

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

SEPTEMBER 8, 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 8th day of September 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

Cynthia Gordon
Diana Hartley
Tom Knotts
Chris Lewis
Curtis McCarty
Roberta Pailes
Andy Sherrer
Zev Trachtenberg
Jim Gasaway

MEMBERS ABSENT

None

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
Leah Messner, Asst. City Attorney
Larry Knapp, GIS Analyst
Jane Hudson, Planner II

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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 AUGUST 11, 2011 REGULAR SESSION MINUTES

Item No. 4, being:

COS-1112-2 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY STEPHEN KYLE CANTRELL (JAMES S. YAGER) FOR LOT 3 ARMS ACRES FOR PROPERTY LOCATED AT 5601 N. BROADWAY.

Item No. 5, being:

FP-1112-3 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY TOWN CENTER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION VII, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED 250 FEET EAST OF 24TH AVENUE N.W. AND ON THE SOUTH SIDE OF CONFERENCE DRIVE.

Item No. 6, being:

FP-1112-4 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SHANNON O'MOORE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR CAMPUS CREST, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED ONE-QUARTER MILE NORTH OF CEDAR LANE ROAD ON THE EAST SIDE OF 12TH AVENUE S.E.

Item No. 7, being:

FP-1112-5 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH (SMC CONSULTING ENGINEERS, P.C.) FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

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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.

Zev Trachtenberg moved to place approval of Item Nos. 3 through 7 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	Cynthia Gordon, Diana Hartley, Tom Knotts, Chris Lewis, Curtis McCarty, Roberta Pailles, Andy Sherrer, Zev Trachtenberg, Jim Gasaway
NAYES	None

Recording Secretary Roné Tromble announced that the motion, to place approval of Item Nos. 3 through 7 on the Consent Docket, passed by a vote of 9-0.

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Item No. 3, being:

APPROVAL OF THE AUGUST 11, 2011 REGULAR SESSION MINUTES

This item was approved as submitted on the Consent Docket by a vote of 9-0.

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Item No. 4, being:

COS-1112-2 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY STEPHEN KYLE CANTRELL (JAMES S. YAGER) FOR LOT 3 ARMS ACRES FOR PROPERTY LOCATED AT 5601 N. BROADWAY.

ITEMS SUBMITTED FOR THE RECORD:

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

Approval of the variance request from a 400-foot setback to a minimum 200-foot building setback for Lot 3A, and approval of the Certificate of Survey COS-1112-2 for LOT 3 ARMS ACRES was recommended to the Council on the Consent Docket by a vote of 9-0.

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Item No. 5, being:

FP-1112-3 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY TOWN CENTER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION VII, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED 250 FEET EAST OF 24TH AVENUE N.W. AND ON THE SOUTH SIDE OF CONFERENCE DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

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

The Final Site Development Plan and the Final Plat for UNIVERSITY NORTH PARK SECTION VII, A Planned Unit Development were approved on the Consent Docket by a vote of 9-0.

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Item No. 6, being:

FP-1112-4 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SHANNON O'MOORE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR CAMPUS CREST, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED ONE-QUARTER MILE NORTH OF CEDAR LANE ROAD ON THE EAST SIDE OF 12TH AVENUE S.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Final Plat
3. Staff Report
4. Staff Recommendation on Request to Defer Street & Sidewalk Improvements
4. Final Site Development Plan
5. Preliminary Plat

The deferral of sidewalk and paving improvements adjacent to 12th Avenue S.E. and the Final Plat for CAMPUS CREST, A Planned Unit Development were approved on the Consent Docket by a vote of 9-0.

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Item No. 7, being:

FP-1112-5 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH (SMC CONSULTING ENGINEERS, P.C.) FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Final Plat
3. Staff Report
4. Staff Recommendation on Deferral of Street and Sidewalk Improvements
5. Site Development Plan
6. Preliminary Plat

The deferral of sidewalk and paving improvements in connection with Indian Hills Road and the Final Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION were approved on the Consent Docket by a vote of 9-0.

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Item No. 8, being:

CONSIDERATION OF A REQUEST SUBMITTED BY SOUTHERN PLAINS TREATMENT SERVICES, INC. FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 24TH AVENUE N.W. AND HARRIET ROAD.

8A. RESOLUTION NO. R-1112-5

SOUTHERN PLAINS TREATMENT SERVICES, INC. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-01) FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA AND FROM INDUSTRIAL DESIGNATION TO OFFICE DESIGNATION FOR APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 24TH AVENUE N.W. AND HARRIET ROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. NORMAN 2025 Map
2. Staff Report

8B. ORDINANCE NO. O-1112-2

SOUTHERN PLAINS TREATMENT SERVICES, INC. REQUESTS REZONING FROM RE, RESIDENTIAL ESTATE DWELLING DISTRICT, TO O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR HIGH IMPACT INSTITUTIONAL USE, FOR APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 24TH AVENUE N.W. AND HARRIET ROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Site Plan
4. Southern Plains Treatment Services
5. Pre-Development Meeting Summary

PRESENTATION BY STAFF:

1. Mr. Koscinski noted there is not a preliminary plat with these items. This property is currently platted as a Residential Estates subdivision, permit ready for homes, but no homes have ever been built in Section 2 of the Teall Addition. The applicant is asking for rezoning on one of the platted lots. The Land Use Plan indicates future Industrial; at the time the 2025 Plan was adopted there was no sewer service in the area. The northwest sewer solution has provided sewer service to this general area and this applicant will be able to take advantage of that. Staff is fully in support of a change from Future Urban Service Area to Current Urban Service Area because that was already programmed once utilities were available to the area. The development started in approximately 1964 on the south side of the road. The north part was platted a little bit later. The specific Land Use Plan change is to Office use rather than Industrial zoning. The applicants wish to have a High Impact Institutional Use, and they have asked for the institutional zoning that would allow that to happen. In order to support that rezoning, the designation on the Plan would need to be an office designation, which is compatible with industrial areas. We allow office uses in industrial zones. Again, the specific rezoning request that comes with this is O-1, with Special Use for High Impact Institutional Use. The applicants are here to outline what they plan with their proposal, but it is a voluntary treatment facility for youth. It is a secure facility, but it is not a jail. You are not adjudicated to this location. You don't serve time, in that sense. You are constrained and restrained, is my understanding.

This went to Pre-Development a month or so ago, and the applicants intended to try to gain rezoning on the entire north half of this area all along Harriet Road. They received some opposition from some of the neighbors. There are a couple of existing houses that expressed some concerns about the major change in zoning, as well as the treatment facility itself. The applicants have since submitted what you see in front of you, which is a one-lot change just to allow the treatment facility and located it directly on 24th Avenue, which is right up the road from the new County Jail facility. There is a 130' easement that runs across the front of all these lots for high-voltage power lines. There are some scattered residences in the area. The property immediately north of the site is vacant, but there is a house north of that. The property to the

east is all vacant and impacted by the power line running east/west through this area. South is another existing residence. All these homes are on two-acre or five-acre tracts. West across 24th Avenue, the power line continues, but you're starting to see the back of other industrial uses, which is what the 2025 Plan calls for in this area. There are no filed protests on the requests. Staff is able to support the specific rezoning and Plan change for the one lot in front of you tonight.

2. Mr. Trachtenberg asked if the applicant owns all the lots on the north side of Harriet Road. Mr. Kosciński indicated he did not know.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Drive, representing the applicant – The owner of this site owns the four lots on Harriet Road and the lot to the north of them. What you're going to see tonight is quite a bit of a change from what we originally brought forward. What originally came forward in this proposal at the Pre-Development hearing was a request to change that entire area to industrial, in keeping with 2025, which says this is all to be industrial. At the Pre-Development hearing, what we heard from these few scattered residences who came was they weren't ready for the entire area to be rezoned industrial. I think they needed to ease into it, more or less. So what we came back with was to change the proposal to just this corner lot. The original proposal when we came to Pre-Development hearing actually had the facility down at the corner at the end of Harriet Road. We heard from the neighbors that basically said I'm not sure we want folks driving down here for the treatment facility when I'm right down here at the end of Harriet Road. So what we did was change it based on those comments to the corner lot. And I think that was well-received. Obviously, no protests were filed thereafter and that's kind of what we heard them telling us. The other thing we heard, again, was let's ease into this, more or less. I think it was a little bit of a shock to those residents at that Pre-Development hearing when they learned that this entire area was to be industrial and fairly intense uses. We heard a couple of comments from folks saying this is a residential addition -- I bought my home here; I want it to stay a residential addition. It took a little bit of discussion to have them realize that this is really a residential addition in name only. Again, as Mr. Kosciński said, these homes are all 1950s and 1960s homes. There has not been a new home or residence in this area in well over 40 years – more on the order of 50 years. So it long ago, I think, left the notion that this area was going to be a residential area. But that obviously took some discussion and time to get through that moment. But that's the big change. I think staff had big concerns that at the end of Harriet Road we were going to use this road for access into this facility. We moved it up here. The only access now is off 24th Avenue, and I think that helped us with staff quite a bit. I think staff originally was probably opposed for some of those reasons. What you'll see tonight is now they're in support of this project. So we appreciate very much the Pre-Development process. I think it's another example of how it worked. We heard the comments from staff and residents. We responded to those. And, as you see, we now have staff support and no protests filed. So it's a testament, again, to the Pre-Development process that I think has worked very well.

I want to show you a little more detail of the project. This is 2025. The little red box is the proposed site. And, as you can see, between the railroad tracks and I-35 and really down to Robinson and all the way out to Johnson Controls, you see all of the blue and the gray. Gray is industrial; blue is institutional. This area is very much intended for intense, high-impact uses. That's what this area is to be. If you look closely at 24th Avenue, where we're fronting on, you have industrial parks, the Guard facility, the jail, Johnson Controls – all of this a very intense use area. So that is really why this site was chosen and why, I think, it's in large measure appropriate. Doug mentioned office. That really is kind of a caveat of what our zoning designations are. To do a high-impact treatment facility, that's the zoning category it fits under, but it's a treatment center, not really an office space. But as our code books are laid out, that's where it happens to fall into. Just to show you again, this is the house to the south. If you've been out there, you'll notice there's really a large number of cars and salvage items – kind of junked parts – out around the facility. That is between the proposed building location and the house to the south.

That is the large transmission line facility that really dissects this addition. And then these are the houses to the south of Harriet Road that I mentioned. They're tucked back in behind the trees. You really can't even see them. But these were the neighbors that were concerned about us putting the facility at the end of Harriet Road. And now we've moved it away from them. So they're really tucked back in the trees and far away from where the facility is proposed now.

I want to show you this just to show you an example of other high-impact institutional kind of uses that are in this general area. This facility – and the gentleman with the use is going to speak with you in just a few minutes about it – but this facility is for adolescent use and treatment center for that. There are other centers for adolescents in this area. Of course, we have the Couch Center – this is a juvenile detention facility, but it's just down here. Here's our site, right in the middle. This is an aerial. So there's the Couch. Varangon is another youth center. Then over here we have three different youth centers, and then just to the north, as Mr. Koscinski said, perhaps the biggest change in this area in a long time is the 500+ bed jail. That is just 1,000 feet off the corner of our site to the north on the same street with access points just down the road. These are some of those facilities in the area, again – adolescent facilities. As Mr. Koscinski noted, though, we are not a detention facility. You are not sentenced to this facility. It is a private, voluntary treatment center, where you can be released upon your parents' demand and you would go. Todd is going to talk a little bit more about that. That's the jail, again, to the north. I'm standing on the site right here taking a picture. You see an entry point right there to the jail to the left. So, again, the jail is right down the road from us. What I want to show you, too, is some changes that happened on the planning of the site itself that I think helped us in achieving the support of staff and the no protests. Originally, when this was proposed, it was one large block building at the end of that street. What the applicant has done is come back and proposed multiple pod buildings, which break down the scale, as you're aware, of buildings. These are one-story buildings. It breaks down that scale so that it doesn't look like some ominous structure there on the corner. And they've used the administrative building, which is right here, to be the focal point off the corner. That one house that I showed you that is adjacent is down to the south here, so they will be looking across the street at an administrative building basically. And you see the parking lot here. What's so notable about this corner is the 105' transmission line easement across the south – a huge easement that crosses all the way across that site, and then you have a 50' building setback on this already platted lot. That, also, is quite huge. You usually see 20' building setbacks, or something of that nature. So large setbacks and they've taken the building away from the frontage. Predominantly masonry buildings. Of course, by code, it has to be that. Lighting ordinance will be in play. So much work done here to break down the scale of this facility. Staff, again, graciously supports this project and I want to read just briefly from their report. It says this use would be compatible with industrial uses. Conversion of a single lot within this area should minimize the short-term impacts on the few residences in the immediate area and may start the transition to industrial uses that 2025 envisioned. So, again, we envision this area going very much as you see on the lower right to industrial and institutional. I think just doing one lot now at a time, instead of all these lots, is the best way to go and that's where we came after the Pre-Development hearing. At this time I want to ask Todd Acton to come up and talk about his facility, very briefly give you a sense of their operations and how he does it.

2. Todd Acton, Executive Director of Southern Plains Treatment Services, 310 12th Avenue N.E. – I wanted to talk a little bit about the impact we'll make in Norman. I want to reiterate that we're already in Norman. We are on the east side; we've been there several years. We have good relations with our neighbors. We have good relations with the community. I wanted to emphasize that we're not bringing a new group in – that we're already here. And I wanted to make some distinctions about our treatment center, which has already been done, because I'm sensitive to community members thinking, well, yet again, we've brought in another jail, or a penal type facility. And that's not what we are. I do want to be clear. That doesn't mean that we will have all church campers – we will have difficult kids. But it is different in that they're not sentenced there by a state agency. They're not sentenced there by court order. That can't be

done. We have the right to refusal. Parents have the right to remove them. And I think that's important and significant, and I want to make sure that's well understood. The reason that we want to relocate is we think we can deliver better services, and more cost-effective services, in a newer, modern facility than where we are. That's our primary motivating factor for building. As all of you are well aware, we're in tough times, and we think long-term this is a strategy that helps us survive and really deliver more effective services. And that's our motivation and what we want to do. Thank you for your time.

3. Mr. Knotts asked if this is a replacement for the facility on 12th Street. Mr. Acton indicated it is. Mr. Knotts asked if someone could be sentenced to this facility if the facility didn't refuse them. Mr. Acton said they cannot be sentenced to this facility. The type of kids we're talking about would be like Charlie Sheen, not Charlie Manson. So we won't be talking about a prison sentence or that type of classic mentally ill depiction that is usually wrong.

4. Mr. Trachtenberg asked how clients are referred to the facility. Mr. Acton responded that a large percentage are referred through school systems. Our culture is changing in lots of ways – in ways that, even as young as I am, I never envisioned. We have gambling epidemics. We have methamphetamine epidemics. We have kids that are lost – they're not tethered – they have no place to go. And, obviously, untethered children are going to exhibit difficulties coping at school, being where they're supposed to be, being appropriate. So the school system is a huge referral source for kids who are struggling to cope. Mr. Trachtenberg asked the percentage of clients who have substance abuse difficulties. Mr. Acton indicated a high percentage. Our primary treatment is psychiatric, so those would be secondary.

5. Mr. Trachtenberg asked if the perimeter will be fenced. Mr. Acton said it will be, but it will be done tactfully. The fence is meant to constrain people from getting out or in. Mr. Trachtenberg asked whether there will be armed people on staff. Mr. Acton said there will not. We're staff secured. And let me clarify this, our view is we're not going to bring them in and then they're going to interact in the community. It's intensive treatment that lasts typically between 30 and 50 days, and while they're there they won't interact in the community. It's residential based. We have a short window and we have a lot of work to do. Our view is if you're well enough to be in the community, you don't need to be here. So we try to do that quickly and relocate them. Mr. Trachtenberg asked if they have had the experience, or are prepared to deal with the possibility of friends showing up to reconnect with your clients. Mr. Acton responded that they are very experienced. We have done this for many years and we have protocols and procedures in place for those sorts of things.

6. Mr. Trachtenberg asked whether they have ownership of the four lots altogether. Mr. Acton said they do. Mr. Trachtenberg asked about future expansion. Mr. Acton said they don't have any immediate plans. It's more of a buffer zone is our intent at the moment. Typically people don't want to be right next to that. Mr. Rieger added that it was a package sale, more or less, and that's how it was bought.

7. Ms. Hartley asked if they are increasing the total number of beds, or is 48 how many they have currently. Mr. Acton indicated they currently have 40. We could have more. We just have chosen not to. We don't necessarily think we'll use 48, and frankly, I don't think the market would bear that, so to speak. But as we look at the economy of scale of building it, that's our preliminary. There are reasons for building it that size. Some of it is the way that, demographically, we have to split the kids up – for service reasons we have to do that, but we don't plan on expanding and I doubt we would ever have 48. Ms. Hartley asked if they are a non-profit or a for-profit. Mr. Acton said they are a for-profit corporation.

8. Mr. Rieger – One other point. Realize we're only rezoning the one lot. The rest are remaining RE, Residential Estates. So, if he wishes to expand into those lots, it will be back right

here in front of you. There's no ability to go beyond those borders unless he comes back through this process.

9. Ms. Pailles asked if there is any outdoor recreation area associated with this. Mr. Acton said it will have an outdoor recreation area, and an indoor one. Mr. Rieger added that it will probably be right in front of the residential pods. You have a very large area out here to do that within, with the large 50 foot setback and other space. Right now on 12th they have that as well. And something we didn't mention earlier, but they're on 12th right now and we're certainly not aware of any problems that the neighborhood immediately to the east of that facility has had with this facility. There is a neighborhood right across 12th from where they're at now. So they have a good track record with neighbors.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Diana Hartley moved to recommend adoption of Resolution No. R-1112-5, Ordinance No. O-1112-2, the Site Development Plan and accompanying documentation, to the City Council. Zev Trachtenberg seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1112-5, Ordinance No. O-1112-2, the Site Development Plan and accompanying documentation, to the City Council, passed by a vote of 9-0.

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Item No. 9, being:

ORDINANCE NO. O-1112-11 – THOMAS & LISA HUNTER REQUEST SPECIAL USE FOR A TYPE I BED & BREAKFAST ESTABLISHMENT FOR PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, LOCATED AT 3100 26TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Site Plan
4. Applicant's Statement
5. Pre-Development Meeting Summary
6. Protest Letter and Map

PRESENTATION BY STAFF:

1. Mr. Koscinski indicated this is a simple rezoning request, no plat with it and no Plan change required. About 2007 the applicant built what was called a guest house. They actually moved their mother into it so they could take care of her. She is now moved into the main home. The guest house is still there, but they don't need it for a guest house and so they've submitted a request for a special use for it to be used as a one-bedroom bed and breakfast. There is a swimming pool between the main house and the guest house. They are on a private gravel road, which they share with some other residences. They have on-site parking – parking is certainly not an issue, and it is paved parking. No changes to the site plan are anticipated. It will be a one-bedroom rental unit for occasional guests. Staff supported the request, essentially because it is a one-bedroom unit. Being a guest house, it does have kitchen facilities, which the ordinance actually prohibits, but they intend not to use it that way. The owners will provide the cooking for whatever guests show up.

There was a filed protest. Two of the people that live at the entrance to the neighborhood filed a protest based on impacts of traffic going up and down a gravel road. It represents 2.8 percent. Staff does support the request. Again, it's a minor change. We don't expect traffic to be much worse than it would have been if somebody had occasionally lived there, which is about what will happen. We didn't foresee the traffic impacts, but those are issues that some of the neighbors are concerned with. Staff did support the request.

2. Mr. McCarty asked if the road maintenance is split by the. Mr. Koscinski said it is supposed to be. That is one of the concerns that was raised.

3. Mr. Trachtenberg asked if the development is built out. Mr. Koscinski reported there are vacant lots. There are residences on some of the lots. These are very large lots – five-acre lots, typically, if not larger, so they aren't right next to each other.

4. Ms. Hartley noted the protest complaint is about traffic and dust. Mr. Koscinski responded that it is exactly what it already is. It will just be used differently.

PRESENTATION BY THE APPLICANT:

1. Thom Hunter, 3100 26th Avenue, the applicant – Really the only thing I wanted to say is we have a very good relationship with all of our neighbors, including the Mitchells. We've talked to them about that issue, as far as the traffic on the road. To answer the other question, all of the homeowners on the road – and really there are only about 5 or 6 in the whole area – do contribute to the upkeep of the road. In fact, a few years ago we all put in quite a bit of money to bring the road up to better use for the neighborhood. There was a time when we actually, living out there on the property, had five teenagers, because all of our children kind of became one at the same time, and so there was considerably more traffic on the road in the past than there will be now. With it being a one-bedroom guest house, we anticipate having one car going up the road on occasion and really not having much of an impact on that area at all.

Most of the neighbors have expressed not only approval, but interest. You know, I guess they want to have their relatives nearby but not in their own home. So we are looking forward to that. Basically, my wife, because of her mother, who is in great health but has dementia, has to be home with her all day long, and my office actually is in the home, so we're both there pretty much all the time. This seemed like a good use for us, otherwise it would just be an empty one-bedroom sitting there with no real use. But I would be happy to answer any questions at all.

2. Ms. Gordon noted the Pre-Development summary, which talks about the across-the-street neighbor spoke in favor, but that adjacent neighbors spoke against the proposal. Mr. Hunter responded that actually they're not adjacent, but that would be Don and Diane Mitchell. And the way the road comes in off of Tecumseh, it does, and always has, goes straight up and then turns. Ms. Gordon asked if they have ever thought about moving the road. Mr. Hunter explained that they didn't build the house - they bought the house there. In other words, the house was already there on that part of the road. There has been some discussion among the homeowners about moving the road and just going straight out, and that would impact the Mitchells in a sense because they own that piece of property that the road would go straight through, but if that decision were made, it would be something that all of the homeowners would need to pitch into. And through the years, I understand it has been discussed and the Mitchells have actually not been in favor of it. The only other thing that the Mitchells mentioned, which really didn't make the comments - they talked about the possibility of someone stopping and asking for directions at their house. But we would make it real clear to anyone coming - because this is not something like we're going to put up a neon sign and you come and ask do you have a room. It's all going to be by reservation. The Mitchells themselves have a high fence, two big dogs, and it says beware of dogs, so I doubt that people are going to stop and open the gate and go in to ask for directions. So I really think the impact will be very minimal on the Mitchells. And they're good neighbors and I understand their concerns and we want to keep a good relationship with our neighbors, so we'll work very carefully to make sure it doesn't impact them. There's a family around the corner with four teenagers and, much like we were at one time, and that's much more impacting traffic-wise.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Curtis McCarty moved to recommend adoption of Ordinance No. O-1112-11, the Site Development Plan and accompanying documentation, to the City Council. Diana Hartley seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Ordinance No. O-1112-11, the Site Development Plan and accompanying documentation, to the City Council, passed by a vote of 9-0.

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Item No. 10, being:

MISCELLANEOUS DISCUSSION

None

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Item No. 11, being:

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, *Zev Trachtenberg moved to adjourn. Andy Sherrer seconded the motion.* The meeting adjourned at 7:08 p.m.

Norman Planning Commission