CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: November 18, 2024

ITEM:

4500 Park Dr – Lot 1 in Westernwoods - Request to Defer Sewer Connection Requirement

FINANCIAL IMPACT: None at this time.

BACKGROUND:

The property located at 4500 Park Drive was originally developed as part of Westernwoods in 1975. At that time, the subdivision was located outside the corporate limits and public sewer was not available. The existing septic system is failing, and City Code 7-8A-3 requires connection to the public sewer system if the property is located within four hundred feet (400') of a public sewer main. The owner has requested to defer the connection requirement and permit the repairs or the replacement of the existing septic system.

Public sanitary sewer is available approximately 100 feet from the property line. Public sanitary sewer main would be required to be extended east through the neighboring parcel, 4604 Park Drive, and a manhole installed on the property connecting. The main would need to be designed by a licensed engineer to City standards and reviewed by City staff. Costs for the survey, design, and construction of the public main and appurtenances would be incurred by the property owner.

Due to the depth, location on the neighboring property, and the associated costs with installing public main, the recommendation from City staff is to defer the requirement of City Code 7- 8A-3 until such time the septic again fails and sanitary sewer is extended to the property and permit the repairs or the replacement of the existing septic system. Establishing a new fee district for the Westernwoods area in the future would resolve sewer connection issues. This future fee district sewer would likely be constructed on the east side of 4500 Park Dr, along S 45th Ct., due to the topography and gravity sewer flowing to the east. Therefore, the main extension within the rear easement through 4604 Park Dr. would be obsolete after completion of the future fee district sewer.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Approving Deferral of Sewer Connection Requirement

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Greta Truman, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	November 11, 2024		
Recommendation	Yes	No	Split

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING DEFERRAL OF THE SEWER CONNECTION REQUIREMENT

WHEREAS, pursuant to the provisions of Title 7, Chapter 8 et seq, of the West Des Moines Municipal Code, John Junginger and Lynanne McGuire ("Owners") request approval of a deferral of the sewer connection requirement imposed on property owners by West Des Moines City Code section 7- 8A-3 for their property located at 4500 Park Dr ("Subject Property").

Lot 1 in Westernwoods, Located in Polk County, Iowa.

WHEREAS, the Owners of the Subject Property wish to repair or replace the existing private wastewater treatment system; and

WHEREAS, a public sewer main for the Subject Property existing within 400' of the property line; and

WHEREAS, West Des Moines City Code section 7-8A-3 requires Owners to connect to a public sanitary sewer; and

WHEREAS, due to depth and location of the existing public sewer main and construction costs associated with installing a service connection, the Owners want to defer connection to the public sanitary sewer system and repair or install a new on-site septic system; and

WHEREAS, City is amenable to granting Owners a limited and revocable deferral of its obligation to connect to the public sanitary sewer system.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

1. The City of West Des Moines hereby defers the sewer connection requirement imposed by City Code 7-8A-3 for the property located at 4500 Park Drive, West Des Moines, Iowa until such time

    a. the septic fails in the future and sewer is extended to the property.

2. The repair or installation of on-site septic improvements on the Subject Property is at the Subject Property Owner's risk. Any costs or losses related to on-site septic system improvements on the Subject Property will not be reimbursed by the City, including but not limited to, those incurred upon or as a result of the termination of the deferral.

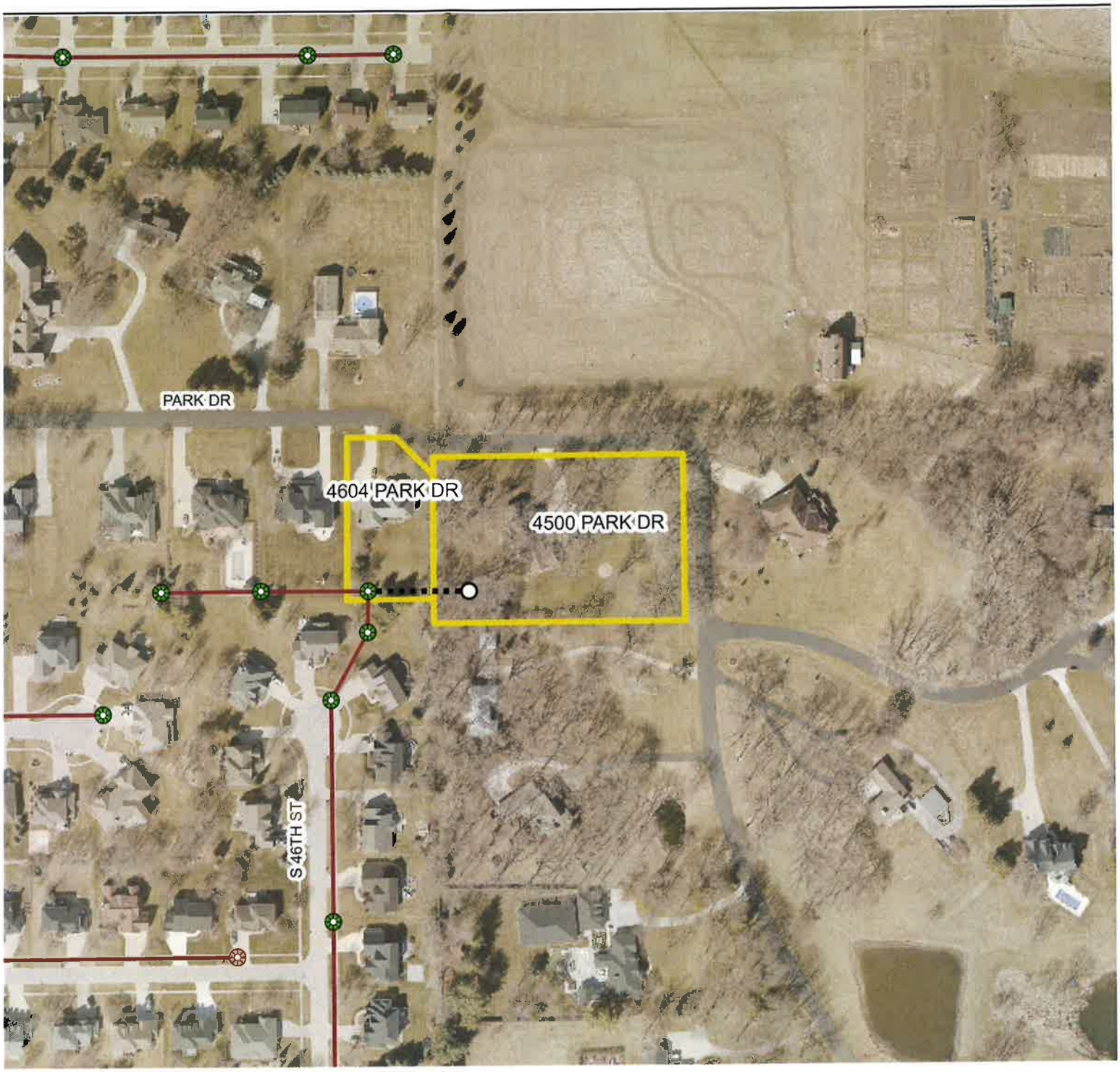
3. The document shall be filed with the county recorder as appropriate.

PASSED AND APPROVED on this **18th** day of **November, 2024**.

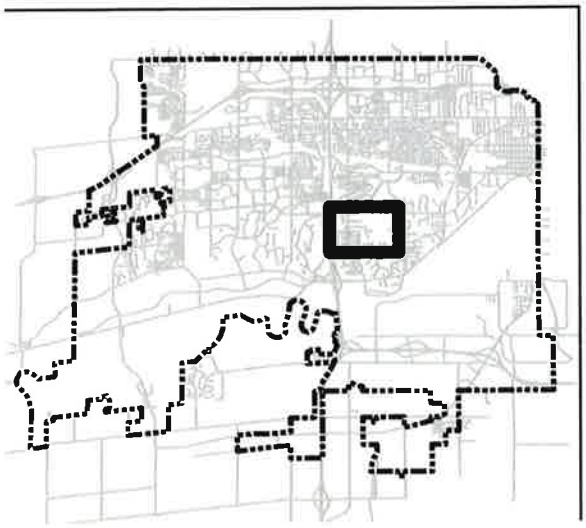
_____
Russ Trimble, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk



VICINITY MAP



Future Manhole

Future Sewer

0 100 200 400 600 800 Feet

N W E S

THE CITY OF WEST DES MOINES