



AGENDA MEMORANDUM

First Reading for the City Council Meeting of September 20, 2022
Second Reading for the City Council Meeting of October 11, 2022

DATE: September 20, 2022

TO: Peter Zanoni, City Manager

FROM: Albert J Raymond III, Director of Development Services
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Authorizing a Wastewater Line License Agreement with NVA Doddrige Veterinary Management Inc. for installation of a wastewater force main from an on-site lift station to a city wastewater manhole

CAPTION:

Ordinance authorizing a Wastewater Line License Agreement with NVA Doddrige Veterinary Management, Inc, (“Licensee”) to install a private wastewater force main system through City property and easements for development of proposed Veterinary Clinic.

SUMMARY:

NVA Doddrige Veterinary Management Inc., (“Permittee”) has a property located on Gollihar Rd. and Carmel Parkway. The Permittee is requesting access for a private wastewater force main through public utility easement for the development of a proposed Veterinary Clinic. This agreement is for a term of one (1) year from the date executed by the City. At the end of the initial term, this Agreement renews automatically unless the Licensee or the City provides written notice to revoke the Agreement.

BACKGROUND AND FINDINGS:

NVA Doddrige Veterinary Management Inc, (“Licensee”) is proposing to build a Veterinary Clinic located at 4452 Gollihar Rd. NVA Doddrige Veterinary Management Inc, intends to install through boring, a connection to a private on-site lift station installing 425 linear feet of 2” pvc for a wastewater line that will extend from Tract “A” to Tract “C” to a City wastewater manhole. The Easement encroachment path begins at the Owner’s property where the developer will install approximately 50.12 linear feet of wastewater line that will pass through a public access road/public utility easement, approximately 219.14 linear feet will pass through Anita and WT Neyland Public Library parking lot, approximately 60 linear feet will pass through a drainage easement and approximately 5.0 linear feet will pass through an AEP Easement, and an existing 15” Utility Easement where it will connect to an existing wastewater manhole.

The proposed encroachment is necessary because there is not a connection reasonably accessible to the site. Reasonably accessible is defined in the UDC 8.2.7.B.1.d. as “collection lines of adequate capacity to service the proposed development are within 1000 feet of the subdivision”. The nearest Wastewater Manhole on Gollihar Road is 458 feet and is not of sufficient depth (4.3 feet). The closest wastewater connection of sufficient depth (20.25 ft.) is a manhole 2100 feet from the property located on Staples St.

All city utilities were contacted and there is no objection to the proposal.

ALTERNATIVES:

Deny the request of a Wastewater Line License Agreement. Denial of the request would render the project unfeasible financially. Additionally, Gollihar Rd was recently reconstructed, and the installation could impact utilities within the roads right of way and easements.

FINANCIAL IMPACT:

No financial impact

RECOMMENDATION:

Staff recommends approval and adoption of the ordinance. Owners must comply with all the following specified conditions of the ordinance:

- a. In exchange for the City’s authorization for use of the public easements by the Licensee for the stated purpose, the Licensee agrees to provide the City with a one-time Use Privilege Agreement fee of \$4,182.00.
- b. The Licensee’s use of the wastewater main is strictly limited to serving the Licensee’s NVA Doddridge Veterinary Management, Inc. vet clinic. Licensee may not provide wastewater service through the wastewater main to any facilities other than the facilities specified in this section, nor may Licensee permit or allow anyone else to provide wastewater service or any other service through the two-inch wastewater main to any facility whether owned by the Licensee or by another person or entity.
- c. All costs incurred to install, operate, maintain, repair, and remove the wastewater sewer main are the sole responsibility of the Licensee.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Use Privilege Agreement with exhibits
Presentation