're goin' down a dead end street here, I
635 mean, providing a clear and direct access from Adam Street to Greenbelt, um,
636 and, uh, it's what is gonna be a really clean look. And regarding the waiver
637 that was mentioned earlier, um, we're definitely more than willing to submit
638 that waiver if you - we may have been confused. We - we - we did not - I'm
639 not sure. Were we supposed to submit that waiver as part of its application
640 (unintelligible). That was definitely an oversight on our part but, um, we can
641 absolutely - if we're gonna go this direction and, uh, Design Review Board
642 agrees that - that we then we can get that waiver in right away. I'm not pretty
643 sure how that works in regards to ha- havin' additional hearings and things of
644 that nature but we have no - not opposed to submitting a waiver right at the
645 website.

646
647 Q2: Thank you.

648
649 Q4: (Unintelligible) We'll talk to him later though.

650
651 Q2: Uh, uh, how much long street working are you guys done now?

652
653 Q: Uh, we (unintelligible) about six to eight (unintelligible) 41st Street on the
654 street.

655
656 Man: Yeah. Yes.

657
658 Q: So on 41st I think there's six to eight parks - the cars parked on the street and I
659 believe we're proposing any on 40th Street.

660
661 Q2: Any reason why not?

662
663 Q: Uh it is not our land to develop (unintelligible).

664
665 Q2: Well, I mean, d- do you have access from your 406 Building (unintelligible)
666 40th Street?

667
668 Q: Yes. So we've - we've discussed (unintelligible) on street parking or off street
669 parking?

670
671 Q2: On.

672
673 Q: On street? Well now I'm sure the - the people (unintelligible) public access.

674
675 Q1: It's just there by nature, right?

676
677 Man: Right.
678
679 Q4: On street parking is not on the (unintelligible).
680
681 Q: Yeah.
682
683 Q2: Thank you. Any other questions? Um, oh, um, you said you have a few of the
684 spaces at 406 and boardwalk and, uh, two each I think that are for, um, car
685 sharing and - and, um, rightly so. We don't actually have an active car share
686 program in the region. Um, is that something that this development is
687 interested in starting?
688
689 Q: Yes ma'am. We, uh, actually studied some stuff in Texas and in, uh, Northern
690 California and I believe one in Phoenix that started doing this and became
691 pretty popular, so we have several companies out there that are involved in
692 this and we're gonna reach out to them for s- we are proposing I think with -
693 how many - four - six - s-s- five or six?
694
695 Q4: Four.
696
697 Q: Four within the 406 and then four more at the boardwalk.
698
699 Q2: Okay. It's two each.
700
701 Q4: I'll look it up in the meantime.
702
703 Q: So but either way yes. The answer is yes. We will be liking to get involved
704 with that and promote that further.
705
706 Q2: (Unintelligible)? So, I mean, you know, a Zip Car - all of those - they're
707 traditionally, you know, um, what I'm asking is is the development going to
708 actually enter into an agreement to initiate a car sharing offering here. There's
709 - there's developments that do that - that they buy two or three cars. They
710 provide 'em for residents, um, in lieu of parking. They do a parking cash op
711 program or (unintelligible) parking. Um, is that the route you guys are you
712 doin' are you just think you're gonna try and attract a Zip Car?
713
714 Q: Well either would be fine with us. We haven't entertained, uh, whether we
715 would eventually go for (unintelligible) and provide them as a group shared
716 car concept but that's something we'd look at as well but the Zip Car concept
717 they are coming up that we'd love to come in and sign a contract with us and
718 start puttin' their cars in the area so either addition would work for us. We just
719 - we haven't gotten through the details of it yet but yes we plan
720 (unintelligible).

- 721
- 722 Q2: The, uh, and this might be a Chris question - the temporary parking that's been
723 (unintelligible) is not part of this development so I - maybe I misunderstood
724 that there was only temporary parking at 520 40th Street?
- 725
- 726 Q: We'll do a cross parking at the property.
- 727
- 728 Q5: Is that - is there any codes against that?
- 729
- 730 Q1: Uh...
- 731
- 732 Q5: And what is that zone? Does it - does it matter if...
- 733
- 734 Q1: Garden City Code 8-4B-6 is silent on the zoning district for cross parking.
735 Um, you can - uh, there's a specific criteria that you have to follow to - in
736 order for that to be part of the cross parking agreement but zoning is not
737 mentioned in that criteria.
- 738
- 739 Q2: So that parking would go away once you are fully developed on this site, and
740 you would - something else would occur on...
- 741
- 742 Q: That would parking would go away when we fully develop that site - when
743 that site (unintelligible).
- 744
- 745 Q2: Wouldn't we wanna look at all of that together as one development? I mean, if
746 they're gonna putting parking in there are they screening it? Are they
747 (unintelligible)?
- 748
- 749 Q1: That's a good question. Um, I'd have to look at the code itself, like, you know,
750 and I can certainly do that. Um, Jenah, I think it's temporary parking? I'm -
751 I'm not really had that happen in my tenure here his-, uh, what's your
752 experience been with a phase project?
- 753
- 754 Q5: In the phase project? It was my understanding and perhaps now I don't think -
755 and correct me if I misunderstood this but the temporary parking is intended
756 to be during the construction phases, um, to for their parking. Is that correct?
- 757
- 758 Q: Yes. Yes ma'am.
- 759
- 760 Q2: Um, oh so - so once your development is done, the parking would go away on
761 520?
- 762
- 763 Q: Yes.
- 764
- 765 Q2: Okay. I misunderstood.

766
767 Q: And I can also that to add that we are internally discussed that we will be
768 screening with trees and vegetation (unintelligible) aesthetic. This affects our
769 project as well - aesthetically pleasing for that to be (unintelligible) parking.
770
771 Q7: And one of your buildings goes on where the temporary parking was? Is that
772 correct?
773
774 Q: No.
775
776 Q7: You developed over that lot?
777
778 Q: We will eventually - we haven't conceptually come up with the
779 (unintelligible).
780
781 Q7: Okay. But not in this proposal?
782
783 Q: No, sir.
784
785 Q1: Okay.
786
787 Q2: Anybody have any questions?
788
789 Q5: I don't have any questions.
790
791 Q5: Um, I'm, uh, a couple of things to run through. Um, I do have a question and
792 that's the higher access. Um, what will that material be on the 406, the fire
793 lane? Um, do we know what that material will be?
794
795 Q3: Um, it's like a (unintelligible) type of thing where it's, um, (unintelligible)
796 landscape architect, it will basically look like lawn when it's done.
797
798 Q5: Okay.
799
800 Q3: Um, to clarify about the - the parking (unintelligible) to add to that, um, we -
801 really in this application all we're saying is that we intent to do a Cross
802 Parking Agreement for 44 of the spaces that we've agreed to make. We
803 anticipate having to deal with design of that other parcel separately and its
804 own application and what not in the time zones. And I think down the road too
805 we know that ultimately what is built on that site will need to either keep its
806 spaces (unintelligible) for our development or deal with it some other way but,
807 uh...
808
809 Q: (Unintelligible).
810

- 811 Q3: (Unintelligible) get rid of them and say, "Oh. We're okay without them."
812
- 813 Q6: Just a question there on that. To clarify on the - on the use of, um, grass...
814
- 815 Q2: (Unintelligible).
816
- 817 Q6: ...treat or any type of project - or product like that, have you, um - have you
818 actually gotten approval from the fire department to you utilize a product like
819 that?
820
- 821 Q3: (Unintelligible).
822
- 823 Woman: (Unintelligible).
824
- 825 Q4: Mr. Labrie, um, we have not seen proof in the fire department on this product
826 consistently at this time, but I can tell you that, uh, we just worked with the
827 Boise Fire Department (unintelligible). If you wanna go there and check it out.
828 I think it'd be a real good idea of what that looks like. Um, we know that the
829 fire department is okay with it. Um, just based off that project we'd use this
830 kind of all over the city in several different places so, um, I can't s- tell you I
831 have approval for this fire lane yet, but I do expect to get it, um, because
832 we've been approved for it before.
833
834
- 835 Q6: 'Kay.
836
- 837 Q4: That's even (unintelligible) says too.
838
- 839 Q6: Okay.
840
- 841 Q5: Okay. Um, mostly for staff and the applicant here. Um, but based on the
842 discussion, should this move forward for approval, I'm carrying a number of
843 items that would need to be conditions of the approval. Um, and just to run
844 through those, um, starting backwards - temporary parking, uh, potentially, uh,
845 would need to be screened and then moved to completion. Um, perhaps
846 demonstration of the car sharing contractor otherwise how that was bein'
847 implemented. Uh, vacation of the property lines, um, a five-year approval to
848 be noted in the, um, decision document should it move forward that way, uh,
849 cross parking agreements, um, and then easements, uh, for the - the access or
850 the area to be vacated, uh, for the public use...
851
- 852 Q: (Unintelligible).
853
- 854 Q5: ...um, as well as the public parking easements or agreements. Um, it's not
855 been discussed but I'd like to know, uh, Garden City is actively tryin' to, um,

856 change out the - the Greenbelt materials to concrete. Um, we're not suggesting
857 that the applicant should need to be - put it in but just on the record, um, I
858 would s- I - I would presume that if the concrete is utilized than that would be
859 substantially in compliance. Um...

860
861 Q: (Unintelligible).

862
863 Q5: We - so the asphalt I noted was i- in the - the plan. (Unintelligible) the asphalt
864 and shouldn't end up being concrete. I'm not stating that, uh, perhaps the
865 applicant put it in, but perhaps if the city works with them or whatever may
866 happen the concrete would be substantially the same. And then there is the
867 issue of the sidewalk to discuss - they - they need to discuss. With that are
868 there any other items that we're hearing and need to be further discussed?
869

870 Q2: I - I - I apologize. I'm not feeling well so maybe I'm just not getting this
871 whole temporary parking thing. Um, it's temporary parking on another lot
872 because you're developing so you can't necessarily have all of your parking
873 for the development until, uh, you're done, and at which point those 44 spaces
874 will not be needed for your development or - or not included in your total
875 count?
876

877 Q: No. Actually, it is in the total count and that temporary parking area is
878 temporary because at some point as Chad has indicated we will build that
879 property out with another, eh, project and we will park for...
880

881 Q5: (Unintelligible).

882
883 Q: ...44 and there - there was some parking for that residential application, so the
884 temporary parking is temporary because we're gonna build that up with
885 another building...
886

887 Q4: Mm-hm.

888
889 Q: ...at some point within this five-year plan. But the 44 cars are part of our a-,
890 uh, application and 20 of them are used for the retail grounds on the Greenbelt
891 which was a - was a logical place to give people access.
892

893 Q5: That's a lot of working to put off your lot.

894
895 Q2: Mm-hm. (Unintelligible).

896
897 Q2: How many spaces did you say that you exceeded?
898

899 Woman: (Unintelligible).

900

- 901 Q: I think we were approximately - and (unintelligible). But I think we were 20
902 plus over in what we calculated we needed.
903
- 904 Q4: And what is that?
905
- 906 Q: Twenty-seven. And as far as the concept of being off property - we consider
907 this all to be one development and...
908
- 909 Q2: But you're not submitting as one development.
910
- 911 Q: No. Du- submitting the DR for the next application at a later date but the 44
912 being allowed to have a cross parking agreement was giving us that ability
913 now to bring access to the public, Greenbelt and the retail and also it supplies
914 conditional parking for the facility.
915
- 916 Q7: And where is 520 in relation to the boardwalk? Is it the adjacent lot to the
917 south?
918
- 919 Q: Yes, sir. Uh, well f- 520 is adjacent to the east.
920
- 921 Q6: To the east? Okay.
922
- 923 Q7: South from the planning.
924
- 925 Q6: Next - next - that first line in next to the Greenbelt there.
926
- 927 Q4: It's right there. (Unintelligible).
928
- 929 Q6: (Unintelligible).
930
- 931 Q1: Oh. Got ya.
932
- 933 Man: (Unintelligible).
934
- 935 Q: It's extremely and we will provide access halfway and landscaping for when
936 you get out of your car you can literally walk to the re- the Greenbelt -
937 boardwalk area and go right into the retail spaces.
938
- 939 Q6: So there's a portion of those stalls in that temporary parking that's needed to
940 satisfy this development?
941
- 942 Q: Yes.
943
- 944 Q5: Okay.
945

- 946 Q: A portion - not all. We (unintelligible) for that.
947
- 948 Q7: And I think, like, I understand the cross for the Cross Parking Agreement that
949 - that that makes sense to me. My concern would be how temporary is
950 temporary? Just guess three quarters built and then we have a surface parking
951 lot that may never be redone into a larger development with parking within it
952 and then we have a surface parking lot on the Greenbelt in that sense so, I
953 mean...
954
- 955 Q6: Well, uh, and - and that temporary parking however that gets redeveloped or
956 developed in the future it would still need to satisfy those 14 stalls.
957
- 958 Q: Yes.
959
- 960 Q5: Plus, another...
961
- 962 Q: (Unintelligible).
963
- 964 Q6: Plus, whatever else it needs...
965
- 966 Q4: Yeah.
967
- 968 Q6: ...for...
969
- 970 Q: (Unintelligible) requirement by removing that and putting another
971 (unintelligible). The new development there will include the spaces needed to
972 comply (unintelligible) as well. It is one big happy family there.
973
- 974 Q6: (Unintelligible).
975
- 976 Q: (Unintelligible).
977
- 978 Q6: What is temporary?
979
- 980 Q: Uh, we're talking about a five-year plan here to do this, and I would say
981 within that, uh, (unintelligible) take much less than that but given with the
982 (unintelligible), uh, within that five year, all of it's done and built out and
983 we're done with, uh, all our (unintelligible).
984
- 985 Q6: So in that - so you would be comfortable in - in the five year phasing plan for
986 this development that within that time frame the, um, uh, the permit parking
987 associated with this will be established? I guess - I - I - I mean, if - if you're
988 doin' it on an adjacent lot then that's - i-i- it's developed in such a way that
989 meets all the screening and parking requirements a- and, um, access -
990 pedestrian access to get people from there to the development - all that'll be

991 completely handled within the time frame of this project?
992
993 Q: Yes, sir.
994
995 Q6: You'd be comfortable with that?
996
997 Q: We - we - we - what I think what you're saying (unintelligible) temporary
998 parking lot area - the redevelopment happen within the five-year plan?
999
1000 Q6: Yeah.
1001
1002 Q: (Unintelligible).
1003
1004 Q6: Yes.
1005
1006 Q: Mm-hm.
1007
1008 Q6: Okay.
1009
1010 Q2: So you were saying that - well nu- so you're saying that you would tie
1011 development of 520 40th Street - the full development, um, to the five year
1012 requirement?
1013
1014 Q: Mm-hm. Mm-hm.
1015
1016 Q5: Okay.
1017
1018 Q: May (unintelligible) as far as how much parking is off site?
1019
1020 Q2: Mm-hm.
1021
1022 Q: Um, this really is the only off parking we're gonna have on this entire site
1023 (unintelligible) required so it's less...
1024
1025 Q5: Mm-hm.
1026
1027 Q: ...around 10% of the additional parking. One of the things that made sense to
1028 us and why I went out and made this acquisition was it helps the retail and the
1029 public access which was what we've heard over and over that the Greenbelt
1030 public access is big. We want that. We want people to be able to get there use
1031 the facilities. The businesses there want people to have access in a convenient
1032 manner. So this parcel became interesting because it provided both in a sense
1033 so it's a fairly limited amount of off parking but it's owned by the same entity
1034 (unintelligible) development. It's not as if we're getting an agreement from
1035 another entity if we use their facilities.

1036
1037 Q7: And is it just that one lot from the cursor up?
1038
1039 Q: Yes sir.
1040
1041 Q1: Okay.
1042
1043 Q4: It's two.
1044
1045 Q1: It's two?
1046
1047 Q: Well, it's one lot.
1048
1049 Man: (Unintelligible)
1050
1051 Q: Yeah. It's one - let's see here.
1052
1053 Q7: .18 or .34? It - it's...
1054
1055 Q: Uh, it's bigger than .34.
1056
1057 Q1: Okay. Okay.
1058
1059 Q: If you look about here where the cursors sitting (unintelligible) so this is sir is
1060 - is the...
1061
1062 Q5: (Unintelligible)
1063
1064 Q: ...lot we're talkin' about.
1065
1066 Q5: (Unintelligible)
1067
1068 Q7: Got ya.
1069
1070 Q5: (Unintelligible).
1071
1072 Q7: So how and when do we address the design of that parking lot per say or is
1073 there different definitions for temporary and it can be what is it because it's
1074 now tied to a development that says it's gonna disappear in five years or less?
1075
1076 Q5: What I think I thought I heard in the discussion was tying the temporary
1077 parking to 520, um, and then so that could be, uh, prior (unintelligible) you
1078 have to have that figured out on how to deal with parking.
1079
1080 Q1: And then that comes through...

1081
1082 Q2: That's not right. No...
1083
1084 Q: Mm-hm.
1085
1086 Q5: ...it wasn't.
1087
1088 Q1: Mm-mm.
1089
1090 Q: Mm-mm. Mm-mm.
1091
1092 Q5: No?
1093
1094 Q2: No. The, um, the five years is that within five years 520 would no longer be...
1095
1096 Q: It's a temporary parking lot.
1097
1098 Q5: ...just a temporary parking. It would be developed.
1099
1100 Q2: Okay.
1101
1102 Q4: Into its final state and it would incorporate, uh, the required additional parking
1103 that this project needs as far as...
1104
1105 Q: Does the city have the conditions of how (unintelligible) talked to some
1106 people about a temporary parking area has certain requirements - the paving
1107 and landscaping and for and so forth. I thought there were already timelines
1108 on that.
1109
1110 Q5: Um, the subdivision has a restricted bill wherein there's some guidelines on
1111 how to build out your basement or subdivision. Um, that's the only thing I can
1112 think of. Perhaps Chris can you think of something else I'm not -
1113 (unintelligible)?
1114
1115 Q1: Vi- i- I can't. It's - it's usually with the subdivision.
1116
1117 Q2: Um...
1118
1119 Q1: (Unintelligible).
1120
1121 Q2: Oh. I thought he was asking just design requirements for parking.
1122
1123 Q: Yes ma'am. That's what I wanted to know.
1124
1125 Q5: Like screening...

1126
1127 Q2: There are design requirements for parking 'cause the...
1128
1129 Q: 'Cause we would clearly comply with all those. (Unintelligible) We'll
1130 definitely go above and beyond the (unintelligible).
1131
1132 Q7: So follow up on that - does the - does the design of that parking come before
1133 you guys administratively or is that a new Design Review process?
1134
1135 Q5: That would be a Design Review.
1136
1137 Q1: Okay. I have some code, um, from 84D4 that may pertain to this. I'll just read
1138 it out loud. Um, under, um, first - so Section C - Use of Property Phase
1139 Projects, "The use of any property is conditional upon the unqualified
1140 continuance and availability of the parking as required by this code. In phase
1141 projects individual phases of the project are exempt from the maximum
1142 parking standards provided that the project does not exceed the maximum
1143 parking allowable- maximum allowable parking (unintelligible)."
1144
1145 Q: (Unintelligible) to clarify t- you said something about the - the 520 would be
1146 requiring a DR for temporary parking application or the final project?
1147
1148 Q5: Um, and so the design would require the approval.
1149
1150 Q: Design meaning (unintelligible).
1151
1152 Q5: Uh...
1153
1154 Q: Would that be a full DR review or something we submit to staff?
1155
1156 Q5: It's a full DR review.
1157
1158 Q2: (Unintelligible).
1159
1160 Q: Okay.
1161
1162 Q2: Mm-hm.
1163
1164 Q: Okay. I didn't know that - that's the process of this.
1165
1166 Q17: But it should be quicker than this one.
1167
1168 Q: Uh...
1169
1170 Q5: I believe you could tie it, um, okay (unintelligible), uh, Mr. Samples - okay.

1171
1172 Q1: Okay.
1173
1174 Q2: But this - but the - the notifications of this project included that area or not?
1175
1176 Q1: It did not.
1177
1178 Q2: It did not? So we have to go - you couldn't add it on to this as a modification
1179 (unintelligible)?
1180
1181 Q: Yeah. I understand.
1182
1183 Q5: Um, uh, Mr. Samples, uh, just a request for - for discussion - would you be
1184 willing to put a street view of 36th Street up?
1185
1186 Q1: Of 36th Street? Sure.
1187
1188 Q2: Mm-hm.
1189
1190 Q1: So you want aerial or you guys (unintelligible)?
1191
1192 Q5: Yeah. Full street.
1193
1194 Q1: Street view?
1195
1196 Q2: (Unintelligible).
1197
1198 Q1: Okay. (Unintelligible).
1199
1200 Q2: Okay.
1201
1202 Q1: Okay.
1203
1204 Q5: Um, if you could go more to a little bit - just a little bit until you see one of the
1205 trees? Uh, just for points of discussion, um, this Committee in the past, um,
1206 has acknowledged that this - this crevasse can meet the intent of the detached
1207 free of the tree wells, um, (unintelligible) sidewalk. Would you be opposed to
1208 some treatment like this or...
1209
1210 Q: Uh, I actually like that personally. (Unintelligible) The cul-de-sac area is not
1211 (unintelligible) 40th and 41st Street?
1212
1213 Q5: Correct.
1214
1215 Q: Yeah. I - I (unintelligible). Yeah. (Unintelligible)

- 1216
1217 Q5: Any other items that the Committee would like to discuss, uh, while we - we
1218 still - all right. Thank you, Mr. Talbot.
1219
1220 Q: You're welcome. Thank you (unintelligible).
1221
1222 Q5: Thank you. Giving the Committee a few minutes to digest.
1223
1224 Q: Okay.
1225
1226 Q2: Um...
1227
1228 Q6: Question for - for staff - on the, um, you know, it's really not in our
1229 (unintelligible) that we're talkin' about with the - the zoning and the use, um,
1230 but does - does staff feel comfortable with as presented as (unintelligible)
1231 project with a 406 component with the parking that it meets the criteria for
1232 that zone as - as acceptable use?
1233
1234 Q1: I can, uh, call it on the - I'll start with the residential component. It does
1235 appear to meet those per that t- table in 84D5 so the residential component
1236 yes. Where I get uncomfortable with the commercial component is that
1237 tenants change, you know? People send out letters of - of intent to prospective
1238 tenants and so tho- that is a very fluid - I guess commercial leasing is very
1239 fluid so I guess I'm getting at is we - we're - while we have some uses that
1240 we're kinda seeing now potentially that could change and so it's har- difficult
1241 to me to I guess say, "Yes. This is great for a restaurant. This is big for retail,"
1242 without knowing w- what those tenants are, o- hours of operation, potential
1243 customers, employees.
1244
1245 Q6: So i- I guess my question is more specific to the 406...
1246
1247 Q1: 406 Building? Okay.
1248
1249 Q6: ...Building and it's the amount of parking associated with the residential units
1250 on the top - does it meet, um, I guess what would be acceptable...
1251
1252 Q1: It does.
1253
1254 Q6: ...residential zone?
1255
1256 Q1: Yes.
1257
1258 Q6: (Unintelligible)
1259
1260 Q1: Yes. It - it does meet the requirements of that table - the minimum. Yes.

1261
1262 Q7: And you mentioned the table - nowhere in there does it say there's a
1263 maximum?
1264
1265 Q1: No. There is no maximum stated.
1266
1267 Q7: Mm-kay. And while we're on this we could just slide up. That to me is a
1268 attached sidewalk with tree (unintelligible) and my opinion with - with that - a
1269 lot of applications come through looking for attached sidewalks and we've
1270 said this is Garden City code. We can't change Garden City code, um, and it
1271 runs into a fence. We've had the applicants run their sidewalks into fences. It
1272 is what it is. There will be future development and then we'll...
1273
1274 Q1: Mm-hm.
1275
1276 Q7: ...connect all the detached sidewalks together in the future so this is...
1277
1278 Q: Yeah.
1279
1280 Q7: ...this is great. It was a - I think a step in the direction of getting attached and,
1281 you know, putting (unintelligible) having detached sidewalks, um, but I would
1282 - I would expect, you know, encourage this to have detached sidewalks where
1283 they're - where they're putting sidewalks in. I don't think the, um, you know,
1284 the slide that shows it with attached up there on the - on the (unintelligible),
1285 you know, I don't...
1286
1287 Q2: Mm-hm.
1288
1289 Q7: ...I don't buy the argument that there's a bunch of litter on the street and that
1290 looks bad. It's, uh, you know, it's a matter of the enjoyment of the pedestrian
1291 and the safety of the pedestrian and...
1292
1293 Q2: Mm-hm.
1294
1295 Q7: ...I think, um, that's why the city's been encouraging that and wrote it into
1296 their code itself. I'll let this project just have detached sidewalks.
1297
1298 Q6: I believe - I guess I would concur that I don't see the need of these areas that
1299 we're talking about. We have more than sufficient, um, space between the -
1300 the - the street and the building façade that couldn't support detached
1301 sidewalks.
1302
1303 Q5: Um, and to the - the applicant's concern of the Greenway, um, (unintelligible)
1304 indicating that it needs to be landscape outside of the trees. It could be
1305 concrete with tree walls, um, (unintelligible). You're not saying that this

1306 detached - this is attached with tree walls but if you had the detached...
1307
1308 Q5: Mm-hm.
1309
1310 Q2: ...area, um, in some sort of...
1311
1312 Q7: Could it be...
1313
1314 Q2: (Unintelligible).
1315
1316 Q7: ...hardscaping...
1317
1318 Q2: Hardscaping.
1319
1320 Q7: ...versus landscaping?
1321
1322 Q5: Mm-hm. That's what I'm hoping to put but - but instead of having a green
1323 strip of grass there'd be pavers or concrete and you have your tree walls
1324 'cause then that overall larger hardscape.
1325
1326 Q: What I - (unintelligible) defeats the - the plan of the detached sidewalk to a
1327 certain extent. Um...
1328
1329 Q7: And doesn't help...
1330
1331 Q: No.
1332
1333 Q7: (Unintelligible).
1334
1335 Q5: Mm-hm. Okay. (Unintelligible) like a downtown?
1336
1337 Q7: Well, uh, I mean, it's different if it's a restaurant and, you know, in lieu...
1338
1339 Q5: Mm-hm.
1340
1341 Q7: ...of grass you have restaurant seating and etcetera, um, but I don't think
1342 that's what this - this n- that's not what we're looking at there.
1343
1344 Q2: I - I would be fine with a, um, a hardscape that looked different from the
1345 sidewalk, um, as long as it (unintelligible) where the pedestrians walk and if
1346 that areas in not where pedestrians walking you can put street furniture. You
1347 put street trees, um, it still meets the purpose of separating the pedestrian from
1348 the vehicular traffic. It makes it easier to get out of your car and walk to the
1349 sidewalk.
1350

- 1351 Q7: Yeah. That would...
- 1352
- 1353 Q6: I guess I would assume then the, uh, um, the code isn't specific on what's
1354 required in that space?
1355
- 1356 Q2: That's true.
1357
- 1358 Q7: It's detached a certain distance. There's landscaping requirements. There's
1359 street tree requirements.
1360
- 1361 Q5: Street tree requirements.
1362
- 1363 Q7: I don't - I don't know why you would want to pave a 10-foot-wide strip
1364 instead of a 5-foot-wide strip with landscaping and buffer zone and...
1365
- 1366 Q2: I'm fine with detaching - like it was suggested - detached sidewalks whatever
1367 meets code. Um, and - and I'm (unintelligible) with this is that we're not
1368 putting a parking lot down 40th Street. 44 spaces - 44 more cars up and down
1369 that road. I don't - doesn't see anywhere (unintelligible).
1370
- 1371 Q1: Yeah. Yeah. (Unintelligible). Mm-hm.
1372
- 1373 Q2: (Unintelligible)
1374
- 1375 Q1: But that's (unintelligible)
1376
- 1377 Q6: Well, I guess I - I'll go ahead a few - a few comments for this group. Um, first
1378 I'd like to commend the, uh, applicant team for coming back with, uh,
1379 numerous modifications that I think were, um, really helped in my mind, um,
1380 how this project works within - within the site and, uh, uh, the additional
1381 landscaping, the, uh, reduction of the building height, of moving the access off
1382 - off of the street into o- off and onto the drive, um, a lot of those things in my
1383 mind really made a difference, um, in how this overall project responds to the
1384 - the surrounding, um, uh, uh, neighborhood if you would in my mind. Um, I
1385 don't think I would have any other, um, I guess requirements other than what
1386 we've talked about here thus...
1387
- 1388 Q2: Okay. I've got a question for you guys. Um, (unintelligible) doesn't need -
1389 how lo- how many was it - the 44 parking spaces on the cross share. I mean,
1390 putting 40 spaces down 40th Street when it's resident and that just...
1391
- 1392 Q7: So...
- 1393
- 1394 Q2: ...does not make me comfortable so I'm wondering if we...
1395

1396 Q6: Limit it to what's needed for this...
1397
1398 Q2: Yes.
1399
1400 Q6: ...development until s- s- such time that the project associated with that
1401 property, uh, that's in front of us that would require additional parking
1402 associated with that project but limited to (unintelligible).
1403
1404 Q2: (Unintelligible) spaces.
1405
1406 Q7: Is it 14 is what's - what's needed?
1407
1408 Q2: I believe so. 14 spaces is what's needed.
1409
1410 Q5: And - and that included looking at your on-street parking...
1411
1412 Q2: Mm-hm.
1413
1414 Q2: ...and, um, uh, and the fact that you've had 20 over and then there are 10 on
1415 streets parking.
1416
1417 Q2: Mm-hm.
1418
1419 Q: I don't think the on-street parking is part of calculations, but I'll have to count
1420 that.
1421
1422 Q2: Right. I'm pulling in three.
1423
1424 Q: Um, but to the point of what we do need...
1425
1426 Q2: Mm-hm.
1427
1428 Q: ...on that lot, um, again we're trying to make everybody happy and comply
1429 with everybody's request. The additional 20 spots and maybe it's 26 - I
1430 thought it was 20 - was to give more public access as we were told that was a
1431 very big interest and they'd like it. Initially they asked us on 41st Street if we
1432 could give them more off-street parking there and it just isn't enough room
1433 and (unintelligible) so if you came up with this idea we could - we could -
1434 we've given the analysis to staff, uh, for what we do need. Uh, we don't need
1435 over park if - if that's gonna be - make the city happy or - or help the project
1436 along so we could reduce the number on that - that lot if - if it's acceptable to
1437 you guys?
1438
1439 Q7: Yeah. I think it would. Mm-hm.
1440

- 1441 Q2: How much - how much public parking were you going to, um, dedicate
1442 onsite? How much of the parking were you gonna dedicate as open to the
1443 public?
1444
- 1445 Q: 20. 20 spots in that lot.
1446
- 1447 Q2: No on - on your - not on that lot but on the - on your existing development and
1448 well I'm not talkin' about the garage share. How many public parking were
1449 you going to put over there?
1450
- 1451 Q: So I guess it would be considered public parking - visitor parking for the
1452 people who live there, like, how many visitor spots we're to have.
1453
- 1454 Q2: Parking that was stated as open to the public but providing an easement to the
1455 public?
1456
- 1457 Q: (Unintelligible)
1458
- 1459 Q3: So we're getting confused on the term public parking. Um, if you're talking
1460 about spaces above and beyond what either the retail or restaurant uses would
1461 be and we're sayin' we have 20 extra spaces however if you count up our
1462 retail and restaurant needs and all that there's something, like, 70 or 80 public
1463 parking spaces 'cause you can drive up, park and go to use the restaurant or
1464 something. Follow?
1465
- 1466 Q: Yeah.
1467
- 1468 Q2: And - and they can go to the Greenbelt, and it wouldn't be designated
1469 restaurant only or...
1470
- 1471 Q: Well no. No, it's wide open to any place that you want.
1472
- 1473 Q3: So in fact, uh, all 44 spaces that we were thinking were gonna be on that lot
1474 (unintelligible).
1475
- 1476 Q2: I'm not talking about that lot.
1477
- 1478 Q3: (Unintelligible).
1479
- 1480 Q2: No. I'm not talking about that lot at all.
1481
- 1482 Q: Okay.
1483
- 1484 Q2: I was talking about - go east of there.
1485

1486 Q: (Unintelligible). You were talking about onsite parking in the plaza - people
1487 that are gonna come up and park and then go to the Greenbelt - not necessarily
1488 to one of the units...
1489
1490 Q2: Mm-hm.
1491
1492 Q: (Unintelligible).
1493
1494 Q2: Right.
1495
1496 Q3: Yeah. We're not restricting parking so our - our intent is to provide enough
1497 public parking that we satisfy all the need to the retail and restaurant spaces.
1498 Um, while they're not being used and somebody pulls up and puts their bike
1499 out to get on the Greenbelt there's nothing including that, um, but I don't think
1500 our intent was to dedicate these 10 spots can be used by nothing but the
1501 Greenbelt access.
1502
1503 Q2: (Unintelligible).
1504
1505 Q7: Do you feel that that - this temporary parking lot is gonna th- th- if it was - if
1506 it was not there - you didn't build that would your restaurant and hotel still
1507 be...
1508
1509 Q: Viable.
1510
1511 Q7: ...viable? So - 'cause I'm - I'm wondering we build this temporary lot and
1512 then it gets overbuilt, and we've dumped a bunch of asphalt, you know, and
1513 added traffic to a street that had a f-, you know, ahead of the future project
1514 'cause - and - and so you're basically making a cross parking agreement with
1515 yourself for a period of time. Can you make a Cross Parking Agreement with
1516 anyone in a quarter of a mile that already has a parking lot and satisfy that...
1517
1518 Q5: Mm-hm.
1519
1520 Q7: ...same need and not have to pour a bunch of asphalt and do a bunch of
1521 landscaping when you're gonna tear that up in three years anyway?
1522
1523 Q: (Unintelligible).
1524
1525 Q7: And i- I'm not tryin' to...
1526
1527 Q: No. I - I get...
1528
1529 Q7: ...develop this for you but I'm trying to avoid...
1530

- 1531 Q: I get the question. But I - I - there's two factors that we use in getting this
1532 concept pushed forward, one is -- we thought we heard loud and clear --
1533 public access to the Greenbelt (unintelligible), so we're tryin' to provide that.
1534 Two, um, the access to the retail shops in the, um, the restaurant above, as
1535 well as walking over to the pub on top of the hotel when it's built, um, is
1536 logically put there (unintelligible) shortest distance, if you will, between A and
1537 B. Um, we have already kinda factored in the - the cost of the asphalt as
1538 needed that's gonna be there. It's working to do that and to make it look clean
1539 and right that's why we're also - even though the application shows for an
1540 asphalt on the Greenbelt, and we've already just had discussions about
1541 concrete 'cause it would look nicer, um, but we're kinda confused I think as to
1542 what - you - you almost gotta tell us what you want - what's more important.
1543 We don't need (unintelligible) once we build that project out that's what's
1544 gonna happen, we're gonna have more cars up and down this part of the road
1545 for that neighborhood but I think for now would be we need it for the retail to
1546 survive. The design of this project was always - didn't have that in mind at the
1547 time. We've just kinda come up with that as we think an additional would help
1548 the retail area and help access for the families to get on the Greenbelt, put
1549 their bikes out or get their stroller out and start walkin' around and enjoying
1550 the plaza. There's a lot more to this development than just a residential
1551 housing component. We hope to have a large area there that has tables and
1552 chairs, and you can have a burger, you can have soda, a cup of coffee and
1553 bagel and a dog runnin' around. It's gonna have an area where we think it
1554 becomes an activity center, you know, we wanna have access to that and we'll
1555 take your guidance as to how that is screened and, um, properly provided but
1556 the concept I think needs your common sense.
1557
- 1558 Q5: I don't know where to go. I'm just not comfortable with parking over there.
1559
- 1560 Q6: Maybe it's, um, uh, maybe it's more that when this project is complete those
1561 15 stalls are provided, or those 14 stalls are provided whether it be at that
1562 location or somewhere adjacent but there's just an agreement for providing
1563 those additional stalls?
1564
- 1565 Q2: So (unintelligible).
1566
- 1567 Q6: So we're not actually doing temporary parking there...
1568
- 1569 Q2: Mm-hm.
1570
- 1571 Q6: ...unless that project comes online wu-, uh, it's - its own (unintelligible) the
1572 final project comes on line prior or within that five years it would then - that
1573 could address the needed parking stalls but I guess maybe not doing
1574 temporary parking ahead of completion on this project?
1575

- 1576 Q2: Okay. So I (unintelligible).
1577
- 1578 Q6: Permanent solution versus a temporary solution?
1579
- 1580 Q4: M- yer- yer - that's a preference we would like to do but the - I feel the only
1581 way to get to that was the temporary, uh, cross park.
1582
- 1583 Q2: So Chris why is, um, from 20 40th or 40th Street (unintelligible)?
1584
- 1585 Q1: I can pull it up with this...
1586
- 1587 Q: R3.
1588
- 1589 Q2: R3?
1590
- 1591 Q: Yes ma'am.
1592
- 1593 Q2: So that does allow for (unintelligible).
1594
- 1595 Q1: Does it allow for a...
1596
- 1597 Q2: It doesn't allow...
1598
- 1599 Q1: ...surface parking lot?
1600
- 1601 Q2: ...commercial. Um, I mean, we're kinda supposing that that lot is gonna go
1602 between something other than single-family, and that decision hasn't been
1603 made.
1604
- 1605 Q: Well, as the owner of that property, I can tell you that decision's been made,
1606 and we will do multifamily there. And again, if you - if you guys feel that you
1607 can reduce the parking and since we are (unintelligible) need, we - that's fine
1608 with us. We'll - we'll reduce the count on the same condition - the condition
1609 to that. I like your idea of maybe we don't do a temporary. We just do a
1610 condition of approval, uh, how we would use that lot and knew it was gonna
1611 be finalized within our five-year phasing plan, that works for us too, and it
1612 achieves the same thing. Um, and if you guys feel that the 44 cars is too much
1613 then we - luckily, we are over parked there. We can reduce it and still hit our
1614 compliance with the calculations.
1615
- 1616 Q2: (Unintelligible).
1617
- 1618 Q6: I would be agreeable for - to either way.
1619
- 1620 Q7: What other ways?

1621
1622 Q2: Reduce it but not get rid of it completely.
1623
1624 Q7: Yeah. I think that...
1625
1626 Q6: Reduce that parking to...
1627
1628 Q7: We don't need to...
1629
1630 Q6: ...the four teams.
1631
1632 Q7: ...stipulate that it's over parked right? So yeah. I guess it should be the
1633 minimum but...
1634
1635 Q4: My side is or my concern, I guess, is that those stalls - those 14 stalls aren't
1636 needed until the project is built out.
1637
1638 Q7: They're not needed until you have people start movin' in (unintelligible).
1639
1640 Q4: This project is built out, so...
1641
1642 Q7: Right.
1643
1644 Q4: ...up until that point in time it's not necessary to have a temporary parking...
1645
1646 Q7: Right.
1647
1648 Q4: ...lot.
1649
1650 Q: That's correct.
1651
1652 Q7: And - and I guess where I was going with some previous comments was this
1653 temporary parking - Cross Parking Agreement can be anywhere. I mean, it can
1654 be within a quarter of a mile if...
1655
1656 Q: Sure.
1657
1658 Q1: ...I'm understanding correctly. Um...
1659
1660 Q2: We're not getting approval to...
1661
1662 Q7: So...
1663
1664 Q2: ...put the parking there. We're just saying...
1665

1666 Q7: Right.
1667
1668 Q2: ...that we approve the - there's gonna be temporary parking.
1669
1670 Q1: With the Cross Parking Agreement for 15 spots and...
1671
1672 Q2: Twenty.
1673
1674 Q1: ...if that's at, you know...
1675
1676 Q4: So 114.
1677
1678 Q7: Yeah. So if that's...
1679
1680 Q2: (Unintelligible).
1681
1682 Q1: ...anywhere from Heron Park you know, over to, you know, the developments
1683 - three blocks into Gary Lane on the other side, um, that can satisfy those 15
1684 until this one's developed.
1685
1686 Q: And is there - actually how would we even apply for it 'cause right now the
1687 other condition we're just saying that we will do a temporary parking - Cross
1688 Parking Agreement...
1689
1690 Q1: Right.
1691
1692 Q: ...we're giving some ideas to you...
1693
1694 Q1: Great.
1695
1696 Q: ...of what that can be...
1697
1698 Q1: Great.
1699
1700 Q: ...but if we run into problems with that or the timing then we have to comply
1701 with another, uh, location and that's all we can put in front of you today.
1702
1703 Q1: Yeah.
1704
1705 Q: (Unintelligible).
1706
1707 Q1: And then if you don't have a agreement somewhere else within a quarter mile
1708 then - then application would come before us for that...
1709
1710 Q: Yes sir.

1711
1712 Q1: ...new lot? Yeah.
1713
1714 Q5: Sure.
1715
1716 Q1: That makes sense.
1717
1718 Q5: Any other issues to - to work through?
1719
1720 Q6: Are we ready for a Motion?
1721
1722 Q7: We're ready for one. You gonna make one?
1723
1724 Q6: Sure. But do we need to make it go through the - the list of conditions?
1725
1726 Q5: The list of...
1727
1728 Q6: Just to make sure we're okay with...
1729
1730 Q5: That I have right...
1731
1732 Q6: (Unintelligible).
1733
1734 Q5: ...now, um, is that the - there's easement, um, through 41st Street where right
1735 of way is to be (unintelligible), um, for public access. Um, we've talked about
1736 a couple parking easement or agreement. Um, the sidewalk needs to be
1737 detached. Um, the - the Greenbelt...
1738
1739 Q: Can I clarify that? Detached meaning with wells?
1740
1741 Q2: Uh, no sir.
1742
1743 Q5: Detached.
1744
1745 Q2: Detached.
1746
1747 Q: So we're going to do a 100% detached?
1748
1749 Q2: Yes.
1750
1751 Q1: Correct.
1752
1753 Q: Okay.
1754
1755 Q2: You can submit a waiver for it or - or approved waiver.

1756
1757 Q: Okay. For the concept of proposing in the tree wells and some other
1758 hardscape.
1759
1760 Q2: (Unintelligible). Um, that - and that could be proposed for an assessment
1761 waiver.
1762
1763 Q: Okay.
1764
1765 Q2: Um, so - or approved waiver. So detached sidewalk or approved waiver. Um,
1766 the Greenbelt may be asphalt or concrete. Um, vacation of all property lines.
1767 Um, some sort of demonstration with the car sharing will be implemented,
1768 whether that's through a contract or whatever. And then the 14 parking spaces
1769 unaccounted for will be provided through some means.
1770
1771 Q: The Cross Parking Agreement - is that later determined with just...
1772
1773 Q2: Wait a minute.
1774
1775 Q5: Did you (unintelligible).
1776
1777 Q2: Yes. Mm-hm.
1778
1779 Q7: By the way (unintelligible), I will Motion to Approve on these conditions as
1780 stated by staff.
1781
1782 Q7: Second.
1783
1784 Q5: I have some comments.
1785
1786 Q5: All right. Discussion.
1787
1788 Q2: Just - yeah, just comments. Um, before we - we vote I agree with a lot of the
1789 comments that were presented tonight, especially, um, about the diversity of
1790 housing. Um, and I just - I - I ask that Garden City start looking into
1791 something. We're - we're really losing - uh, it's not even affordable housing,
1792 it's just workforce housing, um, and it is very concerning to me. Um, that's it.
1793 I'll keep it at that.
1794
1795 Q: (Unintelligible).
1796
1797 Q2: (Unintelligible).
1798
1799 Q5: Thank you.
1800

1801 Q7: So...

1802

1803 Q2: The maker of the Motion and five-year approval.

1804

1805 Q7: Yes. And...

1806

1807 Q2: (Unintelligible).

1808

1809 Q7: And yes - add that. Um, I wanna - I would say remove the OR approved
1810 waiver on this because I see the sidewalk applications come through all the
1811 time. People are always looking for waivers. We don't give them. We've been
1812 kind of hard lined on that so I don't wanna open it up to that so I would just
1813 say detached sidewalks. I mean, they can try to go through the waiver process
1814 - process if they want to but...

1815

1816 Q5: (Unintelligible).

1817

1818 Q7: ...I'd like that.

1819

1820 Q: (Unintelligible).

1821

1822 Q5: Uh, that's how it's worded.

1823

1824 Q1: (Unintelligible).

1825

1826 Q2: Mm-hm. So you're saying just appeal...

1827

1828 Q7: And I was just sayin' to remove that part and just say detached sidewalk.

1829

1830 Q2: And allow it to be appealed.

1831

1832 Q1: And then everyone's not coming before us wanting that verbiage.

1833

1834 Q6: There is one that they intended.

1835

1836 Q7: (Unintelligible).

1837

1838 Q2: (Unintelligible).

1839

1840 Q6: A waiver's just (unintelligible).

1841

1842 Q7: Got ya.

1843

1844 Q6: ...their ability.

1845

1846 Q2: Okay.
1847
1848 Q7: Thanks.
1849
1850 Q5: Sounds like both maker and the...
1851
1852 Q7: Yup.
1853
1854 Q5: ...the second maker or - are okay with, um, having, uh, the five-year approval
1855 and just a straight detached sidewalk?
1856
1857 Q7: Yup. Correct.
1858
1859 Q5: All right. All those in favor?
1860
1861 Q7: Aye.
1862
1863 Q6: Aye.
1864
1865 Q2: Aye.
1866
1867 Q5: Thank you.
1868
1869 Q: Thank you, everyone.
1870
1871 Q5: Congratulations.
1872
1873 Q: Appreciate your time on all this.
1874
1875 Q5: Uh, and - and before e- everybody leaves, um, the m- the next steps in the
1876 process it's anticipated that a decision document will be brought back before
1877 this Committee at the next regularly scheduled meeting which is February 3rd.
1878 Is that correct? Um, at which point in time there - and if this forum decides
1879 that that's - that staff accurately, um, is able to capture this discussion and
1880 decision document there will be a 10-day ability to trigger a hearing at the
1881 City Council level, um, or a 15-day appeal period. That's a little bit funny.
1882 Um, so at the next meeting February 3rd, um, it's anticipated (unintelligible).
1883
1884 Q1: Just for everybody's I guess clarification those two periods run concurrently.
1885
1886 Q5: Yes. They do.
1887
1888 Q1: Okay. Thank you.
1889
1890 Q5: Thank you. Um, there would be a 10-day ability to trigger a next possible

1891 hearing at the City Council.
1892
1893 Q: Could you clarify in this next hearing on the 3rd what exactly that your
1894 committee will be reviewing?
1895
1896 Q5: Uh, the decision document to make sure that the decision's accurately
1897 reflected and then those are typically on the consent to agendas yes or no.
1898
1899 Q: Which means the decisions we made today with conditions...
1900
1901 Q5: Correct.
1902
1903 Q: ...will be properly written up? Yeah.
1904
1905 Q5: Correct.
1906
1907 Q: Okay. Thank you.
1908
1909 Q1: Um, just one more thing. Just for also for the public and the applicant the -
1910 those two periods start from the date of signature on the document - not the
1911 day that the Design Committee approves the findings so usually sign this...
1912
1913 Q5: Which is typically the same day.
1914
1915 Man: Same day but or a day later. Okay. Thank you.
1916
1917 Q5: Thank you. And again, um, should that happen, uh, and you wish to be
1918 notified please do sign up and stop and make sure that you're well aware.
1919 Thank you.
1920
1921 Man: Thank you everybody.
1922
1923
1924 The transcript has been reviewed with the audio recording submitted and it is an accurate
1925 transcription.
1926 Signed _____