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News

Saturday, October 15, 2005 - 12:00 AM

## Saratoga Springs opts for lower fee

DAILY HERALD

<01 Byline 1>

Caleb Warnock

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Acting on complaints from developers, Saratoga Springs City Council members this week adopted a lower-than-recommended impact fee, a choice that underfunds the city's transportation plan by more than \$55 million.

In the weeks before the meeting, council members had agreed \$162 million of road work was necessary to complete the city's infrastructure in the

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next 30 years -- including seven priority projects that should be started as soon as possible.

The best option to pay for that work was to increase the transportation impact fee on new homes from \$921 to \$3,843 -- more than 400 percent -- said council members, noting the new roads will only be necessary because of growth.

But after a handful of developers complained about the increase in an hour-long public hearing on Tuesday, council members voted to raise the fee to \$2,500 instead, saying the city must find some way to make up the difference.

No suggestions were made on how that difference would be made up.

Councilman Scott Kahn, who voted for the lower increase, said the \$2,500 fee underfunded the city's \$162 million list of road projects by 35 percent.

"I want to support it, but it lacks direction for the city staff to come up with that 35 percent," he said. "We've got a 35 percent deficiency and no direction on how to make that up."

The council will revisit the issue in six months.

Before the vote, developers said a 400 percent increase would force them out of the city. None said what kind of increase would be acceptable.

Three developers said they had bought land in the city and were in the process of finalizing an agreement to sell that property to another developer, but the increase could collapse their deal. They demanded the city allow them to pay the lower \$921 fee because the master plan for their subdivision had already been approved by the city.

Attorney Richard Allen said he would study the issue but did not believe the city was obligated to let the developers pay the lower fee.

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"We are worried," said Bob Sherry of Phillips Edison & Co. construction. "We have a purchase and sale agreement in place with a third party. If this is implemented, our deal may die and we have a problem with that."

Duane Rasmussen identified himself as the third party in the agreement and said the city should implement the fee increase over time, allowing his company to pay the lower rate.

"I certainly sympathize that you have a transportation problem and those problems need to be addressed, but if you bring about such a dramatic fee, you may bring to a halt residential development," he said.

Bill West of Knight West Construction said Saratoga Springs should ask neighboring cities, the county and the state to help pay for the necessary roads, rather than increasing the impact fee. Council members said the proposed roads are all within city limits and must be paid for by residents.

Developer Don Schaub, representing the Summer Hill subdivision, said Saratoga Springs has traditionally been thought of as "developer friendly," but the increase could have a "chilling effect," reducing the number of houses built in the city -- and also the city's revenues, which depend largely on impact fees.

Saratoga Springs resident Shawn Jones said the plan, while adding roads inside the city, did nothing to reduce the problems of getting to the city from Main Street in Lehi, where chronic traffic is becoming legendary. The city should consider a property tax increase to help build more roads and in turn allow residents faster access in and out of the city, he said.

Councilwoman Mia B. Love said the increase would not stop the city's exponential growth.

"I don't think development is going to come to a screeching halt," she said.

Kahn said \$3,843 "is the right number" to fund the city's roads, but "the fundamental problem I have is that I think we owe the development community, for whom I am truly grateful, a show of good faith to try at least initially not to put all the burden on their backs."

It would be "the city's charge" to find another way to make up the difference, he said. "If we end up 2 to 3 million dollars short at the end of the day, I think the pressure should be on the city to make up that shortage."

Federal and state grants for roads exist and Saratoga Springs must "be more aggressive at going out and trying to make them happen," he said.

**Caleb Warnock** can be reached at 756-7669 ext. 19 or [cwarnock@heraldextra.com](mailto:cwarnock@heraldextra.com).

*This story appeared in The Daily Herald on page D1.*

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