



EXHIBIT A

ISSUE STATEMENT: PUBLIC HEARING AND POSSIBLE VOTE CONCERNING A PROPOSAL TO PAY A FEE IN LIEU OF STORMWATER DETENTION FOR IMPROVEMENTS AT LOTS 8 AND 9 OF THE NIXA INDUSTRIAL PARK FOURTH ADDITION, PHASE 4 SUBDIVISION.

DATE: JUNE 5, 2023

SUBMITTED BY: AARON HARGRAVE, P.E.

PRESENTED BY: PLANNING AND DEVELOPMENT DEPARTMENT

Background

The City of Nixa's adopted Technical Specifications Manual contains regulations pertaining to stormwater management on private property. Generally, the manual requires that stormwater runoff from development that adds impervious surface be detained for a period prior to being released. This detention of stormwater runoff helps to prevent downstream flooding by simulating the same rate of runoff that would have occurred otherwise.

However, in some cases, detaining stormwater runoff may not be practical nor the best solution for managing stormwater. When conditions exist that prove that stormwater detention would not be helpful or practical, the manual provides for an alternative solution in which the developer may pay the City an amount of money in lieu of constructing detention facilities. These funds are then held by the City until spent within the same drainage basin on stormwater improvements.

OWN Engineering, on behalf of the property, has submitted development plans for two new buildings in the Nixa Industrial Park, in doing so, will add impervious surface to the site. The overall site is approximately 1.71 acres. The development plans involve an increase of approximately 1.4 acres of impervious surface. The applicant has requested to provide a payment in lieu of constructing a detention facility.

Analysis

Stormwater runoff from the subject property will flow in the public right-of-way of Hawks Perch Avenue, to Kathryn Street. The stormwater will travel east along Kathryn until it flows into an existing curb inlet. The engineer for the project has shown that the stormwater runoff from the subject property, can be handled by the curb inlets that are along Kathryn Street. The developer will pay the city \$10,010 that will be held until expended on stormwater improvements in this same drainage basin.

Recommendation

The proposed fee in lieu of detention, complies with Section 125(c)(2) of the Nixa Technical Specifications Manual. Staff recommends approval of this request.

May 24, 2023

City of Nixa
Public Works
1111 Kathryn St.
Nixa, MO 65714

Re: Detention Buyout Request Vance Jenkins Warehouse

To Whom It May Concern,

The developer would like to request to pay a fee in lieu of detention for Lots 8 and 9 of the Nixa Industrial Park Fourth Addition, Phase Four subdivision.

The original design intent for this subdivision was for the lots to discharge stormwater to the streets and for the streets to be the conveyance system to the storm system on Kathryn Street. Not only was this the design intent for the subdivision but it's been the approved method of design for all of the lots as recently as 2 years ago. The storm water analysis performed for this site shows that draining the developed site to the streets will only raise the depth of the runoff at the closest curb inlets by 0.03 feet (0.36 inches) and there is no adverse effect on the existing system. Providing detention for the last two lots in the subdivision would not provide a benefit to the existing conveyance system commensurate with the cost of construction. Enclosed are the fee in lieu of detention calculations.

Thank you for your consideration. Please contact us with any questions.

Sincerely,



Aaron T. Hargrave, P.E.
Vice President
Anderson Engineering, Inc.

- Alternatives to Detention: In cases where channelization or other improvements can be shown to be more effective than detention in reducing the flooding hazard to downstream properties, and where no adverse effect to downstream properties will result from construction of such improvements, the City may, upon written recommendation by the Stormwater Engineer, and approval of the Planning Commission, enter into an agreement with the applicant to accept compensation in lieu of constructing on-site detention facilities. The fee would be paid to the City either when the development was completed and the final plat approved or when a performance bond is issued to the City for that development.

The Planning Department has established the following formula for the fee in lieu of detention:

(268-1)

$$\text{Fee} = K \times I_a \quad \boxed{7150 \times 1.40 = \$10,010}$$

Where I_a is the increase in impervious area (roofs, pavement, driveways, patios, etc.) in acres and

$$K = 7150 \quad (\text{amended \#1366 8/05})$$

K is a factor determined by the City Planner. This factor is determined based upon the net financial gain which the developer would realize if the detention facility is not built. This amount will generally be equal to the construction cost of the detention facility plus revenue from sale of additional lots or increased value of lots, less the cost of developing the lots, including utilities and streets, financing cost, sales costs, and reasonable profit. The City Planner shall evaluate this formula annually and make the appropriate adjustments.

- Innovation in design: It is the desire of the City that detention facilities be designed and constructed in a manner to enhance aesthetic and environmental quality of the City as much as possible. City of Nixa therefore encourages designs which utilize and enhance natural settings, and minimize disturbance and destruction of wooded areas, natural channels, and wetlands.
- Interpretation: Interpretations of the detention policy will be made by the City Planner in writing.

Appeals of the decision of the City Planner may be made Aldermen. Request for appeals should be made in writing

