



AGENDA MEMORANDUM

Planning Commission Meeting of April 17, 2024

DATE: April 9, 2024

TO: Al Raymond, AIA, Director of Development Services

FROM: Bria A. Whitmire, PE, CFM, CPM, ENV SP, Development Services Engineer
BriaW@cctexas.com
(361) 826-3268

22PL1186 London Ranch Estates

Request for a Waiver of the Wastewater Infrastructure Construction Requirement
In Sections 8.1.4.C, 8.1.5, and 8.2.7.A. of the Unified Development Code.

BACKGROUND

Mitchell Carrillo, PE, on behalf of property owners Linda and John Mikulencak, submitted a request for a waiver (Exhibit C) of the plat requirement to construct wastewater infrastructure under Section 8.1.4.C, 8.1.5, and 8.2.7.A of the Unified Development Code (UDC).

The subject property shown as Exhibit A, known as the proposed London Ranch Estates, is in the London area on County Road (CR) 22, between CR's 51 and 49. The Planning Commission conditionally approved the final plat for London Ranch Estates, 22PL1186, in February 2023. The property is an 87.076-acre portion of a 169.367-acre tract in the north half of Section 11 in the Laureles Farm Tracts, previously platted and approved by Nueces County Commissioners in 1914. London Ranch Estates is zoned RS-22 (Single-Family 22) and proposes 108 buildable lots. The City of Corpus Christi annexed this area, including a portion of County Road 22, in December of 2023.

This plat waiver request is for the construction of a wastewater system that would connect to Corpus Christi Water (CCW) sanitary sewer infrastructure. The applicant proposes individual aerobic (septic) systems for the lots, per UDC Section 8.2.7.B.1.A. The plat has a note that states the subdivider shall provide septic systems to all lots. The lots will meet the current Texas Commission of Environmental Quality (TCEQ) minimum lot size requirement of one-half acre for a private sanitary sewer permit.

STAFF ANALYSIS

Waiver of Construction Requirement for Wastewater Public Improvements

UDC 3.8.5.D requires the tract of land subject to the plat application is adequately served by the improvements and infrastructure, including water, storm water and wastewater, or will be adequately served upon completion by the applicant of required improvements that meets the standards of Article 8.

1. UDC 8.1.4.C requires that a developer provide a wastewater system when platting.
2. UDC 8.1.5 requires continuity of improvements among adjacent properties.
3. UDC 8.2.7.A requires that "every lot within a proposed

subdivision shall be provided with access to an approved wastewater collection and treatment system of sufficient capacity *as determined by adopted City wastewater standards and master plans.*”

The need for a waiver is to be demonstrated to the Planning Commission’s satisfaction. Per UDC 3.8.3.D., the waiver may be approved, approved with conditions, or denied after consideration of the following factors:

1. The granting of the waiver shall not be detrimental to the public health, safety or general welfare, or be injurious to other property in the area, or to the City in administering this Unified Development Code;
2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity.
3. Application of a provision of this Unified Development Code will render subdivision of land unfeasible; or
4. The granting of the waiver would not substantially conflict with the Comprehensive Plan and the purposes of this Unified Development Code.

When any subdivision is planned that is *not reasonably accessible* to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards, such subdivision is eligible for a waiver from this requirement to construct or extend access to such a wastewater system.

Per UDC 8.2.7.B.1, in such case, the subdivision shall have either

1. an individual aerobic (septic) system with:
 - minimum lot area of one-half acre per single family dwelling
 - aerobic systems to be installed concurrent with development
 - design and installation conform to city City-County Health Department requirements
2. an individual wastewater treatment plant serving the subdivision, or
3. interim service by construction of lift station(s) and force main(s).

Reasonably accessible is defined in UDC Section 8.2.7.B.1.d.(i)-(ii)

- master plan facilities (including trunk mains and lift stations) currently exist in the *designated service area*, and such facilities can be extended to serve the subdivision; and
- collection lines of adequate capacity to service the proposed development are *within 1,000 feet* of the subdivision and can be extended.

Staff Findings on Waiver from Construction

Staff finds that the proposed London Ranch Estates is *not “reasonably accessible”* to a public wastewater facility. The property is outside the boundary of the London Wastewater Treatment Plant (WWTP) service area, shown in Exhibit B.

The nearest existing wastewater manhole is located on Lady Alexa Drive, near FM 43. The city's Geographic Information Systems (GIS) shows this existing manhole is approximately 3,000 feet (~.57 mile) east of the property edge down CR 22 and 5,300 feet (~1 mile) north, along CR 49.

Exhibit D shows the proposed plan to service London Ranch Estates with wastewater service. In the plan provided, the applicant would install 2,303 feet of 10-inch Polyvinyl Chloride (PVC) line along CR 22, with four manholes spaced 500 feet apart. The gravity flow line would connect to a proposed lift station, then be pumped 5,365 feet north through a 6-inch PVC force main. This force main will connect to the manhole located at Lady Alexa Drive.

In the cost estimate provided by the applicant (see Exhibit E), the engineer of record did not demonstrate the wastewater construction would satisfy the minimum design standards described in Article 8. Plans provided appear to be for connection of off-site wastewater services only, how each lot would receive sewer services is not addressed. Per UDC 8.2.7.A., each lot would need access to a system of adequate capacity.

UDC 8.1.5. requires continuity of improvements. In the cost estimate shown in Exhibit E, the 10-in line along CR 22 would only extend to the entrance of the subdivision, not to the property's boundary. An additional 500 feet (approximately) would need to be added along CR 22 to satisfy the connectivity requirement.

The proposed design deviates from accepted design standards and would not be approved for construction.

The Corpus Christi Infrastructure Design Manuel requires that 10-inch sewer line must be sloped at an angle of at least 0.33%. Unlike other requirements where a variance can be requested, this requirement is tied to the health and safety of citizens, as stagnation can occur if the line is too flat. The proposed design has a slope of 0.20%. Texas Administrative Code 217.53 has a minimum slope permissible of 0.25% for 10-inch lines.

The nearest Master Plan connection point is approximately 1,500 linear feet north of CR 22, and 2,000 feet from London Ranch Estates' eastern boundary. **A cost estimate connecting to the nearest Master Plan connection point has not been provided.** The distance to the Master Plan connection point is about 5,000 feet less than the proposed connection to the existing manhole.

A Master Plan Amendment request has not been submitted for review to city staff.

Staff finds that the proposed cost estimate is invalid and should not be considered. However, the subdivider-provided individual septic systems can adequately serve the London Ranch Estates subdivision, provided they conform with requirements of the City-County Health Department and any applicable governing body. Per UDC 8.2.7.B.1.a., the City-County Health Department shall have the authority to vary the lot area requirement if satisfactory evidence is presented indicating that soil conditions are such as to warrant a modification.

STAFF RECOMMENDATION

Staff recommends **approval** of the request for waiver of wastewater infrastructure construction per Section 8.2.7.A.

The Planning Commission may choose to follow or decline staff's recommendation and move to approve, approve with conditions, or deny the waiver request.

LIST OF SUPPORTING DOCUMENTS:

Exhibit A – Final Plat of London Ranch Estates (Conditionally Approved in February 2023)

Exhibit B – 2023 Master Planned London Area WWTP service area

Exhibit C – Waiver Letter Request

Exhibit D – Connection to existing wastewater infrastructure (provided by applicant)

Exhibit E – Cost estimate to existing wastewater infrastructure (provided by applicant)



Stuart A. Lynn, PE
N. Mitchell Carrillo, PE
John D. Merecer, PE
Brian M. Kramer, PE

January 5, 2024

City of Corpus Christi
ATTN: Al Raymond, AIA, CBO
2406 Leopard Street
Corpus Christi, Texas 78401

Dear Sir:

Pursuant to section 8.5.2.G Waivers of the Unified Development Code (UDC) we request a waiver be granted for the subject plat LONDON RANCH ESTATES. The proposed development is 84.368ac. Wastewater is currently unavailable and the closest wastewater connection is further than 1000ft. The current master wastewater plan provided by Pape Dawson dated July 2023 available on the City of Corpus Website and the proposed master wastewater plan provided by Pape Dawson dated October 2023 both show the subject tract outside the wastewater service area. The site will be served by onsite sewer facilities on individual single-family lots.

Thank you for reviewing our waiver request. Please feel free to call if you require further information or have any questions.

Sincerely,
Lynn Engineering

N. Mitchell Carrillo, PE
mitchell.carrillo@lynnengineering.com



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Lynn Engineering
Texas Registered Engineering Firm F-324



2200 Avenue A
 Bay City, Texas 77414
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 FIRM F-324

ENGINEERS OPINION OF PROBABLE COST

Project: LMK London
Date: March 12, 2024
Location: Corpus Christi, TX
Job No.: 37003

	Qty.	Unit	Unit Cost	Engineers Estimate
10" PVC Sewer line (Open Cut <15ft depth)	2,303	LF	\$ 75.00 \$	172,725.00
6" Force Main	5,365	LF	\$ 50.00 \$	268,250.00
5' Diameter Manhole	5	EA	\$ 6,000.00 \$	30,000.00
Trench Safety	7,668	LF	\$ 1.00 \$	7,668.00
Tie into Existing Sewer Line	1	EA	\$ 10,000.00 \$	10,000.00
Driveway Repair	120	SF	\$ 5.00 \$	600.00
Asphalt Pavment Repair	336	SF	\$ 12.00 \$	4,032.00
Concrete Bore	120	LF	\$ 140.00 \$	16,800.00
Lift Station	1	LS	\$ 275,000.00 \$	275,000.00
TOTAL PROJECT= \$				785,075.00
10% CONTINGENCY = \$				78,507.50
TOTAL PROJECT WITH CONTINGENCY = \$				863,582.50