

Rcgrapevine.com: New business coalition challenges city

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By KRIS MIDDAUGH, Editor

An issue that Rancho Cordova city officials had hoped was a thing of the past has apparently only been festering within a core group of local business owners.

Those individuals, who formalized as a group under the banner of the Rancho Cordova Small Business Coalition, say they came together to protect their business interests and fight changes to local Zoning Code that were formalized last year after a long series of outreach efforts, public hearings and contentious city council meetings.

And despite city efforts to appease business owners along Folsom Boulevard who vehemently opposed the zoning changes—efforts that included amending some portions of the code—members of the new coalition say they still feel under attack by the city and now have begun to put their money where their disagreement is.

In fact, several members of the coalition have contributed heavily to the campaign of city council candidate Wayne Hart, who they believe would be more small business friendly should he be elected on Nov. 2.

City officials, on the other hand, contend they are not anti-small business and in fact have made zoning changes that allow Folsom Boulevard business owners more flexibility and opportunity, not less.

The Folsom Boulevard Specific Plan, a hefty document that details long-term plans for the area including zoning changes, is public information and available to anyone via the city website, yet the distance between the city and coalition members in interpretation and understanding of the plan is striking.

“Everything I see [about the Specific Plan] is destructive to small business,” said David Han, a coalition member whose family owns Walker Hardware on Folsom Boulevard. “All these practices are supporting the city’s grand vision, but they are coming at a cost to small business.”

Other members of the coalition including one business owner who asked not to be identified by name because he said he fears possible retaliation from the city share Han’s feeling.

“The new Urban Reserve zoning has lowered the value of property by at least 50 percent,” the business owner said. “The current city council is misleading people. The new requirement of 50 percent apartments on Folsom Boulevard is not what the residents of Rancho Cordova want.”

For his part, Rancho Cordova Economic Development Director, Curt Haven said he is somewhat baffled by the misinformation that continues to swirl around the zoning changes.

“This [zoning changes] is not about hurting small business,” Haven said. “This is giving business owners opportunities. They can stay what they as long as they want, but now they can also be more.”

Zoning Code

Zoning codes determine land use within a specific city or county. Land use options vary widely from location to location with city planners allowed a fair amount of flexibility in the types and mixes of zoning they permit.

The Folsom Boulevard Specific Plan is a policy and regulatory document that is consistent with and helps to implement the city’s General Plan. City leaders adopted the General Plan in June 2006 and the Specific Plan has been in the works since then, including amendments as recently as January of this year.

The purpose of the Specific Plan is, in part, to, “revitalize and transform this vital corridor into a more vibrant and successful boulevard with ‘pulse points’ of commercial activity with new residential and office mixed-use spaces in between.”

As part of the Plan, several property owners along Folsom Boulevard had their official zoning changed or modified. Haven said the changes were made following several public meetings to which Folsom Boulevard property owners were invited. The requisite city council meetings that discussed and authorized the changes included public hearing sessions during which members of the public were allowed to voice their opinions about the changes.

The zoning changes did not immediately effect property owners, but rather come into affect should the business shut down for a length of time or go through some other few specific changes.

Anger begins

It was during some city council meetings that some small business owners began to express in public their dissatisfaction with the zoning changes. Leading the charge was Al Gonzalez owner of Al’s Automotive on Coloma Road, a location within the Specific Plan’s influence.

Gonzales contended that he would be unable ever to upgrade his property because the new zoning would mean he couldn’t get a loan against his property. Gonzalez further said the value of his property had been greatly diminished because he believed no one would want to buy an automotive business that would not be allowed under the new zoning.

City officials, however, told Gonzales his business could exist in perpetuity and that should he sell his business, the new owner also could run it as an automotive enterprise for as long as he or she wanted.

Changes would occur only should the business “go dark” or stop functioning as an automotive business for a designated period of time. In fact, due to protests from Gonzalez and others, that period of time was extended from one year to 18 months. Gonzalez eventually did sell Al’s Automotive, which continues to operate as an automotive repair business.

Other business owners also began to question the zoning changes, with several challenging the new zoning at city council meetings. Most voiced concern’s similar to Gonzalez’ saying they feared being unable to sell or improve their businesses. The new Coalition eventually formed out of this core group of disgruntled property owners.

“Even with the 18-month extension and the “outs” it [new zoning] is still a restriction on our businesses,” David Han said. “If we renovate we’re open to the new zoning and I don’t know how you argue for high-density housing along Folsom Boulevard, who would want to live there?”

The other anonymous landowner agreed.

“A new owner would be required to use at least 50 percent of the property to build apartments,” the owner said. “We don’t need apartments. Nobody wants more apartments here.”

The Plan

Haven said that those arguing against the new zoning are actually a very small group that fundamentally misunderstands the code itself and how it works.

“There is absolutely no requirement to place apartments on a parcel of land,” Haven said. “In fact, most land owners’ property is too small for any kind of housing project, it would take several parcels for that type of project.”

The point of the new zoning, Haven said, is to give property owners an option.

“The new zoning is empowering for property owners,” Haven said. “Now they have choices, they can do more. But there is absolutely nothing in the code that says they have to change to include residential or anything else. Business owners can add onto their businesses, improve them, sell them for the same or different use, it’s up to them.

The Specific Plan includes a list of all uses allowed under the new zoning designations.

Each specific zoning—such as Urban Reserve, Commercial Mixed Use, Office Professional and more—includes several types of businesses that are included under that classification.

For instance the Urban Reserve designation, which includes some land on the south side of Folsom Boulevard near Routier Road, is intended to eventually include small lot single-family detached, single-family attached, small apartment complexes and neighborhood serving retail and service establishments. The district eventually is intended to act as a transition between the single-family residential neighborhoods to more urban locations near transit stops and commercial centers.

However, Haven stressed that city officials understand such a transition will happen very gradually over the course of many years.

“There will be change, and it won’t be because of what the city wants or what the city council wants,” Haven said. “It will be because of what the residents want. The market will drive the development, what we have tried to provide with the zoning changes are some options for business owners.”

Other zones along the Boulevard include more commercial, office and even light industrial use.

Still, property owners like Han and others remain unconvinced of the city’s intentions. “All of the city practices are supporting their ‘grand vision,’” Han said. “But that vision is coming at a cost to small business.”

Elephant in the Room

Perhaps the most onerous assault on small businesses—according to some small business owners—is something alluded to by members of the coalition, but something that has only an indirect relationship with the city’s zoning code.

Eminent domain was mentioned several times during interviews with Han and other Folsom Boulevard business owners.

Indeed, eminent domain—the legal process of a governmental agency seizing private property for public use, or for the public good—has been used by the city of Rancho Cordova.

The Stagger Inn was acquired by the city through eminent domain, and the city is now acting as developer of a project on six parcels where the Inn and blighted high density housing once stood. The project will include affordable and senior housing as well as some retail space.

The city also is currently working to seize through eminent domain a property located on Folsom Boulevard just past Mather Field Road.

The city has plans to place a Los Rios Community College extension campus along with several other things on the property.

The owners of that property, the Fong family, have vociferously opposed the attempt to seize their property, contending the city is not allowing them to proceed with a deal to sell the land.

City officials, however, deny this claim.

Meanwhile, as that particular case works its way through the court system, Han and others say they believe city officials are anxious to use eminent domain to seize more Folsom Boulevard properties.

“It’s clear highway robbery,” said Han. “I dislike the city’s lack of transparency, the late meetings to clear the room while they pass unpopular measures.”

The property owner seeking to remain anonymous concurred.

“The current city council is misleading people,” the owner said. “They do not want this exposed. They’re willing to seize property through eminent domain and are letting us know if we talk about this we’re treading on dangerous ground.”

Haven said he’s “a bit mystified” about such ideas. He said he and other city officials have worked hard to build relationships with property owners and have conducted several workshops and meetings to explain zoning and address any fears or issues property owners have.

“We value our businesses and it’s difficult to understand where these ideas are coming from,” Haven said. “It’s fear-mongering and it’s completely inaccurate, it’s simply false.”

Haven said he has tried to secure an invitation to meet with the new Rancho Cordova Small Business Coalition, but has thus far been rebuffed.

“We do want to hear from them about their concerns, and address those concerns,” Haven said. “We would like for them to allow us to do that.”

For now, no such meeting is set to take place, and Coalition members continue their public information efforts and meetings.

“We’re made up of small businesses struggling to stay afloat,” Han said. “We’ll continue to meet, continue to work to help our businesses. We create jobs. We’re important to the city.”

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