



## **AGENDA MEMORANDUM**

First Reading for the City Council Meeting of April 25, 2017  
Second Reading for the City Council Meeting of May 9, 2017

**DATE:** March 31, 2017  
**TO:** Margie C. Rose, City Manager  
**FROM:** Julio Dimas, CFM, Interim Director, Development Services Department  
JulioD@cctexas.com  
(361) 826-3276

### **Exemption from the Wastewater Acreage/Lot Fees for property located west of Waldron Road and south of Don Patricio Road**

#### **CAPTION:**

Ordinance exempting Don Patricio, Block G, Lot 1R, located west of Waldron Road and south of Don Patricio Road, from the payment of 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 Don Patricio, Block G, Lot 1R from paying \$1,036.86, in wastewater lot and acreage fees subject to execution of a Sanitary Sewer Connection Agreement.

#### **BACKGROUND AND FINDINGS:**

Mr. Weston Beseda, owner of Don Patricio, Block G, Lot 1R 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, Don Patricio, Block G, Lot 1R, is located west 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 technically accessible to this property. The nearest service is located approximately 994 feet away from the property.

Out of the 994 feet of the wastewater main extension, approximately 869 is offsite and 125 is onsite with the proposed plat. The estimated construction cost for the wastewater service connection is \$124,250.00 which creates a significant cost burden for a single-family homeowner. A request for exemption from Sanitary Sewer Infrastructure Construction and Acreage/Lot Fees was considered by the Planning Commission on February 9, 2017, with a favorable recommendation.

**ALTERNATIVE:**

Require the owner to pay the applicable wastewater lot and acreage fees in the amount of \$1,036.86 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 February 9, 2017, the Planning Commission recommended that City Council approve the wastewater exemption subject to a Sanitary Sewer Connection Agreement.

**FINANCIAL IMPACT:**

☐ Operating      ☐ Revenue      ☐ Capital      ☒ Not applicable

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

Fund(s):

**COMMENTS:**

None

**RECOMMENDATION:**

On February 9, 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  
Location Maps