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MEMORANDUM

TO: Betty Baker, Chair, and Members of the Zoning and Platting Commission

FROM: Chuck Lesniak, Environmental Officer
Watershed Protection Department *CL*

DATE: April 16, 2013

SUBJECT: Steiner Ranch Variance Request SP-2012-0175D

Due to a meeting conflict I am unable to attend tonight's meeting. As a result, I am providing this memo as the City's Environmental Officer to communicate my recommendation to the Zoning and Platting Commission regarding the above referenced variance request.

I have reviewed the site plan and other information related to the requested variance for cut and fill in excess of eight feet. It is my opinion that the request does not meet the findings of fact as required in City Code Ch. 25-8-41. Further, I believe the request is excessive, particularly in light of the fact that the Steiner agreement already provides the applicant with the ability to significantly exceed cut and fill limits without a variance. This agreement addresses the large variations in topography in this area and I believe the applicant is simply trying to squeeze in one more building by requesting these variances.

I and other staff have met with the applicant's representative several times and as a result they have reduced the amount of cut and fill in some areas to address our concerns. However, the applicant has refused to eliminate one building that requires an extreme amount of fill in excess of that already granted by the Steiner agreement. Elimination of the one building would not appear to jeopardize the viability of the project or prevent the reasonable development and use of the property.

Therefore, I recommend that the Zoning and Platting Commission deny the requested variance. I hope you will accept my apologies for not attending as well as my recommendation.