

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

NOVEMBER 10, 2016

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 10th day of November, 2016. 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.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Sandy Bahan
Robertta Pailes
Chris Lewis
Andy Sherrer
Lark Zink
Dave Boeck
Tom Knotts

MEMBERS ABSENT

Erin Williford
Neil Robinson

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &
Community Development
Janay Greenlee, Planner II
Roné Tromble, Recording Secretary
Larry Knapp, GIS Analyst II
Leah Messner, Asst. City Attorney
David Riesland, Traffic Engineer
Drew Norlin, Asst. Development Coordinator
Ken Danner, Subdivision Development
Manager
Terry Floyd, Development Coordinator

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CONSENT ITEMS

Chairman Sherrer announced that the Consent Docket consisted of the following items:

Item No. 2, being:

APPROVAL OF THE OCTOBER 13, 2016 REGULAR SESSION MINUTES

Item No. 3, being:

SFP-1617-1 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY DIRK O'HARA (SMC CONSULTING ENGINEERS, P.C.) FOR O'HARA ADDITION FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MEADOW AVENUE AND THE EAST SIDE OF ECHO TRAIL.

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Chairman Sherrer asked if any member of the Commission wished to remove any item from the Consent Docket. There being none, he asked whether any member of the audience wished to remove any item from the Consent Docket. There being none, he asked for discussion by the Planning Commission.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to adopt the Consent Docket as presented. Dave Boeck seconded the motion.

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

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

Ms. Tromble announced that the motion, to adopt the Consent Docket as presented, passed by a vote of 7-0.

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Item No. 2, being:

APPROVAL OF THE OCTOBER 13, 2016 REGULAR SESSION MINUTES

The minutes of the October 13, 2016 Regular Session of the Planning Commission were approved as presented on the Consent Docket by a vote of 7-0.

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Item No. 3, being:

SFP-1617-1 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY DIRK O'HARA (SMC CONSULTING ENGINEERS, P.C.) FOR O'HARA ADDITION FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MEADOW AVENUE AND THE EAST SIDE OF ECHO TRAIL.

ITEMS SUBMITTED FOR THE RECORD:

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

SFP-1617-1, the Short Form Plat for O'HARA ADDITION, was approved on the Consent Docket by a vote of 7-0.

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Item No. 4, being:

O-1617-11 – JOHN AND PATRICIA BRIDGES REQUEST CLOSURE AND VACATION OF A UTILITY EASEMENT AND BUILDING SETBACK LINE FOR PROPERTY LOCATED AT 117 BOULEVARD DU LAC IN SUMMIT LAKES VILLAS 1.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Petition to Close Easement & Exhibit A
4. Letters of Non-Objection from Utility Companies

PRESENTATION BY STAFF:

1. Ken Danner reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

1. Zia Muneer, attorney for the applicant – I have nothing really to add, other than it's just a matter of closing that portion of the easement in order to clear the title for the owners who are living there.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Roberta Pailles moved to recommend approval of Ordinance No. O-1617-11 to the City Council. Chris Lewis seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1617-11 to the City Council, passed by a vote of 7-0.

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Item No. 5, being:

O-1617-12 – GRETCHEN NICHOLSON REQUESTS SPECIAL USE FOR A PROFESSIONAL OFFICE FOR PROPERTY LOCATED AT 411 N. PETERS AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Aerial Photo
4. Google Earth Photo
5. Pre-Development Summary

PRESENTATION BY STAFF:

1. Janay Greenlee reviewed the staff report, a copy of which is filed with the minutes. There is a protest of 3.1% within the notification area, and one protest from outside the notification area.

PRESENTATION BY THE APPLICANT:

1. Gretchen Nicholson, the applicant – I have been in practice in Norman, Oklahoma for 22 years. I am a Normanite; I actually grew up here. My maiden name is Runkel; you may have known some of my family that lives here. Raised my children here. I have, for a long period of time, wanted to own my own office. I've been renting for 22 years. I've looked off and on for different places to office, but I've always had a special place in my heart to want to be in a little house. Norman has a lot of nice little neighborhoods, but most of them are R-1. I do family law, which is a very tender area; for a lot of people it's a really horrible time in their lives, and being able to have a house that they can come to that feels less formal and less intrusive than an actual office building I have always thought would be a really nice touch as a family law attorney. This little house came available and it's really pretty perfect. It has two bedrooms which are about equal size. It has a nice living room and a nice dining room, which I can use as a conference area and to have my legal assistant. I don't need to actually do anything to the house, which made it even more perfect, and the fact that it's a couple of blocks north of the Courthouse couldn't have made it even better suited. I am going to have to do some work to the outside. It has quite a bit of rotted wood that needs to be replaced and it needs to be painted. There are some cracks and things that need to be redone. I've already started landscaping. I've had a sprinkler system put in – my husband does sprinklers, so he put a sprinkler system in for me. But it's a very cute home and I actually think that it will look better when I'm done with it. There is virtually no grass in the yard, and I do intend to landscape it.

I've read the protest letters and I was at the first meeting, and I think that something that the people that are protesting have not taken into consideration is that, as an office, I'm a much lower impact than a rental property would be, because there are only two of us in the office every day. I do have an attorney that splits her time between Chickasha and my office, but she's primarily in Chickasha, so she comes sometimes not at all, and sometimes. And I do only see one client at a time, and I try not to stack them on top of each other because I just can't keep track of things and I like to have lots of time with one person, and so there would be one client in the office at a time. I do plan, personally, to park off-site. I park not in front my office now and that's just my personal preference to keep off-site, so I do plan on having my own car off-site and possibly my legal assistant's as well. There is on-street parking one house away from this house, directly to the south of us. There's also a large parking lot that, thus far, I haven't been able to figure out who owns it and how I go about finding spaces in it, but I've driven by it multiple times – it's almost always empty, so I'm hoping that maybe I can find out who owns it and maybe rent a couple of spaces from them, just because I like the look of being off-site and not having our cars parked out in front of the house. So that's kind of my own preference on that one.

I do not plan on having signage. I don't advertise. I am strictly a referral attorney, so I don't need walk-in business. I don't need someone to drive by and see a big sign out front. I'm

going to just simply have a very small placard by the front door that has my name on it so people know they're at the right house, and that's it.

You can have a renter in a home that has a barking dog or loud parties or a car on blocks in the driveway or all of those types of things which I think are much more impactful on a neighborhood than an office which is going to be quiet on the weekends and quiet in the evenings and quiet in the mornings when you're at home with your families. So I think that people would be very surprised and probably will never even know that we're there.

There is a hair salon across the street and, I believe, two doors down. So I would certainly not be the first building in the neighborhood to become a business. There's an empty lot to the north of me is a large rental structure. There's a single family house and then they built a two-story rental structure, which is quite large, right there. And then there's an alley to the north of us. So there's not actually anyone that will be looking at the office, if that makes sense, as far as the neighborhood goes.

The house is quite small. It's actually larger than what I have now, but it's quite small, so it was a little hard for me to get pictures. But this is taken from the kitchen looking in. This will be the reception area. You come in the front door and my legal assistant will be sitting there. The area that you really can't see there would just have a conference table for if I needed to spread out books or whatever. This is one of the bedrooms that would be an office. This is the other view. That's the dining room; that's where the conference table would be. That's into the kitchen and that's irrelevant pretty well.

So that's what I would like to do. I don't know if you have any questions.

AUDIENCE PARTICIPATION:

1. John Hughes, 602 N. Jones – I'm against the proposal for a special use, because it seems like a small step to grant special use at a house, but the thing is our neighborhood has already lost a lot of houses for various other reasons. Van's Pig Stand had a couple of houses torn down for their parking lot and for their drive-through. Tarahumara took down a couple of houses over at their part of the neighborhood for the same reason. And now the new library – they've just torn down I think it was four houses that are over there in that area. It just seems like when anybody wants to change our neighborhood, they simply get it. We're just simply losing our neighborhood little by little.

I have to just kind of mention that the idea that to have commercial would be better than having a renter – I just have to completely disagree. I'm not sure -- I was a realtor for over 10 years and most people don't realize in every neighborhood in Norman there is actually a large percentage of renters and most of them you don't know who they are, because not all renters are so bad. To say renter equals bad – I'm just against that. And to say commercial is better than renter, does that mean we're just going to deport all our renters and make them all commercial? And that's my point. I mean, that may sound like I'm making it much bigger than it is. It's just that basically we kind of want families, and I think the other people in the neighborhood don't really make the distinction of whether they're renters or not. We wouldn't mind if a family lived there. There's already barking dogs. There's already kids at the skate park. You know what I mean. It's a diversified neighborhood. I just don't really – like I said, it's only one little step, but there's already been a lot of little steps and if we keep on there's going to be more little steps and there won't be a neighborhood. I'm sorry to sound dramatic, but that's just how I feel. Thank you.

2. Lavina McKinzey, 213 E. Acres – I've lived here since the 70's. We've worked really hard to do a historical restoration of that property and spent a lot of time and money on it. We've also worked hard in the neighborhood as organization and we've fought these other things, like when the hospital took two square blocks out of our neighborhood for parking lots. It's our hope, and the hope of a lot of other people in this neighborhood, that it become R-1 again instead of R-3. I don't understand how it got to be zoned R-3. There's a section of our neighborhood that is R-2. I think it probably happened during the housing shortages. I know the house that I live in used to be a duplex and since I've owned it, it's no longer a duplex. I have no objection to this

young woman; she's a very nice person. But I would rather have a family living in a house. A family living in a house is different from residential character. We'd rather have residents and we'd rather have our core neighborhood preserved. It's a historical part of Norman. Thank you.

3. Ellen Frank, 211 E. Daws – I live around the corner from this property. I don't object to the plan to make it a professional office. I have one concern about it, and that's the parking to be sure that we don't have – we could possibly have five cars there. That would be my concern about this particular situation. But I do want to know and be sure that, if this should – does this set a precedent for saying other people who come and ask for a home to be turned into a professional building – does that mean that you wouldn't say no because it would discriminate against someone because you've already set the precedent for it? That's a question I have. Now, I don't know if you want to finish with my questions and then answer that, or answer that now.

Mr. Sherrer – I don't know that there's – precedent is an interesting word to use. I think that each of these would be looked at on an individual basis is how I would probably best answer that.

Ms. Frank – Okay. And you wouldn't call it discriminatory, necessarily, just because you've granted this one.

Mr. Sherrer – Well, we would just look at each of them, again, individually on whatever the merits of that particular.

Ms. Frank – Okay. And then what if Ms. Nicholson sells this property, what happens then?

Ms. Connors – The special use permit does not automatically transfer to the new owner. The new owner would have to request that transfer through the Planning Department and pay a fee and they would have to agree to whatever conditions were on the original special use permit, or come back through and ask for any. So it's not an automatic transfer of the use.

Ms. Frank – Okay. So what would be the parameters of this property that would apply to somebody else who wanted to purchase it?

Ms. Connors – That's up to the Commission as they move through this discussion process. But if it was not used as an office, it would revert to the R-3 zoning – the underlying zoning, whatever that was.

Ms. Frank – Okay. And so that would be binding upon the Commission.

Ms. Connors – Well, the City Council will be the final decision makers. This is a recommending body to City Council.

Ms. Frank – Okay. So I need to ask the same question when the City Council has the second reading of this?

Mr. Sherrer – You may certainly ask that question at that time.

Ms. Frank – But that would be the only way to ensure that these questions would – the Council has the final say on how to interpret these questions?

Mr. Sherrer – The Council would interpret the questions that you're asking independent of the Planning Commission and then would make whatever decision they felt like was appropriate at that time.

Ms. Frank – Yeah, but you do have the ability to recommend. They have the final say. So I need to attend the second reading in order to ask these questions.

Mr. Sherrer – Certainly, if you would like to, you may.

Ms. Frank – Well, otherwise – I mean, I'm all for mixed use and protecting our core – I am for the way it looks visually. I'm also for it remaining family, but I don't think this will prevent that from happening if we're careful and don't – you know, at some point, we might have to say, if everybody comes in and asks every block for a professional designation, but otherwise I think that I would like to see the core – and we're kind of out of some of the core area parameters, and I would like to see us at least downzone to the R-2, but I think this would be very good mixed use kind of a situation. So I won't – except as I said, I hope that Ms. Nicholson will follow through on the parking. That would be my only concern.

4. Brenda Kimmel, 309 E. Daws – Ms. Nicholson has previously mentioned that, if she did not get the special use, she would rent this property out. I, personally, would rather see it remain as a rent house. It is in the Silk Stocking Neighborhood. It is an established neighborhood. A while back, the City Council set a boundary line along Tonhawa and Porter street to keep the businesses and the residential boundary – keep the residential area versus the commercial and business area. So I would like for this to remain a residence. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Ms. Pailes – This seems very benign. Of course, the issues are that the historic neighborhoods have a lot of people wishing to alter them and the only protection is zoning. And if the zoning is fragile, they basically have no protection. The sentence there about – in our agenda – professional offices are located interspersed in residential neighborhoods because these types of businesses are low impact. There should be an addition there – professional offices are located interspersed in older historic neighborhoods, not in new residential areas because, of course, their zoning is more restrictive. The question of precedence is not a legal precedence exactly, but it does become a wedge issue. If somebody wants to put up a ten-story apartment building nearby, they can say, well, the neighborhood has changed. Look, there's rentals and, see, there's offices. And so it's no longer inappropriate to put up large multi-family buildings or businesses, because the neighborhood has changed. So it's not really a precedence exactly, but it certainly is a wedge issue. We hear those words, oh, the neighborhood has changed, very often, any time a change is being asked for. And, no, it doesn't – it seems relatively benign, but I'd be inclined to vote against just because the neighborhoods have so little protection and the protection they do have is to not grant a special use.

2. Mr. Sherrer – I have one. I just want a clarification. Is this – and it was mentioned – the Porter Street corridor, I know, was a study that a lot of time and intense work was done on that. Is this particular property inside of the Porter Street Corridor or is it outside?

3. Ms. Connors – This property is outside the Porter Corridor Plan boundary.

Chris Lewis moved to recommend approval of Ordinance No. O-1617-12 to the City Council. Sandy Bahan seconded the motion.

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

YEAS	Sandy Bahan, Chris Lewis, Andy Sherrer, Lark Zink, Tom Knotts
NAYES	Roberta Pailles, Dave Boeck
MEMBERS ABSENT	Erin Williford, Neil Robinson

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1617-12 to the City Council, passed by a vote of 5-2.

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Item No. 6, being:

O-1617-15 – S.W. ARMSTRONG, JR. AND JOHN TRAW REQUEST REZONING FROM C-3, INTENSIVE COMMERCIAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT WITH C-2 COMMERCIAL USES FOR PROPERTY LOCATED AT 220 S. PORTER AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. PUD Narrative & Exhibit A
4. Rendering of Building
5. Photo of Existing Building
6. Aerial Photo of Area

Mr. Sherrer requested to be recused on this item.

Dave Boeck moved to allow Mr. Sherrer to be recused on this item. Lark Zink seconded the motion.

YEAS

Sandy Bahan, Roberta Pailes, Chris Lewis,
Andy Sherrer, Lark Zink, Dave Boeck, Tom Knotts

NAYES

None

MEMBERS ABSENT

Erin Williford, Neil Robinson

Ms. Tromble announced that the motion, to allow Mr. Sherrer's recusal from consideration of Ordinance No. O-1617-15, passed by a vote of 7-0.

Mr. Sherrer left the room and Mr. Lewis served as Chair for this portion of the meeting.

PRESENTATION BY STAFF:

1. Janay Greenlee reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, representing the applicants – I do want to introduce Mr. Ken Hall, who is going to be the proprietor that will occupy this property, should you grant that approval. I think Janay summed it pretty well. I just want to cover a couple more points. It seems very odd that we're here asking for your approval to do a motorcycle business in what used to be a muffler shop, but it's staff's position that the C-3 use did not allow for this specific use, and so we had to get creative and find a way to do that. So we're allowing for it to be C-2 but to continue on with the exemption of off-street parking. That's the conclusion we came to, and we appreciate staff very much helping us to come to a creative solution to allow this to happen. The use you see here – we're completely surrounded by commercial. Hiland Dairy is to the south of us. 2025 says this could be commercial. The zoning already was C-3. Again, that just simply, by very specific reading of the code, doesn't allow for motorcycles, so that's why we're having to do this. But you can see C-2 is to the north of us. C-2 is all around. C-2 and C-3 are throughout downtown, so this is not an oddity of the use. The current location of the business is over on 312 West Gray. Beautiful location. I was just complimenting Mr. Hall. Every time I come here, I'm always noticing that and always think it looks very cool – I like it a lot. He is really an incredible artist. He's done some murals and graffitis downtown – work downtown that look incredible. So, again, the proposed zoning of this really iconic building is to allow for motorcycle use. He is going to have a showroom. He's going to have a sculpture art room as well, and he will be selling and displaying art work. Really a pretty incredible use that's going to help us on Porter Corridor. We've longed for uses that revitalize this corridor. This will be one of those. So it's going to be a pretty special use.

This is some imagery of what it might look like when it's done. You can see that's the existing building, and they'll fix up the glass work a little bit. They'll put in glass overhead doors

and some signage around it. You see that checkerboard theme with the painting, so this will really dress up what has been somewhat of a poor looking old muffler shop.

I'll just read real quick for you from the Porter Corridor Zoning Overlay – we are within the Porter Corridor Zoning Overlay on this location. It says: "Ensure that new development and expansion of existing commercial and institutional uses are compatible with existing uses, with the historic scale and character of the area, and with adjacent residential uses." And, "To create a destination environment reminiscent of Porter's transportation roots." So what better to do that with than a motorcycle business.

This is some imagery, again, from the business that will go in there. It refers to automobile alley, and we are going to continue that theme. So it's just exciting to see somebody come right in on the theme that Porter Corridor was intended to be.

Has support. We had nobody come to the Pre-Development hearing. We have no protests. We've not had any negative interaction with anybody on this project. Staff supports and, hopefully, you will, too. So, I'm happy to answer any questions you have. And I thank you very much for your time.

2. Ms. Pailles – Just out of curiosity, would you expand on the artwork?

3. Ken Hall, 520 E. Frank – I moved here from Colorado Springs to help open the Crucible Foundry and Gallery. I'm still pretty involved with them on casting monumental sculpture. I have a line of motorcycle sculptures that we'll be selling and displaying in the showroom as well. And we're always looking for painters or other artists that will feed to that motorcycle genre.

4. Ms. Pailles – Just one other question. The little business next door that's the wood sculpture studio. I go there a lot. Pulling into that parking lot on the north side, off of Porter, is tricky. Is that going to be fixed?

5. Mr. Hall – We have to fix that for motorcycle entry as well. Yes. That's in the plans.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to recommend approval of Ordinance No. O-1617-15 to the City Council. Roberta Pailles seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1617-15 to the City Council, passed by a vote of 6-0.

Mr. Sherrer returned to the meeting.

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Item No. 7, being:

O-1617-17 – 800 WEST LINDSEY, L.L.C. REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, AND R-1, SINGLE FAMILY DWELLING DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY LOCATED AT 800 W. LINDSEY STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Postponement Memo
3. Request for Postponement

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to postpone Ordinance No. O-1617-17 to the December 8, 2016 Planning Commission meeting. Chris Lewis seconded the motion.

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

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

Ms. Tromble announced that the motion, to postpone Ordinance No. O-1617-17 to the December 8, 2016 Planning Commission meeting, passed by a vote of 7-0.

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Item No. 8, being:

O-1617-16 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 426.1, I-1, LIGHT INDUSTRIAL DISTRICT, OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO ALLOW FOR THE SALE OF BEER, WINE, AND SPIRITS AND ASSOCIATED RETAIL MERCHANDISE IN COMPLIANCE WITH OKLAHOMA ALE COMMISSION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. O-1617-16 Annotated
3. I-1, Light Industrial District, Section as proposed
4. Senate Bill No. 424
5. Attorney General Opinion 2016-6
6. Alphabetical Listing of Oklahoma Brewer by County

PRESENTATION BY STAFF:

1. Susan Connors reviewed the staff report, a copy of which is filed with the minutes.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

*Chris Lewis moved to recommend approval of Ordinance No. O-1617-16 to the City Council.
Tom Knotts seconded the motion.*

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

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

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1617-16 to the City Council, passed by a vote of 7-0.

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Item No. 9, being:

O-1617-13 – STEPHEN BASEY AND STEPHEN AND HOLLY SWANSON REQUEST SPECIAL USE FOR LIGHT MANUFACTURING OR ASSEMBLY OPERATIONS, AND SPECIAL USE FOR A BAR, LOUNGE OR TAVERN FOR PROPERTY LOCATED AT 422 EAST MAIN STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Site Map
4. Senate Bill No. 424
5. Attorney General Opinion 2016-6
6. Alphabetic Listing of Oklahoma Brewer by County
7. Pre-Development Summary

PRESENTATION BY STAFF:

1. Susan Connors reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

1. Stephen Basey, Lazy Circles Brewing – As Susan just said, we would like to open a brewery here in downtown Norman. I'm going to start off with a little bit about who we are. Our partnership is made of three people. All three of us are Norman natives; we grew up here. They consist of myself, my sister and her husband. His name is also Stephen, so when I say "Stephen", I'm not referring to myself in the third person. He currently works for Schlegel Bicycles; he's the general manager up there in Oklahoma City, one of the largest bicycle shops in the state. He also has food and alcohol service industry experience; before that, he helped to open up the McNellie's here in town – he was part of that crew. He would be in charge of our taproom, the area where we would be serving, and sales and marketing and things like that. My sister has another skill set she brings. She also works at Schlegel Bicycles shops up in the city. She does some bookkeeping and administrative duties there, so she already has that experience. She also has a degree in marketing with a minor in business and those are the type of things where her specialty comes into play for our business. And then, finally, is myself. I am what we call the head brewer, with the recipes and the brewing process itself. I'm also very mechanically inclined and the equipment maintenance and all that would fall under my prowess too. I'm about to go through a transition. Next year I will be retiring from active duty Navy, and this is something we're hoping to build up for me to transition to when I get out. And that's the three of us.

Next I'll talk about our vision. Here I've just put a couple of outtakes from our mission statement. The first one: "Lazy Circles Brewing is a nano-brewery with expectations of growing into a micro-brewery." A nano-brewery is smaller than a micro-brewery, obviously, and that's how we would be starting off -- very small with the primary focus to be point-of-sale. On-site sales would be the main source of our revenue, with very limited distribution at the beginning. We hope to grow into a larger system in the near future, where our distribution would increase and we would be able to sell to other bars, restaurants, liquor stores, things like that. "Our mission is to craft simple, artisan quality ales, while being a great place to work. We strive to be of value to our customers through excellent customer service while actively participating in the community." My philosophy on making beers is I want to do the basics really well before I move on to more specialty or experimental or niche-type beers. And that's what we hope to offer is very good on the basics. We also are very community-oriented and we want to be part of the community. That's one of the things that's most exciting about us. Not only on our block there, we are friends with everybody who is in that 400 block on Main Street, and we want to be involved with other activities, whether it's Art Walk or fundraisers, things like that. We also plan to include local artists in our taproom.

Next I want to talk about our system. Like I said, we will be starting off with a very small system. It's only a 3-barrel brew house. One barrel is approximately 31 gallons. We plan to do double batch into 6-barrel fermenters, of which we will have hopefully 3 of those 6-barrel

fermenters, which gives us, if you count an average two-week turnaround which ales are without any special maturation, we will be able to produce 36 barrels a month, which would bring it to 432 a year. Our goal is to be somewhere between 400 and 500 barrels a year the first year or two.

Next, our taproom. We hope to have at least six – six to eight of our beers on tap there, which includes the standards plus some rotating beers throughout the seasons or various experimental things that we may make. Depending on availability, on how much we're able to actually bottle, we would like to sell some pre-packaged also in the bottle. The seating – we plan to have for about 40 to 60 people, and that includes two separate sections, which I'll get into a little bit later in another slide. We also want to sell associated merchandise – T-shirts, glassware, things like that. We'll have very limited hours of operation. We want to be open just three days a week, especially at the very beginning, and we'll not be open past 9:00. Also, like I said, we have a very good relationship with our neighbors already. The Modern Prairie Craftsman, which is just adjacent to us on the east, will be making all the furniture, including our bar for our taproom. It will double as kind of a showroom for him, too. We want it to be very local and adventure themed, like I said, tying in things from the community and things like cycling, which all of us are into, and outdoor activities and things like that.

Now we'll take a look at the layout. So the building itself is a total of 5,000 square feet. If you notice, I've highlighted the top two parts. That is the area where the customers will be. The blue side is the only part that's actually climate-controlled, at least right now, and that is our main taproom, which also includes the restrooms and employee work areas, a walk-in cooler, things like that. Right next to it is what I like to call a patio seating area for when it's nice weather. There's a very large overhead door that can be raised up and we plan to have picnic table type seating there for extra seating for our customers – a place where they can come in and bring food from food trucks or their own brown bags and sit there and enjoy our beer with whatever food they happen to bring in. The yellow part in the back there is where the brewing will actually be done. It's a very large space. Plenty of room for us to grow into, like I said, a larger system, hopefully in the near future.

Next I made this slide just kind of for fun. It's just a list of a few of our beers and their names. Unless you want me to get more into it, I just wanted you to notice that, again, we try to pull things that are locally themed and adventure themed into even our names of our beer.

Finally, I want to talk about some possible environmental impacts. Noise, first of all, is very minimal. The brewing process does not make very much noise, if any at all. The one thing I might add is we need a big chiller to keep the fermenters at the appropriate temperatures out back. It's basically a large AC unit, so nothing too extravagant there. The odor – it does have a smell, usually referred to as a very baked bread type smell. It's not unpleasant at all. I wanted to touch also on chemicals very quickly. There are no hazardous or toxic chemicals that we'll use. One product, for example, for cleaning is PBW, made by Five Star. It replaces the caustic soda cleaners, which are less friendly from the past, and that's what we'll be using. I also have the tech sheet on that particular product if you'd like to see that this evening, too. Water consumption is something that is a by-product of the brewing process. All three of us, in our personal and also current home brewing process use – water conservation is something we all take very seriously. We have plans to implement to get extra tanks, that way the water has the most uses it possibly can. During the cooling process, the hot wort has to be rapidly cooled to where it flows against cool city water in order to cool it down. We will make something similar to what we already have for our home brewing, where we recycle that water. It will be put into a big pool where it's recooled down and recycled through. Then when that chilling process is done, we would reuse that water – soap will be added to some of it and then the rest will be for rinsing, so we'll get at least three uses out of all the water.

Do you have any questions for me?

2. Mr. Knotts – Are you going to go out and dip water from Dirty Bird for your Dirty Bird Ale?
Mr. Basey – No, sir. But it is a red ale, so it resembles the color.
Mr. Knotts – So are you using city water in your process?

Mr. Basey – Yes. Filtered city water.

Mr. Knotts – Highly filtered?

Mr. Basey – Yes. Double carbon filtered.

Mr. Knotts – What is your anticipated opening, assuming you're approved?

Mr. Basey – I would estimate, at the earliest, eight months. It takes about six months for the federal process, which I believe is the longest.

3. Mr. Lewis – I just want to say, Mr. Basey, thank you so much for your service to our country. That is very, very much appreciated and very much noticed. I have been by your establishment, as well as the Prairie Craftsman. If they're making your bar, you're going to have an absolute stunning, beautiful establishment. So congratulations on moving forward into another career, and I will wholeheartedly support this item.

4. Ms. Pailles – You're about two blocks south of a middle school on Findley.

Mr. Basey – That is correct. It is outside the 350 feet. It's actually – the State says 300 feet from churches and schools, and it's outside of the 350 range even.

AUDIENCE PARTICIPATION:

1. Ellen Frank, 211 E. Daws – I didn't come to hear this, but I am excited to hear all the good things that are happening in the Porter Corridor and in Downtown Norman. It's really exciting. And it is nice to hear somebody who has been in our service to be able to have a new career and all the other parts of it, too. So I just thought I'd add my comment.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to recommend approval of Ordinance No. O-1617-13 to the City Council. Chris Lewis seconded the motion.

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

YEAS

Sandy Bahan, Roberta Pailles, Chris Lewis,
Andy Sherrer, Lark Zink, Dave Boeck, Tom Knotts

NAYES

None

MEMBERS ABSENT

Erin Williford, Neil Robinson

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1617-13 to the City Council, passed by a vote of 7-0.

* * *

Item No. 10, being:

MISCELLANEOUS COMMENTS

None

* * *

Item No. 11, being:

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 7:28 p.m.


Norman Planning Commission