



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Fee Deferral Agreement for 705 West Kettleman Lane (APN 031-180-0009)

MEETING DATE: March 6, 1996

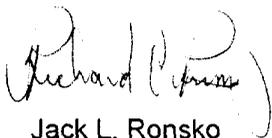
PREPARED BY: Public Works Director

**RECOMMENDED ACTION:** That the City Council approve the Fee Deferral Agreement for 705 West Kettleman Lane, and direct the City Manager and City Clerk to execute the Agreement and map on behalf of the City.

**BACKGROUND INFORMATION:** The owners of the subject property, Canton & Martin Investments, have submitted a construction application (#9975) for tenant improvements for the existing structure on the property. The property is located north of Kettleman Lane between Hutchins Street and Crescent Avenue, as shown on Exhibit A. The structure was originally a two-story, single-family residence which is being converted to commercial office use. Due to the change in use and the fact that the residential dwelling was not connected to the public water or sanitary sewer systems, Development Impact Mitigation Fees, as set forth in Title 15, Chapter 15.64 of the Lodi Municipal Code, are required for this project.

The owners renovated the exterior of the structure in 1993 and delayed making interior improvements until a tenant was found. The structure has been vacant since the exterior renovation was completed. The owner is desirous of complying with existing City ordinances and policies regarding payment of Development Impact Mitigation Fees, but, since securing a tenant was such a lengthy process, has requested that the fees be deferred for 24 months. Staff feels this is a reasonable request and has prepared a Fee Deferral Agreement which has been signed by the owners. The owners have also provided security for faithful performance of the Agreement. The Agreement will be recorded and is not assignable. In other words, if the property is sold or title conveyed within the 24-month period covered by the Agreement, the fees are due and payable upon transfer of title.

**FUNDING:** None required.

  
Jack L. Ronsko  
Public Works Director

Prepared by Sharon A. Welch, Associate Civil Engineer

JLR/SAW/lm

Attachment

cc: City Attorney  
Associate Civil Engineer  
Canton & Martin Investments

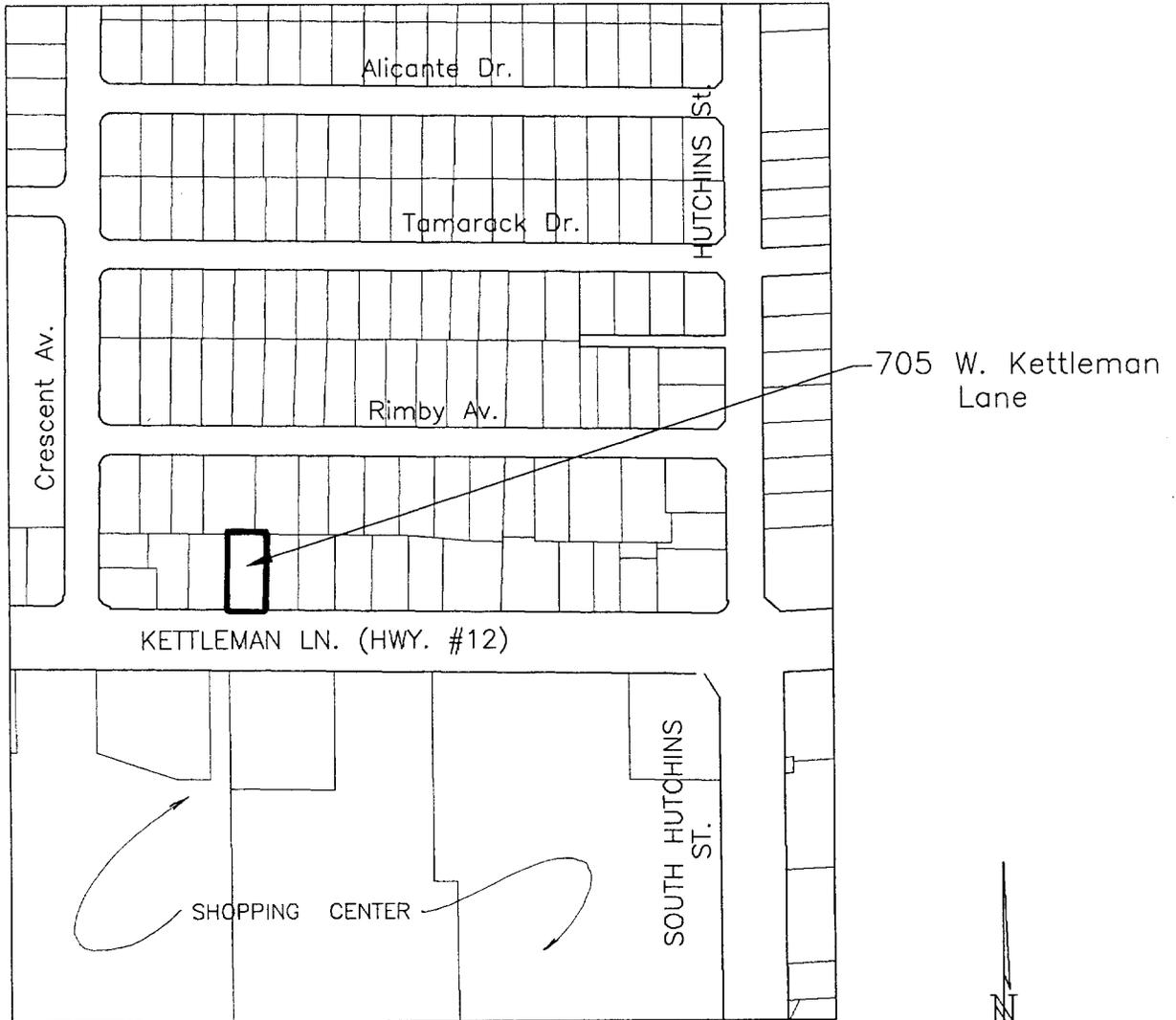
APPROVED: \_\_\_\_\_

H. Dixon Flynn -- City Manager



CITY OF LODI  
PUBLIC WORKS DEPARTMENT

EXHIBIT A



N.T.S.

CITY COUNCIL

DAVID P. WARNER, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
RAY G. DAVENPORT  
STEPHEN J. MANN  
JACK A. SIEGLOCK

# CITY OF LODI

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H. DIXON FLYNN  
City Manager  
JENNIFER M. PERRIN  
City Clerk  
RANDALL A. HAYS  
City Attorney

February 27, 1996

Canton & Martin Investments  
1029 South Church Street  
Lodi, CA 95240

SUBJECT: Fee Deferral Agreement for 705 West Kettleman Lane  
(APN 031-180-0009)

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, March 6, 1996, at 7 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to the City Clerk at 305 West Pine Street.

If you wish to address the Council at the Council meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Jennifer Perrin, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Sharon Welch at 333-6706.



Jack L. Ronsko  
Public Works Director

JLR/lm

Enclosure

cc: City Clerk ✓