

TAB 3

Point Paper
Corvus Impact Fee Refund
May 5, 2008

Problem: Corvus International has requested a refund of impact fees associated with Bel Mare Phase III Tower.

Background: On March 13, 2006 the City received payment totaling \$376,848.55 related to building permit fees, water and sewer impact fees, and fire system installation fees on building three of Bel Mare. Other impact fees such as general government, transportation, parks and public safety impact fees were not in place at this time and therefore not applicable. Specific fees collected were as follows:

Description	Amount
Building Permits	\$259,645.55
Water Tap Fees	\$ 3,500.00
Water Impact Fees	\$ 20,032.00
Water Deposit	\$ 875.00
Sewer Tap Fees	\$ 400.00
Sewer Impact Fees	\$ 88,896.00
Fire System Connection	\$ 3,500.00
Total Fees Collected	\$373,348.55
Impact Fees Only	\$117,203.00

Staff has informed the applicant, Corvus International, that the fees associated with the building department permits are non-refundable, as the permits have since expired. Staff has received a letter from Corvus International confirming that they understand the building fees will not be refunded. After researching the feasibility of refunding impact fees, staff has concluded that it is advisable to move forward with a refund since the impacts associated with the new building did not occur. The total amount of the refund for water and sewer tap and impact fees totals \$117,203. Staff recommends that approximately \$40,000 of the refund can be funded from the impact fee reserve account. The remaining \$77,000 will need to be identified via reductions to CIP projects that were previously approved.

Alternatives:

1. Approve and authorize staff to identify funding sources and refund the impact fees to Corvus International totaling \$117,203.
2. Do not approve a refund of impact fees

Recommendation: Alternative #1

Budget Impact: The impact fee reserve account will be reduced by approximately \$40,000 and will fund a portion of the refund. The Remaining \$77,000 will have to be identified by way of reducing the funding for an existing CIP project that has not yet been spent.

From:

04/24/2008 11:10

#216 P.001/002

1401 Manatee Ave W, Suite 500
Bradenton, FL 34205
941-708-9220

**Riviera Dunes
Development
Partners LLC**

Fax

To: Jim Free and Michele Hall	From: Timothy Vining
Fax: 723-4704	Pages: 2
Phone: 723-4570	Date: 4/24/2008
Re: Bel Mare prepaid fees	CC: File

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● **Comments:**

Letter addressed to Michele S. Hall, City Attorney, attached regarding Bel Mare Pre-paid fees from Timothy Vining, Riviera Dunes Development Partners LLC.



April 24, 2008

Ms. Michele S. Hall
City Attorney
City of Palmetto
600 17th Street West
Palmetto, Florida 34221

RE: Bel Mare Pre-Paid Fees

As to the fees paid to the City of Palmetto regarding the permitting of the third building at Bel Mare which has not been constructed and for which the building permits have expired, I acknowledge that all the prepaid impact fees will be returned and that at this time I am not entitled to a refund of any of the non-impact fees paid to the Building Department.

Kindest Regards,

RIVIERA DUNES DEVELOPMENT PARTNERS, LLC

A handwritten signature in black ink, appearing to read "C. Vining", is written over the printed name.

C. Timothy Vining
Principal