



AGENDA MEMORANDUM

One- Reading for the City Council Meeting of June 25, 2019

DATE: May 20, 2019
TO: Peter Zanoni, City Manager
FROM: Nina Nixon-Méndez, FAICP, Director, Development Services Department
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Ordinance Exempting The Coves at Lago Vista Unit 3C from Wastewater Acreage Fees

CAPTION:

Ordinance exempting The Coves at Lago Vista Unit 3C located south of South Oso Parkway and east of King Ranch Drive, from the payment of wastewater lot/acreage fees under Section 8.5.2.G.1 of the Unified Development Code; and declaring an emergency for a one-reading action.

PURPOSE:

Exempt the owner/developer of The Coves at Largo Vista Unit 3C from paying \$46,297.37 wastewater acreage fees subject to execution of a Sanitary Sewer Connection Agreement.

BACKGROUND AND FINDINGS:

Vojo Ventures, LLC, property owner, submitted a request for an exemption from the wastewater acreage fees in accordance with UDC Section 8.5.2.G.1. The potential wastewater acreage fee is \$46,297.37, based on the rate of \$1,571 per acre. The subject property consists of 29.47 acres. The preliminary plat is 90.96 acres and consists of 95 single-family lots. Unit 3C is the final unit to be platted.

The Coves at Lago Vista Unit 3C is a final plat of 29.47 acres, consisting of Thirty-five (35) lots, Zoned Residential Single Family. The final plat was approved by Planning Commission on May 15, 2019. The subject property is located south of South Oso Parkway and east of King Ranch Drive.

On April 3, 2019, the Planning Commission granted a waiver to the requirement to connect to

sanitary sewer, finding that the subdivision was not reasonably accessible to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards and wastewater master plan. The subject property will provide on-site sewage facilities in conformance with the regulatory agency (City-County Health Department).

Per UDC Section 8.5.2.G, areas exempt from the payment of lot or acreage fees shall be determined by the City Council to not likely be served by City Wastewater services within the next 15 years. Staff does not anticipate availability of service to this property within the 15-year term.

ALTERNATIVE:

Require the owner to pay the applicable wastewater acreage fee in the amount of \$46,297.37 prior to the recording of the plat. If wastewater services are not available within 15 years from the date of the filing of the plat, the property owners may request a refund.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

Trust fund contributions and exemptions will continue to be evaluated in the future.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

This item was coordinated with the Utilities Department.

FINANCIAL IMPACT:

- Operating Revenue Capital Not applicable

Fiscal Year: 2018-2019	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Funding Detail:

Fund:
 Organization/Activity:
 Mission Element:
 Project # (CIP Only):
 Account:

RECOMMENDATION:

On April 3, 2019, the Planning Commission recommended that City Council approve the exemption of the wastewater acreage fee subject to a Sanitary Sewer Connection Agreement. The agreement will require connecting to public wastewater, and payment of the pro-rata fee, wastewater lot or acreage fee in effect if public wastewater becomes available within 15 years of the plat being filed for record.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Presentation