



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Report on Development Impact Mitigation Fees for Sunwest Plaza and Lodi Town Plaza (Information Only)

MEETING DATE: July 20, 1994

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council receive the report on the Sunwest Plaza and Lodi Town Plaza Development Impact Mitigation Fees.

BACKGROUND INFORMATION: At the July 6 City Council meeting, a question was raised by a citizen regarding possible differences between development requirements and impact mitigation fees paid by the developers of the Sunwest Plaza (Wal Mart) and Lodi Town Plaza (Target) projects. As requested by the Council, staff has prepared the following summary of the history and impact fees for these projects.

The Development Impact Mitigation Fee Program was adopted shortly after the General Plan was adopted in 1991. The total fees for all eight facility categories were \$41,280.00 per gross acre for Neighborhood Commercial development. This included \$10,390.00 for Street fees. When the first phase of the Sunwest Plaza project (Wal Mart) was nearing approval, staff spoke with the developer's representative, Mr. Darryl Browman, regarding the Street fees and indicated we felt that, based on traffic generation, a large retail business should pay \$20,900.00 in Street fees. Such an adjustment is allowed under the fee ordinance. That figure is the rate charged for General Commercial development. The developer objected, mainly on the premise that the project conformed to the zoning and General Plan designation and our published fee schedule and that it would be unfair to subsequently charge a higher fee. The issue was presented to the Council on December 18, 1991, and the Council agreed with the developer. The decision was that the Sunwest Plaza project would pay the Street fees shown in the published fee schedule based on their zoning and General Plan designation.

Recognizing that this discrepancy in the fee structure would cause future problems, staff recommended that the fee categories be modified to combine the Neighborhood Commercial and General Commercial fee categories into one category--Retail Commercial. That was done in March 1992. The new Street fee was \$11,380.00 per acre. This change also affected the Police and Fire fees and the total fee became \$42,050.00. (Since then, there was a general fee adjustment made in early 1993 which slightly increased the fee to \$42,090.00.)

APPROVED

THOMAS A. PETERSON
City Manager



recycled paper

In addition to the above change, both projects received identical downward fee adjustments for Water and Wastewater based on their reduced demands. Also, both projects received downward adjustments for Parks and Recreation and General City Facility fees based on their number of employees which were both well below the standard upon which the fees were based. These adjustments were made upon request of the project developer, Mr. Browman, who is now handling both projects.

With all the above factors, the total Development Impact Mitigation Fees charged for the two projects turned out to be nearly identical, as shown below:

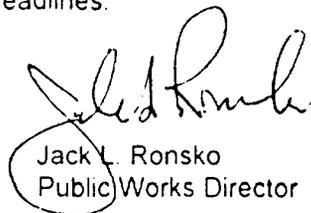
<u>Project</u>	<u>Acreage</u>	<u>Impact Fees</u>	<u>Fee per Acre</u>
Sunwest Plaza	12.40	\$408,704.00	\$32,960.00
Lodi Town Plaza	9.79	\$318,664.50	\$32,550.00

The fee summary sheets for the two projects are attached.

Both projects also received fee credits for certain improvements they constructed that were the responsibility of the Fee Program. These included oversized water mains, master storm drain lines, the traffic signal at Tienda Drive (built by Lodi Town Plaza), and extra widening on Kettleman Lane. The amounts for the Sunwest Plaza and Lodi Town Plaza projects were \$140,339.10 and \$269,988.12, respectively. Since these improvements serve the remainder of the project area and other properties outside the project area, they do not directly relate to the fees paid or the acreage.

Other City development requirements for the projects were substantially the same, allowing for differences between the needs of the individual sites and the timing of the projects. There were differences in how each building owner and contractor approached the project. For example, one standard City requirement is that fire protection (hydrants) and access be provided before construction. We routinely allow some building work (foundations, slabs, masonry walls) before this is required to be in place, but the hydrants and paved access is to be available before significant amounts of combustible material is brought on site and used in the building construction. Without spending staff time on researching specific dates and correspondence, we recall that the Wal Mart contractor was able to meet this requirement using the first asphalt concrete layers of the permanent paved access road and parking lot while the Target contractor elected to install a temporary access road which was later removed. These individual decisions are left up to the owner/builder and will vary on each project depending on the amount and type of construction and the overall timing of the project in relation to the season and other individual schedules and deadlines.

FUNDING: Not applicable.



Jack L. Ronsko
Public Works Director

Prepared by Richard C. Prima, Jr., City Engineer

JLR/RCP/lm

Attachments

cc: Concerned citizen
Darryl Browman



CITY OF LODI
PUBLIC WORKS DEPARTMENT

**Development Impact Mitigation Fee
Summary Sheet**

Subdivision: Sunwest Plaza

Name _____ Tract # _____ File # _____
Parcel: 2330 W. Kettleman Lane _____
Address _____ Building Permit # _____
058-140-031 _____
AP # _____

Developer/Owner: Wal-Mart Stores _____
Name _____
701 South Walton Blvd. Bentonville, AR 72716 _____
Address _____

Project Description: Dept. store - major tenant in shopping center

GP Land Use Category: Neighborhood Commercial Parcel Neighborhood Commercial (shopping center) Project (if different)

Fee Category	Account #	P	RAE	Adj.	F	A	T
1) Water Facilities	60.1-501	\$ 5,710.00	0.28	x	\$ 1,480.00	12.40	\$ 18,352.00
2) Sewer Facilities - General	60.2-501	\$ 1,090.00	0.42	x	\$ 460.00	12.40	\$ 5,704.00
- Lift Station							
3) Storm Drainage Facilities	60.3-501	\$ 7,910.00	1.33		\$ 10,520.00	12.40	\$ 130,448.00
4) Street Improvements	60.4-501	\$ 5,470.00	1.90	x	\$ 10,390.00	12.40	\$ 128,836.00
5) Police Protection Facilities	60.5-501	\$ 1,110.00	4.28		\$ 4,750.00	12.40	\$ 58,900.00
6) Fire Protection Facilities	60.8-501	\$ 520.00	2.77		\$ 1,440.00	12.40	\$ 17,856.00
7) Parks & Recreation Facilities	60.7-501	\$ 11,980.00	0.13	x	\$ 1,560.00	12.40	\$ 19,344.00
8) General City Fac. & Prog. Admin.	60.8-501	\$ 6,380.00	0.37	x	\$ 2,360.00	12.40	\$ 29,264.00

Subtotal 1-4: \$ 283,340.00
due prior to project approval

Subtotal 5-8: \$ 125,364.00
due prior to acceptance of improv.'s
or 1 year, whichever is less.

Grand Total: \$ 408,704.00

Approx. credits (Note 2): \$ 70,000.00
Net: \$ 338,704.00

P = Program Fee per Residential Acre Equivalent (RAE) per Resolution 91-172.
RAE = Residential Acre Equivalent per LMC \$15.64.070, unless adjusted.
Adj. = Checked if RAE is adjusted, see Notes below.
F = Fee per acre (rounded to nearest \$10.00) = P x RAE.
A = Gross acreage per LMC \$15.64.020A & 15.64.060 (rounded to nearest 0.01 acre).
T = Total Fee for service category = A x F.

Note 1: Acreage includes portion of 20 ft. City strip on Kettleman Lane to be incorporated into project. Water & Sewer RAE factors adjusted to industrial rates based on lower flows for dry goods dept. store. Parks & Recreation and General City Facilities are based on employees per acre and are adjusted based on 145 employees (FTE's) on the parcel. Street RAE approved by City Council 12/18/91 as neighborhood commercial instead of General Commercial (Shopping Center) for Sunwest Plaza project only.

Note 2: The improvement credit is shown for information only. Actual credits computed in the public improvement agreement apply to the public improvements for the entire shopping center parcel (23.72 acres gross plus the Ultramar parcel). The credit shown is pro-rated on the acreage (12.40/23.72). Actual distribution of improvement costs and credits is the responsibility of the parties involved.

By: Richard C. ... Approved: J. ... Record #: 1F-912-02
Date Billed: 1/27/92
Date Paid: 2/4/92 (Fee category 1 thru 4)
7/20/92 (Fee category 5 thru 8)



CITY OF LODI

PUBLIC WORKS DEPARTMENT

Development Impact Mitigation Fee Summary Sheet

Subdivision: Lodi Town Plaza n/a n/a
Name Tract # File #

Parcel: 2355 W. Kettleman Lane, Lodi, CA 5449
Address Building Permit #

027-040-067
AP #

Developer/Owner: Target Stores
Name

P.O. Box 1392, Minneapolis, MN. 55440-1392
Address

Project Description: Dept. Store - Major tenant in shopping center

GP Land Use Category: Commercial - Retail Commercial - Retail (shopping center)
Parcel Project (if different)

Fee Category	Account #	P	RAE	Adj.	F	A	T
1) Water Facilities	60.1-501	\$ 5,710.00	0.28	*	\$ 1,480.00	9.79	\$ 14,489.20
2) Sewer Facilities - General - Lift Station	60.2-501	\$ 1,090.00	0.42	*	\$ 460.00	9.79	\$ 4,503.40
3) Storm Drainage Facilities	60.3-501	\$ 7,910.00	1.33		\$ 10,520.00	9.79	\$ 102,990.80
4) Street Improvements	60.4-501	\$ 5,470.00	2.08		\$ 11,380.00	9.79	\$ 111,410.20
5) Police Protection Facilities	60.5-501	\$ 1,110.00	4.12		\$ 4,570.00	9.79	\$ 44,740.30
6) Fire Protection Facilities	60.6-501	\$ 520.00	2.69		\$ 1,400.00	9.79	\$ 13,706.00
7) Parks & Recreation Facilities	60.7-501	\$ 11,980.00	0.09	*	\$ 1,080.00	9.79	\$ 10,573.20
8) General City Fac. & Prog. Admin.	60.8-501	\$ 6,380.00	0.26	*	\$ 1,660.00	9.79	\$ 16,251.40

P = Program Fee per Residential Acre Equivalent (RAE) per Resolution 91-172.
RAE = Residential Acre Equivalent per LMC \$15.64.070, unless adjusted.
Adj. = Checked if RAE is adjusted, see Notes below.
F = Fee per acre (rounded to nearest \$10.00) = P x RAE.
A = Gross acreage per LMC \$15.64.020A & 15.64.060 (rounded to nearest 0.01 acre).
T = Total Fee for service category = A x F.

Subtotal 1-4: \$ 233,393.60
due prior to project approval

Subtotal 5-8: \$ 85,270.90
due prior to acceptance of improv.'s
or 1 year, whichever is less.

Grand Total: \$ 318,664.50

- Notes:
1. Water & Sewer RAE factors adjusted to industrial rates based on lower flows for dry goods dept. store. Parks & Recreation and General City Facilities are based on employees per acre. The above fees are based on 80 FTE's in accordance with information provided by the developer.
 2. The acreage shown includes the portions of Kettleman Lane fronting the Target parcel which were dedicated to the City and a prorata share of the new public street (Tienda Drive).
 3. Improvement credits are not shown. Any applicable credits will be determined at a later date when project plans are complete and final quantities and costs are determined.

By: Sharon A. Wells Approved: Richard [Signature] Record #: IF-925-09

Date Billed: 3/5/93

Date Paid: 3/10/93 Fee category 1 thru 4)
(Fee category 5 thru 8)

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
RAY G. DAVENPORT
PHILLIP A. PENNINO
JOHN R. (Randy) SNIDER

CITY OF LODI

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THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

July 14, 1994

SUBJECT: Report on Development Impact Mitigation Fees for Sunwest Plaza and Lodi Town Plaza (Information Only)

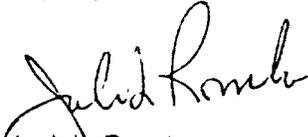
Enclosed is a copy of background information on an item that is on the City Council agenda of Wednesday, July 20, 1994, at 7 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the regular calendar for Council discussion. You are welcome to attend.

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 City Hall, 221 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 Richard Prima, City Engineer, at (209) 333-6706.


Jack L. Ronsko
Public Works Director

JLR/lm

Enclosure

cc: City Clerk

Y OF LODI

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P.O. BOX 3006
CALIFORNIA 95241-1910

MR FRANK ALEGRE
802 N CLUFF AVE
LODI CA 95240

Y OF LODI

HALL, 221 W. PINE ST.
P.O. BOX 3006
CALIFORNIA 95241-1910

MR DARRYL BROWMAN
BROWMAN DEVELOPMENT CO INC
100 SWAN WY STE 206
OAKLAND CA 94621-1459

Y OF LODI

HALL, 221 W. PINE ST.
P.O. BOX 3006
CALIFORNIA 95241-1910

MR CHUCK WENTLAND
c/o WENTLAND - SNIDER & ASSOCIATES
301 S HAM LN STE A
LODI CA 95242