

FLOODPLAIN PERMIT COMMITTEE MEETING
201 West Gray, Building A, Conference Room D
Virtual Meeting via Video Conference

Monday, June 1, 2020
3:30 p.m.

Minutes

PRESENT: Scott Sturtz, City Engineer
Ken Danner, Subdivision Development Manager
Jane Hudson, Director of Planning and Community Development
Sherri Stansel, Citizen Member
Neil Suneson, Citizen Member

OTHERS PRESENT: Carrie Evenson, Stormwater Program Manager
Todd McLellan, Development Engineer
Amy Shepard, Staff
Bret Cabiness, Cabiness Engineering
Earl Gary Keen, Keen Engineering
J.W. Dansby, Dansby Engineering
Richard Walker, Turtle Creek
Donald Goags, Resident
Toby Haas, Solitaire Homes

The meeting was called to order by Scott Sturtz at 3:31 p.m.

Item No. 1, Approval of Minutes:

Five members of the committee were present, and a quorum was established. Shawn O'Leary was absent. Mr. Sturtz called for a motion to approve the minutes from the meeting of April 6, 2020. A motion was made to approve the minutes by Neil Suneson. The motion was seconded by Sherri Stansel. The minutes were approved 5-0.

Item No. 2, Floodplain Permit Application No. 613:

Mr. Sturtz said this application is to install and upgrade buildings necessary to operate an agricultural grow operation on the property located at 2200 60th Ave NW and is located entirely

in the 10 Mile Flat Creek Floodplain. Dr. Carrie Evenson gave the staff report for Floodplain Permit Application No. 613. Dr. Evenson introduced the representative for the applicant as Earl Gary Keen. Mr. Keen is the engineer for the project and available for any questions. Dr. Evenson said that the property is an approx. 18 acre tract zoned agricultural with several agricultural buildings and a residence. Mr. Keen identified 13 structures on the property during the site inspection. Dr. Evenson said the applicant is requesting a floodplain permit for electrical and HVAC improvements to a structure identified as a grow barn, a new 40 ft by 100 ft barn, two shipping container structures, a chain link fence, and a variance to the ordinance requirements for a greenhouse on the property that does not meet FEMA requirements for an insurable building.

Dr. Evenson said the applicant's engineer submitted cost estimates that indicate the improvements to the electrical and HVAC improvements to the grow barn are approx. 29% of the value of the structure and are within the ordinance requirement. Dr. Evenson said the new greenhouse is a nonconforming structure and does not meet FEMA requirements to be subject to substantial improvement requirements and that the applicant has agreed to remove 20 cubic yards of soil from the floodplain to compensate for any volume displaced by the greenhouse structure. Dr. Evenson said the 40 ft by 100 ft barn (Structure A) will be constructed on ground that is currently higher than the Base Flood Elevation (BFE) and will not require any fill to meet the elevation requirements. Dr. Evenson said the two shipping container buildings will be placed on a concrete footing and will be properly anchored to resist wind and flood waters. Dr. Evenson said the first shipping container building (Structure B) will require 262 cubic yards of fill to meet the elevation requirement, and the second shipping container building (Structure C) will require 290 cubic yards of fill to meet the elevation requirement. Dr. Evenson said that the

fill needed for both structures will be obtained onsite in an area below the BFE and will serve as compensatory storage. Dr. Evenson said the final part of the application is to add a chain link fence around a portion of the property. Dr. Evenson said chain link fence is an approved type of fence in the floodplain since it allows for the flow of water. Dr. Evenson reviewed plans of the project and reviewed photographs of the property and current structures. Dr. Evenson said elevation certificates will be required for the new barn Structure A, and both shipping container buildings Structure B & Structure C at completion of construction to verify that the elevation requirement has been achieved. Dr. Evenson verified the application meets all applicable ordinances and said that staff recommends approval of Floodplain Permit Application No. 613.

Mr. Sturtz asked if Mr. Keen would like to add any additional information. Mr. Keen said that the staff report was a great summary and that he would just like to add that he worked hard on this application to ensure that it met all the requirements, and thanked the committee for consideration. Mr. Sturtz asked for questions from the committee or a motion. Mr. Suneson asked when the aerial photos were taken. Mr. Keen said that he reviewed multiple sources but the maps used in the application included aerial photos that were about a year old. Mr. Keen added that there was previously a metal barn showing in the photos that has since been removed due to damage from a windstorm. Mr. Keen provided additional details about materials used for the greenhouse construction and the use of the existing shipping container. Mr. Suneson asked for clarification on what is being asked of the committee regarding the greenhouse that is already built on the property. Mr. Keen said that the greenhouse was built at existing ground level and in an abundance of caution due to the location in the floodplain he calculated the volume of water that would be displaced by the footprint of the greenhouse and proposed creating additional compensatory storage. Mr. Suneson clarified that compensatory storage was

not provided when it was built because it was not permitted. Mr. Keen said he did not think the applicant had obtained a building permit and therefore was not prompted to bring the application to the committee sooner. Mr. Suneson clarified that the greenhouse currently has electricity, air conditioning, heating and lights and the application is for improvements to those services. Mr. Keen said he had researched the Federal Emergency Management Agency (FEMA) requirements for agricultural structures and found that if a building is considered uninsurable by the National Flood Insurance Program (NFIP) that it would be exempt from FEMA requirements. Mr. Keen said the greenhouse is uninsurable due to the roof material and that it can be removed. Mr. Keen said he also confirmed with a local insurance company that the structure was uninsurable. Mr. Suneson asked the committee if there was concern about approving a building after it was already built. Mr. Sturtz confirmed that the building was exempt based on the FEMA requirements and the compensatory storage proposed is above and beyond what is required. Ms. Stansel asked about the compensatory storage amount and location. Mr. Keen confirmed that 552 cubic yards of material will be removed and used to elevate two storage container buildings. Mr. Keen confirmed the location of the compensatory storage. Mr. Suneson and Ms. Stansel expressed concern that when digging if groundwater level is reached how would the applicant be sure that the full compensatory storage is achieved. Mr. Keen confirmed that if groundwater is reached than the area would be expanded and would stay under the 5 acre pond requirement. Ms. Stansel recommended that fill be removed from an area that is slightly higher than the location indicated. Mr. Keen agreed that he had identified an area that is slightly higher that they will use if groundwater is reached in removing the 552 cubic yards. Mr. Ken Danner recommended approval of Floodplain Permit Application No. 613. Mr. Suneson seconded the motion. Mr. Sturtz added the approval will require elevation certificates

for Structure A, Structure B, & Structure C. The committee voted to approve the application 5-0.

Item No. 3, Floodplain Permit Application No. 614:

Mr. Sturtz said Floodplain Permit Application No. 614 is to place a new manufactured home on the property located at 1400 Ed Noble Parkway, Lot 8, Turtle Creek Mobile Home Park, in the Canadian River floodplain. Dr. Evenson gave the staff report for Floodplain Permit Application No. 614. Dr. Evenson said the applicant is Turtle Creek Community, LLC represented by Mr. Richard Walker, J.W. Dansby is the engineer for the project, Toby Haas represents Solitare Homes, and Donald Gough represents the homeowner. Dr. Evenson said the applicant owns an approximately 9.16 acre tract at 1400 Ed Noble Parkway, which is located south of Lindsey Street and west of Ed Noble Parkway. Lot No. 8 on Stephanie Lane is being rented by Mr. Jacob Gough from Turtle Creek Community, LLC. An existing manufactured home had previously been located on Lot 8 and was removed to be replaced by a new manufactured home owned by Mr. Gough. Dr. Evenson said the applicant desires to install a new manufactured home with an approximate footprint of 1,360 square ft in its place. Dr. Evenson said according to the applicant's engineer, the foundation for the manufactured home will be conventional block piers placed on 4 inch thick concrete pads with 18 helical tie downs on the outside walls. Dr. Evenson said the air conditioning unit will be placed in an area outside of the floodplain. Dr. Evenson reviewed plans and photographs of the property and confirmed all ordinance requirements have been met. Dr. Evenson said staff recommends that Floodplain Permit Application #614 be approved with the condition that a revised Elevation Certificate be submitted for the manufactured home and that the air conditioning unit be placed on a pedestal and elevated at least 2 ft above the BFE. Mr. Dansby said an elevation certificate exists for the

property. Dr. Evenson said that there are some comments and clarifications that are needed and the applicant would just need to review and resubmit. Mr. Dansby asked why the air conditioning unit must be elevated above the base flood elevation if it is outside of the flood plain. Dr. Evenson and Mr. McLellan advised him that due to the proximity to the floodplain, it is to prevent possible damage. Mr. Dansby said the survey indicates the area is one foot above the BFE. Mr. McLellan said even if the current area is one foot above the BFE the bottom of the air conditioning unit must be two feet above the BFE. Mr. Sturtz asked for questions or comments from the committee. Mr. Ken Danner recommended approval of Floodplain Permit Application No. 614. Ms. Sherri Stansel seconded the motion. The committee voted to approve the application 5-0.

Item No. 4, Miscellaneous Discussion:

- a) Mr. Sturtz said the June 15, 2020, meeting has been cancelled due to lack of applications.
- b) Mr. Sturtz said the deadline for the July 6, 2020, meeting is coming up on June 17, 2020.

Item No. 5, Adjournment:

Mr. Sturtz called for a motion to adjourn. Ms. Stansel motioned to adjourn and was seconded by Mr. Danner. Motion was approved 5-0. Meeting adjourned at 4:14 p.m.