



## AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of May 22, 2018  
Second Reading for the City Council Meeting of June 12, 2018

**DATE:** May 1, 2018

**TO:** Keith Selman, Interim City Manager

**FROM:** Nina Nixon-Méndez, FAICP, Director of Development Services  
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Ordinance exempting lot 1, block 1, STEPS Terminal from payment of wastewater lot or acreage fees conditioned upon a Sanitary Sewer Connection Agreement.

### **CAPTION:**

Ordinance exempting Lot 1, Block 1, STEPS Terminal, from the payment of Wastewater Lot or Acreage Fees, under Section 8.5.2.G of the Unified Development Code, and authorizing the City Manager or designee to execute a Sanitary Sewer Connection Agreement.

### **PURPOSE:**

Exempt the property owner of STEPS Terminal, Block 1, Lot 1 from paying \$280,816.25 in wastewater acreage fees.

### **BACKGROUND AND FINDINGS:**

The subject property, known as STEPS Terminal, Block 1, Lot 1, is located west of Manning Road and north of SH 44. The owner is proposing to develop a railroad terminal to receive, store and transport refined products and Liquid Petroleum Gas (LPG). Kansas City Southern Railroad mainline runs along the southern property boundary of the subject property.

Munoz Engineering, on behalf of Rangeland Products Terminals, LLC, property owner, submitted to Planning Commission a request for a waiver of wastewater infrastructure construction per Section 8.2.7.B of the Unified Development Code (UDC), and an exemption from the Wastewater Lot/Acreage Fee in accordance with Section 8.5.2.G.

The wastewater infrastructure construction, if required by Planning Commission, would have required a Wastewater Master Plan amendment. Attached is the preliminary wastewater main layout and cost estimate for wastewater infrastructure construction.

The subject request was first presented to Planning Commission on January 24, 2018. The applicant presented a proposal to install wastewater infrastructure including an 8-inch wastewater line running along Manning Road and Alpine Street, a new lift station at the northwest corner of the property, and an 8-inch force main from the lift station, west on Alpine

Street to North Clarkwood, then running south along North Clarkwood to the closest manhole, south of Clarkwood and Bark Street right-of-way. (Option A).

Planning Commission requested a cost estimate of wastewater infrastructure construction for another option that would have required less wastewater infrastructure. Munoz Engineering provided the cost estimate for this alternative, that would have connected the proposed lift station at the northwest corner of the property to the closest manhole to the property to the southwest, running a force main south, along the western property line, and then connecting to that existing manhole, by way of Bark Street right-of-way (between Clarkwood Tracts and Isensee Partition tracts). This was presented to the Planning Commission on March 21, 2018 (Option B).

Planning Commission, at the March 21, 2018 meeting, approved the request for waiver of the wastewater construction requirement (finding that the development was not reasonably accessible to a public wastewater facility of sufficient capacity and connection lines), and recommended to City Council an exemption of the property from Wastewater Lot or Acreage Fees.

Currently, there is no wastewater service within a reasonable distance from the subject property. The closest wastewater manhole is located near the intersection of Clarkwood Road and Bark Street. The wastewater manhole is approximately 1,600 feet from the subject property, within the Allison Service Area Wastewater Collection System Master Plan. The wastewater from that manhole flows by gravity towards Clarkwood South Lift Station and is pumped to Clarkwood North Lift Station. Approximately 9 acres of the subject property is in Allison Service Area. The remaining acreage (approximately 169.75 acres) is located outside of Allison Service Area Wastewater Collection System Master Plan (adopted 2004) and Greenwood WWTP Service Area Wastewater Collection System Master Plan (adopted 2006).

Regarding payment of wastewater lot or acreage fees, Section 8.5.2.G of the UDC states that City Council, with the advice of Planning Commission, may exempt a tract of land from the Wastewater Lot/Acreage Fees, provided the area is not likely to be served with wastewater services within the next 15 years.

The potential Wastewater Lot/Acreage Fees are approximately \$280,816.25, based on the rate of \$ 1,571.00 per acre. The subject property consists of 178.75 acres. An on-site sewage facility, in conformance with the City-County Health Department, is proposed with the development on the property.

**STAFF ANALYSIS:**

The request meets the requirements for an exemption from the Wastewater Lot/Acreage fees per Section 8.5.2.G of the UDC.

**LIST OF SUPPORTING DOCUMENTS:**

Sanitary Sewer Connection Agreement  
Ordinance

Presentation- WW Exemption STEPS Terminal, Block 1, Lot 1