



AGENDA MEMORANDUM

First Reading for the City Council Meeting of April 11, 2017
Second Reading for the City Council Meeting of April 18, 2017

DATE: March 21, 2017

TO: Margie C. Rose, City Manager

FROM: Julio Dimas, Interim Director, Development Services Department
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Exemption from the Wastewater Acreage/Lot Fees for property located east of Waldron Road and south of Don Patricio Road

CAPTION:

Ordinance exempting Flour Bluff Gardens Unit 2, Block 2, Lots 2A & 2B, located east of Waldron Road and south of Don Patricio Road, from the payment of the Wastewater Lot/Acreage Fees Under Section 8.5.2.G.1 of The Unified Development Code; requiring the owner/developer to comply with the specified conditions.

PURPOSE:

Exempt the property owner of Flour Bluff Gardens Unit 2, Block 2, Lots 2A & 2B from paying \$2,450.76 in wastewater lot and acreage fees subject to execution of a Sanitary Sewer Connection Agreement.

BACKGROUND AND FINDINGS:

Voss Engineering, on behalf of James and Amanda Beauregard, property owner, submitted a request for a waiver for wastewater infrastructure construction per Section 8.2.7.A of the Unified Development Code (UDC) and an exemption from the Wastewater Lot/Acreage Fees in the accordance with Section 8.5.2.G.

The subject property, Flour Bluff Gardens Unit 2, Block 2, Lots 2A & 2B, is located east of Waldron Road and south of Don Patricio Road. The waiver request did not comply with the UDC Section 8.2.7.B.1.d.ii as the sanitary sewer service is reasonably accessible to this property. The nearest service is approximately 900 feet away from the intersection of Waldron Road and Don Patricio Road.

The lot was previously platted in 1971 with the adjacent corner property on Waldron Road. The proposed plat is a re-plat from one plated lot (Lot 2) into two lots (Lot 2A & Lot 2B with 0.5 acres and 1.563 acres respectively) for a future single family development on Lot 2B. Proposed Lot 2A has an existing home with an existing water service connection with the City of Corpus Christi. This lot also has an existing septic

system registered with the City/County Health Department.

The waiver request is for the proposed Lot 2B to waive the wastewater infrastructure construction and exempt the Wastewater Lot/Acreage Fees per UDC.

Although the property to be re-platted is within the 1,000 foot benchmark the wastewater improvements requirement would create a burden for a single-family home.

A request for exemption to the wastewater lot/acreage fees was considered and acted in favor by Planning Commission on March 8, 2017.

The Planning Commission determined that the subject property is not likely to be served with wastewater service within the next 15 years.

ALTERNATIVE:

Require the developer to pay the applicable wastewater lot and acreage fees in the amount of \$2,450.76 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 which will include a 5 ½ percent interest per annum from the date of filing of the final plat.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

N/A

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

On March 8, 2017, the Planning Commission recommended City Council approve the wastewater exemption subject to a Sanitary Sewer Connection Agreement.

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2016-2017	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

COMMENTS:

None

RECOMMENDATION:

On March 8, 2017, the Planning Commission recommended that City Council approve the exemption of the wastewater lot and acreage fees subject to a Sanitary Sewer Connection Agreement. The agreement will require payment of the pro-rata fee in effect when public wastewater service becomes available. The agreement will also require payment of the wastewater lot and acreage fees in effect if public wastewater becomes available within 15 years of the plat being filed for record.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Sanitary Sewer Connection Agreement
Presentation