



CITY OF NORMAN, OK

FLOODPLAIN PERMIT COMMITTEE MEETING

**Municipal Building, Executive Conference Room, 201 W Gray, Norman, OK
73069**

Monday, July 15, 2024 at 3:30 PM

MINUTES

The Floodplain Permit Committee of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Conference Room B at the Development Center, on the 15th day of July, 2024, at 3:30 p.m., and notice of the agenda of the was posted at the Norman Municipal Building at 201 West Gray, Development Center at 225 N. Webster and on the City website at least 24 hours prior to the beginning of the meeting.

ROLL CALL

The meeting was called to order by Mr. Miles at 3:30 p.m. The meeting was called to recess until 4:00 p.m. The meeting was called to order by Mr. Sturtz at 4:03 p.m. Roll was called and 2 members were absent, Jane Hudson and Lora Hoggatt. Others in attendance included, Jason Murphy, Stormwater Program Manager; Kim Freeman, Staff; Amy Shepard, Staff; Brandon Brooks, Capital Projects Engineer; Gary Keen, Engineer; Carol Hall, Resident; Spyce Grimmatt, Resident; Tyler Grimmatt, Applicant; Shannon Martin, Resident; John Martin, Resident; Becca Bean, Resident; Matthew Clinton, Resident.

MINUTES

1. Approval of minutes from the June 3, 2024 meeting

Mr. Sturtz asked for any comments, questions or a motion from the committee to approve the minutes from the meeting of June 3, 2024. The motion was made by Mr. Danner and seconded by Mr. Scanlon. The minutes were approved 5-0.

ACTION ITEMS

2. Floodplain Permit No. 693

Mr. Sturtz said the Application for Permit 693 is for proposed installation of a fence along the property line of 1020 W. Boyd St. along Imhoff Creek. Mr. Sturtz asked Mr. Murphy to present the staff report. Mr. Murphy said the Applicant is the Tyler Grimmatt and the Engineer is Joel Howell, P.E. This project involves the installation of a wooden fence along the southern property line of 1020 W. Boyd St. There is a pedestrian walking trail adjacent to their southern property line and pedestrians are regularly cutting across the property. Additionally, the owner's pets are kept in the yard with a buried electrical fence, unleashed pets with the pedestrians sometimes enter onto his property and create a hazard.

Mr. Murphy reviewed plans and aerial maps of the project location provided to members in their packets.

Mr. Murphy confirmed all ordinance requirements have been met and said staff recommends Floodplain Permit Application No. 693 be approved.

Mr. Sturtz asked for any questions or comments from the committee. Hearing none, Mr. Sturtz asked for any comments from the public. Matthew Clinton, Resident, said his main concern is for walkers and bikers on the path. This fence as it's currently set, which may not be its final location, is adjacent to the concrete of the walkway. Meaning that if you're on a bike, you have very little elbow room to pass over. This is a very important pedestrian bridge for this part of Norman. Where the fence currently is, will make it very difficult for multiple people to pass through at the same time. Mr. Clinton said he would be concerned that the fence is being built on City property. The way it looks and that's all I have to go on, is that it's been pressed as far as possible to the concrete. If it were set back a few feet it wouldn't have that problem. I didn't realize it would be this see through fence and that personally helps me because no one else has a fence in that area because it's a major flood zone. A lot of the fences that have been done there have washed away. I have seen 3 or 4 or 5 just like that wash away. The fact that it's right there on the walkway is my concern. Maybe there's a zero inch lot line and maybe the City owns zero inches of land on the north side of the sidewalk. The next fence over is 3 or 4 feet set back so my thought would be that it needs to be moved back.

Mr. Sturtz asked Mr. Murphy if we had anything that shows the property line. Mr. Murphy pulled up the City of Norman Interactive Map showing an aerial view of the property lines. Mr. Murphy said with GIS it would be really close. Mr. Sturtz said the fence on the other side is very close if not right up against the sidewalk also. Carol Hall, Resident, asked for confirmation of the property lines on the map. Mr. Murphy confirmed the property lines. Mr. Clinton said there is clearly room between the property line and the concrete and asked how accurate is that. Mr. Murphy said we would never use this for legal purposes, if it's that close we would probably require that a survey is done. If we were really trying to differentiate where the property lines are.

Becca Bean, Resident, said these are lovely people and good fences make good neighbors and seeing the horizontal fence with lots of space alleviates my concern as someone who sat on the Oversight Committee for Stormwater. Just as a pedestrian, biker and neighbor, I think we could all come up with a solution that works just as well for their family as those of us who walk this creek daily. I hate for them to have to get their mower out to mow on this side of the fence but if it meant that when I'm on my bike or walking with my 2 dogs and a bike tries to pass that no one's crashing. I think that might be a solution we could all live with. I think the style of fence really neighborly and isn't going to cause a big flooding concern. Which was one of our main concerns. I think there's a solution that could work for the whole community and these good neighbors.

Mr. Sturtz asked for any other comments. Ms. Stansel asked if the other boundaries were fenced. Mr. Murphy said it is not fenced. Ms. Stansel asked if that's the only place there would be a fence. Mr. Murphy confirmed. Mr. Murphy said one of the concerns is that it is a big open field and there is a lot of pedestrians cutting across the private property leaving trash, dogs not on leashes. There is a safety concern. They are trying to protect their property.

Mr. Grimmatt, Applicant, asked if the property line issue is something that we discuss here or is that a separate committee. Mr. Sturtz said as far as this permit, they have a right to put it on their property line. I don't know that it is the purview of this committee to work on the location of that fence unless we think it's an issue with the floodplain itself or the right of way. In this case it's being constructed on their property line. Mr. Murphy asked if you have to receive a permit

from Planning for a fence. Mr. Danner said no. Mr. Grimmatt said he spoke with someone, he was transferred to their office and asked if there is a specific set back from that sidewalk and he said no there wasn't. Mr. Clinton said there isn't a specific amount of feet but that doesn't mean that your property line touches the sidewalk. Mr. Sturtz said there's lots of places that it does happen, it's not uncommon. Mr. Sturtz said he can think of several places that he walks that is the case. Certainly as a committee we don't have the right to tell a property owner they can't utilize their full property unless it's because of a floodplain issue. Mr. Clinton said if you look at the property next door to the left, you can see where their fence is, in my mind's eye, a couple feet at least to the north of where the currently built fence is. Mr. Grimmatt said he was fine moving it back, I'm not going to sit here and argue about it. There's plenty of room on the sidewalk to get through, but I will move it back.

Ms. Stansel asked if the fence was already constructed. Mr. Grimmatt said the posts are there. We have the posts at the corners of our lot, which is where our fence builder assumed our property line was. So that's where he put the posts in. This was before we realized we needed a floodplain permit. Mr. Sturtz said the Applicant has been totally compliant and responsive when we reached out to them for the floodplain permit.

Mr. Scanlon said our concern is within the floodplain. If they decide to move the fence a couple feet to the north that's fine. That doesn't change anything that we might agree or not agree with.

Mr. Grimmatt said our issue here is with the floodplain and not the property line. I don't want to waste anymore of your time. I'll move it back.

Mr. Sturtz asked if that elevated concerns and Mr. Clinton and Ms. Bean confirmed. Ms. Bean said her only other question is if someone else decided to put a different style of fence up in 50 years or whenever. Mr. Murphy said they would have to come back for a floodplain permit. Ms. Bean said they couldn't just build one that's solid to the ground. Mr. Sturtz said there are rules on how a fence has to allow water to flow, a solid fence has to have a breakaway bottom.

Mr. Sturtz asked for other comments or a motion. Mr. Danner made a motion to approve Permit 693. Mr. Scanlon seconded the motion. The committee voted to approve the application 5-0.

3. Floodplain Permit No. 694

Mr. Sturtz said the Application for Permit 694 is for proposed installation of a swimming pool, privacy fence and an earthen berm in the Imhoff Creek Floodplain. Mr. Sturtz asked Mr. Murphy to present the staff report. Mr. Murphy said the Applicant is Joe Vaughn and the Engineer is Gary Keen, P.E. Mr. Murphy said this project includes the installation of a swimming pool, and retroactively receiving a permit for a privacy fence and an earthen berm at 1024 Cruce St. in the Imhoff Creek Floodplain. The earthen berm and fence have already been constructed without a permit since the applicant was unaware of the requirement for building in the floodplain. The applicant has worked with the engineer to account for these structures and will make modifications as outlined below to bring them into compliance with the flood hazard ordinance.

Mr. Murphy reviewed plans and aerial maps of the project location provided to members in their packets.

Mr. Murphy confirmed all ordinance requirements have been met and said staff recommends Floodplain Permit Application No. 694 be approved.

Mr. Sturtz asked for questions from the committee. Mr. Danner asked how do we determine the compensatory storage is created. Mr. Murphy said he would suppose if you make a motion to approve that an as-built survey is conducted to confirm, because 23 cubic yards is a significant amount.

Mr. Sturtz asked for any comments from the public. Mr. Keen said the west end of the fence is above the base flood elevation a little bit. On the very east end it's 2.5 feet from the ground up to the base flood elevation. What I recommended on the deeper part was to have break away panels as the water depths become shallower they just leave off the bottom boards so water can flow under. Part of the fence will be high enough the bottom board is above the base flood elevation on the other part it will be hinged so when water pushes on it, it swings outward to let the water proceed. Just wanted to clarify we aren't going to hinge the whole thing.

Mr. Sturtz asked for any other public comments or questions. Hearing none, Mr. Sturtz asked for any follow up from the committee or a motion. Mr. Danner made a motion to approve Permit 694 with the stipulation that an as-built survey be created for compensatory storage. Ms. Stansel seconded the motion. The committee voted to approve the application 5-0.

4. Floodplain Permit No. 695

Mr. Sturtz said the Application for Permit 695 is for proposed development of a sports complex and residential structure at the southeast corner at the intersection of 60th Ave. NW and Indian Hills Rd. Mr. Sturtz asked Mr. Murphy to present the staff report. Mr. Murphy said the Applicant is Willy DeLeon and the Engineer is Gary Keen, P.E. Mr. Murphy said this project is located on a 40 acre tract that the owner, upon approval of necessary permits, is wanting to subdivide into two 20 acre lots. The eastern most lot is for a proposed sports complex consisting of four standard soccer fields and one minor league field, a club house, parking lot, maintenance barn and fire protection water storage tank. The western lot would include the residential structure and shop building. In addition, drainage improvements, driveways, parking lots and other accessory structures are being proposed. The full engineer's report is included in your packet detailing the specific design and calculations for the proposed project. If this application is approved by the committee, the applicant will be required to go through the Norman Rural Certificate of Survey process to subdivide the property.

Mr. Murphy reviewed plans and aerial maps of the project location provided to members in their packets.

Mr. Murphy confirmed all ordinance requirements have been met and said staff recommends Floodplain Permit Application No. 695 be approved with the following conditions:

1. Elevation Certificates provided for all structures prior to final acceptance. Additionally, elevation of concrete pads for structures should be submitted to and confirmed by City Staff prior to vertical construction.
2. As-built surveys should be completed on compensatory storage areas prior to final acceptance.

Ms. Stansel asked for more clarification on the driveways. It says there will be vehicular connections to both 60th and Indian Hills. Looking at the one next to the home that comes off Indian Hills and goes to the south and the one for the soccer fields comes off 60th and those two are not going to meet. Mr. Keen said they will not meet. The part of the road coming off Indian Hills is to serve the house and barn, we plan to build that up with a gravel surface to be about 6 inches higher than the base flood elevation. The part south of the barn is going to be farm access.

We don't plan to pave that or build it up. On the east part coming off 60th there will be a connection to 60th but that's out of the floodplain. There is major road side ditch there that will require putting in a large culvert. I assume we'll be required to match the culverts that are already there. There's another culvert there just south of the proposed location and I assume we'll match that. That will require a little fill in the bar ditch, but the rest of the driveway is in the area where the ground is currently right at or above base flood elevation. To get to the soccer fields, the applicant is planning to use golf carts and drive on the grass.

Mr. Scanlon asked if the parking lot is concrete. Mr. Keen said yes, and the plan is to excavate enough soil that the top of the concrete will not be higher than the existing soil.

Ms. Stansel asked if this will require 193 parking spaces. Mr. Keen said possibly depending on how Planning classifies the usage as to what the parking requirement is. The parking on the building will probably be 1 parking space for every 200 square feet or less and that will be a lot less than that. The owner was asked to provide the expected number of parking spots needed to serve the people wanting to use the soccer fields all at the same time and this is what he gave us. I think his plan will be to build this a little at a time. He is aware this floodplain permit is only good for 2 years. Building permits will have to be issued within 2 years of today's date, I hope.

Mr. Sturtz said this isn't the purview of this committee, but I am concerned this isn't showing any detention for the new impervious area. When that comes through for the certificate of survey that is something that will be pointed out. Mr. Scanlon said he had the same concern. Mr. Keen said that has not been addressed as yet. Mr. Sturtz said for this permit today, it's not relevant, but it will be. Mr. Keen said we may have to come back at that time. I think we can make a detention pond work out there. We're going have to connect to a drainage way that can carry the water off. Mr. Sturtz said if you start making changes to the site plan, it has to come back. Mr. Sturtz asked if Mr. Keen wanted to postpone the application to allow time to look at that or move forward today getting this permit with the risk of having to come back. Mr. Keen said he'd like to go ahead and get approval if we can. Mr. Sturtz said the drainage is something that going to be coming back in the future. Mr. Keen said we either have to send the water to the big ditch along 60th or we going to take to that creek on the extreme west side of the property.

Mr. Sturtz asked for any other public comments or questions. Ms. Stansel asked for confirmation on the road to the house. Mr. Keen reviewed the road on the map included in the packets.

Mr. Sturtz asked for any other questions from the committee. Hearing none, Mr. Sturtz asked for any public comments. Hearing none, Mr. Sturtz asked for a motion. Mr. Danner made a motion to approve Permit 695 with staff recommendations. Mr. Scanlon seconded the motion. The committee voted to approve the application 5-0.

5. Floodplain Permit No. 696

Mr. Sturtz said the Application for Permit 696 is for the replacement of a bridge over Rock Creek on 60th Ave. NE between Tecumseh and Rock Creek roads. Mr. Sturtz asked Mr. Murphy to present the staff report. Mr. Murphy said the Applicant is the City of Norman, Streets and Engineering Divisions, Builder is K&R Builders, Inc and the Engineer is Garver, LLC. Mr. Murphy said this project is to replace the existing, failed bridge over Rock Creek on 60th Ave. NE between Tecumseh and Rock Creek Roads. The existing bridge was constructed in 1940. On December 1, 2022, this bridge was closed following receipt of an October 2022 Inspection Report listing the bridge as structurally deficient due to a condition rating of "Poor" given to the superstructure and substructure of the bridge. Additional information related to this rating and

subsequent road closure can be found in the Preliminary Engineering Report submitted with this application. According to the applicant, construction activities include the demolition of the existing bridge and construction of a new single span prestressed concrete bridge and relocation of an existing City of Norman waterline. The channel flowlines and banks will not be altered at the site beyond what is required to excavate and construct the new bridge abutments and placement of riprap on the slopes in front of the bridge for stabilization. These construction activities do not fall below the ordinary high water mark that was determined during final design of the project. According to the hydraulic summary in the engineering report for Prestressed Concrete Beam bridge, the existing 100 year water surface elevation is 1071.55. Proposed conditions would lower the 100 year water surface elevation to 1070.34. No Individual Permit from the US Army Corps of Engineers is required for this project.

Mr. Murphy reviewed plans and aerial maps of the project location provided to members in their packets.

Mr. Murphy confirmed all ordinance requirements have been met and said staff recommends Floodplain Permit Application No. 696 be approved.

Mr. Sturtz asked for questions from the committee. Hearing none, Mr. Sturtz asked for any comments from the public. Hearing none, Mr. Sturtz asked for any final questions, comments or a motion. Mr. Scanlon made a motion to approve Permit 696. Mr. Danner seconded the motion. The committee voted to approve the application 5-0.

MISCELLANEOUS COMMENTS

Mr. Murphy said the next meeting is August 5, 2024 and he anticipates at least 2 applications.

ADJOURNMENT

Mr. Sturtz called for a motion to adjourn. Mr. Scanlon motioned to adjourn. The meeting adjourned at 4:52 p.m.

Passed and approved this _____ day of _____, 2024

City of Norman Floodplain Administrator, Scott Sturtz