



# City of Broken Arrow

## Legislation Details (With Text)

**File #:** 16-1259 **Name:**

**Type:** Presentations **Status:** Passed

**File created:** 10/11/2016 **In control:** Broken Arrow Municipal Authority

**On agenda:** 10/18/2016 **Final action:** 10/18/2016

**Title:** Presentation, discussion, and possible action on a Variance Request from the Stormwater Management Ordinance Section 25-313(6) for the Countyline Crossings development from Walmart Real Estate Business Trust, for property located in the area of Dearborn Street and North 23rd Street

**Sponsors:** Broken Arrow City Council

**Indexes:**

**Code sections:**

**Attachments:** 1. 161005 Variance Request Letter, 2. FINAL PLAT NO.2.COUNTY LINE CROSSINGS.OCTOBER 5 2016, 3. Sept 30 2016 Spunky Creek Floodplain at Countyline Crossings (002), 4. Countyline Crossings amended plat letter

Date	Ver.	Action By	Action	Result
10/18/2016	1	Broken Arrow Municipal Authority	approved	Pass

### Broken Arrow Municipal Authority Meeting of: 10-18-16

**To:** Chairman and Trustees  
**From:** Broken Arrow Floodplain Administrator  
**Title:**  
**Presentation, discussion, and possible action on a Variance Request from the Stormwater Management Ordinance Section 25-313(6) for the Countyline Crossings development from Walmart Real Estate Business Trust, for property located in the area of Dearborn Street and North 23rd Street**

#### Background:

Cochran Engineering has been preparing development plans and the plat for the Countyline Crossings development at the northeast corner of Dearborn Street and North 23<sup>rd</sup> Street. A portion of the proposed platted area is within the Spunky Creek Zone AE FEMA 100-year floodplain. Onsite stormwater detention is required for the proposed multiple lot commercial development. The required stormwater detention facility is proposed to have a portion of it constructed within the 100-year floodplain boundary of the overbank of Spunky Creek. Construction of the detention facility would have a built up dry detention pond embankment within the floodplain and compensatory floodplain storage cut on the downstream side of the pond to meet City of Broken Arrow floodplain code requirements.

The proposed pond grading would change the boundary of the current 100-year floodplain, prompting requirement of a FEMA Letter of Map Revision based on Fill (LOMR-F). The limits of both the current and proposed 100-year floodplain boundaries would be contained within a stormwater drainage easement on the final plat and would not directly affect development lots. Broken Arrow Stormwater Management Ordinance Section 25-313(6) states "The final plat of any development requiring a FEMA LOMR will not be accepted until such LOMR is approved in writing by FEMA. Building permits will not be issued on any lots in developments awaiting LOMR approval." The enclosed letter requests a variance from this ordinance to allow the filing of the Final Plat for Countyline Crossings to proceed. Walmart does not intend to begin construction

of the development until the fall of 2018, and understands that construction of the required detention facility, applicable compensatory floodplain storage grading, preparation and receipt of the LOMR-F, and re-platting of the Commercial Crossings plat to show the revised floodplain boundary would be performed by them. A floodplain development permit will be issued closer to time of construction which will cover the necessary floodplain management code and criteria requirements necessary for the project. No building permits will be issued on any platted lots until conditions of the floodplain development permit are met.

Variances to Broken Arrow floodplain codes more stringent than FEMA minimum standards can have potential negative impacts on the Broken Arrow Community Rating System (CRS) rating, but would not in this particular case. The Broken Arrow Municipal Authority, serving as the Floodplain Appeals Board, is asked to review the facts of the case and make a ruling on whether a variance is approved or denied. The Authority may attach conditions to variances also. Staff recommends approval of the variance request.

**Cost:** None

**Prepared By:** Jeff Bigby, P.E., CFM, Floodplain Administrator

**Reviewed By:** Engineering & Construction Department  
Development Services Department  
Assistant City Manager - Operations  
Legal Department

**Approved By:** Michael L. Spurgeon, City Manager

**Attachments:** Variance Request Letter, Draft Final Plat Copy, Current Effective Floodplain Boundary Map

**Recommendation:** Approve the variance request