

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

JANUARY 10, 2013

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 January 2013. 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 Chairman Chris Lewis called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Roberta Pailes
Dave Boeck
Tom Knotts
Curtis McCarty
Cindy Gordon
Jim Gasaway
Sandy Bahan
Chris Lewis

MEMBERS ABSENT

Andy Sherrer

A quorum was present.

STAFF MEMBERS PRESENT

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

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Item No. 2, being:

ELECTION OF OFFICERS FOR 2013

Vice Chairman Lewis asked for nominations for the position of Chairman for 2012.

Tom Knotts nominated Chris Lewis as Chairman for 2013, and Curtis McCarty seconded the nomination.

Vice Chairman Lewis asked if there were any other nominations. There being no further nominations and no further discussion, a vote was taken with the following result:

YEAS	Roberta Pailles, Dave Boeck, Tom Knotts, Curtis McCarty, Cindy Gordon, Jim Gasaway, Sandy Bahan, Chris Lewis
NAYES	None
MEMBERS ABSENT	Andy Sherrer

Commissioner Lewis was elected Chairman for 2013 by a vote of 8-0.

Chairman Lewis asked for nominations for the position of Vice-Chairman for 2013.

Roberta Pailles nominated Tom Knotts as Vice-Chairman for 2013, and Dave Boeck seconded the nomination.

Chairman Lewis asked if there were any other nominations. There being no additional nominations and no further discussion, a vote was taken with the following result:

YEAS	Roberta Pailles, Dave Boeck, Curtis McCarty, Cindy Gordon, Jim Gasaway, Sandy Bahan, Chris Lewis
NAYES	Tom Knotts
MEMBERS ABSENT	Andy Sherrer

Commissioner Knotts was elected Vice-Chairman for 2013 by a vote of 7-1.

Chairman Lewis asked for nominations for the position of Secretary for 2013.

Tom Knotts nominated Dave Boeck as Secretary for 2013, and Cindy Gordon seconded the nomination.

Chairman Lewis asked if there were any other nominations. There being no other nominations and no further discussion, a vote was taken with the following result:

YEAS	Roberta Pailles, Dave Boeck, Tom Knotts, Curtis McCarty, Cindy Gordon, Jim Gasaway, Sandy Bahan, Chris Lewis
NAYES	None
MEMBERS ABSENT	Andy Sherrer

Commissioner Boeck was elected Secretary for 2013 by a vote of 8-0.

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The meeting recessed briefly to allow the newly elected officers to take their seats.

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Item No. 3, being:

CONSENT DOCKET

Chairman Lewis announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. The Consent Docket consisted of the following items:

Item No. 4, being:

APPROVAL OF THE DECEMBER 13, 2012 REGULAR SESSION MINUTES

Item No. 5, being:

COS-1213-5 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY MERRILL SNIDER FOR SNIDER ACRES II, GENERALLY LOCATED AT THE NORTHEAST CORNER OF 48TH AVENUE N.E. AND ROBINSON STREET.

Item No. 6, being:

FP-1213-12 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TRAILWOODS ADDITION SECTION 7, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ¼ MILE NORTH OF WEST ROCK CREEK ROAD AND ¼ MILE EAST OF 12TH AVENUE N.W.

Item No. 7, being:

FP-1213-24 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SASSAN MOGHADAM (SMC CONSULTING ENGINEERS, P.C.) FOR FOXWORTH ADDITION SECTION 1 FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY ½ MILE NORTH OF INDIAN HILLS ROAD.

Item No. 8, being:

FP-1213-25 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY WESTPOINT DEVELOPER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR REDLANDS ADDITION SECTION 1 FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY ½ MILE WEST OF 36TH AVENUE N.W.

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Chairman Lewis 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 speak regarding any item. There being none, he asked for discussion by the Planning Commission.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Jim Gasaway moved to place approval of Item Nos. 4 through 8 on the Consent Docket and approve by one unanimous vote. Curtis McCarty seconded the motion.

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

YEAS	Roberta Pailes, Dave Boeck, Tom Knotts, Curtis McCarty, Cindy Gordon, Jim Gasaway, Sandy Bahan, Chris Lewis
NAYES	None
MEMBERS ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to place approval of Item Nos. 4 through 8 on the Consent Docket and approve by one unanimous vote, passed by a vote of 8-0.

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Item No. 4, being:

APPROVAL OF THE DECEMBER 13, 2012 REGULAR SESSION MINUTES

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

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Item No. 5, being:

COS-1213-5 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY MERRILL SNIDER FOR SNIDER ACRES II, GENERALLY LOCATED AT THE NORTHEAST CORNER OF 48TH AVENUE N.E. AND ROBINSON STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Certificate of Survey
3. Staff Report

The Certificate of Survey for SNIDER ACRES II was approved on the Consent Docket by a vote of 8-0.

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Item No. 6, being:

FP-1213-12 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TRAILWOODS ADDITION SECTION 7, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ¼ MILE NORTH OF WEST ROCK CREEK ROAD AND ¼ MILE EAST OF 12TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

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

The Final Plat for TRAILWOODS ADDITION SECTION 7, A Planned Unit Development was approved on the Consent Docket by a vote of 8-0.

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Item No. 7, being:

FP-1213-24 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SASSAN MOGHADAM (SMC CONSULTING ENGINEERS, P.C.) FOR FOXWORTH ADDITION SECTION 1 FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY ½ MILE NORTH OF INDIAN HILLS ROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Final Plat
3. Staff Report
4. Deferral of Street Improvements Memo
5. Preliminary Plat

The Final Plat for FOXWORTH ADDITION SECTION 1 was approved on the Consent Docket by a vote of 8-0.

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Item No. 8, being:

FP-1213-25 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY WESTPOINT DEVELOPER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR REDLANDS ADDITION SECTION 1 FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY ½ MILE WEST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Final Plat
3. Staff Report
4. Deferral of Street Improvements Memo
5. Preliminary Plat

The Final Plat for REDLANDS ADDITION SECTION 1 was approved on the Consent Docket by a vote of 8-0.

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Item No. 9, being:

O-1213-26 – NICK CADDELL (SMC CONSULTING ENGINEERS, P.C.) REQUESTS CLOSURE OF THE DRAINAGE EASEMENT LOCATED ADJACENT TO LOTS 8A AND 9, BLOCK 7, NORTHRIDGE INDUSTRIAL PARK SECTION 3, LOCATED AT 3517 WELLSITE DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application for Closure and Attachments

PRESENTATION BY STAFF:

Mr. Danner reported that the final plat for Northridge Industrial Park was filed of record in 1984. Part of the public improvements was a drainage flume between Lots 8 and 9 that drained Wellsite Drive across this property into the railroad right-of-way. The applicant has made a request to close this drainage easement because it does not fit the plans that he has for the property. He has submitted new drawings, new construction plans from a professional engineer, which staff has reviewed. The drainage easement will be relocated and be an underground storm system. There will be an easement recorded for the new location, once the closure of the existing drainage easement is done.

PRESENTATION BY THE APPLICANT:

Tom McCaleb, SMC Consulting Engineers, representing the applicant – Mr. Caddell has bought the lots on both sides of this existing easement. The new layout requires that the easement be relocated because it won't work with the layout. They have contacted the railroad. There was an oil well issue, which has been resolved. The final steps are vacating the drainage easement, and then a building permit.

COMMENTS FROM THE AUDIENCE:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

*Dave Boeck moved to recommend approval of Ordinance No. O-1213-26 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	Roberta Pailes, Dave Boeck, Tom Knotts, Curtis McCarty, Cindy Gordon, Jim Gasaway, Sandy Bahan, Chris Lewis
NAYES	None
ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1213-26 to the City Council, passed by a vote of 8-0.

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Item No. 10, being:

ORDINANCE NO. O-1213-27 – QUENTIN LOBB (S.P. RIEGER) REQUESTS MODIFICATION OF THE LIMITS OF NO ACCESS LOCATED ON LOT 13A, BLOCK 2 OF VISTA SPRINGS ESTATES ADDITION SECTION TWO (FORMERLY LOT 14) GENERALLY LOCATED ON THE SOUTH SIDE OF SPRING VIEW DRIVE BETWEEN TURKEY RUN COURT AND DOE RIDGE COURT.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Petition to Modify LNA and Attachments

PRESENTATION BY STAFF:

Mr. Riesland reported that we can't deny anybody access to a public road. The tract in question has the ability to access either the road to the east or the road to the west. We look for the best place for a particular house to access. Usually it's better to access off the lower volume street, if we have that option. Given the nature of Spring View Drive as a somewhat horizontally and vertically challenged road, it's better to have the access on either of these side streets. That's just what our policy is.

PRESENTATION BY THE APPLICANT:

Sean Rieger, 136 Thompson Drive, representing the applicant – What has occurred here is that, when we have Limits of No Access, they are on the filed plat document; to get them removed or modified, we have to come back through the entire process because it's a recorded document of plat. In this particular situation this property got platted as two lots. These two lots were combined into one very large lot. As Mr. Riesland said, you could access both this side street and this side street, and there is access happening over on Turkey Run Court. But we have some topography issues that somewhat limit us from going to Doe Ridge Court. We think we can very safely access onto Spring View Drive. The request before you tonight is not to remove the entire Limits of No Access, which basically spans around the frontage on Spring View Drive, but to just allow one entry point. I want to show you a number of slides to show you that it is very able to be done safely. There is plenty of sight distance to accommodate it. This is a very rural area, the distances are great, and there are not many homes in it. It is not a high traffic corridor. Let me show you more of an aerial of what we're talking about. What happened was the owner combined these lots and began the construction of his house. You can see the driveway coming over to Turkey Run Court. He could put a driveway over to Doe Ridge Court if he wanted to, but there is a drainage swale that is basically a little creek. He would have to cross over that. If he does that there are some issues: it would be costly and it could create a water blockage problem. We think we can safely and easily do it right here and have enough sight distance. We're talking about very long distances. When you look at this property with only one house on it, you might think that's a short distance – it's not. Very long distance. This is the actual site plan of what we're talking about. It used to be two lots, so you would have had a house over here that would be close to this street, and you would have a house over there that would be close to that street. Now we have one large house right in the middle that fronts Spring View Drive, so the natural entry point for this house is out onto this street. I've just approximated it, but that little drainage swale is right here. What we propose to do is bring the drive right over near to that drainage swale and enter that point right there. Distances are large. This is distances from Google Earth. This is the house right here. The entry point is planned right here. When you stand on this point and you look to the west, you have 302 feet of clear visibility looking to the west. To give you a perspective of how long a distance we're talking about, you see that little white speck there – that's a pick-up truck. Imagine that pick-up truck right here and you have a driveway down here. Look at the scale and look at the size of that pick-up. You have a long way to see that pick-up truck coming. This street is posted at 25 miles per hour. It's a residential rural street, off the section line roads – not a lot of homes on it. If you look to the east from this point, we have 367 feet from the point we are proposing with clear

sight lines out to the east. Long distances. Well, just how long are those distances? Let's take a look. There's the visual of it – 302' looking back to the west, us standing on the property line – the house is up here to the left. Then when you look to the east, 367'. So, again, very long clear sight distances. How long is that? This is off the internet so you can take it for what it's worth, but the average stopping distances at 30 mph – overall stopping distance is 75'. Let's say somebody is really speeding – 40 mph – 120'. We are, again, at 360-some feet from the driveway point. But let's not just take those figures. Let's look at the City's own regulations. This is the design engineering guidelines of the City of Norman. What I'm going to show you is basically some excerpts out of the design engineering guidelines as they concern street intersection sight distances – not residential home driveways, but street intersections which, of course, would be much more intense than just one single driveway for a home. These engineering design guidelines say the design speed shall be 25 mph on all residential and collector streets. When you look under 4005, Intersection Design – again, for streets – it basically should be designed so the intersections take into consideration sight distances to make sure we can safely enter. Well, if you look down here, for a design speed of 25 mph – this is again for a street intersection – the minimum sight distance should be 280'. Well, I just showed you, we have sight distances clear to the west of over 300; to the east over 360. So we've even surpassed the sight distance standard for a street, not to mention simply a home driveway. Where stop control is not used, the corner sight distance for residential streets shall be a minimum of 200 – 300 recommended. Again, we're over 300 in both directions. There are the distances. We exceed the sight distances even for street intersections in the City's own design engineering guidelines. I just want to show you a quick aerial. All over east Norman are neighborhoods just like this, with curbs and streets coming in right at corners and curbs and curves in the road. They're all over east Norman. This is not uncommon. To give you a sense of the scale, I want to show you this real quick. These are two aerials at the exact same scale. This one is where we're sitting tonight – here's City Hall; here's all of these blocks and neighborhoods at the exact same scale as over here. So when you think about these distances that I'm talking about to put a driveway right here, we're talking about a distance close to a block or a half a block. That's the distance we're talking about of clear sight lines to put this driveway in. It can easily, safely, very comfortably be done. The applicant has the support – it's not shown tonight on a map, but this is a letter from the developer of this addition, Mr. Fred Sellers, and he wrote to you tonight that: My name is Fred Sellers. I am the owner and developer of Vista Springs Estates, and I can speak for 56 of the 70 lots I currently own. There is complete support among us for Quentin Lobb's application to have a driveway that exits directly onto Spring View Drive. We urge you to grant his request for the modification. That's really it. It's very straight forward and simple. We do request your support tonight for this modification to just allow one curb cut for a 20' wide span at that point. I thank you, Mr. Chairman. I'm happy to answer any questions you have.

Ms. Pailles – The staff report suggests that there might be a conflict with drives located on the north side of the street. Would you like to address that?

Mr. Rieger – Certainly, Commissioner. I would show you again all over East Norman we have driveways across from each other in many locations. I would also show you that in this addition they've allowed two curb cuts for houses in the addition. You can see this driveway right across the street from an entry point there. If you think about just our urban conditions, we have driveways across the street from each other many times. It's not an unusual condition. We don't believe it's a dangerous condition. We don't think it's anything that would deny an application of this nature.

Mr. Gasaway – Sean, could you go back to the Google map? When I went out to look at it today, there's two drives in the front I think that the workers have kind of made going up the hill. I was going to try and go up there myself, but it was pouring rain and I didn't want to get stuck. Can you point out where those are in relationship to where you're planning?

Mr. Rieger – Well, those drives are over here a little ways. It's kind of the shortest distance. What we plan to do is to come over right close to this swale to the right. So we would be to the east of those drives. There is a little swale coming down out of this house. We would take it right over next to that, so we don't interfere with the water drainage, but go as close to it as we can.

Mr. Gasaway – Will there still be this drive coming off of Turkey Run?

Mr. Rieger – Yes.

Mr. Gasaway – Will that be the drive that the family would use to go into the garage, or will they be coming in the front?

Mr. Rieger – The back drive. If I could go back to Commissioner Pailles, I do want to also acknowledge one other point. We're not talking about people backing out. If you look at this, there are circular drives in the front. People would all be pulling out of this front forward. This is not a small urban situation where you're backing out into the street. People here are turning around a circle drive and going out first with the front of their car.

Mr. Boeck – Can you guarantee that?

Mr. Rieger – Can I guarantee that? No. I don't think anybody is going to back down this one lane driveway to get out of there. They would be pulling around this.

Mr. Boeck – Well, say you have 50 people there for a Christmas party or a Thanksgiving dinner, where both sides of the driveway are full and someone might just decide to back out, rather than go up to the turn-around and pull out.

Mr. Rieger – If there's that many people, they're probably parked all along the street in front, as well.

Jim Bowers, the builder – If that was the situation, you would be able to drive all the way through the property to Turkey Run Drive. So if it was blocked off, you would be able to go out through Turkey Run Drive.

Mr. Boeck – But someone, if they were parked toward the end of the driveway, could just back out on the street.

Mr. Bowers – They could. Sure.

Ms. Pailles – To me it seems like the main problem – and I've run into this in rural areas – is if you're on the north side of Spring View Drive there, turning left into the driveway, and there happens to be traffic, so you stop, and the car behind you stops, and the car behind them stops – somebody comes around that curve, driving perhaps a little faster than they're supposed to be, just smacks right into all of you. I've had that happen. I can see that happening fairly readily. Just because there happens to be a little extra traffic and a little extra back-up and you've got a curve, driving a little fast, it would be easy just to smack into the whole line. I'm assuming that was kind of the staff objection. I'm not entirely sure what the staff objection was. That, to me, seems entirely possible.

Mr. Rieger – Commissioner, I would ask you to consider that we are talking about a very rural addition of not many homes. Let me show you this. I don't know what a lot of traffic could possibly be on this tract. If it's these homes, they're probably coming in and out here, and they're never even making it down this way. And up here, there are not many homes up around this curve, either, until you get to this street, where those homes will be using this street

going back and forth which has access to 72nd and East Robinson. So I think the traffic will be quite minimal on this street.

Mr. McCarty – Mr. Rieger, will the circle driveway be constructed, if this was allowed, at the same time as the cut-through?

Mr. Rieger – Yes. It's all being constructed right now.

AUDIENCE PARTICIPATION:

Quentin Lobb, 12504 Rohan Court, Oklahoma City, the applicant – I hope I don't come across as being confrontational. That's not the issue here. I want you to know that safety is definitely at the forefront of my mind. Just based off my career, safety is at the forefront of everything I do on a daily basis. I've been out there several times with a laser range finder and shot sights up and down – I have about 760 feet of frontage along that road and chose that spot based off of all those sight ranges. And if you just consider the numbers we're getting tonight are not accurate in our favor – gives us the benefit of the doubt, because those are line of sight. That is a curvilinear-natured road, based off the City's description, so these are line of sight measurements. As a car would drive, assuming they're not going to be cutting across grass coming right at me, they're actually traveling longer distances than are being shown. The intention of doing this isn't to make it a dangerous neighborhood. I don't host wild parties and have a lot of hoodlums come out of my driveway in the middle of the night going in reverse. I think the exceptions to the rule that are being posed tonight are along the lines of saying well someone could easily just pull out of the circle drive and cut straight across my grass onto the road and still get on the road – that could happen, too. I mean, any of this could happen. I don't think this is really that ridiculous of a request, especially when you consider it in comparison to other properties in the area. You could go over to the west side of town, find homes in the neighborhood I grew up in as a child in Brookhaven that have less sight distance than I'm requesting from this property. So taking that into consideration, looking at those other properties that are established and using those as a precedent, I think this is within reason. Thank you.

Jim Bowers, 10415 Greenbriar Place, Oklahoma City, the builder – I think Mr. Rieger and Mr. Lobb have done a good job describing the situation that we have. I am impressed that you went out there and looked at it, Mr. Gasaway. I think if you were interested and you went out there, I think you'd feel a lot better about it if you have any doubts at all. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Curtis McCarty moved to recommend adoption of Ordinance No. O-1213-27 to the City Council. Cindy Gordon seconded the motion.

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

YEAS	Roberta Pailles, Dave Boeck, Tom Knotts, Curtis McCarty, Cindy Gordon, Jim Gasaway, Chris Lewis
NAYES	Sandy Bahan
ABSENT	Andy Sherrer

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1213-27 to City Council, passed by a vote of 7-1.

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Item No. 11, being:

MISCELLANEOUS DISCUSSION

Ms. Pailes asked about the City Council's review of the platting process.

Ms. Connors reported that the Business and Community Affairs Committee of the City Council is looking at some changes that would occur to both the Zoning Ordinance and the Subdivision Regulations to look at streamlining the development process. They have looked at the preliminary plat process, and they're looking at extending the length of time before a preliminary plat would expire. They're also looking at not having final plats come to the Planning Commission, because the primary purpose of a final plat is to accept right-of-way, and those are always on the Planning Commission's consent docket. They are looking at allowing the Pre-Development applications and Planning Commission applications to come in during the same month, which currently is not allowed by the Zoning Ordinance.

Mr. Floyd added that they are looking at Certificates of Survey that are over 40 acres would be removed from Pre-Development meetings. They are trying to prepare the changes for a February review by the Planning Commission.

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Item No. 12, being:

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 7:00 p.m.

Norman Planning Commission