



## AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of April 8, 2014  
Second Reading Ordinance for the City Council Meeting of April 22, 2014

---

**DATE:** March 10, 2014

**TO:** Ronald L. Olson, City Manager

**FROM:** Barney Williams, P.E., Interim Director, Development Services  
Department  
BarneyW@cctexas.com  
(361) 826-3595

**Wastewater Lot/Acreage Fee Exemption  
by Urban Engineering, representative, for developer  
of The Grand Reserve Subdivision Unit 2**

**CAPTION:**

Ordinance exempting The Grand Reserve Subdivision Unit 2, a subdivision located between Glenoak and Caribbean Drives, East of Flour Bluff Drive, from payment of the wastewater lot/acreage fees pursuant to Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

**PURPOSE:**

The purpose of this item is to exempt the proposed subdivision from the required wastewater lot/acreage fees because public wastewater facilities will not be available within the next 15 years.

**RECOMMENDATION:**

Planning Commission and Staff Recommendation (March 12, 2014): Approval of the wastewater lot/acreage fee exemption for The Grand Reserve Subdivision Unit 2 subject to a Sanitary Sewer Connection Agreement.

**BACKGROUND AND FINDINGS:**

The developer has submitted a subdivision plat with 18 single-family residential lots. The developer's representative has submitted a request to have the property exempt from wastewater lot/acreage fees because there is no available wastewater service. The developer has indicated that it would be cost prohibitive to provide wastewater services to 18 residential lots.

In order to provide wastewater service to the subject property, the developer would have to install approximately 3,200 linear feet of 24-inch wastewater line. This does not include the required manholes along the way. This wastewater line would be eligible for full reimbursement from the developer's trust fund. The 3,200 linear feet does not include the master planned wastewater line within the developer's property which would also be eligible for full reimbursement. The monies for the 24-inch wastewater line would come from the Developer's Trunk Line Trust Fund. Reimbursing these wastewater lines would severely impact the trust fund. The cost to the trust fund outweighs the benefit of providing wastewater to 18 lots. Therefore, staff recommends approval of the wastewater lot/acreage fees.

Section 8.5.2.G.1. of the Unified Development Code (UDC) outlines the exemption of payment of wastewater lot or acreage fees if the land for which the fees are required lies within an area exempted by City Council for the payment of such fees. Exempted areas are determined by City Council, and generally are those areas not likely to be served by City wastewater services within the next fifteen (15) years.

This section also provides that owners of property for which an acreage fee has been paid may receive a refund if, after 10 years, but not more than 20 years from the date of the filing of the plat, the owners of 50 percent of the property petition City Council for a hearing to determine whether the fees should be refunded. A refund may be made if City Council finds that, among other things, the property is not likely to receive services within another 5 years.

**ALTERNATIVES:**

1. Deny requested exemption and require payment of wastewater lot/acreage fees.

**OTHER CONSIDERATIONS:**

Not Applicable

**CONFORMITY TO CITY POLICY:**

The requested exemption is consistent with the UDC.

**EMERGENCY / NON-EMERGENCY:**

Non-Emergency

**DEPARTMENTAL CLEARANCES:**

Planning Commission

**FINANCIAL IMPACT:**

Operating       Revenue       Capital       Not applicable

| <b>Fiscal Year: 2013-2014</b> | <b>Project to Date Expenditures (CIP only)</b> | <b>Current Year</b> | <b>Future Years</b> | <b>TOTALS</b> |
|-------------------------------|--|---------------------|---------------------|---------------|
| Line Item Budget              |  |                     |                     |               |
| Encumbered / Expended Amount  |  |                     |                     |               |
| This item                     |  |                     |                     |               |
| <b>BALANCE</b>                |  |                     |                     |               |

Fund(s):

**Comments:** None

**LIST OF SUPPORTING DOCUMENTS:**

- Location Map
- Excerpt from Wastewater Master Plan map
- Ordinance
- Exhibit A – Sanitary Sewer Connection Agreement