

CITY COUNCIL MEETING
DECEMBER 3, 1986

18

REQUEST FOR DEFERMENT
OF DEVELOPMENT
REQUIREMENTS, WINE
AND ROSES COUNTRY INN,
2505 WEST TURNER ROAD
ASKED TO BE
WITHDRAWN

CC-46

City Clerk Reimche announced that Kris Cromwell, owner of the Wine and Roses Country Inn had called asking that her request for deferment of development requirements at 2505 West Turner Road be withdrawn from the agenda.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
FROM: City Manager
MEETING DATE: December 3, 1986
AGENDA TITLE: Request for Deferment of Development Requirements,
Wine & Roses Country Inn, 2505 W. Turner Road

RECOMMENDED ACTION: That the City Council review the request of Wine & Roses Country Inn owner Kris Cromwell and take whatever action it deems appropriate.

BACKGROUND INFORMATION: The Public Works Department was first in contact with the owners prior to the annexation of the property and have informed them on a number of occasions what the City requirements were. Since the annexation, many additional discussions have taken place, as well as letters written, covering various aspects of development including requirements. On October 6, 1986, a proposal was submitted by the owners requesting a deferment of bonding and design engineering and the related costs. The department's reply to their request was that staff did not have the authority to grant such a request and it would have to be directed to the City Council. Our reply again recapped all of the City requirements. (See Exhibit A.)

More recently, the owners have requested, by letter dated November 14, 1986 (Exhibit B), that offsite improvements be postponed for one year and that they not be required to pay storm drainage fees.

Staff met with Del Smith, representing the owners, on Friday, November 21st, and discussed at some length their letter and specific request. It was our understanding that they will be putting up the necessary guarantee for the offsite construction and that they intend to make all necessary offsite improvements during the summer of 1987. As a consequence, no postponement of improvements is necessary.

The owners do feel that the storm drainage fees should not be applicable to this development since they have large landscaped and grassed areas and presently plan to keep all run-off on the parcel and not use our storm drain system. Refer to Exhibit C for their proposed development plan. The roads are built up to ensure that they stay dry, and drainage from the rear built up area is being piped to the low central area for storage and disposal using dry wells. However, should the owners wish to connect their drainage to the City system due to on-site problems, they would be able to tie into our storm drain system at any time. It should be noted that this tie would be required should a nuisance be created on-site.

APPROVED:


THOMAS A. PETERSON, City Manager

FILE NO.

City Council
December 3, 1986
Wine & Roses Country Inn
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This department's position is that storm drainage fees are applicable since the entire area is now being used. Residential homes pay the same fee and, in many cases, drainage on the rear of the lot has no way of getting to the street for disposal. The "RCA" building across the street paid drainage fees, as do all schools and planned unit developments where large areas are typically in lawn or landscaping. A copy of Resolution Nos. 3618 and 4394 and the guidelines (revised 9/2/86) reviewed with Council earlier this year are enclosed for Council's information as Exhibits D, E, and F, respectively. Master drainage and intract fees for this development amount to \$10,416.00. Based on the guidelines, a reduction of 10,000 square feet was made for the existing structure which remains.

It would seem to be setting a dangerous precedent if all or a portion of the area were excused from paying drainage fees only because they were not tying to our drainage system at the time of initial development. It is therefore the department's recommendation to the Council that the request to excuse the storm drainage fees be denied. If the Council wishes to approve the request, it is felt that the City drainage resolutions and guidelines should first be revised.



For Jack L. Ronsko
Public Works Director

JLR/GER/ma

Attachments

cc: Kris Cromwell

CITY COUNCIL

FRED M. REID Mayor
EVELYN M. OLSON
Mayor Pro Tempore
DAVID M. HINCHMAN
JAMES W. PINKERTON, Jr.
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
RONALD M. STEIN
City Attorney

October 17, 1986

Kris Cromwell
Wine and Roses Country Inn
2505 W. Turner Road
Lodi, CA 95240

SUBJECT: Development @ 2505 W. Turner Road

This letter is in answer to your written request of October 6, 1986 to defer the requirement of a bond guaranteeing offsite improvement construction for your development.

As discussed several times earlier and as described in my attached letter of July 11, 1986, development standards include a development agreement with some type of bond or other acceptable guarantee covering installation of all offsite improvements. This is a City Council policy and cannot be deferred by staff. Any request for a change, variance, or deferment should be addressed to the City Council. You should be aware that in the past, deferments of construction have been granted only in those cases where it is in the City's best interest to do so or the improvements would not be of use. I know of no deferments of bonding requirements.

Because of new construction in the area and annexation since some of our earlier discussions and letters, I have recapped the requirements of the Public Works Department.

If you desire City water service prior to issuance of a building permit:

1. Pay for water meter, cost dependant upon size. 1" = \$95, 1-1/2" = \$225, 2" = \$325.
2. Pay \$948.75 for your share (1/2 of an 8" main) of that portion of the 10" water line recently installed along the Turner Road frontage of your property.
3. Have a registered engineer design, and a licensed contractor install, a 10" water main across the remaining frontage of your property. This may require a fire hydrant installation. The City will pay for a portion of the work.
4. Obtain a permit and abandon your existing well in conformance with requirements of the County Health Department.
5. Pay engineering fees in the amount of 3% of the estimated cost of the above.

Exhibit A

If you desire City sewer service prior to issuance of a building permit:

1. Pay \$1,034 for your share (1/2) of that portion of the sanitary sewer line recently installed along the Turner Road frontage of your property.
2. Pay connection fees based on the number of Sewage Service Units (S.S.U.) connected. This is your "buy-in" cost of the existing treatment plant. Fees are \$290 per S.S.U. Attached is a chart showing how the number of S.S.U.s are established.
3. Have a registered engineer design, and a licensed contractor install, a 6" sanitary sewer across the remaining frontage of your property. This will probably require a manhole at the western end of the extension.
4. Abandon the existing sewer septic tank in conformance with local codes.
5. Pay engineering fees in the amount of 3% of the estimated cost of the above.

If you desire storm drain service prior to issuance of a building permit:

1. Pay standard storm drain fees for the property of \$10,416 (2.1 acres).
2. Have a registered engineer design, and a licensed contractor install, a 12" drain across the remaining frontage of your property and a service into your property. This would require a manhole at the point where your service is connected. The City would reimburse you \$8.50 per foot for the 12" storm drain.
3. Pay engineering fees in the amount of 3% of the estimated cost of the above.

If you wish to take out a building permit with a valuation in excess of \$12,900, the following requirements must be met prior to the issuance:

1. All of the above.
2. Have a registered engineer design, and a licensed contractor install, curb, gutter, sidewalk, street lights, and street compaction and paving along your Turner Road frontage.
3. Pay engineering fees in the amount of 3% of the estimated cost of the above.
4. Enter into an agreement with the City regarding the above items, provide evidence of insurance naming the City as additional insured, and provide improvement security (surety bond, cash, instrument of credit, or certificate of deposit

with assignment) in the amount of 150% of estimated cost of above improvements. The offsite improvements must be installed prior to occupancy of the new building.

5. Provide all necessary right of way or easement dedications.

These requirements do not include the requirements of any other departments. It is highly recommended that you discuss your development in detail with the Utility, Fire, and Community Development Departments.

Should you have any questions, contact me at any time.



G.E. Robison
Assistant City Engineer

GER/ma

cc: Building Division
Community Development Department
Fire Department
Utility Department
Water/Wastewater Superintendent

July 11, 1986

Kris Cromwell
Wine & Roses Country Inn
2505 West Turner Road
Lodi, CA 95240

SUBJECT: Off-Site Improvement at Wine & Roses Country Inn

Prior to the issuance of a building permit for the Wine & Roses Country Inn, plans for the offsite improvements at this location will be needed. Also, prior to the issuance of the building permit, a development agreement must be executed. The agreement requires a faithful performance and labor and materials guarantee to cover the installation of the required improvements. These improvements include curb, gutter, sidewalk, paving and water and sewer and storm drain extensions.

Under the terms of the agreement, the developer has one year in which to complete these offsite improvements. The agreement also requires general comprehensive liability insurance.

If you have any questions or need additional information, please contact me.

Sincerely

G. E. Robison
Assistant City Engineer

GER/SB/ns

cc: Stockton Mortgage
Attn; Jim Saunders

MEMORANDUM, City of Lodi, Public Works Department

TO: Developers/Contractors
 FROM: Public Works Director
 DATE: October 2, 1986
 SUBJECT: New Sewer Connection Fees

On October 1, 1986, the City Council adopted a resolution establishing new charges and fees for sewer services, holding tanks, and the use of storm drain system. The monthly services fees will go into effect on October 1, 1986. The sewer connection fees will be applied to all new plans submitted as of October 2, 1986.

Following are the new sewer connection fees.

old fees - \$290 per S.S.U.

DOMESTIC SYSTEM

A. Residential Connection Fees

<u>Number of Bedrooms</u>	<u>Sewage Service Units*</u>	<u>Connection Fee</u>
1	0.75	\$ 900.00
2	1.00	1,200.00
3	1.25	1,500.00
4	1.50	1,800.00
5	1.75	2,100.00
6	2.00	2,400.00
7	2.25	2,700.00

Example: Type of Construction

Total Connection Fee

4-Bedroom Single-family Home	\$ 1,800.00
Duplex - (1) 2-Bedroom & (1) 3-Bedroom	2,700.00
6-Unit Apartment Complex - (2) 1-Bedroom and (4) 2-Bedroom	6,600.00

B. Commercial Connection Fee

~~\$ 1,200.00 per unit~~

C. Industrial Connection Fee

Moderate Strength User

~~\$ 1,200.00~~

High Strength User

<u>Unit Item</u>	<u>Unit Charge</u>
Flow - MG	\$388.00 per MG
BOD - 1,000 lbs	160.00 per 1,000 lbs.
SS - 1,000 lbs.	72.00 per 1,000 lbs.

The Connection fee for commercial and industrial users with moderate-strength wastes shall be determined based on the sewage service units assigned to each category of users as follows:

Number	Category	Unit of Measure	Sewage Service Units*
1.	Meeting place, religious	Ea 200 seats	
2.	Meeting place, public	Ea 100 seats	
3.	Hotel, motel	Ea 5 beds	
4.	Veterinary clinic	Ea 10 kennels	
5.	Post Office	Ea 25 employees	
6.	Funeral parlor	Ea 2 employees	
7.	Service station pumps	Ea 3 pumps	
8.	Car wash bays	Ea bay	One sewage service unit shall be assigned to each unit of measure.
9.	School - to 8th grade	Ea 25 students	
10.	High school	Ea 20 students	
11.	Eating place, seating only	Ea 10 seats	
12.	Eating place, seating & takeout	Ea 7 seats	
13.	Eating place, takeout only	Ea 5 employees	
14.	Lunch truck business	Ea 5 employees	
15.	Laundry, coin op., reg machine	Ea 2 machines	
16.	Laundry, coin op., big machine	Ea machine	Fees shall be based on nearest one-tenth sewage service unit except minimum number of sewage service units shall be 1.0
17.	Comm. laundry & dry cleaning	Ea 2 employees	
18.	Doctor's office	Ea 10 employees	
19.	Dentist's office	Ea 5 employees	
20.	Chiropractor's office	Ea 10 employees	
21.	X-ray Laboratory	Ea 10 employees	
22.	Office, store, warehouse	Ea 10 employees	
23.	Bar	Ea 25 seats	
24.	Barber, beauty shop	Ea 4 chairs	
25.	Hospital, convalescent home	Ea 2 beds	
26.	Rest & Retirement home	Ea 3 beds	
27.	Mobile home park	1 pad = .75 units	

Example:	Type of User	Sewage Service Units	Connection Fee
	Motel - (7) Bed	1.4	\$ 1,680.00
	Restaurant & Bar (Restaurant seats, (50) Bar seats, (25)	6.0 (5.0+1.0)	\$ 7,200.00
	Warehouse (47 Employees	4.7	\$ 5,640.00

* Unit - Sewage Service Unit, defined as each increment of flow of a typical two-bedroom residence.

INDUSTRIAL SYSTEM

Connection Fee

To be determined annually by the Public Works Director as outlined in Section 13.12.210 of the Lodi City Code

HOLDING TANK WASTES

Dumping Charge

\$36.00 per 1,000 gal.

STORM DRAIN SYSTEM

Storm Drain Disposal Charge

\$50.00 per MG

Jack L. Ronsko
Jack L. Ronsko
Public Works Director

JLR/SB/cag

RECEIVED
November 14, 1986
1986 NOV 14 PM 3:44

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

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

Attn: Alice M. Reimche

RE: "Wine & Roses" Country Inn
2505 W. Turner Rd.
Lodi, Calif. 95240

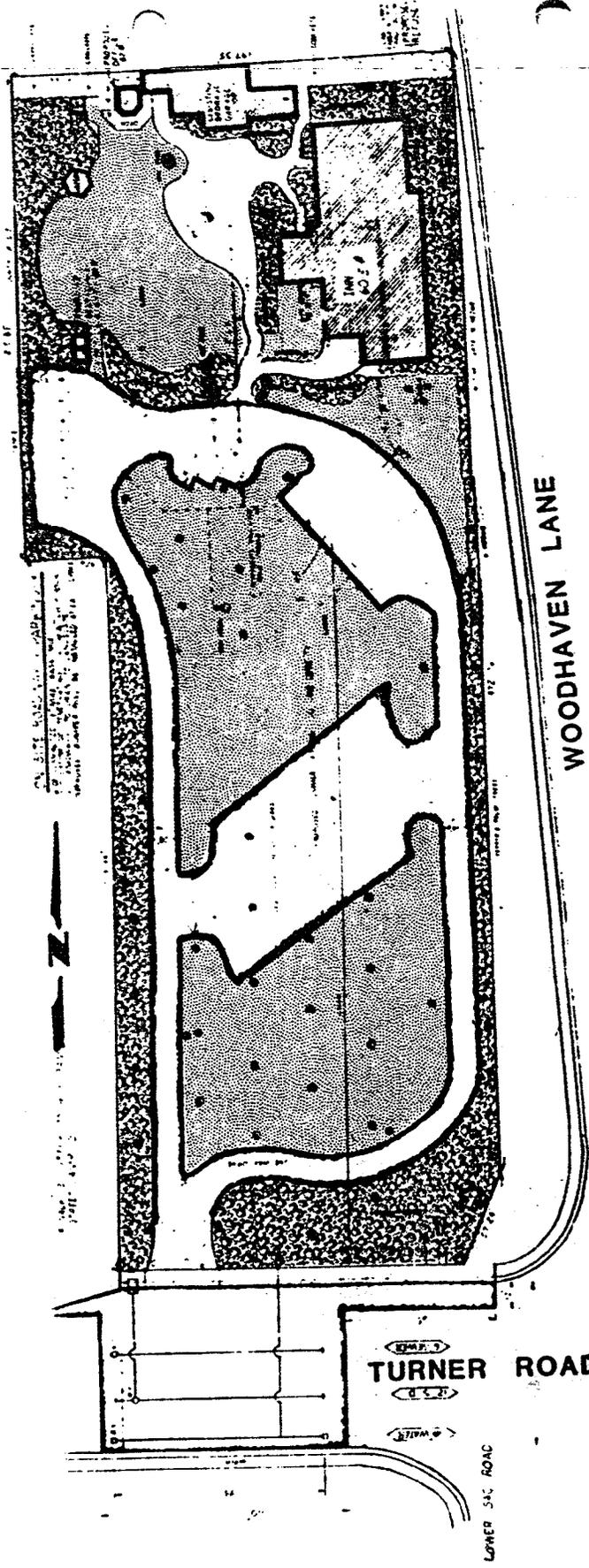
DEAR Mrs. Reimche,

Due to the heavy financial responsibilities in completing the on-site improvements and remodeling in order to open the "Wine & Roses" Country Inn, I am requesting that the completion of the off-site improvements be postponed for one year from the date of receiving the building permit.

There is adequate drainage on the 2.20 acre property, and since there will not be any development to the west of our property for some time, an extension of time is requested.

Thank you for your consideration.

Sincerely,
Kris Cromwell



RESOLUTION NO. 3618

MASTER DRAINAGE PROGRAM FEE

WHEREAS, the City Council is desirous of having a continued orderly growth, and the extension of the storm drainage system is a basic ingredient in providing additional areas for development; and,

WHEREAS, the City Council is desirous of having properties that are to be developed pay the cost of additional storm drain facilities so as said costs will not become a burden on City taxpayers;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi: *Revised*

1. That a Master Drainage Program fee be established at a rate of \$1490 per gross acre;
2. That this Master Drainage Program fee shall be adjusted on January 1 and July 1 of each year based upon the change of the U. S. Average Engineering News-Record Construction Cost Index;
3. That, the adjusted acreage fee shall be calculated by the Public Works Director using the following formula:

$$\text{Adjusted fee} = \text{\$1490/acre} \times \frac{\text{ENR Index for December or June}}{\text{ENR Index of 1655 for December, 1971}}$$

and that the adjusted fee shall be rounded to the nearest \$10.00 and paid at the time of development;

4. That the Master Drainage Program shall include the following as a City responsibility for construction:
 - A. Storm Water Retention Basins

(including land acquisition, site development, excavation, structures, pumps and controls, interior drainage system, fencing, sprinkler systems, and turfing)
 - B. Major Storm Drain Lines
 1. Lines necessary to connect drainage basins to each other and outlet points;
 2. 30-inch and larger that are necessary to provide the basic drainage network in various drainage areas throughout the City;

See Revised updating memo

5. That the fee established by this resolution shall be collected at the time of development (i.e., approval of subdivision final map, issuance of building permit, or conversion from vacant to any higher use) of any property that has not previously paid a storm drainage fee;
6. That this fee shall apply to all properties developed after March 15, 1972 except tentative maps or use permits approved by the Planning Commission prior to that date and developed within 18 months of the approval date by the Planning Commission.

Dated: April 5, 1972

I hereby certify that Resolution No. 3618 was passed and adopted by the City Council of the City of Lodi in regular meeting held April 5, 1972 by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Schaffer and Katnich

Noes: Councilmen - Kirsten

Absent: Councilmen - None

BESSIE L. BENNETT
City Clerk

RESOLUTION NO. 4394

INTRACT DRAINAGE FEE

WHEREAS, the installation of storm drainage facilities is considered to be an overall City-wide problem for which it is very difficult to fix specific responsibilities within the limits of each subdivision or development; and

WHEREAS, the City Council desires to equalize the storm drainage responsibilities in each subdivision or development;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi:

1. That Resolution No. 3619 is repealed and an intract drainage fee of \$1, 100 per gross acre of property being developed is established;
2. That each subdivision or development shall be credited on the following schedule for all storm drain facilities installed by the developer within public streets or rights-of-way:

12" pipe	\$ 8.50 per lineal foot
15" pipe	\$ 9.50 per lineal foot
18" pipe	\$ 11.00 per lineal foot
21" pipe	\$ 13.10 per lineal foot
24" pipe	\$ 16.20 per lineal foot
27" pipe	\$ 18.10 per lineal foot
30" pipe	\$ 20.00 per lineal foot
48" manhole	\$ 600.00 each
60" manhole	\$1250.00 each

3. That whenever the fees exceed the credits the developer will pay to the City the balance at the time of development (i.e., approval of the subdivision final map, or issuance of building permits);
4. That whenever the credits exceed the fees the City will reimburse the developer.
5. That the fees established by this resolution shall be collected at the time of development (i.e., approval of subdivision final map, issuance of building permit, or conversion from vacant to any higher use) of any

property that has not previously paid a storm drainage fee;

6. That this Resolution is effective immediately upon passage.

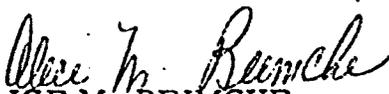
Dated: September 21, 1977.

I hereby certify that Resolution No. 4394 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 21, 1977 by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian


ALICE M. REIMCHE
CITY CLERK



CITY OF LODI

PUBLIC WORKS DEPARTMENT

POLICIES AND PROCEDURES

STORM - 4

STORM DRAINAGE FEE COLLECTION

Rev. 9/2/86

These guidelines outline the basic storm drainage fee collection procedure. It is not the intent that these guidelines cover every possible situation, but they are to establish basic concepts from which proper decisions concerning storm drainage fee collections can be made.

STORM DRAINAGE FEE COLLECTION

- o Those areas shaded in green on the Storm Drainage Fee Map are responsible for Master Storm Drainage and Intract Drainage fees. The map is not all inclusive.
- o Areas which are converted to a higher use are also responsible for Master Storm Drainage and Intract Drainage fees unless fees have already been collected for the area.
- o Master Storm Drainage and Intract Drainage fees shall be collected at the time of development or redevelopment (i.e., approval of subdivision final map, parcel map, issuance of building permit, or conversion to higher use such as vacant or agricultural to storage or parking, parking or open storage to single family, single family to multiple, residential to commercial, etc.).
- o The amount of the Master Storm Drainage Fee and Intract Fee shall be as established by City Council Resolutions 3618 and 4394.
- o The area used shall be computed to the centerline of the street or 40 feet from the ultimate right-of-way, whichever is less.
- o A deduction of 10,000 square feet or the size of the lot, whichever is less, may be allowed where an existing commercial, industrial, or residential structure is to remain as part of the overall development. No deduction will be allowed if the structure is to be removed.
- o If a building is demolished to provide a vacant parcel, and a building permit is issued within one year for a building of like size and similar use, no storm drain fees will be assessed.

Jack L. Ronsko
Public Works Director

JLR/GER/ma

Exhibit F