

**Minutes
of the
Stormwater Management Committee (SWMC)
February 6, 2014

8:00 AM
1600 Second Avenue North
Metro Water Services Administration Building, 2nd Floor Conference Room**

STORMWATER MANAGEMENT COMMITTEE

(Quorum Required: Four Members)

Committee Members Present:

Ms. Elaine Bright – Vice Chairman
Mr. Roy Dale, P.E. – Chairman
Mr. Dodd Galbreath
Ms. Anna Maddox, P.E.
Mr. Slade Sevier, P.E.
Mr. Lance Wagner, P.E.

Committee Members Absent:

Mr. Monte Turner

I. CALL TO ORDER

The meeting was called to order at 8:13 a.m.

II. APPROVAL OF JANUARY 2, 2014 MEETING MINUTES AND DECISION LETTER

Mr. Slade Sevier moved, and Mr. Roy Dale seconded the motion to approve the January 2, 2014 meeting minutes and decision letter. Mr. Dale, Ms. Anna Maddox, Mr. Sevier, and Mr. Lance Wagner approved the motion. Ms. Elaine Bright and Mr. Dodd Galbreath abstained from the vote because they did not attend the meeting.

III. STORMWATER MANAGEMENT COMMITTEE AGENDA

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

1. **201300012**
Rehearing
Allied Crawford Steel (Building Addition)
3719 Amy Lynn Dr.
APN: 06800007000
Inspector: Katherine O'Hara

CD-01 (Lonnell Matthews, Jr.)

APPLICANT'S REQUESTS – Previously granted Variance #201300012 on September 5, 2013. The revised variance requests are:

- 1) To allow disturbance of the floodway and 75' floodway buffer (50' Zone 1 & 25' Zone 2) of the Cumberland River for encroachment of a 24,200 square-foot industrial building expansion with ramp, access road, and gravel parking area via Metro Ordinance BL 2012-257, October 18, 2012.
- 2) To allow compensating cut area within the floodway/buffer, but to waive the requirement to compensate the fill from the gravel parking area, because a "no-rise" situation can still be achieved without that volume of compensating cut. The total amount of uncompensated fill requested for the gravel parking area = 2,300 cubic yards.
- 3) To allow placement of a Stormwater Best Management Practice (a wet pond) for water quality treatment, in lieu of the water quality unit from the original variance request, in the floodway/buffer.
- 4) To allow mitigation in the form of treating 55,000 square feet of additional site area for water quality, beyond what is required, in lieu of plantings and irrigation as proposed in the original variance request, due to the detrimental effects of the adjacent property's activity to vegetation.

APPELLANT: Allied Crawford Steel

REPRESENTATIVE: Mr. Michael Morgan (representative for Mr. Alex Kovacs)

COMMENTS:

SW Staff: Revised plans and no-rise analysis for Grading Permit SWGR 201300125 are currently under Stormwater technical review, with staff comments being addressed, as needed, by the applicant's engineer. No additional staff comments.

CODES: No additional comment.

PLANNING: No additional comment.

GREENWAYS: No additional comment.

Ms. Anna Maddox recused herself from the case stating that her company does work for the adjacent property owner.

Mr. Michael Morgan (Denham-Blythe) stated that the project was revised to better mitigate the site and improve the design. By treating additional square footage, it can be done via a wet pond. The pond would also be utilized to get rid of the necessity for the plantings to improve the flow and appearance of the property.

Ms. Katie Beard (Denham-Blythe) gave an overview of the current design layout. The requirement was to treat all new impervious areas for water quality, and those areas (new building addition and parking lot) are still being treated. Fifty-five thousand square feet are being added to treat the existing building, with the flow routed to a pretreatment area, then a wet pond. The bottom two feet will serve as a wet pond, with liner. An outlet pipe and emergency drain are also included. The compensating cut (for the addition) was incorporated above the permanent pool volume. A large septic field and a lateral line from the adjacent property to the septic field are required. The request for the uncompensated fill for the parking area is included because a no-rise can still be achieved. Ms. Beard stated that the no-rise study is being reviewed, and verbal comment, based on revisions, is that there is still no rise.

Mr. Dodd Galbreath asked if the new building addition and pond footprints destroy existing vegetation, to which Ms. Beard stated yes. Mr. Slade Sevier asked about the location of the existing septic field. Mr. Morgan stated that it was underneath the existing trees in the rear of the parcel. There was discussion regarding the proposed lateral line from the adjacent property to the septic field, comparison of the current plan to the previously approved plan with mitigation, discovery of the septic field, placement of a wet pond in the floodway, State enforcement on the adjacent property (discussed at the previous request for rehearing), and the agreement between the Appellant and the adjacent property owner (related to the septic field).

Ms. Elaine Bright made a motion to approve the plan with the condition that the Appellant works with Staff to finish the technical review with all Stormwater requirements met, and it does continue to be a no-rise situation, along with standard conditions. She stated that the reasons for approval were: 1) due to hardships with the leach field and discovery of the leach field, and 2) the plan seems to meet the intent of the last approval. Mr. Lance Wagner seconded the motion.

Mr. Wagner stated that he would like them to do some plantings to dress it up and provide some water quality aspects, but there is no other opportunity on the site for plantings. Mr. Galbreath said they could do native grasses or something salt tolerant around the perimeter in the riparian buffer. Mr. Roy Dale asked if there are plants tolerant of salt. There was further discussion on plantings and enhancing the vegetative portion of the buffer around the pit (wet pond). Mr. Galbreath said that it would be offsetting mitigation for losing trees – it would not be equivalent, but it would be better than nothing. Ideally, it would be better if they hired a landscape architect or horticulturist landscaper who knew what native grasses to plant. Mr. Morgan stated that they had already investigated this with their landscape architect. Mr. Galbreath asked what is the current proposed stabilization. Mr. Morgan stated native grass, which would be left undisturbed since there was no variance for mowing and maintenance. Mr. Morgan was also asked what type of grass it would be, but stated that he did not know.

Mr. Galbreath made a motion to amend to include the condition that to mitigate the loss of vegetation in the floodway riparian buffer, to require the applicant to establish native, deep-rooted grasses of their landscape architect's choosing, around the perimeter of the pit. There was some discussion regarding planting additional grasses in any disturbed areas over the septic field; however, there was concern about planting deep-rooted grasses over perforated pipes. There was further discussion on stabilization and what is proposed for the project. Mr. Morgan stated that there would be rip-rap areas for channel flow; outside of that, a rye/fescue mix would be used. Mr. Galbreath stated that they could plant anything they wanted over the septic field. Mr. Dale seconded the motion. The amendment was approved by Ms. Bright, Mr. Dale, Mr. Galbreath, Mr. Sevier, and Mr. Wagner. There was additional discussion to clarify the boundaries of the native grass planting as the perimeter around the compensating cut, excluding the septic field.

There was discussion regarding whether or not continuous mowing and maintenance would be needed. Yearly mowing and maintenance was stated. Mr. Galbreath made a motion to amend to include the condition that yearly mowed maintenance is allowed at a height that would be conducive to the survival of the plants. Mr. Dale seconded the motion. The amendment was approved by the same. The main motion with amendments was approved by Ms. Bright, Mr. Dale, Mr. Galbreath, and Mr. Wagner. Mr. Sevier voted against the motion.

In summary, the variance was granted with the following Conditions #1-3 and standard Conditions #4-5:

1. The Appellant shall work with Staff to finish the technical review with all Stormwater requirements met, and it shall continue to be a no-rise situation.
2. The Appellant shall establish/plant native, deep-rooted grasses of their landscape architect's choosing, around the perimeter of the pit (perimeter around the compensating cut, excluding the septic field).
3. Yearly mowed maintenance shall be allowed at a height that would be conducive to the survival of the plants.
4. This variance will expire on February 6, 2015. 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 variance is valid only so long as the plan presented to the Stormwater Management Committee does not change.
5. The Appellant is reminded that no construction or disturbance should commence prior to obtaining any applicable Grading Permit or Stormwater Single Family Permit from Metro Water Services and any or all applicable Building Permits from Metro Codes.

IV. ITEMS OF BUSINESS

There were no items of business.

V. ADJOURNMENT

The meeting was adjourned at 9:15 a.m.

Metropolitan Stormwater Management Committee

Approved:

By: _____
Secretary

Date: _____