



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: December 4, 2023

Re: 3804 Steinbrooke Terrace – Easement Vacation (Case # 151-2023)

## Executive Summary

Approval of this request will vacate a 1,093 square feet portion of an existing 16-foot wide public sanitary sewer easement that extends through Lot 327 of Wyndham Ridge, Plat 3. The vacation area has been encroached upon by the construction of a swimming pool. The easement contains an active sewer line serving properties to the east and west within the Wyndham Ridge subdivision. As a result of the encroachment, approximately 70-feet of existing sewer line was required to be relocated into a new easement that by-passed the swimming pool. The relocated sewer line has been installed and is presently in service.

## Discussion

Brush and Associates, Inc. (agent), on behalf of Matthew and Ambria Bade (owners), seek approval to vacate a 67.57-foot by 16-foot (1,093 sq.ft.) portion of an existing public sanitary sewer easement that crosses Lot 327 of Wyndham Ridge, Plat 3 which is addressed as 3804 Steinbrooke Terrace. The requested vacation is the result of the construction of a swimming pool on top of the existing easement.

Upon identification of the encroachment, the applicant proceeded to obtain construction plan approval to relocate the impacted sewer line. The applicant has completed installation of the relocated sewer line and the City's Utilities Department has accepted the construction and placed the new line into service. The relocated easement in which the line is presently located was received by separate document.

Given the new sewer line and easement are compliant with the city's requirements the former line and easement are not needed. The former sewer line located below the pool will remain in place; however, is fully disconnected from the city's sewer collection system. Vacation of the easement will ensue the pool is compliant with city regulations which state structures are not permitted within easements dedicated for public use.

The requested vacation has been reviewed by both internal and external staff, is compliant with the requirements of the UDC as well as other regulatory standards, and is supported by staff. The relocation of the easement and sewer line ensures unimpeded sanitary service to the subject lot as well as others within the Wyndham Ridge subdivision.

Locator maps, vacation legal description, and vacation graphic are attached for review.



## Fiscal Impact

Short-Term Impact: N/A. All utility relocation costs were borne by applicant.

Long-Term Impact: Minimal added maintenance costs given additional sewer line length. Such costs may or may not be off-set by property tax collection or user fees.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Primary, Secondary Impact: Secondary, Tertiary Impact: Tertiary

### Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Tertiary

## Legislative History

Date	Action
5/5/14	Approved final plat Wyndham Ridge Plat 3 (Ord. 022048)

## Suggested Council Action

Approve the requested vacation of 1,093 sq. ft. of redundant sanitary sewer easement crossing Lot 327 of Wyndham Ridge, Plat 3.