



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes Planning Commission

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Wednesday, October 3, 2018

5:30 PM

Council Chambers

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### I. Call to Order, Roll Call

Chairman Villarreal called the meeting to order and a quorum was established with Commissioner Crull absent.

### II. Approval of Absences - Commissioners Baugh and Hovda

A motion to excuse the absences of Commissioners Baugh and Hovda was made by . The motion passed.

### III. Approval of Minutes

1. [18-1258](#) Regular Meeting Minutes of September 19, 2018

A motion to approve item "1" was made by Commissioner Zarghouni and seconded by Commissioner Ezell. The motion passed.

### IV. Public Hearing (Items A & B) - Discussion and Possible Action

#### A. New Plats

Greg Collins, Development Services, informed the Commission that item "3" will be read ahead of item "2" into the record.

3. [18-1265](#) 18PL1072  
EPIC Y-GRADE SUBDIVISION OCL (PRELIMINARY - 297.69 ACRES)  
Located east of Callicoate Road and west of Violet Road.

Mr. Collins read item "3" into the record as shown above. Mr. Collins stated the plat satisfies all requirements of the Unified Development Code (UDC) and State Law; the Technical Review Committee (TRC) recommends approval. Staff also recommends conditional approval subject to the applicant satisfying additional Nueces County comments (listed in pages 3 - 5 of the TRC comments). After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "3" as presented was made by Commissioner Baugh and seconded by Commissioner Dibble. The motion passed.

2. [18-1259](#) 18PL1071  
MEADOW PARK ADDITION, BLOCK 22, Lot 5R (FINAL REPLAT - 0.172 ACRES)  
Located west of Mohawk Street and south of Chippewa Street.

Mr. Collins read item "2" into the record as shown above. Mr. Collins stated the plat satisfies the requirements of the UDC and State Law; the Technical Review Committee recommends approval. After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "2" as presented was made Commissioner Baugh and seconded by Commissioner Hovda. The motion passed.

#### Time Extensions

4. [18-1260](#) 17PL1119  
C.R. GARCIA SUBDIVISION, BLOCK 1, LOT 4 (FINAL - 1.615 ACRES)  
Located south of Leopard Street and east of Rand Morgan Road.

Mr. Collins read item "4" into the record as shown above. He stated the Planning Commission originally approved the referred plat on April 4, 2018. This is the first request and the applicant is requesting a six-month time extension. The applicant and City staff are in the process of resolving the provision of wastewater service to the property. Staff along with the Technical Review Committee (TRC) recommend approval. After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "4" as presented was made by Commissioner Baugh and seconded by Commissioner Hovda. The motion passed.

5. [18-1261](#) 0516049-P024 (16-22000022)  
ROYAL CREEK ESTATES UNIT 7 (FINAL - 12.116 ACRES)  
Located south of Excalibur Road and north of Oso Creek.

Mr. Collins read item "5" into the record as shown above. He stated the Planning Commission originally approved the referred plat on June 15, 2016. This is the third request. The applicant is requesting a six-month time extension as the project is delayed pending receipt of City Council approved/recorded participation and reimbursement agreements for street and water improvements for Royal Creek Unit 8. The applicant plans to construct public improvements for Units 7 and 8 at one time. The first extension request was approved on March 22, 2017 and the second request was approved on March 7, 2018. Staff along with the TRC recommend approval. After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "5" as presented was made by Commissioner Baugh and seconded by Commissioner Ezell. The motion passed.

**B. Presentation****6. [18-1264](#) Providing Wastewater Facilities Across Oso Creek - A Policy Discussion**

Dan McGinn, Director of Planning and Environmental/Strategic Initiatives, along with Nina Nixon-Mendez, Director of Development Services, and Annette Rodriguez, Director of Public Health, presented item "6" for the record. He explained to the Commission the presentation was prepared in response to a City Council action request related to the recent increase of wastewater construction waivers and fee exemption requests.

Mr. McGinn gave an outline of the presentation to include the history of development/utility master planning, the existing conditions and adopted plans in the London Area, growth factors, development constraints and UDC requirements. He began by presenting several aerial views of the Staples Street and Weber Road corridors to detail the development history. At least three different versions of a draft, wastewater master plan have been discussed since the early 2000's. Concepts have varied from a majority lift station approach to larger gravity lines with less emphasis on lift stations. All plans showed flow going to the Greenwood Plant. None of the plans were ever approved until 2017 when a wastewater and stormwater master plan for the London Area was adopted (1,000 acres at NW corner of Weber and Crosstown intersection).

Mr. McGinn presented a map which illustrated the areas in the City and extraterritorial jurisdiction (ETJ) that have septic systems. High concentrations are found in the Northwest, Annville, Industrial District, South Staples Street, south of Oso Creek, and Flour Bluff. He presented another map which showed the concentration of septic systems in the South Staples/Oso area. New residential projects continue to develop along this corridor where water is available.

Mr. McGinn explained that one of the growth factors for the London Area is the availability of public water or the Certificate of Convenience and Necessity (CCN). The CCN is a boundary in which water districts have the obligation to provide water service to properties located within a CCN. The CCN can be modified but there is a risk that another entity could move into that territory. Staff will evaluate the CCN as part of the London Area Development Plan update process to see if it is meeting community demands. Other growth factors include the Texas Department of Transportation roadway expansions of Crosstown Expressway, Weber Road and Staples Street, the London Independent School District, a surplus of land and Outside City Limits/Del Mar College taxing districts.

Mr. McGinn briefly went over development constraints regarding floodplain impacts/drainage, the costs to extend infrastructure and the possible difficulties of retrofitting subdivisions on septic systems with wastewater. At this point, Ms. Nixon-Mendez began her portion of the presentation to address the funding for wastewater facility development. The current lot (\$393.00) and acreage (\$1,571.00) fees for residential/commercial have not been increased in the last ten years or greater which was brought up during a Trust Fund audit that recently occurred this past summer. There is a provision in the UDC that fees be indexed to the Construction Cost Index that is published in the Engineering

News-Record prior to the annual budget. This practice was discontinued at some point in time for an unknown reason. If the index were to be applied from the year 2017 back to 2010, fees could potentially be increased to \$479.00 (lot) and \$1,916.00 (acreage), if City Council chooses to take action. Since 2007, deficits were addressed through fund transfers, by the years where deposits were greater than payments and interest earnings.

Ms. Nixon-Mendez went over options to fund the wastewater facilities such as the Trust Fund through the Reimbursement Program (having master plans in place is ideal but it also makes those improvements eligible for a reimbursement), Capital Programs/Bond Funds, Private Investment and Public Improvement/Municipal Utility Districts. She also briefly explained the UDC standards for a waiver from wastewater construction (Sections 8.2.7.A & 8.2.7.B) and exemptions from wastewater lot/acreage fees (Section 8.5.2.G). City Council has the final authority on the fee exemption. She added that owners may receive a refund, if, after 10 years, but not more than 20 years from the filing of the plat. A refund may be made if City Council finds that no wastewater lines serve their property from the City's system or other governmental entity, district, or authority or the property is not likely to be served within 15 years.

The presentation was handed off to Ms. Rodriguez to discuss the septic permitting process and septic maintenance. The installer of the septic system submits the application (\$200.00 fee for residential/commercial) to the Health District for processing. A Public Health Inspector (TCEQ Designated Representative) reviews the application and additional documents to ensure that it meets TCEQ standards. Upon septic plan approvals, a "License to Construct" is issued to the septic installer to begin the septic installation. If the plan is not approved, the Health District informs the septic installer and waits for resubmittal of the revised septic plans. Once construction is complete, the Inspector conducts a site inspection to verify the appropriate distances from certain structures (i.e. house, other permanent structures, pools, easements, bodies of water, man-made lakes, etc.). In addition, the Inspector ensures that the sprinkler heads are working properly if an aerobic septic system was installed. If the septic inspection passes, a "License to Operate" is issued to the septic installer to allow for the usage of that particular septic system. Ms. Rodriguez stated that aerobic systems are the majority type of septic systems installed in the City. The Health District requires maintenance of septic systems along with TCEQ. The Environmental & Consumer Health Services Division (Health District) keeps track of the maintenance records that pertain to aerobic septic systems for the first two years. After the two years have passed, the septic owner has the option of self-maintenance or by contract (continue maintenance contract with septic installers).

Ms. Rodriguez also presented two videos. The first video explained how the operation of septic systems have improved over the years with less effects on the environment. Advanced septic systems employ the use of aeration and chlorination methods to treat waste. The second video showed the maintenance process for aerobic septic systems.

After the videos concluded, Mr. McGinn summarized the next steps to be taken:

- London Area Development Plan Update (Process Starts- November 2018)
- Possible code amendments: Consider increase Trust Fund lot/acreage fees per Construction Cost Index for area where service is planned; Streamline Waiver and Exemption Process by exempting connection requirements and fees for areas identified by City Council where no service is planned
- Implementation Plan for Oso Creek/Bay (draft report containing recommendations for septic system use will be included)
- Evaluate CCN boundary for wastewater service

Ms. Nixon-Mendez summarized the following recommendations/amendments to the UDC:

- Exempt wastewater lot/acreage fees for all proposed subdivisions within an area where no service is planned;
- Exempt connection requirement for applicants where no service is planned: and,
- Waivers still required for properties within 1,000 feet from the nearest sewer connection; if the waiver is approved by the Planning Commission the fee is also exempt (without the 2nd step of City Council approval).

After Staff's presentation, Chairman Villarreal opened the floor for Commissioner comments/questions. Commissioner Dibble expressed concerns for the lack of stormwater planning in this area, the use of the trust fund, annexation and wastewater waivers/exemptions. Commissioner Schroeder brought up the discussion regarding the retrofitting of subdivisions on septic with public wastewater. Discussion also took place regarding sanitary sewer agreements. Commissioner Hovda asked if there was a way the City could restrict the sole use of aerobic systems, especially when older septic systems need to be replaced. Ms. Rodriguez said that would not be the best solution because it depends on certain topographies and what type of septic system is suitable but in the majority of cases aerobic systems are installed. Commissioner Hovda also asked if the criteria for lot/acreage fee exemptions could be changed. Commissioner Williams echoed the same concerns Commissioner Dibble had and felt that the City needs to get ahead of the issues in this area. After Commissioner comments/questions concluded, Commissioner Villarreal opened the public hearing. With no one coming forward the public hearing was closed. No action was taken on this item.

## **V. Director's Report**

Ms. Nixon-Mendez informed the Commission that copies of the UDC were printed for them.

## **VI. Items to be Scheduled**

None.

## **VII. Adjournment**

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 6:35 p.m.