



AGENDA MEMORANDUM

Planning Commission Meeting of October 30, 2019

DATE: October 23, 2019

TO: Al Raymond, AIA, Director of Development Services

FROM: Andrew Dimas, Senior City Planner, Development Services
AndrewD2@cctexas.com
(361) 826-3584

Morton Meadows (Final Plat)

Request for a Waiver of the Wastewater Infrastructure Construction Requirement in Sections 8.1.4.C, 8.1.5, and 8.2.7.A of the Unified Development Code (UDC), and an Exemption from Wastewater Lot/Acreage Fee in Sections 8.5.2.G. of the UDC

BACKGROUND:

Brister Surveying, Inc., on behalf of Gary and Dinah Morton, property owners, submitted a request for a waiver of the plat requirement to construct wastewater infrastructure under Section 8.1.4.C, 8.1.5, and 8.2.7.A of the Unified Development Code (UDC), and an exemption from the Wastewater Lot/Acreage fee under Section 8.5.2.G of the UDC.

The subject property, known as the Morton Meadows, Final Plat (6.024 acres +/-), is located in Flour Bluff, on the east side of Flour Bluff Drive, north of Don Patricio Road. The land is zoned "RS-6" Single-Family 6 District and "RM-1" Multifamily 1 District. The site is not in an AICUZ¹ zone. The subject property currently has one single-family home upon it. The owners propose to develop four additional single-family homes.

STAFF ANALYSIS:

1. Waiver of Construction Requirement for Wastewater Public Improvements

The Construction Requirement. Section 8.1.4.C of the UDC requires that a developer provide a wastewater system when platting, and Section 8.1.5 requires a continuity of improvements among adjacent properties. Section 8.2.7.A of the UDC requires that "every lot within a proposed subdivision shall be provided with access to an approved wastewater collection and treatment system of sufficient capacity *as determined by adopted City wastewater standards and master plans.*"

Waiver. However, "when any subdivision is planned that is *not reasonably accessible* to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards,"

¹ AICUZ is "Air Installation Compatible Use Zone," set forth at UDC Section 6.5.

such subdivision is eligible for a waiver from this requirement to construct or extend access to such a wastewater system. In such case, the subdivision shall have either (a) an individual aerobic (septic) system, (b) an individual wastewater treatment plant serving the subdivision, or, (c) interim service by construction of lift station(s) and force main(s). (UDC Section 8.2.7.B.1.a-c.)

“Reasonably accessible” means (i) master plan facilities (including trunk mains and lift stations) currently exist in the designated service area, and such facilities can be extended to serve the subdivision; and (ii) collection lines of adequate capacity to service the proposed development are within 1,000 feet of the subdivision and can be extended. (UDC Section 8.2.7.B.1.d.(i)-(ii) emphasis added).

The proposed Morton Meadows plat is not “reasonably accessible” to a public wastewater facility. First, although the plat is in a wastewater master plan “designated service area,” it is in proximity to facilities and lines that have not been extended from any master plan facilities. Second, the nearest wastewater accessibility is a collection line at Westridge Acres on Graham Road and is approximately 1,300 feet away to the northeast (beyond 1,000 feet). There is an alternate wastewater connection option, approximately 2,200 feet away (beyond 1,000 feet) to the northeast at Oak Terrace on Compton Road. However, this wastewater connection is only at a depth of 4-feet.

Connection has sufficient depth. The wastewater line at Westridge Acres on Graham Road is approximately 1,300 feet away to the northeast on Graham Road. The wastewater line is an 8-inch diameter PVC line, with a manhole, at a depth of around 8.2 feet. This manhole is at a sufficient depth so that, if a line were extended from it, west and south approximately 1,300 feet to Morton Meadows across its entire front footage, sewage would flow by gravity to this connection.

Route to Wastewater Treatment Plant. From Oak Terrace on Compton Road, the sewer line runs east along Compton Road to Waldron Road. Then it connects to a 24-inch VCP line that flows into a lift station at Waldron Road. From there, the sewage is pumped through a 12-inch PVC force main south to a 14-inch DIP force main heading east, to an 18-inch heading north along Laguna Shores Road to another lift station, to another force main, and ultimately to the Laguna Madre Wastewater Treatment Plant south of Jester Street.

Instead of wastewater extensions, the applicant proposes an individual aerobic (septic) systems for the lots, per UDC Section 8.2.7.B.1.a.

1.1 Factors for Granting a Plat Waiver (UDC Section 3.8.3.D)

Section 3.8.3.D of the UDC lists the factors to be considered in whether to grant a waiver from a platting requirement. The factors are:

1. The granting of the waiver shall not be detrimental to the public health, safety or general welfare, or be injurious to other property in the area, or to the City in administering this Unified Code;
2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;
3. Application of a provision of this Unified Development Code will render

subdivision of land unfeasible; or

4. The granting of the waiver would not substantially conflict with the Comprehensive Plan and the purposes of this Unified Development Code.

1.2 Staff Findings on Waiver from Construction:

Staff finds that the Morton Meadows proposed plat is not reasonably accessible to a public wastewater facility.

2. Exemption from Wastewater Lot/Acreage Fees

Section 8.5.2.G states that City Council, with the advice of Planning Commission, may exempt a tract of land from the wastewater lot/acreage fees, provided the area is not likely to be served with wastewater services within the next 15 years. The potential Wastewater Lot/Acreage Fees are approximately \$9,746.48, based on the rate of \$ 1,571 per acre, multiplied by 6.204 acres. On-site sewage facilities (septic systems), in conformance with City-County Health Department will be proposed with the development on the property.

For the Planning Commission to recommend approval of the wastewater exemption of the wastewater lot/acreage fee to City Council, the Commission must find that the subject property is not likely to be served with wastewater services within the next 15 years.

Staff Findings on Exemption from Wastewater Lot/Acreage Fee. Staff finds that this area is not likely to be served by wastewater services to this subdivision within the next 15 years.

STAFF RECOMMENDATION:

Staff recommends approval of the request for waiver of wastewater infrastructure construction per Section 8.2.7.A, and approval of an exemption from the Wastewater Lot/Acreage fees per Section 8.5.2.G of the UDC.

LIST OF SUPPORTING DOCUMENTS:

Exhibit A – Morton Meadows, Final Plat

Exhibit B – Waiver and Wastewater Lot/Acreage Fee Exemption Letter Request

Exhibit B

Brister Surveying Inc.

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Firm Registration No. 10072800

October 7, 2019

Senior City Planner
City of Corpus Christi – Development Services Department
2406 Leopard Street
Corpus Christi, Texas 78408


**RE: MORTON MEADOWS
REQUEST FOR WAIVER OF WASTEWATER INFRASTRUCTURE AND LOT /
ACREAGE FEES**

To whom it may concern,

On behalf of our clients Gary and Dinah Morton we would like to request a waiver of the wastewater infrastructure construction requirement per City of Corpus Christi Unified Development Code (UDC) Section 8.2.7.A and an exemption from the Wastewater Lot / Acreage Fees in accordance with City of Corpus Christi Unified Development Code (UDC) Section 8.5.2.G.

We request the waiver as it is not feasible as the closest manhole is located on Graham Road at a distance of approximately 1,300-feet from the property and has a depth of 9-feet, however, this portion of the City wastewater infrastructure is not connected to the main system and will not provide service to the property at this time or in the near future. There is another wastewater manhole that is located on Compton Road at a distance of approximately 2,200-feet from the property and has a depth of only 4-feet which is already at a minimum depth. The construction of a private wastewater lift station is not allowed by the City. The construction of a public lift station within an area that is currently built out with large-tract single-family and several commercial tracts, and the overall size of the proposed development makes the construction and future City of Corpus Christi maintenance cost economically unreasonable and not feasible.

Thank you,



Mike Collier
Brister Surveying, Inc.

RECEIVED

♦ 07 OCT 2019 ♦

City of Corpus Christi
Development Services