



Meeting Date: May 2, 2016

Report No. CC-16-56

Agenda Item No. 8-a

Status: General Orders

Purpose: The purpose of this report is to present a recommendation for financial participation with two developers in the Form Based Codes area for the construction of the public realm.

Background Summary: As part of the Form-Based Codes (FBC), the relationship between the private property and the public realm is enhanced with certain requirements including street design, lighting, landscaping, and parking. Two developments are currently proposed for the area on the south side of 4th and between Hester and Washington streets. The responsibility of constructing the public realm to FBC standards lies with the developers; however, staff looked at the benefits to participating with these developers to complete the public realm.

Short-term: With these two active development proposals, staff recommends fee waivers for the developments (TR Inscore and Trittenbach) with the following criteria:

- developer constructs full width right-of-way public realm improvements for 4th from Washington through Hester, Hester from 4th to 6th, and Ramsey from 4th to 6th,
- developer constructs full block length public realm improvements of 4th from Washington through Hester, Hester from 4th to 6th, and Ramsey from 4th to 6th,
- developer signs an agreement to not protest any future assessment district.

Participation by the City, in the waiving of fees, demonstrates the desire for high-density student housing to locate in this area of Stillwater. Also, the return on the investment by the City is approximately 35% as the developers will be constructing valuable public infrastructure. A bar chart is enclosed demonstrating the return on investment.

Long-term: In order to address future developments in the FBC area, staff will bring additional recommendations to the Council that address long-term actions. These recommendations will include:

1. Assessment district(s)
2. Minimum 25% return on investment (ROI) before approval to waive fees
3. Case-by-case evaluation of the return on investment (ROI) for participating with each development proposal to construct public realm

Budget Impact: The revenues from these developments, in the approximate total amount of \$657,229, will not be collected.

Prior Council Action or Part of an Approved Project: No **Related Items:** [CC-15-37 Text Amend Form Based Code.pdf](#); [CC-16-40 Form Based Code Amendments 0416.pdf](#)

Alternatives: The following alternatives are identified:

1. Waive fees for TR Inscore development and for Trittenbach development subject to full width, full block public realm construction and agreement to non-protest of future assessment district.
2. Do not waive fees for TR Inscore development or for Trittenbach development.
3. Direct staff to prepare long-term action items with recommendation.

Recommendation: Staff recommends Alternative #1 and Alternative #3.

Prepared by: Paula J. Dennison, Development Services

Reviewed by: Dan Blankenship, Deputy City Manager

Submitted by: Norman McNickle, City Manager

Attachments: Trittenbach examples of FBC
ROI bar chart for TR Inscore development and Trittenbach development