

FLOODPLAIN PERMIT COMMITTEE MEETING
201 West Gray, Building A, Conference Room D
Monday, November 7, 2022
3:30 p.m.

Minutes

PRESENT: Shawn O’Leary, Director of Public Works
Scott Sturtz, City Engineer
Lora Hoggatt, Planning Services Manager
Bill Scanlon, Citizen Member
Sherri Stansel, Citizen Member

OTHERS PRESENT: Jason Murphy, Stormwater Program Manager
Amy Shepard, Staff
Bethany Rooney, Subtext
Ryan Fairsheets, Engineer Kimley-Horn
Gunner Joyce, Attorney Rieger Law
Libby Smith, Attorney Rieger Law
Ellen Stevens, PhD, P.E.

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

Item No. 1, Approval of Minutes:

Five members of the committee were present, and Amy Shepard called roll. Mr. Ken Danner and Ms. Jane Hudson were absent. Mr. O’Leary called for a motion to approve the minutes from the meeting of October 3, 2022. Mr. Bill Scanlon motioned to approve the minutes. The motion was seconded by Mr. Scott Sturtz. The minutes were approved 5-0.

Item No. 2, Floodplain Permit Application No. 665:

Mr. O’Leary said this application is for the demolition of an existing motel complex and church building in the Bishop Creek floodplain to allow construction of a new student housing complex. Mr. Jason Murphy gave the staff report. Mr. Murphy said the Applicant is Subtext represented by Bethany Rooney and their Engineers, Ellen Stevens and Kimley-Horn and Associates, Inc. Mr. Murphy said The Verve student housing project is a proposed 5-story

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Multi-family/student housing building that will be developed with approximately 260 units, 625 beds, and 563 parking spaces. Mr. Murphy said the project is located on connecting properties at 2404/2420/2456 Classen Blvd. near the intersection of Classen Blvd. and 12th Ave. SE. Mr. Murphy said the runoff from the northern end of the site flows west to the railroad right of way. Mr. Murphy said the rest of the site flows south to Bishop Creek which is south of the project area. Mr. Murphy said 2404 and 2420 Classen Blvd. are currently developed lots and the site of the old Hope Community Church and OU Motel respectively. Mr. Murphy said these structures will be demolished for the construction of this project with the southernmost lot, 2456 Classen Blvd., being the only section of this project located in the floodplain and is currently undeveloped, with the exception of an existing concrete pad and driveway that served structures that have been previously demolished.

Mr. Murphy presented the project maps and said the only area of this project located in the floodplain would be the southern section of the parking lot. Mr. Murphy said a preliminary drainage report has been submitted with the preliminary plat and includes an underground detention pond system to detain the additional stormwater runoff generated by the project. Mr. Murphy said the applicant submitted a Floodplain Analysis Study developed by Ellen Stevens, PhD, P.E. on their behalf, which includes a HEC-RAS model of the existing and proposed conditions of the creek and floodplain due to this project. Mr. Murphy said this existing conditions model of the floodplain predicts a BFE of 1128', which is approximately 1.5' lower than shown in the published FEMA study from 2008. Mr. Murphy said the model indicates this discrepancy can be attributed to both the Reinforced Concrete Box (RCB) under 12th Ave SE and Classen Blvd. and the railroad bridge west of the site being larger than shown in the current FEMA model.

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Mr. Murphy said if this permit application is approved by the Floodplain Permit Committee, the flood study and as built construction information would be forwarded to FEMA by the applicant's engineer to obtain a Letter of Map Revision (LOMR). Mr. Murphy noted the LOMR would effectively change the FIRM for this section of Bishop Creek to the new floodplain boundaries established by this project. Mr. Murphy said in addition, since this change to the floodplain boundary would be greater than ten percent (10%) of the width of the floodplain, City Council approval is also necessary and would be submitted to Council for their consideration along with the preliminary plat and rezoning request. Mr. Murphy reviewed applicable ordinance sections for Floodplain Application No. 665 and verified all ordinance requirements have been met. Mr. Murphy said staff recommends that Floodplain Permit Application No. 665 be approved with the following conditions: an as-built draining based on actual survey information be provided for the compensatory storage area upon completion, Floodplain Permit Application information be forwarded to City Council for their consideration along with the preliminary plat and rezoning request, and a Letter of Map Revision (LOMR) for this section of Bishop Creek be obtained prior to a Certificate of Occupancy being issued.

Mr. O'Leary asked for comments or additions from the Applicant or Engineer. Hearing none, Mr. O'Leary asked for questions or comments from the committee. Mr. Sturtz asked for clarification on the plans of the compensatory storage. Mr. Ryan Fairsheets with Kimley-Horn explained that since the compensatory storage ended up with a lower elevation than the Base Flood Elevation then an outlet structure was added to connect the floodplain to the compensatory storage area for storage. Mr. O'Leary confirmed the compensatory storage area is not going to be used for detention. Mr. Fairsheets agreed that the compensatory storage is not intended to be detention. Mr. Todd McLellan verified that detention is included in the plans as

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underground storage on the opposite side of the property. Mr. Sturtz asked for the elevation of the floodplain at the location. Mr. Murphy confirmed the BFE was 1129' and pointed out the location on the plans. Mr. Sturtz asked if the compensatory storage area would impede on the floodway. Mr. Fairsheets agreed no part of compensatory storage would impede the floodway. Mr. O'Leary asked the committee to carefully consider the Application and reviewed the conditions recommended by Staff. Mr. O'Leary noted the last Floodplain Permit Application of this size was also a student housing project at Brooks Street. Mr. Scanlon asked if the LOMR would need to be complete before City Council approval. Mr. O'Leary said City Council can consider this with or without the LOMR, but this process has been followed successfully in previous projects. Mr. Sturtz mentioned that to obtain a LOMR the applicant would need finished floor elevations, which would require City Council approval before the submission of the LOMR.

Mr. Sturtz recommended approval of Floodplain Permit Application No. 665 with the conditions an as-built drawing based on actual survey information be provided for the compensatory storage area upon completion, Floodplain Permit Application information be forwarded to City Council for their consideration along with the preliminary plat and rezoning request, and a Letter of Map Revision (LOMR) for this section of Bishop Creek be obtained prior to a Certificate of Occupancy being issued. Mr. Scanlon seconded the motion. The committee voted to approve the application 5-0.

Item No. 3, Miscellaneous Discussion:

- a) Mr. Murphy said no Floodplain Committee Applications are pending.
- b) Ms. Stansel asked when this project would be presented to City Council. Ms. Lora Hoggatt said the soonest the project could be presented to City Council would be January 2023.

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Item No. 4, Adjournment:

Mr. O’Leary called for a motion to adjourn. Mr. Sturtz motioned to adjourn and was seconded by Mr. Scanlon. The motion was approved 5-0. Meeting adjourned at 3:54 p.m.

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