

Broad and Washington – Interim and Permanent Public Parking Plan

December 16, 2020 resubmission; revised through January 21, 2021

I. Interim Parking Plan

- a. **Number of Spaces** – A minimum of 64 public parking spaces shall be available at all times during construction initial construction of Broad and Washington (the “Project”), which period runs from issuance of the first building permit through issuance of a the initial Certificate of Occupancy for the public parking spaces within the Project’s garage (the “Construction Period”).
- b. **Hours** – All public parking spaces shall be available to the public during regular business hours of Clare and Don’s Beach Shack, Thompsons Italian, and the State Theater (collectively the “Adjacent Businesses”) and their evening and weekend hours when parking is provide at a remote location, which hours are in effect at the time of the Project’s site plan approval.
- c. **Proximity** – All public parking shall be maintained on the existing public parking lot, a temporary parking lot on the Project’s property during construction of the Project, with an exception as follows:
 - i. The public parking may be provided at a remote location for a period no longer than 6 months, unless a longer period is approved 1) by the City Manager, which approval may be granted only upon certification by the City Manager that Broad and Washington, LLC, or its successors and assigns (the “Developer”) has used commercially reasonable efforts to construct the project, but despite those efforts is not able to relocate public parking onto the Project property within the 6 month time period, or 2) on an appeal of the City Manager’s decision to the City Council.;
 - ii. No further than 800 feet from the intersection of Park Place and Washington Street; and
 - iii. While public parking is provided in a remote location, the Developer agrees to provide valet parking to such remote lot at no cost to the Clare and Dons and Thompson Italian on nights and weekends for the hours that businesses are open; and
 - iv. A final valet parking management plan with specific details related to level of services and hours will be finalized in coordination with the Clare and Dons and Thompson Italian prior to the Project’s site plan approval. The final valet parking management plan will at a minimum include a level of service at industry standard levels for sit down restaurants and hours aligned with peak evening service for Clare and Dons and Thompson Italian.
- d. The location of temporary parking and details of the valet parking requirements shall be established at the Project’s site plan approval.
- e. **Wayfinding and Public Parking Signage**
 - i. As part of a final interim parking plan, the Developer will include detailed wayfinding signage for each phase of construction.

- ii. The wayfinding and public parking signage will conform to the City's adopted wayfinding and public parking signage and will be provided at the Developer's sole cost.
- f. **Duration** – All public parking shall be available during the entire Construction Period.
- g. **Coordination with Adjacent Businesses** – Clare and Dons and Thompson Italian support the Broad and Washington Project. The Developer agrees to continued dialog and coordination with the State Theater to address their concerns, and to reach a reasonable resolution on the parking issues.

II. Permanent Public Parking plan – Post-Development

- a. **Access Hours** – A voluntary concession will commit to 24-hour access to the public parking spaces via a perpetual public easement.
- b. **Location** – The Project's Conceptual Development Plan will show the location of the City's permanent public parking spaces.
- c. **Signage** – The Developer will provide public parking and wayfinding signage on the exterior of the Property and on the building. The amount and location of the public parking and wayfinding signage will be determined prior to Site Plan and incorporated into a final Permanent Parking Plan, as provided in the Voluntary Concessions. The public parking and wayfinding signage will conform to the City's adopted wayfinding and public parking signage and be provided at the Developer's sole cost. The Developer will provide public parking and signage within the parking garage to direct the public to the dedicated public parking spaces and paid parking spaces located within the parking garage.
- d. **Vehicular and Pedestrian Access to Parking Spaces** – Access to public parking spaces shall be unimpeded, such as by operational control gates. That access shall be protected by a public ingress/egress easement. Convenient pedestrian access ingress/egress routes to the public parking spaces shall also be delineated and protected by public access easements.
- e. **Enforcement** - The developer will enforce use of the public parking spaces, to ensure that they are not being used by the Project's apartment residents.
- f. **Unreserved Spaces** - All non-reserved spaces (which is expected to include 74 spaces) may be used for paid public parking by members of the general public seven (7) days per week, 24 hours per day, regardless of whether they are patrons of one or more of the businesses or other occupants of the site. Developer will charge one parking rate for all vehicles parking in non-reserved spaces. Notwithstanding the preceding sentence, Developer, businesses in the project, and businesses located nearby may validate parking for their patrons. Additionally, Developer may modify and change parking rates, including implementation of dynamic pricing, at its sole discretion so long as the fees charged are the same for all vehicles parking in the non-reserved spaces. Additionally, Developer, Creative Cauldron, or any other future theater or community user may provide free or reduced rate parking for performances or other special events associated with Creative Cauldron or another theater or community user. For the purposes of this section, "non-reserved spaces" means all parking spaces other than those reserved for residential use, grocery store use, and dedicated public parking. It is understood that there are

approximately 74 non-reserved spaces reflected in Purchaser's current zoning plans for the Project.

The Developer will develop Interim and Permanent Parking Plans consistent with the elements listed above prior to the Project's Site Plan approval. The intent of the above elements will help address the following stakeholder needs:

- Adjacent Businesses - Have available the same number of public parking spaces at all times and in general proximity to their businesses.
- Developer – Have the ability to commit to *Interim and Permanent Public Parking Plan* and framework concept at SE, but fully detail and finalize plan and any off-site property agreements prior to final Site Plan approval.
- Staff – *Interim and Permanent Public Parking Plan* is integral to:
 - 1) Minimizing Adjacent Businesses public parking impacts during construction;
 - 2) Allows for the SE application to proceed in the public review process with some progress on the key issues for further development;
 - 3) Allows for a reasonable timeframe and expectations to complete a detailed *Interim and Permanent Public Parking Plan* and related evaluation, revisions and approvals under a formal site plan process with clear Developer commitments in VCs;
 - 4) These commitments generally relate to existing city code and standards for guidance for staff evaluation purposes. (i.e. proximity of parking, hours based on uses, demand and adequacy of parking);
 - 5) Consideration of the Sale of the City land and evaluation of terms can proceed with the public parking objective of maintaining all the public parking spaces at all times as reasonably achievable.