

Date of Meeting: April 27, 2021
Subject: Variance Considerations: Parking Lot Detention
Project Name: Johnstone Supply
Location: 318 E. Thomas Avenue

BACKGROUND

On March 31, 2021 an application was filed with the City of Stillwater requesting a variance from the municipal code requiring adherence to all standards contained in the Urban Drainage Criteria Manual (UDCM), adopted by Resolution No. 21-1979. The specific UDCM standard from which the applicant is requesting relief limits the ponding depth of water in parking lot detention facilities to a maximum of 9 inches. The current design for the project includes parking lot detention with a ponding depth of 15 inches during the 100 year storm event. The variance application was filed after the submittal and Engineering review of the Commercial application (COMM21-0002) for the construction of a new, on March 23, 2021.



CODE APPLICATION

City Code, Chapter 35, Section 35-77, Adopted by reference.

The stormwater program manager shall prepare standards, where applicable, for drainage facilities and best management practices which shall be known and cited as the "city drainage standards" following their approval and adoption by the city council. The city drainage standards or other standards approved and adopted by the city council shall be followed by every person or governmental entity involved in development and/or in the construction, installation and maintenance of drainage facilities. The city drainage standards as adopted may be amended from time to time in accordance with the procedure provided herein for their original adoption.
(Code 1982, § 9-20; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399, § 9, 7-9-2018)

ANALYSIS

A detention facility is required for the proposed project to be in compliance with the City drainage standards regarding peak discharges. The applicant's engineer has determined that the parking lot is the optimal option for site detention. Table VI-2 of the Urban Drainage Criteria Manual provides maximum ponding depths for hard surface detention facilities, including the maximum depth of 9 inches for parking lot detention. The current proposed design includes a peak ponding depth of 15 inches. The engineer has stated that due to certain site constraints and lack of available space, it is not possible to reduce the peak ponding depth to a maximum of 9 inches.

The applicant states that the implementation of this particular drainage standard will prevent the construction of a building that is adequately sized to conduct business.

Section 35-57(d) of the City of Stillwater code of ordinances provides the following provisions for granting drainage standards variances:

(d)The board of drainage appeals may grant in a particular instance such an appeal from a ruling of the development services director or a variance from the terms of this chapter or the city drainage standards as will not cause detriment to the public good, safety, or welfare, or be contrary to the spirit, purpose and intent of this chapter where, by reason of any unique and exceptional physical circumstance or condition of a particular property, the literal enforcement of the city drainage standards or the requirements of this chapter will result in an unreasonable hardship. The board may prescribe additional conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance or appeal is granted, shall be deemed a violation of this chapter and punishable as provided in section 35-23.

FINDINGS

- 1. The property has size and dimension constraints that result in limited options for detention facilities.
- 2. Granting of the variance will not cause detriment to the public good, safety, or welfare, or be contrary to the spirit, purpose and intent of this chapter of the City of Stillwater code of ordinance.
- 3. Failure to grant the variance may result in a hardship making development infeasible.

Staff recommends that the Board of Drainage Appeals accepts staff findings and make any additional findings, based on any testimony presented, in order to grant or deny the variances.

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Reviewed by: Monty Karns, PE, Director of Engineering
Date of Preparation: April 5, 2021
Attachments: Variance Application
UDCM Excerpt