

MEMORANDUM

To: Developers Active in the City of Pearland

From: Richard Burdine, Division Director on Behalf of the
Pearland Planning and Zoning Commission 

Subject: Input From You on Water and Sewer Impact Fees

Date: January 21, 1994

In June of 1993, the Pearland City Council selected Walsh Engineering to assess water and sewer capital improvement needs and determine allowable impact fees in conformance with Senate Bill 336.

The draft engineering study is now under review by the Planning and Zoning Commission. Before the Commission makes its recommendations to the City Council, they would like to hear your comments, suggestions and criticisms.

Monday, January 31, 1994, at 7:00 p.m. in the City Council Chamber of City Hall has been set aside to give you a brief overview of the draft study and to hear from you.

Hope to see you there.

MINUTES OF A SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, JANUARY 31, 1994, AT 7:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

The meeting was called to order with the following present:

Chairman	Richard Tetens
Vice Chairman	Emil Beltz
Commissioner	Helen Beckman (arrived at 7:07 p.m.)
Commissioner	Pat Lopez
Commissioner	Jack Womack (left meeting at 8:45 p.m.)
Commissioner	Barbara Lenamon
Division Director - Planning, Public Works and Parks	Richard Burdine
City Engineer	John Hargrove
Secretary to the Commission	Wendy Standorf

Commissioner Robert Larsen was absent.

APPROVAL OF MINUTES

A motion to approve the minutes of the 1-17-94 meeting was made by Pat Lopez. Seconded by Barbara Lenamon.

Motion Passed 4 to 0. (Jack Womack abstained, Helen Beckman arrived 7:07 p.m.)

NEW BUSINESS

West Oaks Section 2-A. Staff recommended approval of the Final Plat West Oaks Section 2-A, with correction as specified by City Engineer.

Commissioner Barbara Lenamon made the motion, seconded by Commissioner Jack Womack to accept the final plat of West Oaks Section 2-A with the correction as requested by the City Engineer.

REQUESTED CORRECTIONS:

1. Change street light easement on Maple Lane from Lots 55 & 56 to Lots 54 & 55.

Motion Passed 6 to 0.

Recommendation to City Council on Ordinance No. 668. Staff recommends approval of Ordinance No. 668, an ordinance vacating, closing and abandoning a certain 20' Right-Of-Way easement, as recorded in Volume 1651, pages 90 through 94 of the deed records of Brazoria County, Texas.

The developer's intention is to re-route a portion of the sewer line in the proposed street right-of-way. Once this is done, the existing easement can be abandoned. Easements and rights-of-way platted as part of the subdivision will serve the same purpose. Until the sewer line is re-routed, the plat and abandonment will not be recorded.

During discussion regarding the item, the questions arose of whether the sewer line would be out of service at all during the construction process; and whether the new sewer line would carry the same amount of sewage? City Engineer Hargrove stated that there would be no interruption of service or reduction in line capacity.

Commissioner Helen Beckman made the motion, seconded by Vice Chairman Emil Beltz to recommend to the City Council to vacate, close and abandon a certain 20' Right-Of-Way easement, with the stipulation that the abandonment and plat not be recorded until the sewer line relocation is complete to City specifications.

Motion Passed 5 to 0 (Barbara Lenamon abstained).

Landscape Plan; 1215 N. Main. Al Coker, owner and Rusty Thomson, contractor with Thomson Enterprises, brought in an updated drawing of their proposal for the Commission's review. Richard Burdine stated that he and Mr. Thomson had met prior to the meeting. With the revisions they had discussed, the quantity of trees and shrubs were in compliance with the Land Use and Urban Development Ordinance, Landscape and Parking Requirements.

Vice Chairman Emil Beltz made the motion, seconded by Commissioner Pat Lopez to accept the landscape plan as proposed with revisions.

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OTHER BUSINESS

Discussion with Developers on Impact Fees. 24 Developers active in the Pearland area were invited to attend the Planning and Zoning meeting, for their input on Impact Fees. Representation included: Renee West of West Development; Helen Pasternak, Jan Pasternak & H. A. Reichel of Pasternak Interests; L. F. Bud Goza of Lingo Properties and Dan Rucker of Property Investors, Ltd. Our Consulting Engineers, Ron Bavarian and Tom Chmores of Walsh Engineering were also in

attendance.

Richard Burdine began with the State Law's definition of impact fees and a brief history of Pearland's Impact Fees. Impact Fees were first adopted in 1984 by ordinance and have not been collected since 1989. An Impact Fee Study was reviewed and updated in 1993.

Mr. Burdine further stated that Impact Fees are necessary for expansion of new water and sewer facilities in order to accommodate the growth Pearland is experiencing.

John Hargrove added that if we do not begin collecting the fees, and Pearland continues at the current growth rate, the EPA could step in and put a halt to all building until sewer plant over loads are corrected. The City of Pearland issued 494 single family building permits in 1993. Our sewer plants are exceeding maximum permit flow levels during rainy periods. We have located and corrected some inflow and infiltration problem areas, however, it is not enough to keep up with development.

Table 15 from the Engineer's Study was reviewed. Estimated combined water and sewer impact fees total \$1660.00. A uniform fee will be used throughout Pearland rather than 5 or 6 different fee schedules as some cities use. (See comparison study).

Discussion ensued with developers. Their main concerns and questions being:

The estimated \$1660.00 fee is too high for Pearland, it could "cripple" our current development trend;

Would current water and sewer tap fees (\$550.00) be included in the impact fee amount of \$1660.00? Staff responded that all but \$100-\$150 would be;

Impact Fees will discourage growth and will provide new home buyers with fewer affordable homes; lot price determines the price of the house;

When can Impact Fees change? Staff responded that fees must be reviewed at least every three years;

Can Impact Fees be based upon square footage of house? Staff responded, no;

When will Impact Fees be charged? Staff responded that all cities surveyed collected them at the time of building permit issuance;

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Commissioner Helen Beckman stated, "We are not discouraging development, we are making sure we are ready for it."

Richard Burdine suggested that if we cut back on Capital Improvement Projects, we could justify

lowering Impact Fees. He wanted to meet with Mr. Hargrove and the consulting engineers to review options.

Next Meeting Date: It was the consensus of the Commission to schedule another meeting on February 7, 1994 or February 21, 1994, to discuss Impact Fees and get staff's recommendations, and consider making a recommendation to the City Council.

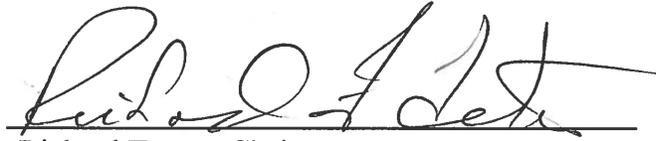
Director's Report:

Mr. Burdine reminded the Commission of the upcoming Joint Public Hearing scheduled for February 14, 1994.

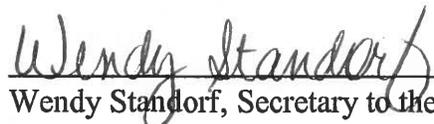
The meaning of the term "architectural metal" as used in Section 20.6. Building Facades, was discussed. Staff were requested to provide the Commission and the Zoning Board of Adjustment and Appeals a detailed definition, possibly with sample materials.

Adjourned: 9:50 p.m.

Minutes approved as submitted and/or corrected this 7th day of February
A.D., 1994.


Richard Tetens, Chairman

ATTEST:


Wendy Standorf, Secretary to the Commission

COMPARISON OF RESIDENTIAL DEVELOPMENTAL IMPACT FEES

	SEWER CONNECTION FEE	WATER CONNECTION FEE	SEWER IMPACT FEE	WATER IMPACT FEE	IMPACT FEE/CIP STUDY	NEW CONST. FEE	TOTAL FEES
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LEAGUE CITY	250.00	250.00	1100.00	640.00			2240.00
ALVIN	400.00	325.00					725.00
SUGARLAND	200.00	510.00				1300.00	2010.00
DEER PARK	275.00	305.00					580.00
LAPORTE	250.00	184.00					434.00
PASADENA	170.00 includes both taps						170.00
WEBSTER			500.00	850.00			1350.00
SEABROOK		450.00	475.65	607.50			1533.15
KEMAH						400.00	400.00

Comparison City's Impact Fees are collected at building permit issuance.

PLANNING & ZONING REGISTRATION, JANUARY 31, 1994

NAME	REPRESENTING	PHONE
Tom Chmores	Walsh Engineering	4852404
Ron Bavarian	Walsh Engineering	485-2404
Don Ruckw	Prof Investors Ltd.	333-5575
L.F. Bud Coza	506 + Lingo Properties	652-5064
Renee West	West Dev.	997-1500
Helen Pasternak	Pasternak Interest	667-8311
Jan Pasternak	+	266-1450
H.A. Reichel	"	668-0366

A WEST OAKS TV

9.8430 Acre tract of land and as recorded in Vol. 1223, County, Texas the H.T. & B. R.R. Survey.

40 Re

COUNTRY ROAD 926



TY AS SHOWN.

RECTED IN A
V THE
E FACILITY.
Y FOR

11. STREET LIGHT LOCATION NOTED BY: ✖

12. THE PROPOSED STORM DETENTION SYSTEM PLANS ARE AVAILABLE IN THE CITY OF PEARLAND CONSTRUCTION SET OF PLANS (SHEETS 5 & 6 OF 21) FOR WEST OAKS SECTION TWO SUBDIVISION.

ABBREVIATIONS:

- U.E. UTILITY EASEMENT.
- B.L. BUILDING LINE.
- P.R.M. PERMANENT REFERENCE MONUMENT.
- P.C.P. PERMANENT CONTROL POINT.
- D.B.S.I. DEDICATED BY SEPERATE INSTRUMENT.
- B.C.D.R. BRAZORIA COUNTY DEED RECORDS
- P.B.M. PERMANENT BENCH MARK.
- H.L. & P.E. HOUSTON LIGHTING & POWER EASEMENT.
- ST.S.E. STORM SEWER EASEMENT.
- W.L.E. WATER LINE EASEMENT.
- S.S.E. SANITARY SEWER EASEMENT.
- E.E. ELECTRICAL EASEMENT EXCLUSIVE H.L. & P.
- C.O.P.P.E. CITY OF PEARLAND PLANTING EASEMENT

BENCH MARK

WEST CORNER OF EXIST.
Y LOCATED APPROX. 120'
CIRCLE NORTH & ASPEN
(9 ADJUSTMENT)

DRAINAGE DISTRICT NO. 4
J.R. Nail - Chairman
Tom Reid - Secretary

Approved for the city of

Dick Gregg, Jr. - City At

ORDINANCE NO. 668

AN ORDINANCE VACATING, CLOSING AND ABANDONING A CERTAIN 20' RIGHT-OF-WAY EASEMENT, AS RECORDED IN VOLUME 1651, PAGES 90 THROUGH 94 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS.

WHEREAS, the City Council has received the request of DANIEL RUCKER for abandonment of a certain right-of-way easement, specifically described at Exhibit "A"; now, therefore,
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section 1. The City Council finds and determines that public convenience and necessity does not require the retention of that certain right-of-way easement which is particularly described at Exhibit "A", annexed hereto and incorporated herein for all purposes.

Section 2. That this certain right-of-way easement fully described at Exhibit "A", is hereby VACATED, CLOSED and ABANDONED by the City of Pearland, Texas.

Section 3. That the Mayor is hereby authorized to execute, and the City Secretary to attest, all documents necessary to give effect to this Ordinance.

Section 4. A certified copy of this Ordinance recorded in the official records of Brazoria County, Texas, shall constitute notice of this action of the City Council.

PASSED and APPROVED on First Reading this the _____ day of _____, A. D., 1994.

C. V. COPPINGER
MAYOR

ATTEST:

PAT JONES
CITY SECRETARY

EXHIBIT "A"

FIELD NOTES ON A TWENTY FOOT (20') RIGHT-OF-WAY EASEMENT, BEING OUT OF THE PERRY & AUSTIN LEAGUE, ABSTRACT 111, AND BEING A PORTION OF THE HOIDALE SUBDIVISION, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point in the southwest right-of-way of Paul Drive, as platted in the Longwood Park Subdivision, said point being sixty feet (60') S. 45° 00' 00" W. and 2.18 feet N. 45° 00' 00" W. from a one inch (1") iron pipe found for the most westerly corner of Lot One (1), Block Sixteen (16), of Longwood Park Subdivision;

THENCE S. 45° 00' 00" W. a distance of 1261.48 feet to an angle point;

THENCE S. 45° 00' 00" E. a distance of 132.00 feet to an angle point;

THENCE S. 45° 00' 00" W. a distance of 53.5 feet to the most southerly corner of this easement being described;

THENCE N. 45° 00' 00" W. a distance of 20.0 feet to a point;

THENCE N. 45° 00' 00" E. a distance of 33.5 feet to an interior angle point;

THENCE N. 45° 00' 00" W. a distance of 132.00 feet to an angle point;

THENCE N. 45° 00' 00" E. a distance of 1281.48 feet to a point in the southwest right-of-way line of the aforementioned Paul Drive;

THENCE S. 45° 00' 00" E. along the southwest right-of-way line of Paul Drive a distance of 20.00 feet to the PLACE OF BEGINNING.

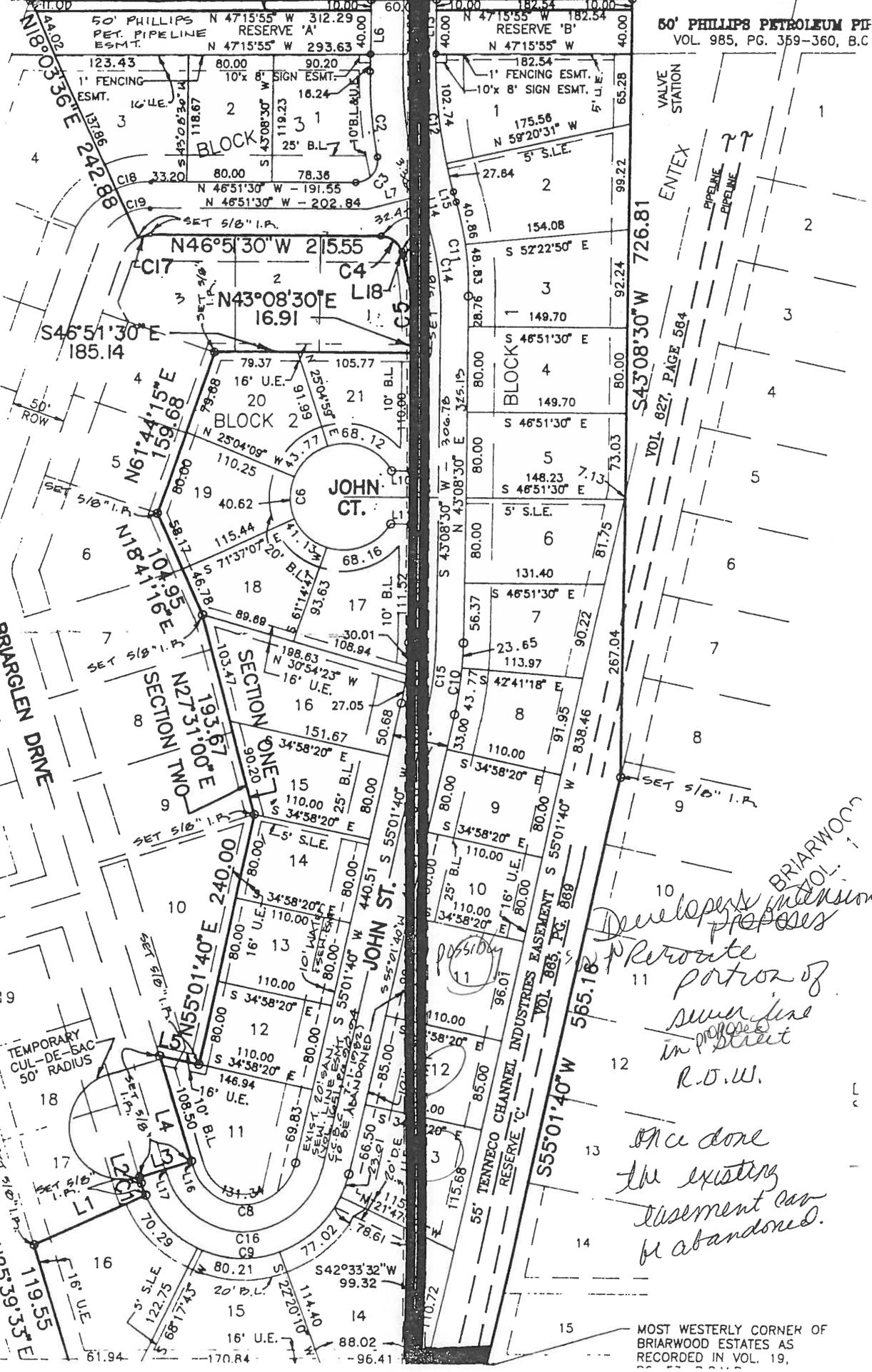
PROP. 10' R.O.W.
DEDICATED

MELODY LANE (60' R.O.W.)

S4715'55"E 559.50

FLO. 5/8" I.P.

72 FND. 3/4" P.T.P.



50' PHILLIPS PETROLEUM PIPE
VOL. 985, PG. 359-360, B.C

VALVE
STATION

ENTEX
PIPELINE

PIPELINE
PIPELINE

Developers intention
proposes
reroute
portion of
sewer line
in proposed
R.O.W.

Once done
the existing
easement can
be abandoned.

MOST WESTERLY CORNER OF
BRIARWOOD ESTATES AS
RECORDED IN VOL. 19,

~~SR~~ easements that
Platted easement
Platted easement
WUI provide R.O.W.
SID

Until its installed - purpose
free up this part, sewer lines
file for recording & sewer lines
will not

What route
↓



City of Pearland

3519 Liberty Drive • Pearland, Texas 77581-5416
(713) 485-2411 • Fax (713) 485-8764

February 2, 1994

Honorable Mayor and Council Members
City Hall
Pearland, Texas 77581

Re: RECOMMENDATION TO THE CITY COUNCIL ON ORDINANCE NO. 668, AN ORDINANCE VACATING, CLOSING AND ABANDONING A CERTAIN 20' RIGHT-OF-WAY EASEMENT, AS RECORDED IN VOLUME 1651, PAGES 90 THROUGH 94 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS.

Honorable Mayor and Council Members:

The Planning and Zoning Commission, in a special meeting held on January 31, 1994, considered the above mentioned recommendation to the City Council.

Commissioner Helen Beckman made the motion, seconded by Vice Chairman Emil Beltz, to give City Council the Commission's recommendation to vacate, close and abandon a certain 20' Right-Of-Way easement, with the stipulation that the abandonment and plat not be recorded until the sewer line relocation is complete to City specifications.

This is submitted for your consideration.

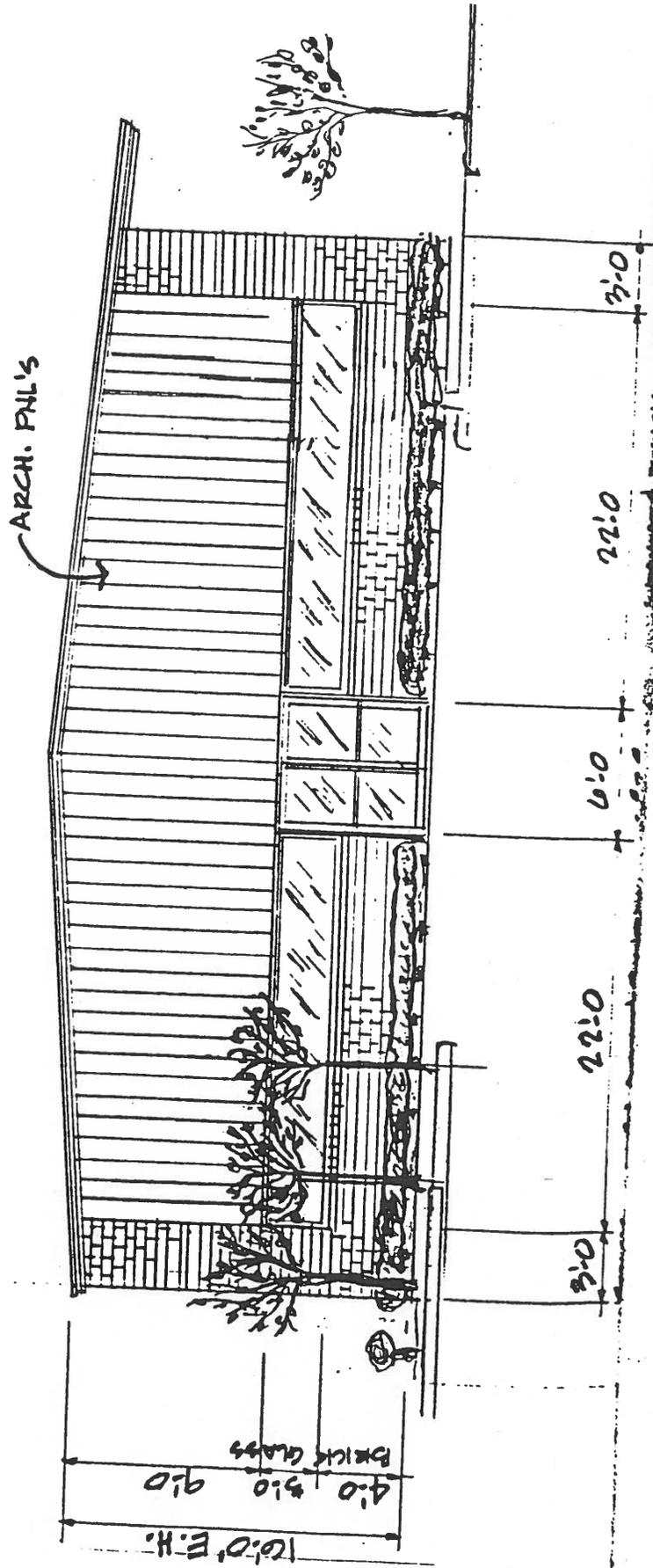
Sincerely yours,

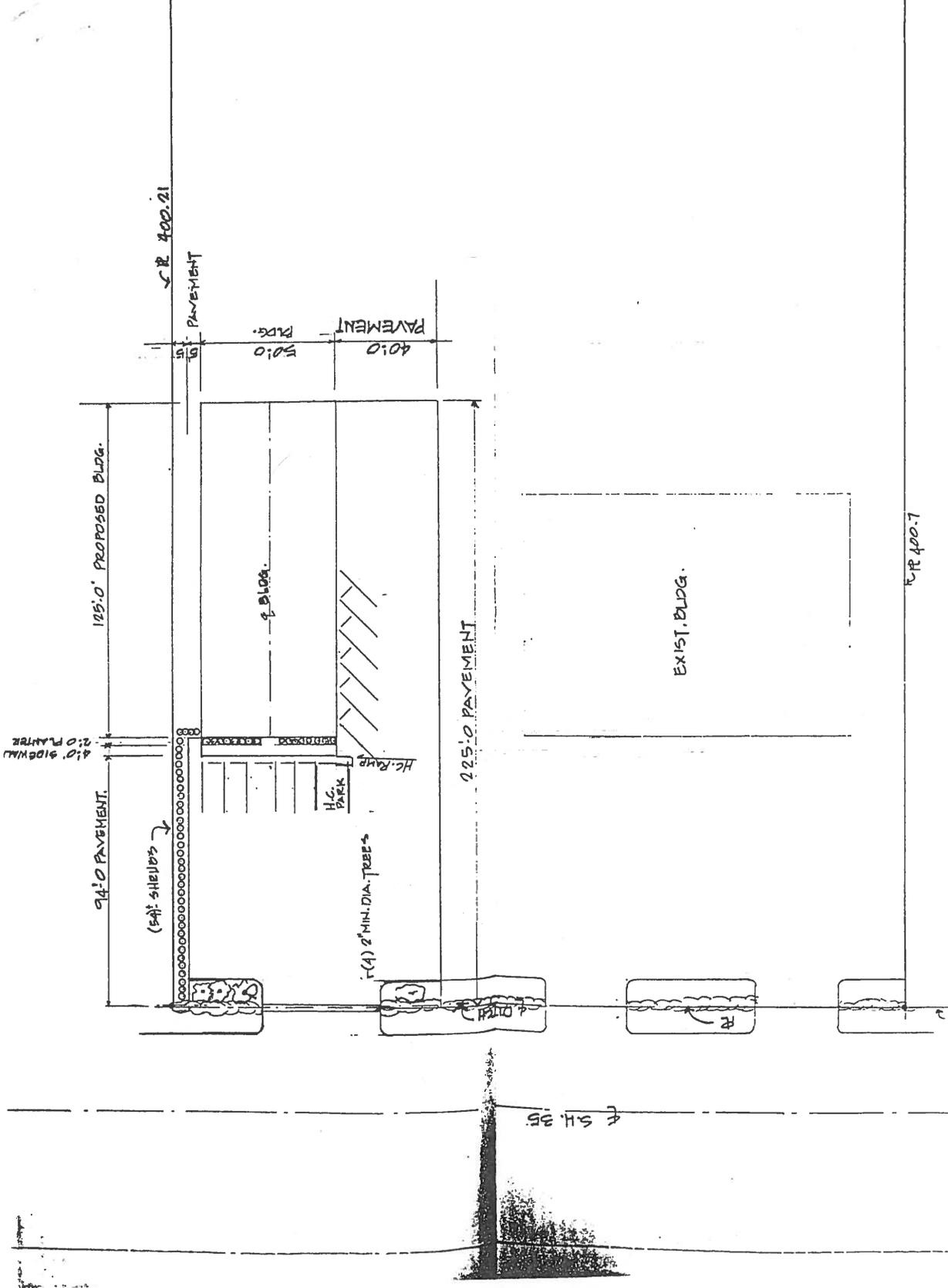
Richard Tetens

Richard Tetens, Chairman
Planning & Zoning Commission

RT/wks

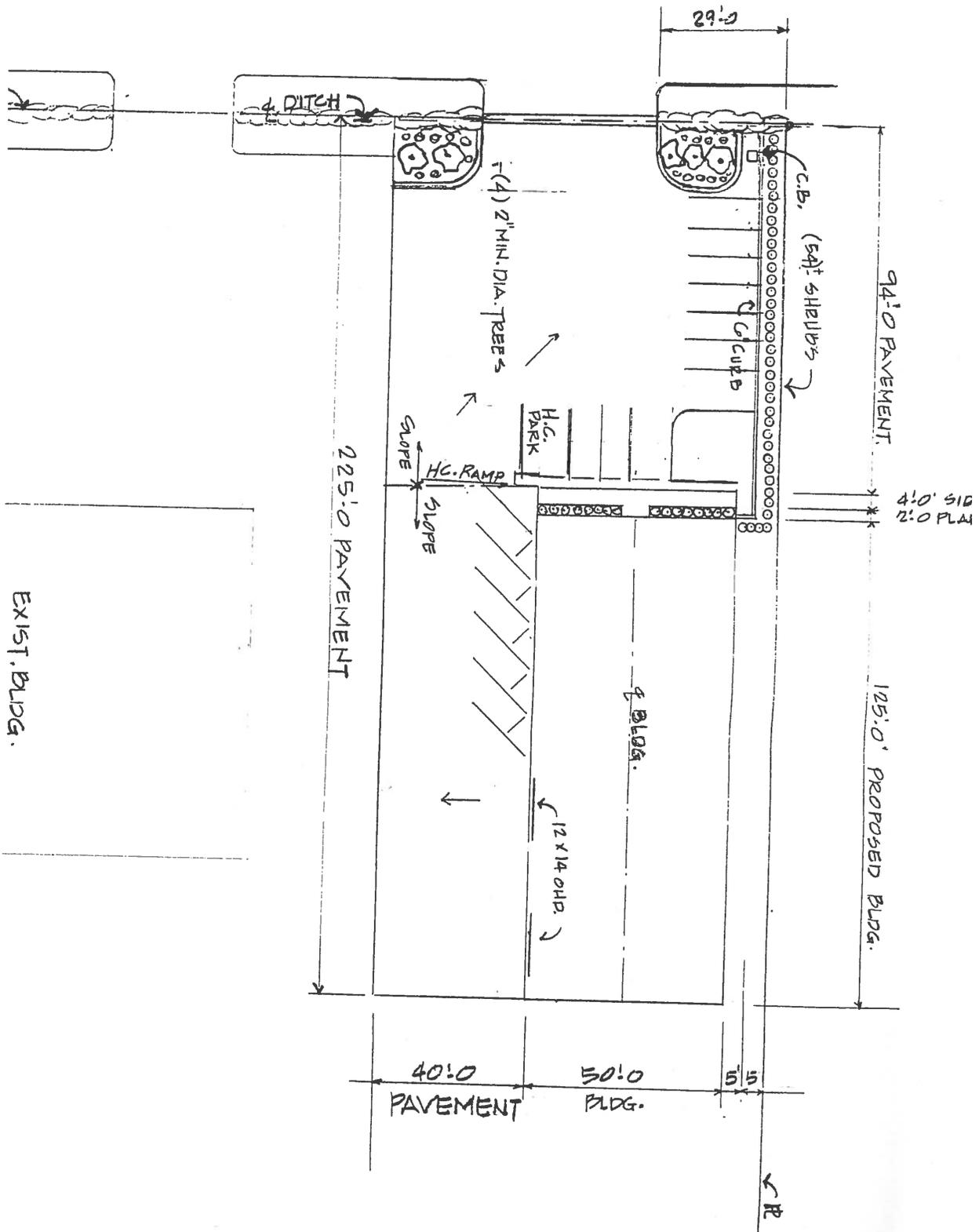
LANDSCAPE PLAN 1215 N. MAIN





Revision - given to commissioners
at 1-31-94 meeting

§ S.H. 35



AGENDA - SPECIAL MEETING OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD MONDAY, JANUARY 31, 1994, AT 7:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

- I. CALL TO ORDER**
- II. APPROVAL OF MINUTES:** Minutes of January 17, 1994
- III. NEW BUSINESS**
 - A. CONSIDERATION AND POSSIBLE ACTION -** Final Plat West Oaks Section 2-A, 9.8430 acre tract of land out of a 67.88 acre tract of land as recorded in Vol. 1223, Page 730, Brazoria County Deed Records in the H.T. & B. R.R. Survey, A-241, Pearland, Brazoria County, Texas, 40 residential lots - 2 blocks.
 - B. CONSIDERATION AND POSSIBLE ACTION -** Recommendation to the City Council on Ordinance No. 668, an ordinance vacating, closing and abandoning a certain 20' Right-Of-Way easement, as recorded in Volume 1651, pages 90 through 94 of the deed records of Brazoria County, Texas.
 - C. CONSIDERATION AND POSSIBLE ACTION -** Landscape Plan for 1215 N. Main, Al Coker, Owner.
- IV. OTHER BUSINESS**
 - A. Discussion with area Developers of Water and Sanitary Sewerage Impact Fees.**
- V. DIRECTOR'S REPORT**
- VI. ADJOURNMENT**

Posted: 28th Day of January, A.D., 1994 2:50 P.M.
Removed: 1st Day of February, A.D., 1994 8:05 ~~P.M.~~ A.M.

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Commissioner Robert Larsen was absent.

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Motion Passed 4 to 0. (Jack Womack abstained, Helen Beckman arrived 7:07 p.m.)

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Commissioner Barbara Lenamon made the motion, seconded by Commissioner Jack Womack to accept the final plat of West Oaks Section 2-A with the correction as requested by the City Engineer.

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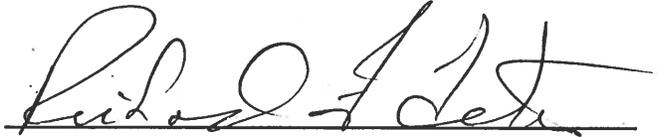
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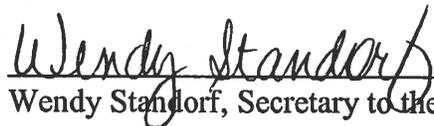
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Adjourned: 9:50 p.m.

Minutes approved as submitted and/or corrected this 7th day of February A.D., 1994.


Richard Tetens, Chairman

ATTEST:


Wendy Standorf, Secretary to the Commission



City of Pearland

3519 Liberty Drive • Pearland, Texas 77581-5416
(713) 485-2411 • Fax (713) 485-8764

February 4, 1994

TO: Planning & Zoning Commission Members

FROM: Richard Burdine, Division Director
Planning, Public Works & Parks 

RE: Revised Table 15 Impact Fee Calculations

Attached is the revised Table 15 Impact Fee Calculations. We have delayed several projects and the existing capacity charges. These changes will bring fees down to a level workable for area developers.

COMPARISON OF RESIDENTIAL DEVELOPMENTAL IMPACT FEES

	SEWER CONNECTION FEE	WATER CONNECTION FEE	SEWER IMPACT FEE	WATER IMPACT FEE	IMPACT FEE/CIP STUDY	NEW CONST. FEE	TOTAL FEES
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KEMAH						400.00	400.00

Comparison City's Impact Fees are collected at building permit issuance.

TABLE 15
IMPACT FEE CALCULATION

Project	Cost			Impact Fee Eligible Cost	Proposed Impact Fee Cost	Impact Fee
	Year					
	Pre-1993	1993-2003	2003-2013			
Water Improvements						
Existing Waterline w/Excess Capacity	\$999,243			\$480,338		
Existing Elevated Storage w/Excess Capacity	\$807,203			\$194,384		
Yost Blvd.		\$10,585				
Riverwalk Subdivision		4,750		4,750		
County Rd. 131		57,370		57,370	57,370	
High School Waterline		286,240		286,240		
Harkey Rd. Waterline		148,130		148,130	148,130	
O'Day Rd/Hatfield Rd. Waterline		90,830		90,830	90,830	
Hickory Slough Well		597,200		443,300	443,300	
Alice Street Tie-in		70,815		70,815	70,815	
Mary's Creek Booster Pump		25,000				
Old City Hall Booster Pump		25,000				
Auxiliary Power		25,000		25,000	25,000	
Second Well ¹		494,300				
Third Well			494,300			
Fourth Well			494,300			
Subtotal				\$1,801,157	\$835,445	231
Sanitary Sewerage Improvements						
Existing WWTP's w/Excess Capacity	\$3,766,000			\$1,507,906		
Hughes Road/Clear Creek Parkway		\$1,886,180		382,751	382,751	
Old Alvin/John Lizer Rd.		379,150		379,150	379,150	
Shadycrest Lift Station Modification		133,800		133,800	133,800	
Dixie Farm Road ¹		1,341,535				
Scott Street		494,520	1,556,600	494,520	494,520	
Magnolia Road			1,497,790			
Longwood WWTP Expansion		5,142,500				
Barry Rose WWTP Expansion			6,599,300			
WWTP Expansion ²				<u>1,693,495</u>	<u>1,693,495</u>	
Subtotal				\$4,591,622	3,083,716	854
Administration		\$45,000		\$45,000	45,000	\$ <u>12</u>
Total						\$1,097 (based on 3,612 s.u.)

¹ After 1998

² Based on average cost per gallon to treat sewerage from the Longwood Plant Expansion and the Barry Rose Plant Expansion. It has not been determined at this time which plant will be expanded first. However, one of the plants will require expansion to meet the 2003 demand.



City of Pearland

3519 Liberty Drive • Pearland, Texas 77581-5416
(713) 485-2411 • Fax (713) 485-8764

February 8, 1994

Honorable Mayor and Council Members
City Hall
Pearland, Texas 77581

Re: RECOMMENDATION TO THE CITY COUNCIL ON ADOPTION OF IMPACT FEES
AS SHOWN ON TABLE 15 - IMPACT FEE CALCULATION (REVISED).

Honorable Mayor and Council Members:

In a Special Meeting, Monday, February 7, 1994, the Planning and Zoning Commission completed their review of the "Water and Sanitary Sewerage Impact Fee Study 1993 Update", and unanimously recommend the Land Use Assumptions and Capital Improvements Plan contained therein to the City Council. The Commission also recommended adoption of Impact Fees as shown on Table 15 - Impact Fee Calculation (Revised).

Commissioner Barbara Lenamon made the motion, seconded by Commissioner Robert Larsen, to give City Council the Commission's recommendation to adopt the Land Use Assumptions and Capital Improvements Plan Projects and set Impact Fees of \$1097, with time of collection being at building permit issuance. Lots which are subject to impact fees will pay the impact fee, a \$100-\$150 meter-set fee and no \$550 water and sewer tap fees. During the first year, those lots not subject to impact fees will pay the \$550 water and sewer tap fees. The Commission's recommendation is shown on Table 15 - Impact Fee Calculation (Revised).

A copy of the Minutes of a Special Meeting held January 31, 1994 are attached. 24 developers active in the Pearland area were invited to provide input to the Commission.

This is submitted for your consideration.

Sincerely yours,

Richard Tetens
(ws)

Richard Tetens, Chairman
Planning & Zoning Commission

RT/wks



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AGENDA ITEM

To: Mayor and City Council

Through: Paul Grohman, City Manager

From: Richard Burdine, Division Director *AB*

Subject: Consideration and Possible Action - Review of Proposed Schedule for Utility Impact Fee Adoption and Establishment of Public Hearing and Workshop Dates

Date: February 8, 1994

On Monday, February 7, 1994, the Planning and Zoning Commission completed their review of the "Water and Sanitary Sewerage Impact Fee Study 1993 Update", and recommended the Land Use Assumptions and Capital Improvements Plan contained therein to the City Council. The Commission also recommended adoption of Impact Fees as shown on Table 15 - Impact Fee Calculation (Revised). You will be provided a copy at the City Council meeting.

Public Hearing Date - The next step is for the City Council to adopt a minute order setting a public hearing to discuss and review the update. A one-quarter page public hearing notice must be published once a week for three weeks, with the first notice published at least 30 days beforehand.

Assuming a first publication date of Friday, February 18, the earliest regular meeting at which the Council could hold the public hearing is March 28.

After the public hearing, the City Council has 30 days to take action on a Resolution approving the land use assumptions, capital improvements plan and impact fees. April 11 is the next regular Council meeting date.

Workshop Date - I request that City Council set the date for a 6:00 p.m. Workshop to review land use assumptions, the water and sewer capital improvements plan and proposed impact fees. This Workshop could also include discussion of other capital improvements for a possible bond sale. February 28 and March 14 are the regular meeting dates before the March 28 public hearing.

Action: