



AGENDA MEMORANDUM

First Reading for the City Council Meeting of December 4, 2018
Second Reading for the City Council Meeting of December 11, 2018

DATE: November 13, 2018

TO: Keith Selman, Interim City Manager

FROM: Nina Nixon-Méndez, FAICP, Director,
Development Services Department
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<p>Exemption from the Wastewater Lot or Acreage Fee for property located south of Northwest Boulevard and west of Hazel Bazemore Road</p>
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CAPTION:

Ordinance exempting Park Springs IHS, Block 1, Lots 1 through 3, located south of Northwest Boulevard and west of Hazel Bazemore Road, from the payment of the wastewater lot or acreage fee 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 Park Springs IHS Block 1, Lots 1 through 3 from paying \$6,079.77 in wastewater acreage fees subject to execution of a Sanitary Sewer Connection Agreement.

BACKGROUND AND FINDINGS:

Urban Engineering, on behalf of IHS Consultants, LP, property owner, submitted a request for an exemption from the wastewater acreage fee in accordance with Section 8.5.2.G. The potential wastewater acreage fee is \$6,079.77, based on the rate of \$1,571 per acre. The subject property consists of 3.87 acres.

Park Springs IHS, Block 1, Lots 1 through 3, is a final plat of 3.87 acres, consisting of three (3) lots, zoned General Commercial 2 ("CG-2"). The final plat was approved by Planning Commission on September 5, 2018. The subject property is located south of Northwest Boulevard (FM 624) and west of County Road 69 (Hazel Bazemore Road).

On September 19, 2018, the Planning Commission granted a waiver to the requirement to connect to sanitary sewer, finding that the subdivision was not reasonably accessible to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards and wastewater master plan. The subject property will provide on-site sewage facilities in conformance with the regulatory agency (City-County Health Department).

Per UDC 8.5.2.G, areas exempt from the payment of lot or acreage fees shall be determined by the City Council to not likely be served by City Wastewater services within the next 15 years. Staff does not anticipate availability of service to this property within the 15-year term.

ALTERNATIVE:

Require the owner to pay the applicable wastewater acreage fee in the amount of \$6,079.77 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.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

N/A

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

This item was coordinated with the Utilities Department.

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2018-2019	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 September 19, 2018, the Planning Commission recommended that City Council approve the exemption of the wastewater acreage fee 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 or acreage fee in effect if public wastewater becomes available within 15 years of the plat being filed for record.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Presentation