City Council Meeting of December 21, 2016

Agenda Item No. 9a

REQUEST FOR COUNCIL ACTION

SUBJECT: Consideration and Possible Action on an Adjustment to estimated Transportation Impact Fees.

SUMMARY: Approval of the proposed impact fee amount will provide a reduction in the amount of transportation impact fees assessed to the Jordan Landing Entertainment Village Application.

FISCAL IMPACT: If approved, the agreement will result in the estimated loss of up to $374,513 in revenues to the Road (Transportation) Impact Fee Fund.

STAFF RECOMMENDATION:

Staff Recommends approval of the Transportation Impact Fee Adjustment.

MOTION RECOMMENDED:

Possible Motion: "I move to make an adjustment, by reducing the transportation impact fee by 96.2% [or some other percentage], based upon the traffic signal warrant study produced by A-Trans Engineering, as reviewed by the city's impact fee consultant, Tischler-Bise."

[Roll Call Vote required.]

Prepared by:

Jeremy Olsen
Economic and Development Assistance Supervisor

Reviewed as to Legal Form:

David Brickey
City Attorney

Recommended by:

David Oka
Development Director

Approved by:

Mark Palesh
City Manager

BACKGROUND DISCUSSION:

Impact fees are assessed for the costs associated with providing capital improvements to service new developments, and are collected for providing municipal police, fire, transportation, culinary water, sewer, and storm drain services. Additionally, residential developments are assessed a parks impact fee for the acquisition and construction of city parks, trails, or other public open space areas.

The process currently used by the City to assess impact fees is to calculate these fees based upon the size of the development, as calculated either by building square footage for commercial and industrial projects, or number of units for residential projects. Storm drain fees are calculated based on the acreage of the project, rather than the building size. With respect to redevelopment projects, the applicant is given credit for existing infrastructure which is in place, and assessed for any increase in intensity of use based on an increase in building size on site.

Foursquare development is currently planning a redevelopment of the central plaza of Jordan Landing, which is referred to as the Entertainment Village. The preliminary plans for this area include the demolition of existing buildings, and the addition of new buildings, which in total will result in approximately 93,516 square feet of new retail space. They have also requested a waiver of the applicable impact fees for the project.

The process to adjust impact fee assessments is described in §3-7-14(B), which states:

"The City Council may adjust the amount of the impact fee to be imposed on a particular development based upon studies and data submitted by the developer."

In accordance with the requirement listed in West Jordan City Code §3-7-14(B), the applicant has supplied a traffic signal warrant study, produced by A-Trans Engineering, which shows a total increase in weeknight traffic of 1%, and a weekend increase of 9%, or a total average increase of 3.8%, compared to the traffic volumes which existed prior to the site redevelopment. Staff has provided this information to the city's impact fee consultant, Tischler-Bise, who is in agreement with the information provided in the traffic study.

Possible City Council Action Regarding Jordan Landing Transportation Impact Fee:
Consequently, if the Council chooses, it may provide an adjustment to the estimated transportation impact fee by reducing it by up to 96.2%, or any other amount which it determines to be appropriate, based upon the data submitted by the developer, in accordance with West Jordan City Code §3-7-14(B). The Legal Department indicates that:

1. If this impact fee ***is*** being reduced, then the City Council should indicate the exact percentage (or dollar amount) of the reduction, and should make a specific finding as to why it ***is*** being reduced, such as "based upon the traffic signal warrant study produced by A-Trans Engineering, as reviewed by city's impact fee consultant, Tischler-Bise"; or

2. If this impact fee is ***not*** being reduced, then the City Council should make some other specific finding(s) as to why it is ***not*** being reduced.

Estimated Potential Reduction of Jordan Landing Transportation Impact Fee:
Because final building plans have ***not*** been approved, the impact fees for the entertainment village redevelopment have ***not*** been finalized, and are only estimates. However, based on the most recent plan submittal, the additional building square footage amount is 93,516, which would amount to a transportation impact fee of $389,307, and a possible reduction of up to $374,513. Because the ***dollar*** amounts are not yet officially determined, it is advisable to state any reduction in terms of ***percentage*** amounts.

No Adjustments Recommended Regarding All Other Jordan Landing Impact Fees:
The study provided by A-Trans, and reviewed by Tischler-Bise, ***only*** examined the ***traffic*** impacts of the new development, and subsequently, ***no*** adjustments to ***other*** impact fees (Police, Fire, Water, Sewer, or Storm Drain impact fees) are proposed.

TischlerBise
FISCAL | ECONOMIC | PLANNING

4701 Sangamore Road Suite S240 Bethesda, MD 20816 (301) 320-6900

TO: Stephen Glain, Mgt. Assistant to City Manager

FROM: Carson Bise, President, TischlerBise

DATE: November 17, 2016

SUBJECT: Independent Road Impact Fee Analysis: Proposed Jordan Landing Entertainment Village Retail Conversion

Overview and Summary

TischlerBise was asked by the City of West Jordan, Utah to conduct an independent impact fee analysis of the proposed Jordan Landing Entertainment Village Retail Conversion. TischlerBise is a fiscal, economic, and planning consulting firm specializing in fiscal impact analysis, impact fees, utility rates, and other cost of growth services. TischlerBise conducted West Jordan's impact fee study (2016). This memorandum summarizes the proposed development, analyzes its potential additional demand on city road facilities, and recommends a total fee.

This individual impact fee study is based on information from a traffic impact study for the proposed development completed by A-Trans Engineering (May 31, 2016) and trip generation data from the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition, 2012).

Proposed Development

The applicant proposes reconfiguring the existing Jordan Landing Entertainment Village to increase retail and restaurant space and to reduce existing movie theater seating **without increasing the overall building footprint.** The Cinemark 24 currently has 5,290 seats and the proposed development includes 2,294 seats—**a reduction of 2,996 seats.** Proposed restaurant and retail square footage total 49,478 square feet and 75,997 square feet, respectively. **This represents an increase of 12,853 square feet of restaurant space and an increase of 66,901 square feet of retail space.**

Figure 1: Jordan Landing Movie Theater Seats

Land Use	*Existing*	*Proposed*	*Change*
Movie Theater (seats)	5,290	2,294	-2,996

Figure 2: Jordan Landing Floor Area

Land Use	*Existing*	*Proposed*	*Change*
Restaurant	36,625	49,478	12,853
Retail	9,096	75,997	66,901
Office	1,738	1,738	0

A-Trans Engineering Analysis

West Jordan staff provided a traffic study conducted by A-Trans Engineering for the proposed reconfiguration of Jordan Landing Entertainment Village. The A-Trans Engineering analysis uses peak trips, whereas West Jordan's road impact fees—calculated by TischlerBise—use average weekday trips. As shown in Figure 3 and Figure 4 below, A-Trans Engineering projects peak trips will increase between one and nine percent depending on the day of the week. Due to the use of different trip factors, these analyses do not provide a direct comparison.

Figure 3: A-Trans Engineering Trip Rates

Table 1: ITE Trip Rates

			Trip Rate		Trips	
ITE 9th Ed	Size	Land Use	PM	Saturday Peak	PM	Sat Peak
EXISTING						
Retail	9.096	820	3.73	4.89	34	44
Professional Office	1.738	710	1.49	0.43	3	1
Movie	5.290	seat	0.08	0.09	423	476
Restaurants	36.625	932	11.15	14.07	408	515
Total					**868**	**1037**
PROPOSED						
Retail	75.997	820	3.73	4.89	283	372
Movie	2294.000	seat	0.08	0.09	184	206
Restaurants	49.478	932	11.15	14.07	552	696
Professional Office	1.738	710	1.49	0.43	3	1
Total					**1021**	**1275**
Percentage Change					**18%**	**23%**

Figure 4: A-Trans Engineering Pass-by Trip Rates

Table 2: ITE Pass-by Trip Rates

	Pass-by Rate		Final New		Pass-by	
	PM	Saturday	PM	Saturday	PM	Saturday
Retail	34%	26%	22	33	12	11
Professional Office	0%	0%	3	1	0	0
Movie	0%	0%	423	476	0	0
Restaurants	43%	43%	233	294	175	221
Total			**681**	**804**	**187**	**233**
Retail	34%	26%	187	275	96	97
Movie	0%	0%	184	206	0	0
Restaurants	43%	43%	315	397	237	299
Professional Office	0%	0%	3	1	0	0
Total			**689**	**879**	**334**	**396**
Percentage Change			**1%**	**9%**		

West Jordan Road Impact Fee Program Factors

TischlerBise uses the ITE *Trip Generation Manual* (9th Edition, 2012) to calculate average weekday vehicle trips for Jordan Landing Entertainment Village. This calculation uses ITE's weekday trip generation rate of 1.76 trip ends per movie theater seat (Movie Theater, ITE 444), 42.70 trip ends per 1,000 square feet of gross floor area for restaurant and retail (Shopping Center, ITE 820), and 16.60 trip ends per 1,000 square feet of gross floor area for office[1] (General Office, ITE 710). A basic trip adjustment factor of 50 percent is applied to the movie theater and office land use categories. For restaurant and retail land uses, we use a trip adjustment factor of 34 percent to account for pass-by trips.

An example vehicle trip calculation for retail development is as follows: existing retail development generates 132 vehicle trips (9,096 square feet / 1,000 X 42.70 vehicle trip ends per 1,000 square feet X 34 percent trip adjustment factor = 132 vehicle trips) and proposed retail development will generate 1,103 vehicle trips (75,997 square feet / 1,000 X 42.70 vehicle trip ends per 1,000 square feet X 34 percent trip adjustment factor = 1,103 vehicle trips). Shown in Figure 5, using the trip factors discussed above, **existing development generates 5,333 average weekday vehicle trips. Using the proposed development plan, the reconfigured Jordan Landing Entertainment Village generates 3,855 average weekday vehicle trips—a decrease of 1,479 trips**.

Figure 5: Average Daily Trips

Jordan Landing Entertainment Village: Vehicle Trips on an Average Weekday			
Average Weekday Vehicle Trips Ends per 1,000 Sq. Ft.*		*Trip Ends*	*Adj. Factor*
Movie Theater (seats)		1.76	50%
Restaurant		42.70	34%
Retail		42.70	34%
Office		16.60	50%
Gross Floor Area (Sq. Ft.)	*Existing*	*Proposed*	*Change*
Movie Theater (seats)	5,290	2,294	-2,996
Restaurant	36,625	49,478	12,853
Retail	9,096	75,997	66,901
Office	1,738	1,738	0
Vehicle Trips on an Average Weekday	*Existing*	*Proposed*	*Change*
Movie Theater (seats)	4,655	2,019	-2,636
Restaurant	532	718	187
Retail	132	1,103	971
Office	14	14	0
TOTAL INBOUND TRIPS	**5,333**	**3,855**	**-1,479**

**Trip rates are from the Institute of Transportation Engineers (ITE) Trip Generation Manual (2012).*

[1] Based on ITE Trip Generation Manual, 9th edition (2012) and adjusted based on employees per square foot from Sandy City, per local sources: edcUTAH (Economic Development Corporation of Utah), Gardner Company, and Simons REALTORS.

Independent Impact Fee Determination

Due to the projected decrease in average weekday vehicle trips generated from the reconfiguration of Jordan Landing Entertainment Village, TischlerBise estimates a decrease in average weekday demand on West Jordan's road network. Because West Jordan's road impact fees use average weekday trip factors to calculate fees, this project should pay no additional road impact fees.

Please note that this analysis is based on the particular situation and set of assumptions described above and does not include an assessment/recommendation of any other issue, which may include other potential future development within city limits that may or may not result in an increase in demand for city infrastructure.

May 31, 2016

TRANSPORTATION ENGINEERING

RE: Jordan Landing Entertainment Village Retail Conversion - West Jordan City, UT - Trip Generation Comparison

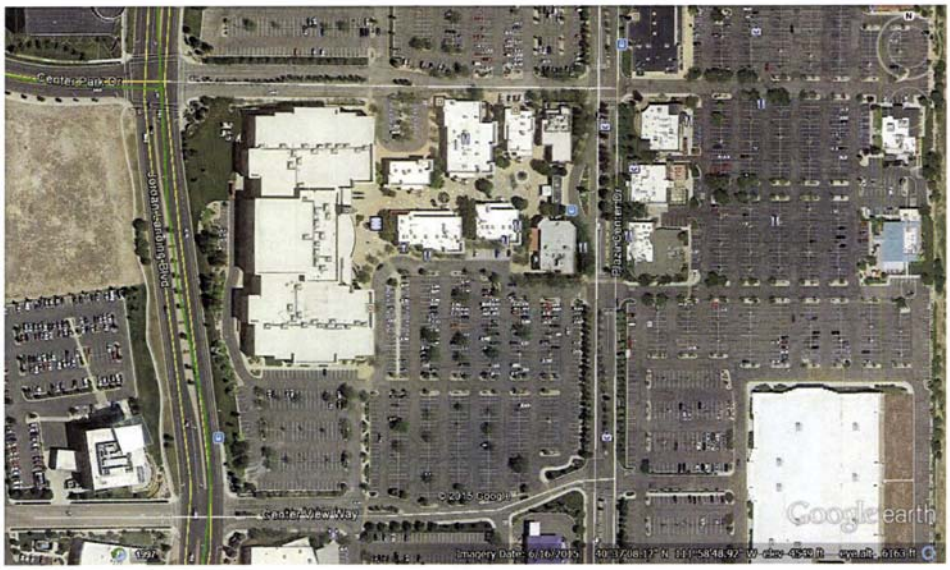
Jordan Landing Entertainment Village includes an extensive movie complex, Cinemark 24, which was originally entitled to 5,600 seats but was constructed with 5,290 seats. The Cinemark Seat Count is now proposed at 2,294, a reduction of 2,996 seats, representing a 56.6% reduction in seats. The development is considering reconfiguring the Entertainment Village to increase retail space. The purpose of this memo is to compare the traffic impacts of the added retail when compared to the reduced movie seats during the PM and Saturday peak periods. The proposed change is summarized in the below information provided by Jordan Landing. Figure 1 shows the Entertainment Village location.

Type of Use Entertainment Village

	Existing	Change	Proposed
Theater (2,294 seats)	101,096	-	101,096
Restaurants	36,625	12,853	49,478
General Retail	9,096	66,901	75,997
		-	
Banks	-	-	-
Convenience Stores	-	-	-
Fitness Center	-	-	-
Professional Office	1,738	-	1,738
Total GLA	148,555	79,754	228,309

P.O. Box 521651 Salt Lake City, UT 84152
(801) 949-0348 fax (801) 582-6252
atrans@comcast.net

Figure 1: Site Location



Trip generation for the site is determined based on the ITE Trip Generation Manual, 9th Edition. By comparing the four different land uses (movie theatre, 445 and general retail, 820, sit down restaurants, 932 and professional office, 710), we can determine the difference in projected trip generation.

The trip generation rates based on a per unit basis as provided for in the critical PM peak and Saturday peak periods and are multiplied by the facility size to provide the trip generation for the site by land use, as shown in Table 1. One other factor is that retail usually has a pass-by rate of 34% PM and 26% Saturday, Restaurants have a 43% pass-by rate whereas movie theatres and office land uses do not have pass-by rates associated with them.

P.O. Box 521651 Salt Lake City, UT 84152
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Restaurants	49.478	932	11.15	14.07	552	696
Professional Office	1.738	710	1.49	0.43	3	1
Total					**1021**	**1275**
Percentage Change					**18%**	**23%**

Once the pass-by rates are factored, the following traffic projections indicate that the proposed change is likely to result in a 1% increase in PM peak traffic and a 9% increase in Saturday peak traffic.

Table 2: ITE Pass-by Trip Rates

	Pass-by Rate		Final New		Pass-by	
	PM	Saturday	PM	Saturday	PM	Saturday
Retail	34%	26%	22	33	12	11
Professional Office	0%	0%	3	1	0	0
Movie	0%	0%	423	476	0	0
Restaurants	43%	43%	233	294	175	221
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Professional Office	0%	0%	3	1	0	0
Total			**689**	**879**	**334**	**396**
Percentage Change			**1%**	**9%**		

Overall, the change should be a benefit to traffic in the area. While traffic will increase about 1 more vehicle per 10 minutes during the PM peak and 1.25 more vehicles per minute on the Saturday peak, the general retail produces a much more even distribution of the traffic throughout the hour, whereas the movie traffic is much more concentrated.

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The following peak hour signal warrant is provided for Jordan Landing Blvd / Center View Way.

MUTCD 4C.04 states, the need for a traffic control signal shall be considered if an engineering study finds that the criteria in either of the following two categories are met:

A. *If all three of the following conditions exist for the same 1 hour (any four consecutive 15-minute periods) of an average day:*
   1. *The total stopped time delay experienced by the traffic on one minor-street approach (one direction only) controlled by a STOP sign equals or exceeds: 4 vehicle-hours for a one-lane approach or 5 vehicle-hours for a two-lane approach; and*
   2. *The volume on the same minor-street approach (one direction only) equals or exceeds 100 vehicles per hour for one moving lane of traffic or 150 vehicles per hour for two moving lanes; and*
   3. *The total entering volume serviced during the hour equals or exceeds 650 vehicles per hour for intersections with three approaches or 800 vehicles per hour for intersections with four or more approaches.*

B. *The plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the higher-volume minor-street approach (one direction only) for 1 hour (any four consecutive 15-minute periods) of an average*

The Peak Hour Volume Signal Warrant is performed for the weekday AM and weekday PM periods. The weekday PM represents the highest total volume at both intersections, the highest volume along the major street and the highest single approach volume on the side street. The existing traffic counts are shown in Table 3 and the warrant volumes are shown in Table 4. The graphical results are shown in Figure 2.

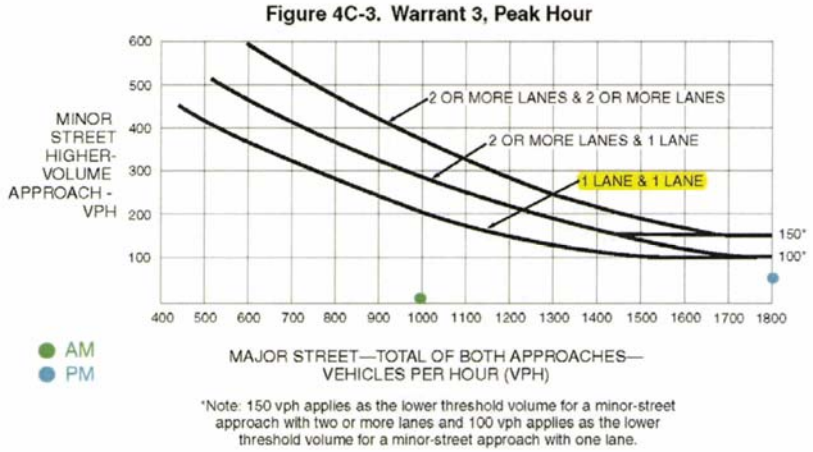
Table 3: Peak Hour Traffic Volumes

	AM	PM
EBL	1	16
EBT	0	2
EBR	7	50
WBL	4	45
WBT	1	1
WBR	21	83
NBL	40	12
NBT	452	616
NBR	18	105
SBL	26	95
SBT	425	1006
SBR	24	12

Table 4: Peak Hour Traffic Warrant

	AM	PM
Major Direction	N/S	N/S
Major	985	1846
Minor	5	46
Signal Warranted	No	No

Figure 2: Peak Hour Traffic Warrant



Based on the signal warrant analysis, a signal is not warranted at this location. Approximately 54 left and through movements added to the westbound approach during the PM peak period would trigger the intersection volumes to warrant a signal, however, the proposed new development is projected to increase traffic in the PM peak by only 1% and the 9% increase during the Saturday peak does not contribute sufficient traffic to meet the warrant. Therefore, no improvements are recommended for the land use modification.

Please contact me with any questions.

Sincerely,
A-Trans Engineering

Joseph Perrin, PhD, PE, PTOE
Principal