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## Resolution XX-24 establishing a parking variance In-Lieu fee holiday for AB 2097 projects fails

By Alison Burns

For decades, the overgrown lot at 25A Orinda Way has stood empty and neglected. But behind the boarded up windows, exciting plans have slowly been taking shape since June 14, 2022, when a new project was approved by Orinda's Planning Commission.

The Station, a state-of-the art 18,287 square foot mixed-use building, owned by the Ugenti and Colen families, promises to be a "destination for guests and residents year-round" which will create an "everyday ecosystem for local and regional residents".

Orinda badly needs a commercial project like The Station to breathe life into the city and promote downtown development. With its Michelin star restaurateur, 3,000 sf. of fitness space, family friendly fire pits, and second story executive offices, the complex promises to lure visitors from miles around.

There is only one fly in the ointment: no parking.

Originally, there were to be 80 subterranean parking bays, six "parklets", and room for at least five bicycles, but all these appear to have disappeared.

No matter - when a Californian commercial building fails to offer a safe place to leave your vehicle, its developers have to pay "parking variance in-lieu" fees.

Under the rates stipulated in the current Master Fee Schedule, The Station owes \$823,810 in Parking In-Lieu Fees, which the City could deposit into a dedicated parking fund and expend as needed, either to increase the supply or reduce the demand for public or private parking.

On Jan. 1, 2023, mere months after the developers had committed to the six-figure Parking In-Lieu Fees, Assembly Bill 2097 came into effect, exempting most projects from having to provide minimum on-site parking if they were located within one-half mile from a major transit stop. This would obviously apply to The Station, given its proximity to BART. Hypothetically, the developers could start over and submit their project for re-approval, it would doubtless involve other costs and substantially delay construction.

Their hope was that at the April 16 City Council Meeting, approval would be granted for Resolution XX-24 Establishing a Parking Variance In-Lieu Fee Holiday for AB 2097 Projects, allowing the project to continue as planned, without having to pay the obligatory \$823,810.

The Resolution was hotly debated at the Council Meeting on April 16, involving three time extensions late into the night, until finally ending at 11 p.m.

The result came in at two ayes (Iverson and Riley) and three no's (Gee, Miller and Malkani).

The motion was not carried.

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