

FLOOD PLAIN PERMIT COMMITTEE MEETING  
*201 West Gray, Building A, Conference Room D*

*Monday, April 18, 2016*  
*3:30 p.m.*

Minutes

---

PRESENT: Shawn O’Leary, Director of Public Works  
Susan Connors, Director of Planning/Community Development  
Scott Sturtz, City Engineer  
Ken Danner, Subdivision Development Manager  
Jane Hudson, Principal Planner  
Sherri Stansel, Citizen Member  
Neil Suneson, Citizen Member

OTHERS PRESENT: Todd McLellan, Development Engineer  
Rachel Warila, Staff  
Bruce Valley, Applicant  
Jack Hooper, Citizen

The meeting was called to order by O’Leary at 3:30 p.m.

**Item No. 1, Approval of Minutes:**

O’Leary called for a motion to approve the minutes from the meeting of March 7, 2016. The only change requested was to add committee member Neil Suneson to the list of members present at the meeting. A motion was made to approve the minutes by Sturtz and seconded by Suneson. Approved 7-0. It was noted that seven members of the committee were present and a quorum was established.

O’Leary then announced that the first and only application of the day, which is Floodplain Permit Application #569 was for an addition to an existing house located at 1006 McNamee Street. He then requested that McLellan present the Staff Report for this application.

**Item No. 2, Flood Plain Permit Application No. 569:**

McLellan introduced the applicant Bruce Valley and then presented the Staff Report for Flood Plain Permit Application No #569.

McLellan stated that this application was for 3 proposed additions to a single story house located at 1006 McNamee Street, which is located within the Imhoff Creek Special Flood Hazard Area (SFHA). He explained that this property is located on the south side of McNamee Street between Pickard Road and Berry Avenue in the Delong Addition. He explained that the existing house is single story, approximately 1,544 square ft. with a combination of footing/stem wall and slab on grade foundation system built in 1932 and that the majority of the house is in the floodplain, with the northeast corner of the property in the floodway of Imhoff Creek.

McLellan stated that the proposed additions to the house include a north addition (Area #1) that will be approximately 16' by 6' and will extend the living room, an east addition (Area #2) will be approximately 16' by 22.5' and will be a bedroom and sitting room, and a south addition (Area #3) will be approximately 15.4' by 9.5' and used as a day room. He explained that all 3 additions will match the finished floor elevation of the existing house, which is approximately 1.2' above the BFE.

According to McLellan, the new additions will consist of concrete, footings, floor joists, wood framing, insulation, rafters, roofing, ceilings, floors, windows, siding and trim and the roof of

the existing structure will also be replaced with a new roof; as part of the new construction. He added that a new driveway would also be constructed at grade but it would not be included in substantial improvement calculations, since it is not part of the structure itself.

McLellan explained that the floodplain ordinance standards state that the total cost of the additions must not exceed 50% or more of the market value of the original structure or the entire structure would need to be upgraded to meet the current floodplain ordinance standards. He noted that the estimated material and labor cost of the additions and new roof over the existing structure is \$33,838.80 and the market value of the existing house is approximately \$132,200. McLellan said that the market value of the existing house was determined by subtracting the value of the land (\$30,000) from the appraised value (\$162,200); according to the appraisal performed by Chris Hardwick in April, 2016. Since the value of the improvements is 25.5% of the value of the existing structure, this work does not meet the 50% substantial improvement threshold of the ordinance.

McLellan added that at the proposed addition locations, the Base Flood Elevation (BFE) is 1150.0', which is 0.6' above the approximate ground elevation of 1149.4' ft. at the lowest point in the area of the proposed additions, based on GIS 1' contours and the existing and proposed finished floor elevation of 1151.2'. McLellan said that there is no minimum freeboard requirement, since the value of the proposed work is below the 50% substantial improvement threshold requirement.

McLellan then discussed the Applicable Ordinance Sections:

2(fff) Substantial Improvement– McLellan explained that any reconstruction, rehabilitation, addition, or other improvement of the structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement, must meet the current floodplain ordinance requirements and based upon the information submitted, the improvements do not meet the Substantial Improvement threshold.

4(b)(1)(a) and 4(b)(5) Fill Restrictions in the Flood Plain and Compensatory Storage- McLellan stated that fill is restricted because storage capacity is removed from floodplains, natural drainage patterns are adversely altered and erosion problems can develop. He explained that compensatory storage must be provided within the general location of any storage that is displaced by fill or other development activity and must serve the equivalent hydrologic function as the portion which is displaced with respect to the area and elevation of the floodplain. McLellan mentioned that according to the engineer's calculations, approximately 8 cubic yards of materials will be placed in the floodplain due to the new additions and approximately 8 cubic yards of soil will need to be removed from the floodplain to fulfill the compensatory storage requirement.

5(a)(viii) No Rise Considerations- McLellan detailed that for proposed development within any flood hazard area (except for those designated as regulatory floodways), certification that a rise of no more than 0.05 ft. will occur in the BFE on any adjacent property as a result of the proposed work is required. He noted that the project engineer has provided calculations stating that the 3 proposed additions will not cause a rise in the BFE of more than .05 ft.,

which meets the ordinance requirements for the additions shown in Area #2 and Area #3. He also mentioned that Area #1 appears to encroach into the floodway, therefore this planned addition does not meet this section of the ordinance because no rise in the BFE is required and encroachments are not allowed in the floodway.

McLellan then stated that it was Staff's recommendation that Floodplain Permit Application #569 be approved for additions in Area #2 and #3 on the condition that compensatory storage be provided. He also said that Staff recommends that Floodplain Permit Application #569 be denied for the addition for Area #1 because it appears to encroach into the floodway.

He then introduced the applicant Bruce Valley and asked if he had any questions or comments for the committee. Valley explained that he had revised his cost estimate to allow for an increase that is still substantially below 50% of the market value of the property and that he has a statement to explain that he would address the compensatory storage issue, which was not included in the original documents submitted. He then explained that the displacement volume was based on a total surface area of the three additions but the actual displacement should consider the area where water is allowed to migrate in between the footing and the floor joists as storage area. He also stated that for compensatory storage that he believed he should only have to take out the volume displaced by the stem wall, which is only about 3 cubic yards of compensatory storage.

Valley then mentioned that he plotted Area #1 and that the construction is located out of the floodway when he plotted those points on a map of the City of Norman he found 6.75' from the new construction to the edge of the floodway and that he is requesting to extend this additon 6 ft., which would leave approximately 9 inches between the new construction and the floodway. He then stated that he would be willing to provide hard survey data from a licensed surveyor of his house corners within a week of this meeting and requests that the committee take this into consideration.

O'Leary then responded to Valley to clarify that there were three new items of information presented including a revised cost estimate of about \$42,000 instead of \$33,848; about 32% of the value of the home, which is still under the 50% limit, also that there was a difference of opinion in regard to the compensatory storage issues that he would ask staff to respond to and also a difference of opinion regarding the floodway line relative to Area #1 of the referenced property. He then asked McLellan to respond to these items.

McLellan remarked that a detailed estimate showing the revised costs would need to be submitted, that explained how he generated the additional costs, and his engineer's calculations he had assumed that the whole area was covered and what has been submitted does not match this information so a new drawing with the correct calculations and the locations where the vents will be located will be required. McLellan then stated that in regard to Area #1 he has scaled it off of the GIS maps and got approximately 3 ft. from the corner of Valley's house to the floodway. He also stated that also FEMA data confirmed exactly the

same information that the City had.

Valley responded that if you measure off the observed corners as displayed in his diagram of the drainage the location shows hard data measurements and the scale of his property lines are about 5 feet off of the total width and he believed that the City was getting a little bit of parallax from the aerial photo. Valley then presented a map of his property that he had generated and stated that the measurements were “hard”. Sturtz then questioned Valley about his statement regarding “hard” data and explained that he believed he was speaking of comparative drawing data. Valley responded that the data was “hard” to the aerial photo that the City of Norman is basing the FEMA map on and even if he hired a surveyor all that he could do is establish his structure on his property and a reference point would still need to be established to find out how far the floodway is from the structure. Valley then requested someone to provide him with the reference points that he could find out exactly where the flood line is within a few days and then asked McLellan if those two reference points for the state coordinates were available. McLellan responded that Valley could contact GIS to see if there was a way that they could do it but that there is no listing available that has state plane coordinates for the floodway/floodplain line.

O’Leary stated that another resource might be FEMA from where the maps originated. Valley responded that if his application was denied due to this assumed encroachment that he would revise his design on the front of the structure to be from the floodway to the dimensions established by the City of Norman.

O'Leary then asked if there were any other comments and Sturtz suggested a motion to postpone the meeting for the applicant to gather documentation that supports an accurate cost adjustment, survey information and location showing the design of the vents. McLellan then responded that the committee would also like information detailing where the 3 cubic yards of compensatory storage would be taken from. Sturtz then said that a cross section of the area would also be helpful of the house is located in relation to the floodplain. Stansel then asked Valley if he had selected a builder for the home and Valley responded that he had received several varied cost estimates.

Suneson then asked Valley if he was questioning the location of the floodway and Valley responded that he was not contesting the floodway location but rather the offset distance from the bottom corner of his structure to the floodway line. Connors then seconded Sturtz motion and recommended postponing the meeting to May 16<sup>th</sup> to give the applicant enough time to gather the necessary information. O'Leary then asked if there was a motion to approve Floodplain Application #569 with the above conditions and Sturtz seconded. Approved 7-0.

### **Item No. 3, Miscellaneous Discussion**

O'Leary then stated there is one application for the May 2, 2016 floodplain meeting and that there is 0 pending applications at this time for the May 16, 2016 meeting. He added that the council consideration of revising the City's Floodplain Ordinance has been changed to May

24<sup>th</sup>. A motion was then made to adjourn the meeting by Connors, which was seconded by Sturtz. Approved 7-0.