



CITY OF COLUMBIA, MISSOURI

COMMUNITY DEVELOPMENT

DEPARTMENT OF PLANNING AND DEVELOPMENT

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BUILDING AND SITE DEVELOPMENT

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OFFICE OF NEIGHBORHOOD SERVICES

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INTER-OFFICE MEMO

TO: Tad Johnsen, Director of City Utilities

FROM: Phil Teeple, P.E., Engineer

DATE: July 20, 2018 *SSC 7/20/18*

SUBJECT: Staff recommendation regarding Renaissance Meadows stormwater variance

Project Summary: Renaissance Meadows subdivision consists of three existing R-2 zoned lots totaling 0.84 acres with duplexes and proposed to subdivide the lots to create a fourth lot "new lot" that is approximately 10,000 sf for an additional duplex.

The location of the proposed subdivision is not upstream of a downstream critical location. The project proposes to build a turf swale and bioswale to meet water quality requirements only for the "new lot."

Variance Requested: The applicant has requested a variance to be exempt from stormwater detention and to provide stormwater quality for only the impact of the additional lot. By ordinance because the existing lots are being subdivided, this project qualifies as development and not redevelopment. The requirements for development would be to provide detention from a predevelopment condition and provide water quality for the entire subdivision area.

In addition, the applicant has requested that the covenant only apply to the two lots where the BMP's will be placed rather than the entire subdivision.

Staff Recommendations: Staff recommends approval of the variances. Due to the size of the development, if it was not being subdivided, it would not be subject to the stormwater regulations at all. The developer is mitigating the water quality impact of the additional duplex. Since there is no critical downstream area, the minor amount of detention that would be required would have little impact on the downstream area. The infill development nature of this project, by utilizing an already maintained yard area, should be considered beneficial as well. The covenant would only cover the lots that have the physical BMPs and therefore would not encumber more real estate than needed and make record keeping simpler.

☐ Approved – Variances are approved for this project only

☒ Denied – Variances are not acceptable. Reasons (if any):

See attached memo

☐ More information needed. Please submit the following information:

Signed:

Tad Johnson
Tad Johnson, Director of City Utilities

INTEROFFICE MEMORANDUM

TO: PHIL TEEPLE, PE., ENGINEER
FROM: TAD JOHNSEN, DIRECTOR OF CITY UTILITIES
SUBJECT: RENAISSANCE MEADOWS STORMWATER VARIANCE
DATE: AUGUST 3, 2018

The applicant has requested a variance to be exempt from stormwater management practices for the current lots and to only provide stormwater management practices for the impacts of the proposed "new lot" in the Renaissance Meadows subdivision currently consisting of three existing R-2 lots.

Sec. 12A-91 (b) in the City Code of Ordinances authorizes the Director to allow variances for alternate and equivalent stormwater management practices, this section does not allow for exemption of stormwater management practices.

Variance for exemption from stormwater management practices must be addressed to and by the board of adjustments, as detailed in Sec. 12A-110 in the City Code of Ordinances.

Sec. 12A-91. - Stormwater Management and Water Quality Manual.

- (a) The city council approves the Stormwater Management and Water Quality Manual prepared by the public works department dated January, 2007. The director is authorized to revise the Water Quality Manual periodically as advances in stormwater control practices evolve. All such revisions must be consistent with the provisions of this article.
- (b) The director is authorized to allow alternate and equivalent best management practices when using the level of service method outlined in the Water Quality Manual. The director shall consider alternate designs of best management practices when it is fully demonstrated that the alternate designs are equal to or better than designs contained in the Water Quality Manual.
- (c) Any person who constructs, reconstructs, alters or repairs a stormwater management facility for which a permit is required shall conduct such work in accordance with the Water Quality Manual.

(Ord. No. 19442, § 2, 3-5-07; Ord. No. 22578, § 1, 9-21-15.)

ARTICLE VI. - APPEALS AND VARIANCES

Sec. 12A-109. - Appeals.

Any person aggrieved by any decision of the director in the administration or enforcement of this chapter, other than the nuisance abatement provisions, may appeal such decision to the board of adjustment.

(Ord. No. 13019, § 1, 7-1-91)

Sec. 12A-110. - Variances.

- (a) Any property owner may petition the board of adjustment for a variance from strict compliance with the requirements of this chapter. The petition shall be in writing and shall state the grounds for the petition and all facts relied upon by petitioner. The petition shall include a written detailed explanation of all burdens or hardships and how all options available in the stormwater manual or under this chapter have been exhausted. The petition shall address in detail how the petitioner is in compliance with subsections (b)(1)—(4) and (c) of this section; shall include all evidence and support that no adverse downstream impacts exist; and shall list all reasonable mitigation measures.
- (b) The board of adjustment shall not grant a variance from the requirements of this chapter unless it shall make all of the following findings:
 - (1) Good and sufficient cause based on an unreasonable burden or hardship has been proved.
 - (2) The granting of the variance would not result in any increase in quantity or velocity of flow, degradation of water quality, or negative impacts upon adjoining or downstream properties, nor upon the stormwater system.
 - (3) The degree of variance is the minimum necessary to afford relief from the unreasonable burden or hardship imposed by the requirements of this chapter;
 - (4) The variance may be granted without defeating the public health, safety and welfare purposes and intent of this chapter.
- (c) The board may grant a variance to the stormwater management requirements of Article V only if at least one (1) of the following conditions exist: