

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

MARCH 8, 2018

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 8th day of March, 2018. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <http://www.normanok.gov/content/boards-commissions> at least twenty-four hours prior to the beginning of the meeting.

Chair Neil Robinson called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Sandy Bahan
Nouman Jan
Neil Robinson
Erin Williford (arrived at 6:32)
Lark Zink (arrived at 6:31)
Dave Boeck
Tom Knotts
Andy Sherrer

MEMBERS ABSENT

Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &
Community Development
Jane Hudson, Principal Planner
Roné Tromble, Recording Secretary
David Riesland, Traffic Engineer
Ken Danner, Subdivision Development
Manager
Drew Norlin, Asst. Development Coordinator
Terry Floyd, Development Coordinator
Elisabeth Muckala, Assistant City Attorney
Bryce Holland, Multimedia Specialist

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CONSENT DOCKET, BEING:

Item No. 2, being:

TMP-120 -- APPROVAL OF THE FEBRUARY 8, 2018 PLANNING COMMISSION REGULAR SESSION MINUTES

and

Item No. 3, being:

COS-1718-2 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY RICHARD AND DOROTHY BYRD (KENT MACE) FOR BYRD ACRES FOR PROPERTY GENERALLY LOCATED 1900' NORTH OF CEDAR LANE ROAD ON THE EAST SIDE OF 48TH AVENUE S.E., AT 3101 48TH AVENUE S.E.

and

Item No. 4, being:

COS-1718-3 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY JARED MILLER (MACBAX & ASSOCIATES) FOR MILLER PINES FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 60TH AVENUE N.E. APPROXIMATELY ½ MILE NORTH OF ROBINSON STREET.

and

Item No. 5, being:

SFP-1718-5 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY MICHAEL MILLIGAN (MACBAX & ASSOCIATES) FOR MILLIGAN ADDITION FOR PROPERTY LOCATED AT 1231 W. ROCK CREEK ROAD (WEST OF 12TH AVENUE N.W. ON THE NORTH SIDE OF ROCK CREEK ROAD).

and

Item No. 6, being:

PP-1718-8 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY 48TH & ALAMEDA, L.L.C. (MACBAX & ASSOCIATES) FOR THE BARN AT TERRA VERDE FOR PROPERTY LOCATED AT 1000 36TH AVENUE S.E.

and

Item No. 7, being:

PP-1718-9 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY NORMAN CHURCH OF CHRIST (FRONTIER LAND SURVEYING) FOR 24TH AVENUE CHURCH OF CHRIST FOR PROPERTY LOCATED AT 1660 24TH AVENUE S.E.

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Chair Robinson asked if any member of the audience wished to remove an item from the Consent Docket. There being none, he asked if any member of the Planning Commission wished to remove an item from the Consent Docket. There being none, he asked for a motion.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to approve the Consent Docket as presented. Andy Sherrer seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS

Sandy Bahan, Nouman Jan, Tom Knotts, Neil Robinson, Lark Zink, Dave Boeck, Erin Williford, Andy Sherrer

NAYES

None

MEMBERS ABSENT

Chris Lewis

Ms. Tromble announced that the motion, to approve the Consent Docket, passed by a vote of 8-0.

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Item No. 3, being:

COS-1718-2 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY RICHARD AND DOROTHY BYRD (KENT MACE) FOR BYRD ACRES FOR PROPERTY GENERALLY LOCATED 1900' NORTH OF CEDAR LANE ROAD ON THE EAST SIDE OF 48TH AVENUE S.E., AT 3101 48TH AVENUE S.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Norman Rural Certificate of Survey
3. Staff Report
4. Request for Variance of Private Road Width
5. Greenbelt Commission Comments

Action Needed: Recommend approval, or disapproval, of a variance in the private road width from 20 feet to 12 feet, and adoption, or rejection, of COS-1718-2, the Norman Rural Certificate of Survey for BYRD ACRES, to City Council.

This item was approved on the Consent Docket by a vote of 8-0.

Item No. 4, being:

COS-1718-3 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY JARED MILLER (MACBAX & ASSOCIATES) FOR MILLER PINES FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 60TH AVENUE N.E. APPROXIMATELY ½ MILE NORTH OF ROBINSON STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Norman Rural Certificate of Survey
3. Staff Report
4. Request for Variance to Lot Size
5. Greenbelt Commission Comments

Action Needed: Recommend approval, or disapproval, of a variance in the minimum acreage requirement for Lots 1 through 8, and recommend adoption, or rejection, of COS-1718-3, the Norman Rural Certificate of Survey for MILLER PINES, to City Council.

This item was approved on the Consent Docket by a vote of 8-0.

Item No. 5, being:

SFP-1718-5 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY MICHAEL MILLIGAN (MACBAX & ASSOCIATES) FOR MILLIGAN ADDITION FOR PROPERTY LOCATED AT 1231 W. ROCK CREEK ROAD (WEST OF 12TH AVENUE N.W. ON THE NORTH SIDE OF ROCK CREEK ROAD).

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Short Form Plat
3. Staff Report
4. Site Plan

Action Needed: Approve, or reject, SFP-1718-5, the Short Form Plat for MILLIGAN ADDITION, and direct the filing thereof with the Cleveland County Clerk.

This item was approved on the Consent Docket by a vote of 8-0.

Item No. 6, being:

PP-1718-8 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY 48TH & ALAMEDA, L.L.C. (MACBAX & ASSOCIATES) FOR THE BARN AT TERRA VERDE FOR PROPERTY LOCATED AT 1000 36TH AVENUE S.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Pre-Development Summary
7. Greenbelt Commission Comments

Action Needed: Recommend adoption, or rejection, of PP-1718-8, the Preliminary Plat for THE BARN AT TERRA VERDE, to City Council.

This item was approved on the Consent Docket by a vote of 8-0.

Item No. 7, being:

PP-1718-9 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY NORMAN CHURCH OF CHRIST (FRONTIER LAND SURVEYING) FOR 24TH AVENUE CHURCH OF CHRIST FOR PROPERTY LOCATED AT 1660 24TH AVENUE S.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Pre-Development Summary
7. Greenbelt Commission Comments

Action Needed: Recommend adoption, or rejection, of PP-1718-9, the Preliminary Plat for 24th AVENUE CHURCH OF CHRIST, to City Council.

This item was approved on the Consent Docket by a vote of 8-0.

Item No. 11, being:

O-1718-35 – 750 IMHOFF, L.L.C. REQUESTS REZONING FROM RM-6, MEDIUM DENSITY APARTMENT DISTRICT, TO SPUD, SIMPLE PLANNED UNIT DEVELOPMENT, FOR PROPERTY LOCATED AT 750 E. IMHOFF ROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Postponement Memo
3. Request for Postponement
4. Excerpt of February 8, 2018 Planning Commission Minutes

Applicant requested postponement until April 12, 2018.

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DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to postpone Ordinance No. O-1718-35 to the April 12, 2018 Planning Commission meeting. Sandy Bahan seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Sandy Bahan, Nouman Jan, Tom Knotts, Neil Robinson, Lark Zink, Dave Boeck, Erin Williford, Andy Sherrer
NAYES	None
MEMBERS ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to postpone Ordinance No. O-1718-35 to the April 12, 2018 Planning Commission meeting, passed by a vote of 8-0.

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INFORMATION ONLY:

Item No. 10a, being:

R-1718-84 – C&P OK INVESTMENTS, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM VERY LOW DENSITY RESIDENTIAL DESIGNATION AND COMMERCIAL DESIGNATION TO LOW DENSITY RESIDENTIAL DESIGNATION, COMMERCIAL DESIGNATION, AND OFFICE DESIGNATION, AND AMEND THE DESIGNATION OF 48TH AVENUE S.E. ADJACENT TO THE PROPERTY, FROM A PRINCIPAL RURAL ARTERIAL TO A MINOR URBAN ARTERIAL, FOR APPROXIMATELY 148.3 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 48TH AVENUE S.E. AND STATE HIGHWAY 9.

and

Item No. 10b, being:

O-1718-34 – C&P OK INVESTMENTS, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, AND TC, TOURIST COMMERCIAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR APPROXIMATELY 148.3 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 48TH AVENUE S.E. AND STATE HIGHWAY 9.

and

Item No. 10c, being:

PP-1718-7 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY C&P OK INVESTMENTS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR THE GARDENS, A PLANNED UNIT DEVELOPMENT, FOR APPROXIMATELY 148.3 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 48TH AVENUE S.E. AND STATE HIGHWAY 9.

and

O-1718-6 – SYLVIA BRUCE REQUESTS SPECIAL USE FOR A RECREATIONAL CAMP FOR PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, AND LOCATED AT 10209 CLINKENBEARD ROAD.

These applications have been withdrawn by the applicants. No action is necessary.

* * *

Mr. Sherrer – Those items have been withdrawn; they have not been requested for postponement.

Ms. Connors – That is correct.

Mr. Sherrer – At the applicants' request, they've been withdrawn permanently. It would have a separate application if they ...

Ms. Connors – A new application would be required to come forward if it moves forward again.

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Item No. 8, being:

O-1718-39 – CLLC, L.L.C. REQUESTS SPECIAL USE FOR LIGHT MANUFACTURING AND SPECIAL USE FOR A BAR, LOUNGE OR TAVERN, FOR PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT, LOCATED AT 216 E. MAIN STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Facility Layout Diagram
4. Pre-Development Summary

PRESENTATION BY STAFF:

1. Jane Hudson reviewed the staff report, a copy of which is filed with the minutes. Staff supports this request and recommends approval of Ordinance No. O-1718-39.

2. Mr. Boeck – It seems like we've dealt with decibel levels and music downtown and various venues that play music. I've not heard anything about music here. But if they were going to do music, would they have to come back and deal with the ordinances on decibel levels and times and stuff like that?

3. Ms. Hudson – If they wanted to have live entertainment indoors, they would have to come back for the live entertainment special use.

PRESENTATION BY THE APPLICANT:

The applicants were present but did not make a presentation.

1. Mr. Boeck – Are you going to have a porter? [Affirmative answer not recorded.] And a stout? [Affirmative answer not recorded.]

AUDIENCE PARTICIPATION:

1. Jim Adair, 111 N. Peters Avenue – I'm here on behalf of the applicant, and I'm not going to pass up an opportunity for a minute or two at the mic. The buildings in the historical part of downtown Norman are from 90 to 120 years old. To the best of my knowledge, this particular building is over 100 years old. Needless to say, Main Street has seen a lot of change during that period of time. I've had the absolute pleasure to spend at least five days a week on Main Street for at least the last 45 years. I remember when Main Street changed from two ways to one way, and I hope I live long enough to see it change back. I can remember when the Mall was built, and much of the local retail left downtown and went to the Mall. In the last decade, we have seen the evolution of a wonderful synergy of local restaurants downtown, and they complement the office occupancy down there. I always say a good restaurant will do a good dinner business in any reasonable location. In downtown part of the secret is we've got a built-in clientele in the offices, and all of them do a good lunch traffic as well.

I could spend all evening talking to you about downtown and Center City. I'm going to try and limit this to a minute or two. Ownership downtown is really diverse. For the most part, downtown is healthy and really well-maintained. That doesn't happen by accident. It happens when the tenants, the property owners, and very, very importantly the municipality all care. We have a genuine walking environment downtown, and we've heard a lot of discussion about that these days. I think our walking environment is best evidenced tomorrow night by Second Friday, next month by the Music Festival, later this year by the Fall Festival. When you take the historical nature of downtown, the tenant mix, and the walking environment, we're seeing the true evolution of an entertainment district. I want to repeat that. We are seeing the evolution of an entertainment district. In my opinion, the vitality of downtown today relies heavily on the success of the restaurants and the bars. In turn, they're supported by the office occupancy and a wonderful emergence of new housing options in the Core.

This specific piece of property was in an estate and was locked up for fifteen years. Accompanying this rezoning, we'll do a major renovation, including sprinkling of the property. The patio you saw will actually be expanded. The front wall is old and needs repair, and we'll take the front wall out, move it back, and increase the size of the patio. I believe it was last year, in the 400 block of East Main, you all did a rezoning for a brewery. Structurally this is exactly the same as that. As you all know, in Norman, if you meet 51% of your sales are food, you're a restaurant. If you don't meet that threshold, the only other definition is that you're a bar. Obviously, the special use for light manufacturing is to permit brewing on-site. We think this zoning is really important and that this use is important to the continued evolution of downtown. We'd ask your support. Eric Martin and Sean Stanford, who are two of the three principals, are here. They can answer specific questions you may have about the operation. We'd be glad to try and answer any questions you have about the property itself. Thank you.

2. Mr. Boeck – Is that where Kelly's was?

3. Mr. Adair – Yes.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

*Andy Sherrer moved to recommend adoption of Ordinance No. O-1718-39 to City Council.
Dave Boeck seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Sandy Bahan, Nouman Jan, Tom Knotts, Neil Robinson, Lark Zink, Dave Boeck, Erin Williford, Andy Sherrer
NAYES	None
MEMBERS ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1718-39 to City Council, passed by a vote of 8-0.

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Item No. 9a, being:

R-1718-95 – GRACE LIVING CENTER-NORMAN REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM COMMERCIAL DESIGNATION AND MEDIUM DENSITY RESIDENTIAL DESIGNATION TO MIXED USE DESIGNATION, WHILE RETAINING THE FLOODPLAIN DESIGNATION, FOR PROPERTY LOCATED EAST OF THE SOUTHEAST CORNER OF MAIN STREET AND 48TH AVENUE S.W.

ITEMS SUBMITTED FOR THE RECORD:

1. 2025 Map
2. Staff Report

and

Item No. 9b, being:

O-1718-40 – GRACE LIVING CENTER-NORMAN REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, RM-2, LOW DENSITY APARTMENT DISTRICT, AND RM-4, MOBILE HOME PARK DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY LOCATED EAST OF THE SOUTHEAST CORNER OF MAIN STREET AND 48TH AVENUE S.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. PUD Narrative with Exhibits A and B

and

Item No. 9c, being:

O-1718-41 – GRACE LIVING CENTER-NORMAN REQUESTS CLOSURE AND VACATION OF CERTAIN EXISTING PUBLIC UTILITY EASEMENTS WITHIN THE PROPERTY GENERALLY LOCATED EAST OF THE SOUTHEAST CORNER OF MAIN STREET AND 48TH AVENUE S.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Request to Close Public Easements
4. Letters of Non-Objection from Utilities

and

Item No. 9d, being:

PP-1718-10 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY GRACE LIVING CENTER-NORMAN (SMC CONSULTING ENGINEERS, P.C.) FOR GRACE LIVING CENTER, A PLANNED UNIT DEVELOPMENT FOR PROPERTY GENERALLY LOCATED SOUTH AND EAST OF THE INTERSECTION OF MAIN STREET AND 48TH AVENUE S.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Pre-Development Summary
7. Greenbelt Commission Comments

PRESENTATION BY STAFF:

1. Jane Hudson reviewed the staff reports, copies of which are filed with the minutes. Staff supports this request and recommends approval of Resolution No. R-1718-95, Ordinance No. O-1718-40, Ordinance No. O-1718-41, and PP-1718-10.
2. Mr. Knotts – The additional 64 beds, those are for recovery beds, not permanent residents?

3. Ms. Hudson – Correct. It's my understanding they are recovery beds for those doctors that will be coming in there and making office visits and checking on the patients for recovery.
4. Mr. Knotts – So close to the floodplain ...
5. Ms. Hudson – No issues that I'm aware of.
6. Mr. Knotts – They're out of the floodplain?
7. Ms. Hudson – Yes.
8. Mr. Knotts – Things are always changing, and I was just wondering what the Delta difference from ...
9. Muhammed Khan, SMC Consulting Engineers – Four feet.
10. Mr. Robinson – Jane, can we go back to one of your photographs earlier – the one with the drainage way on it? I'm kind of curious how deep is that thing?
11. Mr. Danner – If I'm not mistaken, part of that was developed with a City project, specially where they did the improvements to Main Street. So, again, that was part of a City project. Earlier with the original building, they had a lesser channel – it wasn't as deep as it is now.
12. Mr. Robinson – Are there any plans to improve this thing to enclose it?
13. Mr. Danner – Close this? No.
14. Mr. Robinson – So that's a City channel, basically.
15. Mr. Danner – That is within a drainage easement that the City would have some responsibilities of, yes.

PRESENTATION BY THE APPLICANT:

1. Blaine Nice, 100 N. Broadway, Oklahoma City, representing the applicant – The applicant is here, as well as the architect and engineer. As the staff report points out, this use is consistent with what's going on out there. In fact, it kind of fills in this little area that's been open and it's consistent with the current uses. I will note that Mr. Greiner, when the City improved Main Street out there and this drainage, he donated that drainage easement to the City so they could improve that. The new construction will not be in the floodplain; it's to the south. We believe this is certainly appropriate and would ask the Planning Commission to recommend approval of all four items.
2. Mr. Sherrer – On the exterior materials part of the PUD, you specify that it shall be primarily of brick and stone that's compatible with the existing facility, which sounds great and wonderful. What is the plan there? I mean, is it going to be the exact same level of brick and masonry? Just helps to understand kind of the appearance. The renderings are helpful; thank you.
3. Kenyon Morgan, 8700 Oakmont Drive, Oklahoma City, the architect – We're going to dress up that north side there that's right on Main Street, so it will have a little bit more stone added to the brick. It will have some gables that are to add two hips on the rest of the facility. But it will be in the same context. It's not going to be an architectural statement.

4. Don Greiner, 4350 Will Rogers Parkway, Oklahoma City, the owner – We're debating whether the brick will match or not.

5. Mr. Boeck – Just as long as it doesn't compete.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Andy Sherrer moved to recommend adoption of Resolution No. R-1718-95, Ordinance No. O-1718-40, Ordinance No. O-1718-41, and PP-1718-10, the Preliminary Plat for GRACE LIVING CENTER, A Planned Unit Development, to City Council. Nouman Jan seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS

Sandy Bahan, Nouman Jan, Tom Knotts, Neil Robinson, Lark Zink, Dave Boeck, Erin Williford, Andy Sherrer

NAYES

None

MEMBERS ABSENT

Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1718-95, Ordinance No. O-1718-40, Ordinance No. O-1718-41, and PP-1718-10 to City Council, passed by a vote of 8-0.

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Item No. 12, being:

MISCELLANEOUS COMMENTS

1. Dave Boeck – I was driving around, talking to Bill Hickman as I was driving down Apache and what I call Front Street, and seeing all the new development going up there in the Form Based Code. It's kind of exciting. I told him I felt like I was driving down a street in Lincoln Park today in Chicago, seeing those new apartments. The thing that bothers me, that I hope we can still deal with – I'd asked one time for some research into design guidelines and design review committees. It hasn't been addressed. I still think we need that as far as citizen involvement and diversity. I've posted pictures from Lincoln Park and from Chicago – not that that's my favorite city, but there's diversity on every street. You don't have one developer building all 20 million units to look exactly the same. That's not what we want here in town. So I hope we can come up with a design review process, like Oklahoma City has.

The other thing is I see all those units being built three feet off the ground and so they're not accessible. I don't know what's being developed – whether it's still more student housing, but I brought it up before. I want to see – we need to have a comprehensive plan about accessible housing – whether it's senior housing, but housing that's accessible, and not from the back door, but from the front door as well, because that's offensive to people if they have to come in the back door with a ramp – and that didn't get addressed or talked about during the development of the Form Based Code. I don't think some of the people that were involved in the Form Based Code – because I talked to Richard McKown – said we can do ramps, they can become accessible from the back door. Well, that's not proper community thinking. I don't know if those units are being required to be accessible in the first place. I don't know if we're approving those plans to be accessible, but I would hope that we would be doing that.

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Item No. 13, being:

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 7:05 p.m.


Norman Planning Commission