

March 17, 2004 Encinitas City Council; E Street Café Request

Good Evening honored council persons, Christy, Maggie, Jerome, Daniel and James

My name is Keith Shillington and I reside on Leucadia Scenic Court on the north edge of our fine city. I am also, as I believe most of you are aware, engaged in opening the first true cyber café along the coastal stretch.

I request that this distinguished body add to its agenda consideration to revise traffic mitigation fee and wastewater discharge fee structures.

From what I've read and heard, it is my understanding that SANDAG and the collective city councils were in agreement that increasing density along existing corridors, rather than encouraging perimeter sprawl was a key development goal. To use the terms from the Regional Comprehensive Plan I'm being offered a big stick instead of a carrot.

Imagine my surprise when I found the fee structures, as they apply to my little project, provides sufficient disincentive, that if I were aware before I started planning, I would have never even considered bringing Encinitas a state of the art cyber café. In fact, it would be significantly less expensive for me to open an establishment in the new mall in Carlsbad.

In the early phases of planning, I was excited by the possibility of applying, through DEMA for an incentive façade grant. Now I'm trying to figure out how to increase my development budget by more than half again as much.

I want you to know that I understand, and applaud the intent of these fees, however the implementation seems to countermand the progression of downtown Encinitas into it's visionary future. Please allow me to quote from section B of the downtown Encinitas specific plan regarding the commercial mixed zone of second street:

"...intended to provide retail uses which serve local residents of the community, while maintaining compatibility with a residential environment."

The "Permitted Uses" for this zone include businesses whose elements our café will comprise:

Art Gallery, Candy and Confectionary Sales, Computer Sales and Service, Office, Photofinishing (Retail), and Restaurant with Sidewalk Dining (separate permit pending).

I'm completely clear that the current codes and models do not reflect what we're planning. Our architect followed our instructions, and city, county, state and federal codes to come up with a maximum occupancy of 95. If we were planning tiny tables and 95 chairs, they'd probably fit. We're not. We're planning couches, overstuffed chairs, loveseats and tables large enough for a few laptops, books and papers, coffee cups and plates with locally prepared delectables. Our layout will seat no more than 50 people inside the café.

The location we've chosen, at the corner of 2nd and E Streets seemed to me to be calling for such an establishment. Walking distance to public transportation, businesses and residences alike, exactly the sort of establishment I've found in my extended travels around the globe, notably missing from coastal north county.

I request that this esteemed body waive or at least suspend this fee for my project until these usury charges can be re-examined and brought into line with the greater vision for the future of our beautiful downtown Encinitas.

