

From: [REDACTED]
Sent: Friday, September 23, 2022 2:18 PM
To: CityClerk <CityClerk@chulavistaca.gov>
Cc: [REDACTED]

Subject: Written Comments for September 27, 2022 City Council Meeting -- Item 7.2 Parking Management Plan

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Dear Sir Or Madam,

On behalf of Smiser Family Properties, Inc., and EAS, LLC, the owners of the properties located at 310 and 340 Third Avenue in Chula Vista, I write to submit the following comments regarding the ongoing Parking Management Plans for the Third Avenue District which will be discussed at the upcoming City Council meeting on September 27. The parking management plan is presented at section 7.2 of the agenda. The updated staff report attached to the agenda appears to indicate that recommendation #7, a \$0.50/hour fee for the parking structure located at 340 F St. will not be taken up at the meeting and may be tabled until a later date. However, we are submitting the following comments that we had prepared in anticipation of a discussion of the proposal and respectfully request that Council consider these issues as it continues to assess the parking issues throughout the Third Avenue District:

1. By way of background, under a 1983 Agreement, the owners of the 6 parcels that surround the parking structure were obligated to make monthly payments to repay the city for the cost of constructing the parking garage. The original "Reciprocal Grant of Easement and Declaration Establishing Restrictions and Covenants" ("1983 Agreement") was put in place around December 15, 1983, and had an original fixed term of 35 years, and expired on or around December 15, 2018. Under the 1983 Agreement, the same parcel owners were also fully responsible for the daily operation of the structure and for all costs to maintain and operate the structure. There was never a fee charged for parking in the structure that we are aware of during that term. Instead, these six parcel owners paid for all of the costs required to operate the garage such as electricity, lighting, sweeping, power washing, trash, elevator maintenance and repairs, insurance and everything else. However, despite this arrangement, the parking structure was fully open to the public for free parking. The net result is that (1) the 6 parcel owners paid for the costs to construct the parking structure; and (2) the 6 parcel owners paid all operational expenses during the 35 year term of the 1983 Agreement, yet the garage was open to the public for free parking.
2. In light of the monetary terms and history described in item 1, and in light of the design of the 6 parcel development surrounding the garage which provides the primary parking available for the 6 parcels, the 6 parcel owners' needs should be factored into the future plans for the parking structure. In fact, at least two of the parcels are physically connected to the parking structure via stairs or a walking bridge, making the structure an integral part of these properties as originally designed.
3. Moreover, the entire Third Avenue Village is an area of redevelopment that features many small business operators that are working hard to revitalize this important part of Chula Vista. Many of these business owners, particularly in these economic times where the prices of everything

are skyrocketing, are already stretched thin. We do not want to see a decision made that would impose even more costs on such people and businesses without careful consideration. The worst case scenario would be a decision by the city council that risks reversing all of the years of hard work and progress that has been made to improve the Third Avenue Village area.

4. Given all of these important and competing interests, this is not a simple project. Yet, as we understand it, city staff plans to simply ask the city council to approve their proposed rate of a new \$0.50/hour parking fee to be implemented at the parking structure. However, as discussed further below, no details on the specifics of how the new parking fee will be implemented are currently decided.
5. Representatives from Smiser Family Properties met with Mr. Barker and Ms. Elliott to discuss the Parking Management Plan, and Mr. Barker and Ms. Elliot separately provided a repeat presentation of the Parking Management Plan to Joe Warren from Smiser Family Properties as part of his recent joining of the board of the Third Avenue Village Association Board of Directors. During these meetings, the parties discussed many questions and concerns regarding how the \$0.50/hour parking fee will be implemented. For example, will there be mechanical gates to control ingress and egress from the parking structure? How will that impact traffic congestion in an already busy area, particularly in front of the Castillejo's Eye Institute where there are continually parked vehicles dropping off patients near one of the main parking garage entrances? Will there be a live cashier to process payments or will it all be handled electronically? Will there be any free short term parking? Will business owners and tenants of the 6 surrounding parcels receive any parking vouchers, monthly parking passes, discounted rates, etc., for their tenants and their employees? Mr. Barker and Ms. Elliott mentioned that one potential idea would be an entrance gate dedicated for employees of surrounding businesses, but that was just a potential idea at this point. In fact, for every one of these types of questions on how the parking fees will be implemented, the uniform response was that none of those details are currently decided, so those specifics cannot yet be addressed. Instead, they would solely be asking city council for approval of the \$0.50/hour fee at this time. All details regarding the implementation of the fee parking program in the garage would be decided once the fee is approved.
6. It is frankly very difficult for us to support or oppose the \$0.50/hour proposal without knowing any details of how the plan will be implemented and what impact it will have on our employees, our tenants, their customers, and the surrounding businesses in the Third Avenue Village. If a parking fee is going to be imposed, we would like to see it done in conjunction with a full plan to implement the new parking fee program. In our opinion, it is difficult to understand how the \$0.50/hour rate was determined without knowing such details on the implementation, and therefore difficult to know if such a fee will meet whatever revenue needs exist.
7. Given the fact that the parking structure has successfully operated for over the past 35 plus years without a daily parking fee, what other avenues have been explored for funding the operations of the garage and why were they dismissed?
8. Is the goal of the parking structure to become a profit center to build reserves for the construction of additional parking structures in the future, and if so, is that appropriate and fair or even necessary at this time?

9. In summary, while we recognize that there are costs required to operate the parking structure, we do not want to see this done in a way that becomes a deterrent to businesses and customers wanting to come visit Third Avenue, particularly at this time where so many efforts are being made to revitalize the area.

Best regards,

Joe Warren

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