DAVID BRILEY
MAYOR

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF WATER AND SEWERAGE SERVICES
Development Services
800 Second Avenue South
P.O. Box 196300
Nashville, Tennessee 37219-6300

Minutes
of the
Stormwater Management Committee (SWMC)
December 6, 2018
* * * * * * * * * * *
8:15 AM
800 Second Avenue South
Metro Office Building, Development Services Conference Center

STORMWATER MANAGEMENT COMMITTEE
(Quorum Required: Four Members)
Committee Members Present:
Ms. Debra Grimes
Mr. Slade Sevier, P.E. – Chairman
Ms. Carrie Stokes, P.E.
Ms. Anna Maddox, P.E.
Mr. Dodd Galbreath – Vice Chairman
Mr. Roy Dale, P. E.

Committee Members Absent:
Ms. Ronette Adams-Taylor

I. CALL TO ORDER

Mr. Slade Sevier (chair) called meeting to order at 8:22 a.m.

II. APPROVAL OF NOVEMBER 1, 2018 MEETING MINUTES & DECISION LETTERS

The first item of business was the approval of the meeting minutes and decision letters from November 1, 2018. A motion was made by Ms. Anna Maddox for approval of the minutes and decision letters. It was seconded by Ms. Carrie Stokes. The motion carried.

Mr. Dodd Galbreath abstained from the vote.

III. STORMWATER MANAGEMENT COMMITTEE AGENDA

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

1. **201800028**
   6719 Charlotte Pike #6
   6719 Charlotte Pike #6 — APN 102110C00900CO
   Inspector: (Leigh Nelson) — CD-23 (Mina Johnson)

Case was previously deferred on November 1, 2018. Variance request is to allow the following: Disturbance to the Zone 2 buffer including; 1,194 square feet (sf) of impervious area,735 sf of pervious pavers, 1,190 sf for bioretention areas, and 645 sf of grading and the slopes.

APPLICANT'S REQUEST: Is to allow the following:

1. A total 2,248 square foot disturbance to the Zone 2 Stream Buffer. The total 2,248 square foot disturbance consists of 287 square foot of roof top, 672 square foot of pervious pavers, and 1,289 square foot of bioretention.

APPELLANT: Kamel Daouk (Magnolia Properties)
REPRESENTATIVE: Michael Garrigan (Dale & Associates)
COMMENTS:
SW STAFF: No comments.
CODES: No comment provided.
PLANNING: The trees shown on the landscape plan for the variance should be a minimum of 2 inches in size.
GREENWAYS: Greenways defers to decision of Storm Water Management Committee.

Mr. Michael Garrigan (Dale & Associates) spoke on behalf of request at the location at 6719 B Charlotte Pike. Adjustments were made to the design eliminating building 9 per suggestion of the Storm Water Management Committee Members at previous variance meeting in November. Mr. Garrigan stated that the mitigation plans were the same as what was presented in the previous variance meeting.

After discussion during the Executive Session of the Committee on December 6, 2018 and review of the information presented a motion to approve with the following standard Conditions # 1-2 were approved and seconded. The motion carried.

1. The Appellant shall have the landscaper who installs the required mitigation plantings to certify to MWS Stormwater – NPES Office, in writing (referencing Variance #201800028), 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.

2. This variance will expire on December 6, 2019. 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.

2. 201800029
Cumberland Landing Expansion
0 Opry Mills Drive — APN 07300003900
Inspector: (Donald Erves) — CD-15 (Jeff Syracuse)

APPLICANT'S REQUEST: Is to allow the following:
1. Disturbance of floodway buffer.
2. Disturbance of stream buffer.
3. Continuous mowing and maintenance.
4. Disturbance of floodway buffer for permanent SCM's (Bioretention).

APPELLANT: (Opryland Attractions, Inc.)
REPRESENTATIVE: Jeff Cundiff (Barge Design Solutions)
COMMENTS:
SW STAFF: Staff requests that if the variance is approved the Long Term Maintenance Plan include a provision that the bioretention area be inspected and maintained as-needed after all Cumberland flood events due to the it being located in a flood-prone area.
CODES: No comment provided.
PLANNING: Site is zoned CA, defer to Stormwater for review.
GREENWAYS: Greenways defers to decision of Storm Water Management Committee.

Ms. Carrie Stokes recused herself from case # 201800029.

Mr. Jeff Cundiff (Barge Design Solutions) spoke on behalf of request at the location at 0 Cane Ridge Road. Mr. Cundiff stated that the existing building was located in the floodway buffer and that due to the constraints of the existing property, the proposed expansion would also be in the buffer. The crawl space will allow entry/exit of floodwaters per Section 5.5.4. A no-rise was completed and the result was a no change in the flood elevation due to the proposed building expansion.

Councilmember Jeff Syracuse of District 15 sent an email stating support of the variance.

Metro Stormwater Committee questioned if the new council bill had any reflection on the building of this site. 15.64.170 – Development within floodways – Restrictions reads:

A. No new structure shall be constructed within the floodway. Notwithstanding the foregoing, a structure located in the floodway as of the effective date of this ordinance may be maintained and may be repaired in the event of a casualty loss not exceeding fifty percent of appraised value of improvements on the property, provided that no such existing structure located in the floodway shall be enlarged or expanded beyond its existing height or building footprint.

B. Notwithstanding the provisions of subsection A. to the contrary, the stormwater division may allow the construction of the following types of structures within the floodway, provided the structure is designed and engineered, in such a manner so as to have no adverse impact:
   a. Grade-level surface parking areas, paths and hiking trails.
   b. Temporary structures, defined in Section 15.64.010 as "structure, temporary", that are one hundred square feet in size or less and are not used as a dwelling unit for humans.
   c. Water-related features such as bridges, wharfs, docks, and boat ramps.
   d. Public infrastructure installed by or for the benefit of the metropolitan government.
   e. Rebuilding of an existing residential structure in the floodway that has sustained cumulative casualty loss in excess of fifty percent, provided the rebuilt structure is within the same building footprint as the damaged or destroyed structure and is elevated in accordance with the requirements of the Metro Stormwater Manual.
   f. Athletic fields used for recreational purposes, including facilities associated with the recreational athletic fields such as dugouts, bleachers, concession stands, storage buildings, and other similar structures or facilities.
   g. Modification or enlargement of an existing building or other structure located partially or entirely within the floodway of the Cumberland River, so long as such building or structure was in active commercial or industrial use as of July 1, 2012. No such modification or enlargement shall be permitted within the floodway of any Cumberland River tributary or undertaken without the approval of the stormwater management committee.

After discussion during the Executive Session of the Committee on December 6, 2018 and review of the information presented a motion to defer Variance Request No. 201800029 for 30 days was made and seconded. The motion carried.

3. 201800030
Century Farms – Roadways & Mass Grading

0 Cane Ridge Road	APN 17400021300, 17400021900 & 1740002330
Inspector: (Shawn Herman)	CD-32 (Jacobia Dowell)

Case was granted preliminary SWM Plan Approval Only on March 1, 2018 under case #201800004 to allow: 1) Disturbance to the stream buffers. 2) Disturbance to the wetland buffers. 3) Disturbance to wetlands.

APPLICANT'S REQUEST: Is to allow the following:
1. Disturbance to stream buffers.
2. Disturbance to wetland buffers.
3. Disturbance to wetlands.

APPELLANT: David Young (Century Farms, LLC)
REPRESENTATIVE: Jeff Cundiff (Barge Design Solutions)

COMMENTS:
SW STAFF: This submittal appears to contain disturbances not covered in the preliminary hearing. The mitigation plan provided does not appear to compensate for the proposed resource loss. Ash trees should not be used in a mitigation plan due to the current Emerald Ash Bore infestation issue. Also, the ARAP stream and wetland impacts do not appear to match what is proposed on those plans.
CODES: No comment provided.
PLANNING: Requested variance is consistent with the approved SP site plans.
GREENWAYS: Greenways defers to decision of Storm Water Management Committee.

Ms. Carrie Stokes recused herself from case # 201800030.

Mr. Jeff Cundiff (Barge Design Solutions) spoke on behalf of request at the location at 0 Cane Ridge Road which was granted preliminary approval on March 1, 2018. Mr. Cundiff stated that the proposed parkways were required by Federal Highway Administration (FHWA) to connect the new interchange to the local roads. Due to the construction, Metro Stormwater was requiring the existing culvert under Cane Ridge Road to be increased in size to have the capacity to pass the 100-year storm event.

Mr. Cundiff went further to state that the existing creek surrounded the property and to meet the public infrastructure needs the impacts cannot be avoided. Special design elements have been implemented including the propose open-bottom culvert to protect and minimize impacts to the existing stream bed.

Councilmember Jacobia Dowell of District 32 sent a letter stating support of the variance stating it is imperative to move expediently on the project.

An email was also read into record that was sent by Millcreek Watershed Organization requesting that on-site mitigation be used.

After discussion during the Executive Session of the Committee on December 6, 2018 and review of the information presented a motion to approve with the following standard Conditions # 1-2 and Condition #3 were approved and seconded. The motion carried.

1. The Appellant shall have the landscaper who installs the required mitigation plantings to certify MWS Stormwater – NPDES Office, in writing (referencing Variance #201800030), 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.
2. This variance will expire on December 6, 2019. 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.

3. The Appellant is to work with Stormwater Staff on meeting the correct caliper size of trees and to remove ash trees from the distribution of native species.

NOW THEREFORE, it is the decision of the Committee that the request in Variance Request No. 201800030 as set out above and further described in the case record, be and is hereby **GRANTED.**

4. 201800031
Harmony at Bellevue
8234 Highway 100 APN 15500010900
Inspector: (Leigh Nelson) CD-35 (Dave Rosenberg)

APPLICANT'S REQUEST: Is to allow the following:

1. Construction, installation, and maintenance of a multi-use path, green strip, left turn lane and culvert extension that disturbs the stream buffer.
2. Continuous mowing and maintenance of a portion of the buffer in order to maintain the sight triangle.

APPELLANT: James Forbess (Bellevue IL-AL Investors, LLC)
REPRESENTATIVE: Wes Magill (Ragan Smith & Associates)
COMMENTS:
SW STAFF: No comments.
CODES: No comment provided.
PLANNING: Site is zoned AR2A, defer to Stormwater for review.
GREENWAYS: Greenways defers to decision of Storm Water Management Committee.

Ms. Anna Maddox recused herself from case # 201800031.

Mr. Wes Magill (Ragan Smith & Associates) spoke on behalf of request at the location at 8234 Highway 100.Mr. Magill stated that the location of the project with frontage along Hwy 100 and inclusion in the Major and Collector Street Plan necessitates the construction of the multi-use trail.

Mr. Magill goes further in stating that in order to comply with other Metro departments the site cannot be developed without building a multi-use path or a turn lane which will cause the buffer impact. The sight distance triangle is required to meet roadway standards and the location of the property access is place to avoid impact to either stream or buffer. To ensure proper sight distance, the area within the triangle will need to be mowed and maintained.

After discussion during the Executive Session of the Committee on December 6, 2018 and review of the information presented a motion to approve with the following standard Conditions # 1-2 and Condition #3 were approved and seconded. The motion carried.

1. The Appellant shall have the landscaper who installs the required mitigation plantings to certify MWS Stormwater – NPDES Office, in writing (referencing Variance #201800031), 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.

2. This variance will expire on December 6, 2019. 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.
3. The Appellant shall work with Stormwater Staff to reduce the encroachment of the stream buffer on the south portion of the site in the proximity of the proposed sidewalk.

NOW THEREFORE, it is the decision of the Committee that the request in Variance Request No. 201800031 as set out above and further described in the case record, be and is hereby **GRANTED.**

IV. ITEMS OF BUSINESS

V. ADJOURNMENT

The meeting adjourned at 9:45 a.m.

Metropolitan Stormwater Management Committee
Approved:

By: _____
Secretary

Date: 1-3-2019