

**Minutes
of the
Stormwater Management Committee (SWMC)
April 2, 2015

8:00 AM
800 Second Avenue South
Metro Office Building, 1st Floor – Development Services Conference Room**

STORMWATER MANAGEMENT COMMITTEE

(Quorum Required: Four Members)

Committee Members Present:

Mr. Roy Dale, P.E. – Chairman
Mr. Dodd Galbreath
Ms. Anna Maddox, P.E.
Mr. Slade Sevier, P.E.
Mr. Monte Turner
Mr. Lance Wagner, P.E.

Committee Members Absent:

Ms. Ronette Adams-Taylor

I. CALL TO ORDER

The meeting was called to order at 8:05 a.m.

II. APPROVAL OF MARCH 12, 2015 MEETING MINUTES & DECISION LETTERS

Mr. Slade Sevier moved and Ms. Anna Maddox seconded the motion to approve the March 12, 2015 meeting minutes and decision letters. Mr. Roy Dale, Ms. Maddox, Mr. Sevier, Mr. Monte Turner, and Mr. Lance Wagner voted in favor of the motion.

Mr. Dodd Galbreath arrived near the end of the first case.

III. STORMWATER MANAGEMENT COMMITTEE AGENDA

Comments were solicited from the Planning and Codes Departments for the following Agenda items.

1. 201500006
230 Hicks Road Apartment Development
(Preliminary Stormwater Management Plan)
230, 232, and 0 Hicks Road
Map 142, Parcels 92, 93, and 149
Inspector: Phil Saad

CD-34 (Carter Todd)

APPLICANT'S REQUEST: Preliminary Stormwater Management (SWM) Plan approval is requested. The preliminary plan includes a variance request to allow disturbance of the 75' floodway buffer of Flat Creek (50' Zone 1 & 25' Zone 2) for the following:

- 1) Construction and encroachment of a paved access drive in Zone 1 & Zone 2 to provide site access to Hicks Road.
- 2) Grading in the Zone 1 buffer to compensate fill in the 100-year floodplain.

The site plan proposes 52 townhouse apartments, a pool/clubhouse, and associated infrastructure, including the private access drive and a 4' wide site amenity trail in the Zone 2 buffer.

APPELLANT: Littlejohn Engineering Associates

REPRESENTATIVE: Mr. Andrew Wolthers

COMMENTS:

SW Staff: Stormwater Staff comments are as follows:

- 1) The applicant is reminded that water quality buffer signage will be required to be installed per Section 6.9.3 of the Stormwater Management Manual (SWMM).
- 2) The applicant is reminded that full water quality treatment is expected and all proposed water quality measures will be required to be placed outside of the buffer.

CODES: No comment provided.

PLANNING: Defer to Stormwater Staff.

GREENWAYS: Greenways will defer to Stormwater Staff on this request.

Mr. Andrew Wolthers gave an overview of the project, the variance request, and the proposed mitigation. He stated that they are proposing to use low-impact development (LID) measures, part of which would involve using an open-space conservation easement and taking the associated credit. If water quality measures are needed after they go through the LID program, they would look at land-based options for best management practices (BMP) measures. He was also asked what would be the composition of the proposed trail shown on the mitigation plan, to which he responded possibly a low-maintenance mulch access trail. There is no continuous mowing and maintenance of the Zone 1 buffer requested.

There was discussion regarding the mitigation and possibly using denser vegetation/plantings to compensate for the loss of buffer and to increase filtering/enhance water quality. No vegetation will be lost in the buffer to balance cut and fill in the floodplain. Staff stated that the existing floodway is inaccurate; therefore, the new floodway will be used since it is more accurate.

After discussion during the Executive Session of the Committee on April 2, 2015 and review of the information presented, Mr. Lance Wagner made a motion to approve the preliminary plan with the emphasis on buffer signage (wants to see it) and providing a mitigation plan showing how buffer loss will be mitigated, especially along the downhill portion of the roadway, with a suggestion of thick plantings to filter the water. Mr. Slade Sevier seconded the motion. Mr. Roy Dale, Ms. Anna Maddox, Mr. Sevier, Mr. Monte Turner, and Mr. Wagner voted in favor of the motion. Mr. Dodd Galbreath abstained from the vote. In addition, the Appellant was reminded of Staff comments that water quality buffer signage will be required to be installed and full water quality treatment is expected with all proposed water quality measures to be placed outside of the buffer.

2. 201500007

Metro Center Housing

100 Cumberland Bend

APN: 07113000200

Inspector: Denice Johns

CD-02 (Frank Harrison)

APPLICANT'S REQUEST: Variance request is to allow the following for construction of a residential multi-family building and associated parking:

- 1) Disturbance and elimination of an existing 1.0 acre wetland and its 25' wetland buffer per TDEC permit.
- 2) Continuous mowing and maintenance of the buffer on a non-jurisdictional water body and development of plan as submitted.

APPELLANT: Littlejohn Engineering Associates

REPRESENTATIVE: Mr. Phillip Piercy

COMMENTS:

SW Staff: No additional Stormwater Staff comments.

CODES: No comment provided.

PLANNING: Defer to Stormwater Staff.

GREENWAYS: Greenways will defer to Stormwater Staff on this request.

Metro Councilman Frank Harrison submitted a letter (dated 3/11/15) in support of the proposed multifamily development project stating that it is important to Metro Center to continue the area's revitalization, to reshape the area into a sustainable live-work environment, and to provide a more affordable option for persons working downtown who choose to live close to their work.

Mr. Phillip Piercy gave an overview of the variance request. Mr. Dan Troutman, Mr. Tony Heath, Mr. Jonathan Hopkins, and Mr. Rusty Dunn were also in attendance.

Mr. Piercy discussed the TDEC permit application submittal and proposed mitigation (purchase of 2:1 wetland credits and creation of a non-jurisdictional constructed wetland water quality measure). Per the original variance application, the constructed wetland would treat the entire 7.5-acre site along with 1.5 acres of offsite water from a parking lot to the east. MWS - Stormwater's requirement would be to treat all onsite and offsite water, which would include additional offsite water from the west. Rather than allowing a portion of offsite water to bypass the wetland, based on the volume, he stated that they are now proposing to collect and route all water (both onsite and offsite) through a water quality unit (used as a forebay for pretreatment), then to the wetland, allowing some treatment of the additional offsite water from the west. There was further discussion regarding the proposed water quality treatment. He also stated that additional sidewalk may be required by Public Works and/or Planning.

Mr. Piercy stated that they had received comments from TDEC but not from the Corps yet. Mr. Dodd Galbreath expressed concern that state and federal permits had not been issued, and there was further discussion regarding the matter.

Mr. Galbreath made a motion to approve the plan as proposed with the following Condition #1 and standard Conditions #2-3, with the understanding that there will be no decrease in volume as a result of plan modifications for any additional sidewalk (required per Public Works and/or Planning) and that water quality treatment will for: a) onsite water of the subject site, b) the 1.5 acres offsite water (parking lot to the east), and c) the remaining offsite water to the west. Mr. Roy Dale seconded the motion. Mr. Dale, Mr. Galbreath, Ms. Anna Maddox, Mr. Slade Sevier, Mr. Monte Turner, and Mr. Lance Wagner voted in favor of the motion.

1. The Appellant shall provide copies of all required federal and state permits to MWS Stormwater – Development Review Section prior to approval of grading plans.
2. The Appellant shall have the landscaper who installs the required mitigation plantings to certify to MWS Stormwater – NPDES Office, in writing (referencing Variance #201500007), once plantings are installed per approved variance plans and again once plantings have been found to meet a two full growing season requirement. The owner shall maintain a minimum of 75 percent survivability of plantings through two full growing seasons.
3. This variance will expire on April 2, 2016. However, if a Grading Permit, Stormwater Single Family Permit, or Building Permit is issued within that period, the variance expiration date will run concurrent with that permit expiration date.

The reason for approval is that it is an important project for the city.

IV. ITEMS OF BUSINESS

There were no variance application submittals for the May agenda. The next meeting will be scheduled for June 4, 2015. Nominations and voting for Committee chairman and vice-chairman will be added as a business item to the next scheduled agenda.

V. ADJOURNMENT

The meeting was adjourned at 10:36 a.m.

Metropolitan Stormwater Management Committee

Approved:

By: _____
Secretary

Date: _____