



AGENDA MEMORANDUM

First Reading for the City Council Meeting of July 24, 2018
Second Reading for the City Council Meeting of July 31, 2018

DATE: June 28, 2018

TO: Keith Selman, Interim City Manager

FROM: Nina Nixon-Mendez, FAICP, Director,
Development Services Department
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Exemption from the Wastewater Lot or Acreage Fees for Water's Edge at Kitty Hawk Unit 2

CAPTION:

Ordinance exempting Water's Edge at Kitty Hawk Unit 2, located south of South Staples Street and west of Kitty Hawk Drive, from the payment of the wastewater lot or 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 owner/developer of Water's Edge at Kitty Hawk Unit 2 from paying \$24,388.20, in wastewater lot or acreage fees subject to execution of a Sanitary Sewer Connection Agreement.

BACKGROUND AND FINDINGS:

LJA Engineering, on behalf of Kitty Hawk Development, Ltd., property owner, submitted a request for an exemption from the wastewater lot or acreage fees in the accordance with Section 8.5.2.G. The potential wastewater lot or acreage fees are \$24,388.20, based on the rate of \$1,571.00 per acre. The subject property consists of 15.524 acres.

Water's Edge at Kitty Hawk Unit 2 is a final plat for 15.524 acres, proposes to construct 25 single family residential lots. The final plat was approved by Planning Commission on July 12, 2017. The subject property is located south of the Oso Creek. Currently, this area does not have wastewater services available and a Master Plan was not adopted by City. The subject property will provide on-site sewage facilities in conformance with the regulatory agency (City-County Health Department). Staff does not anticipate availability of service within the 15-year term.

ALTERNATIVE:

Require the owner to pay the applicable wastewater lot and acreage fees in the amount of \$24,388.20 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 August 09, 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

Fiscal Year: 2017-2018	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 August 09, 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 and Sanitary
Sewer Connection Agreement
Presentation