

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

JUNE 9, 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 9th day of June, 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 6:45 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Roberta Pailes
Chris Lewis
Andy Sherrer
Tom Knotts
Neil Robinson

MEMBERS ABSENT

Sandy Bahan
Erin Williford
Dave Boeck

A quorum was present.

STAFF MEMBERS PRESENT

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

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Item No. 2, being:

CONSENT ITEMS

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

Item No. 3, being:

APPROVAL OF THE MAY 12, 2016 REGULAR SESSION MINUTES

Item No. 4, being:

SFP-1516-4 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY AMOS MOSES (JASON HARVEY) FOR UNIVERSITY VIEW SECOND ADDITION FOR PROPERTY GENERALLY LOCATED AT 1801 SOUTH OKLAHOMA AVENUE.

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Mr. Robinson disclosed that his employer is associated with the company that did the survey for the Short Form Plat, SFP-1516-4. He has had no direct involvement with the short form plat and will receive no pay from it. Chairman Sherrer added that counsel did not believe that warranted recusal but should be stated on the record.

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 approve the Consent Docket as presented. Tom Knotts seconded the motion.

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

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

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

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Item No. 3, being:

APPROVAL OF THE MAY 12, 2016 REGULAR SESSION MINUTES

The minutes of the May 12, 2016 Regular Session of the Planning Commission were approved on the Consent Docket by a vote of 5-0.

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Item No. 4, being:

SFP-1516-4 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY AMOS MOSES (JASON HARVEY) FOR UNIVERSITY VIEW SECOND ADDITION FOR PROPERTY GENERALLY LOCATED AT 1801 SOUTH OKLAHOMA AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Short Form Plat for UNIVERSITY VIEW SECOND ADDITION
3. Staff Report

The Short Form Plat for UNIVERSITY VIEW SECOND ADDITION was approved on the Consent Docket by a vote of 5-0.

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Item No. 5, being:

O-1516-44 – HUSSEIN TORBATI REQUESTS VACATION AND CLOSURE OF A 15' UTILITY EASEMENT LOCATED WITHIN LOT 1, BLOCK 1, CLASSEN MEDICAL COMPLEX.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Petition to Close Easements in Classen Medical Clinic II
4. Legal Description (Sheets 1 and 2)
5. Classen Medical Clinic II Site Plan

PRESENTATION BY STAFF:

1. Ken Danner – When the final plat was filed of record in January of 2015, the concept for the structure was to be located further west from Classen. As a result, a water line with fire hydrant was required for it. The owner has decided to move the structure closer to Classen to where the water line and fire hydrant are no longer needed, but the easement is in conflict with the structure. So this is to clean it up, remove the easement, and then be able to build over that location. Staff recommends approval.

PRESENTATION BY THE APPLICANT:

1. Stephen McCaleb, 4800 N. Lincoln Boulevard, Oklahoma City, representing the applicant – We've worked with staff to get this thing approved. SMC Consulting Engineering has been working with staff, also. We agree with the staff's recommendation and we ask that the easement be vacated as requested.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to recommend approval of Ordinance No. O-1516-44 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	Roberta Pailles, Chris Lewis, Andy Sherrer, Tom Knotts, Neil Robinson
NAYES	None
MEMBERS ABSENT	Sandy Bahan, Erin Williford, Dave Boeck

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1516-44 to the City Council, passed by a vote of 5-0.

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Item No. 6a, being:

R-1516-123 – THE SALVATION ARMY REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL DESIGNATION TO OFFICE DESIGNATION FOR A PORTION OF THEIR OWNERSHIP LOCATED AT LOT 13, BLOCK 4, HIGHLAND ADDITION.

ITEMS SUBMITTED FOR THE RECORD:

1. NORMAN 2025 Map
2. Staff Report
3. Pre-Development Summary

and

Item No. 6b, being:

O-1516-45 – THE SALVATION ARMY REQUESTS SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP FOR THEIR OWNERSHIP LOCATED AT LOTS 5 THROUGH 13, BLOCK 4, HIGHLAND ADDITION (318 EAST HAYES), CURRENTLY ZONED R-3, MULTI-FAMILY DWELLING DISTRICT.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Elevations and Roof Layout Plan
4. Site Plan

PRESENTATION BY STAFF:

1. Janay Greenlee – This is the subject tract. These tracts are all currently Office Designation. It is only this tract that is the subject that will be requesting from the Low Density Residential to the Office.

Also a Special Use for a Church, Temple or Other Place of Worship for The Salvation Army. Current zoning is all R-3. Initially when the zoning was put in place with Ordinance No. 884 in 1954 it was zoned R-3. At that time, a church was an allowed use in R-3. Because they're coming forward for an addition to the property, they are required to become in compliance with the zoning. Therefore, in R-3 a Special Use is required for a Church, Temple or Other Place of Worship.

This is the existing land use. As you can see, this is the church here. They have an overnight kind of assisted living for homeless and transitional people. They have 18 beds and they're allowed to stay 5 nights and then they have to rotate in and out. Also, the church is located there and an activity center.

This is an overview of an aerial. This is the church. This is the transition home center and the current activity center. This is the lot that they will be building the additional activity center.

Just a few photos of the site. This is the church. This is the transitional housing. The activity center currently. This is the lot where they will be building the new structure. This is looking west on Hayes. There is a single-family residence just to the west of that. Looking to the south on Crawford. This is from the alley looking to the north of the subject tract. Again, the rear from the alley looking to the north. This is on Porter. This is the building – currently it's vacant – that is just on the east side of the Salvation Army property.

Some elevations. This is going to fit in to look like a home; the structure is going to be all brick. This is the front elevation, the entrance. This is kind of the site plan. So with the Special Use they're asking that their build line be set back 15.7' to match the existing church so they can utilize this parking lot and not be set so far back and also have area in the back for open space.

Staff does support and recommend approval of Ordinance 1516-45 and Resolution 1516-123. I'd be happy to answer any questions.

PRESENTATION BY THE APPLICANT:

1. Margaret Kennell, the applicant, was available to answer questions but did not make a presentation.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to recommend adoption of Resolution No. R-1516-123 and Ordinance No. O-1516-45 to the City Council. Roberta Pailes seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1516-123 and Ordinance No. O-1516-45 to the City Council, passed by a vote of 5-0.

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Item No. 7, being:

O-1516-42 – JOSEPH R. NELSON (NELSON HOLDINGS, L.L.C.) REQUESTS SPECIAL USE FOR A BAR, LOUNGE OR TAVERN FOR PROPERTY CURRENTLY ZONED C-2, GENERAL COMMERCIAL DISTRICT, AND LOCATED AT 1430 WEST LINDSEY STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Site Plan
4. Main Floor Plan
5. Shared Use Agreement
6. Pre-Development Summary

PRESENTATION BY STAFF:

1. Jane Hudson – This application is for a Special Use for a Bar, Lounge or Tavern. The existing zoning in the area consists of C-2 to the north and east, and some RM-6 to the south and west. This site is currently zoned C-2 as well. The existing land use in the area: restaurants to the north and to the east, multi-family to the south and also to the west, and then there's another restaurant across Wylie Road.

This is the 2015 aerial of the site. These are some photos of the site itself. This is looking back toward Lindsey at the intersection of Wylie and Lindsey. This is the multi-family to the south. This is an alley that continues on back behind the strip mall. This is the multi-family to the west.

This is a site plan proposed for the site. At this time the applicant is not sure if they're going to demolish the site and rebuild or if they'll remodel the existing building that's there now. In 2004, this strip mall came forward with a request for Special Use for a Bar, Lounge, Tavern in this north piece. This area to the south and then continuing over to the west had an existing bar. In 1991 the C-2 zoning was changed and it took the Bar, Lounge, Tavern requiring special use in C-2, but this area down in the corner was existing and it was grandfathered in. The piece to the north did get Special Use. At that time, there was an Exhibit A attached with the ordinance as it moved forward to Council and it specifically requested this area to be approved for the Bar, Lounge, Tavern, so that's why the applicant is bringing this forward to get the entire strip mall included with the Bar, Lounge, Tavern use. Over here it's possible there might be a hair salon – just not sure at this point what they might use that area for.

The parking for this area is a little limited as you can see. Currently they can get 53 parking spaces on this site. As stated in the staff report, they do need a few more parking spaces to have the use on the site, so they're requesting a parking variance in addition to the special use for the site. So, if approved, they would get that parking variance. In talking with the applicant, they're working with adjacent property owners to get release for use of that parking to the south and west, and then again to the north where the McAlister's restaurant is. But, until adequate parking arrangements can be made, staff cannot support the request for Ordinance O-1516-42.

2. Mr. Knotts – So it said at printing the parking agreements were not available. Have they been made available?

Ms. Hudson – Not at this time. No. In the agenda, you saw the letter from McAlister's, but that was from the business owner. That wasn't from the property owner. Like I said, the applicant is still working on those.

PRESENTATION BY THE APPLICANT:

1. Joseph Nelson, 1111 Wylie Road, the applicant – I am a born and raised Norman resident. I appreciate you all taking into consideration here. While I understand that there may be some questions, and that's why I'm here – I'm happy to answer those individually. As staff stated, unfortunately the recommendation is as of such. But I must emphasize that not only will the presentation, I think, show you that we have every intention of beautifying this area. Now the great benefit to this is not just that I own a construction company so we can do the things

that you'll see here on the presentation, but also the fact that 11 years ago it was also already approved and recommended that things are running and doing just fine with the parking as it is. Now I cannot emphasize to you enough that the negotiations with the adjacent property owners have a lot of caveats to them. For instance, Rebecca Lane Apartments and the owner of that property and I spoke on the phone even as late as today at 2:00. Unfortunately, his position is that, while the Rebecca Lane Apartments are up for sale at this time that he feels even a special shared use letter that you all have seen a copy of that are between me and McAlister's – that he would think that might hurt the marketability of his property. I expressed to him explicitly that as a new owner would come in there would naturally need to be a new agreement with them, but let's just be frank with one another. This business has been in town for 39 years and they've been sharing parking every single night for 39 years with no complaints, no issues. I don't believe that there's any time that an adjacent property owner has come before either the Council or the Commission with an issue of shared use. The checking of the box of getting the signature of the actual land owners, while I understand will make this a nice package, unfortunately the timing allowed didn't garner that. Now it is possible that as I continue to work diligently that we can get those responses positively. For instance, the owner of the property of Penny Hill Subs, which is to the east – the owner has been unavailable to meet and discuss this at length, however the business owners also have agreed to shared use much like the McAlister's has, and they're the ones that are kind of in charge of the property because of the rent they pay to the owner. I think it's important also to mention that, while we ask for, respectfully, the approval, the majority of our business is done in the evening, naturally, when these other businesses in the nearby area are already closed. So for us to be impacting their business negatively is almost non-foreseen at all. I'm happy to answer any questions, but I'd ask that you all watch this 4-minute video and hope you enjoy it.

4 Minute Video provided by applicant was shown.

2. Mr. Knotts – This has been here for 39 years. What's the rush?

Mr. Nelson – You were asking about the rush. Frankly, we signed our sales agreement on December 9 of this past year. We waited for 124 days for title approval to clear 37 title issues that I, personally, worked on 22 of those issues and I do not work for the title company. My point, sir, is that, as many of you all know, in this town it is essential for new businesses maybe to revolve themselves around the opening of the University as well as the football season. Obviously, it was important for us to bring this before you all to show you what our plans are, that there's a vast amount of improvement, not only to the quality of life around the surrounding area, but I think it will really beautify the project that you all are doing on Lindsey Street with the widening. It might also be important to mention that I think the video was crucial in this because, as you see, the majority of the square footage is taken up by large tables where people can't stand and so, regardless of what the capacity is for that particular unit, that would obviously mean that you can't put that many people that would need that much parking based on the square footage. In other words, I'm not going to have them standing on the pool tables. So, aside from the beautification of the land and the previous acceptance of this opportunity 11 years ago, I only would mention that your appreciation and your approval would be thanked.

3. Mr. Knotts – Yes, there are benefits of opening and being open at the time of school starting and all of that kind of stuff. This is pocket billiards, so it's pool with a capital P, that rhymes with T, and that stands for trouble.

Mr. Nelson – I must disagree, having been playing at the sport for 16 years. I think rather of pool players or billiard players as kind of a self-governing bunch of folks. As you all may know...

Mr. Knotts – Because they're carrying a weapon all the time?

Mr. Nelson – No, sir. The game is about honor and being honest and taking care of the things that I was raised by, that not only being born and raised here, but, obviously, my family values. But the point is also that right now Lindsey Street is not populated largely by a bunch of

students. Frankly, they're kind of a campus-driven unit. So, aside from the benefit of beautification of this property right after and during the widening of Lindsey Street, I again reflect back on the fact that we're actually shrinking the size of the actual dance area, which, frankly, dancing is more of a youth issue, closer to the younger crowd – 21 and 25. Having been in the pool industry or playing pool for the last 16 or 17 years, I would note of the place like Jamaica Joe's up in Midwest City. It's an older crowd; it's a more mature group of folk and I, personally, haven't ever heard of that phrase that it's a troubled game.

Mr. Knotts – So you're not into musicals?

Mr. Nelson – No, I'm sorry.

4. Mr. Knotts – Will there be music outside in the patio area?

Mr. Nelson – Not loud enough for the neighbors to hear.

Mr. Knotts – The apartments behind.

Mr. Nelson – It's 326 feet from the actual edge of the patio that we'd like to include to the nearest residential door or window.

Mr. Knotts – Is that Rebecca Lane?

Mr. Nelson – That is correct. Yes, sir. Quite honestly, the music in the club right now is not even heard outside the door on the weekends. I don't intend that any noise ordinance would be violated by this. Obviously, you notice that the patio is elevated, and the purpose of that is that I've worked hard with the general manager of McAlister's that, while they have basically walled off their patio area to keep the unsightly nature of the current condition of this particular piece of property away from running their customers off, to be quite frank, once he saw this video he could not believe how excited he was going to be to tear that brick wall down and fence pickets. My point being is that we want to have an elevated space right there that's still accessible with the ramp and for ADA requirements, but be able to kind of engage in maybe mixed conversation – some folks are having lunch here, some folks are having lunch here. I mean it's really a very community-driven environment and the majority of the business, I feel, is maybe later in the day, but also the lunch crowd we hope to garner a small piece of. It's not our intention to, I guess, compete with any of the neighboring folks. Quite frankly, there's a sub shop, Penny Hill, and there's a sandwich shop, McAlister's, so if there's enough business for them, we could join the crowd, I guess.

5. Chairman Sherrer – You talked about McAlister's and the agreement with the actual franchise itself. Why haven't you been able to reach an agreement with the property owner?

Mr. Nelson – The property owner, from what I understand, the corporate entity – well, it just takes a lot more time and, frankly, having had multiple conversations with the general manager, Nick, over even the past six months since December, it was always that he would sign it immediately. You all have a letter that he signed and an agreement with. But however as soon as I learned, just even as early as this week, that we required from the Commission that it was the property owner's signature, not the people that actually occupy the building all the day long – and so whenever it is that we had Nick send it down to their corporate offices, that that just takes a long time. It's kind of like if you ever want to hear from the president of a national corporation, it's a little insulated to reach him directly. So I haven't been as persuasive or as open to communication with those owners that are of the corporate entity. I have been trying to reach out to the owner of Rebecca Lane for almost six months and even just today he called back. And he just lives in Texas. The point being that, while the owners are the ones that property would impact, frankly the people that are there every day and that it would actually have the day-to-day issue with, they're all in love with this idea. As you can see, our plans are highly beautiful.

Mr. Sherrer – Is it fair to say, then, that as we're a recommendation body, that you would have that in place with the property owner by the time it came before the Council?

Mr. Nelson – Based on the conversation I had with Rebecca Lane property owner, because he is in the negotiation of sale for his property, he absolutely would not involve himself in that to worry about if maybe someone in the future. Well, quite frankly, the conversation with

staff was that I wouldn't need the surrounding folks if I just got Rebecca Lane because, you know, they've got all the parking there. So, having heard no from him, I would ask for you all's recommendation against staff's, only for the fact that the Council approved this 8-0 eleven years ago and I'm shrinking the space and beautifying the usage. I would hope that I'm as persuasive with the Council as I hopefully have been with the Commission here today.

6. Ms. Pailles – What kind of food are you serving and how much of your business do you anticipate being kind of restaurant-based?

Mr. Nelson – I could probably make a guess, based on our performance that we've looked at, that maybe 25 to 35% would be food-based. That's not considering the sale of low point beer, which is actually considered a food product here in the State of Oklahoma. If you were to consider the sale of beer as a food portion – I was trying to answer your question honestly. The actual sandwiches at lunch, I would think maybe 25, 35% at the most. Frankly, you know, that's not really our name of business. You know, we're not going in to try to garner that. It's just nice to have something to eat. Oftentimes there are all-day tournaments on the weekends, say Saturday and Sunday, and so rather than have our folks be inconvenienced maybe we will provide them the sandwich or French fries or – you know, nothing fancy or over-priced. I can't imagine an item being over \$9.00 on the menu. And, aside from the fact that I'm working very diligently to try to offer the best Kobe beef hamburger at lunchtime in Norman – we'll see how that goes.

7. Mr. Knotts – So when the State of Oklahoma, in their great wisdom, in the fall votes to eliminate low point beer, what will you be serving?

Mr. Nelson – As we also offer Cokes and Diet Cokes and Sprites and sweet teas and, you know, those beverages that ...

Mr. Knotts – So you won't proceed for a full bar?

Mr. Nelson – Well, we actually are a full bar now, with mixed alcohol, and we are currently – well, Opie's currently has an ABLE Commission liquor license to sell mixed beverage and also high point beer and wine. We have asked for that to, obviously, be moved and we've made that application with the ABLE Commission. We intend on continuing to offer that. Yes, sir. You know, the sale of mixed beverage and those things are really small in comparison to the – like you had said, how much low point beer there is. My objective in doing this is merely to keep the club the way that it's been for 39 years, because it's a Norman staple. As you saw – I mean, Opie put in this lighted dance floor that there's very few in the entire nation and that was 11 years ago when he approached and asked for the Special Use at the time. And I say Opie – Mr. Monroe – Don Monroe. It's been relatively successful. However, we don't plan eliminating what has been successful for 39 years. We're merely trying to improve upon it by making that dance floor in the cement to grade so that, gosh, you don't have an ADA issue with trying to get maybe folks up 10" high onto the dance floor – think of how neat that would be. But my point in trying to take over this building – buy this building and then revamp it is because I, frankly, love the game of billiards, and what better use than to put beautiful Diamond tables – those are the top billiard tables made in the nation at this time. You might have noticed the l-pads that are at the head of the lights on the tables. It's an electronic use for how to be in the next line for the pool table. There's just a lot of advancements that we're trying to put together. So for us to focus on that is where my intention is with this. Because we have a liquor license doesn't mean that we're going to have big signs about all these liquor deals that are going on. Quite frankly, I'm a little older now than, obviously, when I had visited Campus Corner. But there's enough of that in this area.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Lewis – We can't park cars in neighborhoods. We found that issue out when we looked at the venue down on Briggs Street off of Lindsey. So, therefore, unless parking is available, I would go with staff recommendation that we not approve this item.

Chris Lewis moved to recommend rejection of Ordinance No. O-1516-42 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	Roberta Pailes, Chris Lewis, Andy Sherrer, Tom Knotts, Neil Robinson
NAYES	None
MEMBERS ABSENT	Sandy Bahan, Erin Williford, Dave Boeck

Ms. Tromble announced that the motion, to recommend rejection of Ordinance No. O-1516-42 to the City Council, passed by a vote of 5-0.

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Item No. 8:

O-1516-43 – RHONDA TROWER REQUESTS VACATION OF THE 30' PLATTED BUILDING LINE ALONG JENKINS AVENUE FOR PROPERTY LOCATED AT 701 & 703 AND 705 & 707 JENKINS AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Request for Closing and Vacation
4. Approved Site Plans
5. Plat

PRESENTATION BY STAFF:

1. Jane Hudson – This applicant is requesting vacation of the 30' platted build line along Jenkins. The existing zoning in the area is R-3 completely surrounding the property. This is the 2015 aerial photograph; as you can see, there were two single-family homes on these two lots. Of course, those are gone now and there is a duplex on each of these lots. This is looking south on Jenkins; that is the west side of Jenkins right there. This is from the sidewalk at Duffy and Jenkins looking back south. I wanted you to see where these duplexes are situated and then the porch area that's extending out there is the third structure from Duffy. The applications that were submitted – these are the site plans. We have the first site plan here, and the second site plan. As you can see, they were shown and submitted with a 25' front build line. In the R-3 zoning district, a 25' front build line is required. So, in looking at them, staff approved them with that setback shown. However, when the applicant was moving forward and getting ready to close with the title company, their surveyor found that in the text on the filed-of-record plat actually shows there shall be a 30' front build line on the west side of Block 4, which fronts Jenkins. As you can see, when staff looks at these plats, typically we look at the lot, because that's where a build line is shown – that's what we're used to seeing. But we did not realize that the text over on the left side of the plat actually contained the required setback. So the applicant is moving forward requesting vacation of that setback on those two lots. Staff does recommend approval for Ordinance No. O-1516-43. I'd be happy to answer any questions you might have. The applicant is here if you have any questions for her as well. We did receive protests of 5.1% within the notification area, and I believe you do have those requests to speak on that as well.

2. Mr. Knotts – Is the face of the building inside the 30', or is it just the porch?

Ms. Hudson – Actually, in the text it says that porches shall be allowed to extend into that 30', so the front of the building has to be at the 30'. Hers is about six inches into that 30' setback.

PRESENTATION BY THE APPLICANT:

Rhonda Trower, the applicant, was present but did not make a presentation.

AUDIENCE PARTICIPATION:

1. Jo Ellen Huntington, 4125 Indian Point Circle – I'm the broker for Huntington Real Estate and I represent Mr. John Eckenberger, who is legally blind, and so any of the business with the County or the City always comes to my address. I was just kind of speechless that the building was built and now we're asking for the vacation. Mr. Eckenberger at this time has said that he does not have a problem with the vacation, but my question was just that we kind of put the cart before the horse, it seems like, and the building is built and now we're asking. But I understand, with the title company and the City, that trying to make things right. And Mr. Eckenberger certainly supports that, but at the time that I submitted the letter he had not – we didn't know the whole circumstance and so, at that time, he said submit the letter so that we're in compliance.

2. William Mattoon, 225 N. Peters Avenue, Suite 3 – We have property at 633 and 635 South Jenkins and I did file a protest for this. It's my understanding if you remove the setback and the

lot lines, et cetera, you're increasing the impermeable area of the lot. We've just had a serious discussion throughout the City and the City Council on flooding and everyone knows about the storm water fee and all that sort of thing. I think it's time that the Planning Commission and the City think about increasing the size of lots for construction of residences and/or businesses so we'll have more permeable areas. And that's the reason I objected to this, so that we can draw attention to the need for more permeable areas, or we're going to have continued flooding and we're putting the burden on the back of the poor folks here in Norman with the fees the City is charging. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Lewis – It seems that this is an inadvertent oversight. Staff recommends it. We're talking about a miniscule amount of inches – I believe it was said six inches by staff. So therefore it is somewhat irrelevant at this point.

Chris Lewis moved to recommend adoption of Ordinance No. O-1516-43 to the City Council. Roberta Pailes seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1516-43 to the City Council, passed by a vote of 5-0.

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Item No. 9, being:

MISCELLANEOUS COMMENTS

1. Mr. Knotts announced that last year a movie crew from California came and shot multiple scenes at his vineyard and winery. That movie is now going to have its Oklahoma premier this weekend at Dead Center Film Festival. The name of the movie is "Heartland".

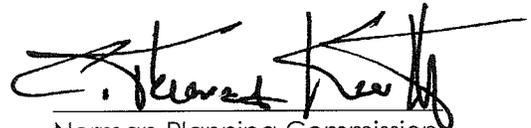
2. Ms. Connors reminded the Commission that there will be a Study Session on Thursday, June 16 at 6:00 p.m. in Building A. This was requested by the Commission at their May meeting to discuss design standards.

* * *

Item No. 10, being:

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 7:31 p.m.



Norman Planning Commission