

City of Independence

Comprehensive Plan Amendment Request for 4704 Lake Sarah Drive South

To: City Council
From: Mark Kaltsas, City Planner
Meeting Date: January 12, 2016
Owner/Applicant: William and Lona Scandrett
Location: 4704 Lake Sarah Drive South

Request:

William & Lona Scandrett (Applicants/Owners) request that the City consider the following action for the property located at 4704 Lake Sarah Drive South, Independence, MN (PID No. 02-118-24-22-0025):

- a. A comprehensive plan amendment to allow the subject property to be included in the sewer service area of the City and to allow the connection to City sewer.

Property/Site Information:

The property is located on the east side of Lake Sarah Drive South and just east of Stephanie Way. The property is comprised of a wetland, open space and steep slope to Lake Sarah. The property is undeveloped.

Property Information: 4704 Lake Sarah Drive South

Zoning: *Rural Residential (Shoreland Overlay)*

Comprehensive Plan: *Rural Residential*

Acreage: *3.2 acres*



Discussion:

The applicant recently acquired this property for the purpose of constructing a single family home. The applicant had the property studied to determine suitable locations for a primary and secondary on-site septic system. The study found that there is only a primary on-site septic location due to the existing wetland, soil types and proximity of the well on the adjacent property to the east. This property was platted prior to 1995 and therefore falls into a category of the state septic statute that would allow it to develop with only one on-site location. Due to its proximity to the lake and the long term ramifications of having only one on-site septic location, it is prudent to consider allowing the comprehensive plan amendment.

The City has a public sewer line that services the property directly to the east. It is possible for this property to connect to the City's sewer line by tying into the public manhole on the adjacent property. There are two potential ways for the applicant to connect to the City's sewer line:

-  1. Option 1 - Obtain a private sewer easement from the adjacent property owner.
-  2. Run a private sewer line within the City's right of way to the point on Lake Sarah Drive South where the sewer line intersects the City's right of way.



In order for the City to consider the sewer connection, the Comprehensive Plan would need to be amended to include the subject property within the Metropolitan Council approved sewer service area.

Comprehensive Plan

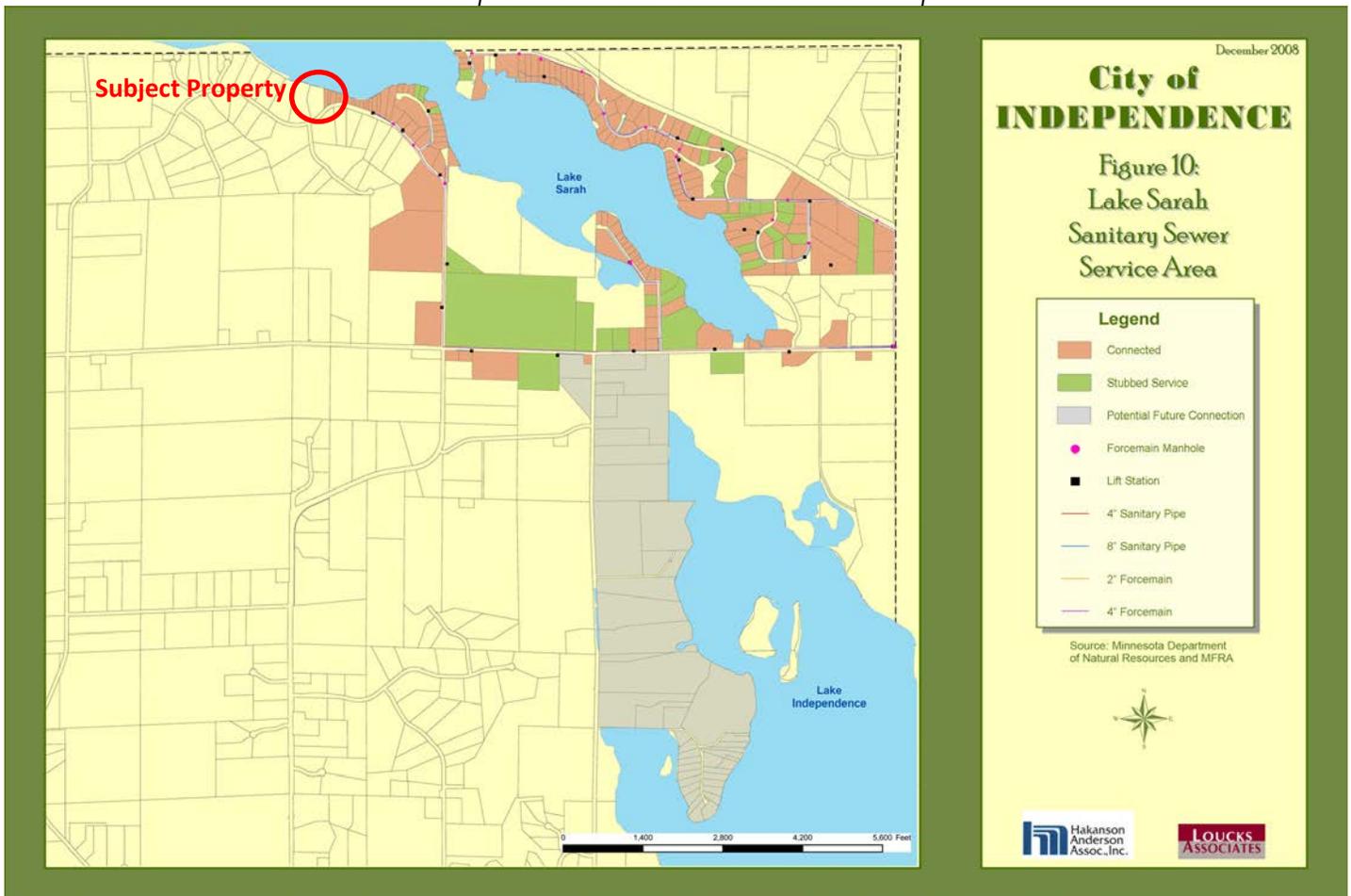
The process for amending the Comprehensive Plan of the City is as follows:

1. Applicant submits request to the City.
2. City reviews the request and prepares a report for consideration by the Planning Commission.
3. Planning Commission makes a recommendation to the City Council.
4. City Council makes a determination to approve or deny the request.
5. If approved, (subject to Metropolitan Council Approval) City will make application to the Metropolitan Council.
6. Metropolitan Council reviews the Comprehensive Plan Amendment and acts on the request.

The amendment would propose to include this lot within the sewer service boundary of the City. The City's current sewer service area map shows the sewer service properties in this portion of the City (see map below).

The properties located just east of the subject property are included in the sewer service area. The City would need to determine if this property should be sewer. Any property incorporated into the sewer service area would need to maintain the City's minimum density as stipulated by the Metropolitan Council (3 units per net acre). Staff has prepared the calculations necessary to determine if this property could be incorporated into the sewer service area. The metropolitan council has reviewed this information and preliminarily determined that this property could be brought into the sewer service area. The City has several "floating" sewer connections that are not officially allocated to a specific property. The City has an established fee for connecting to the City's sewer that would be charged to this property. Based on the calculations for the City's overall net density, it is unlikely that additional properties (beyond this property) could be added to the sewer service area without an additional comprehensive plan revision.

Comprehensive Plan – Sewered Services Map



Planning Commission Discussion:

The Planning Commission reviewed the request and asked questions of staff. Commissioners clarified how the connection could occur and whether or not there neighboring property would be brought into the discussion. It was noted that the acquisition of a private easement to connect across the neighboring property owner's property would be the sole responsibility of the applicant. Commissioner wanted to include a condition that would memorialize the requirement that the applicant be required to pay requisite connections fees.

Neighbor Comments:

The neighboring property owner spoke at the public hearing and wanted to understand if the City was going to be involved with acquisition of the easement. The City has spoken to the adjacent property owner about the possibility of allowing a private easement.

Recommendation:

The Planning Commission recommended approval for the request for a Comprehensive Plan Amendment with the following findings and conditions:

1. The proposed Comprehensive Plan Amendment meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. City Council approval of the Comprehensive Plan Amendment is subject to the following:
 - a. The Applicant shall obtain the necessary sewer easement from the adjacent property owner; or
 - b. The Applicant shall provide the City with plans for making a connection utilizing the City's right of way. This option may require additional agreements and or financial securities.
3. The applicant shall pay the established and requisite sewer connection charges and fees.

Attachments:

1. Property Pictures

View Looking East



View Looking West

