

**PRELIMINARY PLAT OF  
HADDOCK SUBDIVISION  
4.882 ACRES**

**PEARLAND-BRAZORIA COUNTY, TEXAS**

**AUGUST, 1988**

**NOTES:**

1. Undefined pipeline right-of-way to Tennessee Gas Transmission Company, from L. L. Barns and wife, Alma M. Barns, as set out in instrument dated May 26, 1955, recorded June 3, 1955, in Volume 623, Page 348, Deed Records, Brazoria County, Texas.
2. This parcel of land lies within the city limits and jurisdiction of the City of Pearland.

FLOOD ZONE STATEMENT

This certain tract of land is in Zone C as per Federal Emergency Management Agency Map Community Panel Number 480077 0005 B, dated July 5, 1984.

I, James D. Snowder on the ground of t correct and that shortages in area improvements or any hereon, and that sa roadway.

Dated this the 31st

Signed by:

James D  
Registe



WILLIAMS

DESMOND

M<sup>o</sup> FARLAND

PARTRIDGE

BEDFORD

400' ±

LANDLOCKED  
SALE OF PROPERTY

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION/CAPITAL IMPROVEMENTS ADVISORY COMMITTEE OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON SEPTEMBER 6, 1988, AT 7:30 P. M. IN THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. APPROVAL OF MINUTES: Special Meeting of August 15, 1988

III. NEW BUSINESS:

A. CONSIDERATION AND POSSIBLE ACTION - PRESENTATION OF PROPOSED IMPACT FEES AND UPDATED 10 YEAR CAPITAL IMPROVEMENTS PLAN BY CHARLES KALKOMEY OF BERNARD JOHNSON, INC.

B. CONSIDERATION AND POSSIBLE ACTION ON THE FOLLOWING:

1. PRELIMINARY PLAT OF HADDOCK SUBDIVISION, 4.882 ACRES, BEING PART OF THE SOUTHWESTERLY ONE-HALF OF LOT 90 OF THE GEORGE W. JENKINS SUBDIVISION, W. D. C. HALL LEAGUE, ABSTRACT 70, MARK AND SUZANNE HADDOCK, OWNERS. (3989 Dixie Farm Road)

2. FINAL PLAT OF HADDOCK SUBDIVISION, 4.882 ACRES, BEING PART OF THE SOUTHWESTERLY ONE-HALF OF LOT 90 OF THE GEORGE W. JENKINS SUBDIVISION, W. D. C. HALL LEAGUE, ABSTRACT 70, MARK AND SUZANNE HADDOCK, OWNERS. (3989 Dixie Farm Road)

C. CONSIDERATION AND POSSIBLE ACTION - REQUEST OF FINE BEDFORD FOR A VARIANCE TO THE SUBDIVISION ORDINANCE.

IV. ADJOURN

POSTED: 2 DAY OF Sept., A. D., 1988, 5:00 P.M.

REMOVED: 7 DAY OF Sept., A.D., 1988.



NB  
C



*Innovative Concepts In Business, Inc.*  
August 30, 1988

Planning & Zoning  
City of Pearland  
3519 Liberty Drive  
Pearland, Texas 77588

Gentlemen:

My wife and I own the property in Pearland, Texas known by the street address of 2020 North Galveston Avenue with all improvements located thereon. We intend to purchase a small narrow track of vacant, unimproved property directly behind ours and currently owned by Kenneth & Carol Carter. An illustrative and not scaled map is enclosed for your convenience in ascertaining existing property owners in the area and their relationship to this proposed sale. As you may note, the property in question is identified as "Landlocked Sale Of Property" and shaded for recognition. This long narrow strip of land comprises approximately one (1) acre.

We certainly recognize that laws (ordinances) are promulgated for the health, benefit, and general welfare of all citizens and we attempt to abide by these rules of society. All laws must necessarily be interpreted within the spirit in which they were drawn, and an undue hardship on any individual would require an examination of the specific aspect of the law creating such hardship, and, fortunately the writers of these laws foresaw the need for exceptions (variances) which would exempt those hardships from being enforced.

It is our opinion that the sale of the above described property falls within this exception provision of your ordinance requiring surveying, platting, sub-dividing, and permits. The intended use of this acquisition shall be for two purposes, i.e.:

(1) Additional yard and garden space with a large outbuilding for storage of miscellaneous tools, equipment, and personal items.

(2) Prevention of the establishment of some type of commercial venture directly behind and abutting six (6) residential properties:

FINANCIAL CONSULTANTS

- a. Williams
- b. Desmond
- c. McFarland
- d. Partridge
- e. Bedford
- f. Nichols, Jr.

Because the Pearland Ordinance would require, if implemented, the surveying, platting, sub-dividing, and permitting of this small narrow piece of property, we are told that the cost of such surveying, platting, sub-dividing, and permitting would approximate 27% of the value of the land sale. This should and must be considered an undue hardship especially when combined with the fact that the property purchased is landlocked.

With all consideration we hereby apply for a 'variance' to the Planning & Zoning Board for the above described piece of property, and appreciate their delicate understanding of our particular situation.

Yours very truly,



Fine G. Bedford, Jr.

FGB/ea  
enclosure

WILLIAMS

DESMOND

MR FARLAND

PARTRIDGE

BEDFORD

LANDLOCKED  
SALE OF PROPERTY

400' ±

135' ±

CARTER

NICHOLS, JR.

KNIGHT

NICHOLS, SR.

N. GALVESTON AVE.

ORANGE STREET

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION/CAPITAL IMPROVEMENTS ADVISORY COMMITTEE OF THE CITY OF PEARLAND HELD ON SEPTEMBER 6, 1988, AT 7:30 P. M. IN THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

The meeting was called to order with the following present:

Chairman	Leroy Savoie
Vice Chairman	Al Lentz
Member	Benny Frank
Member	James Garner
Member	Clyde Starns
Member	Mary Starr
Code Enforcement Officer	Ernesto Buenrostro
Assistant City Secretary	Pat Vaught

Commission Member Helen Beckman was not present, having an excused absence.

**APPROVAL OF MINUTES**

It was moved by Benny Frank, and seconded by Mary Starr, that the Minutes of the Special Meeting of August 15, 1988, be approved as submitted.

Motion passed 5 to 0, with Clyde Starns abstaining.

**NEW BUSINESS**

**CHANGE IN ORDER OF BUSINESS**

PRELIMINARY PLAT OF HADDOCK SUBDIVISION, 4.882 ACRES, BEING PART OF THE SOUTHWESTERLY ONE-HALF OF LOT 90 OF THE GEORGE W. JENKINS SUBDIVISION, W.D.C. HALL LEAGUE, ABSTRACT 70, MARK AND SUZANNE HADDOCK, OWNERS (3989 DIXIE FARM ROAD)

The Commission discussed building setback lines from pipelines and the hold harmless waiver that must be signed should building be desired closer than the required 100 feet from the pipeline.

Ernesto Buenrostro, Code Enforcement Officer, explained that the original mylars now reflected a 100' setback line from the pipelines and pipeline easements. He stated that this plat had gone through the routine review process and that while we do not have a current up-to-date title report and the owners and lienholders certification, the lienholder has agreed, by submission of a letter to Mr. Haddock, with the proceedings and the title has been opened. Therefore, the Staff would recommend approval contingent upon receipt of an up-to-date title report and certification by owners and lienholders.

A motion was made by Al Lentz, seconded by Mary Starr, to approve the preliminary plat of the Haddock Subdivision contingent upon the comments by Mr. Buenrostro.

Motion passed 6 to 0.

FINAL PLAT OF HADDOCK SUBDIVISION, 4.882 ACRES, BEING PART OF THE SOUTHWESTERLY ONE-HALF OF LOT 90 OF THE GEORGE W. JENKINS SUBDIVISION, W.D.C. HALL LEAGUE, ABSTRACT 70, MARK AND SUZANNE HADDOCK, OWNERS (3989 DIXIE FARM ROAD)

The Commission discussed setback lines, lack of an approval date by the Drainage Commission, metes and bounds, and the omission of a dimensional building line arrow on the plat.

It was moved by Clyde Starns, seconded by Al Lentz, to approve the final plat of Haddock Subdivision contingent upon the approval date by the Drainage Commission and the inclusion of the dimensional arrow indicating there is 35' from the building line to the property line.

There being no additional discussion, the motion passed 6 to 0.

REQUEST OF FINE BEDFORD FOR A VARIANCE TO THE SUBDIVISION ORDINANCE

Mr. Fine Bedford explained he wished to purchase a piece of property behind his residence which according to him was landlocked and if purchased by him would create a buffer for him and his neighbors against future commercial development. He is requesting a variance from the Subdivision Ordinance because the cost would be prohibitive to proceed as called for due to the size of the land, its usefulness for anything else and its proximity to residences.

The Commission discussed the ownership of the property, governing state and local laws in a directive from Interim City Attorney Robert Talton, intended use of the property, and current zoning of the property.

It was moved by Benny Frank, seconded by Clyde Starns, to deny the variance due to the fact that Mr. Bedford did not actually own the property and because the Ordinance states that platting costs cannot be considered a hardship.

Motion passed 6 to 0.

PRESENTATION OF PROPOSED IMPACT FEES AND UPDATED 10 YEAR CAPITAL IMPROVEMENTS PLAN BY CHARLES KALKOMEY OF BERNARD JOHNSON, INC.

Messrs. Charles Kalkomey and Art Storey of Bernard Johnson, Inc. reviewed with the Advisory Committee methods of figuring costs and the location and type of proposed capital improvement projects and the ten year master plans for the City.

It was moved by Al Lentz, seconded by Mary Starr, to accept the report of Bernard Johnson, Inc. regarding impact fees and capital improvements.

Motion passed 6 to 0.

Mr. Storey advised the Committee of the necessity of sending a letter to the City Council of their finding within five business days before the public hearing on the 19th of September.

**ADJOURN**

The meeting adjourned at 9:40 P. M.

Minutes approved as submitted and/or corrected this 25 day of October,  
A. D., 1988.

DB Starns Jr  
Chairman (Acting Chairman)

ATTEST:

Pat Vaught  
Assistant City Secretary



# City of Pearland

P. O. Box 2068 • Pearland, Texas 77588-2068 • 485-2411

Tom Reid, Mayor  
James E. Bost, Councilmember  
Dennis Frauenberger, Councilmember  
Richard Tetens, Councilmember  
Charles Mack, Councilmember  
Stella Roberts, Councilmember  
Ronald J. Wicker, City Manager

September 8, 1988

The Honorable Mayor and City Council  
City of Pearland  
Pearland, Texas 77581

Dear Mayor and Council:

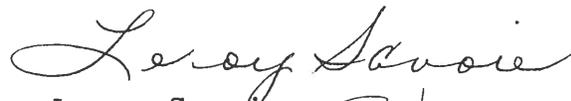
The Capital Improvements Advisory Committee, in a regular meeting held on September 6, 1988, reviewed the proposed impact fees and updated 10 year capital improvements plan as presented by Messrs. Art Storey and Charles Kalkomey of Bernard Johnson, Inc.

Discussed were capital improvement costs, methods of figuring capital recovery fees, and location of existing and proposed capital improvement projects.

It was moved by Al Lentz, seconded by Mary Starr, to accept the the recommendations and proposals as submitted by Bernard Johnson, Inc. Motion passed 6 to 0.

The Advisory Committee is submitting this for Council's consideration.

Sincerely yours,

  
Leroy Savoie  
Chairman

LS/EB:pv

**DRAFT**  
**PUBLIC HEARING ON**  
**ADOPTION OF IMPACT FEES**  
**City of Pearland**  
**September 19, 1988**

**Testimony by Bernard Johnson Incorporated**

**Mr. Mayor and Members of City Council:**

**I am Arthur Storey with Bernard Johnson Incorporated, and my testimony in this hearing is as follows:**

**This is the second of two public hearings required by the provisions of SB336 for cities engaged in facilities planning that could provide for the adoption of impact fees for capital recovery. It is reasonable to point out that the process of facilities planning to identify needed capital projects is useful, whether or not partial payment for these projects is anticipated using revenues collected through such fees, and that facilities planning has been a major part of my firm's work in this project.**

**The purposes of this hearing are to present the results of our facilities planning and to receive comment on the adoption of a 10-Year Capital Improvements Plan and the imposition of an impact fee. However, it is important to recap what has transpired to lead the City to this point.**

**On June 20, 1987, Texas Senate Bill 336 (SB336) was passed and signed into law. This legislation relates to the financing of capital improvements by political subdivisions through the use of "impact fees." The intent of the law is to ensure that these impact fees are collected and used only for the construction of improvements to serve new development.**

At a Council Meeting of the City of Pearland on January 11, 1988, the Council entered into an engineering services agreement with Bernard Johnson Incorporated (BJI) to "conduct a comprehensive facilities planning program, a major purpose of which is qualification of capital recovery fees pursuant to" SB336. Since the City had an existing Capital Maintenance Recovery Fees Ordinance in effect, the fees had to comply with the requirements of SB336 if the City was going to continue to use the collection of these fees to finance water and sanitary sewerage improvements.

The first step taken to begin to fulfill the requirements of SB336 was to research and gather information on existing conditions and facilities in Pearland. We collected data on existing land uses, existing water production and distribution facilities, and existing sanitary sewerage collection and treatment facilities. An economic analysis and projection was made by a professional research firm to assist the planning team in predicting future needs. Concurrently, City Council appointed an Advisory Committee to join the planning team.

Existing land use was determined by in-the-field observations. This was supplemented by Land Use Maps presented in the Comprehensive Development Plan prepared for the City in 1978. The results of the existing land use investigation are shown on the two colored maps, labeled Exhibit A-1 and Exhibit A-2. These maps include both the existing City Limits and the City's Extraterritorial Jurisdiction (ETJ).

Data on existing water facilities was collected from existing City system maps and As-Built Drawings from the more recent developments in the area. Input from the City's Administration and Staff was extremely valuable to the completion of this task. The existing water system within the City and the City's ETJ are shown on Exhibits B-1 and B-2.

Information on the existing sanitary sewerage system was collected in the same manner as the data on the water system. Again, City Administration and Staff input was very important to the completion of this task. Exhibits C-1 and C-2 depict the current City sanitary sewerage system and the systems within the City's ETJ.

As mentioned previously, BJI commissioned an Economic/Market Data Report, which was done by CDS Research, Inc. Data was gathered in seven categories: Employment/Economic Base, Demographics, Population, Land Use Statistics, Public Education, Community Facilities, and Major Thoroughfare Improvements.

The second step undertaken by BJI was to develop the future service needs of the area. This involved analyzing all of the existing data collected with respect to the projected population growth in the planning area. Several meetings were held with the City Administration and Staff to discuss areas of growth for Pearland and its ETJ. BJI also met with the Advisory Committee to gather input on development patterns in the planning area.

A public hearing was held on May 16, 1988 to seek public input on projected 10-Year Land Use Assumptions and future service connections. As a result of the comments received at the hearing and additional comments from the Advisory Committee, significant revisions were made to the original Land Use Assumptions. A second public hearing on the modified assumptions was held on August 8, 1988. The revised future service connection numbers for the planning area are shown on the two maps labeled Exhibit D-1 and Exhibit D-2, dividing the planning area into 16 subareas. After testimony was received at the second hearing, City Council adopted the Land Use Assumptions on August 8, 1988, directed us to proceed with facilities planning and impact fee calculations, and called this public hearing.

The third step in the process was to develop a Capital Improvements Plan (CIP) to provide water and sanitary sewer service to the future service connections. This was done

for only those areas which are capable of being served by City utilities. The planning process not only looked at the 10-year plan, but also at an ultimate development plan for the major water system and sanitary sewerage system expansions of the City. Exhibit E and Exhibit F show the future water and sanitary sewerage facilities as depicted by the red and green colored lines. These maps represent the proposed Master Capital Improvements Plan for these two utilities.

The proposed Master Plan shown on the Sewerage Facilities map takes into consideration planning done by the City to construct two new plants. One of these is on Hickory Slough in the northwest quadrant of the City. The other is near Cloverfield Airport on Cowart Creek. A third new treatment plant is shown for the southwest part of the City.

The proposed Master Plan shown on the Water Facilities map represents a system developed through an extensive computer modeling effort to analyze system demands and pressures. As a result of the modeling, many future lines were decreased in size from a previous water system master plan done for the City. BJI's work with the model will save the taxpayers significant costs for water system improvements in the future, without sacrificing water service or fire protection characteristics.

The facilities colored in red on the two maps represent the proposed 10-Year CIP. This plan as is, or as amended by City Council, will be a significant portion of any impact fees which the City may consider to adopt.

The 10-Year CIP for the sanitary sewerage system contains three sewer line extension. These are:

1. G.A.P./F.M. Highway 518 Sewer Line - This line extension starts at the Barry Rose Waste Water Treatment Plant (WWTP) and follows the proposed G.A.P. Parkway route to F.M. Highway 518.

2. **Old Alvin Road Sewer Line** - This line extension connects to an existing 12-inch sanitary sewer line at a point approximately 0.3 mile south of Walnut. The proposed sewer line would continue southerly along Old Alvin Road to John Lizer Road, and then turn easterly along John Lizer Road.
3. **High School Sewer Line** - This line extension connects to an existing 10-inch sanitary sewer at the intersection of Mary's Creek Lane West and Shadycrest Drive. The line would then proceed northwesterly along an extension of Mary's Creek Lane West to a proposed road along the southeasterly side of the new high school property. The sewer line would then turn southwesterly along this new road.

There are eight proposed projects in the 10-Year CIP for the water system. These are:

1. **Green Tee Pumping Station** - A 200,000 gallon ground storage tank and booster pump station to be built at the northeast end of the Green Tee development.
2. **Yost Boulevard Water Line** - An 8-inch water line tie between two existing 8-inch water lines.
3. **Riverwalk Water Line** - A 6-inch connection to an 8-inch line at the southwest corner of Riverwalk Subdivision.
4. **County Road 253/County Road 131 Water Line** - A 16-inch water line from Dixie Farm Road along County Road 253 and County Road 131, with a 12-inch connection to Nasawood Subdivision.
5. **High School Water Line** - An 8-inch and a 10-inch water line between John Lizer Road, State Highway 35 and Mary's Creek Lane West to serve the area around the new high school.

6. Harkey Road Water Line - A 16-inch water line along Harkey Road from F.M. Highway 518 to County Road 408.
7. O'Day Road/Hatfield Road Water Line - A 12-inch water line between O'Day Road and Hatfield Road at the north end of the City.
8. Hickory Slough Water Plant - A well, a ground storage tank and a booster pump station in the northwest quadrant of the City.

These water and sanitary sewerage projects, as presented tonight, represent the proposed 10-Year Capital Improvements Plan. Once these projects are placed in the 10-Year CIP, the next step is to determine what portion of the projects, if any, is to serve future development in the next 10 years. The costs of those portions are used to calculate the maximum impact fee which can be assessed by the City according to the statute. Existing facilities built and paid for by the City which have future capacity incorporated in the sizing of the facility are also eligible for consideration in impact fee calculations.

Table 1, Sanitary Sewerage Impact Fee Calculations, summarizes the calculations used to compute the various components of the sewer impact fee. Other exhibits will show how these fees apply to particular service areas. The two existing treatment plants have capacity for future development, and appropriate costs are shown for providing service for the next 10 years. The three sewer line projects listed earlier are shown with their appropriate costs. Because this plan must be administered once adopted, and also must be updated at least every three years, an eligible cost of Program Administration is included.

The Barry Rose WWTP had an initial construction cost of \$2,094,000. Of the 7,029 total service units (S.U.) that the plant can serve, 1,723 S.U. will occur in the next 10 years. This proportionate cost is \$513,026, which represents a cost of \$297 per S.U. The Longwood WWTP's initial construction cost was \$1,672,000. It can ultimately serve 5,380

S.U., of which 589 S.U. will occur in the next 10 years. This proportionate cost is \$183,060, or \$305 per S.U.

The estimated cost of the G.A.P./F.M. Highway 518 sewer line is \$251,405. A total of 517 S.U. is planned for future service by this line. Of these, 225 S.U. are projected to occur within the next 10 years. The proportionate cost is \$109,412, or \$486 per S.U.

The estimated cost of the Old Alvin Road sewer line is \$186,120, and the projected total number S.U. in the future is 210. There are 86 S.U. projected to occur during the next 10 years. This proportionate cost comes to \$76,221, which results in an impact fee assessment of \$886 per S.U.

The High School sewer line is estimated to cost \$87,120. Of the 320 S.U. projected to be served by this line in the future 108 S.U., are projected to occur in the next 10 years. The proportionate cost is \$29,403, or \$272 per S.U.

Program Administration is estimated at \$45,000, which results in an impact fee of \$19 per S.U.

Table 2, Sanitary Sewerage Impact Fee Summary, and Exhibit G summarize the development of the impact fees for the sanitary sewerage facilities. As illustrated by the different colors on the map, the planning area was divided into five service areas. Area A is that area which is served by the Barry Rose WWTP. The proposed sewer impact fee for this area is the plant fee plus the administration fee, or \$316 per S.U. Area B represents the service area for the G.A.P./F.M. Highway 518 sewer line. It is also served by the Barry Rose WWTP. Therefore, the proposed fee for this area is composed of the plant fee, the sewer line fee, and the administration fee, totaling \$802 per S.U. Area C represents the Old Alvin Road sewer line service area. The proposed sewer impact fee for Area C is comprised of Barry Rose WWTP fee, the line fee and the administration fee, which total \$1,202 per S.U. The service area for the High School sewer line is

shown as Area D. This area is served by the Longwood WWTP. The proposed impact fee for this area is the sum of the plant fee, the line fee, and the administration fee, which total \$596 per S.U. The remainder of the planning area which has sewer service is designated as Area E. This area is also served by the Longwood WWTP, and the proposed impact fee is composed of the plant fee and the administration fee only. This totals \$324 per S.U.

Table 3, Water Impact Fee Calculations Plant Facilities, and Table 4, Water Impact Fee Calculations Water Lines, illustrate the costs for both the existing and proposed water plant and water line facilities as they pertain the calculation of impact fees. As with the sanitary sewerage facilities, certain existing facilities were constructed and paid for by the City and have the capacity to provide service to new development. Therefore, they are eligible to be included in the impact fees.

There are three existing plant facilities that were identified as having excess capacity that would be utilized during the next 10 years for service to new development. These were the Liberty Street Water Well, the Liberty Street Booster Pump Station and the existing three elevated storage tanks in the City. The total construction cost of these facilities was \$1,061,265. The proportionate cost for providing service for new development in the next 10 years is \$275,651. Based on the 2,544 S.U. projected to be added to the system during this period of time, the impact fee per S.U. is \$108.

There are several water lines which have been built by the City during recent years which were not only built for existing needs, but for future needs as well. These lines are located on Dixie Farm Road, F.M. Highway 518, Magnolia Road/John Lizer Road, Hatfield Road, O'Day Road, Old Alvin Road and Woody Lane. As shown on Table 4, the total construction cost of these lines was \$999,243. Due to the nature of the operation of a water system, these lines have some impact on the ability to provide service to almost any part of the City. Therefore, the total ultimate number of S.U. for the current system

(15,687) was used to prorate the cost of these lines. The projected 2,544 S.U. in the next 10 years has a proportionate cost of \$160,211, or \$62 per S.U.

Unlike the sanitary sewerage system, not all of the proposed improvements in the CIP are eligible to be included in the calculated impact fees. The reason for this is that their capacities are not required to serve new development during the next 10 years, or they are needed for existing development. The Green Tee Pumping Station, for example, is being built by the City to solve low pressure problems in the area for existing development, and therefore is not eligible to be included in the impact fees. The well at the Hickory Slough Water Plant will be partially needed for new development during the next 10 years, but the ground storage tank and booster pump station are not required for new development. The 8-inch water line on Yost Boulevard is needed for circulation in the area to better serve existing development, but has no significant impact on the future service needs of the City.

Therefore, the only proposed water plant facility that is included in the impact fee calculations is the Hickory Slough Water Well. As shown in Table 3, its estimated construction cost is \$180,000. Based on the portion of the well needed for new development during the next 10 years, the proportionate cost is \$136,620, or \$53 per S.U.

Table 4 shows the five proposed water line projects (High School, County Road 253/County Road 231, Harkey Road, O'Day Road/Hatfield Road and Riverwalk) have an estimated cost of \$424,925. Since these lines are not needed for existing development, the total ultimate number of S.U. projected for these lines is 8,146. Based on the projected 10-year number of 2,544 S.U., the proportionate cost of these lines is \$132,704, which results in an impact fee of \$52 per S.U.

Table 5, Water Impact Fee Summary, gives the components of the proposed water impact fee. The existing water plant facilities fee is \$108 per S.U. The fee for the proposed water plant facility is \$53 per S.U. The existing water line facilities add \$62 per S.U. to

the overall water fee. The fee for the proposed water line facilities is \$52 per S.U. As with the sanitary sewerage system, the entire program must be administered and updated at least every three years. Therefore, a nominal fee of \$17 per S.U. is included for Program Administration. As shown, the total proposed water impact fee is \$292 per S.U.

In order to relate not only residential development to non-residential development, but also different types of non-residential development to each other, a method to compare the demands from each was required by the statute and is displayed on Table 6. A service unit is defined as a single family residential housing unit. Population numbers indicate the average occupancy of a single family residence in Pearland is 3.2 people. Based on an average wastewater flow of 100 gallons per person per day, the flow from a service unit is 320 gallons per day.

Information was gathered on wastewater flows from other types of developments in the Gulf Coast area. Table 6, Service Unit Factors, gives the equivalent number of service units for many other types of development. Since the statute requires that the City adopt a table of service unit equivalents to administer the assessment of impact fees, Table 6 is proposed for that purpose.

In order to project the number of service units that would occur during the next 10 years, an assumption of the type of commercial developments that would occur was made. As shown in Table 7, Commercial Service Units 10-Year Projection, 110 commercial connections were projected to occur during the next 10 years. The table shows the various types of this commercial development and their equivalent number of residential service units. For planning purposes, the average of four S.U. per commercial connection was used. If impact fees are assessed by the City, each new connection to the system will be analyzed using Table 6, and the fee calculated accordingly.

To tie all of this together, Table 8, Impact Fee Calculation Examples, illustrates how the proposed water and sanitary sewerage fees would be calculated for new connections. Two single family residences and one commercial development are used for the examples.

The first example deals with a property owner who owns a vacant lot at 2716 Glendale Street and wants to build a home. From Table 6, we see that a single family residence equals 1 S.U. per dwelling unit. For computing the sanitary sewerage fee, Exhibit G shows that the property is in Service Area A. Table 2 states that the impact fee for sewer in Area A is \$316 per S.U., which means that the total sewer impact fee is \$316. Table 5 shows that the water impact fee is \$292 per S.U., or \$292 for this home. Therefore, the total impact fee is for both water and sewer is \$608.

The second example pertains to a residential lot in a new subdivision on John Lizer Road, which would have sewer service provided by the Old Alvin Road sewer line shown in the 10-Year CIP. From the first example, a single family residence has a service unit factor of 1. For the sewer impact fee, Exhibit G indicates that the lot would be in Service Area C. Table 2 shows that the fee for Area C is \$1,202 per S.U. Table 5 shows that the water impact fee is \$292 per S.U. Therefore, the total impact fee for water and sewer for this house is \$1,494.

Example 3 deals with a fast food restaurant at the corner of FM Highway 518 and Liberty Drive. The restaurant will have seating for 50 customers. Table 6 indicates that a development such as this has a service unit factor of 0.047 S.U. per seat. This would have an equivalent of 2.35 S.U. Exhibit G indicates that the development is in Service Area E. This has a sewer impact fee of \$324 per S.U. as shown in Table 2, which equals a sewer impact fee of \$761.40. The water impact fee is still \$292 per S.U., which equals \$686.20 for this development. Therefore, the total water and sanitary sewer impact fee is \$1,447.60.

**We are available to discuss the elements of the CIP and the derivation of the impact fees.  
This concludes our prepared testimony.**

TABLE 1

SANITARY SEWERAGE IMPACT FEE CALCULATIONS

<u>Facility</u>	<u>Cost</u> <u>(\$)</u>	<u>Total</u> <u>S.U.</u>	<u>10-Year</u> <u>S.U.</u>	<u>10-Year</u> <u>Cost</u> <u>(\$)</u>	<u>Impact Fee</u> <u>(\$/S.U.)</u>
Barry Rose WWTP	2,094,000	7,029	1,723	513,026	297
Longwood WWTP	1,672,000	5,380	589	180,060	305
G.A.P./FM Hwy 518 Sewer Line	251,405	517	225	109,412	486
Old Alvin Road Sewer Line	186,120	210	86	76,221	886
High School Sewer Line	87,120	320	108	29,403	272
Program Admin.	--	--	2,312	45,000	19

TABLE 2  
SANITARY SEWERAGE IMPACT FEE SUMMARY

<u>Service Area</u>	<u>WWTP Fee (\$/S.U.)</u>	<u>Sewer Line Fee (\$/S.U.)</u>	<u>Administration Fee (\$/S.U.)</u>	<u>Total Impact Fee (\$/S.U.)</u>
A	297	0	19	316
B	297	486	19	802
C	297	886	19	1,202
D	305	272	19	596
E	305	0	19	324

TABLE 3

WATER IMPACT FEE CALCULATIONS  
PLANT FACILITIES

<u>Facility</u>	<u>Cost</u> <u>(\$)</u>	<u>Total</u> <u>Service</u> <u>Capacity</u>	<u>10-Year</u> <u>Service</u> <u>Capacity</u>	<u>10-Year</u> <u>Cost</u> <u>(\$)</u>	<u>10-Year</u> <u>S.U.</u>	<u>Impact</u> <u>Fee</u> <u>(\$/S.U.)</u>
<u>Existing</u>						
Liberty St. Water Well	164,062	1,280 gpm	767 gpm	98,309		
Liberty St. Booster Pump Station	90,000	3,000 gpm	1,348 gpm	40,440		
Elevated Storage Tanks	<u>807,203</u>	<u>1,500,000 gpm</u>	<u>254,400 gpm</u>	<u>136,902</u>	<u>2,544</u>	<u>108</u>
	1,061,265			275,651		
<u>Proposed</u>						
Hickory Slough Water Well	180,000	1,000 gpm	759 gpm	136,620	2,544	53

TABLE 4

WATER IMPACT FEE CALCULATIONS  
WATER LINES

<u>Water Line Location</u>	<u>Total Cost (\$)</u>	<u>Total S.U.</u>	<u>10-Year S.U.</u>	<u>10-Year Cost</u>	<u>Impact Fee (\$/S.U.)</u>
<u>Existing</u>					
Dixie Farm Road	249,300				
F.M. Hwy. 518	154,444				
Magnolia Road/ John Lizer Rd.	110,000				
Hatfield Rd.	173,884				
O'Day Rd.	132,965				
Old Alvin Rd.	90,650				
Woody Ln.	<u>88,000</u>				
	999,243	15,687	2,544	160,211	62
<u>Proposed</u>					
High School	94,160				
County Rd. 253/ County Rd. 131	218,955				
Harkey Rd.	66,600				
O'Day Rd./ Hatfield Rd.	43,175				
Riverwalk	<u>2,035</u>				
	424,925	8,146	2,544	132,704	52

TABLE 5

WATER IMPACT FEE SUMMARY

	Existing Plant Facilities (\$/S.U.)	Proposed Plant Facilities (\$/S.U.)	Existing Water Lines (\$/S.U.)	Proposed Water Lines (\$/S.U.)	Program Administration (\$/S.U.)	Total Fee (\$/S.U.)
<u>Service Area</u>						
Entire Area of Service	108	53	62	52	17	292

TABLE 6

CITY OF PEARLAND  
SERVICE UNIT FACTORS

<u>TYPE OF DEVELOPMENT</u>	<u>UNIT</u>	<u>SERVICE UNIT/UNIT</u>	<u>REMARKS</u>
BAKERY	SQUARE FOOT	0.00070	
BARBER SHOP	CHAIR	0.47	
BEAUTY SHOP	CHAIR	0.47	1
BOWLING ALLEY	LANE	0.62	2
CAR REPAIR	SQUARE FOOT	0.00016	
CARWASH, TUNNEL SELF SERVICE	LANE	6.25	
CARWASH, WAND TYPE SELF SERVICE	BAY	1.20	
CARWASH, TUNNEL WITH ATTENDANTS	LANE	30.93	
CHURCH:			
AUDITORIUM	SEAT	0.0031	
CLASSROOM	SEAT	0.0047	
CLUB/TAVERN/LOUNGE	SQUARE FOOT	0.031	
CONVENIENCE STORE	SQUARE FOOT	0.00022	
COUNTRY CLUB	MEMBER	0.39	
DAY CARE CENTER	OCCUPANT	0.031	
DORMITORY	BED	0.28	
FIRE STATION	EMPLOYEE	0.28	2
GAS STATION, FULL SERVICE	ISLAND	0.86	2
GAS STATION, SELF SERVICE	ISLAND	0.80	1
GROCERY STORE	SQUARE FOOT	0.00025	
HEALTH CLUB	MEMBER	0.016	
HOSPITAL	BED	0.62	3
HOTEL/MOTEL	ROOM	0.25	1
MANUFACTURING	SQUARE FOOT	0.00016	4

<u>TYPE OF DEVELOPMENT</u>	<u>SERVICE UNIT</u>	<u>UNIT/UNIT</u>	<u>REMARKS</u>
NURSING HOME	BED	0.28	
OFFICE BUILDING	SQUARE FOOT	0.00031	
PHOTO STORE, ONE HOUR PROCESSING	STORE	3.12	
POST OFFICE, EXCLUDING DOCK	SQUARE FOOT	0.00025	
RECREATIONAL VEHICLE PARK	SPACE	0.23	
RESIDENCE, APARTMENT	DWELLING UNIT	0.70	
RESIDENCE, CONDOMINIUM	DWELLING UNIT	0.70	
RESIDENCE, DUPLEX	DWELLING UNIT	1.00	
RESIDENCE, MOBIL HOME	DWELLING UNIT	0.70	
RESIDENCE, SINGLE FAMILY	DWELLING UNIT	1.00	5
RESIDENCE, TOWNHOUSE	DWELLING UNIT	1.00	
RESTAURANT:			
FULL SERVICE, GENERAL	SEAT	0.11	
FAST FOOD WITH SEATING	SEAT	0.047	
FAST FOOD WITHOUT SEATING	SQUARE FOOT	0.0023	
RETAIL STORE	SQUARE FOOT	0.00022	6
SCHOOL, HIGH	SEAT	0.047	6
SCHOOL, OTHER	SEAT	0.031	
SWIMMING POOL	SWIMMER	0.016	
THEATER, DRIVE-IN	SPACE	0.016	
THEATER, INDOOR	SEAT	0.016	
WAREHOUSE	SQUARE FOOT	0.0001	
WASHATERIA	MACHINE	0.90	

- REMARKS:
1. DOES NOT INCLUDE RESTAURANT.
  2. DOES NOT INCLUDE CARWASH.
  3. PATIENT CARE AREA, DOES NOT INCLUDE DESIGNATED OFFICE AREAS.
  4. AVERAGE VALUE, EACH DEVELOPMENT MUST BE INDIVIDUALLY EVALUATED.

5. BASIC SERVICE UNIT.
6. DOES NOT INCLUDE RESIDENT DORMITORY.
7. ALL DEVELOPMENTS NOT MATCHING ONE OF THE ABOVE WILL BE EVALUATED INDIVIDUALLY BASED ON DATA SUBMITTED BY THE DEVELOPERS.
8. MULTIPLE USE DEVELOPMENTS WILL BE THE ACCUMULATED TOTAL OF THE INDIVIDUAL USES.
9. 1.0 SERVICE UNIT EQUALS 320 GALLONS PER DAY LOADING.

TABLE 7

COMMERCIAL SERVICE UNITS  
10 YEAR PROJECTION

<u>TYPE OF DEVELOPMENT</u>	<u>NUMBER</u>	<u>UNIT</u>	<u>PROJECTED AVERAGE SIZE</u>	<u>SERVICE UNIT/UNIT</u>	<u>SERVICE UNITS</u>
BARBER SHOP	4	CHAIR	4	0.47	7.52
BEAUTY SHOP	6	CHAIR	4	0.47	11.28
CAR REPAIR	5	SQ FT	3000	0.00016	2.40
CARWASH, TUNNEL SELF SERVICE	2	LANE	1	6.25	12.50
CARWASH, WAND TYPE SELF SERVICE	3	BAY	6	1.20	21.60
CHURCH	4	SEAT	250	0.0078	7.80
CLUB	2	SEAT	50	0.031	3.10
CONVENIENCE STORE	12	SQ FT	3600	0.00022	9.50
DAY CARE CENTER	7	OCCUP	30	0.031	6.51
GAS STATION, FULL SERVICE	2	ISLAND	2	0.86	3.44
GAS STATION, SELF SERVICE	6	ISLAND	2	0.80	9.60
GROCERY STORE	2	SQ FT	40000	0.00025	20.00
HEALTH CLUB	2	MEMBER	200	0.016	6.40
HOTEL/MOTEL	1	ROOM	100	0.25	25.00
NURSING HOME	1	BED	100	0.28	28.00
OFFICE BUILDING	25	SQ FT	4000	0.00031	31.00
RESTAURANT, FULL SERVICE	2	SEAT	150	0.11	33.00
RESTAURANT, FAST FOOD W/SEATING	4	SEAT	150	0.047	28.20
RETAIL STORE	17	SQ FT	4000	0.00022	14.96
SCHOOL, HIGH	1	SEAT	2500	0.047	117.50
WASHETERIA	2	MACH	30	0.90	54.00
TOTAL	110				453.31

TABLE 8

IMPACT FEE CALCULATION EXAMPLES

EXAMPLE 1

Type	-	Single Family Residence	-	Single Family Residence
S.U. Factor	-	1 S.U. per Dwelling Unit	-	1 S.U. per Dwelling Unit
Sewer Impact Fee	-	1 S.U. x \$316 per S.U. = \$316	-	1 S.U. x \$1,202 per S.U. = \$1,202
Water Impact Fee	-	1 S.U. x \$292 per S.U. = \$292	-	1 S.U. x \$292 per S.U. = \$ 292
Total Impact Fee	-	\$316 + \$292 = \$608	-	\$1,202 + \$292 = \$1,494

EXAMPLE 2

EXAMPLE 3

Type	-	Fast Food Restaurant with 50 Seats	-
S.U. Factor	-	0.047 S.U. per Seat x 50 Seats = 2.35 S.U.	-
Sewer Impact Fee	-	2.35 S.U. x \$324 per S.U. = \$ 761.40	-
Water Impact Fee	-	2.35 S.U. x \$292 per S.U. = \$ 686.20	-
Total Impact Fee	-	\$761.40 + 686.20 = \$1,447.60	-

ROBERT E. TALTON

*Attorney at Law*

308 So. SHAVER  
PASADENA, TEXAS 77506  
PHONE (713) 475-9314

September 6, 1988

City of Pearland  
Attn: Ernie Buenrostro, Jr.  
Deputy Building Official  
P. O. Box 2068  
Pearland, Texas 77588-2068

Re: Carter/Bedford Property Split

Dear Ernie:

Pursuant to our conversation regarding the above matter, it is my opinion that pursuant to the Local Government Code, Chapter 212 regulating plat requirements and our City Ordinances under the definition of subdivision, it is my opinion that there needs to be a plat in this matter.

As you are aware, our subdivision Ordinance, Section 27-2 under definition of a subdivision sets out that "a subdivision is two or more parts of lots or sites for the purpose, whether immediate or future, of the sale or division of ownership". Furthermore, there is a procedure set out in order to grant a variance. Should the Planning and Zoning Committee grant a variance there must be a finding of the items listed in Section 27-3A3 under variances.

It is my understanding that there may be this request. Based upon the information that I have been furnished at this time, it is my opinion that a plat is required and that it will be up to the Planning and Zoning Commission to either grant or not grant a variance.

Sincerely yours,

  
Robert E. Talton

C35:16

cc: Ron Wicker



*Innovative Concepts In Business, Inc.*

August 30, 1988

Planning & Zoning  
City of Pearland  
3519 Liberty Drive  
Pearland, Texas 77588

Gentlemen:

My wife and I own the property in Pearland, Texas known by the street address of 2020 North Galveston Avenue with all improvements located thereon. We intend to purchase a small narrow track of vacant, unimproved property directly behind ours and currently owned by Kenneth & Carol Carter. An illustrative and not scaled map is enclosed for your convenience in ascertaining existing property owners in the area and their relationship to this proposed sale. As you may note, the property in question is identified as "Landlocked Sale Of Property" and shaded for recognition. This long narrow strip of land comprises approximately one (1) acre.

We certainly recognize that laws (ordinances) are promulgated for the health, benefit, and general welfare of all citizens and we attempt to abide by these rules of society. All laws must necessarily be interpreted within the spirit in which they were drawn, and an undue hardship on any individual would require an examination of the specific aspect of the law creating such hardship, and, fortunately the writers of these laws foresaw the need for exceptions (variances) which would exempt those hardships from being enforced.

It is our opinion that the sale of the above described property falls within this exception provision of your ordinance requiring surveying, platting, sub-dividing, and permits. The intended use of this acquisition shall be for two purposes, i.e.:

(1) Additional yard and garden space with a large outbuilding for storage of miscellaneous tools, equipment, and personal items.

(2) Prevention of the establishment of some type of commercial venture directly behind and abutting six (6) residential properties:

FINANCIAL CONSULTANTS

- a. Williams
- b. Desmond
- c. McFarland
- d. Partridge
- e. Bedford
- f. Nichols, Jr.

Because the Pearland Ordinance would require, if implemented, the surveying, platting, sub-dividing, and permitting of this small narrow piece of property, we are told that the cost of such surveying, platting, sub-dividing, and permitting would approximate 27% of the value of the land sale. This should and must be considered an undue hardship especially when combined with the fact that the property purchased is landlocked.

With all consideration we hereby apply for a 'variance' to the Planning & Zoning Board for the above described piece of property, and appreciate their delicate understanding of our particular situation.

Yours very truly,



Fine G. Bedford, Jr.

FGB/ea  
enclosure

WILLIAMS

DESMOND

M<sup>rs</sup> FARLAND

PARTRIDGE

BEDFORD

LANDLOCKED  
SALE OF PROPERTY

400' ±

135' ±

CARTER

NICHOLS, JR.

KNIGHT

NICHOLS, SR.

N. GALVESTON AVE.

ORANGE STREET