

DRAINAGE BOARD OF APPEALS
Regular MEETING MINUTES August 28, 2018

IN ACCORDNANCE WITH THE OKLAHOMA OPEN MEETING LAW,
THE AGENDA WAS POSTED August 23, 2018 at
723 SOUTH LEWIS
STILLWATER, OKLAHOMA

MEMBERS PRESENT

Ed Miller, Chair
Dale Daniels, Member
Matthew Mitchell, Member
Daniel Storm, Member

MEMBERS ABSENT

STAFF PRESENT

Tom Coots, Planner & Interim Floodplain Administrator
Dennis McGrath, Asst. City Attorney
Cindy Gibson, Administrative Coordinator

GUESTS:

Stephen Gose
Ellen Stephens
Karen Washington

1. CALL MEETING TO ORDER

Paula Denison calls meeting to order at 5:30 pm.

2. APPLICATIONS FOR DISCUSSION AND POSSIBLE ACTION:

- a. Baymere, LLC, **VARIANCE (VAR18-12)**, requesting review and granting of a variance to Chapter 35, Article 2, Section 35-78 Stormwater Design Policies and Standards and Chapter 23, Article 18, Section 23-374(a)(6) Provisions for Flood Hazard Reduction for property addressed as 1220 W. 12th Avenue.

Tom Coots, Interim Floodplain Manager states for the record he is not an engineer and presents staff's report with analysis and findings as well as there being two (2) variance request before the Board this evening.

Tom asks if there are any questions for him; none respond.

Mr. Miller opens the public hearing and asks if anyone wishes to speak in favor of this request.

Ms. Ellen Stephens, Applicant's Engineer, comes to speak on the following:

- The property has about 8 ½ acres of watershed that it drains to.
- Basically the critical point here is 24 inch pipe that comes across 12th and stubs into an 8 by 3 foot box culvert sewer that goes alongside the outside of 12th. That's the entire area that is draining.
- There is actually a print from the FEMA floodplain and what to understand about this is the actually FEMA map was done before 12th street project was completed.
- This was a low area and the water came along the ground and over 12th, but since 12th street project has been completed it has been channeled somewhat.
- Based on the FEMA study it is about 868 to the nearest 1/10 point zero feet.

- 12th street is now higher than it was when the FEMA study was completed.
- In a 100 year flood in Stillwater Creek, the water backs up into the pipe and it will fill this area out by the contours.
- Looking at the area surrounding Stillwater creek to convey that 100 year flood.
- Since the road here is higher than the actually flood along Stillwater creek. The moving water doesn't get in here at all, having this area here is really negligible.
- It doesn't speak at all to the conveyance the flood carrying capacity of Stillwater creek.
- That's the main reason we feel like in this unique situation where the flood plain is and just by virtue of water backing up through a pipe, it's not really like back water flowing out of the creek.
- In this particular case the compensatory storage isn't particularly needed.

Discussion is about how 10,500 cubic feet is needed for compensatory storage; the total area which extends off site; this includes offsite and onsite in the calculation; after the site is built, of course anything off the site is going to be the same as there some open flow into the pipes that take it into the 24 inch pipe under 12th Avenue; the area according to this, there considerably less volume the contention is that the storage is not affective as far as flood levels on Stillwater Creek because it isn't a part of moving water, it is just backing up through a pipe to the level equal at Stillwater creek and having 800 or even a couple of 1,000 cubic feet less, it was basically a pit.

Dr. Stevens states that the rest of this actually speaks to again the idea of not having onsite detention; actually proved a few years ago with the Stillwater Medical Center, the concept of the fact that if there's a huge flood on Stillwater Creek and there is standing water to elevation to 868 feet, it's not going to matter how rain you have in this low volume area but the detention becomes an issue when you are looking at the local area; over the watershed that drains to the point and no big flood on Stillwater Creek as that's really what you are going to have most of the time; it would be unusual to the point of being practically unreasonable to be a 100 year flood plain on Stillwater Creek, sitting there at a flood peak at a 100 year rain right there; and this is why we felt like it was appropriate to have the onsite detention.

Discussion is held about heavy rain during a 100 year flood event on Stillwater Creek causing floods due to the magnitude of the very rain periods; having a fairly good rain during a 100 year storm is actually measureable – it wouldn't be negligible; not able to find anything locally produced to figure out the likelihood of two 100 year rain events in row but Texas Dept. of Transportation manual and a few other resources put together different combination of storms; events such as this can be calculated; main idea with detention is everything should be draining; combination of coincident peaks were calculated; current constructed roadways lending aid to the directional flow of runoff; and the building meeting the first floor building elevation because calculations show the worst case scenario of high water will be in the sag on 12th Street that is still 4 to 5 feet below the building.

Chair Miller states that he believes the Board is ready for discussion unless someone else has something to add.

Mrs. Karen Washington states that she is familiar with the flooding but changes have happened; came to hear about the issue; and doesn't see that it is going to impact the property.

Chair Miller asked for clarification on zoning. Tom Coots, Planner, responds that it rezone from single family to a now Commercial and Office with a Planned Unit Development overlay.

Discussion is held regarding there being two (2) separate variance request; one is for on-site stormwater detention and the second is for compensatory storage; pre and post construction stormwater facilities.

Chair Miller closes the public hearing and asks for Board discussion.

Chair Miller comments that he is interested in the zoning specifically for the property next door and the neighborhood; interested in the storage as it seems to be allowed at Copper Creek; the storage at Copper Creek is going to be under water in a 100 year flood but that is a different issue but not totally unrelated to this situation; trying to look at not adding additional flow to the drainage system due to the streets and subdivisions that Stillwater Creek will be impacting both up and down stream.

Mr. Storm comments about fill, in regards to the floodplain; expresses concern about the pre-construction discharge; and allowing a variance here versus anyone else and how important is it to be uniform across different developments.

Mr. Mitchell moved, Mr. Daniels seconds to approve the variance request for on-site detention.

Roll Call:	Miller	Storm	Daniels	Mitchell	Vacant
	Yes	Yes	Yes	Yes	N/A

Chair Miller moved, Mr. Daniels seconded to grant the variance request based on the provision of compensatory storage allows fill in the floodplain without increasing flood heights and the request would reduce the available floodwater storage area by a negligible amount. However, even negligible amounts did not contribute to a cumulative negative effect on flooding.

Roll Call:	Miller	Storm	Daniels	Mitchell	Vacant
	Yes	Yes	Yes	Yes	N/A

Time: 58 minutes

3. APPROVAL OF MEETING SUMMARY

- a. Special Meeting of December 18, 2017

Chair Miller asks if there are any changes and/or corrections; none response.

Chair Miller moved, Mr. Daniels seconded to approve the December 18, 2017 meeting summary.

Roll Call:	Miller	Storm	Daniels	Mitchell	Vacant
	Yes	Yes	Yes	Yes	N/A

Time: 1 minute

4. MISCELLANEOUS ITEMS FROM STAFF FOR DISCUSSION AND POSSIBLE ACTION:

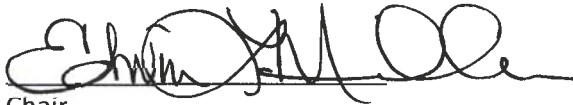
- a. Next meeting Tuesday, September 25, 2018.

5. ADJOURN

ADJOURNMENT. This special meeting of the Stillwater Board of Drainage Appeals was called for adjournment by Chair Miller, seconded by Mr. Storm at approximately 6:33 PM on August 28, 2018, with

all members present in agreement, the next regularly scheduled meeting will be held August 25, 2020 at 5:30 p.m. in Municipal Building, 723 South Lewis Street.

Prepared by Cindy Gibson, Manager of Administrative Services

A handwritten signature in black ink, appearing to be 'Edwin Moore', written over a horizontal line.

Chair