

**ITEM:** Floodplain Permit application for proposed renovations of buildings #2 and #6 in the Norman Creek Apartments located in the Merkle Creek floodplain.

**BACKGROUND:**

APPLICANT: PB Holdings, LLC (Brett Smith)

ENGINEER: Earl "Gary" Keen, P.E.

The Norman Creek apartments are located at 300 Hal Muldrow Drive. The 2.36 acre complex consists of 6 separate buildings and parking lot. The complex was built circa 1969. The current owner purchased the property in October, 2022. There is a significant portion of the property located in the Merkle Creek floodplain. The owner is proposing modifications to Buildings #2 and #6.

There are proposed modifications to two rooms in Building #2. The first is the conversion of a second floor maintenance room into an apartment. The second is the alteration of a first floor laundry room to construct a closet to house one or two new water heaters. Modifications to both units include removing and adding walls, and modifying existing mechanical, electrical and plumbing utilities in the units. A more complete description of the proposed modifications are outlined in the Engineer's Report submitted with the application.

The proposed modifications to Building #6 include the conversion of a swimming pool accessory room into a maintenance room. The swimming pool for the complex no longer exists. The previous owner, according the application, began converting this room into an apartment without applying for or receiving permits for the work that has been completed. The current owner indicates that they want to work with City staff to obtain the correct permits and receive the proper inspections to correct this previous oversight.

All work indicated in the application is occurring indoors in the two buildings. There was no indication of proposed work to the exterior of the buildings or the outdoor areas of the complex.

**STAFF ANALYSIS:**

Site located in Little River Basin or Tributaries?                      yes\_\_    no✓

According to the latest DFIRM, a significant portion of the property is located within the Merkle Creek floodplain/floodway (Zone AE). The buildings located on the property are not in the floodway.

Applicable Ordinance Sections:

36-533 (c) .....  
          (e)(2)(a).....  
          (e)(2)(e).....  
          (f)(3)(8) .....

Subject Area:

Substantial Improvement  
Fill restrictions in the floodplain  
Compensatory storage  
No rise considerations

(c) Substantial Improvement – 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. The cost used in the substantial improvement determination shall be the cumulative costs of all previous improvements for a specific building or structure during the immediate past 10-year period.

County records show the total value of the property at 300 Hal Muldrow Drive to be \$5.2 million with the value of the land being \$1,147,502. Therefore the structures have a combined value of \$4,052,498. The project engineer indicated that the combined square footage of the buildings is a total of 54,982 feet which calculates to \$73.71 per square foot.

Building #6 is 6,512 square feet for a calculated value of \$479,999.52. The estimated cost of improvements in Building #6 is \$21,250 or 4.43% of the value of the structure.

Building #2 is 11,374 square feet for a calculated value of \$838,377.54. The estimated cost of improvements to Building #2 is \$37,950 or 4.53% of the value of the structure.

Both improvement values are below the 50% of the cost of the structures indicating that substantial improvement requirements do not apply. Both values will be recorded and applied to any additional improvement or repair costs for the next 10 year interval.

(e)(2)(a) and (e)(2)(e) Fill Restrictions in the Floodplain and Compensatory Storage – The use of fill is restricted in the floodplain. No fill will be brought into the floodplain for this project, therefore no compensatory storage is required. In addition, an existing shed will be removed from the floodplain creating a small amount of additional floodplain storage.

No work is being done to either the exterior of the buildings or the grounds of the property, therefore no compensatory storage is required, and the requirements of this section are satisfied.

(f)(3)(8) No Rise Considerations – 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. The project engineer has certified that the project will not cause a rise in the BFE, which meets the ordinance requirements.

The project engineer has provided a signed no rise statement and indicates that since no work will be performed outside of the structures, there will be no impact on the BFE, meeting this ordinance requirement.

**RECOMMENDATION:** Staff recommends Floodplain Permit Application #686 be approved.

**ACTION TAKEN:** \_\_\_\_\_