



Legislation Details (With Text)

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On agenda: 10/22/2018 **Final action:**

Title: Stormwater Ordinance Variance Request - Wiseman Crematorium 653, 655, & 657 Hillsboro Street (Hillsboro St & Edwards Street)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Notice of Petition for Variance Request, 2. Variance Request Map, 3. Wiseman Crematorium PP

Date	Ver.	Action By	Action	Result
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TO: Mayor and Members of City Council

THRU: Kristoff Bauer, Deputy City Manager

FROM: Sheila Thomas-Ambat, PE, Interim Public Services Director

DATE: October 22, 2018

RE:
Stormwater Ordinance Variance Request - Wiseman Crematorium 653, 655, & 657 Hillsboro Street (Hillsboro St & Edwards Street)

COUNCIL DISTRICT(S):
District 2

Relationship To Strategic Plan:

Goal II: Diverse and Viable Economy

Goal III: High Quality Built Environment

Executive Summary:

Wiseman Mortuary, Inc. is proposing to develop a commercial property located at 653, 655, and 657 Hillsboro St. The City's Stormwater Ordinance requires that any redevelopment or addition to existing development that includes more than 5,000 square feet of new impervious area is not exempt from the requirement of providing stormwater management measures. The site currently contains a gravel patch, which classifies the site as existing development. Therefore, any increase over 5,000 square feet of impervious area would require installation of stormwater control measures. A variance petition has been submitted by the owner requesting that the site be considered new development, a classification which would allow the addition of up to 20,000 square feet of impervious area without

providing stormwater control measures.

Background:

The site consists of a 0.16 acre parcel, 0.15 acre parcel, and 0.15 acre parcel for a total of 0.46 acres. The site previously contained a house that was removed prior to the implementation of the City's Stormwater Ordinance. The property is proposed to be redeveloped into Wiseman Crematorium, with the total impervious area on the developed site being less than 20,000 square feet.

In 2009, City Council adopted Article III of the Stormwater Management Ordinance (Chapter 23). It includes provisions to properly manage the quantity and quality of stormwater runoff to minimize damage to public and private property and reduce the effects of development on land and streams. One of the provisions requires that stormwater control measures be incorporated as part of the design for any redevelopment or addition to existing development that adds over 5,000 square feet of impervious area.

The proposed Wiseman Crematorium site currently has approximately 5% gravel coverage that was left from the demolition of a house removed prior to the implementation of the City's Stormwater Ordinance. In accordance with the variance petition received, the owner is requesting that the gravel patch not be considered previous development, that the site be considered new development, and that an addition of up to 20,000 square feet of impervious area be allowed without the requirement of incorporating stormwater control measures.

A public hearing has been set for this item with proper advertisement and notices.

Issues/Analysis:

The site is currently credited with a very small amount of impervious area due to existing gravel left from the demolition of a house removed prior to the implementation of the Stormwater Ordinance. Due to the existing impervious area, the ordinance categorizes this as redevelopment or addition to existing development and requires stormwater control measures for 5,000 square feet of new impervious area. Several stormwater control measures have been considered to meet the requirements. The soil report states that the seasonal high water table (SHWT) is shallow and, therefore, an underground detention structure could not meet the required separation between the SHWT and the underground structure. Above ground stormwater control measures along with setbacks and additional UDO requirements reduces the available area for the actual building and parking to a point that is not feasible. The existing site sits across the street from the applicant's current business and is bounded on both sides by an existing church building which negates the ability to purchase additional land to accommodate the stormwater requirements for existing development. The site currently exists as a vacant lot with mostly grass coverage.

The developer proposes the following:

1. The site be considered new development.

After multiple meetings, site visits, records research and thorough review of the proposed variance, staff recommends the approval of the variance which will facilitate the economic development of this property. Detailed design plans have not yet been submitted for review. City staff will ensure to review the plans in accordance with the City's requirements and enforce Council's decision on this request.

If Council approves the variance, it will allow the developer to continue with their development.

Budget Impact:

None

Options:

- Approve the variance allowing the site to be considered new development.
- Deny the variance in which the site will be considered redevelopment

Recommended Action:

Approve the variance allowing the site to be considered new development.

Attachments:

- Notice of Petition for Variance Request
- Variance Request Map
- Power Point