



AGENDA MEMORANDUM

Planning Commission Meeting of April 29, 2020

DATE: April 23, 2020
TO: Al Raymond, AIA, Director of Development Services
FROM: Jalal Saleh, Engineer III, Development Services
JalalS@cctexas.com
(361) 826-3568

Don Patricio, Block F, Lot 47R (Final Plat)

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 (UDC)

BACKGROUND:

Munoz Engineering, LLC., on behalf of Jeffrey Ryan Kraus, property owner, submitted a request for a waiver 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, known as the proposed Don Patricio, Block F, Lot 47R, Final Plat (0.92 acres +/-), is located in Flour Bluff, on the west side of Waldron Bluff Drive, south of Don Patricio Road. The land is zoned "RS-6" Single-Family 6 District. The site is not within in an AICUZ zone and is currently vacant. The Don Patricio Subdivision was platted prior to January 1, 1988 under Nueces County regulations. The owner proposes to develop a single-family home on a .92 acre lot to meet the current (TCEQ) Texas Commission of Environmental Quality minimum lot size requirement of ½ half acre.

STAFF ANALYSIS:

1. Waiver of Construction Requirement for Wastewater Public Improvements

The Construction Requirement: Section 8.1.4.C of the UDC requires that a developer provide a wastewater system when platting, and Section 8.1.5 requires a continuity of improvements among adjacent properties. Section 8.2.7.A of the UDC 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."

Waiver: 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. In such case, the subdivision shall have either (a) an individual aerobic (septic) system, (b) an individual wastewater treatment plant serving the subdivision, or, (c) interim service by construction of lift station(s) and force main(s).(UDC Section 8.2.7.B.1.a- c.)

"Reasonably accessible" means (i) 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 (ii) collection lines of adequate capacity to service the proposed development are within 1,000 feet of the subdivision and can be extended. (UDC Section 8.2.7.B.1.d.(i)-(ii)).

The proposed Don Patricio subdivision is “Reasonably accessible” to a public wastewater facility. The plat is in the Laguna Madre WWTP service area of the Wastewater Collection System Master Plan. The nearest wastewater accessibility is a manhole along Don Patricio Drive, east of the property, and approximately 775 linear feet from the property.

Connection has sufficient depth.

The manhole depth is 6.75 feet and is connected to an 8-inch diameter VCP line that continues to gravity flow east along Don Patricio Road. The manhole is at a sufficient depth so that, if a line were extended from it, west approximately 775 linear feet to the Don Patricio, Block F, Lot 47R across its entire front footage, sewage would flow by gravity to this connection

Route to Wastewater Treatment Plant.

The route Munoz Engineering, LLC is proposing is to connect to this 6.75-foot depth manhole by installing a 10” PVC along Lot 47R frontage to a proposed manhole at a depth proposed by the Wastewater Master Plan. Instead of connecting to a future 10” line and to the Don Patricio West Lift Station as per Master Plan, this proposed manhole will connect to the accessible 6.75 feet depth manhole across Don Patricio Road with a 10” PVC connection.

From that point the Collection Line extends east to an existing 8.7-foot depth manhole at the intersection with Amber Drive. The 8” wastewater line continues north on Amber Drive to a manhole on Blossom Street. This 8” main flows east along Blossom Street to a manhole 18.4’ deep on Waldron Road that is connected to a 15” PVC wastewater line. The 15” PVC flows north on Waldron Road and expands to an 18” and then to a 21” and from there into a Lift station north of Graham Road. This lift station is part of a system that eventually connects to the Laguna Madre Wastewater Treatment Plant south of Jester Street.

Staff has requested cost estimates of connection alternatives. Instead of wastewater extensions, the applicant proposes an individual aerobic (septic) systems for the lots, per UDC Section 8.2.7.B.1.a.

1.1 Factors for Granting a Plat Waiver (UDC Section 3.8.3.D)

Section 3.8.3.D of the UDC lists the factors to be considered in whether to grant a waiver from a platting requirement. The factors are:

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 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.

1.2 Staff Findings on Waiver from Construction:

Staff finds that the Don Patricio, Block F, Lot 47R Estates proposed plat is reasonably accessible to a public wastewater facility.

2. Exemption from Wastewater Lot/Acreage Fees

Section 8.5.2.G 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 \$1,445.32, based on the rate of \$ 1,571 per acre, multiplied by 0.92 acres. On-site sewage facilities (septic systems), in conformance with City-County Health Department will be proposed with the development on the property.

For the Planning Commission to recommend approval of the wastewater exemption of the wastewater lot/acreage fee to City Council, the Commission must find that the subject property is not likely to be served with wastewater services within the next 15 years.

Staff Findings on Exemption from Wastewater Lot/Acreage Fee. Staff finds that this area could be served by wastewater services to this subdivision within the next 15 years.

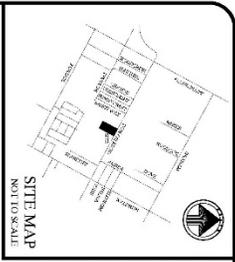
STAFF RECOMMENDATION:

Staff recommends disapproval of the request for waiver of wastewater infrastructure construction per Section 8.2.7.A, and disapproval of an exemption from the Wastewater Lot/Acreage fees per Section 8.5.2.G of the UDC.

LIST OF SUPPORTING DOCUMENTS:

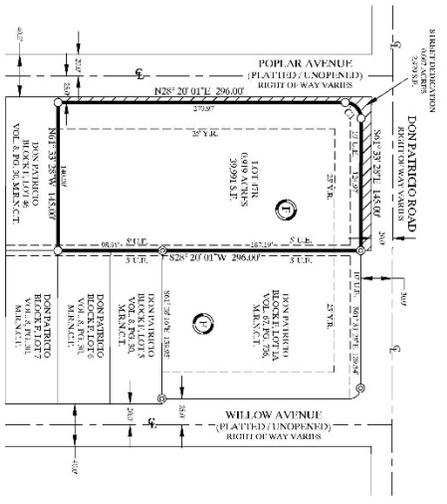
- Exhibit A – Don Patricio, Block F, Lot 47R, Final Plat
- Exhibit B – Waiver Letter Request
- Exhibit C- Estimate on Wastewater Public Improvements meeting Master Plan

Exhibit A



**PLAT OF
DON PATRICIO
BLOCK F, LOT 47R**

BEING A REPLAT OF DON PATRICIO, BLOCK "F", LOTS 47, 48, 49, 50,
51 & 52, SITING ON A MAP RECORDED IN VOL. 148, PAGE 30,
MAP RECORDS, NEUTCH COUNTY, TEXAS.



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 Fax: (214) 343-1112
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 11/11/10

- NOTES:**
1. THE RELATIONS SHOWN ON THIS SURVEY ARE BASED UPON THE INFORMATION FURNISHED TO THE SURVEYOR BY THE OWNER OF THE PROPERTY AND THE ADJACENT OWNERS. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTY.
 2. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTY.
 3. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTY.
 4. THE TOTAL PLATED AREA IS 10,969.58 SQ. FT. THE TOTAL UNPLATED AREA IS 1,030.42 SQ. FT. THE TOTAL AREA IS 12,000.00 SQ. FT.
 5. THIS SURVEY IS BASED ON A MAP RECORDED IN VOL. 148, PAGE 30, MAP RECORDS, NEUTCH COUNTY, TEXAS.

STATE OF TEXAS
 COUNTY OF NEUTCH

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. My commission expires _____.

THIS _____ DAY OF _____, 2010.

NOTARY PUBLIC

STATE OF TEXAS
 COUNTY OF NEUTCH

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. My commission expires _____.

THIS _____ DAY OF _____, 2010.

NOTARY PUBLIC

STATE OF TEXAS
 COUNTY OF NEUTCH

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. My commission expires _____.

THIS _____ DAY OF _____, 2010.

NOTARY PUBLIC

STATE OF TEXAS
 COUNTY OF NEUTCH

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. My commission expires _____.

THIS _____ DAY OF _____, 2010.

NOTARY PUBLIC

RONALD E. BERTRIE
 Notary Public
 My Commission Expires _____



Exhibit B



MUNOZ ENGINEERING

Practical Engineering Solutions

April 14, 2020

Andrew Dimas, Senior City Planner
City of Corpus Christi – Development Services Department
2406 Leopard Street
Corpus Christi, Texas 78408

**RE: DON PATRICIO, BLOCK F, LOT 47R
REQUEST FOR WAIVER OF WASTEWATER INFRASTRUCTURE**

Dear Mr. Dimas,

On behalf of our Client, Jeffrey Kraus, we hereby request for a waiver of the wastewater infrastructure construction requirement per City of Corpus Christi Unified Development Code (UDC) Section 8.2.7.A.

We request the waiver as it is economically unreasonable to extend the existing wastewater system to the site as the nearest connection point is approximately 775 feet (0.15-mile) from the property. The adjacent single-family residence on the property to the East was constructed in 2014. All properties from the subject property to the existing manhole are developed as single-family residences. The properties to the West to the end of the master planned line are developed for single-family residences and only three (3) lots remain undeveloped. The properties that are developed within the area all have on-site sewage facilities. The Engineers Opinion of Probable Construction Costs to bring wastewater service to the site is in accordance with the City of Corpus Christi Wastewater Master Plan is **\$456,007.40**, see attached **Exhibit A** and **Exhibit B** for additional information.

Please feel free to contact us if you have any comments or questions.

Sincerely,
Munoz Engineering, LLC

Thomas Tiffin, PE
Principal/Project Manager

Exhibit C

ENGINEER OPINION OF PROBABLE CONSTRUCTION COST

Project: LAGUNA MADRE WWTP MASTER PLAN WASTEWATER FOR SINGLE-FAMILY RESIDENCE **Estimate #:** 01
Estimate Date: April 14, 2020

Owner: Jeffrey Ryan Kraus
Contact: -
Address: -
Phone: -
Fax: -
E-Mail: -
Project #: -

Engineer: Munoz Engineering, LLC
Contact: Thomas Tiffin, PE
Address: 1608 S. Brownlee Blvd.
 Corpus Christi, Texas 78404
Phone: 361-946-4848
Fax: -
E-Mail: tiffin@munozengr.com
Project #: -

Legend:

ADA = Americans with Disabilities Act	AC = Acre
Conc = Concrete	DY = Day
DI = Ductile Iron	EA = Each
HDPE = High Density Polyethylene	GAL = Gallon
HMAC = Hot Mix Asphaltic Concrete	LF = Linear Feet
HP = High-Performance Polypropylene	LS = Lump Sum
PVC = Polyvinyl Chloride	SF = Square Feet
RC = Reinforced Concrete	SY = Square Yards
RCP = Reinforced Concrete Pipe	W = White
Refl = Reflective	Y = Yellow
MJ = Mechanical Joint	

Notice:
 This Engineer Opinion of Probable Construction Cost is provided for budgetary purposes. This Estimate is subject to change with little to no notice due to design requirements and fluctuations in prices. The actual cost of the Project will be determined upon the receipt of Bid(s) / Proposal(s) by the perspective Contractor(s).

PUBLIC IMPROVEMENTS						
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	ESTIMATED UNIT COST	ESTIMATED TOTAL COST	
PART A - GENERAL						
A1	MOBILIZATION	LS	1.00	\$ 19,080.00	\$ 19,080.00	
A2	BONDS AND INSURANCE	LS	1.00	\$ 6,550.00	\$ 6,550.00	
A3	STORMWATER POLLUTION PREVENTION PERMIT	LS	1.00	\$ 1,850.00	\$ 1,850.00	
PART B - WASTEWATER ALONG DON PATRICIO ROAD						
B1	WASTEWATER UTILITY GRAVITY - 10" PVC	LF	775.00	\$ 95.00	\$ 73,625.00	
D2	WASTEWATER UTILITY TRENCH PROTECTION	LF	800.00	\$ 15.00	\$ 12,000.00	
B2	WASTEWATER UTILITY MANHOLE - 5-FT DIA	EA	1.00	\$ 8,500.00	\$ 8,500.00	
B3	WASTEWATER UTILITY SERVICE CONNECTION	EA	10.00	\$ 3,500.00	\$ 35,000.00	
B4	WASTEWATER UTILITY DEWATERING	LF	1,425.00	\$ 35.00	\$ 49,875.00	
B5	REINFORCED FILTER FABRIC FENCE	LF	120.00	\$ 6.50	\$ 780.00	
B6	CONCRETE WASHOUT FENCE	EA	1.00	\$ 3,200.00	\$ 3,200.00	
B7	HYDROMULCH REVEGETATION	SF	16,000.00	\$ 0.50	\$ 8,000.00	
B8	SITE GRADING TO EXISTING CONDITIONS	LF	850.00	\$ 15.00	\$ 12,750.00	
B9	TRAFFIC CONTROL PLAN	LS	1.00	\$ 2,500.00	\$ 2,500.00	
B10	TRAFFIC CONTROL DEVICES	DY	60.00	\$ 550.00	\$ 33,000.00	
B10	PAVEMENT REPAIR	SF	10,400.00	\$ 3.25	\$ 33,800.00	
B11	UTILITY COORDINATION - ELECTRICAL	LS	1.00	\$ 2,500.00	\$ 2,500.00	
B12	UTILITY COORDINATION - COMMUNICATION	LS	3.00	\$ 2,500.00	\$ 7,500.00	
B13	DRIVEWAY DEMOLITION AND REPLACEMENT	EA	5.00	\$ 7,500.00	\$ 37,500.00	
B14	MAILBOX DEMOLITION, TEMPORARY, REPLACE	EA	4.00	\$ 350.00	\$ 1,400.00	
B15	SIGN MOVE AND REINSTALL	EA	1.00	\$ 950.00	\$ 950.00	
B16	UTILITY SUPPORT - FORCEMAIN	LF	800.00	\$ 5.50	\$ 4,400.00	
B17	UTILITY SUPPORT - FORCEMAIN	LF	800.00	\$ 5.50	\$ 4,400.00	
B18	UTILITY SUPPORT - WATER LINE	LF	10.00	\$ 5.50	\$ 55.00	
15.00% CONTINGENCY					\$	49,760.25
PUBLIC IMPROVEMENTS					\$	408,975.25

PROFESSIONAL SERVICES						
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	ESTIMATED UNIT COST	ESTIMATED TOTAL COST	
1	CIVIL ENGINEERING	LS	1	\$ 24,538.52	\$ 24,538.52	
2	CONSTRUCTION ADMINISTRATION	LS	1	\$ 6,134.63	\$ 6,134.63	

Project: LAGUNA MADRE WWTP MASTER PLAN WASTEWATER FOR SINGLE-FAMILY RESIDENCE
 Estimate #: 01
Estimate Date: April 14, 2020

3	SURVEYING - BOUNDARY	LS	1	\$ 8,179.51	\$ 8,179.51
4	SURVEYING - TOPOGRAPHIC	LS	1	\$ 8,179.51	\$ 8,179.51
PROFESSIONAL SERVICES					\$ 47,032.15

PUBLIC IMPROVEMENTS \$ 408,975.25

PROFESSIONAL SERVICES \$ 47,032.15

Total Estimated Construction Costs: \$ 456,007.40