



**CITY OF NORMAN, OK**  
**FLOODPLAIN PERMIT COMMITTEE MEETING**  
Development Center, Conference Room B, 225 N. Webster Avenue,  
Norman, OK 73069  
Tuesday, June 20, 2023 at 3:30 PM

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## MINUTES

### ROLL CALL

The meeting was called to order by Mr. Shawn O’Leary at 3:34 p.m. Roll was called and all members were present. Others in attendance included, Jason Murphy, Stormwater Program Manager; Todd McLellan, Development Engineer; Amy Shepard, Staff; Kim Freeman, Staff; Gary Keen, Keen Engineering; Glenn Burnett, Applicant; Michael Dean, Applicant; Debbie Smith, Resident; Tadd A Bliss, Bliss Electric; Charlie Burnett, Resident; Shelia Burnett, Resident; Jason Vincent, Resident; Mike Eonlos, Resident.

### MINUTES

1. Approval of minutes from the June 5, 2023 meeting

Mr. O’Leary called for a motion to approve the minutes from the meeting of June 5, 2023. The motion was made by Mr. Scott Sturtz, with a correction on page 3 from exposed to submerged and seconded by Mrs. Sherri Stansel with a correction from Mr. to Mrs. on page 6. The minutes were approved 7-0.

### ACTION ITEMS

2. Floodplain Permit No. 673

Mr. O’Leary said this Application was postponed at the June 5, 2023 meeting pending modifications of the application by the applicant. Mr. O’Leary asked Mr. Murphy to present the staff report. Mr. Murphy said the Applicant is Jason Vincent, the Builder is Armor Asphalt and the Engineer is Gary Keen, P.E. for the project. Mr. Murphy said the applicant is requesting a floodplain permit for constructing a gravel driveway to serve lots addressed as 2401, 2421, and 2501 60th Ave.

Mr. Murphy read from the updated engineering report submitted by Gary Keen, P.E. following a meeting with City staff: “Staff members explain a policy of restricting the level of development in a floodplain to the minimum necessary and suggested that the length of driveways and roads in the floodplain be minimized. Accordingly, this revised proposal calls for reducing the length of roadways and driveway to be constructed in the floodplain in this development. First, the proposed driveway has been largely changed to a private road, which is to named and addressed in accordance with the City’s policy. The owner is agreeable to building the private road according to the City’s private road standard (sic). “

Mr. Murphy said during the previous Floodplain Committee Meeting, concerns were expressed about portions of the proposed roadways/ driveways being subject to water overtopping the road/drive. Currently, this amended proposal is to elevate the road and constructed pursuant to

this application such that the top of the gravel road will be a minimum of 0.25 feet (3") above the base flood elevation (BFE).

Mr. Murphy said soil used to elevate the portion of the road/ driveway located in the floodplain will be obtained onsite from areas located within the floodplain. An extra-wide bar-ditch will be constructed on the west side of the private road to drain to Rock Creek Road. This bar-ditch will be constructed to a depth 1.5 feet lower than the historic ground elevation.

Mr. Murphy said the objective of this wide bar-ditch is to provide a source of fill dirt and to meet the requirement for compensatory floodplain storage. During construction of this bar ditch, 499 cubic yards of soil will be removed from below the BFE in the floodplain. Fill placed below the BFE when constructing the private road is calculated to be 274 cubic yards and fill placed below the BFE in construction of the driveway is 85 cubic yards for a total of 359 cubic yards, which is less than the 499 cubic yards of storage created during the construction of the private road.

Mr. Murphy said the owner intends to obtain all other permits required by the City of Norman, which includes a permit for the approach connecting to Rock Creek Road.

Mr. Murphy confirmed all ordinance requirements have been met and said staff recommends Floodplain Permit Application No. 673 be approved.

Mr. O'Leary asked for comments or additions from the Applicant or Engineer. Hearing none, Mr. O'Leary asked for any additional comments by the committee. Mr. Scott Sturtz said the applicant adequately addressed most of the concerns the committee had, thanked them for their cooperation and motioned to approve Floodplain Application No. 673. Mr. Bill Scanlon seconded the motion. The committee voted to approve the application 7-0.

### 3. Floodplain Permit No. 676

Mr. O'Leary said this Floodplain Permit Application is for the construction of an elevated residential structure in the Imhoff Creek Floodplain. Mr. O'Leary asked Mr. Murphy to present the staff report. Mr. Murphy said the Applicant is Brenda T. Dean, LLC V, Builder is Michael T. Dean and the Engineer is Earl Keen, P.E. for the project. Mr. Murphy said the Floodplain Permit Application is for the construction of an elevated residential structure in the Imhoff Creek Floodplain. Mr. Murphy said the property is located at 1030 W. Brooks St. in the Imhoff Creek floodplain/floodway. It is located between Carey Drive and South Pickard Avenue on the south side of Brooks Ave. and east of Imhoff Creek. The location of the proposed house is in the floodplain but not within the floodway. The east edge of the proposed building would be out of the floodplain as the ground in this location slopes steeply down to the west towards Imhoff Creek. Mr. Murphy said there is an existing building that will remain as an art studio on this property.

Mr. Murphy said the proposed home would be built on stilts at an elevation approximately 8 feet above the lowest existing ground elevation at the site. The applicant proposes to use the area under the house as parking. The lowest finished floor elevation would be 1149.0' which is approximately 5.5' above the BFE and 3.5' above the Ordinance elevation requirements. The applicant has also indicated that utility structures, such as the HVAC unit will be installed on a platform at minimum elevation of 1145.5' or two feet above the BFE. Piers, stilts for HVAC unit

and stairs to access the building will be constructed of steel or welded metal to minimize volume added to the floodplain.

Mr. Murphy said the proposed construction method recommended by the applicant's engineer focuses on strength and stability while minimizing surface area. Staff believes this would help meet the requirement of structures being built to withstand flotation, collapse and lateral movement in a flood. The engineering report also indicates that a geotechnical engineering company has located bedrock at a depth of 22 feet below ground and a structural engineer has been retained to design a pier and foundation system that would bear directly on the rock layer rather than in the sandy soils that exist at the site.

Mr. Murphy said in addition to the existing parking area on the north east side of the lot, the applicant wishes to install a driveway off of Brooks St. immediately east of the bridge over Imhoff Creek and through the floodplain to the parking area under the house. The engineer has provided cut and fill calculations for the proposed project that includes both cut and fill necessary for the drive, the house and accessory structures. Mr. Murphy said the proposed plan includes a net removal of 218.5 cubic yards of soil from the floodplain. 18.5 cubic yards of soil is to be removed from the edge of the main channel of Imhoff Creek to ensure that the conveyance of Imhoff Creek is not reduced according the engineering report. Mr. Murphy reviewed the plans and pictures of the site.

Mr. Murphy confirmed all ordinance requirements have been met and recommends Floodplain Permit Application #676 be approved with the following conditions:

1. A surveyor provide elevation of the lowest floor to verify elevation requirements have been met prior to going vertical with the walls;
2. An elevation certificate be submitted at completion of the construction to verify compliance;
3. The driveway be located on the east side of the site out of the floodplain and away from the bridge;
4. Stabilization of all excavated areas to prevent erosion.

Mr. O'Leary asked for comments or additions from the Applicant or Engineer. Hearing none, Mr. O'Leary asked for additional questions by the committee or any public comments.

Resident, Debbie Smith, expressed concern about erosion control and construction materials. Mr. Murphy addressed erosion control regulations. Mr. Sturtz said construction materials are determined by the engineer.

Mr. Murphy clarified the plan for the driveway and the recommended adjustment to keep the driveway out of floodplain, reduce compensatory storage and avoid the driveway being that close to a bridge, in which the permit may be not be approved. Mr. Keen said the applicant is willing to accept moving the driveway. Mr. O'Leary said the city is open to options and agreed he may have difficulty issuing a permit for a driveway adjacent to the bridge railing as a safety concern.

Ms. Stansel expressed concern regarding removing trees from floodway. Builder, Michael Dean, confirmed which 7 of the 128 trees are being removed. Mr. Danner mentioned the

comment in the engineers report regarding the original plan for the driveway being high risk for flooding and moving the driveway mitigates that.

Mrs. Hudson asked if the corner of the house is out of the easement and Mr. Keen responded the surveyor did not find an easement and we may want the owner to have an easement made and submitted for approval before the building permit. Mr. McLellan confirmed with Nathan Madenwald, Utilities Engineer, that the Utilities department would like to request an easement. Mr. McLellan asked how moving the driveway would impact the compensatory storage. Mr. Keen responded they would not need to take out as much, but does not have the calculations and appreciate the opportunity to get the calculations for staff approval without delaying the floodplain permit approval.

Mr. O'Leary encouraged the committee to focus on the floodplain regulations. Mr. O'Leary said with regard to the driveway, if the Floodplain Permit is approved, the Committee is approving the Application as it's submitted with those calculations. Mr. O'Leary said the driveway has not been authorized by the appropriate parties and probably would not be in the form it's currently shown. Mr. O'Leary said if the driveway moves, the floodplain will be better served.

Mr. O'Leary called for a motion. Mr. Sturtz questioned if the motion could be approved with the requirements from staff with the exception of the driveway on the west side of the structure. Mr. O'Leary confirmed one of the staff recommendations is the driveway be located on the east side of the site out of the floodplain and away from the bridge. Mr. Sturtz motioned to approve Floodplain Application No. 676 with staff recommendations. Mr. Scanlon seconded the motion. Mr. Sturtz expressed concerned regarding 2.5 feet of water in a parking space under the structure as mentioned and this is a positive move to resolve concern. Mr. Keen shared that the intent is not to enclose the area underneath the structure. Ms. Stansel expressed concern regarding moving 18.5 cubic yards of soil from the edge of the main channel of Imhoff Creek and wanted to ensure they are aware they cannot do anything within the floodway. Mr. O'Leary confirmed the engineers report states the conveyance of Imhoff Creek is not reduced. Mr. Murphy referred to page 65 of the packet showing the excavated quantities are coming from just outside the floodway. The committee voted to approve the application with the 4 conditions 7-0.

#### 4. Floodplain Permit No. 677

Mr. O'Leary said this application is for the elevation of a residential structure in the Imhoff Creek Floodplain. Mr. O'Leary asked Mr. Murphy to present the staff report. Mr. Murphy said the Applicant is Glenn Burnett, Builder is Glenn Burnett and the Engineer is Earl Keen, P.E. for the project.

Mr. Murphy said the original single story, masonry house was constructed in 1930 on Lot 6 Block 2 of the Eagleton Addition and is in good condition. Mr. Murphy said the entire property including the house is in the floodplain/floodway of Imhoff Creek in an area of repetitive flooding. Mr. Murphy said the owner seeks a Floodplain Permit to elevate the structure to a minimum of two feet above the BFE, as well as elevating the HVAC system to the same height and removing soil from the floodplain to compensate for the materials used to elevate it and add steps to access the house.

Mr. Murphy said the applicant has also asked to repair fencing that exists along the north and west sides of the property. Mr. Murphy said the applicant seeks to bring the structure into compliance with the current Flood Hazard Ordinance so that substantial improvements can be made to this property in the future.

Mr. Murphy said a previous application was denied by the committee on May 8, 2023 based on substantial improvement concerns and safety related to the property being in the floodway of Imhoff Creek and in a repetitive loss area. Mr. Murphy said this application is for raising the structure, and the HVAC unit and fence repair, not for remodeling. Mr. Murphy said the owner's intent is to bring this structure into compliance with all pertinent floodplain regulations and use it as student housing. Mr. Murphy said the applicant's son is attending OU and will be the primary resident. The owner's intent is to leave the residence in its exact existing location on the property.

This property is located in the designated floodplain and floodway of Imhoff Creek. Mr. Murphy said to fully meet the floodplain requirement, the finished floor would have to be at an elevation of 1155.1 feet or higher. The engineer recommends a target finished floor elevation of 1155.3 feet to allow for possible construction deviations.

Mr. Murphy said the existing concrete porch and cement block steps would be removed from the floodplain and new metal steps would replace them to minimize the footprint in the floodplain. Mr. Murphy said the engineer recommends that the platform for the HVAC unit be constructed of 4-inch by 4-inch metal steel posts. Mr. Murphy said the total volume of soil that is required to be removed from the floodplain as compensatory storage for the steps and HVAC support is 18 cubic feet. The engineer recommends increasing that amount to 27 cubic feet (1 cubic yard) to be conservative.

Mr. Murphy confirmed all ordinance requirements have been met and recommends Floodplain Permit Application #677 be approved with the condition that an elevation certificate be submitted at completion of the construction to verify compliance.

Mr. O'Leary asked for comments or additions from the Applicant or Engineer. Applicant, Glenn Burnett, indicated he was still looking for a builder. Mr. Burnett said he wants to remedy the situation and make the home livable for his kids while attending OU. Mr. Burnett said he would appreciate the committee supporting his Application to improve the property.

Mr. O'Leary asked for any public comments. Mr. O'Leary mentioned another property on Lahoma that was elevated and offered the applicant the opportunity to view the information for that structure.

Mr. O'Leary asked for questions or comments from the committee. Mr. Danner asked about the type of fence being installed. Mr. Burnett said it would be a new chain link fence to replace a mixed material existing dilapidated fence. Mr. Burnett said they are also removing an old shed as well. Mr. Keen said the current fence on the west end next to the channel is made of heavy walled pipe and is okay to remain. Mr. O'Leary confirmed the adjacent property at 218 was recently acquired by the City and will be a dedicated green space.

Mr. O'Leary called for a motion. Mr. Danner motioned to approve Floodplain Application No. 677. Mr. Sturtz seconded the motion. Mr. O'Leary asked for final questions or comments. Mr. Scanlon asked for confirmation the application is elevating the structure with gaps to allow

water to flow underneath. Mr. O'Leary and Mr. Sturtz confirmed. The committee voted to approve the application with the condition that an elevation certificate be submitted at completion of construction 7-0.

## **MISCELLANEOUS COMMENTS**

5. Ms. Hoggatt asked for confirmation of Floodplain Committee meeting on July 3, 2023. Mr. Murphy confirmed that meeting is cancelled and the next meeting will be on July 17, 2023.

## **ADJOURNMENT**

Mr. O'Leary called for a motion to adjourn. Mr. Ken Danner motioned to adjourn and was seconded by Ms. Sturtz. The motion was approved 7-0. The meeting adjourned at 4:34 p.m.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023

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City of Norman Floodplain Administrator, Shawn O'Leary