



AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of February 11, 2014
Second Reading Ordinance for the City Council Meeting of February 25, 2014

DATE: January 8, 2014

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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**Wastewater Lot/Acreage Fee Exemption
by J. Schwarz & Associates, representative, for developer
of Wildcat Industrial Park**

CAPTION:

Ordinance exempting Wildcat Industrial Park, a subdivision located south of Leopard Street and west of Southern Minerals Road, from payment of the wastewater lot/acreage fees pursuant to Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

PURPOSE:

The purpose of this item is to exempt the proposed subdivision from the required wastewater lot/acreage fees because public wastewater facilities will not be available within the next 15 years.

RECOMMENDATION:

Planning Commission and Staff Recommendation (December 18, 2013): Approval of the wastewater lot/acreage fee exemption for Wildcat Industrial Park subject to a Sanitary Sewer Connection Agreement.

BACKGROUND AND FINDINGS:

On behalf of the Wildcat Industrial Park, J. Schwarz & Associates is requesting the City to waive the wastewater lot/acreage fees for Wildcat Industrial Subdivision by providing an exemption for this area. The proposed subdivision is within the Greenwood Wastewater Treatment Service Area. The nearest wastewater line is approximately 600 feet west of the subject property along Southern Minerals Road. The existing manhole at the southeast corner of Leopard Street and Southern Minerals Road has a depth of

10.6 feet. In order to serve the southwestern part of the subject property, the existing manhole at the corner of Southern Minerals Road and Leopard Street would have to have a minimum depth of approximately 16.5 feet. In order to connect to a manhole with at least 16.5 feet, the nearest manhole would be at the lift station located approximately 2,700 feet (0.5 mile) east of Southern Minerals Road. The further east the wastewater line is extended, the deeper the manhole will be required.

The other option to extending a wastewater line to the existing lift station is to construct a new lift station on the subject property. This option will require the property owner to carry the entire cost of the lift station because the Greenwood Master Plan does not indicate a lift station in this area. It is Staff's opinion that wastewater facilities will not be available within the next 15 years.

Section 8.5.2.G.1. of the Unified Development Code (UDC) outlines the exemption of payment of wastewater lot or acreage fees if the land for which the fees are required lies within an area exempted by City Council for the payment of such fees. Exempted areas are determined by City Council, and generally are those areas not likely to be served by City wastewater services within the next fifteen (15) years.

This section also provides that owners of property for which an acreage fee has been paid may receive a refund if, after 10 years, but not more than 20 years from the date of the filing of the plat, the owners of 50 percent of the property petition City Council for a hearing to determine whether the fees should be refunded. A refund may be made if City Council finds that, among other things, the property is not likely to receive services within another 5 years.

ALTERNATIVES:

1. Deny requested exemption and require payment of wastewater lot/acreage fees.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The requested exemption is consistent with the UDC.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning Commission

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2013-2014	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

Location Map
 Ordinance
 Sanitary Sewer Connection Agreement