

## RESOLUTION 21-15

### **A RESOLUTION OF THE CITY OF MARCO ISLAND, FLORIDA, APPROVING THE ALTERNATIVE WATER AND WASTEWATER IMPACT FEE CALCULATION FOR THE MAINSAIL APARTMENTS AT MARCO SHORES PROJECT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, to be consistent with the principles applied to allocate a fair share of the cost of new water and wastewater facilities to new users and new development as established in Florida Statutes or applicable judicial decisions, or both, Section 52-141 of the City Code provides for an alternative fee calculation of the fiscal impact of a development on the water and wastewater facilities under certain conditions; and

**WHEREAS**, the Mainsail Apartments at Marco Shores a multi-family development located at 1771 Mainsail Drive, will create one hundred (100) units, which includes fifty one (51) one-bedroom and forty nine (49) two-bedroom apartments (the "Project"); and

**WHEREAS**, in accordance with Section 52-141, SKC Marco Shores, LLC (the "Developer") submitted a request in writing to the City Manager to determine the water and wastewater impact fee of the Project using the alternative fee calculation and attended a pre-application meeting within 180 days of the issuance of the building permit for development; and

**WHEREAS**, the Developer had an alternative fee calculation conducted pursuant to Section 52-141(b) and submitted the alternative fee calculation to the City Manager; and

**WHEREAS**, Section 52-141 provides that if the City Manager determines that the alternative fee calculation is acceptable, and the City's cost to accommodate the proposed development is substantially different than the impact fee established pursuant to Section 52-137, the amount of the impact fee shall be reduced to a dollar amount consistent with the amount determined by the alternative fee calculation, and presented to City Council for review and approval; and

**WHEREAS**, the impact fee amount calculated pursuant to Section 52-137 for the Project totals \$621,492; and

**WHEREAS**, the alternative impact fee calculation for the Project totals \$364,429.89; and

**WHEREAS**, the City Council finds that the alternative fee calculation allocates a fair share of the cost of new water and wastewater facilities to new users and new development.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The City Council hereby approves the alternative fee calculation for the Project and assess the amount of \$364,429.89 for the Project.

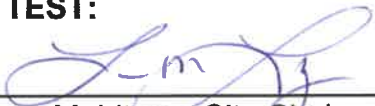
**Section 3.** The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

**Section 4.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.


**Section 5.** This Resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, THIS 15<sup>th</sup> DAY OF MARCH 2021.**


**ATTEST:**

  
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Laura M. Litzan, City Clerk

**CITY OF MARCO ISLAND, FLORIDA**

By:   
\_\_\_\_\_  
Jared Grifoni, Chairman

Approved as to form and legal sufficiency:

  
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Alan L. Gabriel, City Attorney