



CITY OF SAN LEANDRO
 City Clerk's Office
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CITY OF SAN LEANDRO
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FEB 20 2015
CITY CLERK'S OFFICE

APPLICATION FOR APPEAL TO CITY COUNCIL

GENERAL INFORMATION

This appeal application must be submitted within fifteen (15) calendar days of the decision, and within ten (10) calendar days of a Tentative Map approval. If the appeal period ends on a weekend or holiday, the time limit shall be extended to the next business day.

Please note that decisions of the Zoning Enforcement Official (ZEO) or the Community Development Director are appealed to the Board of Zoning Adjustments or the Planning Commission, depending on the specific project or issue. An Appeal Application to the Planning Commission/Board of Zoning Adjustments must be used for these appeals and is available at the Community Development Department.

APPELLANT INFORMATION (Please print)

Name: Comstock Realty Partners c/o Adrian Comstock

Relationship to Project:
 Applicant Concerned Resident Other _____

Daytime Telephone Number: 310.444.5550 x102

Email Address: acomstock@comstockrealtypartners.com

Mailing Address: 1801 Century Park East, Suite 1095, Los Angeles, CA 90067

An appeal is hereby submitted on the decision of:

Board of Zoning Adjustments Planning Commission Site Development Sub-Commission Other _____

For the Approval or Denial of:

Planning (PLN) Permit Number: PLN2014-00028

Date of Action: 2-5-15

Project Address: 1717 Doolittle Drive

Reasons for Appeal (List all grounds relied upon in making this appeal. Attach additional sheets if more space is needed):

Appellant requests Council modification of two conditions of approval (VII.C, D), which seek to impose \$329,487 in DESI fees and \$265,029 in UUCF fees. The nexus between the project's impacts and the fee amounts has not been established. Applicant seeks reduction of these two fees per the attached 2-2-15 correspondence.

Signature: Adrian Comstock

Date: 02/18/2015

Please return the completed form with a fee for \$634 (payable to the City of San Leandro) to the City Clerk's Office at the address shown above. If the appellant is the applicant, direct costs for processing the appeal, which may include but are not limited to preparation of staff reports and meeting attendance, are charged in addition to the appeal fee.

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APPEAL APPLICATION

Filed timely Yes No
 Received by Vivian Chiu
 Appeal fee \$ 534 (attach copy of receipt)

CITY COUNCIL HEARING

Scheduled for _____
 Checklist due on _____ to City Clerk's Office
 cc: Planner Elmer Penaranda



February 2, 2015

Mr. Chris Zapata
City Manager
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

Re: Proposed Project: 1717 Doolittle Project

To Mr. Zapata:

Thank you for your continued facilitation of communication between Comstock Realty Partners and the various relevant departments at the City of San Leandro pertaining to the proposed development at 1717 Doolittle by Comstock Realty Partners.

Pursuant to our in-person discussions last week regarding the fees and assessments that have been set as conditions of approval for our proposed development at the corner of Aurora and Williams, we have presented below, a description of the proposed development along with the positive economic impact of the development to the City and the heavy burden on the development's economic potential caused by the development fees and assessments that the City's departments have proposed to apply to the development.

The Development

A 161,200SF, 32-foot clear Class A warehouse building on the western portion of our 19.31 acre parcel that spans from Doolittle to Aurora, located along Williams Street

After completion, the new building and the existing building on the property, will constitute a total of 582,738 SF, and will include with the following companies as long-term tenants: ERI (headquarters, manufacturing and research and development), Zinus Corporation and ServiceWest, in addition to the prospective tenant in the proposed building.

Economic Impact of Proposed Development

Comstock expects the following short- and long-term employment opportunities and the resulting economic impacts to benefit the City:

- Over the span of a 9 month construction period, more than 250 laborers and project management personnel
- For the duration of a long-term (5 years to 10 years) lease, the currently proposed building will employ up to 20 people to serve in office and administrative capacities, and 161 to serve in industrial capacity, making a total long-term employment of 179 people.

City Imposed Fees and Assessments

The City's fees are equal to 11.72% of the total cost of construction and fees.

Proposed Comstock Development

1717 Doolittle

New Building Area (including office) 161,200

		\$ Cost / SF	As % of Total Costs
Construction Costs with 3% Contingency	6,753,000	41.89	
Proposed Development Fees & Assessments	896,667	5.56	11.72%
Total Project Cost	7,649,667		

Development Fees & Assessments Detail

Building Permit Fees	40,332	4.50%
Community Planning Fee	25,726	2.87%
Fire Review & Inspection	26,216	2.92%
School District Fee	87,048	9.71%
DFSI Intersection Fee Marina	329,487	36.75%
DFSI Intersection Fee Davis		0.00%
Underground Utility Fee	256,029	28.55%
Other Fees & Processing	131,839	14.70%
Total	896,677	100.00%

Of the fees proposed, the most costly are the Street Improvement or "DFSI," and the "UUF," which are 36.75% and 28.55% of the fees, respectively.

Comstock Realty Partners

1801 Century Park East Suite 1095 • Los Angeles, CA 90067 • United States
Tel (310) 444-5550 • www.comstockrealtypartners.com

Itemization of Fees

Dept	Description	Amount	Due	\$/SF Bldg	% of Fees
BCEC	Recalc--Bldg Energy Conservati	8,066	8,066	0.05	0.90%
BFNI	Recalc--Building Filing & Issu	94	94	0.00	0.01%
BHSC	Recalc--H & S Code 18949.29	2,017	2,017	0.01	0.22%
BNCI	Recalc--New Com/Ind Surcharge	10,083	10,083	0.06	1.12%
BNCP	Recalc--New Com/Ind PC Surchar	8,066	8,066	0.05	0.90%
BPMT	Recalc--Building Permit	40,332	40,332	0.25	4.50%
CBSC	Recalc--SB1473 Fee	344	344	0.00	0.04%
PCFB	Recalc--Plan Check for Bldg. -	65	65	0.00	0.01%
PCPF	Recalc--Community Planning Fee	25,726	25,726	0.16	2.87%
PLNC	Recalc--Plan Check Fee	32,266	32,266	0.20	3.60%
SMIC	Recalc--SMI Fees - Commercial	1,801	1,801	0.01	0.20%
XDFI	Recalc--Street Improvements Fe	329,487	329,487	2.04	36.75%
XFRI	Recalc--Fire Review & Insp 65%	26,216	26,216	0.16	2.92%
XPSO	Recalc--Plan Storage -All Othe	27	27	0.00	0.00%
XSLs	Recalc--San Leandro School Dis	87,048	87,048	0.54	9.71%
XUUF	Recalc--Underground Utility Fe	265,029	265,029	1.64	29.56%
XWPC	Recalc--WPCP (COM) Sew Con Fee	60,000	60,000	0.37	6.69%
		Total Due:	896,667	5.56	

Itemized Street Improvements Fee

Street Improvements - General Industrial	186,992	56.86%
Davis / Doolittle Zone 5	4,836	1.47%
Marina/I-880	137,020	41.67%
DFSI Total*(Based upon reading City Code)	328,848	

Comstock requests that the City review the application of the DFSI and UUF fees to ensure that their applicability and calculation are correct, and to consider a reduction of the fees to total between \$500,000 and \$750,000. Comstock has observed for similarly sized developments in cities across California, a total of city fees and assessments that is equal to 7% to 9% of the total cost of the project. In this case, a \$657,000 fee would be 9% of the total project costs and fees.

If you or your departments would like to discuss these fees and the project in more detail, I am available at your convenience.

Respectfully submitted,



Adrian Comstock