



10/16/2023

To: Mayor and Council
RE: Staff Recommendations – Rockhouse Beverage
Hwy 16 – Downtown Corridor Overlay

Rockhouse Beverage has submitted a variance application for relief from certain development standards listed below. A total of **7 variances** related to site plan and landscape plan overlay elements.

Sec. 74-206 (a) & Sec. 74-209(d) (1) – Mass Grading is prohibited by the ordinance.

- Recommended approval of the variance to allow mass grading which is typical for commercial development.

There were no specimen trees found in the tree inventory and the applicant has agreed to save a 30-foot buffer along the southern border between this site and the adjacent residential neighborhood.

Sec. 74-208 (1 & 3) - Site Design – 2 Variances - Building setback (zero lot line) and building location for corner lots.

- Recommended approval of the variance to allow the building to be setback 30 feet from the primary frontage right of way along Hwy 16 versus a zero setback as required by the overlay, due to the existing overhead and underground utilities along this section of Hwy 16.
- Recommended approval of the variance to allow the building to be located as shown on the site plan opposite from the intersection to allow for future road improvements at the intersection of Rockhouse Road and Hwy 16.

Sec. 74-208 (5) – Pedestrian improvements size and location of sidewalks- **2 Variances**

The applicant is proposing a 5-foot wide sidewalk along Rockhouse Road versus 8-foot wide as required by ordinance and also to allow the 8-foot wide sidewalk along Hwy 16 to be placed on an easement versus within the right of way.

- Recommended approval of the variances related to the required sidewalk width and placement as follows:
 - Require a minimum 5-foot wide sidewalk within the right of way of Rockhouse Road along entire frontage.



- Allow the 8-foot wide sidewalk along Hwy 16 to be located within a public use access easement adjacent to the building as opposed to the public right of way.

Sec. 74-209 (d)(2) – Preservation of natural landforms, trees and other land features –10% of all existing trees with a diameter of 12-inches and larger shall be retained.

- Recommended approval of this variance request since the tree inventory revealed there are no specimen trees and the existing trees are not of high quality or value to be saved. As mitigation and to meet the minimum tree density, the applicant has agreed to double the buffer from 15-feet to 30-feet between the development and the adjacent residential neighborhood as shown on the site plan.

Sec. 74-210 – Utilities – Stormwater Management Facilities shall not be located within 50 feet of a property boundary.

- Recommended approval of the stormwater management facility location as shown on the site plan. The bio-retention pond is located in the natural low spot preserving the natural drainage pattern. Additionally it will be separated from the boundary by a 30-foot undisturbed buffer.

In order to meet the 50 foot setback from the property boundary the applicant would be forced to use an underground detention pond in the parking lot which is not preferred for stormwater management when space is otherwise available.