

Public Hearing: September 13, 2004

F A C T S H E E T

TITLE: Resolution for Impact Fee Appeal with Alodium, LLC at 6710 L Street.

SPONSOR:

OPPONENTS: Public Works & Utilities

OTHER DEPARTMENTS AFFECTED:

STAFF RECOMMENDATION: Denial

APPLICANT: Alodium, LLC Attn: Larry V. Albers

REASON FOR LEGISLATION: Impact Fee Appeal

D I S C U S S I O N

Lincoln Municipal Code §27.82.050(c)(1) provides in pertinent part that “the Impact Fee Administrator shall determine the amount of each required impact fee through the use of impact fee schedules adopted by the City Council.” With respect to this appeal, the only Impact Fee in dispute is the amount of the Arterial Street Impact Fee. Under the Arterial Street Impact Fee Schedule beginning January 1, 2004 the appellant’s building is classified as a non-residential use under shopping center (less than 100,000 square feet). The unit of measure is per 1,000 square feet and the fee per unit is \$2,178. The question raised is whether the unit of measure per 1,000 sq. ft. refers to gross floor area or floor area as those terms are defined by Lincoln Municipal Code §§ 27.82.040 and 27.03.250 respectively. Pursuant to Lincoln Municipal Code §27.82.050(c)(1) and the foregoing Arterial Street Impact Fee Schedule the Impact Fee Administrator calculated the fee based upon a determination that the square footage referred to in the unit measure refers to gross floor area rather than floor area. The basic difference between the two definitions is that storage areas are included under gross floor area of a building.

POLICY OR PROGRAM CHANGE: No

FACT SHEET PREPARED BY:

Asst. Public Works/Utilities Business Manager

REVIEWED BY:

Director of Public Works/Utilities