

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

Monday, July 16, 2018
3:30 p.m.

Minutes

PRESENT: 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: Carrie Evenson, Stormwater Program Manager
Amy Shepard, Staff
Todd McLellan, Development Engineer
J.W. Dansby, Engineer
Matt Spaulding, Applicant

The meeting was called to order by Scott Sturtz at 3:30 p.m.

Item No. 1, Approval of Minutes:

Six 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 June 4, 2018. A motion was made to approve the minutes by Sherri Stansel. Seconded by Susan Connors. The minutes were approved 5-0, with Neil Suneson abstaining.

Item No. 2, Floodplain Permit Application No. 600:

Ms. Carrie Evenson stated this application is for the installation of a 50 ft. x 80 ft. steel shop building on the property located at 11350 Stella Road in the Hog Creek floodplain. Ms. Evenson stated the applicant, Matt Spaulding, and the engineer, J.W. Dansby, were present for the meeting. Ms. Evenson said the applicant owns an approximately 100 acre tract, a

portion of which is in the Hog Creek floodplain in northeast Norman along with an existing house and barn. Ms. Evenson said the applicant wants to install an approximately 4,000 sq. ft. steel shop building west of the existing house. Ms. Evenson said base flood elevations (BFE) have not been determined for this location since it is Zone A. However, Federal Emergency Management Agency (FEMA) has a new webtool available which provides estimated BFE's using a process called Based Level Engineering Analysis (BLE). Ms. Evenson said BLE uses high resolution ground elevation data, flood flow calculations and fundamental modeling techniques to define flood extents and estimated BFEs in Zone A areas where BFE's do not currently exist. Ms. Evenson said it should be noted that BFEs determined by this BLE analysis are not for flood insurance rating purposes and have not been formerly adopted by City Council and should only be used in cases such as this as best available information to determine an estimated BFE.

Ms. Evenson said according to the BLE information for this site, the estimated BFE at the planned building location is 1073.3 ft. Ms. Evenson said according to the 2015 GIS contour information, the existing ground elevation varies between 1076 and 1080 ft. which is more than 2 feet above the estimated BFE based on BLE. Ms. Evenson said the planned finished floor elevation (FFE) of the existing building will be 1080 ft. or more.

Ms. Evenson said since the proposed FFE is already 2 ft. above the estimated BFE, no additional fill is required. Ms. Evenson said that all applicable ordinances have been met and that an Elevation Certificate is required at completion of construction to verify that the elevation requirement has been achieved. Ms. Evenson said that staff recommends approval of Floodplain Permit Application No. 600.

Mr. Sturtz asked for comments or questions from the applicant or engineer. Mr. Dansby said the staff report covered the project well and that he had no additional comments. Mr. Sturtz clarified that there was a 4 ft. difference in the elevation of the 100-year floodplain when comparing the City of Norman map to FEMA's BLE map. Ms. Evenson confirmed that this was the case based on the information provided by both sources. Mr. Sturtz asked if there is a regulatory requirement as to which data source the committee was required to follow. Ms. Evenson said the adopted maps are approved and accepted by City Council and are currently in use in the Norman Interactive Map. Ms. Evenson said the map provided shows Zone A. In order for a BFE to be established for this location, a flood study would need to be conducted, approved by FEMA, and adopted by Council before the Floodplain Permit Committee could use maps that show a different floodplain boundary than that currently shown by the FIRM. Ms. Connors asked for clarification on the difference between the maps. Ms. Evenson said the FEMA BLE is for estimation purposes only and that the Floodplain Permit Committee is required to use the boundaries of the existing approved floodplain map. Mr. Sturtz said his concern is if fill will be added to the floodplain because it overlaps and shows about a two foot lower contour at the far west edge in the project area. Mr. Dansby said that contour maps are usually estimated and have a variation factor. Mr. Dansby stated that based on the most up-to-date maps the site does not appear to be in the floodplain and that the application was brought before the Floodplain Permit Committee for due diligence based on the map adopted by the City. Mr. McLellan said that normally the applicant or engineer would have to determine the BFE in a Zone A floodplain. Mr. Dansby stated that there was no better way to identify the BFE than using the FEMA BLE, which is what was used in the application process. Mr. McLellan said that the applicant is following all of the requirements of the

floodplain ordinance because the currently approved floodplain map indicates that the portion of the property where the shop is to be built is located within the 100-year floodplain.

Mr. Suneson asked what the homeowner would have to do in order to modify the map to reflect that this portion of the property was not located in the floodplain. Ms. Evenson said that process would require a Letter of Map Amendment (LOMA). Mr. McLellan said since there is not a BFE, a flood study would need to be provided to begin that process. Mr. Dansby said the first thing he would do is find out if he can use the past flood study and FEMA data to show it was not in the BFE and that this would require a significant commitment of time and money. Mr. McLellan agreed that the process to request a LOMA can be quite expensive. Mr. Suneson asked if the City would verify the engineer's calculations. Mr. Sturtz and Mr. McLellan stated that staff reviews the engineer's calculations and verifies them. Mr. Suneson said his only concern is even if the data or the map is outdated and there may be better information to use for determination of the floodplain boundary, the Floodplain Permit Committee is required to make a determination based on the current approved map.

Mr. Sturtz asked for questions or comment from the public. Mr. Evan Dunn stated that if someone wants to build within the floodplain he does not have a problem with the point of views presented. He said he understands and appreciates how much time goes into assessing and anticipating property damage.

Ms. Connors motioned to approve Floodplain Permit Application No. 600. Ken Danner seconded the motion. Approved 5-0. Neil Suneson abstained.

Item No. 3, Miscellaneous Discussion:

- a) Mr. Sturtz stated that the filing deadline for applications for the August 6, 2018 meeting is Wednesday, July 18, 2018. Mr. Sturtz said there are two pending applications for that meeting.
- b) Mr. Sturtz said there are no pending applications for the August 20, 2018 meeting.

Mr. Suneson commented about his editorial in the Norman Transcript in the past couple of weeks regarding the Sherwood Pit and their floodplain permit. Mr. Suneson said based on his calculations, the size of the pit was greater than what was permitted. Mr. Suneson said he plans on speaking with Shawn O'Leary and pursuing further investigation. Mr. Suneson said based on the findings of this investigation he hopes the Floodplain Permit Committee will pursue something with the City Attorney to ensure that contractors are required to comply with permits that are issued.

Item No. 4, Adjournment:

Mr. Sturtz called for a motion to adjourn. Ms. Stansel motioned to adjourn and was seconded by Neil Suneson. Motion was approved 6-0. Meeting adjourned at 3:53 p.m.