

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

Monday, May 18, 2015
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, Principle Planner
Sherri Stansel, Citizen Member

OTHERS PRESENT: Todd McLellan, Development Engineer
Rachel Warila, Staff
Ole Marcussen, Engineer
Dirk O'Hara, Applicant
Stephanie O'Hara, Applicant
Sandy Taylor, Home Owner
Jeanne Parker, Home Owner
Jake Tullius, Home Owner
Mary Anne Tullius, Home Owner
Jan Ross, Home Owner
Nancy Leonard, Home Owner
Cheryl Yaroslavski, Home Owner

The meeting was called to order by O'Leary at 3:32.

Item No. 1, Approval of Minutes:

O'Leary called for a motion to approve the minutes from the meeting of March 9th, 2015. A motion was made to approve minutes by Scott Sturtz, and it was seconded by Ken Danner. Approved 6-0. It was noted that six members of the committee were present and a quorum was established.

Item No. 2, Flood Plain Permit Application No. 557:

O'Leary stated this application was submitted by Dirk O'Hara and is a request for the construction of a multi-story house with a footprint of approximately 8500 sq. ft., on approximately 0.54 acres of land. This land is currently unplatted, and located west of Smoking Oaks South #2 Addition at the south end of Echo Trail. The site is located in the floodplain of the Canadian River (Zone AE) on the floodplain fringe, where water velocities are low.

O'Leary introduced Todd McLellan, Development Engineer, who presented the Staff Report. McLellan introduced the applicant Dirk O'Hara, his wife Stephanie O'Hara, and engineer Ole Marcussen, representing SMC Consulting Engineers, P.C.

McLellan explained that while this development is currently unplatted; if the floodplain permit application is approved, the applicant will be required to re-zone and plat the land through the platting process. A Google Earth photo was then presented that showed the planned house location and a floodplain map showing the location on the fringe of the Canadian River floodplain. Also, indicated in the photo was a concrete drainage channel that drains Meadow Avenue down the east property line then into an earthen channel that goes southwest towards the Canadian River. A contour map was then presented that shows the creek and the general layout of the drainage area of the project, and showed that the site generally drains from the northeast towards the southwest. A site plan was shown that indicated concrete accessory structures that will be placed around the house including sidewalks, patio, and a swimming pool.

A grading plan was shown to indicate how the existing runoff from Echo Trail and the runoff coming from the northeast will be directed to a two-foot wide concrete flume on the northeast side of the property to carry water towards the existing creek channel, and a four-foot wide concrete flume on the west side of the property to take water towards the golf course. McLellan showed a cross section that indicates the Base Flood Elevation is 1101.0 feet, so the ordinance requires that the house will need to be elevated to 1103.0 feet, which is 2.0 feet above the BFE. Approximately 420 cubic yards of fill material will be required to elevate the structure a minimum of two feet above the BFE. A preliminary Elevation Certificate is required just prior to pouring the lowest floor to verify that the elevation requirement has been met, and then a final Elevation Certificate will be required at completion of construction to verify that the elevation associated with the lowest mechanical equipment, such as air conditioners and furnaces have also been properly elevated.

Applicable Ordinance Sections:

- Section 4(b)(1)a: The use of fill in the floodplain is restricted, however the use of fill is allowed to elevate residential structures if compensatory storage is provided. The fill material used for this project will come from the creek bank area near the southeast end of the property from within the floodplain. Since no new fill will be brought into the floodplain, this project meets this section of the ordinance.
- Section 4(b)(5): Compensatory storage must be provided within the general location of any storage that is displaced by fill. Since no new fill will be brought in to the floodplain compensatory storage is not required.

- Section 4(c)(1): Elevation of structures- residential structures shall be constructed on fill including any attending utility and sanitary facilities so that they are designed so that the lowest floor (including basement) is elevated at least two feet above the base flood elevation. The house will be elevated at least 2 feet above the BFE so this requirement will be met.
- Section 5(a)(viii): No rise considerations- proposed development within any flood hazard area except those designated as regulatory floodways, certification of a rise of no more than .05 feet will occur in the BFE on any adjacent property as a result of the proposed work must be provided. The engineer has certified that the project will not cause a rise in the BFE, which meets this ordinance requirement.

Staff recommended that floodplain permit application #557 be approved.

Shawn O'Leary: Asked for additional comments from the applicant's engineer Ole Marcussen.

Ole Marcussen: Elevation will require only 420 cubic yards of material to elevate the structure to 1103.0 feet. About one-third will be necessary to get it out of the floodplain, the remainder is for grading above 1103.0 feet. The concrete flumes will be below the grade of the adjacent residences to make sure that we don't flood anyone and that we take that water away from the area. After seeing the pictures of the area during the storms, I'm not sure that the flume on the north side is necessary; it may need one just to make sure to get water away

from the streets when they build the pad, but most of the flow is on the north side and won't come in the driveway.

Jeanne Parker: I thought that you just said that compensatory storage wasn't required?

Todd McLellan: According to the ordinance because the fill is coming from within the floodplain itself, the applicant doesn't have to provide compensatory storage. If he was bringing in fill from outside of the floodplain then an equal amount of material would need to be removed from the floodplain so it balances.

Ole Marcussen: That's what it amounts to. If this area of dirt is not suitable for fill under a house then it would have to be taken off-site and then suitable fill material brought back in.

Jeanne Parker: But there's going to be a gap along that creek bed.

Shawn O'Leary: We'll have a moment for public comments here in a minute.

Ole Marcussen: They will excavate material from the west channel bank to compensate for the storage that is lost by the house.

Sherri Stansel: Has there been any calculations done for the discharge that comes from that point where you are going to be removing dirt?

Ole Marcussen: From the concrete channel? I haven't done any. No.

Sherri Stansel: What state is the creek channel bank going to be left in?

Ole Marcussen: It will be just like the photo shows. We will probably just lay this bank down with a gentle slope and then sod it back so the channel will have a lot more capacity.

Shawn O'Leary: Are there any additional questions for the committee before we open up the floor for public comments?

Scott Sturtz: What about the volume and velocities coming off the flumes?

Ole Marcussen: We will have to put rip rap for additional protection. It's going to be placed at the end of the concrete lined channel.

Scott Sturtz: What about volume? I have some additional concerns about increased volume from the impervious surfaces on the property too.

Ole Marcussen: The house will have rip rap and gutters so the flooding will not go back towards the neighbors.

Shawn O'Leary: Ole one question, I presume you are working with the golf course on all of these peripheral issues in terms of drainage, and are they here today?

Ole Marcussen: I personally haven't been and they are not present at today's meeting.

Susan Connors: I received an e-mail from them this afternoon saying that they have no objection to this project.

Shawn O'Leary: Are there any additional comments or questions from the committee before we open it up?

Scott Sturtz: We need to ensure that any new construction which would increase velocities or volume of water to the extent that significant erosion or flooding could occur does not happen. I'm just worried about excess water coming off the end of that flume and then going across the golf course, which would result in complaints further down the road.

Ole Marcussen: From who? From the golf course?

Scott Sturtz: Yes. I think we need to make sure that there are adequate controls in place.

Ole Marcussen: This will be treated just like any subdivision. We're going to follow the same rules; things are going to be done the same way.

Scott Sturtz: We may need to look at a level spreader or similar mechanism to control velocities.

Ken Danner: Ole, all of the fill will come from within their property to build the pad?

Ole Marcussen: Yes. We don't have permission to take it from anywhere else.

Todd McLellan: Now tract 2 is owned by the applicant currently, correct?

Ole Marcussen: Yes.

Shawn O'Leary: Will you clarify that for the audience Todd, and reference it to Tract 2? The county records were a little bit difficult to follow as I recall.

Todd McLellan: What we're talking about is the wedge shaped property that's labeled Tract 2 on the site plan. The county assessors' site shows this property not being owned by the O'Hara's, and sometimes it takes a couple of months to update, so we just want to make sure that this tract is owned by the applicant.

Sherri Stansel: Is it going to remain two tracts?

Ken Danner: Not as far as the platting. The platting will include all of it when it is platted.

Shawn O'Leary: So Ole what you just handed us is relevant to Tract 2 and the O'Hara's originally purchased it from the Trails Golf Course?

Ken Danner: Yes in 2013.

Shawn O'Leary: In 2013, that may be the reason it's not updated in the county records. Okay, anything else from the committee? At this time I'm going to open it up to public comments or questions. Would you please state your name and your address and be clear for us on what your comments or questions are? I just want to remind the group that this is a floodplain permit hearing, not a zoning or platting case yet; that would come later presumably if this application was approved here. Next, it would go through a land use, zoning and platting application process with the Planning Commission and the City Council, so that will be another opportunity for you to speak about the use of the land, and the zoning, platting and that type of thing but today we are focused on floodplain permit applications so please if you would confine your comments to that point. I open it up at this time.

Todd McLellan: Jeanne Parker is here along with Mary Anne Tullius representing some of the neighbors and would like to speak on their behalf. I went ahead and put their houses on the map here showing where they live in relation to the property we are discussing.

Jeanne Parker: I'm going to start out with saying that I have an open letter which was sealed, so I didn't open it. I don't know who to give that to. I have several letters from the neighbors. I live at 2914 Meadow Avenue which is adjacent to the said property and the reason that I am here is because I have pictures of the flooding in my backyard, and for 24 years I have been

trying to stop the flooding in my backyard. I built cement retaining walls and everything else but my yard still fills up. Mary Anne has some pictures showing the recent rains.

First of all, has anyone walked this property? Has anyone been out here to actually look at this? Okay so three people have. Okay so first of all, this property should have never been divided for several reasons and the main one being that its park land, and it's in the flood zone. 80% of it is in the flood zone. It was sold to James Horrell in 2005, and the said property that we are talking about was sold in 2013 to the O'Hara's. There's an 8-year gap. Now, who waits 8 years to build a house on a golf course? Who is not going to suck up that property because everybody that tried to was denied by the City or somebody else and told that it was a flood zone? You know you can't build in 80% flood zone and it was never intended to be developed.

If you go to the second page it talks about the BFE, the base flood elevation. Jan Ross' house is directly behind the property and was built in 1981, and at this time everyone knew that the floodplain ordinance allowed the house to be built at the BFE. Now, in 1999 the floodplain ordinance was revised to be more aggressive to manage these areas and the present ordinance says that all properties must be raised two feet above base flood elevation. Well we have a problem here because if this proposed house is raised two feet above Jan's house and the water is flowing this way, what's going to happen? A two foot flume is going to take all that water? Living there for 24 years, I know it's not. I'm sorry that I'm emotional but this is what I saved for my entire life, and I do not want to be flooded out.

Also, there are 40 trees on the property with an 8,500 square foot house, cement patio, pool, which is another subject, sidewalks, and a cement driveway. We have almost an entire acre of impervious surfaces with cement flumes added to that, so the water is going to run off. Storm water runoff with natural ground cover is only 10%. Storm water with 75% impervious surface raises that to 55%, and you saw what 10% does. Another thing, there are 40 trees on the property, and 36-38 of them have to be removed. When you remove trees, trees absorb water too, and the fact is for every 5% of coverage of trees, the runoff is reduced by 2% so removing this many trees would be disastrous. Where is the water going to go? It's going to go into my backyard. It's going to go into Jan's house because she is at base flood level, and the proposed house downstream from her is two feet higher.

Also, right now we are not required to have flood insurance because we are not in the flood zone. This property putting in the impervious surface, are we going to be in the flood zone now? Are we going to be required to carry flood insurance? All the houses in the area are between 1,687 square feet to 2,761 square feet. The house that is going in there is over three times that size. What is that going to do to our assessment and the flood insurance? Who is going to pick up all of this expense? Also, let me talk about the swimming pool. Most cities prohibit swimming pools in the floodplain due to the resource protection area. The FEMA department strongly discourages swimming pools in flood plains. What is the City of Norman's policy? Do we allow sunk-in swimming pools in floodplains?

Todd McLellan: Yes we do.

Jeanne Parker: Wow. Okay. Do we have an encouragement certificate issued?

Ole Marcussen: There is a no-rise certificate which is signed.

Jeanne Parker: Is it possible to request a technical assistance review from the FEMA office and the State NFIP coordinator? Shouldn't we do that? You have one engineer, I mean the city has hired many engineers to fix the flooding on McGee and that has never worked. You can't stop water! Maybe I can show you some pictures that show how it looks with 10% runoff? We're going to increase that runoff by 45%. Jan whose house is at base flood elevation has pictures right upstream from the property, and Mary Anne and myself also have pictures.

Shawn O'Leary: Thank you. Please, anyone else?

Sandy Taylor: Is there going to be a review of pictures after this? Is that how this works? I live at 2914 Meadow Avenue. I am friends with the O'Hara's. I just don't want them to take away the park land. One thing I think that has not been addressed is the build-up of silt that is going to come down this concrete flume that frequently blocks bridges that the City has to maintain, the bridges on the golf course that in photos are covered up with debris that comes downstream.

From my knowledge it's our water flow that comes down from the middle of Norman and lands in this creek that goes out to the Canadian River. Who is going to take care of this build-

up? The City, where do they stop? Where does your responsibility stop on this creek? If this compensatory storage gets blocked just like it shows on the diagrams that I have pulled off of FEMA's web site, and that I have found from the City of Norman. It's going to get smaller, and it's going to fill up, and it's going to push the water out and over. Out and over is where their house is; two feet higher than anyone else's, where my neighbors are, the golf course. When the golf course sold them this land, did they know about this? Did they think about these things? It's going to affect a lot more people.

There are six of us that border that creek that are in the line of fire here. These are big concerns and we want to know who is going to be responsible for that? The City of Norman has this in their ordinances. We should not have any artificial obstructions to cause any problems in the floodway. This is a huge potential disaster waiting to happen for us homeowners, and this is in your hands to take care of this and to help us. We all pay taxes. We've all gone by permits. We just need to know who is going to be responsible when this thing overflows, and just because you have flood insurance doesn't mean you are going to be happy with it? It means you got damage, and who is going to handle that?

Shawn O'Leary: Additional comments or questions?

Jeanne Parker: I have a total of 3 or 4 letters.

Jan Ross: I live at 1700 Echo Trail. Can we look at pictures now? When I bought the house, Mr. Horrell sold me the house and this land behind it that the O'Hara's have now bought.

They sold it separately for some reason, and at the time I didn't have the money to buy both properties so I just bought the one. You said the house is going to be raised two feet. I have a box in this photo that is 23 inches high that you can see. Does that mean that the house going to sit that high?

Shawn O'Leary: That would be the finished floor elevation. It could go higher than that.

Jan Ross: You said the water will run off that direction but there is a house there, so any water on this side I assume will run into my property. There is no way that it would go that way because there would be an 8,500 square foot house there. It's going to come to my house. The creek that runs has come up about a foot high on my fence before; it rushes very fast, and it concerns me. It gets stopped up, and there is debris that goes by it and when it's stopped up it goes even higher up on my fence. I'm just concerned as to where all that water goes?

Shawn O'Leary: Thank you. Are there any further comments or questions?

Sherri Stansel: What was this rain event that we had? Do you know?

Shawn O'Leary: We have had four flash floods in the last ten days. Which one would you like to talk about? Engineers are always reluctant to say that we just had a 100-year storm but based upon what we have been dealing with and properties throughout Norman, every corner of the city has experienced extraordinary, perhaps the 1% storm or worse in some locations.

Mary Anne Tullius: My name is Mary Anne Tullius and I am here with my husband Jake Tullius. We live on Cynthia Circle at the bottom of the street. We have been there since 1986. The man that developed the Trails Addition also developed the Trails Golf Course. Bobby Hartsock told us that we should buy the property before they finished selling the land for the golf course because the Trails could come in and put a bathroom or whatever else there, and so that we would buy our part and Horrell would buy his part. At the same time he said that we would not be able to put a house there, and that we wouldn't be able to sell it or whatever and that it would just kind of become part of our property.

We get all of the water from Cynthia Circle and from across Highway 9, all of that just angles down. At the top of the street is the parking lot from St. Michaels Church, and there is also a soccer field so all of that runs down the street. I get everybody's dirt and debris at the end of my backyard. We do have a flume now at the side of our property, and if you go now and see it there will be water in it. The Hartsock's tried not to water on the same day because if they do the water runs off from the green and creates a bog there. We have a rain problem but we cannot tell the Trails not to water their grass. My worry is that where they want to install that flume it will just become a cement holder because we are at the bottom, because you are going to run it out to where it is already flat, it is just going to hold water and not run it out to the creek. I have mosquito problems and there is a smell from the standing water back there. You can't put flumes on both sides of a property and then make it go down because it is already at the bottom.

Jan Ross: I agree because that creek next to my property holds water. The flume that is out there now is backed up.

Mary Anne Tullius: My husband and I are always out there getting the sand out of the flume because we also take everyone's dirt out there. If you could guarantee me that this is not going to happen with the new flumes then I would not feel so worried about it backing up into this area also. Because of the sprinkler system at the Trails that whole area right there has become like a bog. I have to wait forever to mow the grass there. I get mosquitos, a smell, and some black stuff and it takes forever to go away.

Jeanne Parker: I have to order dirt all the time to keep my retaining wall intact. When the river changes sides, the rain backs up into that area.

Mary Anne Tullius: If I bring in 2 feet of dirt in then I will flood someone else's property.

Jeanne Parker: The NFIP states that building in a neighborhood should not cause any economic or social hardships and from what you hear today, it certainly would.

Shawn O'Leary: Any additional comments?

Nancy Leonard: My name is Nancy Leonard and I live at 3005 Meadow Avenue, which is on the opposite side of the street from Jan and down one house; next to the canal. We have lived there since 1996. We see big huge things of debris that come roaring down past us and they

get stuck at the street. My husband has cleaned that out several times just because of the debris; including bottles and branches that accumulate into a big ball. I don't want our lovely neighborhood to be destroyed by flood waters that could back into these homes. I'm not sure how a hotel sized home in our area could help with floodwaters.

Shawn O'Leary: Thank you for your comments. Are there any additional comments or questions?

Dirk O'Hara: Do you want to hear from us?

Ole Marcussen: First, let me see if I can put some of your minds at ease. I don't know if I can or not. On this diagram this is Ms. Ross' house. This is elevated at 1103.0 feet. I'm just going by the survey now. Based on the survey alone, her house is higher than 1102.0, so this house will not be higher than the existing house, unless they build it up higher. This is just based on the survey itself.

Sandy Taylor: Excuse me, but Jan showed that box was two feet higher on her property.

Ole Marcussen: I'm just going by what the survey says, so it's not going to be two feet lower. It might be a little bit lower. I don't know. I can't really tell. I think it's probably 1102.0 feet. Also, this concrete flume right here has a three foot drop, so it will drain all of her property to make sure that no water is standing.

Sherri Stansel: Where is it draining to?

Ole Marcussen: The survey did not go all the way down to the river, so I don't know what happens after it gets to the green.

Jeanne Parker: The green is raised, so it hits the flume and then it comes back.

Ole Marcussen: According to the contour map all of this water drains straight away.

Jeanne Parker: If they are both at the same height, how does it drain?

Ole Marcussen: It drains through the flume.

Jeanne Parker: Okay, but if they are at the same level, then how does it drain?

Ole Marcussen: Her yard slopes back and it drains back into the creek.

Jeanne Parker: No it doesn't.

Shawn O'Leary: Ole, there are a lot of concerns about the channel on the south end. Can you clarify more about this parcel, and reference to obstructions and impacts? You aren't doing anything to fill or obstruct that channel, are you?

Ole Marcussen: We are actually taking dirt out, so it will have an increase in capacity.

Shawn O'Leary: So, are you creating more storage in that channel? If anything the debris will end up at the downstream property?

Ole Marcussen: It would go off to the side and then this would flow freely.

Jan Ross: Then it gets narrow again, and what happens?

Ole Marcussen: This house is not going to add much runoff to the overall large Canadian River drainage basin.

Jan Ross: With the removal of 40 trees?

Ole Marcussen: Well I don't know what the total drainage basin is but it's a lot bigger than just this area.

Mary Anne Tullius: I have another flume on the other side of my house that is supposed to be dropping too. How would I fix my problem if it's done and it doesn't work? What guarantee do I have that it's going to take all that water away?

Ole Marcussen: This water doesn't go over there now.

Mary Anne Tullius: But that's exactly where it goes, it rolls up and then comes right back.

Ole Marcussen: For 25 years none of my projects flooded last week. I don't know if that's any comfort to you or not.

Shawn O'Leary: I would like to offer one more opportunity for new comments, and Mr. O'Hara, do you want to speak?

Dirk O'Hara: We currently live on Meadow Avenue and we have tried to meet with several neighbors over the last couple of days and I didn't know that Carol was against it because we had talked to her this morning and she said she was okay, so she may be up in the air but nine out of ten of the homeowners in the radius are supporting us, and I think we got most of the e-mails and the copies of them. Jan did have the opportunity to purchase it when Mr. Horrell sold it the first time and she did have filed of record a right of refusal that she chose not to exercise. So she had the opportunity to purchase the park land at that point to keep us from building there. We're good neighbors. Our goal is to make the flooding problems better than what they are currently, not worse.

The flume coming down Cynthia Circle and the Tullius' have a full acre there that drains into it and we can't solve that problem but I know that by taking a lot of the water off of Echo Trail and directing it straight out there to the golf course would be better because right now it is going towards Jeanne and Sandy's lot and the Tullius' lot. At least this would get it out of their lot. We have worked very hard to build around the major trees and to keep as many as

we can, and to plant back as many trees as we can. The entire golf course is in the floodplain and so for anyone's house to flood my current house would have to flood. I'm below the level that were talking about here at 3100 Meadow Avenue and that's what the golf course is for to hold all that water. Our house being built is not going to lower the amount of compensatory storage. We hired the best engineers we could find to deal with flood issues, so that's our goal is to make it better and not worse.

Stephanie O'Hara: We were in Dallas for the floods last week and we had neighbors that took pictures and those puddles that you saw developed within two hours. I went over before when they had the record rains of 7-10 inches and I took photos two mornings in a row and there were no puddles at all.

Shawn O'Leary: Thank you very much. Is there something new? We're listening, but we need to move on folks.

Sandy Taylor: I understand. Why aren't the O'Hara's taking down the two houses they already own and building their big house there so they won't affect the floodplain?

Jan Ross: One more thing, Dirk you stated that you had 10 letters. Well I have 4 letters here and I don't see 10 people that wouldn't be affected, or how 10 people wrote that who are not in the area.

Shawn O'Leary: I turn it over to the committee now but I ask that you please understand this is more about the floodplain and not the drainage. It's not about trees or prices of property, so I need you to understand we need a more narrow viewpoint that focuses on the floodplain.

Sherri Stansel: Well you all know that I helped write the ordinance and we have been discussing fill lately, and our ordinance states that we want the least amount to be used for elevation for the house, etc. We did not envision a half acre lot with an 8,500 square feet footprint with the entire lot having to be raised out of the floodplain when we wrote that, and I am hoping that this is the last of these kinds of lots that are out here in this town.

I know that not too long ago someone came to us about a subdivision that they were putting in and they actually went in and reworked the subdivision so that they were no longer in the floodplain. Why aren't we doing this? Scott brought up erosion and discharge and I think we need to ask for some more figures regarding that and at least have that for the Planning Commission. This creek actually starts at Hollywood and Westbrook Terrace. It travels over a mile, goes under highway 9 and this is where it exits, so it is in our ordinance and the actual application itself that this is a modification of a stream bank or flow channel that needs to go to council and be addressed.

Shawn O'Leary: Sherri can you reference that section for me please?

Sherri Stansel: Well it's on the actual application itself. It's Item 8-c.

Shawn O'Leary: It states that any modification of stream banks or flow line within the area that would be regulatory floodway.

Scott Sturtz: I think from my part I'd like to see additional information, the volume of fill and creek bank area that it will be removed from. I would like to see in more detail a grading plan to see how it is going to drain and tie into adjacent properties.

Ole Marcussen: but like Shawn said that would come later, this is a floodplain permit application and not a drainage study.

Scott Sturtz: I agree with that but it's the compensatory storage and the cut and fill and seeing those types of clarifications and how we are going to address the water coming off and making sure we are not affecting adjacent properties.

Susan Connors: I'm having trouble with this and I know that it is a floodplain issue but the site plan is troublesome thinking forward and so whether or not the house fits on the lot is not clear given the site plan that we have. I know that that is a future issue, but I'm having trouble with having a house in the floodplain that maybe doesn't need other regulations. If we approve this, we may create other problems down the road.

Shawn O'Leary: I'm hearing an inclination to maybe postpone the application. One question; Ole this may be a little unusual that the O'Hara's have submitted a floodplain permit

application but you have not submitted the applications for zoning, and land use for platting. Normally those run parallel here.

Ole Marcussen: I think it was just the timing, and they wanted to get the floodplain out of the way before the re-zoning and platting process.

Shawn O'Leary: I think that's partly why it goes differently with other applications so we can see the whole picture and right now it seems like we are only seeing part of the picture. For the sake of the audience here, there are a number of committees that review development plats that run parallel usually in a 30-60 day period, so we're all looking at them together. In this case it is coming at us a little bit differently. Is there further discussion, or a motion?

Shawn O'Leary: Is there a motion to postpone application #557 to June 15th?

Susan Connors: I motion to postpone.

Scott Sturtz: I second that motion.

Shawn O'Leary: Any further discussion? So, is it clear what we are asking for? What are you asking for Susan?

Susan Connors: I think what Scott needs. I think we need to get clear on the house on the lot and what zoning is going to happen, because it does need to be re-zoned and a land use amendment needs to be done to meet the requirement for zoning and setbacks, etc.

Shawn O'Leary: They are asking for a zoning and land-use application.

Susan Connors: Or better clarification of the site plan, but mostly what Scott identified.

Shawn O'Leary: I'll just get right out there. I'd like to see a full application.

Ole Marcussen: Do you want the floodplain, rezoning and platting all at the same time?

Shawn O'Leary: A land use, zoning and a preliminary plat application, a variance issue related to the frontage on Echo Trail, some coverage concerns in terms of the stormwater coverage runoff issues and of course we have heard the drainage concerns. All of this will be addressed in a conventional application for those three functions and then we can bring it back to the floodplain committee. I request that information before coming back to the floodplain committee.

O'Leary thanked the committee, asked if there were any further questions or comments, and then moved to amend the motion of application #557 to allow the applicant to turn in additional materials including a full application for land use, zoning and platting. O'Leary then asked if there was a second on the motion. Stansel then seconded the motion. Motion for

application #557 was approved 5-1 with Connors voting against. O'Leary then requested a motion to postpone the meeting to June 15, 2015 pending the additional information requested, which was approved 6-0 by the committee.

Item No. 2, Flood Plain Permit Application No. 558:

O'Leary stated that Item No.2, Flood Plain Permit Application No. 558 is for the relocation of utilities under Imhoff Creek as part of the West Lindsey Street bridge replacement project. On November 22, 2011, the Norman City Council approved Resolution No. R-1112-63 requesting federal funds for the widening and reconstruction of Lindsey Street, between 24th Avenue S.W. and Pickard Avenue.

McLellan then stated that this project was for the relocation of utilities, not the bridge itself. Through this Resolution, the Association of Central Oklahoma Governments (ACOG), and the Oklahoma Department of Transportation (ODOT) agreed to provide 80% of the construction cost, up to \$9.7 million, to administer the construction with the matching share from the City of Norman. In order to receive federal funding, the City of Norman is required to enter into an agreement with ODOT to complete the design, acquire all necessary rights-of-way and relocate utilities and remove encroachments at the City's cost. The project is planned for bid in January, 2016. McLellan noted that this section of Lindsey Street has a traffic accident rate three (3) times the national average.

The existing bridge structure will be removed and replaced but this floodplain permit application is for the utility relocation portion of this project, and a separate floodplain permit application will be submitted for the new bridge and Imhoff Creek channel improvements at a later date.

Utilities being relocated as part of the Lindsey project will be underground and include a 12 inch steel natural gas pipeline, a vertically stacked 2 inch HDPE fiber optics line on top of the gas line, a new 36 inch sanitary sewer line installed across Lindsey Street below the proposed bridge, and an 8 ft. by 4 ft. reinforced concrete box (RCB) that will flow east and then turn southeast to drain into Imhoff Creek south of the bridge.

Applicable Ordinance Sections:

- Section 429.1 (4)(b)(1): Fill Restrictions in the Flood Plain
- Section (4)(b)(10): Utilities constructed to minimize flood damage
- Section (4)(b)(12): New and replacement sanitary sewer
- Section 5(a)(viii): No rise considerations. McLellan stated that the project will meet all the applicable ordinance sections.

Shawn O'Leary: Thank you Todd. John, do you have anything to add to all that?

John Clink: All of the utilities are going to be placed underground here. There will not be anything up in the channel area.

Shawn O'Leary: Alright, I'll bring it back to the committee. Are there any questions or comments?

Susan Connors: Is Imhoff Creek east of Berry Road near Pickard?

Todd: I just want to point out that Cheryl Yaroslavski is here. This is Cheryl's house here at the end of Madison Street.

Cheryl Yaroslovski: What I was concerned about is when they rebuild the bridge will they make the opening for the water to go through bigger, or is it going to be the same?

John Clink: It will be larger.

Shawn O'Leary: I'll just mention there will be another hearing for that, and that will be a future application that has not come to us yet. It will have much more information on the bridge structure itself. At the same time, as it is larger it still cannot raise the base flood elevation. We have to design it in a way that it does not cause any changes downstream as well. You will see those details soon. John is that coming?

John Clink: Yes.

Ken Danner- I recommend approval.

Scott Sturtz- I second.

Shawn O'Leary: All in favor? Approved 6-0.

Item No. 3, Miscellaneous Discussion

1. O'Leary stated that application #557 would be brought back to the committee on 6/15/2015, and that there were no other pending applications for the 6/15/15 Floodplain Permit Committee Meeting.
2. Susan then asked when the deadline was for information to be turned in for application #557, and Todd McLellan replied that it he wasn't sure that the applicant fully understood how soon they needed to get in the requested information.
3. O'Leary commented that a lot of information was missing for application #557 to be approved, and that there were all kinds of letters and information that would need to be brought back to the next meeting, and that they would follow up with the applicant the following morning to ensure that they know what they need to bring and when the deadline is for turning in this information.

4. O'Leary then asked if there was a motion to adjourn?

Connors motioned to adjourn, seconded by Sturtz. Motion was approved 6-0. Meeting adjourned at 5:15 p.m.