

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**OCTOBER 13, 2011**

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 13<sup>th</sup> day of October 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Diana Hartley  
Tom Knotts  
Curtis McCarty (arrived at 6:38 p.m.)  
Andy Sherrer  
Zev Trachtenberg  
Jim Gasaway

MEMBERS ABSENT

Cynthia Gordon  
Chris Lewis  
Robert Pailes

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &  
Community Development  
Doug Koscinski, Manager, Current Planning  
Division  
Ken Danner, Development Coordinator  
Roné Tromble, Recording Secretary  
Kathryn Walker, Asst. City Attorney  
Larry Knapp, GIS Analyst

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Item No. 2, being:

**CONSENT DOCKET**

Chairman Gasaway announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. He read the items recommended for inclusion on the Consent Docket, as follows:

Item No. 3, being:

**APPROVAL OF THE SEPTEMBER 8, 2011 REGULAR SESSION MINUTES**

Item No. 4, being:

**FP-1112-6 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UTC AREA SIX, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION V, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 2, BLOCK 2, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 24<sup>TH</sup> AVENUE N.W. AND NORTH OF MOUNT WILLIAMS DRIVE.**

Item No. 5, being:

**FP-1112-7 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR GREENLEAF TRAILS ADDITION, SECTION 5, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12<sup>TH</sup> AVENUE N.W. APPROXIMATELY ¼ MILE SOUTH OF TECUMSEH ROAD.**

Item No. 6, being:

**FP-1112-8 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BROOKHAVEN MANSIONS, L.L.C. (CLOUR PLANNING & ENGINEERING SERVICES) FOR BROOKHAVEN MANSIONS ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 36<sup>TH</sup> AVENUE N.W. AND 1195 FEET SOUTH OF ROCK CREEK ROAD.**

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Chairman Gasaway asked if any member of the Planning Commission wished to remove any item from the Consent Docket. There being none, he asked if anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

Mr. Trachtenberg asked the status of item 5, since the City Council approved a final plat in January and the final plat was filed on February 23, 2011. Mr. Danner explained that this is a replat of Lot 2 to take in some additional unplatted property to the north to create a larger lot.

*Diana Hartley moved to place approval of Item Nos. 3 through 6 on the Consent Docket and approve by one unanimous vote. Tom Knotts seconded the motion.*

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

YEAS	Diana Hartley, Tom Knotts, Andy Sherrer, Zev Trachtenberg, Jim Gasaway
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis, Curtis McCarty, Roberta Pailles

Recording Secretary Roné Tromble announced that the motion, to place approval of Item Nos. 3 through 6 on the Consent Docket, passed by a vote of 5-0.

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Item No. 3, being:

**APPROVAL OF THE SEPTEMBER 8, 2011 REGULAR SESSION MINUTES**

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

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Item No. 4, being:

**FP-1112-6 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UTC AREA SIX, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION V, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 2, BLOCK 2, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 24<sup>TH</sup> AVENUE N.W. AND NORTH OF MOUNT WILLIAMS DRIVE.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Final Plat
3. Staff Report
4. Final Site Development Plan
5. Preliminary Plat

The Final Site Development Plan and the Final Plat for UNIVERSITY NORTH PARK SECTION V, A Planned Unit Development, a Replat of Lot 2, Block 2, were approved on the Consent Docket by a vote of 5-0.

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Item No. 5, being:

**FP-1112-7 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR GREENLEAF TRAILS ADDITION, SECTION 5, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12<sup>TH</sup> AVENUE N.W. APPROXIMATELY ¼ MILE SOUTH OF TECUMSEH ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Final Plat
3. Staff Report
4. Revised Preliminary Plat

The Final Plat for GREENLEAF TRAILS ADDITION, SECTION 5 was approved on the Consent Docket by a vote of 5-0.

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Item No. 6, being:

**FP-1112-8 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BROOKHAVEN MANSIONS, L.L.C. (CLOUR PLANNING & ENGINEERING SERVICES) FOR BROOKHAVEN MANSIONS ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 36<sup>TH</sup> AVENUE N.W. AND 1195 FEET SOUTH OF ROCK CREEK ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Final Plat
3. Staff Report
4. Site Plan
5. Revised Preliminary Plat

The Site Plan and the Final Plat for BROOKHAVEN MANSIONS ADDITION were approved on the Consent Docket by a vote of 5-0.

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Item No. 7, being:

**CONSIDERATION OF A REQUEST SUBMITTED BY JACK EURE FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 12<sup>TH</sup> AVENUE N.E. AND ½ MILE NORTH OF ROCK CREEK ROAD.**

**7A. ORDINANCE NO. O-1011-60**

**JACK EURE REQUESTS REZONING FROM RM-2, LOW DENSITY APARTMENT DISTRICT, TO CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, FOR 6.17 ACRES OF PROPERTY LOCATED AT 3000 12<sup>TH</sup> AVENUE N.E.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Site Plan
4. Norman Greenbelt Enhancement Statement
5. Greenbelt Commission Minutes

**7B. PP-1112-2 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JACK EURE (RIZWAN NAJMI, P.E.) FOR EURE ADDITION FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 12<sup>TH</sup> AVENUE N.E. AND ½ MILE NORTH OF ROCK CREEK ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

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

**PRESENTATION BY STAFF:**

1. Mr. Koscinski reported that both the 2020 and 2025 Plan designated this tract for office use. It has been zoned RM-2, with a small section of R-1, since 1983. This request is consistent with the 2025 Plan. The existing zoning of RM-2 is for low-density apartments, which would typically be developed with 40-80 units. The site is currently vacant. The surrounding area was originally zoned in 1983. When the residential portion of the subdivision was designed, there were no access points, either pedestrian or streets, into this tract. That is not good in terms of connectivity, but minimizes negative impacts from this tract to the neighborhood. The tract is predominantly wooded and slopes toward the north. There is a sidewalk along a portion of the tract. The road has been improved as part of a State project, and a driveway was installed. The Traffic Engineer would like the existing driveway closed and relocated, which the applicant has agreed to do. The Park Hill Addition has been developed across the street to the east with single-family homes. The Traffic Engineer has requested that the driveway align with Preservation Street. The RM-2 designation allows up to 4-plex development. The tract backs up to the single-family homes in Shadowlake Addition. Some of the homes along the west side of the tract have not constructed fences and preserve their view into this wooded area. The preliminary plat shows one large lot and the proposed development is a large, multi-story office building located at the high point of the site. It will have good visibility from 12<sup>th</sup> Avenue N.E. Parking is tucked to the west behind the building. Most of the north end of the site, which drops off topographically, will be preserved. The applicant is a member of the Greenbelt Commission and made a nice presentation to them on his proposal for the site. The impacts that staff thinks could occur would be from parking lot lights, but there is a 20-30' buffer from the residences. The new lighting ordinance will also be in effect for this development, so we should get good quality lighting. The site will be landscaped. The site plan shows an undeveloped portion at the north end, leaving it as natural as possible. One protest was received from a resident of the area, which was 0.7% of the notification area. A three-story building will be more visible than a

series of one-story duplexes, but the applicant has tried to move it as far away from most of the residences as possible. The Traffic Engineer estimated traffic impacts of 40-80 residences and from the proposed office building. The peak hours are different, and all the traffic will be on 12<sup>th</sup> Avenue N.E. and should have minimal impact on residential areas.

**PRESENTATION BY THE APPLICANT:**

1. Jack Eure, 1017 Kings Road, the applicant – Doug hit all the most important highlights. It's 6.17 acres. We are developing this along the principles of conservation-oriented development, to try to leave at least 40% of the site untouched and to preserve the existing woodland terrain and habitat on the north end of the site. We're also trying to locate the building along the street, in accordance with the best practices of design to try to avoid a phenomenon of driving by and seeing parking lots lining the road; instead, we'd like to help shape the street and create kind of a room experience in the street by putting the building along 12<sup>th</sup> Avenue. It's a more urban approach. It's also very economical and very efficient. The initial site plan that we showed utilized the existing curb cut in order to try to preserve a little bit more of the wooded bowl at the north end of the site. The Traffic Engineer expressed some concerns so we tried to accommodate those by aligning the drive with Preservation Road across 12<sup>th</sup> Avenue.
2. Mr. Knotts asked about the underground storage indicated on the Preliminary Plat. Mr. Eure explained that the southwest corner of the property drains in that direction, so a unique solution for that portion of the site was required to prevent runoff into an adjoining yard. The vast majority of drainage from the site goes down into the existing bowl at the north end of the property. Mr. Knotts asked if there is an outlet for the underground storage. Mr. Eure explained that an easement will be required with an adjoining property owner to secure the drainage off the site to the southwest. He added that the City looked at the plan and approved it.
3. Mr. Trachtenberg asked if the easement across the neighbor's property is to allow the water to be released to Pinecrest Street or Shadowlake Road. Mr. Eure explained that his understanding is the release would be above-grade and didn't have to be channelized. Given the underground facility, the water overground will be minimized. The detained water will percolate down.
4. Mr. Knotts asked whether the applicant has spoken with adjacent property owners. Mr. Eure indicated he has not. Mr. Knotts commented that the plan is basically held hostage to some opportunity to get rid of the overflow, and therefore it is not complete. Underground storage fills up and could silt in over time, so it is very critical to have a route for overflow. Mr. Danner stated that the Development Engineer has reviewed the drainage report. If the applicant is not able to obtain an easement, he will have to come up with another plan. There are other alternatives that they can do. They can leave more pervious area for sheetflow before it gets to the residential area. The current proposal would take the water from the underground storage to a street in Shadowlake Addition through a pipe. The majority of the parking lot will drain to the north; the existing pond will have to be modified to accommodate the runoff. Mr. Trachtenberg asked if it would be possible to pipe from the underground storage to the detention pond to the north. Mr. Danner indicated that has not been proposed and staff only reviews the proposal before them. Mr. McCarty asked if Shadowlake Road can accommodate the additional runoff. Mr. Danner indicated that was checked and it can support the additional water.
5. Mr. Gasaway asked about the option of sheeting the water to the neighboring back yards. Mr. Danner responded that the runoff is currently doing that. If you do not increase the volume of water, you can continue that, although there may have to be some adjustments.

6. Mr. Trachtenberg asked, if they are not able to obtain an easement, and they have to redesign the parking lot, whether it would push the parking lot north into the area they are trying to leave undisturbed. Mr. Eure indicated it might require a shift toward permeable paving but leave the layout intact. Mr. McCarty asked if the City currently allows pervious parking lots. Mr. Koscinski said there are some test lots currently. Mr. Eure said they might be able to take a combined approach; they are showing some planted medians between the double rows of parking and those could potentially be sources of percolation.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

1. Mr. Trachtenberg commented that this is a beautiful design and has all kinds of great stuff that we like to see. There's a huge amount to like about this project. It sounds like the entire thing isn't premised on getting an easement and there is a back-up plan. What's the next step to ensure that it all happens correctly if the developer cannot obtain an easement?

2. Mr. Danner noted that this is a preliminary plat and has preliminary drainage reports. If they are not able to obtain an easement they may have to modify the size of the building and decrease the amount of parking. There are things that can be done if they cannot obtain an easement. A site plan is required with the final plat that will have to address drainage if they are not able to obtain an easement.

3. Mr. Trachtenberg asked if a change to the drainage plan would be a relatively small redesign that would fall within the normal amount of change that can occur between a preliminary and final plat. Mr. Danner responded that change between preliminary and final plats has to do with lot count. So as long as the final plat shows a single lot, it is not a problem.

*Curtis McCarty moved to recommend adoption of Ordinance No. O-1011-60, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for EURE ADDITION, with an alley waiver, to the City Council. Diana Hartley seconded the motion.*

4. Mr. Gasaway commented that there were letters of protest from one property. The major concern of that letter seemed to be that they didn't want anything built on the property. When a property owner owns a piece of property, whether developed or undeveloped, they have the ability and right to develop the property as it is currently zoned or request a change of zoning. His concern is that this is predominantly a residential area, and a three-story building will overlook the adjacent back yards.

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

YEAS	Diana Hartley, Tom Knotts, Curtis McCarty, Andy Sherrer, Zev Trachtenberg, Jim Gasaway
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis, Roberta Pailles

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Ordinance No. O-1011-60, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for EURE ADDITION, with an alley waiver, to the City Council, passed by a vote of 6-0.

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Item No. 8, being:

**PCR-9899-1 (As Amended) – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORMAN AMENDING THE ESTABLISHED POLICIES GOVERNING THE OPERATION OF THE PLANNING COMMISSION OF THE CITY OF NORMAN.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Annotated PCR-9899-1 (As Amended)

**PRESENTATION BY STAFF:**

1. Ms. Connors reported that in September the Planning Commission held a study session on this resolution and the duties and responsibilities of the Planning Commission in Chapter 4 of the City Code. Chapter 4 is not under the jurisdiction of the Planning Commission, but the comments from the Commission will be forwarded to the City Council. The Commission also made comments and suggested changes to the Resolution on how the Commission conducts business. Those changes have been made. Today we received a letter from Mr. Heiple requesting postponement of this item so that a study session can be held and discussion conducted on the Resolution. Staff met with Mr. Heiple to discuss the Chapter 4 changes. It might be appropriate to have all the discussion at the same time. Staff would support the postponement if the Planning Commission chooses to do so.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Curtis McCarty moved to postpone Resolution No. PCR-9899-1 (As Amended) until after a Study Session on November 10, 2011. Andy Sherrer seconded the motion.*

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

YEAS	Diana Hartley, Tom Knotts, Curtis McCarty, Andy Sherrer, Zev Trachtenberg, Jim Gasaway
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis, Roberta Pailles

Recording Secretary Roné Tromble announced that the motion, to postpone Resolution No. PCR-9899-1 (As Amended), passed by a vote of 6-0.

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Item No. 9, being:

**MISCELLANEOUS DISCUSSION**

1. Mr. McCarty apologized for his tardiness. He got stuck in a high school parade.
2. Mr. Gasaway announced that Ms. Messner had a baby girl, named Caroline.

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Item No. 10, being:

**ADJOURNMENT**

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 7:13 p.m.

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Norman Planning Commission