NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 12, 2017

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 12th day of October, 2017. 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.

Vice 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	Chris Lewis Neil Robinson Lark Zink Dave Boeck Tom Knotts
MEMBERS ABSENT	Sandy Bahan Nouman Jan Erin Williford Andy Sherrer

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Roné Tromble, Recording Secretary Larry Knapp, GIS Analyst II Ken Danner, Subdivision Development Manager David Riesland, Traffic Engineer Leah Messner, Asst. City Attorney

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CONSENT DOCKET
Item No. 2, being:
TMP-112 -- APPROVAL OF THE SEPTEMBER 14, 2017 PLANNING COMMISSION REGULAR SESSION MINUTES

and
Item No. 3, being:
COS-1718-1 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY DYNAH KORHUMMEL (CRAFTON TULL & ASSOCIATES) FOR FEATHERCREEK FARM FOR APPROXIMATELY 104.28 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF 72ND AVENUE N.E. APPROXIMATELY ½ MILE SOUTH OF ROCK CREEK ROAD AT 1501 72ND AVENUE N.E.

and
Item No. 4, being:
SFP-1718-2 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY JUSTIN & KAREN BEDDO (DAVID LOUY) FOR LOT 2, BLOCK 7, MARLATT ADDITION FOR APPROXIMATELY 2.2954 ACRES OF PROPERTY LOCATED AT 3714 NORTHWEST PIONEER STREET, ON THE SOUTH SIDE OF THE STREET.

and
Item No. 5, being:
PP-1718-3 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY HALLBROOKE INVESTMENT GROUP ONE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR HALLBROOKE ADDITION FOR APPROXIMATELY 47.11 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF ROCK CREEK ROAD AND WEST OF 24TH AVENUE N.E.

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Mr. 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:
Chris Lewis moved to approve the Consent Docket. Dave Boeck seconded the motion.

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

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

Ms. Tromble announced that the motion, to approve the Consent Docket, passed by a vote of 5-0.

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Item No. 3, being:
COS-1718-1 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY DYNAH KORHUMMEL (CRAFTON TULL & ASSOCIATES) FOR FEATHERCREEK FARM FOR APPROXIMATELY 104.28 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF 72ND AVENUE N.E. APPROXIMATELY ½ MILE SOUTH OF ROCK CREEK ROAD AT 1501 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Norman Rural Certificate of Survey
3. Staff Report
4. Lot 4 Possible Area for a House
5. Pre-Development Summary
6. Greenbelt Commission Comments
7. Excerpt of Planning Commission Minutes 9/14/17

This item was approved on the Consent Docket by a vote of 5-0.

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Item No. 4, being:
SFP-1718-2 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY JUSTIN & KAREN BEDDO (DAVID LOUY) FOR LOT 2, BLOCK 7, MARLATT ADDITION FOR APPROXIMATELY 2.2954 ACRES OF PROPERTY LOCATED AT 3714 NORTHWEST PIONEER STREET, ON THE SOUTH SIDE OF THE STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Short Form Plat
3. Staff Report

This item was approved on the Consent Docket by a vote of 5-0.

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Item No. 5, being:
PP-1718-3 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY HALLBROOKE INVESTMENT GROUP ONE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR HALLBROOKE ADDITION FOR APPROXIMATELY 47.11 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF ROCK CREEK ROAD AND WEST OF 24TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:

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

This item was approved on the Consent Docket by a vote of 5-0.

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Mr. Lewis asked to make a motion at this time to address the items that have been requested to be postponed.

Item No. 4, being:
O-1617-29 – UNIVERSITY NORTH PARK PROFESSIONAL CENTER LOT 1, BLOCK 1 REQUESTS AMENDMENT OF THE EXISTING PUD ESTABLISHED BY ORDINANCE NO. O-0203-2, AS AMENDED BY O-0506-9, O-0607-13 AND O-1415-45, TO GENERALLY ALLOW FOR C-1 COMMERCIAL USES AT THE SOUTHEAST CORNER OF 24TH AVENUE N.W. AND TECUMSEH ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Postponement Memo
3. Request for Postponement
4. Excerpt of September 14, 2017 Planning Commission Minutes

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Item No. 7, being:
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.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Postponement Memo
3. Request for Postponement
4. Excerpt of September 14, 2017 Planning Commission Minutes

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Item No. 11, being:
O-1718-15 – UNIVERSITY NORTH PARK, L.L.C. REQUESTS AMENDMENT OF THE PLANNED UNIT DEVELOPMENT ESTABLISHED BY ORDINANCE NO. O-0203-2, AND AMENDED BY ORDINANCE NO. O-0607-13, TO ALLOW DEVELOPMENT OF UP TO 50 NET ACRES NORTH OF ROCK CREEK ROAD FOR COMMERCIAL USES, INCLUDING APPROXIMATELY 150,000 SQUARE FEET OF ENTERTAINMENT/RESTAURANT USES, FOR PROPERTY GENERALLY LOCATED NORTH OF ROCK CREEK ROAD, SOUTH OF TECUMSEH ROAD, EAST OF I-35, AND WEST OF WESTHEIMER AIRPORT.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Postponement Memo
3. Request for Postponement

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Item No. 12a, being:
R-1718-25 – HOLLYWOOD CORNERS STATION, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL DESIGNATION TO COMMERCIAL DESIGNATION FOR APPROXIMATELY 2.38 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PORTER AVENUE AND FRANKLIN ROAD (4712 N. PORTER AVENUE).

and
Item No. 12b, being:
O-1718-9 – HOLLYWOOD CORNERS STATION, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO TC, TOURIST COMMERCIAL DISTRICT WITH SPECIAL USE FOR A LIVE ENTERTAINMENT VENUE AND SPECIAL USE FOR A NIGHTCLUB OR TAVERN FOR APPROXIMATELY 2.38 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PORTER AVENUE AND FRANKLIN ROAD (4712 N. PORTER AVENUE).

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Postponement Memo
3. Request for Postponement
4. Excerpt of September 14, 2017 Planning Commission Minutes

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to postpone Item Nos. 6, 7, 11, and 12a and 12b as noted in the Agenda. Dave Boeck seconded the motion.

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

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

Ms. Tromble announced that the motion, to postpone Item Nos. 6, 7, 11 and 12a and 12b as noted in the Agenda, passed by a vote of 5-0. Item No. 6 was postponed to the December 14, 2017 Planning Commission meeting, and Item Nos. 7, 11, and 12a and 12b were postponed to the November 9, 2017 meeting.

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Item Nos. 8a, being:
R-1718-40 – INDIAN HILL INVESTMENT GROUP, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM COMMERCIAL DESIGNATION TO INDUSTRIAL DESIGNATION FOR APPROXIMATELY 3.45 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD ON THE WEST SIDE OF THE BNSF RAILROAD AT 2855 WEST INDIAN HILLS ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. 2025 Map
2. Staff Report

and
Item Nos. 8b, being:
O-1718-11 – INDIAN HILL INVESTMENT GROUP, L.L.C. REQUESTS REZONING FROM RM-4, MOBILE HOME PARK DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO I-1, LIGHT INDUSTRIAL DISTRICT, FOR APPROXIMATELY 3.45 ACRES OF PROPERTY LOCATED AT 2855 WEST INDIAN HILLS ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

and
Item Nos. 8c, being:
PP-1718-2 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY INDIAN HILL INVESTMENT GROUP, L.L.C. (CRAFTON TULL) FOR INDIAN HILLS INDUSTRIAL ADDITION FOR 16.33 ACRES OF PROPERTY GENERALLY LOCATED NORTH OF INDIAN HILLS ROAD ON THE WEST SIDE OF THE BNSF RAILROAD (2855 WEST INDIAN HILLS ROAD).

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

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 Resolution No. R-1718-40, Ordinance No. O-1718-11, and PP-1718-2.

2. Mr. Boeck asked if any of it is in the floodplain.

3. Ms. Hudson – Everything is out of the floodplain. This line is the area that will be coming back for the final plat. The area to the north and to the east is not included and that's where the floodplain and the floodway are contained.

4. Mr. Knotts – Will all these buildings be on the same septic system?

PRESENTATION BY THE APPLICANT:
1. Jason Spencer, Crafton Tull, 300 Pointe Parkway Boulevard, Yukon – Regarding the septic system, ideally we would connect it all to one septic system. We've got some property that's to the north of this building and between this building and this parking lot that would be our ideal spot for septic system lateral lines to meet ODEQ requirements. If, for some reason, we have to separate the system, we could have a separate system for that building to the south. We will adhere to all of ODEQ requirements and insure that our lateral lines are outside of the WQPZ.

2. Mr. Knotts – A subsurface system, not an open pit?

3. Mr. Spencer – Correct. Possibly aerobic system. We may have to use lateral lines. We'll have to make sure we meet ODEQ requirements.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Chris Lewis moved to recommend adoption of Resolution No. R-1718-40, Ordinance No. O-1718-11, and PP-1718-2, the Preliminary Plat for INDIAN HILLS INDUSTRIAL ADDITION, 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	Chris Lewis, Neil Robinson, Lark Zink, Dave Boeck, Tom Knotts
NAYES	None
MEMBERS ABSENT	Sandy Bahan, Nouman Jan, Erin Williford, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1718-40, Ordinance No. O-1718-11, and PP-1718-2 to City Council, passed by a vote of 5-0.

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Item No. 9, being:
O-1718-13 – DR. GABRIEL BIRD REQUESTS REZONING FROM CCFBC BFS URBAN STOREFRONT TO CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT, FOR 0.4 ACRES OF PROPERTY LOCATED AT 221 WEST MAIN STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative with Exhibits A

PRESENTATION BY STAFF:
1. Jane Hudson reviewed the staff report, a copy of which is filed with the minutes. Staff recommends approval of Ordinance No. O-1718-13.

2. Mr. Lewis – What was the intent of the 15' versus the variation.

3. Ms. Connors – When the Steering Committee was talking about that, and when the consultants brought that forward, it was the idea that the first floor would be retail and to give that bigger space idea for the retail space.

4. Mr. Lewis – And so the first floor on this project will not be retail?

5. Ms. Connors – It will be retail, and I'm sure Mr. Rieger will describe this in more detail about the construction difficulties of those three feet.

PRESENTATION BY THE APPLICANT:
1. Sean Rieger, 136 Thompson Drive, representing the applicant – Let me answer that. Right now the space is speculative on the first floor. We do not have a tenant at this point, so it's open space. I'm going to show you that in just a minute. But main reason for the 12' versus 15' is structural cost. This is not a large project; this is a relatively small project. When you talk to the contractors, when you start getting to the 15' clear height you're into structural steel instead of wood-frame construction, and the cost difference is significant, such that it would probably kill this project. It's not doable economically for a project of this nature. So that's the intent, and the goal was that we can do this project, but if you have to go to structural steel buildings – imagine a house of cards – the taller it gets, the more wave you get structurally in the building – or what we call lateral deflection – so you start getting into structural steel members instead of wood frame. That's the problem.

Let me walk you through a few things. Jane really described this very well. I don't think there's a lot for me to add here. That's the site; you saw that. That's the description. Really what I wanted to show you is the floor plan. The first floor is open space right here. Basically, it obviously will fill in. We just have no tenant at this time, so we don't know what that floor plan is going to be on the ground floor. You have an entry area right here where the elevator is and the stairway. The second floor is Dr. Bird's dentist office. Again, over here is the vertical circulation. Then the third floor is just tiny little interior space and a little roof deck out on the top of it. So that's the floor plans for the space, and the clear height is relevant to the first floor plan. Elevations I'll just show you quickly. The frontage piece right here is really well-done on the front, I think. We all remember what this looks like. For years it's been a pretty dilapidated site. I remember it as a lumber yard. I'm getting old enough now, I do actually remember this as a lumber yard, but it was a long time ago and it hasn't been that for a very long time.

The visual barrier – Jane kind of showed it to you – but really this wall, and I'll show you on the site plan. On the site plan, there's a wall right here so that the right side, or east side of the site, is really just planned as a food truck court and a plaza area. By definition of the code, you would have to build a masonry wall across that entire thing – a solid masonry wall that would block all visibility into what we intend to be a food court. So it doesn't really work, so we're asking for probably lateral board screen. Dr. Bird mentioned the Bleu Garten in Oklahoma City as an example of what he wants to do with that location. So that's what's proposed. I think a

really elegant job. Mike Mitscher is the architect on this and has done a nice job to bring it up to the street. And you see the signage really well down on the awning that you see kind of in a downtown context. So that's the plan. It's really a pretty simple request. It's the first one we've had of a CCPUD, but that's why we're here. Happy to answer any questions, and thank you for your time.

2. Mr. Knotts – If you're planning a food truck plaza, the future tenant space is not being designed for the possibility of a food service.

3. Mr. Rieger – At this point, it could be anything. We have no specific tenant. Pretty unlikely if you're going to have the food.

4. Mr. Knotts – So it would be a retail – a fairly large retail space.

5. Mr. Rieger – It wouldn't be large; this is a pretty small project. How many square feet is in that one bottom space? 2,200 square feet in that bottom space. So, relatively speaking, that's a pretty small space for anything.

6. Mr. Boeck – Access for the food trucks would be off of Main Street, right?

7. Mr. Rieger – No, off the alley in the back. The trucks would basically come off the alley in the back. You can kind of see it back here. It didn't show up very well, but the trucks would enter off the alley.

8. Mr. Boeck – The trucks would enter off the alley, but the clientele ...

9. Mr. Rieger – Would come off Main Street.

10. Mr. Boeck – Is there going to be a gate there?

11. Mr. Rieger – Yes. Actually, three gates – or at least two. There's one large gate right here, a gate right here, and if you look right there, you can see one of the gates is right there, and then the other large gate would be right in the middle of it that would swing wide open.

12. Mr. Boeck – So who uses the roof? You've got that roof space up there.

13. Mr. Rieger – Probably a fairly private space. It's not very large. It's a relatively small space.

14. Mr. Boeck – How big is the area with the two windows?

15. Mr. Rieger – Right up here? It is pretty tiny. Do we have a square footage on that, gentlemen? This is this space right here we're talking about. So the entire space over here was 2,200, so you could imagine this is less than 500.

16. Mr. Boeck – You couldn't make it a little bit bigger and make it a residential unit with a porch – have a really upscale – I'm just playing architect here.

17. Mr. Rieger – Certainly. You could do a lot of things up there. It's what I always say as an architect, Commissioner, is hey we can build anything you want if you've got the checkbook ready to pay for it.

18. Mr. Boeck – I'm just saying – it's got a nice view.

19. Mr. Rieger – I think it's beautiful. It would be nice.

20. Mr. Knotts – Going to be really hot in the summer.

21. Mr. Robinson – Is that area going to be a green roof type area?

22. Mr. Rieger – I don't think so. I don't think it's planned as that at this point. No.

23. Mr. Lewis – Sean, do we have any plans – I certainly know you can't tell the future – for a CCFB project to abut this building? And I ask that for a reason – because I would think the intent when the Steering Committee made the 15' window, it was for continuity's sake.

24. Mr. Rieger – I know of no plans at this point for any neighboring building.

25. Mr. Boeck – There's other buildings on the street. What are their ceiling heights?

26. Mr. Lewis – They're probably 8' to 12'.

27. Mr. Rieger – I don't have an answer for you on that. We'll check, but I don't believe they're 15'. I would be shocked.

28. Mr. Boeck – I was going to say none of them look 15' tall.

29. Mr. Rieger – I don't think there's much of anything downtown that's 15' frankly. You've got to get over to East Main probably to find something.

30. Mr. Boeck – Well east of the railroad tracks there's quite a few spaces in there.

31. Mr. Rieger – I don't think you'll find much around this location that I can think of off the top of my head.

32. Mr. Boeck – Even with those stair towers you couldn't get the structure to – I mean, because that acts as lateral bracing – again playing architect. You've got two stair towers there that are creating lateral bracing for structure, and it still didn't calculate out to work for even wood framing?

33. Mr. Rieger – No.

34. Mr. Boeck – Or does the code just require steel?

35. Mr. Rieger – You do get into some code issues, and I can ask the contractor to come up here and explain further if you wish. But my understanding is you do get into some code issues. You certainly get into some structural issues. I would just encourage you to realize this is a modest project. We're very proud of it. We think it's a wonderful project. But it is modest, and you start getting to real numbers when you start talking structural steel and things of that nature.

And as the staff report, I hope you will understand, said many projects have come forward to staff on this site and none of them have come to fruition. It's a very hard site. This one is ready if we can accommodate their project. Thank you.

36. Mr. Knotts – Even though that's a speculative spot – the space of the future tenant – you think the project goes forward prior to some certainty?

37. Mr. Rieger – Yes.

38. Mr. Boeck – The dental office is the money maker.

39. Mr. Rieger – Dr. Bird is the money maker, yes. Dr. Bird has done very well. I think the community is very proud of Dr. Bird, let me just say. He's been an integral part of the community. He has been very involved in the Chamber and leadership programs at the Chamber and he's done very well to further himself and his business in this community.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Chris Lewis moved to recommend adoption of Ordinance No. O-1718-13 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	Chris Lewis, Neil Robinson, Lark Zink, Dave Boeck, Tom Knotts
NAYES	None
MEMBERS ABSENT	Sandy Bahan, Nouman Jan, Erin Williford, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1718-13 to City Council, passed by a vote of 5-0.

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Item No. 10a, being:
R-1718-45 – HERITAGE FINE HOMES INVESTMENTS, L.L.C. AND WINDSOR, L.L.C. REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL AND FLOODPLAIN DESIGNATIONS TO OFFICE AND COMMERCIAL DESIGNATIONS FOR APPROXIMATELY 9 ACRES OF PROPERTY LOCATED 1/8 MILE NORTH OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD ON THE WEST SIDE OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. 2025 Map
2. Staff Report

and
Item No. 10b, being:
O-1718-12 – HERITAGE FINE HOMES INVESTMENTS, L.L.C. AND WINDSOR, L.L.C. REQUEST REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, AND C-1, LOCAL COMMERCIAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR APPROXIMATELY 9 ACRES OF PROPERTY LOCATED 1/8 MILE NORTH OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD ON THE WEST SIDE OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Rezoning Parcel
4. PUD Narrative with Exhibits A-C

and
Item No. 10c, being.
PP-1718-1 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY HERITAGE FINE HOMES INVESTMENTS, L.L.C. (CRAFTON TULL) FOR WARWICK ADDITION FOR 26.45 ACRES OF PROPERTY LOCATED NORTH AND WEST OF THE INTERSECTION OF ROCK CREEK ROAD AND 36TH AVENUE N.W.

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

PRESENTATION BY STAFF:
1. Janay Greenlee reviewed the staff report, a copy of which is filed with the minutes. There was a 0.5% protest within the notification area. Staff recommends approval of Resolution No. R-1718-45, Ordinance No. O-1718-12, and PP-1718-1.

2. Ken Danner – I just want to clarify one thing. It is a public street instead of a private drive where the signal will be located.

PRESENTATION BY THE APPLICANT:
1. Sean Rieger, representing the applicants – I think Janay has really covered this pretty well. I just want to highlight a couple of things. The only reason we're really in front of you for any kind of zoning request is because right now it is leftover A-2 zoning. You see that green there. And, obviously, this is not a farm anymore, so the A-2 is not appropriate anymore and that's the only change. The rest of the development is already, as Janay said, zoned C-1 and R-1. We're really just completing Warwick on the R-1, and preliminary plat for the C-1 and then just putting in what is a lesser use – the CO – for office instead of the C-1 and then C-1 only in the

front. The one protest letter, by the way, was this site right here protesting that she'd be backed up to CO office, and when you think about it, her neighbors are all backed up to C-1 down the way, which is a more intense zoning, so this developer actually really, I think, gave her a benefit by putting CO in the back of this A-2 instead of C-1, which they probably could have asked you to do. But, instead, they kept C-1 only at the front of it.

Let me show you a couple of other things here real quick. The Greenbelt Commission credited this developer with – what is happening here is there's a little sliver of land about 17' right up here – you can't really see it there, but it was basically one of those gap pieces in surveying, if you're familiar with those, that pop up occasionally. This developer has voluntarily agreed to deed that over to the City to be an extension of the Berkeley park and they got high credit from Greenbelt Commission for doing that – really just a nice gesture of this developer.

I would note one other thing, too. There was some question, I think, early on were they doing smaller lots with the continuation of Warwick than what's already there, because they could have. It's already zoned R-1, so they can come with any size lots they want within R-1, but they are not – they're bringing the same size lots – the same character – the same everything that's already there with Warwick, again, to their credit, so they're completing the addition that was really started long ago, but now will be finished with the same character that it's been.

With that, I don't think I have anything else to add that Janay didn't already cover. There is the distinction – CO in the back, which is Suburban Commercial Office, and C-1 in the front, which is Local Neighborhood Commercial. So I think with that I can probably just answer any questions you have and appreciate again your time very much.

2. Mr. Knotts – I have a little problem with the captured detention pond. Does it have an outfall anyplace? Does it have an overflow? Because if it all flows that way and you're putting more in it, we've got a problem.

3. Mr. Rieger – I anticipated you would ask us a stormwater question, so I told Kendall to be ready.

4. Kendall Dillon, Crafton Tull, 300 Pointe Parkway, Yukon – To answer your question, yes, the existing pond currently was constructed with previous phases of Warwick and does provide detention. It does have a designed outlet structure to it. But it provides detention for the residential as well as the south commercial. What our plan is, and what we've submitted in the preliminary drainage report that's been reviewed by your staff as well, is that we do plan on making some modifications to the pond to expand it to increase the storage capacity and probably also kind of modifying the outlet as well. So it will be designed in accordance with the drainage regulations and all the engineered calculations and everything like that. So we've already run those calculations and, like I say, they've been part of the preliminary drainage report that your staff has already reviewed. But, again, with the final, so that when we start to see exactly how the buildings, the parking really end up, we'll obviously resubmit those again at that time and go through the same process. But, to answer your question, it does have a designed outlet.

5. Mr. Robinson – Does this discharge into the storm sewer system there on 36th Street?

6. Mr. Dillon – Yes, it does.

7. Mr. Knotts – What is the capacity of the outflow? The engineering solution is always – it works by numbers but there's a huge maintenance factor that never gets done and they're always right at the edge of feasibility, and I just have a little worry about – because it is centered. It's captive inside the development and you're adding – I'm assuming that this northern area is going to drain to it also, or are you going out to the street.

8. Mr. Dillon – Well, the northern area will drain to it. One of the things, as well, that we're in the process of trying to do is we do feel like that there may be a little bit of an issue coming out of the Berkeley pond in regards to that outlet structure. So we're trying to work with staff and to try to hopefully remedy some of that. But, yes, the north detention, in part – a little piece of it will potentially bypass, which is accounted for in the calculations, but it will go to the pond. But, again, we're going to expand the pond to increase the capacity. In regards to maintenance and those sorts of things, obviously what we typically see – I think it's been maintained pretty well already, but as development occurs then obviously you have more people and will even have better maintenance around it. So it's a tough deal as an engineer to sit here, because I understand numbers sometimes are numbers. But we're pretty conservative as well as your engineering staff and it goes through a pretty tedious review. We'll make certain that it functions properly.

9. Mr. Knotts – So will there be a bond on this or something like that? It will work or ...

10. Mr. Dillon – I think it's just like every other development or every other pond in town. It has the same oversight as any other detention pond would in town. As engineers, trust me, one of the things that I get worried about – I don't like calls from attorneys, so we do a pretty good job of covering our bases on those sort of.

11. Mr. Rieger – First of all, he really doesn't like calls from attorneys, because he doesn't like it when I call him. But he stamps everything with his license, just as architects do, and he faces that liability. I don't want to remind him of that in a public hearing, but he does.

Secondly, though, I would remind that the City has continually now put on the plat a stamp that says the neighborhood is responsible for the detention ponds. And that stamp actually says if you don't maintain it the City can come and maintain and will assess you. That is put on every preliminary plat now – every final plat now and filed of record. So you do have the power to come in and do that. Whether you do that or not is your choice, and there's been a lot of discussion about that in various neighborhoods around the City. Don't worry – your staff realizes that you have that power. In fact, when the stormwater utility has come up, the discussion has been about that plat stamp, and the City staff has been very reluctant to take that stamp off.

12. Mr. Knotts – I understand. I like engineers, also. But I do say that, you know, when things are engineered to the maximum capacity, it usually means that there's no room for error, and there is always error.

13. Mr. Rieger – I would challenge you a little bit on that. Let me just tell you my experience as an architect when I practiced architecture. With all due respect to the two engineers sitting up here, I can remember many times when we would have drawings when you would have, say, a building and structural engineer puts a three or four times factor on the structures on that building, and you would, as an architect, sit there and say really? Three to four times the safety factor. It's no different on civil. They do the same thing. They put a safety factor in of a substantial magnitude. And, again, with all due respect to the engineers, they're protecting themselves and their liability. The owner, then, has to pay for it – the engineer doesn't have to pay for that material, but they put it in. They put it into the project. I've seen it many times. So I think there's many factors that deal with it.

14. Mr. Lewis – It's rare that Mr. Knotts and I actually agree on something. But I do have the same reservation to make sure that this pond has adequate storage capacity, because there's way too many examples throughout the City of Norman where ponds of this nature have been designed and has the stamp of approval by both the City and the engineer, and yet homeowners or property owners have to come back and invest hundreds of thousands of dollars

to correct it. So I would ask that it be made certain, as Mr. Knotts had suggested, that the capacity is certainly there plus some.

15. Mr. Rieger – We will do that. And I appreciate that and I know Summit Lakes and that area had those issues. But I would also say that those were done a long time ago. At the Pre-Development hearing, I would tell you this – we did have a neighbor that lives right behind this pond and they were questioning us about the pond. They like the pond as it is right now. They didn't really have a big problem. They asked us how much closer it's going to come to their back yard, but they're already kind of mowing out toward that pond and utilizing it and they enjoy it. It wasn't a negative to them in that Pre-Development hearing. I think this one has been well-maintained. Thank you.

16. Mr. Robinson – I would like to point out that maintenance of this kind of item is exactly why we need a stormwater utility, and then this kind of problem might not arise.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Chris Lewis moved to recommend adoption of Resolution No. R-1718-45, Ordinance No. O-1718-12, and PP-1718-1, the Preliminary Plat for WARWICK ADDITION, 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	Chris Lewis, Neil Robinson, Lark Zink, Dave Boeck, Tom Knotts
NAYES	None
MEMBERS ABSENT	Sandy Bahan, Nouman Jan, Erin Williford, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1718-45, Ordinance No. O-1718-12, and PP-1718-1 to City Council, passed by a vote of 5-0.

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Item No. 13, being:
O-1718-14 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CITY CODE TO AMEND SECTION 420, PLANNED UNIT DEVELOPMENTS, BY UPDATING THE REFERENCE TO THE CITY OF NORMAN'S MASTER LAND USE PLAN, BY INCREASING THE ACREAGE REQUIRED FOR PUD ZONING TO FIVE ACRES OR MORE AND AMENDING OTHER STANDARDS OF DEVELOPMENT TO ALLOW MORE FLEXIBILITY IN THE DEVELOPMENTS ZONED PUD; TO ADD SECTION 420.05, SIMPLE PLANNED UNIT DEVELOPMENTS (SPUD), TO CREATE A NEW ZONING CATEGORY FOR SIMPLE PLANNED UNIT DEVELOPMENTS CONTAINING LESS THAN FIVE ACRES; TO AMEND SECTION 431.2 BY DELETING THE WORD 'COMMERCIAL' FROM THE TITLE AND TO ADD SECTION 431.2(c), SMALL COMMUNICATION TOWERS, TO REGULATE THE OPERATION OF THESE TOWERS THAT PROVIDE PRIMARILY RURAL INTERNET SERVICE; AND TO ADD SECTION 433, DISTRIBUTED WIND TURBINES, TO REGULATE THE OPERATION OF THESE TURBINES THAT PROVIDE POWER TO INDIVIDUAL STRUCTURES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ITEMS SUBMITTED FOR THE RECORD:
1. Staff Report
2. Annotated Ordinance No. O-1718-14

PRESENTATION BY STAFF:
1. Susan Connors reviewed the staff report, a copy of which is filed with the minutes. Staff recommends approval of the Ordinance amending the Zoning Ordinance to address issues that are not currently included in the Zoning Ordinance and providing an additional option for planned unit developments.

2. Mr. Lewis – On the decibel levels, it's 65 of the property line that the wind turbine is on, and that's regardless of whether it's in the center or close to the property line?

3. Ms. Connors – Right, because we're trying to protect the neighbor.

4. Mr. Lewis – Because that's one of the concerns in the big wind farms that neighbors now have is the constant roar.

5. Mr. Boeck – But that's a different size scale of wind turbine.

6. Ms. Connors – Right. Very different. Now if you go out to the Bergey's assembly plant, and you can stand under one of their turbines that are going now and you really can't hear much, but we wanted to have that protection so that, as technology changes, hopefully it will improve and not get worse, but we did want to protect neighbors.

7. Mr. Boeck – I just want to say thank you for adjusting the PUDs and adding the simple PUD, because there has been so much wasted time at meetings with people blowing that thing up, and the idea of what we were trying to do is pretty simple. So having a designation that works for that is really smart. Thank you.

8. Mr. Robinson – Is there a lower limit on the SPUD in terms of size?

9. Ms. Connors – No. And the other thing is that the open space requirement doesn't exist in the SPUD. So this will be our third PUD. We have the original one that was approved in 1991, and then the Center City PUD that you experienced tonight, and then the SPUD will be the third one.

AUDIENCE PARTICIPATION:
1. Sean Rieger – I want to say very quickly thank you for the SPUD. I echo Commissioner Boeck's response. I've been at the forefront of those debates and I just want to say thank you.

It's a long time coming on the SPUD. It will be very helpful. Most zonings now have become a back and forth, and with a PUD you can do that effectively with neighbors and Council members and you. I greatly appreciate it. Thank you. I can't say it enough for the SPUD. They do it all day long in Oklahoma City and I'm glad we have it here now. Thank you very much.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Chris Lewis moved to recommend adoption of Ordinance No. O-1718-14 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	Chris Lewis, Neil Robinson, Lark Zink, Dave Boeck, Tom Knotts
NAYES	None
MEMBERS ABSENT	Sandy Bahan, Nouman Jan, Erin Williford, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1718-14 to City Council, passed by a vote of 5-0.

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Item No. 14, being:
MISCELLANEOUS COMMENTS
None

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Item No. 15, being:
ADJOURNMENT
There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 7:26 p.m.

Norman Planning Commission