



## **AGENDA MEMORANDUM**

Planning Commission Meeting of April 5, 2017

**DATE:** March 28, 2017

**TO:** Planning Commission

**FROM:** Julio Dimas, CFM, Interim Director  
Development Services Department  
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Request for a an exemption from the Wastewater Lot/Acreage Fees in the accordance with Section 8.5.2.G of the UDC for Summer Breeze Estate Phase 2, Block 1, Lots 1-10, located west of Flour Bluff Drive and north of Yorktown Boulevard.

### **BACKGROUND AND FINDINGS:**

Mr. Bryan R. Tucker, property owner, submitted a request for an exemption from the Wastewater Lot/Acreage Fees in the accordance with Section 8.5.2.G. The potential Wastewater Lot/Acreage Fees are \$28,670.75, based on the rate of \$1,571.00 per acre. The subject property consists of 18.25 acres. The proposed subdivision creates 10 single family residential estate lots.

The subject property under plat consideration, Summer Breeze Estate Phase 2, Block 1, Lots 1-10, located west of Flour Bluff Drive and north of Yorktown Boulevard is within the Laguna Madre Wastewater Treatment Plant, Service Area 3 (Wastewater Collection System Master Plan). Currently, this section of the Service Area does not have any wastewater services available for the property.

Proposed individual residential estate lots will include a design and installation of an on-site sewage facility that complies with City, Nueces County Health Department and the State of Texas regulations and standards.

A request for exemption to the wastewater lot/acreage fees is considered and acted upon by City Council. A recommendation of exemption approval by the Planning Commission is necessary for City Council consideration. Favorable endorsement to City Council by the Planning Commission is requested by the applicant's representative.

The Planning Commission must determine that the subject property is not likely to be served with wastewater service within the next 15 years. Presently, surrounding properties are either undeveloped or serviced by similar on-site sewage facility infrastructure. If the Planning Commission does not approve the exemption request, the subject plat can be recorded with the wastewater payment of the required wastewater lot/acreage fees. Staff does not anticipate availability of service within the 15 year term. The waiver request complies with the UDC Section 8.2.7.B.1.d.ii.

**RECOMMENDATION:**

Planning Commission endorse and recommend approval to City Council of the wastewater lot/acreage fee exemption request.

**LIST OF SUPPORTING DOCUMENTS:**

Exhibit A – Summer Breeze Estate Phase 2, Block 1, Lots 1-10

Exhibit B – Property Owner email, dated February 17, 2017

Exhibit C –Laguna Madre Wastewater Treatment Plat Service Area 3