



Published September 27th, 2023

## Do parking in lieu fees stymie Orinda downtown development?

By Sora O'Doherty

As the clock ticked ominously towards 11 p.m. on Sept. 19, the Orinda city council agreed, with a minimum of discussion, to ask staff to come back with a proposal to amend its Master Fee Schedule to reduce the Parking Variance In Lieu fees to support business revitalization. Staff suggested that the council might like a nominal fee for changes in use, perhaps reducing the in-lieu fees of between \$50 and \$200 for existing buildings. The council would retain the option to consider increasing the fees at a future date, such as the Master Fee Schedule update made annually in July.

The matter appeared on the council's agenda as a result of a matter initiated on Sept. 5. On Sept. 18, Harvey Stein, legal counsel for Mo Mashhoun and Mash Petroleum, which has its headquarters in Orinda's Theatre District, wrote to the city council explaining the difficulty Mashhoun is having leasing a space in the Moraga Way building.

Stein reminded the council that the building had been granted a Mayor's Award of Excellence upon its completion in 2019. He continued to explain that two potential tenants for a small, 800 sq. ft. space on the ground floor of the building had fled, when they were apprised of potential parking in lieu fees ranging from \$60,000 to \$75,000.

Mashhoun is now considering an offer to lease the space as a bicycle sales showroom at 50% below market rate, but he will only do so if the city does not impose a burdensome, "deal-killing" parking fee. "Unless the City alters its position on the parking fee, the space will remain vacant for the foreseeable future," Stein warned.

Council Member Brandyn Iverson, who had requested the matter initiated, said that she was suggesting a limited proposal suspending parking in lieu fees for about a year for vacant spaces downtown. She specified that she was not proposing a change to the rules for new development nor looking at the broader issue of state laws.

Mayor Inga Miller inquired if the action would affect the Chevron project, and was told that it would not apply to gas stations. Given the lateness of the hour, the council agreed to authorize staff to develop a proposed action and bring it back to the council in the future.

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