



City of Greensboro

Melvin Municipal
Office Building
300 W. Washington Street
Greensboro, NC 27401

Agenda Report

File Number: 2022-950

Agenda Item# G.7.

Agenda Date: 9/20/2022. **Department:** Water Resources

Meeting Type: Council Meeting **Category:** Consent Agenda

Title: 2022 - 950 Resolution Approving the Type 4 Watershed Modification to Allow for the Reduction of Undisturbed Area Requirements by Providing Better Water Quality Treatment through a Series of Stormwater Control Measures for Site Located at 4485 Old Battleground Rd

Council Priority: Place an 'x' in the box.

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

Council District: 3

Public Hearing: No

Advertising Date/By: N/A

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Contact 2 and Phone: Virginia Spillman, 336-373-3260

PURPOSE:

The regulations for the Watershed Critical Area require that 20% of a site that falls within Tier 3 remain undisturbed. The developer of the property at 4485 Old Battleground Road is requesting a Type 4 modification to allow for a reduction in undisturbed area by offering secondary stormwater treatment based on equal or better performance.

BACKGROUND:

Request: This request is for a Type 4 Modification to Section 30-12-4.2 (B), Watershed Critical Areas – Land Disturbance Minimization. The Ordinance requires that 20% of the project area within Tier 3 remain undisturbed to protect water quality. The developer is proposing to provide additional Stormwater Control Measures (SCM) to treat runoff from this site in lieu of providing the required undisturbed area.

Issues: City Council is to consider the three possible grounds for a modification, as listed below, in granting the applicant's request which are as follows: Grounds #1 is "Equal or Better Performance" which is a finding that the alternate standards portrayed on the plan will perform equal to or better than the regulations in furtherance of the purposes of the Ordinance; Grounds #2 is "Physical Constraints" which is a finding that the size, topography, or existing development of the property or of the adjoining areas prevents conformance with the Ordinance; and Grounds #3 is "Other Constraints" which is a finding that a federal, state, or local law or regulation prevents conformance with the Ordinance.

TRC Action: As part of the watershed plan approval, the applicant has applied for the Type 4 Modification. The application submitted states that the proposed development will reduce the required undisturbed area from 3.38 acres to 2.01 acres – a 41% reduction. The developer is proposing to utilize pervious pavement in series with 2 wet ponds to provide better overall water quality for the site. The construction of the two wet ponds in sequence with the permeable pavement within the parking lot increases the efficiency of the Total Nitrogen (TN) and Total Phosphorus (TP) removal by 21% while also improving the Total Suspended Solids (TSS) removal by 12.75%. After reviewing the request, the Technical Review Committee felt that under Equal or Better Performance Grounds, treating the site runoff in a series of stormwater control measures will provide better water quality. Therefore, the water quality measures contained in the applicant's proposal will achieve water quality that is equal or better than the intent of the Watershed Critical Area regulations.

BUDGET IMPACT:

There will be no impact on current or future City Budgets.

ACCOUNT NUMBER:

N/A.

RECOMMENDATION / ACTION REQUESTED:

The Technical Review Committee recommended this modification to the Planning Board and to City Council. The Planning Board recommended this modification at its August meeting on a vote of 7-0.

Accordingly, it is recommended that on September 20, 2022, City Council consider and approve the applicant's modification to reduce the amount of undisturbed area by providing better water quality treatment through a series of stormwater control measures