



# CITY OF SACRAMENTO

24

CITY PLANNING DEPARTMENT  
927 TENTH STREET  
SUITE 300  
SACRAMENTO, CA 95814  
TELEPHONE (916) 449-5604

CITY MANAGER'S OFFICE  
**RECEIVED**  
SEP 8 1982

MARTY VAN DUYN  
PLANNING DIRECTOR

September 7, 1982

**APPROVED**  
BY THE CITY COUNCIL

City Council  
Sacramento, California

SEP 14 1982

Honorable Members in Session:

OFFICE OF THE  
CITY CLERK

SUBJECT: Appeal of Planning Director's determination of application fee for Natomas Corporate Center (P82-066)

LOCATION: East side of I-5, between West El Camino Blvd. and Garden Highway

### SUMMARY

The Planning Director estimated the future cost to process the four applications that comprise the South Natomas Office Park. The future cost includes a traffic study and staff charges to process the Schematic Plan, PUD Guidelines and prepare the development agreement. Since these tasks are identified for each application, staff believed the most equitable method to charge future cost was by equally dividing between the four applicants. The appellant is appealing this determination suggesting the cost be distributed by either land area, or office square footage or traffic impact. Staff recommends denial of this appeal.

### BACKGROUND INFORMATION

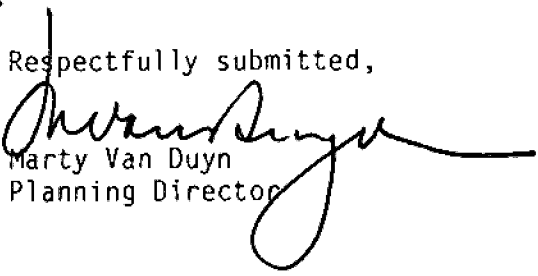
Since 1978, the City Council has directed staff to become full cost recovery. The Planning Department has implemented measures to account for staff time and charge the applicant. Traditionally, this is accomplished by staff recording their hours spent on a particular project. Previously, when staff has processed similar projects simultaneously, we have requested the developers to agree on the split. If the developers cannot agree on a split, then staff charges equally between the projects. This was the situation with Natomas Eastside and Gateway Centre. Project size has very little, if any, impact on the time staff takes to process the application. Staff has to do the same tasks regardless of size. It would be virtually impossible to differentiate staff time between the four applications.

On June 23, 1982, staff conducted an accounting of expenditures of the actual cost of processing the applications to that time and projected future cost. The future costs consist of a traffic study (\$5,000) and staff charges to process the Schematic Plan, PUD Guidelines, and development agreement (300 hours for \$12,600). The total future cost and division is  $\$5,000 + \$12,600 = \$17,600 \div 4 = \$4,400$ . The appellant is appealing staff equally dividing the \$12,600 between the four applicants. (Exhibit "A" lists all charges for each application). Staff requested payment of all outstanding balances and deposit of future cost. All applicants have paid the requested amount except the applicant for Natomas

Corporate Center who, on August 26, filed an appeal of the division of application fees. Attached is the appeal. If the appeal is granted, the Council should advise staff on method for distributing cost and direct staff to collect additional money from the other applicants.

RECOMMENDATION

Staff recommends denial of this appeal.

Respectfully submitted,  
  
Marty Van Duyn  
Planning Director

RECOMMENDATION APPROVED:

  
Walter J. Slipes, City Manager

MVD:CC:cp  
Attachment  
P82-066

September 14, 1982  
District No. 1

<u>Fees by Project</u>	<u>Natomas Eastside</u>	<u>Gateway Centre</u>	<u>Creekside</u>	<u>Natomas Corp Center</u>
Application	\$2,581	\$1,251	\$1,056	None
Consultant Selection	500	500	None	None
Consultant Services				
Draft EIR	28,200.00	28,200.00	27,115.00	
Final EIR			35,066.61	
Traffic Study	700.00	700.00		
Printing				
Draft EIR	1,303.43	1,303.43	3,005.29	
Final EIR	500.00	500.00	1,620.53	
City Cost				
Staff Charges	10,340.26	10,340.26	10,421.60	1,066.80 (includes Neg. Dec. cost)
Miscellaneous	<u>271.04</u>	<u>271.04</u>		
Subtotal	44,395.73	43,065.73	78,285.03	1,066.80
Future Cost				
Traffic Study (\$5,000)	1,250.00	1,250.00	1,250.00	1,250.00
Staff Charges (\$12,600)	<u>3,150.00</u>	<u>3,150.00</u>	<u>3,150.00</u>	<u>3,150.00</u>
Applicant's Share	4,400.00	4,400.00	4,400.00	4,400.00

CC:cp  
9-7-82

EXHIBIT "A"

24

NOTICE OF APPEAL OF THE DECISION OF THE  
SACRAMENTO CITY PLANNING DIRECTOR

24

DATE: August 23, 1982

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the  
Planning Director of June 23, 1982 when:

X REDUCTION OF FEE ALLOCATION REQUEST  
       Special Permit Application        Variance Application

was:        Granted X Denied by the Director.

GROUND FOR APPEAL: The allocation of engineering fees done by  
splitting equally between the four applicants rather than based on the  
size of the project. Our project accounts for less than 6 1/2% of the  
square footage, 3.2% of land area and only 3% of the traffic impact. A  
\$4,501.80 fee (25% of total fee) for a single purpose parcel with such a  
small impact is unreasonable and unfair.

PROPERTY LOCATION: General area of I-5, north of Garden Highway, south  
of W. El Camino.  
PROPERTY DESCRIPTION: 10.48 vacant acres

ASSESSOR'S PARCEL NO. 274 - 042 - 14

PROPERTY OWNER: B & D PROPERTIES (BENNETT & DeCOU PROPERTIES)

ADDRESS: 8568 Pheasant Hill Court, Orangevale, CA 95662

APPLICANT: Butler-Kassis Investment Company, Inc.

ADDRESS: 1234 H Street, Sacramento, CA 95814

APPELLANT: (Signature) (James E. Kassis, President)

(SIGNATURE) (PRINT NAME)  
ADDRESS: 1234 H Street, Sacramento, CA 95814

FILING FEE: \$125.00 RECEIPT NO. 323

FORWARDED TO PLANNING COMMISSION ON DATE OF: \_\_\_\_\_

p- 82-066

5/82

(4 COPIES REQUIRED): MVD  
HY  
WW  
CP  
MMH - (original)

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HY  
WW  
CP  
MMM - (original)



CITY OF SACRAMENTO

NC 323

Planning Department  
927-10th St., Ste. 300  
Sacramento, CA 95814  
Tel: (916) 449-5604

Initial Filing Fees & Receipt

Received From: David Butler Co

I understand that additional fees may be required if the cost to process the application is greater than the minimum fee

Requested Entitlement(s) Fee Circled

Initials

ENVIRONMENTAL DET. (1-01-5179-3628)

DEVELOPMENT REVIEW (1-01-5179-3653)

Exemption \$25  
Negative Declaration 90  
EIR 1,680

Plan "R" Review \$165

REZONING (1-01-5179-3604)

OTHER ENTITLEMENTS (1-01-5179-3709)

Rezoning/Prezoning \$545  
Request to Initiate (NED) 285  
Gen. Plan/Comm. Plan Amend. 345

Parking Facilities Perm. (NED) \$65  
St./Alley Abandonment (NED) 202  
Street Name Change (NED) 127

SUBDIVISION MAP FEE (1-01-5179-3603)

APPEAL (1-01-5179-3606)

Tentative Map \$206  
Fast Track 121  
Lot Line Adjustment 130  
Time Extension (NED) 170  
Post Subdivision Mod. 100

	Applicant	3rd Party
Planning Dir.	\$125	\$40
Environ. Coord.	625	40
ARB	150	40
Preservation Bd.	65	40
CPC	105	60

PLANNED UNIT DEVEL. (1-01-5179-3652)

DOCUMENT SALES (1-01-5179-3607)

PUD \$440  
Amend. (w/o Special Permit) 230

	\$
	\$
	\$

SPECIAL PERMIT (1-01-5179-3213)

Special Permit \$290  
Time Extension 140  
Plan. Dir. Modification (NED) 55  
Condo. Conversion (NED) 610

SALES TAX (1-01-0000-2116)

TOTAL PAID

\$ 12,500

Tenants @ \$2/Tenant

Prepared by/date GM 8/26/82

Received by/date [Signature] 8/29/82

Cash  
check # 116

P# 82-066

CITY OF SACRAMENTO

PAID-PL

AUG 26 1982

PLANNING

Not Valid  
Unless Stamped  
By Department

NOTE:

NED - No Environmental Determination Fee Required.

- White - Applicant
- Yellow - Finance
- Pink - Planning Department
- Goldenrod - Project File

September 17, 1982

James E. Kassis  
1234 H Street  
Sacramento CA 95814

Dear Mr. Kassis:

On September 14, 1982, the Sacramento City Council heard your appeal from City Planning Director's determination of application fees for Natomas Corporate Center located on the east side of I-5, between West El Camino and Garden Highway (D1) (P-82066).

The Council denied your appeal.

Sincerely,

Anne Mason  
Assistant City Clerk

AM/mlt/24

cc: Planning Department  
B & D Properties, 8568 Pheasant Hill Ct, Orangevale 95662  
Butler-Kassis Investment Co Inc., 1234 H St, 95814