

**City Council
Agenda Memo**



TO: Larry D. Gilley, City Manager

**City Council
Meeting Date: 09/26/2013**

FROM: Megan R. Santee, Director of Public Works

SUBJECT: Discussion and Possible Action on Petition for Relief from Construction Obligations based on proportionality for Griffith Road development.

GENERAL INFORMATION

On August 20, 2013, the City of Abilene received a Petition For Relief with the required study attached, as per the City of Abilene Land Development Code (LDC) Section 1.3.2.3, for the development of a single-family residence on Griffith Road. The petition, submitted by agent David Todd, Enprotec/Hibbs & Todd, argues that the cost of the construction of the public works improvements, street and curb and gutter, is disproportionate to the total project cost, as provided for under LDC Section 3.2.2.4. Staff has reviewed the petition and attached study and is placing this item on the City Council agenda as directed under LDC 1.3.2.5(d) for resolution.

Additionally, a waiver of sidewalk construction requirements has also been submitted for the same development under LDC Section 3.2.13.6. The waiver is requested based on anticipated cost of the sidewalk as compared to the total development cost. The LDC gives staff the authority to approve a sidewalk waiver request, only denials are appealable to City Council. Staff has reviewed the request and has approved the waiver of sidewalk construction for this development only.

STAFF RECOMMENDATION

The Director of Public Works and the Development Review Committee are required to provide City Council an evaluation and recommendation, LDC 1.3.2.5(b). Staff is therefore recommending that the City Council grant in part and deny in part the Petition For Relief.

ATTACHMENTS

Petitioner's Petition for Relief
Petitioner's Study

Prepared by:

Name Megan R. Santee

Title Director, Public Works

Item No. 7.2

Disposition by City Council

- Approved Ord/Res# _____
- Denied _____
- Other _____

City Secretary



August, 20, 2013

City of Abilene
P O Box 60
Abilene, Texas 79604
Attn: Ms. Megan R. Santee, JD

Re: Lot 1, Block A, Jensen Addition

Dear Ms. Santee:

Per your letter dated August 14, 2013, I have removed the sidewalk component from the relief / proportionality appeal and this item is being pursued under the formal sidewalk waiver request. As you are aware, our clients are platting an 8.0 acre site on Griffith Road to build a single family residential house at an estimated value of \$200,000. Mr. and Mrs. Jensen are now single parents, therefore the two (2) of them will be the only residents of this proposed house. They are seeking relief from paving improvements of Griffith Road based upon proportionality.

Per Section 1.3.2.3 (c) of the LDC, the following will address the additional information requested:

Water:

The City of Abilene currently has the capability to produce 35 mgd of water. Average daily use of a residential house is 150 gallons/day/person, 300 gallons per day total for the residence is an increase to the City's water production of 0.00085%. An existing 10 inch and 30 inch water line run parallel to Griffith Road. Knowing that a direct tap to the 30 inch line will not be allowed, I will use the 10 inch line for comparison. The 10 inch line will flow 1,190 gpm (flow rate supplied by City Water Department). 1,190 gpm converts to 1,713,600 gallons per day capacity of the existing 10 inch line. Again 300 gallons per day is 0.018% capacity of the 10 inch line. Another way to look at this, TCEQ requires a minimum of 2.5 gpm for each meter placed on a main line. 1,190 gpm equates to 476 meters that could be directly installed on this 10 inch line. According to the City's Water Department, there currently exists 20 meters directly connected to the 10 inch line. Placing a meter for my clients will consume 0.22% of the remaining meter capacity of the 10 inch line.

Sewer:

There currently exists a 24 inch sanitary sewer line that flows across my client's 8.0 acre tract. The capacity of a 24 inch sewer line is approximately 4.14 mgd. According to the City Water Department, that line has moderate flow which means 25% to 50% full. Assuming a worst case scenario, 50%, there exists 2.07 mgd of additional capacity within that line.

Environmental, Civil & Geotechnical Engineers

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Ms. Megan R. Santee, JD

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Average daily flow of wastewater in Abilene is 70 gallons per day per person. 140 gallons per day from my clients proposed residence is 0.006% of the available capacity of the 24 inch line. Also, the permitted flow at the City's wastewater treatment plant is 17 mgd. The plant is experiencing an average daily flow of 7-9 mgd. Assuming 9 mgd, the plant has an available capacity of 8 mgd. The 140 gallons per day from my clients would be an increase of 0.0018% of the available flow.

Stormwater:

A 2,000 square foot house on 8.0 acres would increase the storm runoff from the lot by 0.5%. Since the existing storm drainage along Griffith Road is woefully inadequate, it does not seem this house will have significant impact on stormwater in the area.

Parks:

The likelihood of the Jensen's visiting City parks with anymore frequency than they currently do is highly doubtful, so no impact is anticipated.

Roadway:

The TxDOT 2010 Abilene Urban Traffic Map shows average daily traffic along Griffith Road to be 1840 ADT. Average daily trips from a single residential house is 10 ADT. 10 ADT's from my clients house is a 0.5% increase in ADT's that currently exist on Griffith Road. While it is beyond the expertise of this Firm to calculate capacities of roadways, we would offer a comparison of ADT's with Hardwick Road. Hardwick Road is constructed very much like Griffith Road as a two lane rural roadway. According to TxDOT's 2010 Urban Traffic Map, the ADT for Hardwick Road is 1620. The ADT for Hardwick Road seems to be acceptable and we are assuming that 1840 for Griffith Road is also acceptable.

This proposed project will not supply any additional capacity to the City's water, wastewater, stormwater, parks or roadways. Since the project is one residential house on a 8.0 acre AO zoned house, it will not be developed in phases. Impact to City services is negligible.

The design of Griffith Road will be complicated and the entire length of roadway from EN 10th to I-20 needs to be designed as a system. Designing and constructing short sections of this roadway may have negative impacts. As you are aware, most of the west side of Griffith Road is already developed and a majority of the east side is developed except for the houses located in existing AO zones. Since developer participation will be limited, any improvements will more than likely be left up to a future CIP project.



Ms. Megan R. Santee, JD

August 20, 2013

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Again, we are requesting a waiver from road construction across the frontage of my clients 8.0 acre tract. The cost of almost \$60,000 for this road construction is disproportionate to the cost of the proposed \$200,000 house.

Please place this item on the next available City Council Meeting for consideration.

Please contact me if you should have any questions.

Sincerely,

Enprotec/Hibbs & Todd, Inc.

David Todd, P.E.

Executive Vice President



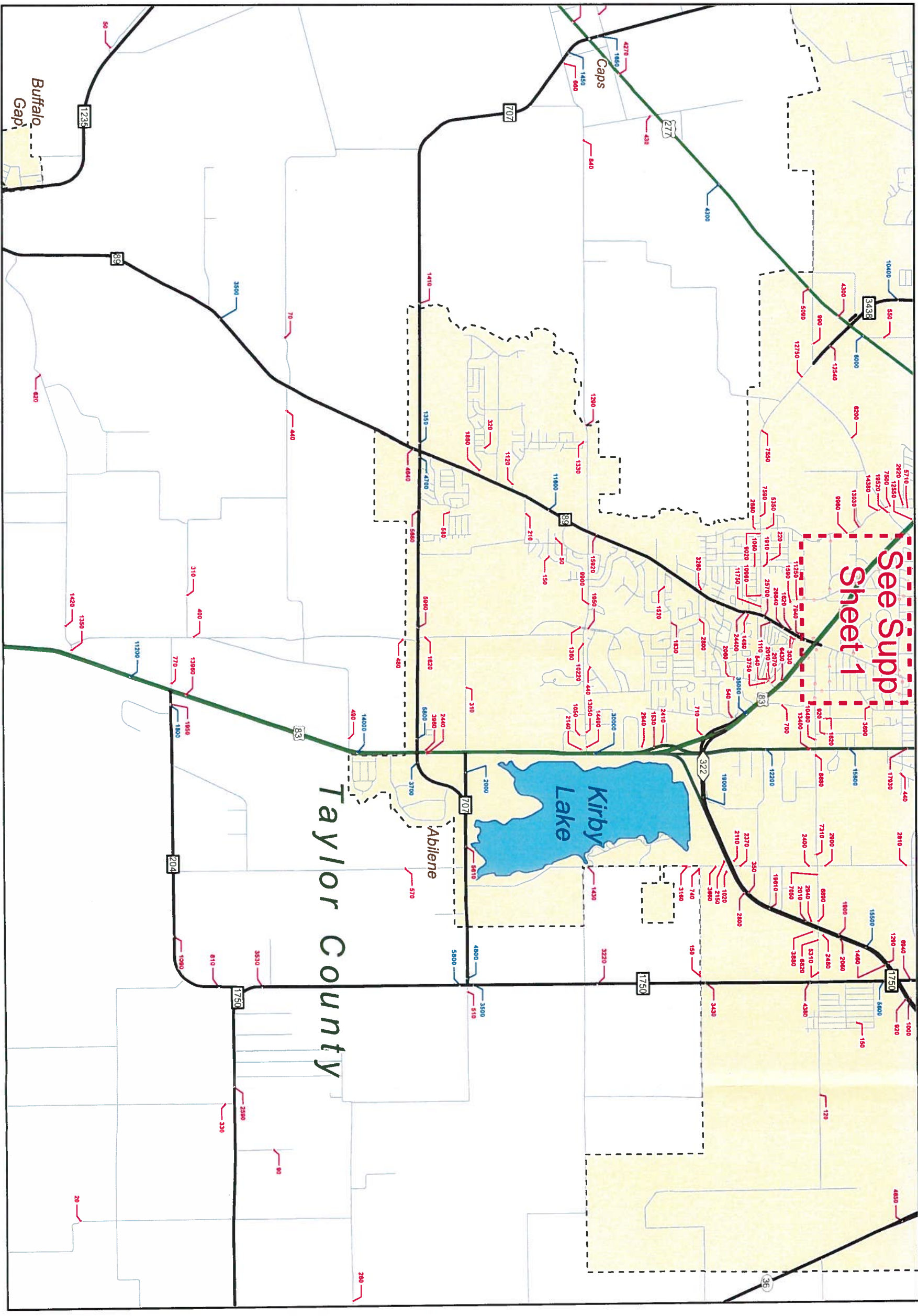
c: Paul and Linda Jensen
T. Daniel Santee II, City Attorney
Jon James, Director of Planning and Zoning
Chad Carter, P.E., City Engineer
Project File 5808

P:\Projects\Private Developers\13-5808 Paul & Linda Jensen - Platting\082013 City Letter.docx



**Cost Estimate
For
22 ½ Feet Wide X 456 Feet Long
Griffith Road**

Bid Item	Item Description	Quantity	Unit Cost	Total
108	Remove Existing Base & Material	380 CY	\$30.00	\$11,400.00
247	Flexible Base	384 CY	\$35.00	\$13,440.00
310	Asphalt Prime	311 GAL	\$6.00	\$1,866.00
340-1	2" HMAC	114 Tons	\$125.00	\$14,250.00
340-2	1 ½" HMAC	86 Tons	\$125.00	\$10,750.00
529	Curb & Gutter	456 LF	\$18.00	<u>\$8,208.00</u>
				\$59,914.00



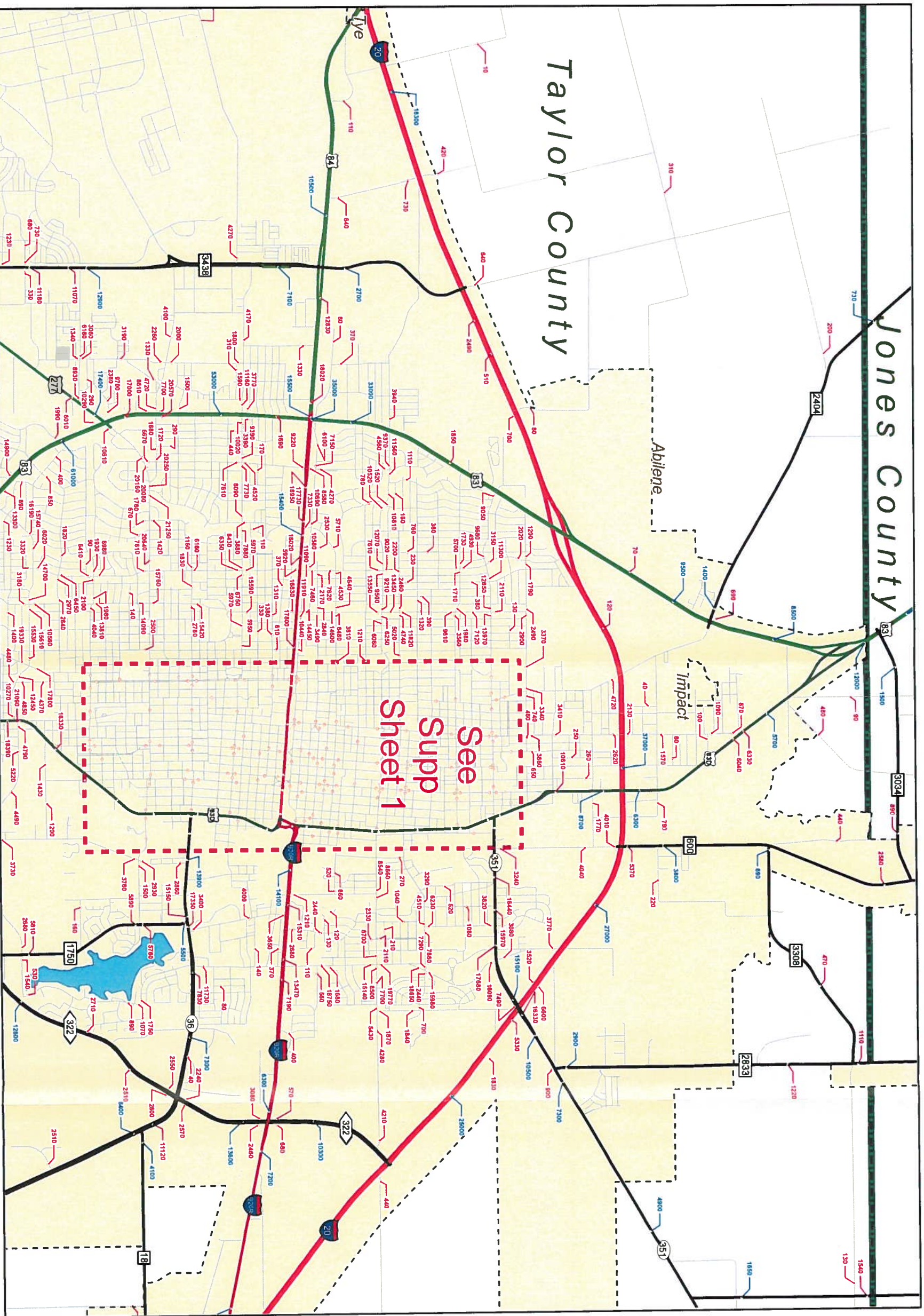
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2010 ABILENE URBAN TRAFFIC MAP
 PREPARED BY THE
 Texas Department of Transportation
 Transportation Planning and Programming Division
 IN COOPERATION WITH THE
 U.S. Department of Transportation



102	103	104
116	117	118
130	131	132



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