

CC-33
CC-48(a)

CITY COUNCIL MEETING
February 17, 1982

REQUEST OF BALDWIN
OLDS/BUICK, INC.
TO LEASE CITY
STREET, E. WALNUT,
WHICH DEAD ENDS
AT THE RAILROAD
PROPERTY

Following introduction of the matter and Council discussion, Council, on motion of Councilmar Pinkerton, Murphy second, approved the request of Baldwin Olds, Buick, Inc. to lease that portion of East Walnut Street, Lodi which dead ends at the Railroad property, on a month to month basis for the sum of \$50.00 per month, directing the City Attorney to draw up an appropriate agreement and that all work within the public right-of-way shall require prior approval and shall require the issuance of a City of Lodi Encroachment Permit.

Pg 104

MEMORANDUM, City of Lodi, Community Development Department

TO: Jack Ronsko, Public Works Director DATE: February 16, 1982
FROM: Mamie Starr, Assistant Planner
RE: Garrett Baldwin Request for Lease of Portion of Walnut Street

Following is the material you requested for the February 17, 1982 City Council meeting:

PRIMARY QUESTION - Should the City lease, for private use, the dead-end stub Walnut Street, west of the Southern Pacific tracks, to Baldwin Olds for a sum of \$50 per year?

SECONDARY QUESTIONS - Is this property needed for public parking purposes?
Is the property needed for street purposes?

CONSIDERATIONS:

- o The June, 1980 "Lodi Downtown Development Plan" prepared by Quad Consultants, recommends perpendicular parking on the north side of the Oak and Walnut Street stubs (Figure 306 in the report), with no specific recommendations as to timing. It was CLIC's intention that painting of these stubs for parking be done with Phase 1 work; however, they were excluded from the District in order to square-off the boundaries and because members felt the work might be more appropriately undertaken by the City.
- o Within the last month Walter Sanborn, CLIC Chairman, has discussed with us the use of these stubs for parking. He was put in touch with Glenn Robison and Marvin Davis, and given the sketches by your Department. He asked that staff prepare a cost and time estimate. I presume that Marvin has discussed this with you. He was also apprised of Mr. Baldwin's request. On behalf of CLIC he stated that it would be their recommendation that the stubs be used for parking and that they be retained for street purposes in the event that the SPRR move its switching operations and the streets are ever re-opened. He recommended permit parking. It was also noted that if the City ever acquires use of the Southern Pacific property (Block 16 on the map) for parking, Oak Street might be incorporated into the design.
- o Mr. Schroeder has stated that City property cannot be obtained through adverse possession; therefore, short or long-term closure of Walnut Street (or Oak) would not result in the City's losing it for future street purposes.

- o The Quad Report states that there is an unsatisfied demand of 18 parking spaces in Block 24 (Figure 3-5 in the report) based on 17,000+ feet of commercial land use. There is a surplus of 91 spaces in Block 20, based on 7,000 square feet of commercial land use. On-street and off-street parking, regardless of current availability was counted. The report also states that there is presently a slight surplus of 190 spaces in the entire study area; however, there is a latent demand for another 480 spaces based on the amount of currently vacant square footage. These figures included use of SP's Block 16, which is now blocked to vehicles.
- o CLIC has contacted SP regarding acquisition of Block 16 and the City has been contacted regarding the amount of land we would need for parking. Assuming development to City standards, 70+ spaces could be provided on this property. It was previously used as free parking by a number of downtown merchants, employees and customers. Downtown improvements will result in an additional 55+ spaces in the core area.
- o Based on information contained in the attached memo, there is a calculated deficiency of 471 employee parking spaces in the downtown area (includes new permit parking areas). A 1977 vacant parking space survey indicated an overall 60% vacancy rate of on-street parking spaces and lots in the downtown area. The peripheral area, which included the stub streets and Sacramento Street was 70%. A 1980 Parking Duration Survey indicates an overall occupancy rate of 43.3% for on-street spaces during Christmas. (Report available in Community Development Department File, Downtown Improvements Surveys-Meters).
- o Based on five counts in February 1982, the average vacancy rate of the permit portion of Lot 1 was 58%, Permit Lot 3 - 8%, Permit Lot 4 - less than 1%, and Permit Lot 5 - 46%. A total of 203 permits were sold for the 191 permit spaces available for the month of February. The vacancy rate in Lot 5, before the new permit areas, was 16% with a total of 120 permits sold for the 108 available spaces. -- a difference of 30%.
- o A recent one-day am/pm survey of School Street parking indicated a 15% vacancy rate. Oak Street from Church to Sacramento was 37% and Walnut Street 45%. A one-time afternoon check of Sacramento Street between Walnut and Lodi Avenue indicated 61% of the on-street spaces vacant. On the stub of Oak Street 3 of the 6 spaces were vacant and on Walnut Street 4 of the 8 spaces were vacant. The two-hour time zone is enforced on both stubs. Sacramento Street is also a 2 hour zone.
- o On February 12, 1982 the Firestone Store at Oak and Sacramento Street was closed; however, there were 16 vehicles parked on the premises. A license plate survey of these vehicles indicated that vehicle ownership were from: Lodi - 10; Acampo - 1; Novato - 1; Walnut Grove - 1; Los Angeles - 1; Stockton - 1; Sacramento - 1; and unknown - 1. Three of the vehicles belonged to neighboring businesses; 4 to people employed at the Toggery on Oak and School; and 1 to Bill's Barber shop on Oak Street. The

southern portion of Block 20 is fenced and contains a number of wrecked and other vehicles.

- o I do not know the ownership status of the property in relation to SPRR.

CONCLUSIONS

First, the property is not needed for street purposes at this time. Since a private interest cannot adversely possess City property, if the City retains ownership, it is presumed we could reopen the street in the future, if necessary.

Second, the statistics do not support the need for an additional 6 parking spaces at this location (Oak and Walnut Streets), particularly if they are 2-hour spaces. Making the 20 spaces (total) permit spaces would presumably yield the City an additional \$100 per month; however, vacancy rates of Lot 5, (and Lot 1) and the number of permits sold, indicates a minimal demand for more permits, despite the statistical need for employee parking. Therefore, there is not a guaranteed \$100 monthly income. Based on the ownership of vehicles at the Firestone store, there may be a demand for all-day parking facilities on the east side of downtown for merchants and employees. As an aside, the walking distance from the Toggery to the Firestone property and Toggery to the closest permit lot is about the same. It is also possible that Mr. Baldwin could purchase the ten permit stickers and use the spaces; however, there is no guarantee that the spaces would always be open to him. Furthermore, it is presumed that his principal need for space is for vehicles coming in for service and company vehicles which are frequently changed. Another alternative would be to make the spaces five hour spaces, which in effect is free all day parking, since the vehicle need only be moved once. Based on the Firestone store parking, it appears that "free" parking would be used by employees, merchants and customers in the area. It is also presumed that it would be used by some individuals currently purchasing stickers, as the walk to School Street would not be significantly increased. Again, it would be first come - first serve and Mr. Baldwin would have no guarantee on the spaces. Another alternative is issuing guaranteed space stickers, which raises the questions, should Baldwin be given preference or make it open to anyone. The installation of parking on the SP property to the north and the increased number of spaces with the new post office will also have an effect on parking demand in this area.

Third, leasing the property to Mr. Baldwin, with appropriate fencing and on-site conditions, would be a guaranteed \$50 per month and there would be no City maintenance. Peripheral considerations might be 1) does the lease go with the property in the event that Baldwin moves out; 2) is he leasing the property on the north side of Walnut and would he use the properties and street all as one piece; 3) if that property is used by another party, are we giving Baldwin a "privilege" not available to the other party.

Attachments

PLEASANT AVE.

CHURCH ST

SCHOOL ST

SACRAMENTO ST



SCALE: 1" = 300'

LOCUST

ELM

PINE

OAK

WALNUT

LODI

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Retiroad

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2. The private parking situation will not change, with the following exception -
3. The Southern Pacific lot on Sacramento Street, which is now closed, accommodated 50 employee cars. Presumably these spaces were considered private, off street spaces.
4. It is desirable to get employees out of on-street spaces (at least in the downtown area) into off-street spaces
5. The 4% unknown, or 55 spaces is insignificant enough to ignore in the analysis, since there is no more logical way to distribute them.

Using the above information, the following employee parking space demand figures have been calculated:

TOTAL ESTIMATED EMPLOYEE PARKING DEMAND	1,385 spaces
Unknown parkers to be ignored	- 55 spaces
Private off-street spaces (excluding 50 SP spaces)	- 670 spaces
Public off-street spaces in permit Lot 5 *120 permits are sold and lot is seldom full; could change the 105 demand net figure to 120	- 105 spaces
<hr/>	
TOTAL UNMET EMPLOYEE PARKING DEMAND AT PRESENT	555 spaces
Employee spaces created by "dividing" Lots 1-4 *More permits than spaces could be sold for these lots also; however, it is assumed that demand for parking in these lots will be higher than currently exists in Lot 5 and overselling might not be a good idea	- 84 spaces
Employee spaces possible on SP Lot	- 74 spaces
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TOTAL UNMET EMPLOYEE PARKING DEMAND AFTER ACTIONS TO INCREASE SPACES	397 spaces

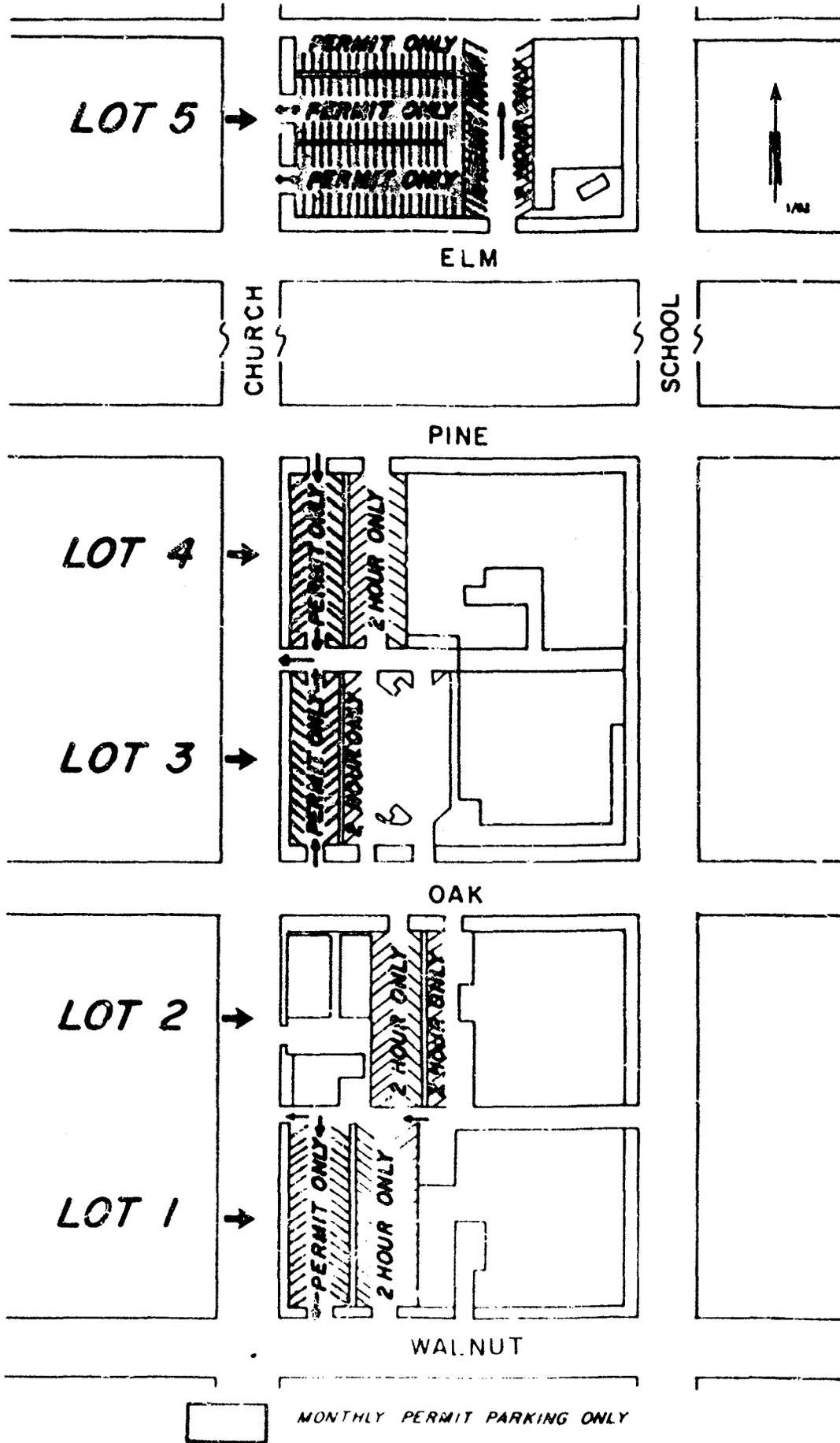
Assuming the need and/or desire to get all employees out of on street spaces in the study area, and implementation of all employee parking proposals to date, there is still a shortfall of nearly 400 employee spaces.

There are a number of considerations. First, the estimated employee parking demand, which is the basis for these calculations, is just that - an estimate.

A survey has not been made of each business to determine actual employee parking demand. It has also been assumed that the demand is constant. It may be that many of the employees are working in the downtown area only part-time, meaning that an unknown number of employee spaces are used by more than one employee during the day, thereby reducing the total space demand. It may also be erroneous to assume that it is desirable to have all employees park off-street. The surveys provided no indication as to where employees were parking on-street. Many may actually be parking in on-street spaces which would otherwise be vacant. A more realistic evaluation of unmet demand might be possible if there was more concrete information on where employees are parking on-street.

By City ordinance, off-street parking is required for new commercial space outside of the existing parking district; however, new construction within the District need not provide parking. Therefore, it is possible that a portion of the private parking available at the present time could possibly be eliminated in the future. Increasing employee off-street parking by permit or extended time zones, in areas close to the work locations, will place the City in direct competition with some private parking providers, possibly decreasing the desirability of those locations for parking. Any new additions to downtown commercial activity would also result in an increase in the employee demand.

CITY OF LODI DOWNTOWN PARKING LOTS



MONTHLY PERMIT PARKING ONLY



BALDWIN OLDS, BUICK, INC.
216 S. SACRAMENTO ST. • P. O. BOX 29
LODI (209) 333-2233 • STOCKTON (209) 943-6411
LODI, CALIFORNIA 95241



February 2, 1982

City of Lodi
City Council
221 W. Pine St.
Lodi, CA 95240

Letter to Buick
2/2/82

Dear Councilmen:

This letter concerns the city street E. Walnut which dead ends at the Railroad property.

Baldwin Olds, Buick, Inc.'s property flanks either side of this dead end street. I would like to propose that Baldwin Olds, Buick, Inc. be allowed to lease the aforementioned street on a month to month basis for the sum of \$50.00 per month.

In return for this payment, I would like to put a fence across the front of the street to protect cars to be stored in that area. At the present time, the only people using the street for parking are employees of the firm and Baldwin Olds itself. We would also maintain the street by keeping it clean which would save the City of Lodi money.

This plan would greatly enhance the efficiency of our business by giving us more storage parking for Service customer's cars which, I hope, would increase our ability to service and store more cars thereby generating more Sales Tax dollars for the City of Lodi.

In the event the City wishes to convert the street to a public parking area as originally planned at a later date, upon sixty days notice I would remove the fencing from the front of the street and restore the street to its original condition.

If I cannot fence the street and utilize it for the type of storage I wish, then I would be willing to pay \$25.00 per month on a month to month lease so that my employees could, at least, park their cars using the whole street and not be ticketed for illegal parking by the City of Lodi.

Your help in this matter will be greatly appreciated.

Sincerely yours,

Garret Baldwin

Garret Baldwin

GB/vb

CITY COUNCIL

JAMES A. McCARTY, Mayor
ROBERT G. MURPHY, Mayor Pro Tem
RICHARD L. HUGHES
WALTER KATNICH
JAMES W. PINKERTON, Jr.

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

Alice
HENRY A. GLAVES, Jr.
City Manager

ALICE M. REINICHE
City Clerk

RONALD M. STEIN
City Attorney

February 19, 1982

Mr. Garret Baldwin
Baldwin Oldsmobile Buick, Inc.
1 East Lodi Avenue
Lodi, CA. 95240

Dear Mr. Baldwin:

SUBJECT: Use of Walnut Street Public Right-of-Way
Sacramento Street to S.P.R.R.

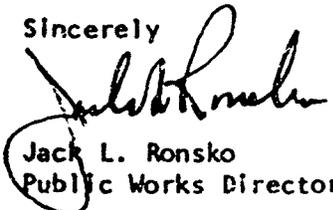
The Council at their last regular meeting of February 17, 1982, acted upon your request as outlined in your letter dated February 2, 1982. It was the Council's decision to lease the subject right-of-way to you with the following conditions:

1. The rental fee would be \$50 per month. The payment of this fee would allow you to fence the property in question.
2. That all work within the public right-of-way would require prior City approval and would require the issuance of a City encroachment permit.
3. Execution of a lease agreement to be prepared by the City Attorney. Agreement to include conditions outlined in your letter and City's insurance requirements.

In order that this department can prepare the encroachment permit (no cost to you, the applicant), it will be necessary to know what you're planning to do exactly as it relates to fence relocation, gate location, temporary improvements on the City right-of-way, the proposed use of the City right-of-way, etc. Please show on the attached plan, to scale, your proposed improvements to the temporary improvements to the City right-of-way.

Until all of the above is completed, the area must remain and will be enforced as two (2) hour parking.

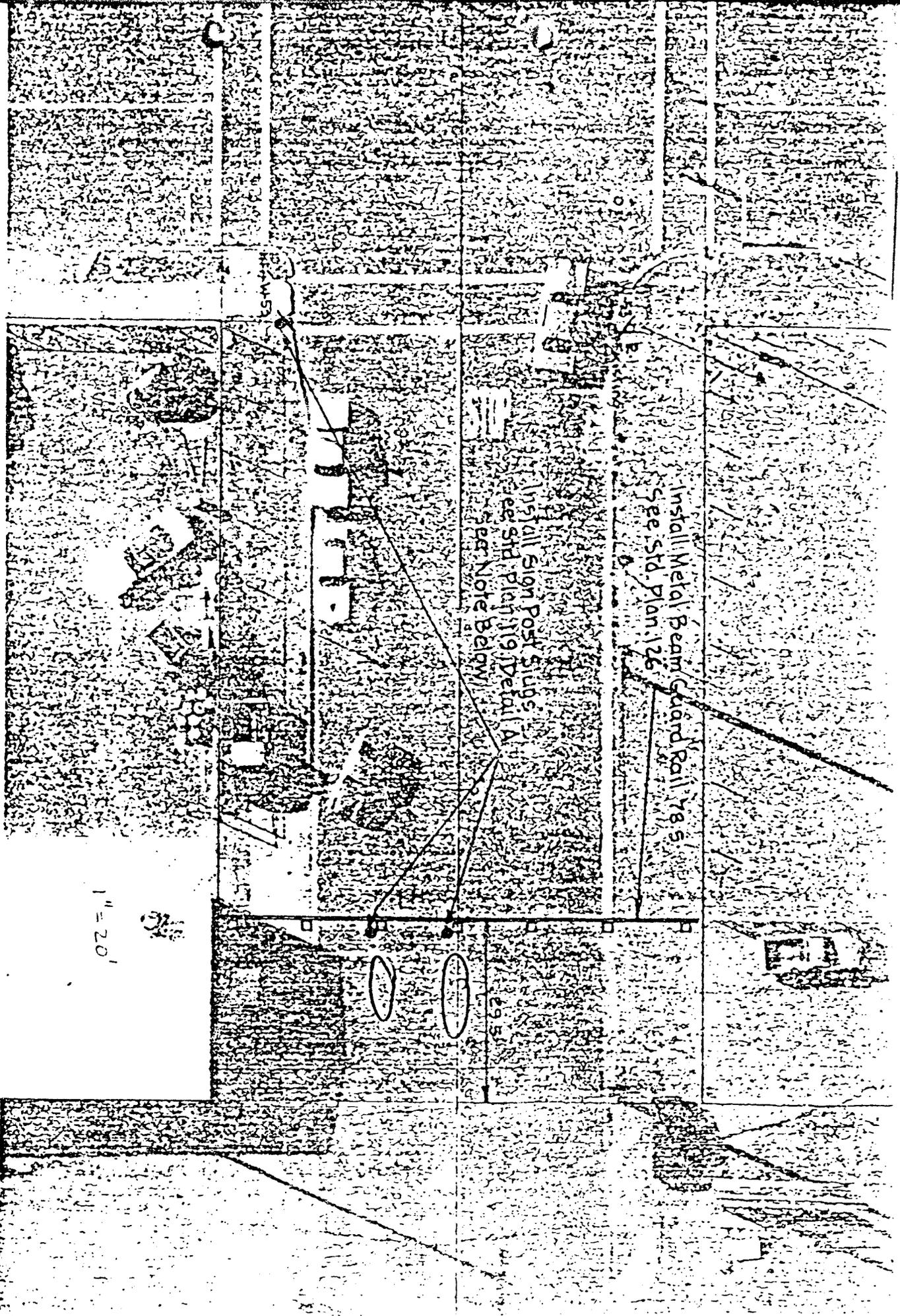
Sincerely


Jack L. Ronsko
Public Works Director

Enclosure

cc: City Manager, City Attorney, Finance Director

JLR/neh



Install Metal Beam Guard Rail 18's
See Std. Plan 126

Install Sign Post Slugs
See Std. Plan 119 Detail A
See Note Below

1" = 20'

NOTE
Guard Rail Locations & Sign Post
Locations to be Marked by City of Lodi

CITY COUNCIL

JAMES A. McCARTY, Mayor
ROBERT C. MURPHY, Mayor Pro Tem
RICHARD L. HUGHES
WALTER KATNICH
JAMES W. PINKERTON, Jr.

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
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LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. GLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

February 23, 1982

Mr. Garret Baldwin
Baldwin Oldsmobile Buick, Inc.
1 East Lodi Avenue
Lodi, California 95240

SUBJECT: Use of Walnut Street Public Right-of-Way -
Sacramento Street to the Southern Pacific
Railroad for the purpose of the Parking of
Vehicles

Dear Mr. Baldwin:

Your request on behalf of Baldwin Oldsmobile Buick, Inc. for the use of the Walnut Street public right-of-way and Sacramento Street to the Southern Pacific Railroad within the City of Lodi for the purpose of the parking of vehicles, was submitted to the Lodi City Council at its regular meeting held February 17, 1982.

You are advised that your request was accepted by the City Council, subject to the conditions as set forth in this letter. Please sign and return all copies of this letter which will constitute your acceptance of the conditions set forth, as follow:

- (1) The City of Lodi agrees that Baldwin Oldsmobile Buick, Inc. may use the public right-of-way on Walnut Street and Sacramento Street to the Southern Pacific Railroad within the City of Lodi for the purpose of the parking of vehicles and as set forth in the map attached hereto as Exhibit A and incorporated herein by reference.
- (2) Said property use shall be on a month-to-month basis and may be terminated by either party upon 30 days' written notice. Said termination shall be without cause. If the City of Lodi terminates the use of said property, the City of Lodi shall be under no obligation to find any other location within the City of Lodi for the use by Baldwin Oldsmobile Buick, Inc. for the parking of vehicles.

Agreement - Baldwin Oldsmobile
Buick, Inc. (continued)

- (3) The rental fee for said use shall be \$50.00 monthly. The payment of this fee shall be made to the City of Lodi Finance Department.
- (4) All work within the public right-of-way shall require prior approval and shall require the issuance of a City of Lodi encroachment permit. Said approval shall be obtained from the Director of the Department of Public Works of the City of Lodi.
- (5) Baldwin Oldsmobile Buick, Inc. shall be allowed to construct a fence along said property line. Said fence location shall be approved by the Community Development Department of the City of Lodi.
- (6) Baldwin Oldsmobile Buick, Inc. agrees to indemnify and hold the City of Lodi harmless from any liability for damage or injury to persons and property during Baldwin Oldsmobile Buick, Inc.'s occupancy of said property. The City of Lodi shall be named as an additional insured on its comprehensive liability insurance policy and a certificate to this effect shall be issued and furnished to the City Clerk of the City of Lodi.

Very truly yours,

CITY COUNCIL
CITY OF LODI

RMS:vc
attachment

By _____

The Foregoing is Accepted:

Date _____

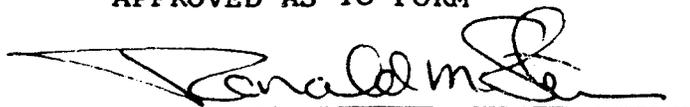
BALDWIN OLDSMOBILE BUICK, INC.

Attest: Alica M. Reimche
City Clerk

By _____

Date _____

APPROVED AS TO FORM



RONALD M. STEIN
CITY ATTORNEY

Date 3/1/82

LODI AVE.

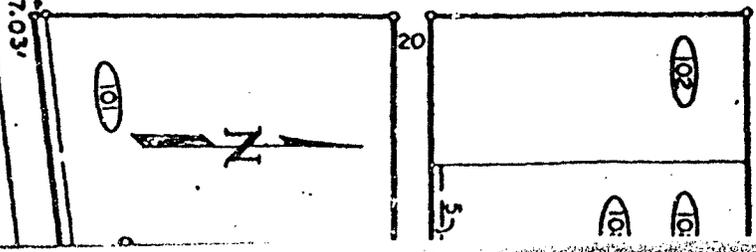
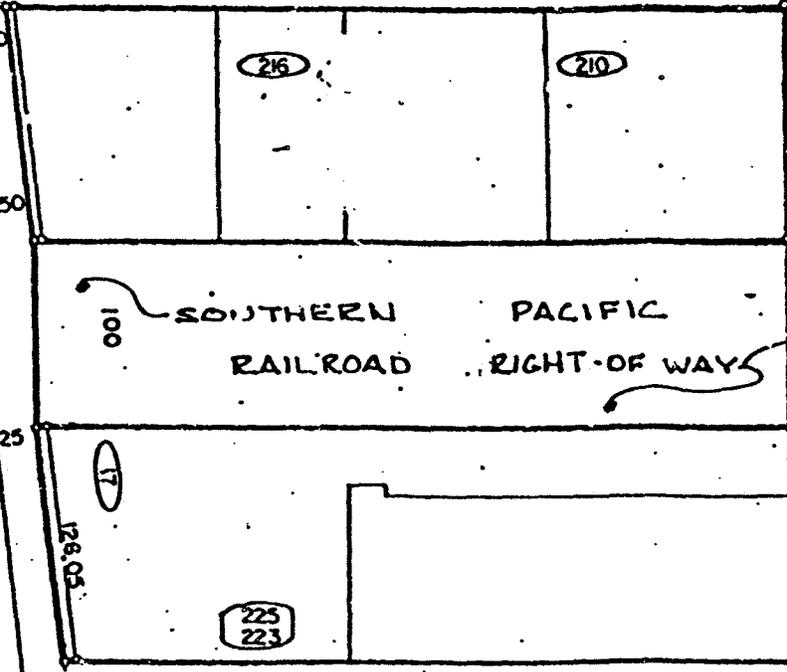
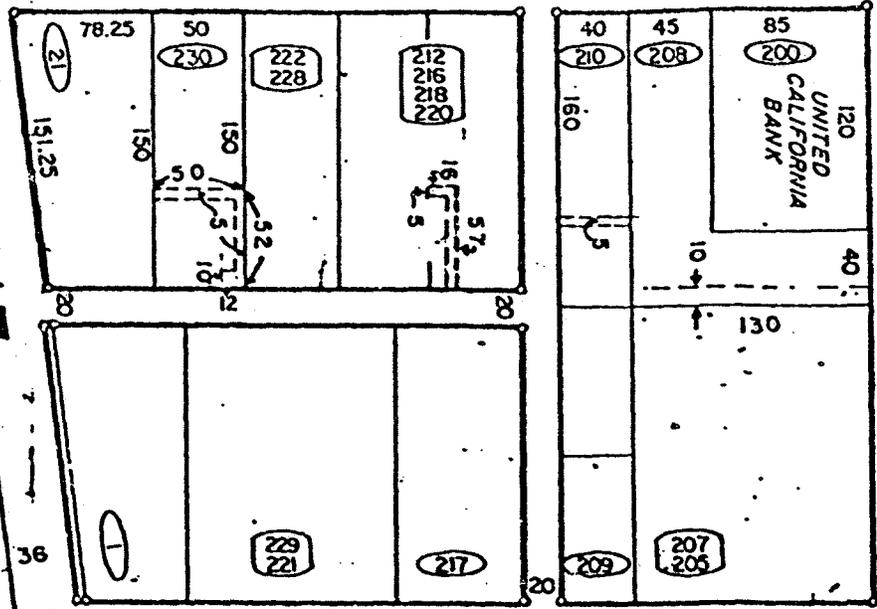
SCHOOL

WALNUT

SACRAMENTO

MAIN

EXHIBIT "A"



1" = 100'