



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of 2/25/20
Second Reading Ordinance for the City Council Meeting of 3/17/20

DATE: January 10, 2020

TO: Peter Zaroni, City Manager

FROM: Al Raymond, Director, Development Services
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WASTEWATER FEE EXEMPTION FOR MORTON MEADOWS

CAPTION:

Ordinance exempting Morton Meadows, located East of Flour Bluff Drive and South of Graham Road, from the payment of the wastewater lot or acreage fee under section 8.5.2.G.1 of the Unified Development Code. (District 4)

SUMMARY:

Brister Surveying, Inc., on behalf of Gary and Dinah Morton, property owners, submitted a request for an exemption from the Wastewater Lot/Acreage fee under Section 8.5.2.G of the UDC. The applicant is requesting an exemption from the wastewater acreage fee due to the existing wastewater collection line being located more than 1,000 feet from the property.

Under the authority granted by the Unified Development Code (UDC), the Planning Commission granted the wastewater construction and fee waiver on October 30, 2019. A waiver from wastewater construction constitutes the approval of an on-site septic facility (OSSF).

BACKGROUND AND FINDINGS:

Brister Surveying, Inc., on behalf of Gary and Dinah Morton, property owners, submitted a request for an exemption from the Wastewater Lot/Acreage fee under Section 8.5.2.G of the UDC for their planned residential subdivision named Morton Meadows. The property totals 6.024 acres, consists of five (5) lots, is zoned "RS-6" and "RM-1" Multifamily, and is in the Flour Bluff Independent School District.

The plat was approved by Planning Commission on October 30, 2019 and the property is located East of Flour Bluff Drive and South of Graham Road inside City limits. Morton Meadow's plans to develop single-family homes on lots greater than one half acres in size. The maximum density allowed by the zoning districts are 7.26 du/ac (RS-6) and 22 du/ac (RM-1). Based on the acreage

of the property, this equates to approximately 43 apartment units with 30 single family homes or 44 single-family homes.

The property owners submitted a request for an exemption from the payment of wastewater acreage fees in accordance with UDC Section 8.5.2.G.1. The potential wastewater acreage fee is \$9,463.71, based on the rate of \$1,571 per acre. The Planning Commission recommended 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 subdivision properties will provide on-site sewage facilities (septic) in conformance with the Corpus Christi and Nueces County Health District.

The proposed Morton Meadows subdivision property is not “reasonably accessible” to a public wastewater infrastructure as defined by the UDC. “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. Per Section UDC 8.5.2.G.1, areas exempt from the payment of lot or acreage fee shall be determined by the City Council to likely be served by City Wastewater services within the next 15 years. Staff anticipates availability of service to this property within the 15-year term with development of the properties south on Flour Bluff Drive.

Although, the planned subdivision is in a wastewater master plan designated service area, the nearest wastewater collection line is approximately 2,200 feet away from the applicant’s property, located near Oak Terrace and Compton Road. However, this wastewater connection is not deemed suitable, due to being at a depth of 4-feet and will not provide the required slope suitable for a wastewater collection line without major capital improvements including a lift station and force main.

While the property is located approximately 1.43 miles from Truax Field (Naval Air Station-Corpus Christi) and approximately 0.32 miles from the nearest Air Installation Compatibility Use Zone (AICUZ), the Navy encourages reduced density within areas in proximity to flight installations

ALTERNATIVES:

Require the owner to pay the applicable wastewater acreage fee in the amount of \$9,463.71 prior to the recording of the plat. If wastewater services are not available within 10 years from the date of the filing of the plat, the property owners may request a refund.

FISCAL IMPACT:

Approved of the wastewater acreage fee exemption would lessen the funds available to reimburse developers for the construction and extension of sanitary sewer trunk main lines, lift stations, and force main lines. Wastewater lot or acreage fees along with 75 percent of the wastewater surcharge fee are deposited in the Sanitary Sewer Trunk System Trust Fund (4220-21800-777).

RECOMMENDATION:

On October 30, 2019, the Planning Commission recommended that City Council approve the exemption of the wastewater acreage fee subject to a Sanitary Sewer Connection Agreement. In order to waive the wastewater acreage fee, City Council must approve the fee waiver. The Planning Commission has already approved the waiver of wastewater line construction.

Staff recommends disapproval of this fee waiver request due to the high probability that new sewer lines fronting this property will be installed within the next 15 years. The landowner may request a refund of the lot acreage fee, after 10 years if the sewer line is not extended, per UDC Section 8.5.2.G.1.

LIST OF SUPPORTING DOCUMENTS:

Ordinance (with exhibit)
Presentation
Location Map