City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

City Council Agenda

Tuesday, September 27, 2011

6:30 PM

Municipal Building Council Chambers

City Council

Mayor Cindy Rosenthal
Council Member Roger Gallagher
Council Member Tom Kovach
Council Member Hal Ezzell
Council Member Carol Dillingham
Council Member Dave Spaulding
Council Member Jim Griffith
Council Member Linda Lockett
Council Member Dan Quinn

City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority Agenda

1 **Roll Call**

2 **Pledge of Allegiance**

3 **GID-1112-22**

CONSIDERATION OF APPROVAL OF MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF AUGUST 23, 2011
CITY COUNCIL RIBBON CUTTING CEREMONY MINUTES OF AUGUST 30, 2011
CITY COUNCIL SPECIAL SESSION MINUTES OF SEPTEMBER 6, 2011 (5:30 P.M. SESSION)
CITY COUNCIL SPECIAL SESSION MINUTES (2) OF SEPTEMBER 6, 2011 (6:00 P.M. SESSION)
CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 13, 2011
CITY COUNCIL MINUTES OF SEPTEMBER 13, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 13, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 13, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 13, 2011

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or reject the minutes; and, if approved, direct the filing thereof.

ACTION TAKEN: _____

Attachments: August 23 Conference Minutes
August 30 Ribbon Cutting Ceremony Minutes
September 6 Special Session Minutes (1)
September 6 Special Session Minutes (2)
September 13 Conference Minutes
September 13 CC Minutes

Awards and Presentations

4 P-1112-6 PROCLAMATION NO. P-1112-6: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2011, AS NATIONAL ARTS AND HUMANITIES MONTH IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1112-6 proclaiming the month of October, 2011, as National Arts and Humanities Month in the City of Norman.

ACTION TAKEN: _____

Attachments: Arts and Humanities Week

5 Consent Docket

Consent Docket

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 6 through Item 26 be placed on the consent docket.

ACTION NEEDED: Motion to place Item_____ through Item _____ on the Consent Docket by unanimous vote.

ACTION TAKEN: _____

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or acknowledge all items on the Consent Docket subject to any conditions included in the individual action needed by item.

ACTION TAKEN: _____

6 O-1112-1 CONSIDERATION OF ORDINANCE NO. O-1112-1 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-9798-24 IN THE NORTHEAST QUARTER OF SECTION 15 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-1 upon First Reading by title.

ACTION TAKEN:

_____

Attachments: O-1112-1
Tecumseh Project Location Map
Tecumseh Project Rezone Staff Report
Tecumseh Project Site Plan
Tecumseh Project PUD Narrative
8-11-11 PC Minutes - Tecumseh Project
Tecumseh Project Protest Map-Recision 8-15-11
Protest Map July 12, 2011
Emails of protest 6-27-11 (4)
Letters of protest 6-30 to 7-6 (5)
Letters of protest 7-8 (4)
Letters of Protest (9) July 11
Letters of Protest (3) 7-12 to 8-8
Petition of Protest 6-27-11
Petition of Protest 7-8-11

7 AP-1112-8 CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

COMPREHENSIVE TRANSPORTATION PLAN CITIZEN'S VISIONING COMMITTEE

CHRIS APPLEGATE, Red Earth Group, Sierra Club
ROGER BROWN, Norman Public Schools
TERESA CAPPS, Chair, Social and Voluntary Services Commission
NICK HATHAWAY, Vice President, Administration and Finance, University Of Oklahoma
HAROLD HEIPLE, Norman Developer's Council
MARION HUTCHISON, Oklahomans For New Transportation Alternatives Coalition Board
DOUG MYERS, Director Of Cleveland Area Rapid Transit (CART)
CHRIS NANNY, Cart Disability Advisory Committee
JANICE OAKES, Progressive Independence
RENEE O'LEARY, United Way Seniors Council and Positive Aging Initiative
HELEN ROBERTSON, Representing the Bicycle Community
TOM SHERMAN, Chair, Chamber Of Commerce Transportation Committee
JOE SPARKS, Chair, Norman Convention and Visitor's Bureau
WALT STRONG, Administrator, Westheimer Airport
CHUCK THOMPSON, Chair, Central Oklahoma Regional Advocacy Alliance
LARRY WALKER, Chair, Public Arts Board
BRAD WORSTER, Commercial Realtor/Chamber Of Commerce Norman Next Board Member

INFORMATION: City Council in its meeting of September 13, 2011, approved Contract No. K-1112-43 with H.W. Lochner, Inc., to provide scoping services for a Comprehensive Transportation Plan (CPT) for the City of Norman. For the eventual CTP to be developed for the City of Norman, a conscious decision was made by the City Council in early 2011 to undertake, first, a scoping effort to give the City the best opportunity to achieve buy-in for the issues to be addressed and the goals that will be developed for the ultimate plan. The purpose of this effort is to undertake

sufficient public involvement to arrive at a consensus of the issues to be addressed and the goals to be achieved with the future CTP. Once this scoping phase is completed, it is anticipated that the City of Norman will proceed to the preparation of a full CTP.

The City Council Community Planning and Transportation Committee will act as the CTP Steering Committee to undertake the plan with a second committee to be formed as a Vision Work Group. The proposed members of the Comprehensive Transportation Plan Citizen's Visioning Committee are listed above and submitted for City Council's consideration.

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

8 RPT-1112-9 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF AUGUST 31, 2011, AND DIRECTING THE FILING THEREOF.

ACTION NEEDED: Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: _____

Attachments: Finance Directors Report August 2011

9 RPT-1112-10 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF AUGUST, 2011, AND DIRECTING THE FILING THEREOF.

ACTION NEED: Motion to acknowledge receipt of the reports and direct the filing thereof.

ACTION TAKEN: _____

10 K-1112-09 CONSIDERATION OF AWARDING OF BID NO. 1112-02 AND APPROVAL OF CONTRACT NO. K-1112-09 WITH CLASSIC PROTECTIVE COATINGS IN THE AMOUNT OF $437,400, PERFORMANCE BOND NO. B-1112-01, STATUTORY BOND NO. B-1112-02, AND MAINTENANCE BOND NO. MB-1112-01 FOR THE BOYD STREET WATER TOWER PROJECT.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of $437,400 to Classic Protective Coatings as the lowest and best bidder meeting specifications; approve Contract No. K-1112-09 and the performance, statutory, and maintenance bonds; authorize execution of the contract; and direct the filing of the bonds.

ACTION TAKEN: _____

Attachments: Consultant Recommendation and Bid Tab.pdf
BID TAB and Cities.pdf
K-1112-09
Perf B-1112-1
Stat B-1112-2
MB-1112-1

11 BID-1112-18 CONSIDERATION AND AWARDING OF BID NO. 1112-18 FOR THE PURCHASE OF BUILDINGS AND CONTENTS INSURANCE AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of $96,618 to Affiliated FM as the lowest and best bidder meeting specifications and appropriate $11,520 from the Risk Management Fund Balance (043-0000-253.20-00) to Self Insurance/Liability and Property (043-3004-415.44-03).

ACTION TAKEN: _____

Attachments: Listing of Vendors.PDF
Bid Recieved.PDF

12 RFP-1112-19 CONSIDERATION OF ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-1112-19 FROM EZ GO TEXTRON TO PURCHASE TWENTY-FOUR (24) GOLF CARTS FOR THE WESTWOOD GOLF COURSE.

ACTION NEED: Acting as the Norman Municipal Authority, motion to accept or reject Request for Proposal No. FRP-1112-19 from EZ Go Textron to purchase twenty-four (24) golf cars for Westwood Golf Course; and, if accepted, authorize the purchase in the amount of $55,034 from EZ Go Textron.

ACTION TAKEN: _____

Attachments: SUMMARY OF RFP NUMBER 1112
Proposal EZ Go Textron

13 BID-1112-21 CONSIDERATION AND AWARDING OF BID NO. 1112-21 FOR THE PURCHASE OF COPPER METER YOKES FOR WATER METERS, HDPE METER BOXES WITH CAST IRON LIDS, AND WATER LINE REPAIR CLAMPS FOR THE LINE MAINTENANCE DIVISION.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications for Copper Meter Yokes and Sections 7, 13, 25, and 26; and, if accepted, award the bid to HD Supply Waterworks as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications for Meter Boxes with Cast Iron Lids; and, if accepted, award the bid in the amount of $44.94 each to American Waterworks Supply, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications for Sections 1-6; 8-12; 14 -24; and 27-34; and, if accepted, award the bid to OKC Winwater Works as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

Attachments: Bid Tabulation for Water Materials

14 E-1112-05 EASEMENT NO. E-1112-05: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SEWER EASEMENT DONATED BY GREGORY BARNARD FOR THE FYE09 SEWER MAINTENANCE PROJECT, PHASE 2.

ACTION NEEDED: Motion to accept or reject Easement No. E-1112-05; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: Summary of SS Replacement Projects
E-1112-05

15 E-1112-06 EASEMENT NO. E-1112-06: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SEWER EASEMENT DONATED BY MICHAEL C. AND KATHRYN R. SMITH FOR THE FYE09 SEWER MAINTENANCE PROJECT, PHASE 2.

ACTION NEEDED: Motion to accept or reject Easement No. E-1112-06; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: Summary of SS Replacement Projects
E-1112-06

16 COS-1112-1 CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1112-1 FOR SPEARS ACRES AND ACCEPTANCE OF EASEMENT NOS. E-1112-8 AND E-1112-9. (LOCATED AT THE SOUTHWEST CORNER OF EAST INDIAN HILLS ROAD AND 84TH AVENUE N.E.)

ACTION NEEDED: Motion to approve or reject Norman Rural Certificate of Survey No. COS-1112-1; and, if approved, accept Easement Nos. E-1112-8 and E-1112-9 and direct the filing of the certificate of survey and easements with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: Location Map - Spears Acres
Spears Acres COS
Staff Rpt-Spears
E-1112-8
E-1112-9
8-11-11 PC Minutes - Spears Acres

17 FP-1011-16 CONSIDERATION OF A FINAL PLAT FOR TRAILWOODS ADDITION, SECTION 6, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (LOCATED ONE-QUARTER MILE NORTH OF WEST ROCK CREEK ROAD APPROXIMATELY ONE-HALF MILE EAST OF 12TH AVENUE N.W.)

ACTION NEEDED: Motion to approve or reject the final plat for Trailwoods Addition, Section 6, a Planned Unit Development; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a traffic impact fee in the amount of $19,477.84 and a filed copy of a warranty deed for private park land submitted to the Property Owners Association, and direct the filing of the final plat.

ACTION TAKEN: _____

Attachments: Location Map - Trailwoods 6
Staff Report Trailwoods
Final Plat - Trailwoods 6
Prelim Plat - Trailwoods 6
12-9-10 Minutes - Trailwoods 6

18 GID-1112-18 CONSIDERATION OF APPROVAL OF AUTHORIZATION FOR AN APPROPRIATION OF A DONATION IN THE AMOUNT OF $150 FROM THE NORMAN FAMILY CHILDCARE ASSOCIATION TO BE USED TO PURCHASE CHILD PASSENGER SEATS FOR THE NORMAN POLICE DEPARTMENT AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to approve or reject authorization for an appropriation of a donation in the amount of $150 from Norman Family Childcare Association to be used to purchase child passenger seats for the Police Department; and, if approved, increase Citizen Donations (010-0000-365.13-73) by $150, and appropriate $150 to Other Supplies/Materials/Child Car Seats (010-6022-421.31-25).

ACTION TAKEN: _____

19 GID-1112-20 CONSIDERATION OF THE ACCEPTANCE OF A URBAN AREA SECURITY INITIATIVE GRANT IN THE AMOUNT OF $2,993 FROM THE OFFICE OF HOMELAND SECURITY TO BE USED BY THE FIRE DEPARTMENT TO HOST NOAH'S WISH ANIMAL DISASTER TRAINING AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to accept or reject a Urban Area Security Initiative grant in the amount of $2,993 from the Office of Homeland Security to be used by the Fire Department; and, if accepted, increase the Other Revenue/Emergency Management Grant (022-0000-331.13-60) by $2,993 and appropriate $2,125 into Employee Travel/Workshops and Seminars (022-9508-422.46-04) and $868 into Other Materials-Supplies/Miscellaneous (022-9508-422.31-99).

ACTION TAKEN: _____

Attachments: UASI Grant attachment

20 LL-1112-6

LIMITED LICENSE NO. LL-1112-6 LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE CLEVELAND COUNTY YMCA FOR THE YMCA FREE FALL CARNIVAL EVENT TO BE HELD ON OCTOBER 21 , 2011.

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1112-6 to place four (4) banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Attachments: YMCA Application
YMCA

21 SC-1112-4

SPECIAL CLAIM NO. SC-1112-4: A CLAIM IN THE REDUCED AMOUNT OF $4,000 SUBMITTED BY HAL GROSSMAN FOR MEDICAL EXPENSES INCURRED WHEN THE BICYCLE HE WAS RIDING ON JENKINS AVENUE WAS STRUCK BY A TRAILER TOWED BY A PARK MAINTENANCE DIVISION EMPLOYEE.

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1112-4; and, if approved, direct payment in the reduced amount of $4,000 contingent upon obtaining a Release and Covenant Not to Sue from Hal Grossman.

ACTION TAKEN: _____

Attachments: Special Claim Grossman
Staff Memo - Grossman
Accident Report Grossman

22 K-0910-103 Chg #3

CHANGE ORDER NO. THREE TO CONTRACT NO. K-0910-103: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DIVERSIFIED CONSTRUCTION OF OKLAHOMA, INC., INCREASING THE CONTRACT AMOUNT BY $2,325.82 FOR THE FIRE STATION NO. EIGHT CONSTRUCTION PROJECT LOCATED AT 3901 36TH AVENUE N.W. AND FINAL ACCEPTANCE OF THE PROJECT.

ACTION NEEDED: Motion to approve or reject Change Order No. Three to Contract No. K-0910-103 with Diversified Construction of Oklahoma, Inc., increasing the contract amount by $2,325.82; and, if approved, authorize the execution thereof, accept the project, and direct final payment to Diversified Construction of Oklahoma, Inc., in the amount of $2,325.82.

ACTION TAKEN: _____

Attachments: Final Invoice - Diversified Construction - Fire Station 8
Change Order 3 K-0910-103

23 K-0910-129 FINAL

CONSIDERATION OF FINAL ACCEPTANCE OF CONTRACT NO. K-0910-129 BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND C-P INTEGRATED SERVICES, INC., FOR THE TRANSFER STATION EXPANSION PROJECT.

ACTION NEEDED: Acting as the Norman Municipal Authority, motion to accept or reject the project; and, if accepted, direct final payment in the amount of $27,752.70 to C-P Integrated Services, Inc.

ACTION TAKEN: _____

Attachments: Recommendation Letter

24 K-1112-41

CONTRACT NO. K-1112-41: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INFRASTRUCTURE MANAGEMENT SERVICES, INC., (IMS) IN AN AMOUNT NOT-TO-EXCEED $39,973.96 TO DEVELOP A PAVEMENT MANAGEMENT PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2012.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-41 with IMS in an amount not-to-exceed $39,973.96; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Attachments: 2010 Pavement Management Report Executive Summary.pdf
I M S Contract 09-01-2011
PR IMS

25 K-1112-57 CONTRACT NO. K-1112-57: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE UNITED STATES GEOLOGICAL SURVEY IN THE AMOUNT OF $150,000 TO PROVIDE JOINT FUNDING FOR A PILOT STUDY TO EVALUATE THE NATURAL ATTENUATION OF ARSENIC AND SELECTED TRACE ELEMENTS IN GROUNDWATER.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1112-57 with the United States Geological Survey in the amount of $150,000; and, if accepted authorize the execution thereof.

ACTION TAKEN: _____

Attachments: Contract K-1112-57
USGS-Norman Arsenic Study 090911

26 R-1112-38 RESOLUTION NO. R-1112-38: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CHANGING THE STREET NAME IN THE 3000 TO 3300 BLOCK OF WEST ROCK CREEK ROAD (BETWEEN INTERSTATE DRIVE AND PENDLETON DRIVE) TO ROCK CREEK TRAIL, CITY OF NORMAN, OKLAHOMA.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-38.

ACTION TAKEN: _____

Attachments: R-1112-38 Rock Creek Trail
Location Map-Street Name Change

Non-Consent Items

27 K-1112-59

PUBLIC HEARING REGARDING A GRANT IN THE AMOUNT OF $18,116 TO THE CITIES OF NORMAN, MOORE AND CLEVELAND COUNTY FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE (DOJ/BJA) THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM WITH NORMAN'S PORTION OF $10,689 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR TRAINING AND TO PURCHASE WEAPONS, APPROVAL OF CONTRACT NO. K-1112-59, AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to conduct a public hearing.

ACTION TAKEN: _____

ACTION NEEDED: Motion to close the public hearing.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject a grant in the amount of $18,116 from DOJ/BJA through the JAG Program to be used by the Police Department; and, if accepted, approve Contract No. K-1112-59; authorize the execution thereof; increase Other Revenue/JAG Grant (022-0000-331.13-33) by $18,116; appropriate $5,889 into Project No. GP0015, JAG Grant, Professional Services/Workshops and Seminars (022-6017-421.46-04); $4,800 to Firearms (022-6017-421.51-16); transfer $7,427 to Miscellaneous Pass-Thru Refunds (022-6017-421.47-54); and direct payment in the amount of $5,253 to the City of Moore and $2,174 to the County of Cleveland upon receipt of invoices.

ACTION TAKEN: _____

Attachments: Award Letter 1.pdf
Award Documents pgs 1-6 to be signed.pdf

28 R-1011-108 RESOLUTION NO. R-1011-108: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1011-10, SO AS TO DELETE THE PROPOSED OUTER LOOP DESIGNATION ON PART OF THE SOUTHWEST QUARTER OF SECTION 35 OF TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, AND TO PLACE TRACT 1 IN THE OPEN SPACE/PARK DESIGNATION AND TO PLACE TRACT 2 IN THE HIGH DENSITY RESIDENTIAL/OFFICE DESIGNATION; AND TO REMOVE TRACT 3 FROM THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE HIGH DENSITY RESIDENTIAL/OFFICE DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD EAST OF 36TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-108, Land Use Plan Amendment No. LUP-1011-10; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Attachments: R-1011-108 CommercePkwy 2025
CommercePkwy_2025
Commerce Parkway 2025 Staff Report
4-14-11 PC Minutes - CommercePkwy

29 O-1011-51 ORDINANCE NO. O-1011-51: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-0506-3 AND TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-51 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-51 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: O-1011-51 Commerce Pkwy Rezone
Commerce PkwyRezone Location Map
Commerce Parkway PUD Staff Report
CommercePkwySitePlan
Commerce Parkway PUD Narrative
4-14-11 PC Minutes - CommercePkwy
Protest Map Commerce Parkway
Commerce (1) Protest
Commerce (2) Protest
Commerce (3) Protest
Commerce (4) Protest
Commerce (5) Protest

30 PP-1011-19 CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR COMMERCE PARKWAY ADDITION, A PLANNED UNIT DEVELOPMENT, WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL AREAS, AND WAIVER OF SIDEWALK REQUIREMENTS ADJACENT TO INTERSTATE DRIVE NORTH OF MARKET PLACE.

ACTION NEEDED: Motion to approve or reject the revised preliminary plat, waiver of alley requirements for the commercial areas, and waiver of sidewalk requirements adjacent to Interstate Drive north of Market Place.

ACTION TAKEN: _____

Attachments: CommercePkwyPP Location Map
CommercePkwyRevPrelimPlat
CommercePkwySitePlan
Commerce Parkway PP Staff Report
CommercePkwyTraffic
CommercePkwyAlleyWaiver
CommercePkwy Pre-Devel Summary
CommercePkwy Greenbelt Comments
PD11-10 Commerce Parkway GES
4-14-11 PC Minutes - CommercePkwy

31 R-1011-115

RESOLUTION NO. R-1011-115: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1011-6, SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 34 OF TOWNSHIP 10 NORTH, RANGE THREE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA, TO REMOVE THE PROPOSED OUTER LOOP DESIGNATION, EXPANSION OF THE COMMERCIAL DESIGNATION FROM 9.3 ACRES TO 21.64 ACRES, AND AMENDING 9.79 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO OFFICE DESIGNATION, 16.56 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION, AND 11.02 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD WEST OF 36TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-115, Land Use Plan Amendment No. LUP-1011-6; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Attachments: R-1011-115 Uplands
Uplands 2025 Location Map
Uplands 2025 Staff Report
7-14-11 PC Minutes - Uplands

32 O-1011-55 ORDINANCE NO. O-1011-55: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN CO, SUBURBAN OFFICE COMMERCIAL DISTRICT; RM-2, LOW DENSITY APARTMENT DISTRICT; C-2, GENERAL COMMERCIAL DISTRICT; RM-6, MEDIUM DENSITY APARTMENT DISTRICT; R-1, SINGLE FAMILY DWELLING DISTRICT; AND PL. PARKLAND DISTRICT, AND REMOVE THE SAME FROM A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD WEST OF 36TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-55 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-55 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: O-1011-55 Uplands Rezone
Uplands Location Map
Uplands Prelim Site Plan
Uplands Rezoning Staff Report
7-14-11 PC Minutes - Uplands
Uplands Protest Map
Uplands (1) Protest
Uplands (2) Protest
Uplands (3) Protest
Uplands (4) Protest
Uplands (5) Protest
Uplands (6) Protest

33 PP-1011-23

CONSIDERATION OF A PRELIMINARY PLAT FOR UPLANDS ADDITION, AND WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL PROPERTY.

ACTION NEEDED: Motion to approve or reject the preliminary plat for Uplands Addition and waiver of alley requirements for the commercial property.

ACTION TAKEN _____

Attachments: Attachment A-Uplands
Attachment B-Uplands
Location Map-Uplands
Uplands Prelim Plat
Uplands Prelim Site Plan
Uplands Oil Well Site Plan
Uplands Prelim Plat Staff Report
Uplands Traffic Impacts
Uplands Predevelopment Summary
GBC Checklist and Comments Uplands
Uplands GES
Uplands Alley Waiver
7-14-11 PC Minutes - Uplands
Park Board Mts-Uplands

34 O-1112-10 ORDINANCE NO. O-1112-10: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION NOS. 2-112, 2-113, 2-114, 2-115, 2-116, 2-117, 2-118 AND 2-119 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN SO AS TO REVISE THE DESCRIPTION OF WARD BOUNDARY LINES FOR WARDS ONE, TWO, THREE, FOUR, FIVE, SIX, SEVEN AND EIGHT OF THE CITY OF NORMAN; SO AS TO PROVIDE FOR THE REPEALING OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-10 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-10 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: O-1112-10 Reapportionment
Exhibit A O-1112-10
O-1112-10 Reapportionment Annotated
RCR-1112-1
RCR-1112-1 Map Attachment
RCR-1112-1 and O-1112-10 statistics
8-17-11 Public Hearing Minutes
8-29-11 Minutes

35 O-1112-14 ORDINANCE NO. O-1112-14: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADDING ARTICLE V. COMPRESSED NATURAL GAS, SECTION 2-501 TO CHAPTER 2, OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR THE PRICING OF COMPRESSED NATURAL GAS OFFERED TO OTHER GOVERNMENTAL ENTITIES AND THE GENERAL PUBLIC; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-14 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-14 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: O-1112-14 CNG
O-1112-14 CNG Annotated

36 **Miscellaneous Discussion**
This is an opportunity for citizens to address City Council. Remarks should be directed to the Council as a whole and limited to five minutes or less.

37 **Adjournment**

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-22

File ID: GID-1112-22	**Type:** Minutes	**Status:** Consent Item
Version: 1	**Reference:** Item No. 3	**In Control:** City Council
Department: City Clerk Department	**Cost:**	**File Created:** 09/21/2011
File Name: City Council Minutes		**Final Action:**

Title:

CONSIDERATION OF APPROVAL OF MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF AUGUST 23, 2011
CITY COUNCIL RIBBON CUTTING CEREMONY MINUTES OF AUGUST 30, 2011
CITY COUNCIL SPECIAL SESSION MINUTES OF SEPTEMBER 6, 2011 (5:30 P.M. SESSION)
CITY COUNCIL SPECIAL SESSION MINUTES (2) OF SEPTEMBER 6, 2011 (6:00 P.M. SESSION)
CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 13, 2011
CITY COUNCIL MINUTES OF SEPTEMBER 13, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 13, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 13, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 13, 2011

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or reject the minutes; and, if approved, direct the filing thereof.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 3

Attachments: August 23 Conference Minutes, August 30 Ribbon Cutting Ceremony Minutes, September 6 Special Session Minutes (1), September 6 Special Session Minutes (2), September 13 Conference Minutes, September 13 CC Minutes

Project Manager: Brenda Hall, City Clerk

CITY COUNCIL CONFERENCE MINUTES

August 23, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:00 p.m. in the Municipal Building Conference Room on the 23rd day of August, 2011, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
ABSENT:	None

PRESENTATION BY MR. J.R. RESKOVAC, CAPITOL DECISIONS, CONCERNING FEDERAL ISSUES RELATED TO NORMAN AND EFFORTS TO ADDRESS FUNDING ISSUES.

Mr. J.R. Rescovac, Capitol Decisions, Inc., (CDL) hopes to address how CDL can meet the City's needs in the current federal budget environment. He said next week, a Staff Director for the new Budget Deficit Committee will be selected and twelve members of the committee would be trying to cut one trillion and a half dollars of discretionary spending by October 23rd. If there is not an agreement made by December 23rd, there will be a 5% budget cut across the board from every agency with a large share of that coming from national defense. It has already been recognized that $450 billion may quickly go to $900 billion and the Pentagon is already trying to dictate where those cuts will come from. He said this affects our community because there are many area residents connected to Tinker Air Force Base and the National Guard Facility. He said CDI successfully secured the inclusion of a $10 million authorization in the Water Resources Development Act, which is for water related infrastructure. He said CDI has been working with the Senate Environmental and Public Works (EPW) Committee to include statutory language to drop low priority projects nationwide from the list used by the Corps of Engineers since 1992 which will expedite funding for the City. He said there were 17 authorizations for water specific Oklahoma projects in the 2008 bill and only five of those are relevant and this should go to the House of Representatives sometime this fall.

He said there are two proposals on the table regarding the Highway Reauthorization Bill. He said the Senate EPW is moving forward with a two-year status quo proposal that would keep funding at its current level of $109 billion, while the House of Representatives version is a six year $350 billion plan containing a heavy reliance on public/private partnerships to be voted on this fall. He said both proposals would fully fund the program over a six-year period. The current highway bill is temporarily extended until September 30, 2011, and it is possible there will be a four-month extension to allow full consideration of the bill. This is a big push to get the Highway Bill approved because it creates immediate jobs. He said CDL has been working with Senator Inhofe's office to include the State Highway 9 Widening Project with a project cost of $25.5 million and the 12th Avenue East/Classen Boulevard Widening Project with a $25 million project cost. He said the Census Bureau selected 28 areas around the country to be included in the surrounding larger metropolitan areas and Norman was included in this. He said CDL met with the Senate EPW who began work with the Federal Highway Administration (FHA) and the Census Bureau to ensure Norman is not included in the Oklahoma City metro designation as this will lead to a loss of operating funds for CART in the approximate amount of $1.3 million. He said the University of Oklahoma and the City of Norman requested CDL have Norman be designated a small urban area as far as transit funding was concerned and CDL anticipates a positive result when the final rule is published in early September.

Mr. Reskovac said the Senate EPW staff continues to provide CDL guidance regarding the Environmental Working Group (EWG) activities regarding chromium. He said there may be possible "pop-up testing and the most recent hearing before the Senate EPW regarding Chromium-6 safety had been July 12th and CDL provided the City with that hearing summary. Senate Bill No. 78, "Protecting Pregnant Women and Children from

Hexavalent Chromium Act of 2011" introduced by Senator Boxer, has had no legislative action to date. He said since this bill was introduced, the State of California imposed their own standard of chromium levels and brought the EWG in to discuss testing, what the level is, and what the standard should be. He said the Senate EPW has been good about notifying CDL when hearings are scheduled and when EWG might do some type of surprise spot testing.

Mayor Rosenthal asked if CDL had received any type of timetable on the Environmental Protection Agency (EPA) ruling regarding Chromium-6. Mr. Reskovac said it would possibly be done in the Spring but he was unsure if it will be published or not.

He said six appropriation bills had been passed by the House and one passed by the Senate. He said Congress had not done a very good job over the last 12 years trying to get the appropriations process to stand on its own and absent earmarks which only accounts for .1% of the bill content, CDL still anticipates an Omnibus Appropriation Bill for FYE 2012 sometime in late December. He said the Office of Management and Budget (OMB) notified all agencies that the FYE 2013 Budget would be 10% below FYE 2012 across the board which would have a pretty significant impact on municipalities, especially on Community Development Block Grant (CDBG) programs.

Councilmember Gallagher asked who financed EWG. Mr. Reskovac said EWG is a non-profit agency with funding provided by foundations and private donations.

* * * * *

PROGRESS REPORT ON THE STORMWATER MASTER PLAN ACTION PLAN.

Mr. Steve Lewis, City Manager, said City Council adopted Resolution No. R-1011-120 on June 28, 2011, which adopted the Stormwater Master Plan Final Report which is a flexible planning document used to guide the City while moving forward with stormwater management efforts and stormwater utility. He said the resolution did not adopt any new fees or regulations and directed staff to prepare a rate structure to be brought back before the community and then to the voters for their approval.

Mr. Shawn O'Leary, Director of Public Works, provided a brief overview of the SWMP. He said the process involves formal public outreach concerning stormwater problems; watershed and stream assessments; floodplain modeling; updates to design standards; identification of stormwater problems and solutions such as flooding, erosion, water quality and the development of a capital improvement program to address these issues; financing recommendations; and recommendations and an Implementation Plan which contained 30 action items that Staff was to accomplish and bring back to Council over a 20 year period. He said to date, five of the action items have been completed, and nine are in progress.

Mr. O'Leary said one additional water quality program currently underway is the Environmental Protection Agency (EPA) Mandated Storm Water Phase II Program which is known as the Municipal Separate Storm Sewer Systems (MS4) required as part of the Clean Water Act of 1972. He said it is a non-point source pollution effort to deal with storm water pollution. He said Phase I was implemented in 1990 in cities larger than 100,000 population and at that time, Norman did not have 100,000 population so they became a Phase II city. The City's first permit was issued in 2005 by the Oklahoma Department of Environmental Quality (ODEQ) which provided regulations to be followed. He said this five-year permit received a positive review last year and the second permit will be issued in 2012 providing new guidelines for the next five years.

Mayor Rosenthal said at one point there had been discussion about Phase II having a mandate of water quality testing on non-point source pollution and asked if the City should anticipate this on all of our streams.

Mr. O'Leary said it is being discussed, is a very costly issue, and there are disagreements about whether a non-point source study would be feasible. He said he does not see it happening in Oklahoma during this permit cycle; but he has heard about testing of Lake Thunderbird and Little River as isolated areas because of the pollution problems.

He said another water quality program is the Lake Thunderbird Watershed Plan which is a non-point source analysis to be developed by ODEQ by June of 2012 as part of a settlement on legal action filed by Central Oklahoma Master Conservancy District (COMCD) against the City of Oklahoma City. He said one of the things that might come out of this plan are Total Maximum Daily Load (TMDL) for Lake Thunderbird which will indicate the total discharge of pollutants allowed. Mr. Steve Lewis, City Manager, said he received a letter from ODEQ notifying the City that they would be forming a technical committee made up of representatives of entities in the area that contribute to Lake Thunderbird.

Mr. O'Leary said the Canadian River/Bishop Creek TMDL Study is focused on point source pollution coming from the Wastewater Treatment Plant in order to determine what our future discharge limits might be from our Wastewater treatment stream. He said this study is required by the State of Oklahoma with Guernsey and Associates preparing the plan for the ODEQ to be completed in December of 2012.

He said Resolution No. R-1011-120 focused on the Stormwater Utility Fee Structure and the notion of flexible planning tools to assist in development of future policies. Short-term pending priorities are:

1. Develop a formal Public Outreach Program to educate the public about the Stormwater Utility and a General Obligation Bond Issue
2. Develop and carry out a strategic work plan for a citizen vote on the proposed Storm Water Utility – Administration and Billing Processes
3. Develop and carry out a strategic work plan for a citizen vote on the proposed General Obligation Bond Program
4. Develop detailed stream modeling
5. Explore ways to improve water quality in Lake Thunderbird by meeting with the City of Moore, City of Oklahoma City, Oklahoma County, and Cleveland County
6. Obtain updates of the Lake Thunderbird Watershed Management Plan and the Canadian River TMDL Plan

Mr. O'Leary said this past year, the Federal Emergency Management Agency (FEMA) selected Norman and Cleveland County for an extensive Hydrology/Hydraulic (H&H) study of Little River that would cost approximately $400,000 with FEMA paying the costs.

He provided a comparative table of what Norman, Oklahoma City, and Moore are doing in terms of erosion control. He said Norman and Moore are both Phase II cities, Oklahoma City is a Phase I city, and Cleveland County is exempt and do not have a program.

He said the short-term pending priorities should be completed in a 12 to 18 month period and remaining long-term pending priorities are either funding based or require additional staff time.

Councilmember Dillingham asked if there had been inquiries about the Wichita/Sedgwick County Stormwater Manual (Wichita Manual). Mr. O'Leary said there had been no inquiries but all systems were in place. He said training for Staff had been completed internally and Mayor Rosenthal said training had also been offered to the development community. Mr. O'Leary said the next step was to explain the process to all outside engineers and developers and that many outside engineers were familiar with the Wichita Manual and were already using it.

Councilmember Kovach said he knew we did not have right-of-way in some of the areas in Imhoff Creek and core Norman and asked if we were reaching out to property owners to donate easements. Mr. O'Leary said approximately 70% of the older streams have been identified that do not have public right-of-way. He said donation is the recommended practice and a "right of access" or right of ingress" is what is usually requested as opposed to an easement document. He said the hope is that the City would eventually have enough funding to do "enhanced maintenance" which is a very aggressive cleaning of drainage channels and a way to gain "right of access" or right of ingress" to these properties. He said the focus right now is the inventory, where are the worst areas, which ones have easements and which ones do not, how many are there, and what would it take to develop legal descriptions and acquire these properties.

Councilmember Dillingham said a number of property owners adjacent to Imhoff Creek were trying to find a way to be first in line with donated right of entries and asked if these same property owners still owned the property in question. Mr. O'Leary said he thought so.

Mr. O'Leary said the first Water Quality Protection Zone application had been received with a Certificate of Survey request in east Norman. He said the applicant had complied completely and voluntarily by shifting the location of their home.

Mayor Rosenthal asked if Mr. O'Leary was looking to Council for guidance on a target date for an election. Mr. O'Leary said the focus now was the storm water utility and Staff has a plan in place but it is a major effort to prepare for an election. He said it was important to give enough information to citizens in order to understand the purpose of a stormwater utility. Councilmember Kovach asked what the timeframe would be. Mr. Lewis said for a program like this it would be at least one year.

Councilmember Griffith asked when the Sutton Wilderness dam would be remediated. Mr. O'Leary said the City had received a notice from the Oklahoma Water Resources Board (OWRB) that this is a "high hazard" dam which means the City has about one year to develop a plan for remedy. He said Staff hopes to bring an engineering contract forward to Council in the next few months. Councilmember Griffith voiced concerns about the condition of the dam because Woodcrest Creek has no access and empties directly into the Lake Thunderbird watershed. He said would like to see the dam remediated as quickly as possible.

Mayor Rosenthal said she felt the citizens should be educated about the Stormwater Utility by conducting open Town Hall meetings. She said citizens could learn what elements go into a utility and provide input on what utility should include. She said she did not want Staff to invest a lot of time on this without having included citizen input. Councilmember Kovach said there were two issues, the water quality of Lake Thunderbird and flooding issues, and it was important to involve the citizens and at the same time educate them of these issues. He said the sooner we start the process, the better. Councilmember Dillingham agreed and wanted to encourage participation in small enough groups to allow citizens to be comfortable to ask questions but that it will be time consuming. Councilmember Kovach said during the Envisioning Process the participants broke out into small groups and this could be done for this process with a facilitator. Mayor Rosenthal said more than one meeting would be needed. Councilmember Dillingham said some of the meetings should be taken to the people who reside in outlying areas.

Councilmember Gallagher asked what the price was estimated for impervious surfaces. Mr. O'Leary said $.002 per square foot of equivalent residential unit (ERU) per month. He said the cost for a typical single family home in Norman would be between $5.50 and $6.80 per month and it was recommended to treat all property owners the same, commercial, residential, and industrial. Councilmember Kovach said it was important to include a low income reduced rate and a reduced rate for cistern systems. He said the public should be informed when a project is paid for with bonds or becomes a capital project. Mr. O'Leary agreed that it was very important to tell the citizens what projects would be done with the fees. Councilmember Gallagher said during the education process,

the fees should be categorized and there should be at least two meetings to allow people to assimilate the information. Councilmember Quinn said there would be businesses who had already taken measures to alleviate flooding who would request some type of consideration for detention areas as well as rain barrels and cisterns. Councilmember Gallagher said it would be a good idea to have a separate meeting for the businesses who have larger footprints because they have different types of expenses from residential customers.

Councilmember Kovach asked if there was an estimate on the costs of maintaining common areas owned by Property Owner Associations. Mr. O'Leary said they had a good number that is built into the budget.

Mayor Rosenthal said additional research might be required to make sure infrastructure that is in place is still functioning correctly and the date that it was installed is not always a good indicator.

Items submitted for the record

1. PowerPoint presentation entitled, "Storm Water Master Plan Action Plan Update," dated August 23, 2011
2. Status Report of the Stormwater Master Plan Action Plan (by milestone) dated August 23, 2011

The meeting adjourned at 6:20 p.m.

ATTEST:

City Clerk

Mayor

RIBBON CUTTING CEREMONY

August 30, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met at 5:00 p.m. at the intersection of Rock Creek Road and Interstate 35 for a ribbon-cutting ceremony on the 30th day of August, 2011, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, and Mayor Rosenthal
ABSENT:	Councilmember Ezzell

RIBBON CUTTING CEREMONY FOR THE ROCK CREEK ROAD BRIDGE LOCATED AT ROCK CREEK ROAD AND I-35 WITH RECEPTION FOLLOWING TO BE HELD AT EMBASSY SUITES HOTEL LOCATED AT 2501 CONFERENCE DRIVE.

City Council, in its meeting of October 28, 2008, approved Contract No. K-0809-75 with the Oklahoma Department of Transportation for construction of the Rock Creek Road Bridge over I-35 with the City of Norman's share of the project being $1,576,000. The Ribbon Cutting Ceremony of the Rock Creek Road Bridge over I-35 was followed by a reception at Embassy Suites Hotel located at 2501 Conference Drive. The Rock Creek Road Project was a collaboration between the City of Norman, Oklahoma, the Oklahoma Department of Transportation. Key Note Speakers for the event were Mayor Cindy Rosenthal, Mr. John Woods, Chief Operating Officer, Norman Chamber of Commerce; Mr. Gary Ridley, Secretary of the Oklahoma Department of Transportation; and Mr. David Streb, Director of the Oklahoma Department of Transportation.

The meeting adjourned at 6:00 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL SPECIAL SESSION MEETING MINUTES

September 6, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:30 p.m. in the Municipal Building Conference Room on the 6th day of September, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Rosenthal
ABSENT:	Councilmember Quinn

Item 1, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 §307(B)(3) TO DISCUSS THE POSSIBLE PURCHASE OF REAL PROPERTY LOCATED AT 101, 113, 115, 116, AND 118 WEST GRAY STREET, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA.

Councilmember Griffith moved that the Special Session be adjourned out of and an Executive Session be convened into in order to discuss the possible purchase of real property located at 101, 113, 115, 116, and 118 West Gray Street, City of Norman, Cleveland County, Oklahoma, which motion was duly seconded by Councilmember Dillingham; and the question being upon adjourning out of the Special Session and convening into an Executive Session in order to discuss the possible purchase of real property located at 101, 113, 115, 116, and 118 West Gray Street, City of Norman, Cleveland County, Oklahoma, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Griffith, Lockett, Spaulding, Mayor Rosenthal
NAYES:	Councilmembers Gallagher and Kovach

The Mayor declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened into in order to discuss the possible purchase of real property located at 101, 113, 115, 116, and 118 West Gray Street, City of Norman, Cleveland County, Oklahoma,

The City Council adjourned into Executive Session at 5:32 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Mr. Blaine Nice, Assistant City Attorney; and Mr. Anthony Francisco, Director of Finance; were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

Thereupon, Councilmember Kovach moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Dillingham; and the question being upon reconvening the Special Session, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Lockett, Kovach, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the Special Session was reconvened at 6:01 p.m.

The Mayor said negotiations regarding the possible purchase of real property located at 101, 113, 115, 116, and 118 West Gray Street, City of Norman, Cleveland County, Oklahoma, were discussed in Executive Session. No action was taken and no votes were cast.

* * * * *

ADJOURNMENT

There being no further business, Councilmember Kovach moved that the meeting be adjourned, which motion was duly seconded by Councilmember Dillingham; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Lockett, Kovach, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 6:02 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL SPECIAL SESSION MINUTES

September 6, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 6:07 p.m. in the Municipal Building Conference Room on the 6th day of September, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Rosenthal
ABSENT:	Councilmember Quinn

The pledge of allegiance was led by Mayor Rosenthal.

* * * * *

Item 3, being:

ORDINANCE NO. O-1112-12: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, STATE OF OKLAHOMA (THE "CITY"), ON THE 8TH DAY OF NOVEMBER, 2011, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF THE ISSUANCE OF THE BONDS OF SAID CITY IN AN AMOUNT NOT TO EXCEED THE SUM OF THREE MILLION, THIRTY-FIVE THOUSAND DOLLARS ($3,035,000) TO BE ISSUED IN SERIES TO PROVIDE FUNDS FOR THE PURPOSE OF CONSTRUCTING, EQUIPPING, FURNISHING, REMODELING AND EXPANDING THE CITY'S ANIMAL SHELTER FACILITIES (INCLUDING RELATED DRAINAGE AND PARKING LOT IMPROVEMENTS), ALL TO BE OWNED EXCLUSIVELY BY THE CITY; AND LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL ON SAID BONDS.

Ordinance No. O-1112-12 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 23, 2011, Councilmember Kovach moved that Ordinance No. O-1112-12 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record
1. Text File No. O-1112-12 dated August 18, 2011, by Anthony Francisco, Director of Finance
2. Ordinance No. O-1112-12

Participants in discussion
1. Major Jim Maisano, Norman Police Department
2. Mr. Anthony Francisco, Director of Finance
3. Mr. Jeff Bryant, City Attorney
4. Mr. Steve Lewis, City Manager
5. Mr. James Fullingim, Fire Chief
6. Mr. Keith Humphrey, Police Chief
7. Mr. Al Atkins, 1613 Sunrise Street, made comments
8. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments
9. Ms. Kathryn Hodges, 1528 Sunset Drive, asked questions
10. Ms. Jeanette Coker, 620 East Main Street, made comments
11. Mr. Andy Golden, 1401 Wandering Oaks Lane, proponent
12. Ms. Sereta Wilson, 909 North Berry Road, proponent
13. Ms. Irene Baltierra, #4 Rustic Hills, proponent
14. Ms. Sandy Wachtstetter, 800 Lexington Avenue, proponent
15. Ms. Sylvia Martin, Post Office Box 430, proponent
16. Ms. Doris Lohnes, 1612 Ridgemont Circle, proponent
17. Mr. Preston Williams, 1321 Abbey Drive, proponent
18. Ms. Carolyn Bertsche, 409 West Daws Street, proponent
19. Ms. Ann Gallagher, 1522 East Boyd Street, proponent
20. Mr. Bobby Stevens, 3801 108th Avenue S.E., proponent
21. Mr. Mark Campbell, 1320 Garfield Avenue, proponent
22. Ms. Joy Hampton, Norman Transcript, asked questions
23. Mr. Steve Lucas, 804 Fairway Drive, proponent
24. Ms. Barbara Schindler, 2000 Morgan Drive, proponent
25. Mr. Mark Howery, 801 Heatherfield Lane, proponent
26. Ms. Kim Fairbanks, 505 Rosedale Drive, proponent
27. Ms. Roswitha Allin, 941 Jona Kay Terrace, proponent
28. Dr. John Otto, 4200 Foxcroft Drive, proponent

Item 3, continued:

and the question being upon adopting Ordinance No. O-1112-12 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-12 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-12 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Dillingham; and the question being upon adopting Ordinance No. O-1112-12 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-12 was adopted upon Final Reading as a whole.

* * * * *

Item 4, being:

RESOLUTION NO. R-1112-31: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF A SPECIAL ELECTION TO BE HELD ON NOVEMBER 8, 2011.

Councilmember Kovach moved that Resolution No. R-1112-31 be adopted, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record
1. Text File No. R-1112-31 dated August 30, 2011, by Brenda Hall, City Clerk
2. Resolution No. R-1112-31

and the question being upon adopting Resolution No. R-1112-31, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-31 was adopted.

* * * * *

Item 5, being:

RESOLUTION NO. R-1112-37: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, DECLARING ITS INTENTION TO IDENTIFY PRIORITIES FOR THE USE OF EXCESS REVENUES FROM THE TEMPORARY PUBLIC SAFETY SALES TAX COLLECTIONS AND DIRECTING THE CITY MANAGER TO TAKE CERTAIN IMMEDIATE STEPS TO MOVE FORWARD WITH PLANNING OF IDENTIFIED PRIORITY PROJECTS.

Councilmember Griffith moved that Resolution No. R-1112-37 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. R-1112-37 dated September 1, 2011, by Jeff Bryant, City Attorney
2. Resolution No. R-1112-37
3. Memorandum dated September 1, from Steve Lewis, City Manager, to Mayor and Councilmembers
4. Letter received August 25, 2011, from James Griffith, Carol Dillingham, and Dan Quinn, requesting adding resolution to agenda of September 6, 2011 with attached sample resolution

Thereupon Councilmember Kovach moved that Resolution No. R-1112-37 be postponed indefinitely, which motion was duly seconded by Councilmember Ezzell;

Participants in discussion
1. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments
2. Ms. Doris Lohnes, 1612 Ridgemont Circle, proponent
3. Mr. Andy Golden, 1401 Wandering Oaks Lane, made comments
4. Mr. Fred Pope, 1501 Navajo Road, made comments
5. Mr. Steve Lucas, 804 Fairway Drive, made comments
6. Mr. Bobby Stevens, 3801 108th Avenue S.E., made comments
7. Ms. Kathryn Hodges, 1528 Sunset Drive, proponent

and the question being upon postponing Resolution No. R-1112-37, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Kovach, Lockett, and Spaulding
NAYES:	Councilmember Dillingham, Griffith, and Mayor Rosenthal

The Mayor declared the motion carried and Resolution No. R-1112-37 was postponed indefinitely.

* * * * *

ADJOURNMENT

There being no further business, Councilmember Dillingham moved that the meeting be adjourned, which motion was duly seconded by Councilmember Griffith; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 10:00 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL CONFERENCE MINUTES

September 13, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:30 p.m. in the Municipal Building Conference Room on the 13th day of September, 2011, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
ABSENT:	Councilmember Spaulding

Item 1, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-172 WITH RED CLIFF, INC., INCREASING THE CONTRACT AMOUNT BY $40,504.88 EXTENDING THE CONTRACT BY 165 CALENDAR DAYS FOR THE RAW WATER LINE PROJECT, PHASE I.

The Norman raw water line conveys water from Lake Thunderbird to the Water Treatment Plant (WTP). The Norman Utilities Authority (NUA) approved Contract No. K-0910-172 with Red Cliff, Inc., on July 27, 2010, in the amount of $3,171,711 for construction of a new 48-inch water line above the existing 33-inch line beginning September 2010, and ending in March 2011. Mr. Chris Mattingly, Utilities Superintendent, said an oversight in the contract did not capture the intended length of the project time as agreed in the mandatory pre-bid conference and all bidders had stated the project needed to be at least 270 days for completion rather than the standard 180 days so Staff included and addendum as part of he bid documents to address the timeline; however, that did not get carried over onto the contract for execution and Change Order No. One includes the additional days.

Mr. Mattingly said the change order also addresses another problem discovered during construction. He said the raw water line was not located as shown on documented plans provided by the Bureau of Reclamation and this error required the contractor to provide reverse thrust blocking efforts. He said the thrust blocks required more concrete and steel. He said Staff negotiated with the contractor and agreed upon the amount of $40,504.88 for the additional work.

Mr. Mattingly said final tie-ins to the City's line will require the water supply to be shut down and Staff did not want this done in the midst of the drought during peak demand so Staff requested the contractor come back in November to finish that portion of the project at no additional costs to the City.

Councilmember Griffith asked what a thrust block is and Mr. Mattingly said lines are pushed together and whenever the line meets an "angle" or "bend" it will cause the line to shift and blow off so a piece of concrete is placed behind the bend to keep that from occurring.

Mayor Rosenthal asked if the Bureau of Reclamation maps were the most current available and Mr. Mattingly said yes, they are 1960 plans when the 33-inch raw water line was originally installed. Councilmember Gallagher asked if the old line, underneath the newly constructed line, would be a functional line and Mr. Mattingly said yes, Staff is keeping that line in place for possible future use.

Items submitted for the record

1. Text File No. K-0910-172, Change Order No. One, dated August 29, 2011, by Chris Mattingly, Utilities Superintendent
2. Change Order No. One to Contract No. K-0910-172

Item 2, being:

DISCUSSION REGARDING CEDAR LANE ROAD WIDENING AND RECONSTRUCTION PROJECT ACCOMMODATION FOR BICYCLISTS.

Mr. Shawn O'Leary, Director of Public Works, introduced Mr. Bill Swain of Cardinal Engineering, the company contracted to design the Cedar Lane Road Project. He said Staff needs direction from Council on what to do about bicycle lanes. He said there had been a general consensus at the Council Community Planning and Transportation Committee meeting in August, but the Committee felt it should be presented to the entire Council before a final decision was made. He said there is precedence setting aspect to the decision as this would be the first arterial road design project with proposed bicycle lanes in the paved area instead of separate bicycle lanes.

Mr. Angelo Lombardo, Traffic Engineer, said Council adopted Resolution No. R-0809-97 on January 27, 2009, requesting federal funds to pay for 80% of the cost of the Cedar Lane widening and reconstruction and on February 9, 2010, Council adopted Resolution No. R-0910-88 requesting an amendment to the Oklahoma City Area Regional Transportation (OCART) Plan designating Cedar Lane Road as a four-lane urban arterial roadway. He said on October 10, 2010, Council adopted Resolution No. R-1011-55 revising Norman's Bike Route Map as recommended by the Norman Bicycle Advisory Committee (BAC) which features the re-introduction of bike lanes along several city streets and on November 8, 2010, the BAC unanimously approved support for the inclusion of bike lanes in the project. Mr. Lombardo said Council approved Contract No. K-1011-135 with Cardinal Engineering on February 8, 2011, for design of the Cedar Lane Project, which will widen Cedar Lane to four lane urban arterial standards with curb and gutter, sidewalks, and storm sewer system.

Mr. Lombardo said bike lanes accomplish the following:

- Support and encourage bicycling as a means of transportation;
- Help define road space;
- Promote a more orderly flow of traffic;
- Encourage bicyclists to ride in the correct direction, with flow of traffic;
- Give bicyclists a clear place to be so they are not tempted to ride on the sidewalk;
- Remind motorists to look for cyclists when turning or opening car doors;
- Signal motorists that cyclists have the right to the road;
- Reduce the change that motorists will stray into cyclists' path of travel;
- Make it less likely that passing motorists swerve toward opposing traffic; and
- Decrease the stress level of bicyclists riding in traffic

Mr. Lombardo said Cedar Lane was chosen for the project because it is identified as a bike route in Norman's Bicycle Transportation Plan; recent development in the area will draw people that are likely to bike; recent improvements in the area have elevated the quality of the bicycle transportation system; the proximity to the University of Oklahoma (OU), which is the greatest generator of bicycle traffic; consistent with the regional multimodal transportation vision in Encompass 2025; connection to recently improved bike lanes serving several apartment complexes with high college student occupancy; and supports recent designation of Norman as a Bicycle Friendly Community by the League of American Bicyclists.

Mr. Lombardo said, from a regional perspective, having transportation options above and beyond what can be done with a car is an important element of the Encompass 2025 Plan. He said a recent survey indicated bike paths and lanes ranked higher that the expansion of Amtrak and the construction of more sidewalks. He said an Encompass 2025 option is to expand regional bicycle and pedestrian networks to continue to build a safe, coordinated network that is a healthy and environmentally friendly alternative.

Mr. Lombardo said the BAC has been working toward getting Norman recognized as a bicycle friendly community. He said application has been submitted three times and Norman has made the Bronze Level status and is only the second City in Oklahoma to achieve that with Tulsa being the first. Norman gained Bronze Level status because it puts a strong emphasis on keeping cyclists safe and educating its youth; has broad support for policies and programs suggested by the BAC, citizens, and new ideas are always encouraged; has hired an engineering firm to design the first phase of a ten mile multi-modal path along State Highway 9 that will connect urban Norman to rural east Norman; adopted a three foot passing law as a City ordinance so it can be enforced at a Municipal Court level; sponsors Safety Town classes annually during the month of June for children under the age of six; and has numerous bike clubs and groups that offer weekly group rides and annual road races and mountain bike trail competitions. He said Norman's most compelling accomplishment is the creation of a pilot program in a few areas of town to demonstrate the need for and use of bike lanes in the City.

Staff is requesting permission to move forward with the design of the Cedar Lane Project with the contingency that the Bicycle Transportation Plan needs to be amended to illustrate that this roadway will not be a "share the road" bicycle route, but will have integrated bike lanes. Also, designate portions of 12th Avenue S.E. to Highway 9 and Oak Tree Avenue from 12th Avenue S.E. to Constitution Street as bike lanes in the plan. He said the BAC is working on adding several collector streets that need to be recognized as bike routes and the BAC wants to bring all of those forward for one plan amendment.

Mr. Lombardo highlighted the costs for bike lanes and savings through federal funds. He said a four lane roadway with five foot sidewalks on both sides costs approximately $1,190,400; four lanes with a ten foot wide multimodal path on both sides costs $1,228,600; and four lanes with five foot wide sidewalks and five foot wide bicycle lanes on both sides of the road costs $1,241,000. He said bicycle path projects are eligible for federal funds so the City is only responsible for the 20% construction share. Four lanes with 10 foot multimodal paths on both sides would cost $38,200 more and four lanes with five foot sidewalks and five foot bicycle lanes would cost an additional $50,600.

Councilmember Kovach asked if there would be connectivity on Constitution Street and Mr. Lombardo said there are no current plans, but that could be pursued in the future. Councilmember Kovach asked if there was capacity in the Bicycle Master Plan (BMP) to designate areas that need to be connected for future use and Mr. Lombardo said, yes the BAC is working on that as well.

Councilmember Lockett asked if Staff had a traffic count on 12th Avenue and Mr. Lombardo said yes, Staff is putting that that information together for Council.

Mayor Rosenthal and Councilmembers Dillingham, Kovach, Quinn, and Griffith all agreed that it would be beneficial for the safety of cyclists as well as pedestrians and motorists to move forward with the project as recommended by Staff. Councilmember Kovach said there have been several accidents involving vehicles and cyclists, one included a Norman firefighter. He said there is a huge demand from the public for separated bike lanes or marked paths. Councilmember Dillingham said large companies looking at Norman as a possible place to relocate, bike paths and sidewalks are a huge consideration for them in making that decision. Councilmember Gallagher asked about the timeline for acquiring federal funds and was concerned the economy would affect funding and Mr. Lombardo said typically, policy makers look at money for transportation as a way to help the economy and metropolitan areas are getting more funding for transportation funding especially multimodal projects.

Ms. Joy Hampton, The Norman Transcript, asked if bicycles will be prohibited from riding on sidewalks in areas where bike lanes are marked and Mr. Lombardo said bicycles are allowed on sidewalks unless there are signs prohibiting them. Mr. O'Leary said bicycles would not be prohibited on sidewalks even if there are marked bike lanes. Councilmember Kovach said if bicycle lanes are available, bicyclists should be encouraged to stay off the sidewalks. Councilmember Griffith felt that parents would not want their children riding along the roadway and Mr. O'Leary agreed and said there needs to be a balance and could be brought forward for future consideration.

Items submitted for the record

1. PowerPoint presentation entitled *"Cedar Lane Road Widening and Reconstruction Project Accommodation for Bicyclists,"* City Council Conference, dated September 13, 2011

The meeting adjourned at 6:15 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL MINUTES
NORMAN UTILITIES AUTHORITY MINUTES
NORMAN MUNICIPAL AUTHORITY MINUTES
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES

September 13, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 13th day of September, 2011, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
ABSENT:	Councilmember Spaulding

The Pledge of Allegiance was led by Mayor Rosenthal.

* * * * *

Item 3, being:

CONSIDERATION OF APPROVAL OF MINUTES AS FOLLOWS:

CITY COUNCIL SPECIAL SESSION MINUTES OF AUGUST 16, 2011
CITY COUNCIL FINANCE COMMITTEE MINUTES OF AUGUST 17, 2011
CITY COUNCIL MINUTES OF AUGUST 23, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 23, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 23, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 23, 2011
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF AUGUST 24, 2011

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. City Council Special Session minutes of August 16, 2011
2. City Council Finance Committee minutes of August 17, 2011
3. City Council minutes of August 23, 2011
4. Norman Utilities Authority minutes of August 23, 2011
5. Norman Municipal Authority minutes of August 23, 2011
6. Norman Tax Increment Finance Authority minutes of August 23, 2011
7. City Council Community Planning and Transportation Committee minutes of August 24, 2011

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

* * * * *

Item 4, being:

PROCLAMATION NO. P-1112-1: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, OCTOBER 2, 2011, AS CROP HUNGER WALK DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-1 proclaiming Sunday, October 2, 2011, as Crop Hunger Walk Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. P-1112-1 dated July 5, 2011
2. Proclamation No. P-1112-1

Participants in discussion
1. Mr. Ed Kearns accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-1 proclaiming Sunday, October 2, 2011, as Crop Hunger Walk Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-1 proclaiming Sunday, October 2, 2011, as Crop Hunger Walk Day in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 5, being:

PROCLAMATION NO. P-1112-4: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF SEPTEMBER 11 THROUGH 17, 2011, AS NATIONAL ASSISTED LIVING WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-4 proclaiming the week of September 11 through 17, 2011, as National Assisted Living Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. P-1112-4 dated August 26, 2011
2. Proclamation No. P-1112-4

and the question being upon acknowledging receipt of Proclamation No. P-1112-4 proclaiming the week of September 11 through 17, 2011, as National Assisted Living Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-4 proclaiming the week of September 11 through 17, 2011, as National Assisted Living Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 6, being:

PROCLAMATION NO. P-1112-5: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF SEPTEMBER 17 THROUGH 23, 2011, AS CONSTITUTION WEEK IN THE CITY OF NORMAN.

Councilmember Dillingham moved that receipt of Proclamation No. P-1112-5 proclaiming the week of September 17 through 23, 2011, as Constitution Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record
1. Text File No. P-1112-5 dated August 30, 2011
2. Proclamation No. P-1112-5

Participants in discussion
1. Ms. Sara Myers Poole, Registrar of the Black Beaver Chapter of the Daughters of the American Revolution, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-5 proclaiming the week of September 17 through 23, 2011, as Constitution Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-5 proclaiming the week of September 17 through 23, 2011, as Constitution Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 7, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 8 through Item 35 excluding Item 12 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 86 through Item 35 excluding Item 12, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 8 through Item 35 excluding Item 12 were placed on the consent docket by unanimous vote.

* * * * *

Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1011-51 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-0506-3 AND TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-51 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1011-51 dated March 22, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-51
3. Site development plan
4. Location map
5. Staff Report dated April 14, 2011, recommending approval
6. PUD Narrative for Commerce Parkway Addition dated June 13, 2005, with revision dates of June 24, 2005; June 7, 2010; March 14, 2011; and April 8, 2011
7. Pertinent excerpts from Planning Commission minutes of April 14, 2011
8. Pertinent excerpts from Norman Board of Parks Commissioners minutes of April 7, 2011
9. Notice that additional protest letters have been filed as of printing of the September 13, 2011, agenda book
10. Protest area map containing 5.6% protest within the notification area
11. Letter of protest filed August 19, 2011, from Jerry W. Meek, President, Hidden Lake, Section 2, Homeowners Association
12. Letters of protest filed June 27, 2011, from Marcia Ashley and August 19, 2011, from Ron and Marcia Ashley
13. Four letters of protest filed (1) June 27, 2011, and (3) August 19, 2011, from Major and Loveta Morrow for three separate lots
14. Two letters of protest filed August 19, 2011, from Thomas Parker for two separate lots
15. Letter of protest filed August 19, 2011, from Albert Lane
16. Letter of protest filed August 19, 2011, from Stephanie Percival Puckett
17. Letter of protest filed August 19, 2011, from Mohammed Islam
18. Letter of protest filed June 29, 2011, from Steven and Kelly Boyd
19. Letter of protest filed June 29, 2011, from Sadie Willmon-Haque for two separate lots
20. Letter of protest filed June 29, 2011, from Hogi Haque for two separate lots
21. Letters of protest filed June 28, 2011, and September 24, 2011, from Ron and Sheila Gibson
22. Letter of protest filed August 19, 2011, from Darlene R. and Carl Amburn for two separate lots
23. Letter of protest filed August 19, 2011, from Bobbie Smallwood for two separate lots
24. Letter of protest filed July 5, 2011, from Jonathan and Margaret Dobbs
25. Letter of protest filed August 19, 2011, from Cynthia and Chris Womack
26. Letter of protest filed August 19, 2011, from Dot Wells
27. Letters of protest filed August 19, 2011, for two separate lots from Clinton Walker
28. Letter of protest filed August 19, 2011, from Barrett Tomas Husted
29. Letter of protest filed August 19, 2011, from Alexis Stinnett
30. Letter of protest filed August 19, 2011, from Louis W. Ball
31. Letter of protest filed August 19, 2011, from Justin Kammerer for two separate tracts
32. Letter of protest filed August 19, 2011, from Larry Don Fowler
33. Letter of protest filed July 5, 2011, from W.D. Smallwood to Norman Planning Commission
34. Letter of protest filed July 5, 2011, from Wanda Smallwood to Norman Planning and Community Development Department
35. Letter of protest filed July 27, 2011, from Charles and Barbara Smallwood to Planning and Development
36. Letter of protest filed June 27, 2011, from Jan Nelson
37. Letter of protest filed June 27, 2011, from Peggy Ritchie

Item 8, continued:

Items submitted for the record, continued:

38. Letter of protest filed June 28, 2011, from Logan Dunbar
39. Letter of protest filed June 28, 2011, from Paul E. and Katherine Traugh
40. Letter of protest filed June 28, 2011, from Jerry and Reba Schweizerhof
41. Letter of protest filed June 28, 2011, from Dan M. and Carolyn Reynolds
42. Letter of protest filed June 29, 2011, from Velma Wells
43. Letter of protest filed June 29, 2011, from R.F. and Josephine Jaronek
44. Letter of protest filed July 6, 2011, from Victor Jaronek
45. Letter of protest filed June 23, 2011, from Ron Woffard
46. Letter of protest filed June 29, 2011, from Willie and Dorris Long
47. Letter of protest filed June 30, 2011, from Wayne and Laura Bentley
48. Letter of protest filed July 5, 2011, from Jeff McKee
49. Letter of protest filed July 5, 2011, from Virgil Votaw
50. Two letters of protest filed July 11, 2011, from Noel Suddath
51. Letter of protest filed June 27, 2011, from Terry Luetkemeyer
52. Letter of protest filed June 28, 2011, from illegible name
53. Letter of protest filed July 20, 2011, from Rick Davenport
54. Letter of protest filed July 22, 2011, from Richard G. Manley
55. Letter of protest filed August 8, 2011, from Charles Simonds
56 Letter of protest filed August 19, 2011, from Debra K. Frampton
57. Letter of protest filed August 19, 2011, from Ron A. Frampton
58. Letter of protest filed August 19, 2011, from Kyle W. Muse
59. Letter of protest filed August 19, 2011, from Jerry W. Meek
60. Letter of protest filed August 19, 2011, from Rachelle Muse

and the question being upon the Introduction and adoption of Ordinance No. O-1112-51 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-51 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 9, being:

ORDINANCE NO. O-1011-55: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN CO, SUBURBAN OFFICE COMMERCIAL DISTRICT; RM-2, LOW DENSITY APARTMENT DISTRICT; C-2, GENERAL COMMERCIAL DISTRICT; RM-6, MEDIUM DENSITY APARTMENT DISTRICT; R-1, SINGLE FAMILY DWELLING DISTRICT; AND PL. PARKLAND DISTRICT, AND REMOVE THE SAME FROM A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD WEST OF 36TH AVENUE N.W.)

Councilmember Kovach moved that Ordinance No. O-1011-55 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1011-55 dated April 14, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-55
3. Site development plan
4. Location map
5. Staff Report dated July 14, 2011, recommending approval
6. Pertinent excerpts from Planning Commission minutes of July 14, 2011
7. Pertinent excerpts from Norman Board of Parks Commissioners minutes of June 2, 2011

Item 9, continued:

Items submitted for the record, continued

8. Notice that additional protest letters have been filed as of printing of the September 13, 2011, agenda book
9. Protest area map containing 32.2% protest within the notification area
10. Three Letters of protest filed May 17, May 23, and August 19, 2011, from Dot Wells to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
11. Letter of protest filed June 1, 2011, from Randolph R. and Teresa A Phillips
12. Three letters of protest filed June 2, June 6, and August 19, 2011, from John Nail to Whom It May Concern and Norman City Council
13. Three letters of protest filed June 3, July 19, and July 21, 2011, from Ron Ashley to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
14. Letter of protest filed August 19, 2011, from Ron and Marcia Ashley
15. Letter of protest receive June 6, 2011, from Sheila R. Benson, Edmonds Cole Law Firm, to Whom it May Concern
16. Two letters of protest filed June 6 and July 11, 2011, from Christel Van Tuyle to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
17. Letter of protest filed June 6, 2011, from Bob Stoops to Norman Planning Commission
18. Letter of protest filed June 6, 2011, from Donald Milton Davis to Doug Koscinski, Planning and Community Development
19. Two Letters of protest receive June 6 and June 17, 2011, from Justin Beddo, Resident and Investment Owner, to Planning and Community Development Department
20. Letter of protest filed June 7, 2011, from Robert and Sharron Ashton to Douglas J. Koscinski, AICP, City of Norman
21. Letter of protest filed July 8, 2011, from John Hamlin to City of Norman
22. Letter of protest filed August 19, 2011, from Timothy W. Eaton, Ph.D., Hillsdale President/Norman Citizen, to City of Norman City Clerk
23. Four letters of protest filed May 26, August 19 (3), and August 24, 2011, from Bobbie Smallwood to Douglas J. Koscinski, AICP, Manager, Current Planning Division for two separate lots
24. Letter of protest filed May 31, 2011, from Marcia Ashley to Douglas J. Koscinski, AICP, Manager Current Planning Division
25. Two letters of protest filed August 19, 2011, from Barrett Tomas Husted to Douglas J. Koscinski, AICP, Manager Current Planning Division
26. Letter of protest filed August 8, 2011, from Charles Simonds, Jr., to Douglas J. Koscinski, AICP, Manager, Current Planning Division
27. Letter of protest filed August 19, 2011, from Alexis Stinnett to Douglas J. Koscinski, AICP, Manager, Current Planning Division
28. Two letters of protest filed August 19, 2011, for two separate lots from Clinton Walker to Douglas J. Koscinski, AICP, Manager, Current Planning Division
29. Two letters of protest filed August 19, 2011, from Louis W. Ball to Douglas J. Koscinski, AICP, Manager, Current Planning Division
30. Two letters of protest filed August 19, 2011, from Justin Kammerer to Douglas J. Koscinski, AICP, Manager, Current Planning Division for two separate lots
31. Four letters of protest dated May 18 and August 19, 2011, (3) from Darlene Amburn to Douglas J. Koscinski, AICP, Manager, Current Planning Division
32. Letter of protest filed June 2, 2011, from Richard G. and Dorothy L. Manley to Douglas J. Koscinski, AICP, Manager, Current Planning Division
33. Letter of protest filed July 22, 2011, from Richard G. Manley, to Douglas J. Koscinski, AICP, Manager, Current Planning Division
34. Letter of protest filed June 6, 2011, from Maggie Dobbs to Douglas J. Koscinski, AICP, Manager, Current Planning Division
35. Letter of protest filed June 2, 2011, from Sadie Willmon-Haque to Douglas J. Koscinski, AICP, Manager, Current Planning Division
36. Letter of protest filed July 1, 2011, from Henry Wundburger to Douglas J. Koscinski, AICP, Manager, Current Planning Division
37. Letter of protest filed June 13 2011, from Rick and Teresa Davenport to Douglas J. Koscinski, AICP, Manager, Current Planning Division
38. Letter of protest filed June 6, 2011, from Greg and Dana Rushing to Douglas J. Koscinski, AICP, Manager, Current Planning Division
39. Letter of protest filed June 3, 2011, from Louis Bertoletti to Douglas J. Koscinski, AICP, Manager, Current Planning Division
40. Letter of protest filed June 3, 2011, from Trina Bertoletti to Douglas J. Koscinski, AICP, Manager, Current Planning Division
41. Four letters of protest filed June 1 and August 19, 2011, (3) from Major and Loveta Morrow to Douglas J. Koscinski, AICP, Manager, Current Planning Division

Item 9, continued:

Items submitted for the record, continued

42. Letter of protest filed June 6, 2011, from Michael C. and Logan Dunbar to Douglas J. Koscinski, AICP, Manager, Current Planning Division
43. Letter of protest filed June 6, 2011, from Martha Jones to Douglas J. Koscinski, AICP, Manager, Current Planning Division
44. Letter of protest filed June 6, 2011, from David Krueger to Douglas J. Koscinski, AICP, Manager, Current Planning Division
45. Letter of protest filed May 31, 2011, from Wayne and Laura Bentley to Douglas J. Koscinski, AICP, Manager, Current Planning Division
46. Letter of protest filed June 6, 2011, from Troy Davis to Douglas J. Koscinski, AICP, Manager, Current Planning Division
47. Letter of protest filed June 6, 2011, from Kevin B. Castleman to Douglas J. Koscinski, AICP, Manager, Current Planning Division
48. Letter of protest filed June 8, 2011, from Dale and Wanda Smallwood to Douglas J. Koscinski, AICP, Manager, Current Planning Division
49. Letter of protest filed June 6, 2011, from Carolyn and Dan Reynolds to Douglas J. Koscinski, AICP, Manager, Current Planning Division
50. Letter of protest filed June 6, 2011, from Renee Owen, Heldenbrand Trust, to Douglas J. Koscinski, AICP, Manager, Current Planning Division
51. Letter of protest filed June 6, 2011, from Velma J. Wells to Douglas J. Koscinski, AICP, Manager, Current Planning Division
52. Letter of protest filed June 7, 2011, from Eugene Deal to Douglas J. Koscinski, AICP, Manager, Current Planning Division
53. Letter of protest filed June 6, 2011, from Chad Williamson to Douglas J. Koscinski, AICP, Manager, Current Planning Division
54. Letter of protest filed June 6, 2011, from Joseph Randel Nelson and Janis R. Nelson Sharp to Douglas J. Koscinski, AICP, Manager, Current Planning Division
55. Letter of protest filed May 31, 2011, from James E. and Syble C. Polk to Douglas J. Koscinski, AICP, Manager, Current Planning Division
56. Letter of protest filed May 31, 2011, from Debra and Aaron Mauterer to Douglas J. Koscinski, AICP, Manager, Current Planning Division
57. Letter of protest filed May 31, 2011, from Jerry Mae and Sue Kirk to Douglas J. Koscinski, AICP, Manager, Current Planning Division
58. Letter of protest filed May 23, 2011, from Reba M. Schweizerhof to Douglas J. Koscinski, AICP, Manager, Current Planning Division
59. Letter of protest filed May 20, 2011, from Mrs. Opal L. Followwill to Douglas J. Koscinski, AICP, Manager, Current Planning Division
60. Letter of protest filed May 27, 2011, from Robert A. Hendrick to Douglas J. Koscinski, AICP, Manager, Current Planning Division
61. Letter of protest filed June 2, 2011, from Don and Kathy Ross to Douglas J. Koscinski, AICP, Manager, Current Planning Division
62. Letter of protest filed June 2, 2011, from Jeff and Shawnda Zehr to Douglas J. Koscinski, AICP, Manager, Current Planning Division
63. Letter of protest filed June 2, 2011, from Peggy A. and Don Ritchie to Douglas J. Koscinski, AICP, Manager, Current Planning Division
64. Letter of protest filed June 2, 2011, from Lindle Coleman to Douglas J. Koscinski, AICP, Manager, Current Planning Division
65. Letter of protest filed June 2, 2011, from Ron and Terri Wofford to Douglas J. Koscinski, AICP, Manager, Current Planning Division
66. Letter of protest filed June 1, 2011, from Noel Suddath to Douglas J. Koscinski, AICP, Manager, Current Planning Division
67. Letter of protest filed June 1, 2011, from Dwight Shropshire to Douglas J. Koscinski, AICP, Manager, Current Planning Division
68. Letter of protest filed June 1, 2011, from Melvin Thomas to Douglas J. Koscinski, AICP, Manager, Current Planning Division
69. Letter of protest filed June 1, 2011, from Paul E. and Katherine Traugh to Douglas J. Koscinski, AICP, Manager, Current Planning Division
70. Letter of protest filed June 1, 2011, from Randolph R. and Teresa A. Phillips to Douglas J. Koscinski, AICP, Manager, Current Planning Division
71. Letter of protest filed June 1, 2011, from Virgil R. and Hilde M. Votaw to Douglas J. Koscinski, AICP, Manager, Current Planning Division
72. Letter of protest filed May 31, 2011, from Mr. and Mrs. Jerald Kliewer to Douglas J. Koscinski, AICP, Manager, Current Planning Division
73. Letter of protest filed May 27, 2011, from Willie and Dorris Long to Douglas J. Koscinski, AICP, Manager, Current Planning Division
74. Letter of protest filed August 19, 2011, from Carl Amburn

Item 9, continued:

Items submitted for the record, continued

75. Four letters of protest dated August 19, 2011, from Thomas Parker for two separate lots
76. Three letters of protest dated June 6 and (2) August 19, 2011, from Jerry W. Meek to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
77. Letter of protest dated June 6, 2011, from Kenny Ritchie to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
78. Letter of protest dated June 6, 2011, from Tiffani Ritchie to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
79. Two letters of protest dated June 6 and August 19, 2011, from Kyle Muse to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
80. Letter of protest dated June 6 and August 19, 2011, from Rachelle Muse to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
81. Letter of protest dated June 6, 2011, from Keith and Ashleigh Muse to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
82. Letter of protest dated June 6, 2011, from Laurie Nunno to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
83. Two letters of protest filed June 6 and August 19, 2011, from Debra K. Frampton to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
84. Letter of protest filed August 19, 2011, from Ron A. Frampton
85. Letter of protest dated June 6, 2011, from Richard F. Sigal to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
86. Letter of protest filed June 6, 2011, from Mary Sigal to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
87. Letter of protest filed June 6, 2011, from Talisha Fogel to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
88. Letter of protest filed June 6, 2011, from Tony Jones to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
89. Letter of protest dated June 6, 2011, from William B. Moody to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
90. Letter of protest filed June 6, 2011, from Nanci Ramos to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
91. Letter of protest filed June 6, 2011, from Dan Ramos to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
92. Letter of protest filed June 6, 2011, from Kim Masters to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
93. Letter of protest filed June 6, 2011, from Debbie Combs to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
94. Letter of protest filed June 6, 2011, from Adrian E. Savage to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
95. Letter of protest filed June 6, 2011, from Kelley Thomas to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
96. Letter of protest filed June 6, 2011, from David and Eva Saffer to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
97. Letter of protest filed June 6, 2011, from Dave Shannon to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
98. Letter of protest dated June 6, 2011, from John W. Bowland to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
99. Letter of protest filed June 6, 2011, from Sheila Clifton to Mr. Douglas J. Koscinski, AICP, Manager, Current Planning Division
100. Letter of protest filed August 19, 2011, from Kathy Jo Kindler
101. Two letters of protest filed August 19, 2011, from Chris Womack
102. Two letters of protest filed August 19, 2011, from Albert Lane
103. Letter of protest filed August 19, 2011, from Mohammed Islam
104. Letter of protest filed August 19, 2011, from Stephanie Percival Puckett
105. Letter of protest filed August 24, 2011, from Larry Don Fowler

and the question being upon the Introduction and adoption of Ordinance No. O-1011-55 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1011-55 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 10, being:

ORDINANCE NO. O-1112-10: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION NOS. 2-112, 2-113, 2-114, 2-115, 2-116, 2-117, 2-118 AND 2-119 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN SO AS TO REVISE THE DESCRIPTION OF WARD BOUNDARY LINES FOR WARDS ONE, TWO, THREE, FOUR, FIVE, SIX, SEVEN AND EIGHT OF THE CITY OF NORMAN; SO AS TO PROVIDE FOR THE REPEALING OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-10 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-1112-10 dated August 30, 2011, by Joyce Green, GIS Services Manager
2. Ordinance No. O-1112-10 with Exhibit A, proposed ward map
3. Legislatively notated copy of Ordinance No. O-1112-10
4. Resolution No. RCR-1112-1 with Exhibit A, proposed ward map
5. Proposed wards by population
6. Pertinent excerpts from Reapportionment Commission minutes of August 17 and August 29, 2011

Participants in discussion
1. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, protestant

and the question being upon the Introduction and adoption of Ordinance No. O-1112-10 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-10 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 11, being:

ORDINANCE NO. O-1112-14: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADDING ARTICLE V. COMPRESSED NATURAL GAS, SECTION 2-501 TO CHAPTER 2, OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR THE PRICING OF COMPRESSED NATURAL GAS OFFERED TO OTHER GOVERNMENTAL ENTITIES AND THE GENERAL PUBLIC; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-14 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-1112-14 dated September 6, 2011, by Leah Messner, Assistant City Attorney
2. Ordinance No. O-1112-14
3. Legislatively notated copy of Ordinance No. O-1112-14

and the question being upon the Introduction and adoption of Ordinance No. O-1112-14 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-14 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 12, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

ANIMAL WELFARE OVERSIGHT COMMITTEE
JAYNE CRUMPLEY, 423 ELM AVENUE

BICYCLE ADVISORY COMMITTEE
TERM: 09-13-11 TO 02-13-15: THOMAS WOODFIN, 232 NESS DRIVE

ENFORCEMENT AUTHORITY
TERM: 09-13-11 TO 09-01-13: ELIZABETH WINDES, 1862 ROLLING HILLS
TERM: 09-01-11 TO 09-01-14: RICHARD HILBERT 529 GARLAND COURT
TERM: 09-01-11 TO 09-01-14: NINA FLANNERY, 428 ELM AVENUE

ENVIRONMENTAL CONTROL ADVISORY BOARD
TERM: 09-13-11 TO 10-27-12: DARREN ALEXANDER, 1132 SPARROW HAWK DRIVE
TERM 09-13-11 TO 10-27-13: LINDA GOERINGER, 824 S. FLOOD AVENUE
TERM: 09-13-11 TO 10-27-14: AMANDA NAIRN, 1629 WILDERNESS DRIVE

GREENBELT COMMISSION
TERM: 07-13-11 TO 07-13-14: MARY PETERS, 1126 LOIS STREET
TERM: 09-13-11 TO 07-13-14: MARK KRITTENBRINK, 423 W. EUFAULA STREET

HISTORIC DISTRICT COMMISSION
TERM: 09-13-11 TO 10-26-12: DAVID JOHN, 410 SOUTH PETERS AVENUE
TERM: 10-26-11 TO 10-26-14: RUSSELL KAPLAN, 4503 CHUKKAR COURT
TERM: 10-26-11 TO 10-26-14: RANGAR CLINE, 620 MILLER AVENUE
TERM: 10-26-11 TO 10-26-14: ANAIS STARR, 1230 WEST BROOKS STREET

NORMAN REGIONAL HOSPITAL AUTHORITY
TERM: 10-31-11 TO 10-31-14: MARYANNE MALETZ, 705 WESTRIDGE TERRACE
TERM: 10-31-11 TO 10-31-14: RUSS MCREYNOLDS, #5 MOCKINGBIRD COURT
TERM: 10-31-11 TO 10-31-14: ROBIN WIENS CAMPBELL, 3805 CHAMBERLYNE WAY

PUBLIC ARTS BOARD
TERM: 10-23-11 TO 10-23-14: JANA MORING, 429 WEST COMANCHE STREET

SOCIAL AND VOLUNTARY SERVICES
TERM: 09-13-11 TO 12-09-13: BASHA HARTLEY, 6351 CORKY DRIVE

Councilmember Griffith moved that the appointments be confirmed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record
1. Text File No. AP-1112-7 dated August 30, 2011, by Brenda Hall, City Clerk

Thereupon, Councilmember Kovach moved that the appointments be postponed until September 27, 2011, which motion was duly seconded by Councilmember Gallagher;

Thereupon, Councilmember Kovach withdrew his motion with concurrence from the second.

and the question being upon confirming the appointments, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the appointments were confirmed.

* * * * *

Item 13, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE WASTEWATER OVERSIGHT COMMITTEE ANNUAL REPORT AS OF JUNE 30, 2011.

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. RPT-1112-4 dated August 4, 2011, by Suzanne Krohmer, Budget Manager
2. The City of Norman Wastewater Oversight Committee Annual Report as of June 30, 2011
3. Citizen's Wastewater Oversight Committee Meeting minutes of July 19, 2011

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

* * * * *

Item 14, being:

CONSIDERATION AND AWARDING OF BID NO. 1112-04 FOR THREE (3) TRAFFIC SIGNAL CONTROLLER & CABINET ASSEMBLIES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that the bid as meeting specifications be accepted and the bid in the amount of $15,032.33 each for a total bid price of $45,127 be awarded to Mid-American Signal, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-04 dated August 8, 2011, by Gary Jennings, Traffic Control Supervisor
2. Bid tabulation for three (3) controller and cabinet assemblies

and the question being upon accepting the bid as meeting specifications and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the bid as meeting specifications accepted; and the bid in the amount of $15,032.33 each for a total bid price of $45,127 was awarded to Mid-American Signal, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 15, being:

CONSIDERATION AND AWARDING OF BID NO. 1112-05 FOR THE INSTALLATION AND MAINTENANCE OF PAVEMENT MARKINGS FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that all bids meeting specifications on Section 1 be accepted and the bid be awarded to Roadsafe Traffic Systems, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-05 dated August 8, 2011, by Gary Jennings, Traffic Control Supervisor
2. Bid tabulation for hot applied thermoplastic pavement markings

and the question being upon accepting all bids meeting specifications on Section 1 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications on Section 1 accepted; and the bid was awarded to Roadsafe Traffic Systems, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Section 2 be accepted and the bid be awarded to Direct Traffic Control as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-05 dated August 8, 2011, by Gary Jennings, Traffic Control Supervisor
2. Bid tabulation for raised pavement parkers – Class C

and the question being upon accepting all bids meeting specifications on Section 2 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications on Section 2 accepted; and the bid was awarded to Direct Traffic Control as the lowest and best bidder meeting specifications.

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Item 16, being:

CONSIDERATION AND AWARDING OF BID NO. 1112-09 FOR THE PURCHASE OF FLUORESCENT TRAFFIC CONES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid in the amount of $9.90 per cone be awarded to Barco Municipal Products, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-09 dated August 15, 2011, by Gary Jennings, Traffic Control Supervisor
2. Bid tabulation for fluorescent traffic cones

Item 16, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of $9.90 per cone was awarded to Barco Municipal Products, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 17, being:

CONSIDERATION AND AWARDING OF BID NO. 1112-15 FOR THE PURCHASE OF TWENTY (20) 2 CUBIC YARD FRONT-LOAD CONTAINERS, AND EIGHTY (80) 8 CUBIC YARD FRONT-LOAD CONTAINERS FOR THE SANITATION DIVISION.

Acting as the Norman Municipal Authority, Trustee Kovach moved that all bids meeting specifications be accepted and the bid in the amount of $77,600 be awarded to Roll-Offs USA as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Griffith;

Items submitted for the record
1. Text File No. BID-1112-15 dated August 15, 2011, by Scottie Williams, Sanitation Superintendent
2. Bid tabulation dated August 11, 2011, for front load refuse containers

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of $77,600 was awarded to Roll-Offs USA a as the lowest and best bidder meeting specifications.

* * * * *

Item 18, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1112-16; CONTRACT NO. K-1112-53 WITH TOM'S QUALITY CONSTRUCTION IN THE AMOUNT OF $69,500; PERFORMANCE BOND NO. B-1112-9; STATUTORY BOND NO. B-1112-10; MAINTENANCE BOND NO. MB-1112-10; AND RESOLUTION NO. R-1112-35 FOR THE HISTORICAL MUSEUM INTERIOR REPAIRS PROJECT.

Councilmember Kovach moved that Request for Proposal No. RFP-1112-16 from Tom's Quality Construction for the Historical Museum Interior Repairs Project be accepted; Contract No. K-1112-53 in the amount of $69,500 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1112-35 be adopted, which motion was duly seconded by Councilmember Griffith;

Item 18, continued:

Items submitted for the record
1. Text File No. K-1112-53 dated August 29, 2011, by James Briggs, Park Planner
2. Tabulation of proposals dated August 26, 2011, for the Historical Museum Interior Repairs Project
3. Contract No. K-1112-53
4. Performance Bond No. B-1112-9
5. Statutory Bond No. B-1112-10
6. Maintenance Bond No. MB-1112-10
7. Resolution No. R-1112-35
8. Purchase Requisition No. 0000191314 dated September 6, 2011, in the amount of $69,500 to Tom Fredgren

and the question being upon accepting Request for Proposal No. RFP-1112-16 from Tom's Quality Construction for the Historical Museum Interior Repairs Project and upon the subsequent acceptance, authorization, directive, and adoption, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Request for Proposal No. RFP-1112-16 from Tom's Quality Construction for the Historical Museum Interior Repairs Project accepted; Contract No. K-1112-53 in the amount of $69,500 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1112-35 was adopted.

* * * * *

Item 19, being:

LIMITED LICENSE NO. LL-1112-3: LIMITED LICENSE TO PLACE FIFTY-THREE (53) POLE BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM CAMPUS CORNER ASSOCIATION DURING THE UNIVERSITY OF OKLAHOMA FOOTBALL SEASON.

Councilmember Kovach moved that Limited License No. LL-1112-3 to place fifty-three (53) pole banners within the public right-of-way pursuant to a request from Campus Corner Association be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. LL-1112-3 dated August 24, 2011, by Wayne Stenis, Planner II
2. Letter of request dated August 10, 2011, from H. Rainey Powell, Campus Corner Association, to Brenda Hall, City Clerk
3. List of banner locations
4. Limited License No. LL-1112-3
5. Picture of banner

and the question being upon approving Limited License No. LL-1112-3 to place fifty-three (53) pole banners within the public right-of-way pursuant to a request from Campus Corner Association and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1112-3 to place fifty-three (53) pole banners within the public right-of-way pursuant to a request from Campus Corner Association approved; and the issuance thereof was authorized.

* * * * *

Item 20, being:

LIMITED LICENSE NO. LL-1112-4; LIMITED LICENSE TO PLACE TWENTY-TWO (22) "GOAL-A-METER" SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE UNITED WAY OF NORMAN.

Councilmember Kovach moved that Limited License No. LL-1112-4 be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File Report for Limited License No. LL-1112-4 dated August 25, 2011, by Wayne Stenis, Planner II
2. Application for Limited License for twenty-two banners dated April 1, 2011, from the United Way of Norman, with list of locations of "Goal-A-Meters"
3. Limited License No. LL-1112-4

and the question being upon approving Limited License No. LL-1112-4 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1112-4 approved; and the issuance thereof was authorized.

* * * * *

Item 21, being:

LIMITED LICENSE NO. LL-1112-5: LIMITED LICENSE TO PLACE ONE (1) GROUND BANNER AND FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM FRIENDS OF THE NORMAN LIBRARY FOR THE ANNUAL BOOK SALE TO BE HELD OCTOBER 14 THROUGH 17, 2011.

Councilmember Kovach moved that Limited License No. LL-1112-5 to place one (1) ground banner and four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. LL-1112-5 dated August 30, 2011, by Wayne Stenis, Planner II
2. Letter of request dated August 29, 2011, from Simon H. Rudnick, 2011 Book Sale Co-Chair, Friends of the Norman Library, to Brenda Hall, City Clerk
3. Application for Limited License dated August 29, 2011, for one banner and four signs from Simon H. Rudnick for the Friends of the Norman Library
4. Location map
5. Limited License No. LL-1112-5

and the question being upon approving Limited License No. LL-1112-5 to place one (1) ground banner and four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1112-5 to place one (1) ground banner and four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library approved; and the issuance thereof was authorized.

* * * * *

Item 22, being:

ADDENDUM NO. ONE TO CONTRACT NO. K-0405-127: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NORMAN YOUTH SOCCER ASSOCIATION FOR THE USE OF GRIFFIN COMMUNITY PARK.

Councilmember Kovach moved that Addendum No. One to Contract No. K-0405-127 with Norman Youth Soccer Association be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-0405-127, Addendum No. One, dated August 26, 2011, from Jud Foster, Director of Parks and Recreation
2. Addendum No. One to Contract No. K-0405-127

and the question being upon approving Addendum No. One to Contract No. K-0405-127 with Norman Youth Soccer Association and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Addendum No. One to Contract No. K-0405-127 with Norman Youth Soccer Association approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

AMENDMENT NO. FOUR TO CONTRACT NO. K-0708-42: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RJN GROUP, INC., IN AN AMOUNT NOT-TO-EXCEED $262,650 TO PROVIDE PERMANENT WASTEWATER FLOW METERING SERVICES AND EXTENDING THE CONTRACT UNTIL AUGUST 27, 2013.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. Four to Contract No. K-0708-42 with RJN Group, Inc., in an amount not-to-exceed $262,650 and extending the contract until August 27, 2013, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record
1. Text File No. K-0708-42, Amendment No. Four, dated August 23, 2011, by David Hager, Utilities Superintendent
2. Amendment No. Four to Contract No. K-0708-42 with Attachment A, Scope of Services, Schedule, and Compensation
3. Purchase Requisition No. 0000191035 dated August 30, 2011, in the amount of $262,650 to RJN Group, Inc.

and the question being upon approving Amendment No. Four to Contract No. K-0708-42 with RJN Group, Inc., in an amount not-to-exceed $262,650 and extending the contract until August 27, 2013, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. Four to Contract No. K-0708-42 with RJN Group, Inc., in an amount not-to-exceed $262,650 and extending the contract until August 27, 2013, approved; the execution thereof was authorized.

* * * * *

Item 24, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-0809-45: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NEXTEL WEST CORPORATION TO PROVIDE ADDITIONAL EQUIPMENT, AND SERVICES AS PART OF THE FREQUENCY CONFIGURATION AGREEMENT FOR THE 800 MEGAHERTZ (MHZ) COMMUNICATION SYSTEM.

Councilmember Kovach moved that Amendment No. Two to Contract No. K-0809-45 with Nextel West Corporation be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-0809-45, Amendment No. One, dated August 22, 2011, by Lance Terry, Communications Center Supervisor
2. Amendment No. Two to Contract No. K-0809-45 with Schedule C, Revised, Cost Estimate – Certified Request; and Schedule D, replaces previous Schedule D, (1) Loaned Configuration Equipment; (2) Replacement Equipment; (3) Replaced Equipment; (4) Motorola Schedule D Equipment; and (5) Motorola Replaced Equipment

and the question being upon approving Amendment No. Two to Contract No. K-0809-45 with Nextel West Corporation and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Amendment No. Two to Contract No. K-0809-45 with Nextel West Corporation approved; and the execution thereof was authorized.

* * * * *

Item 25, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-172: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RED CLIFF, INC., INCREASING THE CONTRACT AMOUNT BY $40,504.88 AND EXTENDING THE CONTRACT BY 165 CALENDAR DAYS FOR THE RAW WATER LINE PROJECT, PHASE I.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. One to Contract No. K-0910-172 with Red Cliff, Inc., increasing the contract amount by $40,504.88 and extending the contract by 165 calendar days be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record
1. Text File No. K-0910-172 dated August 29, 2011, by Chris Mattingly, Water Treatment Superintendent
2. Change Order No. One to Contract No. K-0910-172

and the question being upon approving Change Order No. One to Contract No. K-0910-172 with Red Cliff, Inc., increasing the contract amount by $40,504.88 and extending the contract by 165 calendar days and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Change Order No. One to Contract No. K-0910-172 with Red Cliff, Inc., increasing the contract amount by $40,504.88 and extending the contract by 165 calendar days approved; and the execution thereof was authorized.

* * * * *

Item 26, being:

CONTRACT NO. K-1112-12: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ALTERNATIVE DISPUTE RESOLUTION SYSTEM OF THE STATE OF OKLAHOMA TO PROVIDE A DISPUTE MEDIATION PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2012.

Councilmember Kovach moved that Contract No. K-1112-12 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2012, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-12 dated August 31, 2011, by Jeanne Snider, Assistant City Attorney
2. Contract No. K-1112-12

Participants in discussion
1. Mr. Jeff Bryant, City Attorney

and the question being upon approving Contract No. K-1112-12 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2012, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1112-12 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2012, approved; and the execution thereof was authorized.

* * * * *

Item 27, being:

CONTRACT NO. K-1112-43: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND H.W. LOCHNER, INC., IN THE AMOUNT OF $42,920 TO PROVIDE SCOPING SERVICES FOR A COMPREHENSIVE TRANSPORTATION PLAN AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1112-43 with H.W. Lochner, Inc., in the amount of $42,920 be approved, the execution thereof be authorized, and $12,920 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TC0248, Transportation Master Plan Scoping Study (050-9056-431.62-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-43 dated August 29, 2011, by David Riesland, Assistant Traffic Engineer with attached Summary of Budget Requirements
2. Contract No. K-1112-43 with Attachment A, Scope of Services; Attachment B, Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities

Participants in discussion
1. Mr. Shawn O'Leary, Director of Public Works

and the question being upon approving Contract No. K-1112-43 with H.W. Lochner, Inc., in the amount of $42,920 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1112-43 with H.W. Lochner, Inc., in the amount of $42,920 approved; the execution thereof was authorized and $12,920 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TC0248, Transportation Master Plan Scoping Study (050-9056-431.62-01).

* * * * *

Item 28, being:

CONTRACT NO. K-1112-47: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND FOOTBALL ACADEMY, INC. FOR THE USE OF THE GRIFFIN PARK FOOTBALL FIELDS.

Councilmember Kovach moved that Contract No. K-1112-47 with Football Academy, Inc., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-47 dated August 26, 2011, by Jud Foster, Director of Parks and Recreation
2. Contract No. K-1112-47 with Exhibit A, Responsibilities of Football Academy, Inc., and Exhibit B, Responsibilities of the City of Norman
3. Location map

and the question being upon approving Contract No. K-1011-47 with Football Academy, Inc., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1011-47 with Football Academy, Inc., approved; and the execution thereof was authorized.

* * * * *

Item 29, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF $95,500 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED BY THE POLICE DEPARTMENT FOR ENFORCEMENT AND/OR EDUCATION OF IMPAIRED DRIVING; TRAFFIC COLLISION RECONSTRUCTION; SEAT BELT AND MANDATORY CHILD RESTRAINT LAWS; AND SEAT BELT COMPLIANCE, APPROVAL OF CONTRACT NO. K-1112-50, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a grant in the amount of $95,500 from the Oklahoma Highway Safety Office to be used by the Police Department be accepted; Contract No. K-1112-50 be approved; execution of the contract be authorized; and $95,500 be appropriated from the Special Grant Fund Balance (022-0000-253.30-00) designating $81,000 to Other Salaries/Overtime-Regular (022-6019-421.21-10) and $14,500 to Professional Service/Training and Development (022-6019-421.40-17); and upon reimbursement, deposit the funds into Other Revenue/Traffic & Alcohol Enforcement (022-0000-331.13-40), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-50 dated August 22, 2011, by Captain Kevin Foster
2. Letter dated August 12, 2011, from J. Kevin Behrens, Interim Director, Oklahoma Highway Safety Office, to Captain Kevin Foster, Norman Police Department
2. Contract No. K-1112-50 with attached Project Director's Report and Law Enforcement Activity Report

and the question being upon accepting a grant in the amount of $95,500 from the Oklahoma Highway Safety Office to be used by the Police Department and upon the subsequent approval, authorization, appropriation and deposit, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a grant in the amount of $95,500 from the Oklahoma Highway Safety Office to be used by the Police Department accepted; Contract No. K-1112-50 approved; execution of the contract was authorized; $95,500 was appropriated from the Special Grant Fund Balance (022-0000-253.30-00) designating $81,000 to Other Salaries/Overtime-Regular (022-6019-421.21-10) and $14,500 to Professional Service/Training and Development (022-6019-421.40-17); and upon reimbursement, the funds will be deposited into Other Revenue/Traffic & Alcohol Enforcement (022-0000-331.13-40).

* * * * *

Item 30, being:

CONTRACT NO. K-1112-51: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND OPTIMIST CLUB OF NORMAN FOR THE USE OF THE REAVES PARK AND GRIFFIN PARK AND TERMINATION OF CONTRACT NOS. K-0607-51 AND K-0809-141.

Councilmember Kovach moved that Contract No. K-1112-51 with the Optimist Club of Norman be approved and the execution thereof be authorized and Contract Nos. K-0607-51 and K-0809-141 be terminated, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-51 dated August 29, 2011, by Jud Foster, Director of Parks and Recreation
2. Contract No. K-1112-51 with Exhibit A, Responsibilities of Norman Optimist Club at Reaves Park and Griffin Park, Exhibit B, Responsibilities of the City of Norman at Reaves Park and Griffin Park
3. Contract No. K-0607-51 with Exhibit A, Responsibilities of the Norman Optimist Club, Inc., and Exhibit B, Responsibilities of the City of Norman
4. Contract No. K-0809-141 with Exhibit A, Responsibilities of the Norman Optimist Club and Exhibit B, Responsibilities of the City of Norman
5. Location map of Reaves Park
6. Location map of Griffin Community Park

and the question being upon approving Contract No. K-1112-51 with the Optimist Club of Norman and upon the subsequent authorization and termination, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1112-51 with the Optimist Club of Norman approved; the execution thereof was authorized and Contract Nos. K-0607-51 and K-0809-141 were terminated.

* * * * *

Item 31, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $46,367.06 REGARDING WILLARD D. STEPHENS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC 2010-06080 J.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims totaling $46,367.06 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-15 dated August 22, 2011, by Blaine Nice, Assistant City Attorney with Attachment No. 2, List of Payments to Willard Dewayne "Wayne" Stephens
2. Workers' Compensation Court Order No. WCC 2010-06080J filed August 16, 2011
3. Purchase Requisition No. 0000190619 dated August 22, 2011, in the amount of $15,796 to Willard D. Stephens and Rodney D. Fergason
4. Purchase Requisition No. 0000190621 dated August 22, 2011, in the amount of $897.50 to Workers' Compensation Administration Fund Tax
5. Purchase Requisition No. 0000190622 dated August 22, 2011, in the amount of $336.56 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000190623 dated August 22, 2011, in the amount of $140 to Workers' Compensation Court
7. Purchase Requisition No. 0000190625 dated August 22, 2011, in the amount of $118 to Cleveland County Court Clerk

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

Item 31, continued:

and the question being upon approving the City Attorney's recommendation and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims totaling $46,367.06 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 32, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $26,632.38 REGARDING GREGORY W. HARRIS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC 2011-02806 J.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims totaling $26,632.38 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record:

1. Text File No. GID-1112-16 dated August 23, 2011, by Blaine Nice, Assistant City Attorney, Attachment No. 2, List of Payments to Gregory W. Harris
2. Workers' Compensation Court Order No. WCC 2011-02806J filed August 18, 2011
3. Purchase Requisition No. 0000190685 dated August 23, 2011, in the amount of $18,057.70 to Gregory W. Harris and John R. Colbert
4. Purchase Requisition No. 0000190686 dated August 23, 2011, in the amount of $513.37 to Workers' Compensation Administration Fund Tax
5. Purchase Requisition No. 0000190687 dated August 23, 2011, in the amount of $192.51 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000190688 dated August 23, 2011, in the amount of $140 to Workers' Compensation Court
7. Purchase Requisition No. 0000190689 dated August 23, 2011, in the amount of $118 to Cleveland County Court Clerk

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

and the question being upon approving the City Attorney's recommendation and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims totaling $26,632.38 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 33, being:

RESOLUTION NO. R-1112-33: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $14,000 FROM THE STATE SEIZURE FUND BALANCE TO PURCHASE SURVEILLANCE EQUIPMENT FOR THE POLICE DEPARTMENT.

Councilmember Kovach moved that Resolution No. R-1112-33 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1112-33 dated August 22, 2011, by Captain Darry Stacy
2. Resolution No. R-1112-33

and the question being upon adopting Resolution No. R-1112-33, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-33 was adopted.

* * * * *

Item 34, being:

RESOLUTION NO. R-1112-34: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF A CLAIM FILED BY KIMBERLY SUE MITCHELL UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF *KIMBERLY SUE MITCHELL V. THE CITY OF NORMAN*, WORKERS' COMPENSATION CASE NO. WCC 2011-01046 L; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Kovach moved that Resolution No. R-1112-34 be adopted and payment of claims which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1112-34 dated August 25, 2011, by Blaine Nice, Assistant City Attorney
2. Resolution No. R-1112-34
3. Purchase Requisition No. 0000190803 dated August 25, 2011, in the amount of $39,975 to Kim Mitchell and Laura Shaeffer
4. Purchase Requisition No. 0000190804 dated August 25, 2011, in the amount of $799.50 to Workers Compensation Administrative Fund
5. Purchase Requisition No. 0000190805 dated August 25, 2011, in the amount of $299.81 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000190806 dated August 25, 2011, in the amount of $140 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000190808 dated August 25, 2011, in the amount of $118 to Cleveland County District Court Clerk

and the question being upon adopting Resolution No. R-1112-34 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-34 adopted; and payment of claims which will constitute judgment against the City of Norman was directed.

* * * * *

Item 35, being:

RESOLUTION NO. R-1112-36: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROVING THE CITY OF NORMAN'S PARTICIPATION IN A COOPERATIVE PLANNING EFFORT WITH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) TO SHARE IN THE TWENTY PERCENT LOCAL MATCH REQUIRED TO ACCESS FEDERAL FUNDS FOR A COMMUTER CORRIDOR ALTERNATIVES ANALYSIS FOR CENTRAL OKLAHOMA IN AN AMOUNT THAT IS PROPORTIONATE TO NORMAN'S TOTAL 2010 POPULATION.

Councilmember Kovach moved that Resolution No. R-1112-36 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1112-36 dated August 30, 2011, by Susan Connors, Director of Planning and Community Development with Attachment A, chart showing the proportionate share for the participating cities
2. Resolution No. R-1112-36

Participants in discussion
1. Ms. Susan Connors, Director of Planning and Community Development

and the question being upon adopting Resolution No. R-1112-36, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-36 was adopted.

* * * * *

Item 36, being:

ORDINANCE NO. O-1112-3: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A UTILITY AND DRAINAGE EASEMENT LOCATED ALONG THE SOUTH BOUNDARY OF LOTS 21, 22, AND 23, AND ALONG THE NORTH BOUNDARY OF LOTS 24, 25, AND 26, LOCATED IN BLOCK 5, NRH MEDICAL PARK WEST ADDITION, SECTION 4, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1112-3 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 23, 2011, Councilmember Quinn moved that Ordinance No. O-1112-3 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-1112-3 dated June 21, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-3
3. Location map
4. Memorandum dated June 9, 2011, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Coordinator; and Ken Komiske, Director of Utilities
5. Petition to close easement in NRH Medical Park West Addition, Section 4, dated June 9, 2011, from H.L. Heiple, Attorney-Agent, Heiple Law Offices, for NRH Medical Park West, L.L.C., to City of Norman c/o City Clerk Brenda Hall
6. Abstractor's Special Certificate dated May 27, 2011, from Terrell Dodson, Bonded Abstractor, Old Republic Title Company of Oklahoma
7. Radius map
8. Letter dated July 5, 2011, from Timothy J. Bailey, Right-of-Way Agent, Oklahoma Gas and Electric Company, to Ken Danner, Development Coordinator
9. Letter dated June 24, 2011, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner, Development Coordinator
10. Staff Report dated July 14, 2011, recommending approval with condition
11. Pertinent excerpts from Planning Commission minutes of July 14, 2011

Participants in discussion
1. Mr. Harold Heiple, 218 East Eufaula Street, attorney representing the applicant

Item 36, continued:

and the question being upon adopting Ordinance No. O-1112-3 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-3 was adopted upon Second Reading section by section.

Thereupon, Councilmember Quinn moved that Ordinance No. O-1112-3 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Gallagher; and the question being upon adopting Ordinance No. O-1112-3 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-3 was adopted upon Final Reading as a whole.

* * * * *

Item 37, being:

ORDINANCE NO. O-1112-4: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A UTILITY EASEMENT ALONG THE REAR PROPERTY LINE OF LOTS 1 THROUGH 20 AND LOTS 25 THROUGH 44, BLOCK 1, HARDIE-RUCKER ADDITION TO THE CITY OF NORMAN, CLEVELAND, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1112-4 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 23, 2011, Councilmember Quinn moved that Ordinance No. O-1112-4 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-4 dated June 21, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-4
3. Location map
4. Memorandum dated June 15, 2011, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Coordinator; and Ken Komiske, Director of Utilities
5. Letter dated June 14, 2011, from Mark Caywood, General Counsel, Smith Roberts Baldischwiler, L.L.C., to City Clerk
6. Petition dated May 31, 2011, from Nicholas S. Hathaway, Executive Vice President and Vice President for Administration and Finance, the Board of Regents of the University of Oklahoma, to City of Norman, Oklahoma, with Exhibit "A", Legal Description
7. Certificate of Bonded Abstractor dated April 14, 2011, from Mitzi Combs, Abstractor License No. 93, First American Title and Trust Company
8. Location map
9. Letter dated June 24, 2011, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner, Development Coordinator
10. Letter dated June 30, 2011, form Cody Bennett, Team Leader, Oklahoma Natural Gas Company, a Division of ONEOK, to Ken Danner, Development Coordinator
11. Staff Report dated July 14, 2011, recommending approval with condition
12. Pertinent excerpts from Planning Commission minutes of July 14, 2011

Item 37, continued:

Participants in discussion
1. Mr. Mark Haywood, General Counsel, Smith Roberts Baldischwiler, L.L.C. attorney/engineer representing the applicant

and the question being upon adopting Ordinance No. O-1112-4 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-4 was adopted upon Second Reading section by section.

Thereupon, Councilmember Quinn moved that Ordinance No. O-1112-4 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Kovach; and the question being upon adopting Ordinance No. O-1112-4 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-4 was adopted upon Final Reading as a whole.

* * * * *

Item 38, being:

CONTRACT NO. K-1112-55: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND GORDON D. MORAIN AND ALLEN B. MORAIN, AS CO-TRUSTEES OF THE GORDON D. MORAIN TRUST; AND EDNA I. MORAIN AND ALLEN B. MORAIN, AS CO-TRUSTEES OF THE EDNA I. MORAIN TRUST; 2 X 2 INVESTMENTS, L.L.C.; MORAIN FAMILY REAL ESTATE COMPANY, L.L.C.; CONNIE LYNN BAKER; TAMMY SUE AND DR. CHARLES PASQUE; ALLEN BRUCE MORAIN, JR., AND KRISTI MORAIN; ANNE JUHREE KIZZIAR AND TIM KIZZIAR IN THE AMOUNT OF $1,650,000 FOR THE PURCHASE OF 101, 113, 115, 116, AND 118 WEST GRAY STREET TO BE USED FOR MUNICIPAL PURPOSES AND BUDGET APPROPRIATION.

Councilmember Ezzell moved that Contract No. K-1112-55 with Gordon D. Morain and Allen B. Morain, as Co-Trustees of the Gordon D. Morain Trust; and Edna I. Morain and Allen B. Morain, as Co-Trustees of the Edna I. Morain Trust; 2 X 2 Investments, L.L.C.; Morain Family Real Estate Company, L.L.C.; Connie Lynn Baker; Tammy Sue and Dr. Charles Pasque; Allen Bruce Morain, Jr., and Kristi Morain; Anne Juhree Kizziar and Tim Kizziar in the amount of $1,650,000 be approved; the execution thereof be authorized; $752,000 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. BG0245, Gray Street Properties, Land (050-9365-419.60-01); and $898,000 be transferred from Project No. EF1001, Smalley Center Renovation, Construction (050-9540-419.61-01) to Project No. BG0245, Gray Street Properties, Land (050-9365-419.60-01), which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. K-1112-55 dated September 8, 2011, by Jeff Bryant, City Attorney
2. Contract No. K-1112-55 with Schedule "A", legal description and Schedule 8.6, Compliance; Leases and Occupancy Agreements
3. Purchase Requisition No. 0000191392 dated September 7, 2011, in the amount of $33,000 to Old Republic Title Company of Oklahoma

Participants in discussion
1. Mr. Jeff Bryant, City Attorney

Item 38, continued:

and the question being upon approving Contract No. K-1112-55 with Gordon D. Morain and Allen B. Morain, as Co-Trustees of the Gordon D. Morain Trust; and Edna I. Morain and Allen B. Morain, as Co-Trustees of the Edna I. Morain Trust; 2 X 2 Investments, L.L.C.; Morain Family Real Estate Company, L.L.C.; Connie Lynn Baker; Tammy Sue and Dr. Charles Pasque; Allen Bruce Morain, Jr., and Kristi Morain; Anne Juhree Kizziar and Tim Kizziar in the amount of $1,650,000 and upon the subsequent authorization, appropriation, and transfer, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1112-55 with Gordon D. Morain and Allen B. Morain, as Co-Trustees of the Gordon D. Morain Trust; and Edna I. Morain and Allen B. Morain, as Co-Trustees of the Edna I. Morain Trust; 2 X 2 Investments, L.L.C.; Morain Family Real Estate Company, L.L.C.; Connie Lynn Baker; Tammy Sue and Dr. Charles Pasque; Allen Bruce Morain, Jr., and Kristi Morain; Anne Juhree Kizziar and Tim Kizziar in the amount of $1,650,000 approved; the execution thereof was authorized; $752,000 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. BG0245, Gray Street Properties, Land (050-9365-419.60-01); and $898,000 was transferred from Project No. EF1001, Smalley Center Renovation, Construction (050-9540-419.61-01) to Project No. BG0245, Gray Street Properties, Land (050-9365-419.60-01).

* * * * *

MISCELLANEOUS DISCUSSION

Appointments to Boards and Commissions. Mr. Lea Greenleaf, 2602 South Pickard Avenue, said he had served on several different boards and commissions under several different Mayors and City Councils over the years and he was disappointed in the discussion this evening. He said he currently serves on the Reapportionment Commission and this commission has one member selected from each ward and one at-large member which is required by the City Charter. He said those who volunteer to the City and provide their expertise should not be made to feel bad about it.

Mr. Mark Campbell, 1320 Garfield Avenue, said he attended many City meetings and he has learned to listen for well reasoned thought out questions and comments by Council and has been largely impressed with the public service he has witnessed by appointees with an affiliation from the University of Oklahoma (OU) because they have critical reasoning skills and can exhibit them. He said there is currently one voting member on Council with a direct relationship with OU. He said he grew up with the belief that if he didn't like the way things are going politically, things will change. He said OU is Norman's largest employer and is not a private university but a public university and it stands to reason that people who live and work in the heart of downtown Norman are going to be more interested in volunteering.

Councilmember Dillingham said this week would recognize Constitution Week and the City is discussing ways to improve the way City Council seeks out and seats volunteers. She said the most important thing about the constitution is the responsibilities that it confers on us as citizens to be knowledgeable when we cast our votes and participate. We are blessed in this community to have so many people that are interested but we are always short of volunteers. She encouraged citizens to look on the website at Boards and Commissions, call their Councilmember, and come down to City Clerk's Office so they can get involved.

*

Reapportionment Process. Mr. Lea Greenleaf, 2602 South Pickard Avenue, said he was sorry a citizen this evening had a problem with the Reapportionment process. He said by City Charter there is a specific process the Reapportionment Commission is to follow such as holding public hearings; advertising in the newspaper; meeting for extensive periods of time; and sending their recommendations to City Council. He said the Charter does not address voting public and non-voting public but instead the population in each ward and the equalization thereof. He said the Reapportionment Commission spent a great deal of time trying to equalize the wards starting out with a 29% differential as well as trying to keep the current precincts and areas of concerns together as much as possible. He said they also met with the Cleveland County Election Board and know they are redistricting some of their precincts. He said the Commission tried to give the City a product that could be worked with.

Miscellaneous Discussion, continued:

Reapportionment Process, continued. Councilmember Kovach provided slides showing the current ward boundaries superimposed with the proposed ward boundaries and the precincts superimposed over the proposed ward boundaries. He said he expressed concerns when he saw the first map provided to Council because there are several split precincts in the proposed ward boundaries. He said in Oklahoma electoral history there have been many elections that have overturned based on objections in split precincts and there have been recent ward elections where the election was won by 30 votes. He said he would not like this to happen. He quoted the City Charter regarding reapportionment. He said he knew the Reapportionment Commission had worked on this diligently; however, he requested that an optional proposal without the split precincts be provided. He said he understood that the ordinance must be adopted or amended.

Ms. Brenda Hall, City Clerk, provided an update on precinct boundaries per Mr. Jim Williams, Secretary of the Cleveland County Election Board. She said the state redistricting for the House and Senate districts have been completed and as of yesterday, the Cleveland County Commissioners approved the new County Districts. She said the next step is for the Election Board to redraw the precinct boundaries. She said Mr. Williams is anticipating receipt of the City's new ward boundaries and has worked with Ms. Joyce Green, GIS Services Manager, through the reapportionment process. She said Mr. Williams wants to be able to overlay all three districts on top of one another on a map as he redraws the precincts and would like to take into consideration the new proposed ward boundaries as well. She said this will possibly minimize some of the split precincts. She said Mr. Williams said it does help him with redrawing the precincts to have the final versions from all three entities, if at all possible.

Councilmember Dillingham said redrawing ward boundaries and trying to eliminate precinct splits is a tough job. She said everything is being redistricted at the same time because of the census and this was our opportunity to correct the issues. She said it was always possible that reapportionment can even unseat a Councilmember. She said there are citizens who live in a small area in her ward that is surrounded by Ward Two who have voiced concerns and these types of requests are taken into consideration.

*

Election for Animal Shelter Improvements. Ms. Jacy Crosbee, 204 Mountain Oaks Drive, said the voters will have a chance to approve funding of Animal Shelter improvements and asked Council and Staff to provide information about the maximum number of dogs and cats that will be accommodated after the improvements and other information.

Mr. Steve Lewis, City Manager, said City Council had approved sending two propositions to the voters on November 8, 2011, and one of those is the Animal Shelter Project. He provided an update on how staff is moving forward to provide public information for the citizens. He said a team has been assembled and is working on an informational brochure to be sent to all registered voters and all citizens. He said information, i.e., the approved ordinances, ballot language, and a copy of the feasibility study for the Animal Shelter is available on the website. He said the study provides a project population of animals, some of the program areas to be improved, a site plan, and a section of citizen comments at a public forum that had been conducted. There is also a section listing how the program has been amended to address some of those concerns.

*

Solar Panels on Traffic Lights. Ms. Ann Gallagher, 1522 East Boyd Street, said she saw solar panels on each of the stoplights on 24th Avenue N.W. in University North Park and asked when there would be information provided showing if this had a positive impact and if tax dollars were spent wisely for this.

*

Thanks to Norman Police Department. Ms. Ann Gallagher, 1522 East Boyd Street, commended the Norman Police Department for their professionalism during a recent event in her neighborhood.

*

9-11. Councilmember Gallagher said there were certain events that we all know where we were at a given time and 9-11 is probably the most recent. He said this attack on the country was based on the constitution. He encouraged citizens to read the constitution and fortify themselves in the standard set for this country because that is the core of our existence. He said copies could be obtained at the Republican or Democrat Headquarters as well as the internet.

Miscellaneous Discussion, continued:

Nine-Eleven, continued. Mayor Rosenthal thanked the organizers from the Faith Community who put on a significant event at the Nancy O'Brian Performing Arts Center on Sunday, September 11th as part of the Nine Eleven remembrances. She said our own first responders in the City of Norman were recognized which included representatives from the Norman Police Department; Norman Fire Department; Cleveland County Sheriff's Department; the University of Oklahoma Police Department; and EMSTAT. She said there was a lot of participation with wonderful music from the OU Choir.

*

Respectful Debate. Councilmember Kovach said all items this evening had been voted on unanimously and most items were voted that way. He said there is nothing wrong with respectful debate and he respects his colleagues and their opinions. He emphasized to his colleagues that when he expresses his point of view he never means to be disrespectful but these types of discussions are important. He said Council has engaged conversation because they are an engaged Council.

Councilmember Ezzell added that debate can be vigorous, respectful, and emotional. He said the debate this evening was issue focused and did not seem overly personal, and, it was informational. He said he disagreed that Council should be obligated to agree with each other.

*

Traffic History on 48th Avenue N.W. and Tecumseh Road. Councilmember Ezzell asked the City Manager to ask the Traffic Department to obtain the accident history at the intersection of 48th Avenue N.W. and Tecumseh Road. He said he received two separate emails about two separate serious accidents and would like to see the statistics on this intersection. He said Tecumseh Road does not have a stop sign and many cars are going at a fast rate of speed when they make the turn without the stop sign.

Mr. Steve Lewis, City Manager, said he would collaborate with the Public Works and Police Departments and provide information to Councilmember Ezzell.

*

CR8 and SK8. Councilmember Dillingham encouraged citizens to participate in the "graffiti style" public art event called "CR8 and SK8" sponsored by the Public Arts Board at the Blake Baldwin Skate Park on Sunday, September 25, 2011.

Councilmember Quinn said this skate park provides a place for many of Norman's young people to participate and show their skills and this project is a good thing. He said he knew Blake Baldwin and his mother has worked diligently to be sure that the City focuses on the reason the park exists and why it is available.

*

Shop Norman. Councilmember Quinn encouraged citizens to "Shop Norman".

*

Recycling Program. Mr. Steve Lewis, provided an update to the curbside recycling program. He said the program started in March of 2008 and of the residents eligible to participate, 48% are using the program. He said this has allowed the City to divert 6% of our waste stream that would go to the landfill to be recycled. He said Staff has been working with the contractor, Recycle America, and now the contractor has agreed to pick up additional plastics at no additional cost to the citizen. He said additional information will be provided by the internet and on the utility bills.

*

Sales Tax Update. Mr. Steve Lewis, City Manager, for the month of September which is for sales that were collected in July, our sales tax is up 9.25% over September of 2010. He said for FYE 2011 – FYE 2012 to date, our sales tax collections are up 6.2% above our prior year levels and up only 1.7% above the budget. He said he hoped to provide more detailed information at the next City Council meeting.

*****

ADJOURNMENT

There being no further business, Councilmember Quinn moved that the meeting be adjourned, which motion was duly seconded by Councilmember Griffith; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 8:55 p.m.

ATTEST:

City Clerk

Mayor

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: P-1112-6

File ID: P-1112-6 **Type:** Proclamation **Status:** Consent Item

Version: 1 **Reference:** Item No. 4 **In Control:** City Council

Department: City Clerk Department **Cost:** **File Created:** 09/12/2011

File Name: P-1112-6 Arts and Humanities Month **Final Action:**

Title: PROCLAMATION NO. P-1112-6: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2011, AS NATIONAL ARTS AND HUMANITIES MONTH IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1112-6 proclaiming the month of October, 2011, as National Arts and Humanities Month in the City of Norman.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 4

Attachments: Arts and Humanities Week

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File P-1112-6

P-1112-6

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2011, AS NATIONAL ARTS AND HUMANITIES MONTH IN THE CITY OF NORMAN.

§ 1. WHEREAS, October 2011, has been declared National Arts and Humanities Month in the United States and during this month we will celebrate Norman's arts and humanities and recommit to ensuring that all Norman's citizens can access and experience them; and

§ 2. WHEREAS, National Arts and Humanities Month (NAHM) is a coast-to-coast collective recognition of the importance of culture in America designed to encourage all citizens to explore new facets of the arts and humanities in their lives, and to begin a lifelong habit of active participation in the arts and humanities; and

§ 3. WHEREAS, in our increasingly interconnected world, the arts play an important role in both shaping the character that defines our city and our country, reminding us of our shared humanity; and

§ 4. WHEREAS, the arts and humanities have also helped fuel our economy as well as our souls by bringing arts and cultural activities to our community, contributing thousands of dollars to our economy each year; and

§ 5. WHEREAS, we reflect on the contributions of Norman's many artists, we look forward to their tales still untold, their perspectives still unexplored, and their songs still unwritten.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

§ 6. Do hereby proclaim the month of October, 2011, as National Arts and Humanities Month in the City of Norman, Oklahoma.

PASSED AND APPROVED this 27th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: O-1112-1

File ID: O-1112-1 **Type:** Zoning Ordinance **Status:** Consent Item

Version: 1 **Reference:** Item No. 6 **In Control:** City Council

Department: Planning and Community Development Department **Cost:** **File Created:** 06/21/2011

File Name: O-1112-1 Tecumseh Project Rezone **Final Action:**

Title: CONSIDERATION OF ORDINANCE NO. O-1112-1 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-9798-24 IN THE NORTHEAST QUARTER OF SECTION 15 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-1 upon First Reading by title.

ACTION TAKEN:

_____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 6

Attachments: O-1112-1, Tecumseh Project Location Map, Tecumseh Project Rezone Staff Report, Tecumseh Project Site Plan, Tecumseh Project PUD Narrative, 8-11-11 PC Minutes - Tecumseh Project, Tecumseh Project Protest Map-Recision 8-15-11, Protest Map July 12, 2011, Emails of protest 6-27-11 (4), Letters of protest 6-30 to 7-6 (5), Letters of protest 7-8 (4), Letters of Protest (9) July 11, Letters of Protest (3) 7-12 to 8-8, Petition of Protest 6-27-11, Petition of Protest 7-8-11

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	07/14/2011					
1	Planning Commission	08/11/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	08/11/2011					

Text of Legislative File O-1112-1

Body

SYNOPSIS: The Planned Unit Development of Cascade Estates was initially approved in January 1998, with the first final plat filed the next year. As approved, homes of various sizes were authorized in a design with a large amount of private and public open space interspersed throughout the subdivision, and connected by curvilinear streets. This tract abuts Tecumseh Road at the northern entrance to the Cascade Estates Addition, and lies directly across the street from St. Mark's Catholic Church. The final phase of this development was last reviewed and approved by the Planning Commission in 2007 as Section 8 of the Cascade Estates PUD. The plat was not filed of record and no development occurred on the tract. The owners of this tract have submitted a request to amend the PUD to allow office uses and eliminate the fourteen lots in the previously approved but never platted Section 8 of the subdivision.

ANALYSIS: The tract is roughly triangular in shape, which impacted the residential design, yielding fourteen relatively smaller lots served by a cul-de-sac connected to Astor Drive. More than half of the lots backed up to Tecumseh Road. The proposed PUD amendment would allow no more than four office lots, which would be interconnected to allow cross-parking throughout the site. No retail use is proposed; the PUD limits the usage to professional offices, either medical or non-medical. The development restrictions echo the standard requirements in the O-1, Office-Institutional, zoning district. In response to neighborhood concerns expressed at a Pre-Development meeting, access to Astor Drive has been eliminated. Two driveways are now proposed onto Tecumseh Road, one of which has been designed as a "right-in, right-out" only, due to its proximity to the Astor Drive intersection. Traffic generation from this development will not be significant enough to warrant the signalization of that intersection, but should traffic on Tecumseh Road continue to increase due to other development, the proposed driveway would minimally impact the operation of that signal. Required landscaping will be installed around the entire perimeter of the project, and will include a low hedge as well as trees along Astor Drive, which will limit the visual impact from the street. No hard fences are proposed in the project, other than those

required to screen dumpsters and equipment. Landscaping will be irrigated and commonly maintained. All buildings will have masonry exteriors and residential shingled roofs. Other than incidental attic space, all office buildings will be limited to one story in height. Each lot will be allowed one ground sign facing Tecumseh Road that is no taller than six feet in height. Other than a small dedication of additional public park land, all required open spaces have been dedicated with previous sections of this PUD, and total more than thirteen acres of private open space in this neighborhood. The additional parkland dedication will increase the adjacent public park to 5.2 acres in size. Only one final plat will be submitted (one phase) but individual lots will be separately improved. Because of the limited access provided to the development, elements of the parking and driveways will be constructed by the developer along with the individual lot owner so that full access for sanitation and emergency vehicles can be maintained during each phase of construction.

STAFF RECOMMENDATION: From a design perspective, this tract could be developed as originally proposed for residential use, given that a fourteen lot plat has previously been approved. The proposed office use would, along with the public park, provide a buffer from any traffic noise that impacts the existing residences further south, and provide enclosure around the public park that would enhance its enjoyment. Staff is able to support this amendment to the Planned Unit Development, and recommends adoption of the Ordinance, PUD narrative, and supporting documentation. At their August 11 meeting, filed protest was reported as 50.4 percent. That percentage would have required an super majority of the City Council in order to approve this request. Subsequent to the Commission's meeting, one protestor has rescinded his protest. The filed protest is now 48.8 percent, which only requires a simple majority of the Council in order to approve this request. The Planning Commission, by a vote of 5-0, forwarded this request with a recommendation that it be approved.

O-1112-1

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O9798-24 IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

§ 1. WHEREAS, The Tecumseh Project, L.L.C., the owners of the hereinafter described property, have made application to amend the PUD created by Ordinance No. O-9798-24 by amending the allowable uses; and

§ 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and

§ 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to amend the PUD created by Ordinance No. O-9798-24 by amending the allowable uses from low-density residential to office, to wit:

A tract of land being a part of the NE ¼, Section 15, Township 9 North, Range 3 West, I.M., Norman, Cleveland County, Oklahoma, and being more particularly described as follow:
Commencing at the Northwest corner of the NE/4 of said Section 15; THENCE North 89°36'32" East along the North line of said Section 15, said line also being the centerline of West Tecumseh Road, a distance of 924.80 feet to the Point of Beginning; THENCE North 89°36'32" East continuing along the North line of said Section 15, a distance of 995.12 feet to a point on said North Section line; THENCE South 00°28'35" East a distance of 50.00 feet to a point on the South right-of-way line of West Tecumseh Road; THENCE South 89°36'32" West along said South right-of-way line of West Tecumseh Road a distance of 384.59 feet; THENCE South 02°18'02" West a distance of 127.39 feet; THENCE South 65°36'35" West a distance of 653.33 feet to a point of curvature; THENCE along a curve to the right having a radius of 25.00 feet (said curve subtended by a chord which bears South 75°13'45" West a distance of 8.36 feet) with an arc length of 8.39 feet; THENCE South 84°50'55" West a distance of 171.41 feet to a point of curvature; THENCE along a curve to the right having a radius of 10.00 feet (said curve subtended by a chord which bears North 75°00'24" West a distance of 6.89 feet) with an

arc length of 7.03 feet to a point on the East right-of-way line of Astor Drive; THENCE North 42°53'04" East a distance of 103.71 feet to a point of curvature; THENCE along a curve to the left having a radius of 280.00 feet (said curve subtended by a chord which bears North 21°21'36" East a distance of 205.47 feet) and an arc length of 210.38 feet; THENCE North 02°18'02" East a distance of 116.24 feet; THENCE North 44°43'19" East a distance of 35.43 feet to a point on the South right-of-way line of West Tecumseh Road; THENCE North 00°23'28" West a distance of 50.00 feet to the POINT OF BEGINNING.

Said tract contains 5.33 acres, more or less.

§ 5. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the Preliminary Site Development Plan and Planned Unit Development Narrative, approved August 11, 2011, and supporting documentation submitted by the applicant and approved by the Planning Commission.

§ 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of

_____, 2011.

_____
(Mayor)

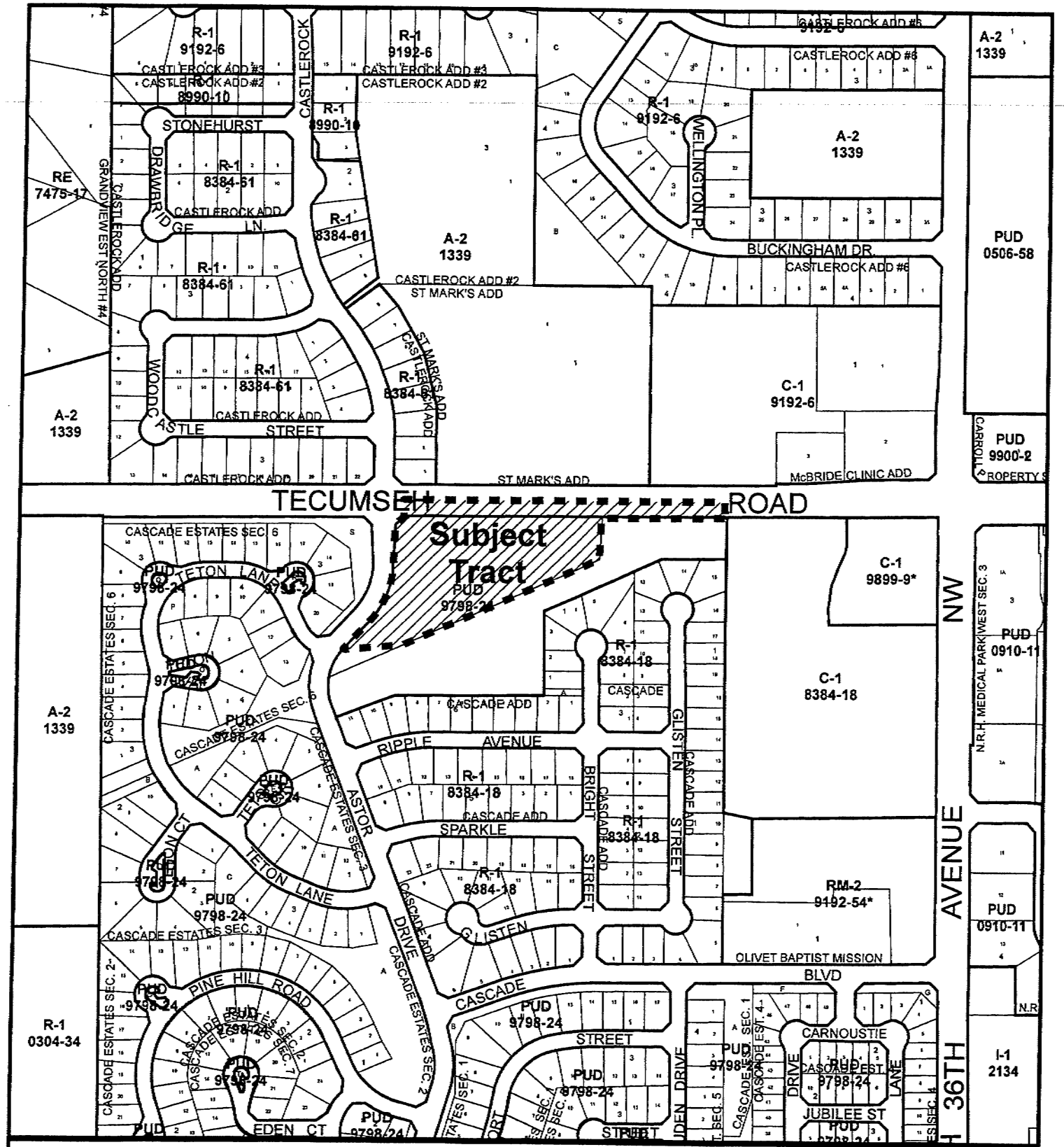
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2011.

_____
(Mayor)



Location Map

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

N
W E
S

June 20, 2011

0 200 400 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1112-1 ITEM NO. 8b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Tecumseh Project, L.L.C.
REQUESTED ACTION	Amendment of the approved uses and the Site Development Plan approved with the Planned Unit Development established by Ordinance No. O-9798-24
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: A-2, R-1, and C-1 East: R-1, C-1, and Park South: Park West: PUD
LOCATION	South of West Tecumseh Road and east of Astor Drive
SIZE	5.33 acres, more or less
PURPOSE	Business, professional and medical offices
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Church East: Park, Single-family homes South: Single-family homes West: Single-family homes
GROWTH AREA DESIGNATION	Current Urban Service Area

SYNOPSIS: Cascade Estates PUD was initially approved in January 1998, with the first plat filed the next year. As approved, homes of various sizes were authorized in a design with a large amount of private and public open space interspersed throughout the subdivision, and connected by curvilinear streets. This tract abuts Tecumseh Road at the northern entrance to the Cascade Estates addition, and lies directly across the street from St. Mark's Catholic Church. It was last reviewed and approved by the Planning Commission in 2007 as Section 8 of the Cascade Estates PUD. The plat was not filed and no development occurred on the

tract. The owners of this tract have submitted a request to amend the PUD to allow office uses in this area, which would eliminate the fourteen lots which were shown in the last section of the subdivision.

ANALYSIS: The tract is roughly triangular in shape, which limited the original residential design to fourteen relatively smaller lots served by a cul-de-sac which connected to Astor Drive. More than half of the lots backed up to Tecumseh Road. The proposed PUD amendment would allow four office lots, which would be interconnected to allow cross-parking throughout the site.

ALTERNATIVES/ISSUES:

USE No retail use is proposed; the PUD limits the usage to professional offices, both medical and non-medically related. The development restrictions echo the standard requirements in the O-1, Office-Institutional zoning district.

ACCESS In response to neighborhood concerns expressed at a Pre-Development meeting, access to Astor Drive has been eliminated. Two driveways are now proposed onto Tecumseh Road, one of which has been designed as a "right-in, right-out" only, due to its proximity to the Astor Drive intersection. Traffic generation from this development will not be significant enough to warrant the signalization of that intersection, but should traffic on Tecumseh Road continue to increase due to other development, the proposed driveway should minimally impact the operation of that signal.

LANDSCAPING AND SCREENING Required landscaping will be installed around the entire perimeter of the project, and will include a low hedge as well as trees along Astor Drive, which will limit the visual impact from the street. No hard fences are proposed in the project, other than those required to screen dumpsters and equipment. Landscaping will be irrigated and commonly maintained.

ARCHITECTURE AND DESIGN All buildings will have masonry exteriors and residential shingled roofs. Other than incidental attic space, all office buildings will be limited to one story in height. Each lot will be allowed one ground sign facing Tecumseh Road that is no taller than six feet in height.

OPEN SPACE Other than a small dedication of additional public park land, all required open spaces have been dedicated with previous sections of this PUD, and total more than thirteen acres of private open space in this neighborhood. The additional parkland dedication will increase the adjacent public park to 5.2 acres in size.

PHASES Only one final plat will be submitted (one phase) but individual lots will be separately improved. Because of the limited access provided to the development, elements of the parking and driveways will be constructed by the developer along with the individual lot owner so that full access for sanitation and emergency vehicles can be maintained.

OTHER AGENCY COMMENTS:

- **PARK BOARD** With the filing of a final plat, an additional 0.19 acres of public park land will be dedicated and added to the existing Cascade Public Park.

- **PUBLIC WORKS** The Public Works Department supports the request to waive the requirement for an alley, as cross access has been provided

STAFF RECOMMENDATION: From a design perspective, this tract could be developed as originally proposed for residential use, given that a fourteen lot plat has previously been approved. The proposed office use would, along with the public park, provide a buffer from any traffic noise that impacts the existing residences further south, and provide enclosure around the public park that would enhance its enjoyment. Staff is able to support this amendment to the Planned Unit Development, and recommends adoption of the Ordinance, PUD narrative, and supporting documentation.

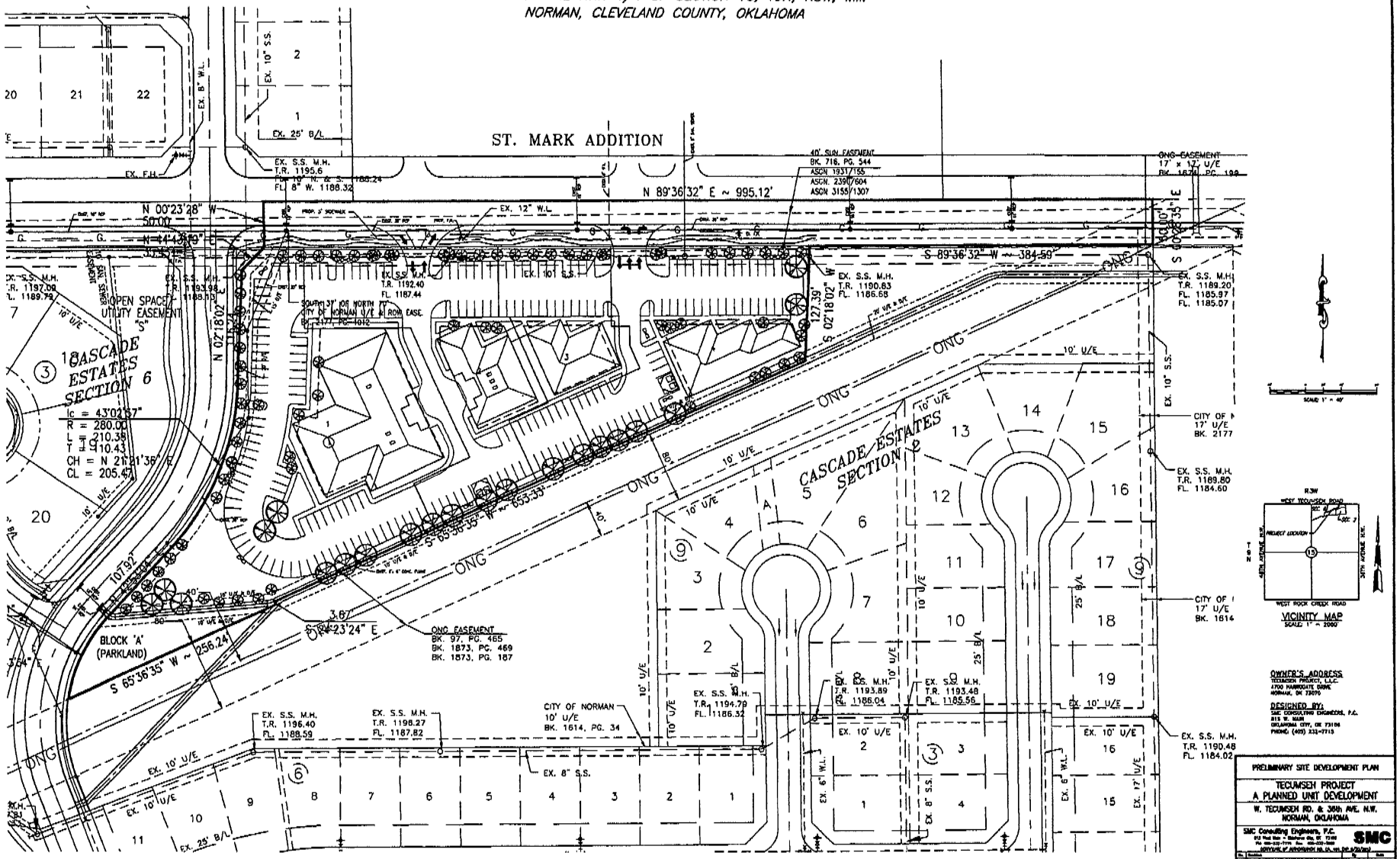
PRELIMINARY SITE DEVELOPMENT PLAN

TECUMSEH PROJECT

A PLANNED UNIT DEVELOPMENT

A PART OF THE N.W. 1/4 OF SECTION 15, T9N, R3W, I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA



OWNER'S ADDRESS
TECUMSEH PROJECT, L.L.C.
4700 MANHATTAN DRIVE
NORMAN, OK 73070

DESIGNED BY:
SMC CONSULTING ENGINEERS, P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
PHONE: (405) 232-7715

PRELIMINARY SITE DEVELOPMENT PLAN

TECUMSEH PROJECT
A PLANNED UNIT DEVELOPMENT
W. TECUMSEH RD. & 36th AVE. N.W.
NORMAN, OKLAHOMA

SMC Consulting Engineers, P.C.

SMC

No.	Revision	By	Date
1	Revised per City comments/Conference	KAL	6/28/11
2	Revised per City comments/Conference	KAL	8/29/11
3	Revised per City comments/Conference	KAL	9/29/11

DATE: 5/27/11
DRAWN BY: KAL
SCALE: 1" = 40'
PROJECT NO.: 10.08.09
SHEET NO. 1

THE TECUMSEH PROJECT, LLC
PUD NARRATIVE

Norman, Oklahoma

PLANNED UNIT DEVELOPMENT
APPLICATION FOR REZONING AND
PRELIMINARY DEVELOPMENT
PLAN/PLAT

February 5, 2001
Revised March 1, 2001
Revised June 13, 2011

PREPARED BY:

SMC Consulting Engineers, P.C.
815 W. Main
Oklahoma City, OK 73106

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NARRATIVE STATEMENT

Ms. Susan Connors
Director of Planning
City of Norman
P.O. Box 370
Norman, Oklahoma 73070

Re: Amended Cascade Estates PUD now known as
The Tecumseh Project, LLC
Third Amendment

Dear Ms. Connors:

I. INTRODUCTION AND DEVELOPMENT CONCEPT

The third amended PUD, again only affects the remaining northeast portion of the original PUD that portion (5.4 acres) is hereby changed.

The developer, The Tecumseh Project, LLC, requests to add a different product to become available for professional offices. The new product will be professional/medical/office buildings. One per lot on only 4 lots. The buildings will be single story masonry exteriors with sloped roofs. The areas will have a common landscaped area with irrigation and maintenance in common and paid by a Ownership Association. The lots will have low level sharp cut-off lighting. No all night lights will be allowed except for security lighting. All buildings will be professionally supervised by Rick McKinney, owner of The McKinney Partnership Architects.

All lots will comply to the O-1 office district setbacks, parking, and other restrictions recited in the City of Norman code.

The developer has previously granted the Cascade Park located south of and abutting the remaining street. The Cascade Park is 4.94 acres. This park provides a minimum of a 100-feet buffer to the nearest residential lot. This is the width of a standard arterial road. In other locations this buffer is over 3 times that distance. The developer is deeding an additional 0.19 acres to the City of Norman. This additional tract is located at the southwest corner of the tract being revised by this application.

The additional tract will enlarge the Cascade Park to a new area of 5.13 acres. This area will be enhanced by an open space area located in the remaining tract. The developer will heavily landscape this area thus creating an additional landscaped buffer to the neighbors located west of Astor Drive.

In addition, the developer will add perimeter landscaping on the entire remaining tract of land. Privacy will be designed.

Lighting will comply to the new proposed ordinance.

A drive connecting the parking lot on Astor Drive, at the southwest portion of the tract was eliminated at the request of some concerned neighbors. The only access to the site will be from Tecumseh Road and there will be only two access points. A traffic impact analysis has been performed that documents the safety of this solution.

The PUD requirements and conditions represented in the initial Narrative Statement remain intact. A copy of the approved Narrative Statement is attached.

This revised Narrative Statement will only address that portion that is being changed and is the only area remaining undeveloped from the original submittal.

II. PROPERTY DESCRIPTION/EXISTING SITE CONDITIONS

A. Location

Cascade is located northwest of Downtown Norman, southwest of the intersection of Tecumseh Road and N.W. 36th Avenue. It is part of the North Half, Section 15, Township 9, North, Range 3 West of the Indian Meridian in Norman, Cleveland County, Oklahoma.

B. Existing Land Use and Zoning for Previous PUD

The property is currently zoned PUD. The site has been platted and developed essentially as initially proposed.

This is the third amendment for the PUD The initial PUD was approved by the Planning Commission on November 3, 1997. The City Council adopted the Ordinance to place the property in the PUD on January 3, 1998. The second amendment for this PUD was approved by the Planning Commission and City Council in 2001.

The initial application consisted of 106.79 acres and requested to construct 329 dwelling units for single family homes.

The open space minimum required was 10% but the PUD was predicting over 22%. The houses to be constructed were for semi-custom lots.

Because of the generous amount of open space, the PUD proposed more liberal lot coverage and set back requirements than a standard development.

Traffic circulation projected cul-de-sacs, looped streets, and very curvi-linear design to reduce speed and through traffic. Speed bumps have also been added by the City of Norman to further reduce speed of traffic. Pedestrian circulation was enhanced by separate pathways throughout the connecting open space areas.

Several Final Plats have been recorded that match the present PUD.

The following is a historical summary of the PUD:

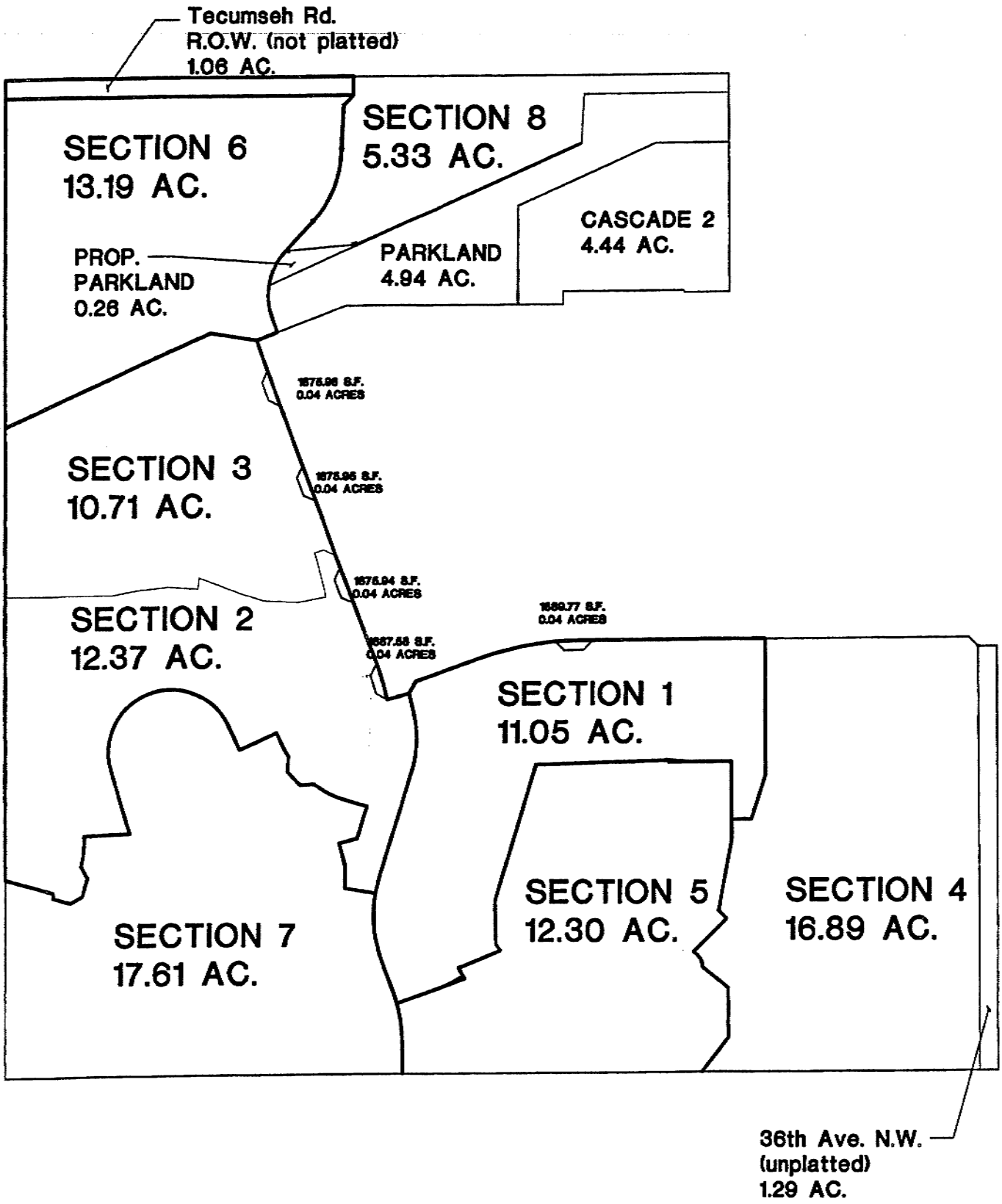
1. Area of initial Preliminary Plat		106.79 ac
2. Number of acres platted plus Section Line road right-of-way not platted	96.26 ac	
3. Parkland deeded to City of Norman or Proposed to deed to City of Norman	5.20 ac	
4. Remaining unplatted and proposed by this amendment	5.33 ac	
Total	106.79 ac	106.79 ac

5. Number of Recorded Plats – 7 plats
6. Table Summary

Cascade Estates PUD Plats	Parkland Acres	Lots	ROW acres	Open Space ac.
Cascade Estates Section 1		36	1.94	1.87
Cascade Estates Section 2		37	2.99	2.6
Cascade Estates Section 3		28	1.89	2.02
Cascade Estates Section 4		79	3.58	3.27
Cascade Estates Section 5		47	2.42	0.13
Cascade Estates Section 6		33	4	2.26
Cascade Estates Section 7		67	3.83	0.9
Parkland Deeded to City of Norman	4.94			
Parkland to be Deeded to City of Norman	0.26			
Remaining Unplatted land		4	2.1	0.8
Total	5.2	331	22.75	13.85

7. Comparison of Projected vs. Constructed (Gross Area Ratio)

	Estimated	Platted
Number of Lots	329	331
Private Open Space	16.1 ac (15.1%)	13.85 ac (12.96%)
Public Open Space	7.6 ac (7.1%)	5.2 ac (4.86%)
Street ROW	6 ac (5.6%)	22.75 ac (21.3%)



CASCADE ADDITION
JUNE 8, 2011

8. Final Summary (Gross Area)

		Gross	Net
ROW	22.75 ac	21.3%	
Open Space	19.05 ac	17.8%	22.6%
Lot Area	64.99 ac	60.9%	
	106.79 ac	100%	

The property is surrounded by land within the City of Norman City Limits. Along the north property line (across Tecumseh Road) is Castle Rock Subdivision, zoned R-1, with single-family homes (lot size approximately 70 ft. X 140 ft.). The adjacent land along the west property line is zoned A-2 and is vacant land and the Theodore Roosevelt Elementary School. To the South is the Berkeley Subdivision, zoned R-1 with single-family homes (lot size approximately 70 ft. X 120 ft.). The adjacent land to the east is part of the Cascade Subdivision, zoned R-1, with single-family homes (lot size approximately 60 ft. X 110 ft.). The property across N.W. 36th Avenue to the east is PUD, and is planned with mixed industrial, commercial, and multi-family uses.

C. Elevation and Topography

The site consists of gentle sloping terrain from the west to the east with slopes less than 2%. The elevation of the property is 1205 along the west property line and 1186 along the east property line with a total of 17 feet of grade change across the entire property.

D. Drainage

A detention study was approved with the initial PUD and all detention facilities have been constructed.

E. Utility Services

All of the required utility systems for the projects (including water, sewer, gas, telephone and electric) are currently located adjacent to the boundaries of the property.

F. Fire Protection Services

Fire protection services will be provided by the City of Norman Fire Department.

G. Traffic Circulation and Access

A Traffic Impact Analysis has been submitted.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

A. Use

Design will meet requirement of the current O-1 zoning ordinance.

1) 25-feet front yard building set-back.
2) Five feet side yard set-back on both sides of the lot.
3) The rear yard set-back will be 10 feet for all lots.

B. Perimeter Treatment

The perimeter will be landscaped with a mixture of deciduous and evergreen trees that will exceed the City requirements.

C. Open Space

The open space meets City requirements.

D. Phases

The remaining property of revised PUD will be platted as one phase. Each lot will be sold on a lot by lot basis.

E. Lighting

Low level luminaires that restricts illumination beyond limits of site.

F. Project Signs

Four low profile masonry signs on Tecumseh Road. Not to exceed 6 feet in height and 5 feet wide with lights low profile.

G. Architectural Controls and Material

Exterior Building and Site Design

Tecumseh Office Park will be a campus of four residential-style office buildings through the application of masonry exteriors and sloped roofs similar in color to the surrounding neighborhoods. Window systems shall be of same color, finish and

material. All exterior landscaping will be coordinated, irrigated, and maintained through a common Property Owners Association (POA). All exterior lighting shall be sharp cut-off fixtures, identical in design and illumination, maintained, and controlled daily by the POA.

The design of each building shall be carried out by a licensed architect and reviewed for compliance with the Design Guidelines by an Architectural Review Committee (ARC) before a building permit can be issued.

Masonry: Exterior veneer of all structures shall be at least eighty (80%) masonry including modular face brick, natural stone with horizontal coursing, cultured stone, and "ground" or "rock" face integral color concrete units. The face brick shall contain at least three (3) colors from a five brick blend as manufactured by Acme Brick or approved equal. All other masonry materials shall be cream, tan, buff, or a light complimentary color to accent the masonry as approved by the ARC.

Stucco: Up to twenty percent (20%) of the exterior veneer may be cement stucco or exterior insulated finish system (EIFS) with a medium or light sandblast texture. All stucco type material must be installed a minimum of 36" above finish grade.

Roof: All exposed roof areas shall be sloped at a 6:12 pitch and may not exceed 27' in height above finish grade. Reinforced composition shingles shall be "Weathered Wood" in color, granular surface, as manufactured by GAF or approved equal. No flat roofs will be allowed except for the recessed roof areas shown on the Preliminary Development Site Plan for Lots 1 and 2 at the interior portion of the buildings.

Windows: All exterior windows shall be insulated gray glass within dark bronze anodized aluminum frames.

Doors: Exterior entry doors shall be a two light "French door" style, wide style with a center horizontal rail, dark bronze anodized finish, and gray insulated glass. Secondary and private entry doors may be French doors to match or solid insulated hollow metal.

Equipment Screening: All ground mounted equipment shall be screened with a masonry enclosure to prevent view from the parking, common areas, or surrounding neighborhood.

Wall Mounted Equipment: All wall mounted equipment shall be painted to match the material it is attached to.

Building Lighting: Light fixtures attached to buildings shall be sharp cut-off wall fixtures or recessed within the exterior soffits.

Site Lighting: Perimeter parking area lighting shall be mounted on 20' tall tapered dark bronze poles on 24" tall concrete bases. Fixtures shall be sharp cut-off type to contain light within the site. Lamps shall be metal halide. Lighting will be time clock controlled

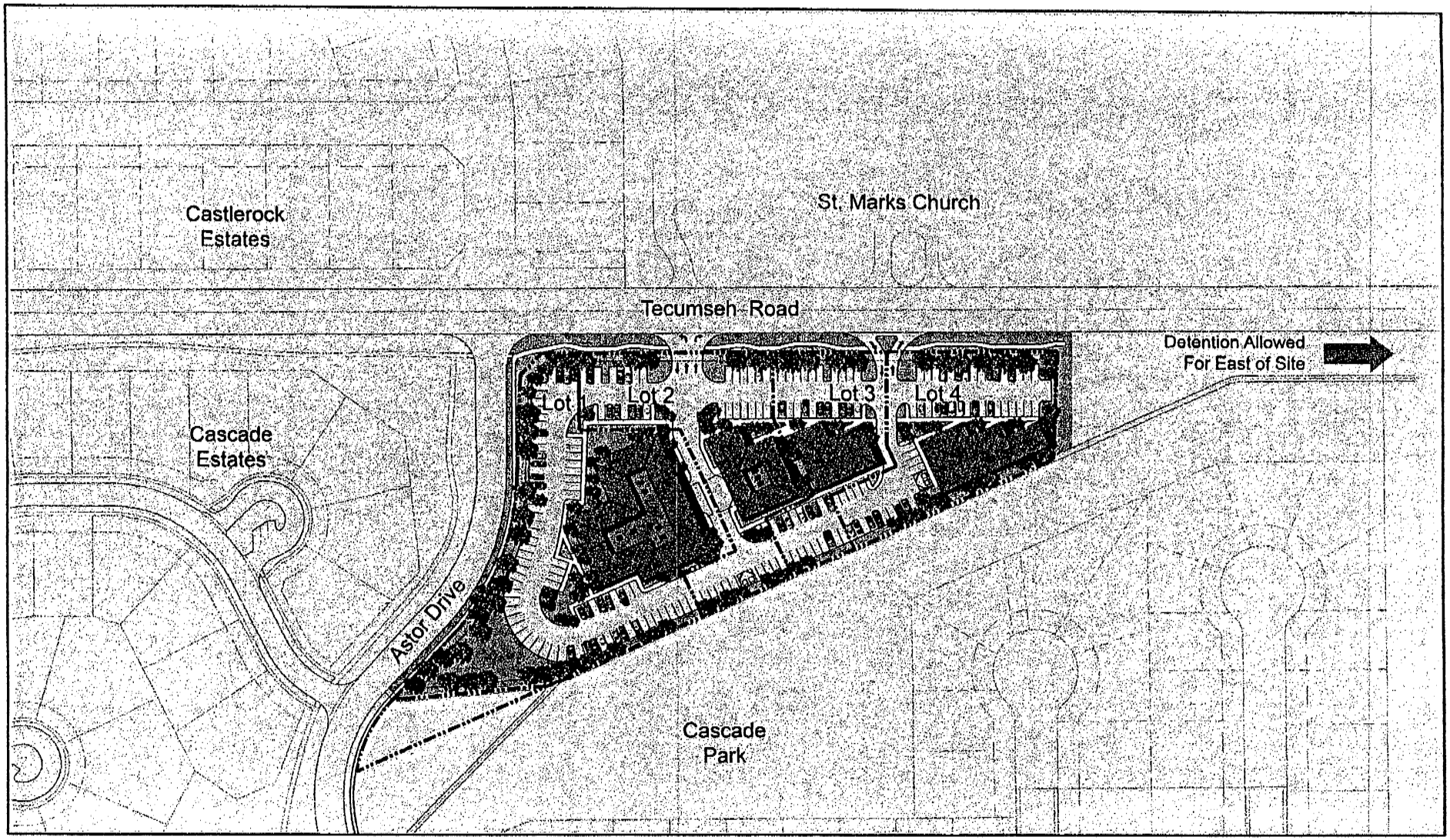
Signage: Four (4) low profile ground mounted signs (one per building) shall be located on Tecumseh Road with a maximum signage area per face of 40 square feet. In addition one (1) wall sign may be installed near each tenant entrance.

Landscaping: Site landscaping shall be uniform and exceed of City of Norman standards. Refer to attached Exhibit E.

Sidewalks: All walks shall be concrete with joints spaced equal to the width of the walk and a light broom cross-texture.

Paving: Site paving and curbing shall be concrete with heavy traffic paving at drive lanes and reinforced paving at dumpster loading areas. The Developer shall complete the drive lanes and dumpster enclosures beyond the limits of each lot required to provide full circulation and access for each building as required by the City and users. Refer to the attached Exhibit F for diagrams outlining the phased paving construction for each lot.

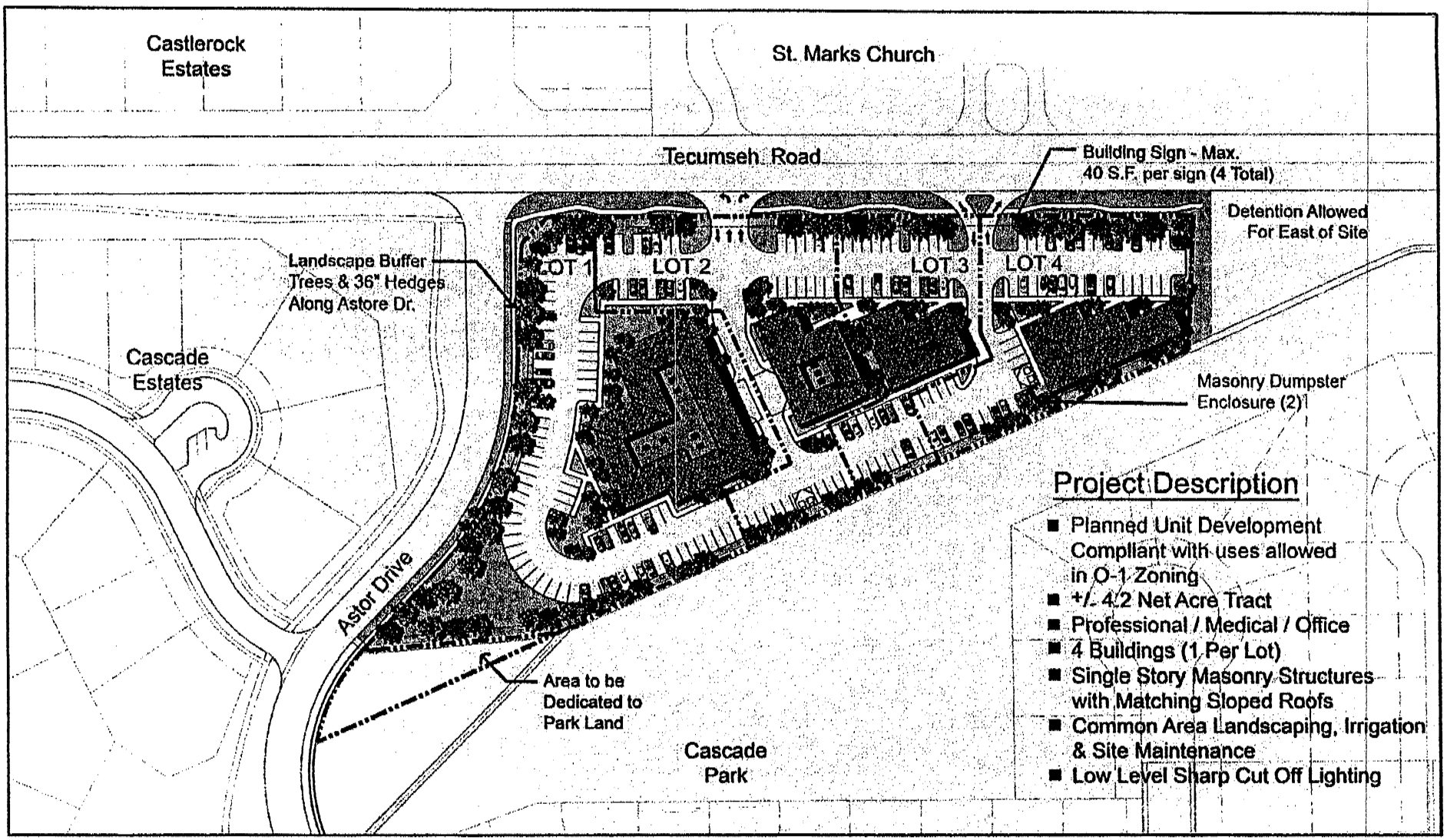
Dumpster Enclosures: Enclosures shall be brick masonry on CMU back-up with twin gates painted to match the roof color.



Tecumseh Project L.L.C.

PRELIMINARY SITE VICINITY PLAN

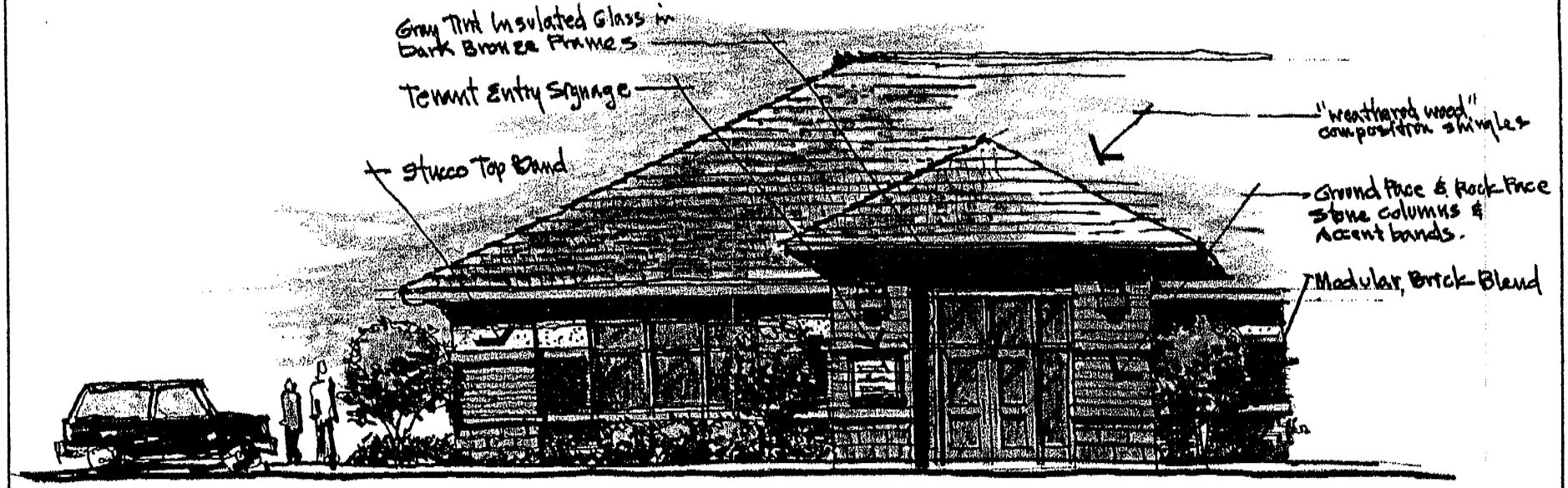
0 100 200 400



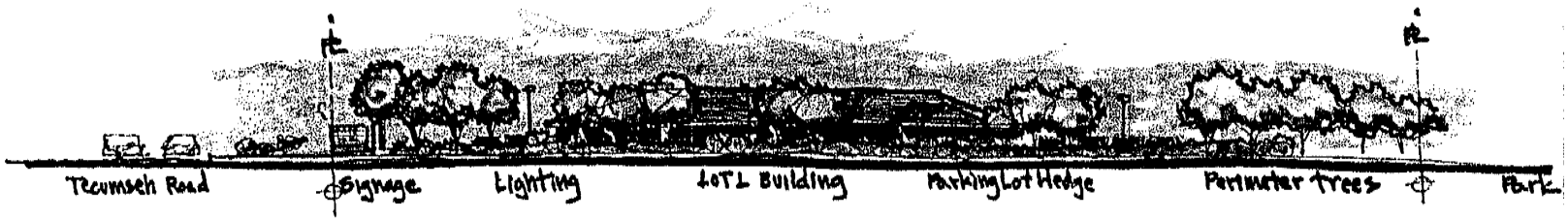
Tecumseh Project L.L.C.

PRELIMINARY SITE DEVELOPMENT PLAN

0 100 200 400



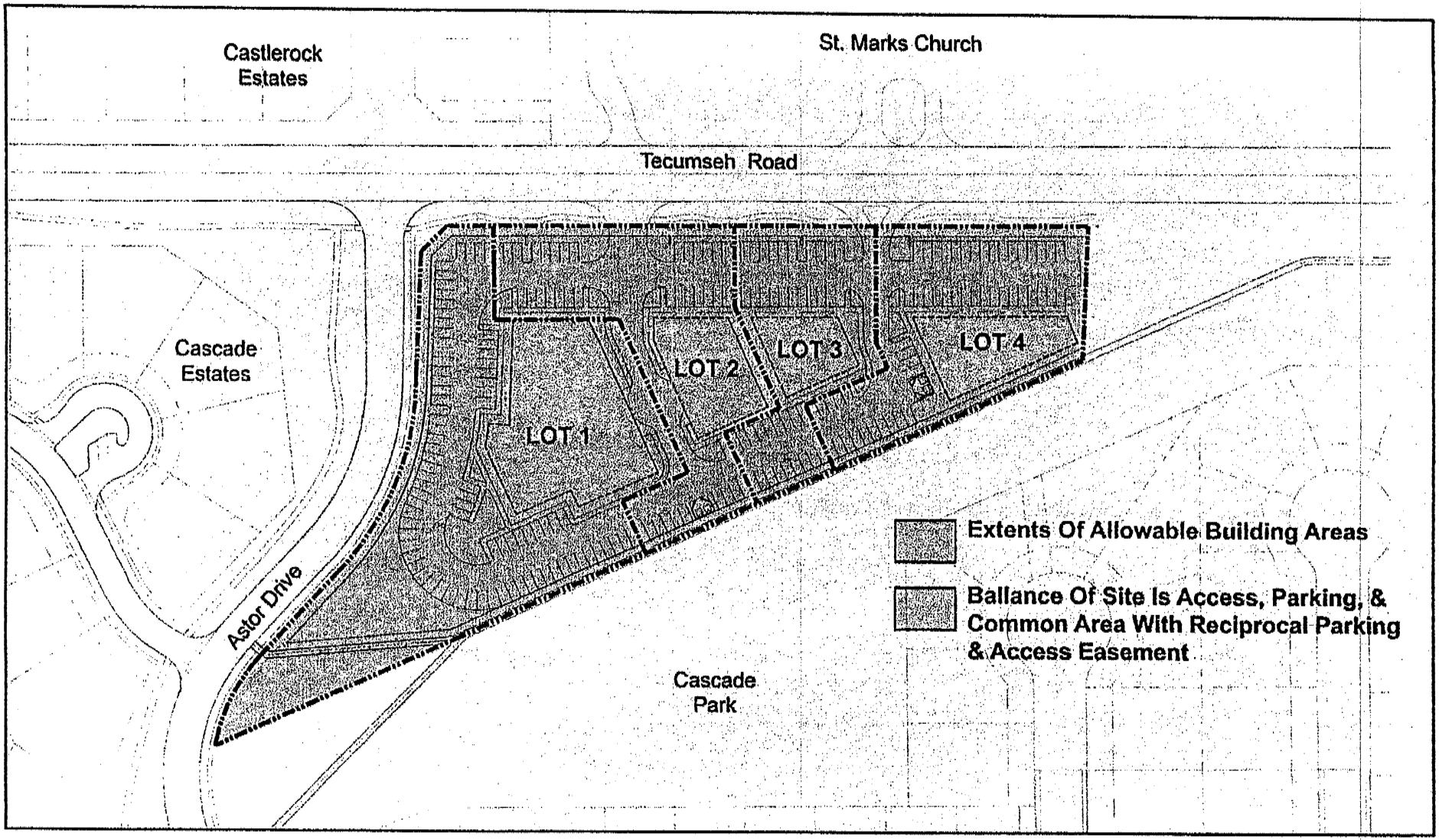
PRELIMINARY ELEVATION



VIEW FROM ASTOR DRIVE

Tecumseh Project L.L.C.

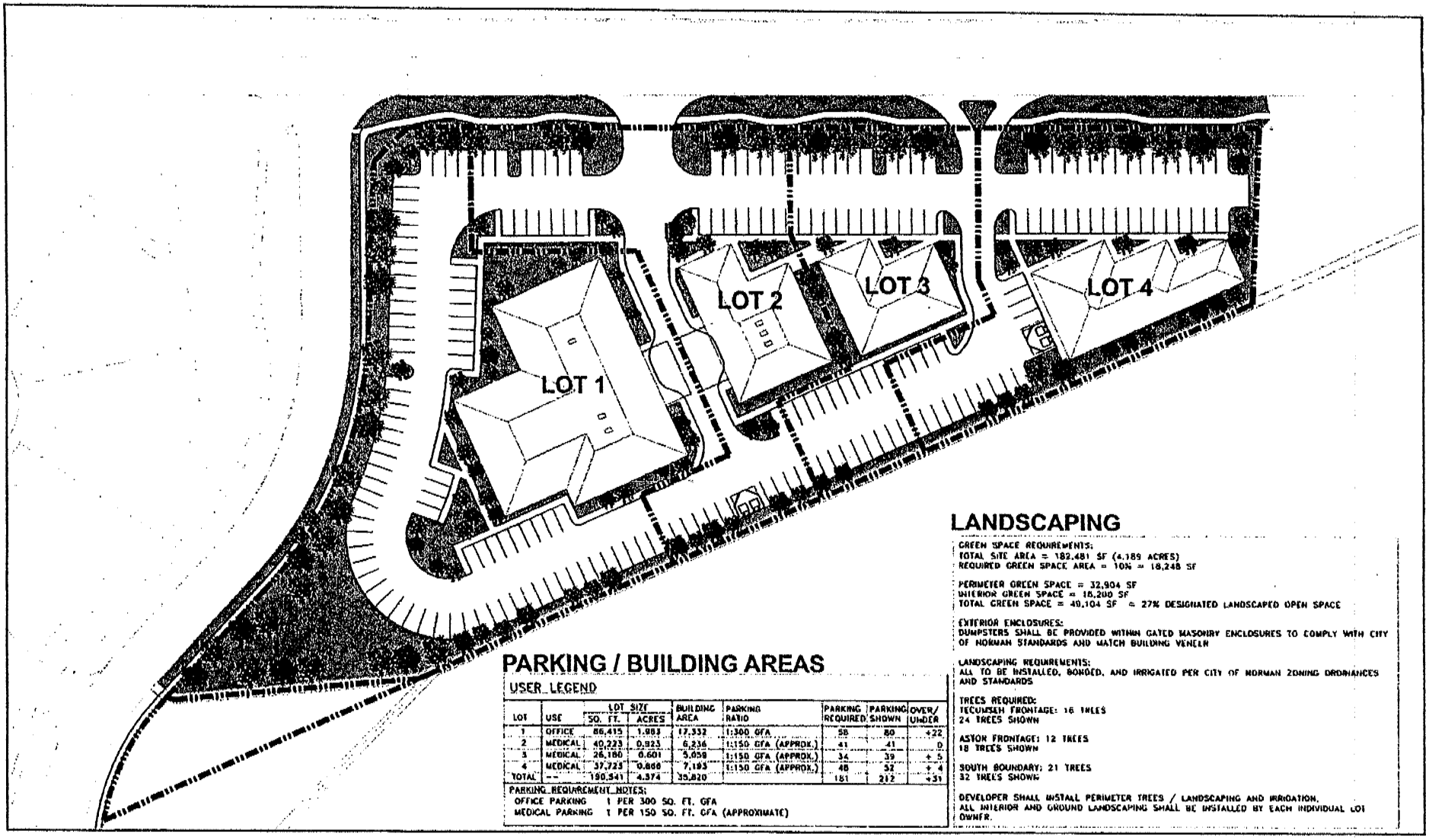
PRELIMINARY ELEVATIONS



Tecumseh Project L.L.C.

MAXIMUM BUILDING AREA PLAN

0 100 200 400



PARKING / BUILDING AREAS

USER LEGEND

LOT	USE	LOT SIZE SQ. FT.	LOT SIZE ACRES	BUILDING AREA	PARKING RATIO	PARKING REQUIRED	PARKING SHOWN	OVER/ UNDER
1	OFFICE	86,415	1.983	17,332	1:300 GFA	58	80	+22
2	MEDICAL	40,223	0.923	6,236	1:150 GFA (APPROX.)	41	41	0
3	MEDICAL	26,180	0.601	5,058	1:150 GFA (APPROX.)	34	39	+ 5
4	MEDICAL	37,723	0.866	7,193	1:150 GFA (APPROX.)	48	52	+ 4
TOTAL	--	190,541	4.374	35,820		181	212	+31

PARKING REQUIREMENT NOTES:
OFFICE PARKING 1 PER 300 SQ. FT. GFA
MEDICAL PARKING 1 PER 150 SQ. FT. GFA (APPROXIMATE)

LANDSCAPING

GREEN SPACE REQUIREMENTS:
TOTAL SITE AREA = 182,481 SF (4.189 ACRES)
REQUIRED GREEN SPACE AREA = 10% = 18,248 SF

PERIMETER GREEN SPACE = 32,904 SF
INTERIOR GREEN SPACE = 16,200 SF
TOTAL GREEN SPACE = 49,104 SF = 27% DESIGNATED LANDSCAPED OPEN SPACE

EXTERIOR ENCLOSURES:
DUMPSTERS SHALL BE PROVIDED WITHIN GATED MASONRY ENCLOSURES TO COMPLY WITH CITY OF NORMAN STANDARDS AND MATCH BUILDING VENEER

LANDSCAPING REQUIREMENTS:
ALL TO BE INSTALLED, BONDED, AND IRRIGATED PER CITY OF NORMAN ZONING ORDINANCES AND STANDARDS

TREES REQUIRED:
TECUMSEH FRONTAGE: 16 TREES
24 TREES SHOWN

ASTOR FRONTAGE: 12 TREES
18 TREES SHOWN

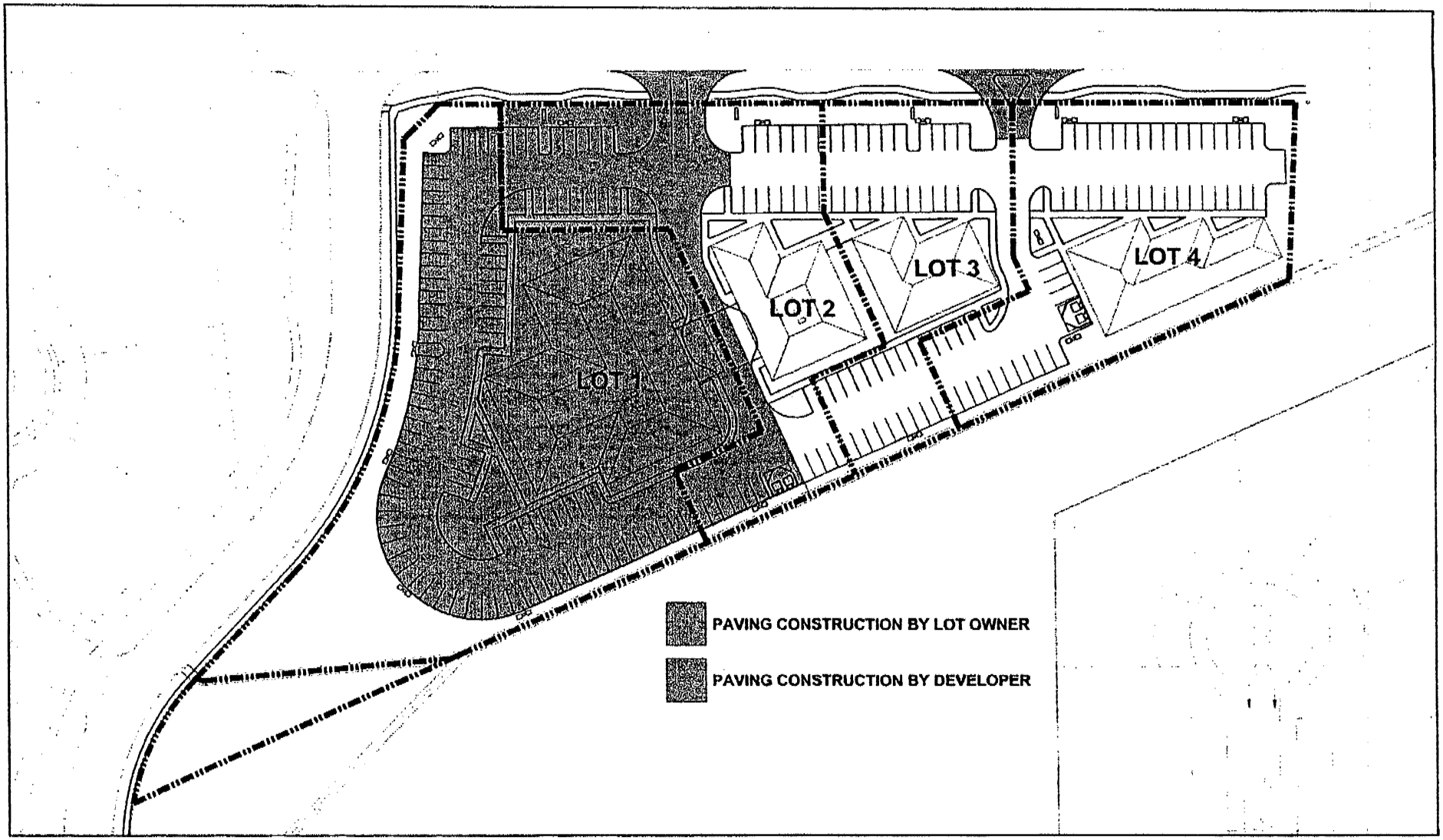
SOUTH BOUNDARY: 21 TREES
32 TREES SHOWN

DEVELOPER SHALL INSTALL PERIMETER TREES / LANDSCAPING AND IRRIGATION.
ALL INTERIOR AND GROUND LANDSCAPING SHALL BE INSTALLED BY EACH INDIVIDUAL LOT OWNER.

Tecumseh Project L.L.C.

PRELIMINARY LANDSCAPING AND PARKING PLAN

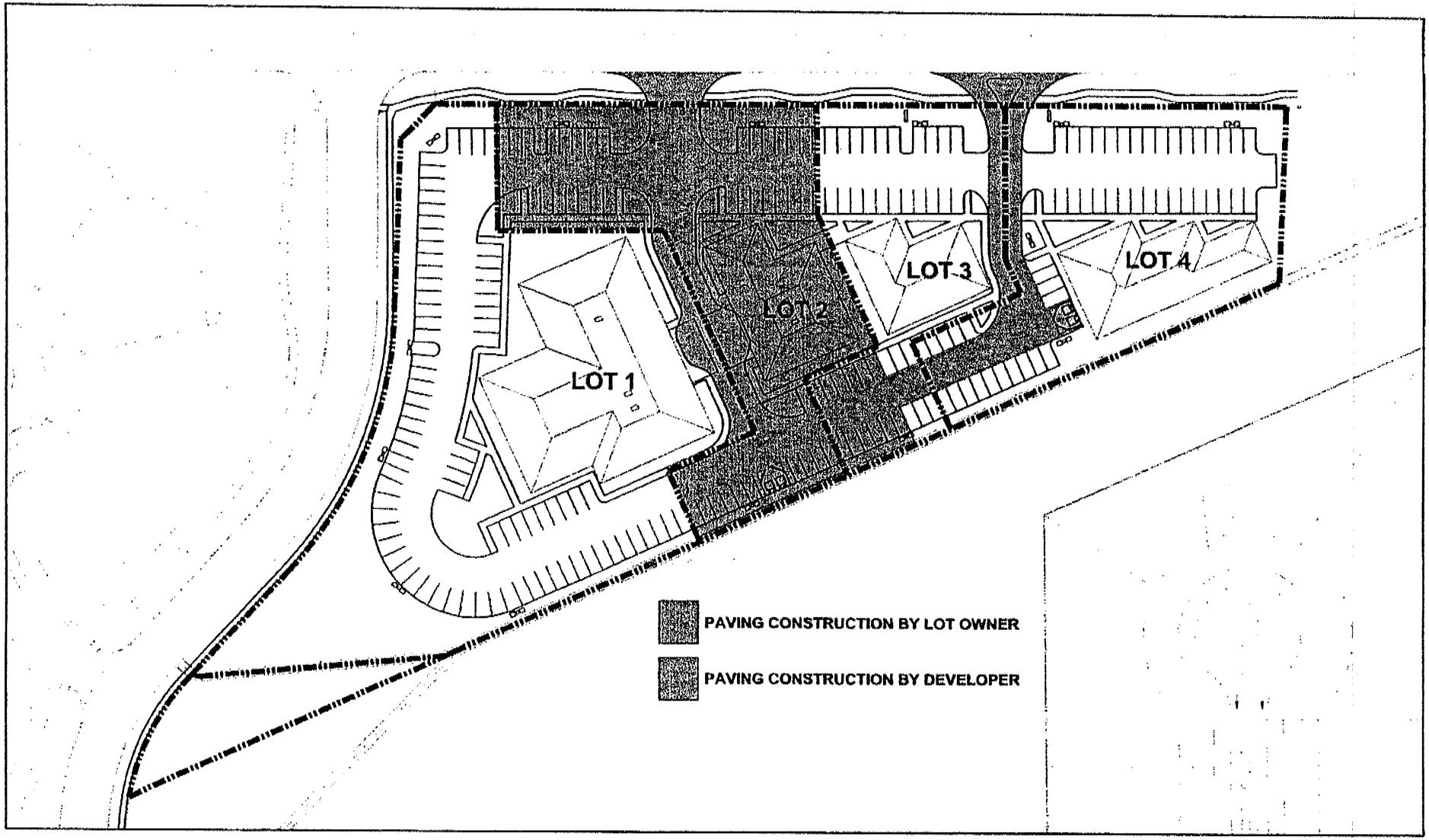
0 100 200 400



Tecumseh Project L.L.C.

PHASED PARKING & CIRCULATION PLAN - LOT 1 DEVELOPMENT

0 100 200 400



Tecumseh Project L.L.C.

PHASED PARKING & CIRCULATION PLAN - LOT 2 DEVELOPMENT

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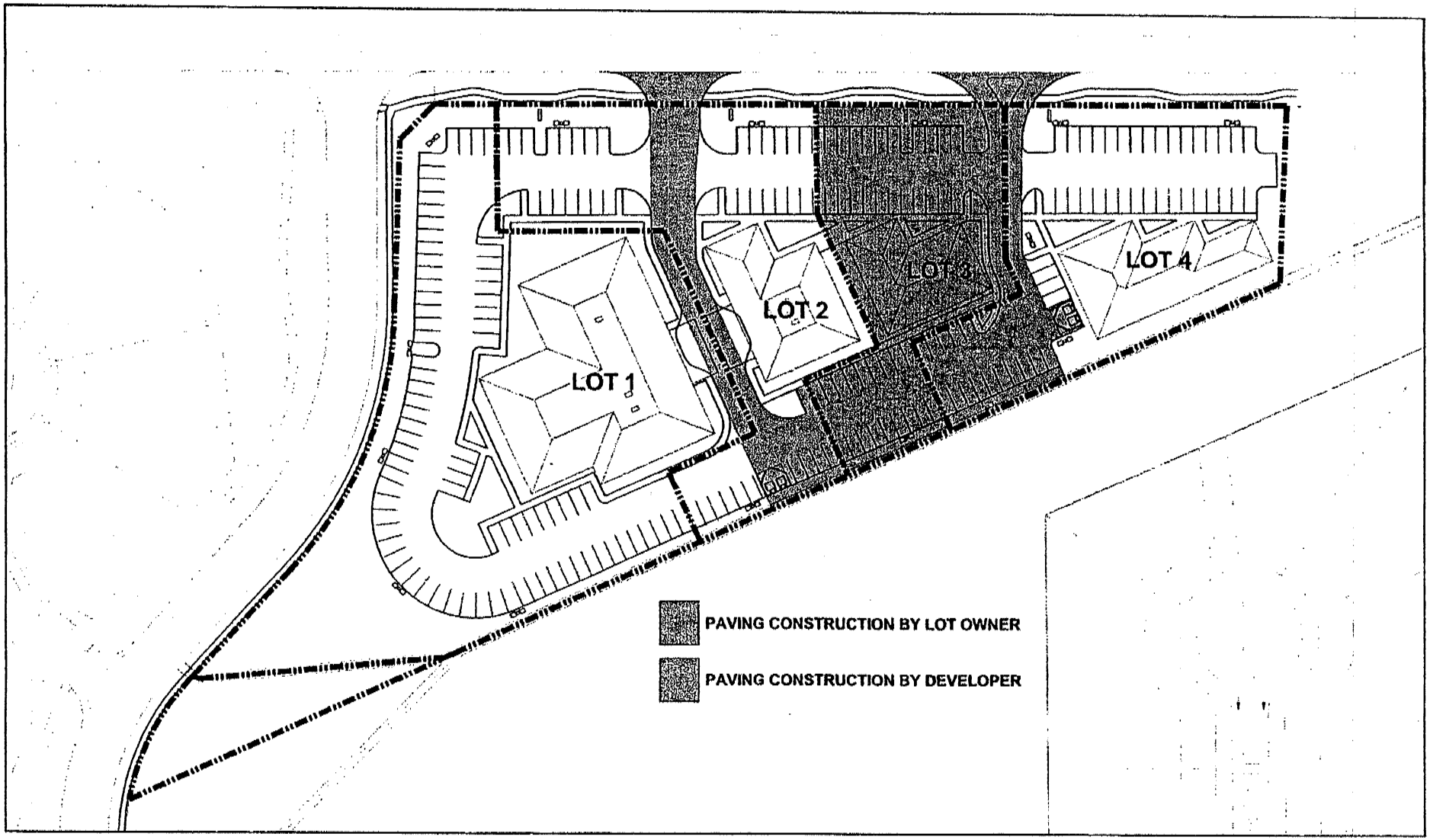

Tecumseh Project L.L.C.

PHASED PARKING & CIRCULATION PLAN - LOT 3 DEVELOPMENT

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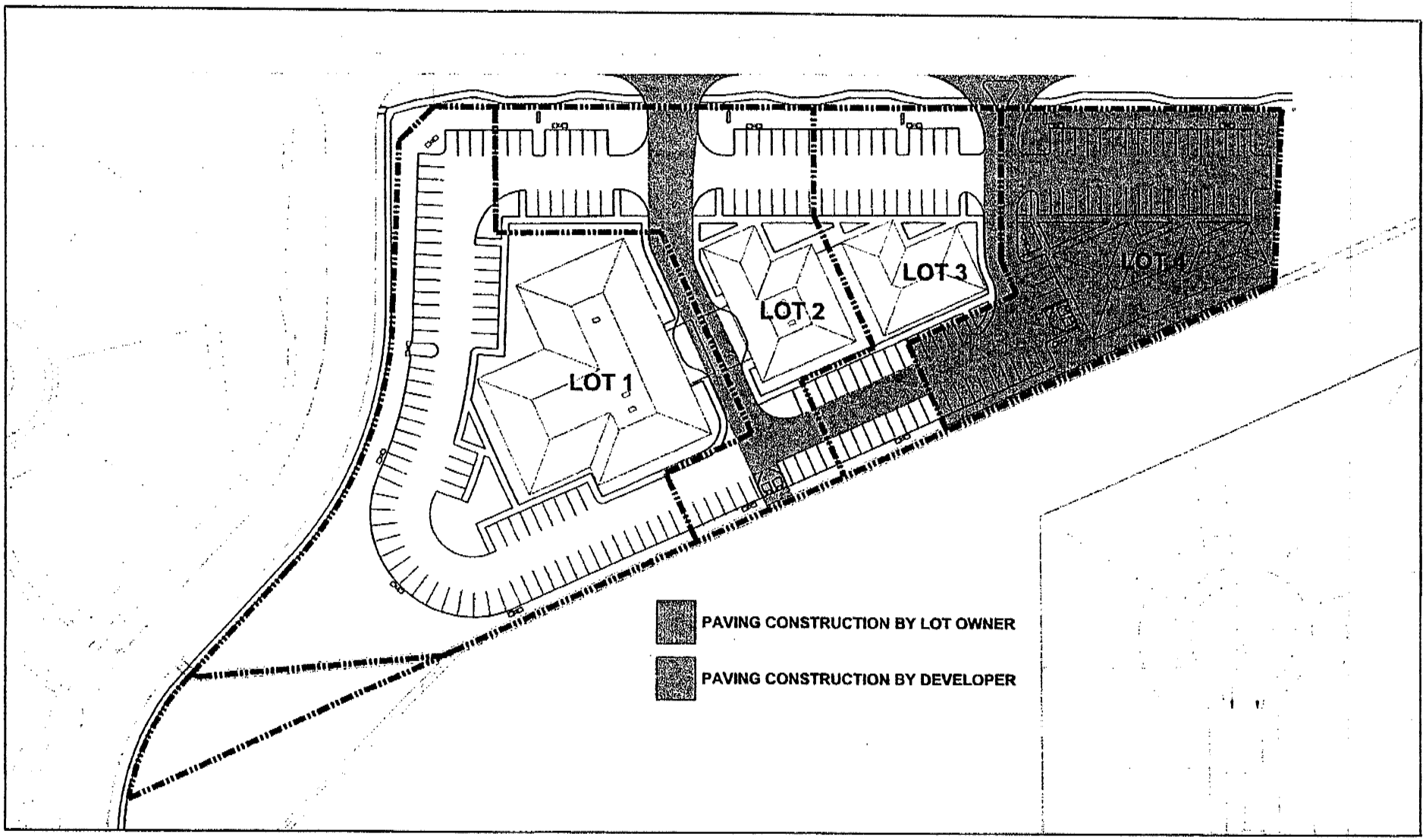


Tecumseh Project L.L.C.

PHASED PARKING & CIRCULATION PLAN - LOT 4 DEVELOPMENT

0 100 200 400

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

AUGUST 11, 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 11th day of August 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

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

Item No. 1, being:
ROLL CALL

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

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

* * *

Item No. 6, being:
CONSIDERATION OF A REQUEST SUBMITTED BY THE TECUMSEH PROJECT, L.L.C. FOR PROPERTY GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE.

6A. RESOLUTION NO. R-1112-4
THE TECUMSEH PROJECT, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-01) FROM LOW DENSITY RESIDENTIAL DESIGNATION TO OFFICE DESIGNATION FOR 5.33 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE.

ITEMS SUBMITTED FOR THE RECORD:
1. NORMAN 2025 Map
2. Staff Report

6B. ORDINANCE NO. O-1112-1
THE TECUMSEH PROJECT, L.L.C., REQUESTS AMENDMENT OF THE PUD ESTABLISHED BY O-9798-24 TO ALLOW BUSINESS, PROFESSIONAL AND MEDICAL OFFICES ON 5.33 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative
4. Preliminary Site Development Plan

6C. PP-1112-1
CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY THE TECUMSEH PROJECT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TECUMSEH PROJECT, A PLANNED UNIT DEVELOPMENT FOR PROPERTY GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Traffic Impacts
5. Preliminary Site Plan
6. Request for Alley Waiver
7. Pre-Development Summary
8. Greenbelt Enhancement Statement
9. Greenbelt Commission Minutes – 3/21/11

*

Mr. Sherrer asked to be recused from discussion on Item Nos. 6a, 6b, and 6c.

Diana Hartley moved to accept Mr. Sherrer's recusal on Item Nos. 6a, 6b, and 6c. Roberta Pailes seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to accept Mr. Sherrer's recusal on Item Nos. 6a, 6b, and 6c, passed by a vote of 6-0.

Mr. Sherrer vacated his seat and left the room.

*

PRESENTATION BY STAFF:

1. Mr. Koscinski reported that the first item is a Plan change from Low Density Residential to Office designation. The tract is on the south side of Tecumseh at Astor Drive. The accompanying rezoning is a PUD Amendment, so they are fairly specific in what they would do with this property. They originally asked for a Commercial Office designation, but the application was subsequently amended to a PUD Amendment specifically for professional office use only. The tract is pretty much surrounded by development in the immediate area. The site itself is vacant. It lies directly across the street from St. Mark's Church. The project will line up with the two church driveways to minimize traffic interference. Further east, the immediate corner is still vacant, but across 36th are some new commercial businesses which have sprung up partly in response to the hospital that opened fairly recently. The tract will abut an open space pipeline and park before you reach the residential area to the south. To the west is also single-family residential. Astor Drive is the major entrance off Tecumseh Road into the Cascade Estates neighborhood. There was a significant protest on the application. The protest does not technically affect the Planning Commission recommendation. When it goes above 50% it does require a super-majority of the Council, but not of the Planning Commission. The Plan change requires that two actions occur that precipitate a change. One is that there has been a change in circumstances resulting from development in the area. Obviously the hospital bought this land a few years back, but they've only recently opened the hospital, and since that hospital has been opened you've seen some of the new businesses spring up out there and we've had a lot of interest from doctors and businesses looking to locate near the hospital. I presume that is probably what precipitated this project. The price of land in the area is escalating and I'm sure the developers have chosen to try to take advantage of that. Second, there must be a determination that the proposed change would not result in adverse land use or adverse traffic impacts. The traffic engineer has determined, based on the data that was submitted to us, that Tecumseh Road can handle the additional traffic that comes from the Tecumseh Project. When the review of this project started, staff had suggested that there be an access point onto Astor Drive, and that was removed at the request of many of the residents of the neighborhood. So all the traffic is focused onto Tecumseh Road from this project and the driveways will line up with the driveways from the church. There has been some detailed consideration of how the traffic would flow in and out of the project. One of the driveways is programmed to be right-in/right-out only. From a zoning perspective, they are proposing a PUD, which would limit the use to only professional offices, such as doctors, dentists, lawyers, optometrists. It is not a retail district and does not allow for any retail use, other than some truly incidental things like an eye doctor can sell glasses.

The applicants have proposed additional landscaping to try to improve the appearance of the project, specifically along Astor Drive where they have trees and a continuous shrub barrier. One of the concerns from the neighborhood was appearance, and the PUD mandates that the buildings be single story, other than some incidental storage perhaps, with pitched roofs, masonry exteriors. There will be a lot of residential elements to the buildings. There is one additional open space that will be created. There is a piece of park land that has not yet been dedicated, so the public park will increase in size as a result of this proposal. They are proposing one phase for the final plat, although the lots could be developed together or independently, or combined at some point in the future. Staff supports the request for the Plan change, the rezoning, and the preliminary plat.

2. Mr. McCarty asked for clarification of what fits in the professional office category. Mr. Koscinski explained that it allows virtually any type of office use: accountants, medical, professional. There are a few unusual uses that the O-1 district will allow, one of which is a school, museum, and things like that which are technically allowed but probably would not occur in this area. The closest to a retail use would be an art gallery. Libraries, music conservatories. Very low traffic uses. Not anything that runs late at night or around the clock.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, engineer for the applicant – This project has been in motion for a while. We had a Pre-Development meeting on March 24, and have met with the architect and neighbors. At the Pre-Development meeting is when we were informed of the concern of some of the neighbors. It was a very intense meeting. After that, we changed the plan, because that application was CO, and we withdrew that CO completely and went back to the PUD, which we thought would be better for everybody and give the neighbors some guarantees or some security with some of the concerns that they had. We've met several times since then in Mr. McKinney's office, and the client has met individually with several people on numerous occasions. So there have been extensive meetings that have taken place. The PUD was put in place to give some guarantees to the neighbors of what this is going to be like. It is not a contract, but it's close. So we're confined with the document of the PUD. This plan that you see before you is the illustration of the site plan, and this is called the Preliminary Site Development Plan, which is required for the PUD documentation. In the beginning, with the initial CO application, we had an access point onto Astor Drive and we prepared a traffic impact analysis to show how the traffic was going to work. We did the TIA and turned it in to show the reasons why it was done. In that document, we had the connection to Astor Drive. The meeting with the neighbors indicated that they did not want that connection. Our meeting with staff indicated that the access point was a good way to take care of sanitation needs and emergency vehicles. Again, the neighbors did not want that traffic there – did not want that access point, so we re-did it and we came up with Traffic Plan II. In Traffic Plan II we put together the consensus of how it would work if we did not have that access to Astor Drive. With the assistance of the client, and with Rick McKinney, we worked out how to take care of the sanitation needs and to make sure that we could take care of them in a logical fashion that didn't mess up the City's sanitation routings. We were able to eliminate the Astor Drive connection completely. On top of that, we were able to produce a landscaping plan and create vertical landscaping and a mass landscaping to add additional buffer to

the neighbors to the west. We're offering that in the PUD and we will do it. As you can see, there are four lots and only four lots. You also see the driveways on Tecumseh Road. Initially we had the west driveway as a full-access driveway and we had the east driveway as a full-access driveway. Staff was concerned about the proximity of the west driveway to Astor Drive intersection with some future traffic issues and asked us to reconsider that access, so we have. That driveway now is a right-in and right-out. It is not full access. So that was added to the traffic report and the City has endorsed that application and you have the City's approval of the traffic design. So we satisfied what we thought were some serious concerns with the neighbors: no access on Astor Drive, and in and out on the west drive, and a full access on the east drive only. Our only access to this piece of land is on Tecumseh Road. On the west, we have a heavily landscaped area to act as additional buffering. On top of that, there is an irregular tract of 1.9 acres that will be deeded to the City as additional park land. Adding this piece will make the total park land over 5 acres. Staff has asked us to plat this little piece into the final plat of this tract as a lot and block that will be granted to the City as a lot and block. All the landscaping will be incorporated as you see, and you see a heavy buffer on the perimeter around the entire tract. That buffer is in the PUD document to be installed in Phase I completely, no matter what lot is sold or what order they're sold. It will be irrigated. It will be owned and operated and maintained by the property owners association and it will all be done in Phase I. All the ingress/egress for sanitation will be designed to work for circulation as lots sell in any order. There will be four lots, and only four lots – there could be less lots, but no more than four. We will comply, and the PUD so stipulates, with the lighting restrictions of the new lighting ordinance. There will be shut-off lights. It is in the document. As I said, it will be over 5 acres of parkland when it's completed. We are modifying Astor Drive so there will be no connection whatsoever with the development.

This is the third amendment on this Cascade PUD. This was started in November of '97. The applicant at that time was Mr. Clagg and Mr. Newcomer, in '97. That's when we started Cascade. It has evolved in seven different plats. Those plats have taken place over a period of time and they've all been done and they've all been built. Cascade included almost 107 acres – that was the totality of the PUD in the beginning. Of the 107 acres, we're down to 5. This is all that's left. The PUD itself is addressing this tract. All the rest of the PUD has been built and is in place and it's very close to what was projected in '97, as far as open space, how many lots we were going to build. The only thing that's significantly different is the amount of right-of-way that we projected. The right-of-way that was projected in the beginning was about 6 acres and we wound up having about 23. In that right-of-way we had some common areas. So a lot more right-of-way was put in this project over the evolution of the time. If you net out the right-of-way for the tract, the amount of open space is almost 23%. That's a lot. So there's a lot of green on this whole tract of land and this is the last piece. The park land is there and we're going to add 1.9 more acres to that park land. If you've been out there, you'll see the play equipment is already there and being used. This park is used by the neighbors and they are concerned about it. We understand that. So we're not here to try to make life miserable for those folks; we're trying to do something that's just the opposite. You saw the flume a while ago – the drainage is in place. All the property would have to be raised to go back to that drainage flume and discharge back to the east and detention has been accommodated. The detention plan has been reviewed by the staff; it's in place. It

also has been approved by staff. So we've got detention in place. We've got the traffic in place. And it's ready to go.

A significant thing about the PUD application is that we are compliant to the O-1, not the CO; there is no commercial, no retail. It's offices. And in the O-1 district, as you know, you can get special uses to add to it. The PUD is written to say that won't happen. We have eliminated that from ever happening. We are not going to ask for any special uses. It's going to be this use.

The applicants for this project are these folks: Mickey Clagg, Ben Newcomer, Sean Bauman, Scott Bauman, and Dr. Tom Connally. All these gentlemen are respected citizens of Norman and have added to the quality of life in Norman in their presence and in what they've done. That's the applicant. Pretty nice guys. Here's the story. As a matter of record, the applicants did submit a final plat for single family residences on this same tract. Our firm submitted the final plat called Cascade Addition Section 8 on July 6, 2007. The Planning Commission approved it August 9, 2007. The City Council approved the plat September 11, 2007. It went through the whole deal. It was a few lots and has been approved. During the process, there were certain neighbors who called about that application and they were concerned that they didn't want it to interfere with the park and they didn't want it to interfere with their kite-flying options. The client determined that professional offices would better serve all entities, including themselves and the neighbors – to give it a distinctive buffer line right on the park land. So that's what we've done. The first submittal of CO was 5.3 acres. During discussions at the Pre-Development meeting, as I said a while ago, the client was informed by a large neighborhood group that commercial rezoning was not acceptable, and discussion was intense. That no longer is on the table. There is no commercial on this application – none. The client withdrew the CO zoning and prepared the PUD application. It was submitted June 8 of this year and that is the PUD that is before you tonight. What would this PUD do? It will guarantee to the neighbors the following items: 1) all perimeter landscaping will be done at the beginning, no matter which lot will be built on first; 2) no driveway will be installed on Astor Drive; 3) only two driveways will serve the project; 4) the west driveway will be a right-in and right-out; 5) the east driveway will be a full-service drive; 6) all sanitation service and emergency service will access from Tecumseh Road; 7) the southwest corner will be landscaped to offer additional buffering; 8) all landscaped areas will be maintained by an association; 9) there will never be more than four buildings constructed, and only constructed within the area designated on the PUD – there could be fewer buildings, but never more than four; 10) there will not be any commercial or retail – only professional offices compliant under the O-1 Office District restrictions. In conclusion, the client has heard the concerns of the neighbors. He has revised the complete plan. He has solved traffic and drainage issues. He has not been able to satisfy all the wishes of all the neighbors and never will. But please understand, the land will be developed. It will not remain in the agriculture state.

2. Rick McKinney, McKinney Partnership, 3600 West Main – It's a pleasure to talk about the design of the site plan and the buildings themselves. Tom has already introduced this site plan, and I think he's done a fine job of describing the features, and he has mentioned that we will have four buildings. The four buildings would have probably a maximum built-out area of 40,000 feet spread over the four buildings. The actual footprints of the buildings will fit within the building areas, but the actual design of the buildings will be done by each group that buys each building. Some of the

features that I would like to re-emphasize here are the zoning and the office nature of the project, not having any commercial. There has been discussion that we may have a retail strip center, a 7-Eleven, things like that. That is not the case. That will not happen. We are requesting professional, medical and office space. The buildings themselves will be single story. We have kind of a low-slope roof of a 6:12 pitch, which is less than most of the homes that are there now, so the overall height of the buildings will be no higher than 27 feet. That is written into the PUD as far as the maximum height, and I'll display that a little bit later in some of our elevations. The exterior materials of the buildings will be at least 80% masonry – brick, or stone, or cast stone. I also have some elevation concepts of what we are envisioning. And I think one thing that is very important is the landscaping – the developer has agreed to landscape the entire perimeter at the onset and irrigate it and maintain it and put the bond on that from the very beginning before any lots are sold. Then the balance of the landscaping, on the interior, will be developed by each individual lot owner and developer, and then all of the landscaping eventually would be under one common POA – property owners association – that would facilitate and upkeep the maintenance to a level that everyone would like to see. So you'll see a consistent quality of landscaping and plantings throughout the entire development eventually. The landscaping plan, as I mentioned, in general we are indicating one and a half times the amount of landscaping required by the City of Norman. These would be of the variety of trees and sizes that are required in the landscape code – Chinese pistache, red oaks, silver maples – trees that are preferred and requested. You can see around the perimeter these trees are actual counts that exceed the minimum allowed requirements of the landscape ordinance.

This is a concept elevation. It indicates some of the masonry materials, and we are indicating either a split-faced stone or a ground-faced stone, rock, masonry veneer. The roofs will be a 6:12 pitch, maximum 27 feet high. There will be an allowance of up to 20% stucco on the buildings, if that would be desired. We've specified the glass. We've specified the window framing system and color and finish that would be consistent. The entry doors to all the buildings would be consistent. The light fixtures around the entire facility would fully comply with the latest lighting ordinance for the City of Norman and they would be consistent. We would require every developer of each lot to use the same type light fixtures, so there would be continuity there. In addition, one thing that's very important, there will be an architectural review committee, which will review all designs and must be approved before any building permits will be issued, and those will be held in strict accordance with the PUD document, which is all these materials that have been called out, and I'll talk about that a little bit later. Also the roof materials will be consistent. They will be consistent with the neighborhood. It's a weathered wood shingle, which is the predominant material in the neighborhood, and that will be the required roof material for all the buildings that are built. Finally on the roof structures – this again kind of shows the scale of the roofs that would be on these buildings. This is a 27 foot height. The top elevation is just a schematic view of the Tecumseh Road elevation. This is one entry. Over here would be another entry and those, again, line up predominantly with the Catholic church across the street. Over on the left and on the right you see the property lines, and over here is Astor Drive. Down below on Astor Drive we're showing, again, the maximum building height, low-profile brick signs on Tecumseh, and then there would be a continuous solid hedge as well as ground landscaping and trees along Astor at least 3 feet high that would screen cars along Astor. One thing I wanted

to point out is the mechanical units – originally we said we would allow sloped roofs and flat roofs. That was a concern of the neighborhood and we understood that, so we have retracted that. All the buildings will have sloped roofs and the larger building on the west side will have a recessed area within the sloped roof. This building is at Journey Office Park at the corner of Tecumseh and I-35, and it is highly visible from an overpass that goes over I-35. The overpass is 23' high, so we established the eye level of someone that's on the overpass to be about 26-27' high, and we have set the height of the roof on this building to where there are actually mechanical units all along the top of this building, but they're recessed down inside so you cannot tell that there's any recess or mechanical equipment on the roof. Any other mechanical systems that are on the ground would be screened with masonry enclosures. This is the maximum building area plan. This shows the maximum area of which a building can be placed on each of the four lots. That is not the building size; that is the allowable building perimeter of where a building could be placed. The gray area is common area. The green space – Tom mentioned the existing development in the 100 acres around the property is approximately 23%. Our open green space is at 27% on this property right now. These next four slides indicate how – we call it a phased development plan. In order to complete the circulation and allow for each lot to function on its own, possibly before each other lot is purchased, in this case Lot 1, the pink area would be developed by the lot owner and the blue the developers would step up and complete both entry drives off of Tecumseh as well as the balance of the parking around Lot 1 in advance of Lot 2 being purchased. Lot 2 is very similar; the pink area would be built by Lot 2 developer and then the overall developer would provide the blue area to allow proper circulation and safety. Lot 3 – same story. Lot 4 – similar. In all cases, emergency and waste management vehicles can circulate through the property before all the lots are built out and it will function fully.

As far as the narrative, as Tom touched on earlier, the setbacks will all be defined. On the south area of the property, we have the park land and then there is an oil line/gas line easement that runs continuously along the south property line of our development, and then the nearest residential is to the south and it's 100 feet away from the nearest building, across the pipeline easement to the fence line.

Again, if we could emphasize a few features of the PUD development – and it is not O-1 zoning; it is a PUD development with O-1 criteria. So we are complying with that. And it is O-1 office use – no commercial – no strip center – no convenience stores – and we have deleted the allowance for special uses that are allowed in the O-1 zoning, so those would not be factored in, and there's no residential or apartments that would be built as well.

3. Sean Rieger, attorney for the applicant – I will go into just a little bit more detail on a few other points and then we will conclude tonight. I think you've heard a lot about how well and how much this developer has worked with the neighborhood. I want to give you a little more detail about that. What you see is a slide from the Pre-Development hearing back on March 24, and you see a little sign on the lower right there that was posted in the neighborhood that said owners want to rezone that land to commercial – sign the petition. We're seeing that as a recurring theme in this project of opposition is the word commercial. We even saw it recently this past week in an email to the neighborhood that said they're still calling it commercial office. It's very important that everybody understand that commercial is gone from this project – period. It's nowhere in the vernacular of anything that's being proposed. It was taken

out after this Pre-Development hearing. And I want to read just a few of the minutes – you have them – you've seen them in your packet. But I want to read a few of the minutes from that Pre-Development hearing on March 24th, and there were really three points that were highlighted that were the major points of the neighbors at that time. One, the neighbors' comments, they were particularly concerned about the proposed curb cut and driveway on Astor Drive. Well, as you've seen now, we took care of that and here is now – you'll see them side by side as Tom and Rick have shown you – the curb cut on Astor Drive was completely taken away. They also said they were concerned with the driveway on Astor Drive – the adjacent neighborhood would be subject to cut-through traffic. Again, we've removed that driveway right there. Not only have we removed that driveway, but changed the driveways on Tecumseh Road so that the main entry point is as far away from Astor Drive as you can get, with only controlled access on the other access point. And then they said the neighbors were concerned whether the parcel could be used as a convenience store in the future if the lots don't sell as professional offices. Well, as you've heard, and I know you all know this, because we're here every month doing this, but they can't use this as a convenience store – as a retail operation – as a restaurant – none of that, without coming back through the entire process again. The neighbors would be notified again twice – served legal notice – before any of that could happen, and you would have to approve of it – City Council would have to approve of it. It won't happen. And the PUD specifically excludes those kinds of operations. So the protections are there. The protections were put into place after the Pre-Development hearing. We've had great success with Pre-Development hearings. This is another one where we heard the responses, and I point every one of them out, and the developer has reacted to every single one of them in the plan. Again, I'll just highlight them – the drive onto Astor eliminated; substantial landscaping; the PUD controls; they aligned the drives. All of this is now in place as a matter of law in the PUD and goes forward with it.

Let's talk about the O-1 office zoning in detail. What does that mean? Well, this district was really put forth for this reason, and I want to read to you very closely the opening paragraph of this district – this is in the City of Norman Zoning Ordinance. And it says: "This District is intended to provide a place for those types of institutional and office activities that require separate buildings and building groups surrounded by landscaped yards and open area. Land, space and aesthetic requirements of these uses allow them to be located at the perimeter of residential neighborhoods." At the perimeter of residential neighborhoods. "This district can be an effective buffer between less intensive residential area and the retail, wholesale and industrial areas of the community." It's set up for this very purpose. As we talked many times, we need buffers. We need step-down zoning from the corner of 36th and Tecumseh over to Cascade. It's helpful and efficient to have step-down zoning. Right now we don't really have step-down zoning. We go straight from commercial to residential; there's not a step down. Step-downs are helpful and that's exactly what this was put forward for. What are the uses? We talked about it a few minutes ago. Doug told you. You see them right here. Realize, too, that a lot of these uses are contingent upon the size of the site. This is a small site. This is only a 5 acre site. You're not going to put a large assembly hall on a 5 acre site. Art gallery – laboratory – libraries – music conservatories. The main gist of O-1 is right there, under 7. That's what it's used for time and again. Professional offices: dentists, architects, attorneys. Those types of uses. That's the only allowed uses you have is right up in this area. Shops and stores are only that are incidental to the uses. Sometimes you'll see an optometrist selling eye glasses –

something like that. Not a retail store. You see the special use at the bottom. Not only does our PUD specifically exclude them but, as you know, special use doesn't just come as a matter of right with that zoning category. If my client wants to have a special use, one, the PUD excludes it. But even if it didn't, it would still have to come back through this process. It would have to come through the entire process, notify the neighborhood twice again, go through you, go through Pre-Development, go through the Greenbelt Commission, and then through two hearings of City Council before any of that would ever be allowable. So that is excluded. And you see those special uses there.

I want to read just a couple more points from – Rick highlighted the PUD, but I want to detail to you again how extensive this PUD goes. I don't know that I've seen a PUD this extensive in a long time. As you know, a PUD legally becomes the zoning ordinance. What this PUD says is that this category will be the use – O-1 – but it goes a lot further. It says not only will that be the required uses, but you, building owner and property developer, have to comply with all this. I just want to read a few excerpts from that sheet. This becomes the law. This isn't a guideline; this isn't a covenant that can be privately enforced only. This is a law that Code Enforcement and Susan and Shawn O'Leary's department can enforce as a matter of law. Doors. The law. Exterior entry doors shall be a two-light French door style – wide style with a single horizontal rail, dark bronze anodized finish. Have you ever had a zoning code that said that? That becomes the law. That becomes what they have to build to as a matter of law through the zoning district. That's how detailed they have gotten into this PUD. The roof pitch. The color of the shingles. The granular surface. All of it is written into the PUD, and it's written in there for a reason. It's written in there so that these neighbors can rely upon that assurance. They don't have to just rely on Mickey Clagg's word. They can. I'll assure you of that. But they don't have to, because now they have the law. They have the law in writing that says he has to do that. That's substantial protection. With a PUD you get great benefits, but as a developer I can tell you with a PUD you also get tremendous restraint. A PUD gives you great flexibility to write your own zoning ordinance; it also locks you into exactly what you write. It locks you in.

Lets kind of zoom on in to the aerial so you see a general character. You're familiar with this area of Norman, of course. You see the I-35 corridor on the right. That red dot is the district. And as we zoom on in, you really see what Mr. Koscinski talked about as the change of the Norman Regional Hospital – that large facility on the right. It's really in its infancy. Obviously, hospitals are built for use of a long time – decades – fifty years or more. Well, that hospital certainly in not going to just stay in its current condition – its current state. There's another entire phase planned for that hospital. Most of that facility right there is controlled by the Norman Hospital Regional Trust Authority. Who knows how long that will stay in place? But there are significant restrictions on that 90 acres of site right there. So, really, in a lot of ways, that site is not just open on the free market to anyone. There are significant restrictions you've got to comply with if you're going to be there. There's a few other sites, but we need many around a large hospital. More importantly, we need substantial different styles and uses that are available for all the different uses that go around a hospital. You want many choices. If you don't have many choices, you have a monopoly and that gets expensive. This will add to the choices, add to the availability, add to the options around this hospital, which is a figure piece of this entire area. As we zoom on in, I want to illustrate again – you remember we talked about step-down zoning. This entire corner right here is all intense commercial. That's intense commercial. That's not

office. That's intense commercial. This could easily turn into CVS here or Walgreen's over here, Crest, Whole Foods – who knows? Who knows what all that will be? We're going to see intense activity. Step-down zoning says we want to step down away from that and bring it slowly into a buffer area and then into the residential areas. That's what this is. You then see across the street, too, the large parking lot of St. Mark's Church – a wonderful institution in this location, but I would urge you to consider that large parking lot certainly will be much larger than – you see it's almost as big as the entire site here. We're certainly not going to be that large in our pavement. And then you see this – and actually I'm going to go back. What I really want you to start noticing between these slides is a massive buffer area – this park and that pipeline. I'm in front of you a lot and I rarely have that kind of buffer area. How many times do we talk about we're going to have a 20 foot buffer – we're going to have a 50 foot buffer – we're going to have these kinds of dimensions? We have a huge buffer in this location. You see that large buffer there and you see this large park area here that we are widening over here at the tip to give it some more visibility and access. A huge buffer. We simply don't have that very often.

I want to talk about this developer's track record on a project that he did many years ago – the Quorum. Now the Quorum is a different project legally. The Quorum, I believe, is straight zoning. I don't believe it's a PUD. Done many years ago. It's not under the same restraints that we will be tonight. But let's talk about how closely the concept sketch aligns with what was built. Look at that sketch. Now, sometimes people will show you concept sketches and they'll say it doesn't have a tree here – it's missing that. This one probably is missing a tree, maybe one here and there that's died over the last 20 years. I don't know. But I want you to look at that. Look at the buildings. Look at the layout and look at those trees and then look at that. It's all there. There's the trees. There's the building layout. There's the interior garden. It was all built just exactly as it was shown by this developer. Not a PUD. Not the same restrictions that you have under this one, but it matched the concept. Did the outside look like it was supposed to? That's what was shown, that's what was planned, that's what was built. Again, it matched. And, again, they don't have anywhere near the restraints that you do here. We're, by law, confined to the color of the mullions we have to match. Before Susan can issue a building permit, we've got to match that. We've got to match the mullion color, the wood color, the roof color – all of it has to match before we can even get a building permit.

I want to show you a little bit of the area right now. That's St. Mark's across Tecumseh Road – the large parking lot with the trees. What's the choice here tonight? The choice here is really you're going to have the frontage on Tecumseh Road be, perhaps, the current residential lots. I'm going to show you in just a minute how it's really a little bit of an odd layout if you do that. But those lots, as you see in many cases, will back up to Tecumseh Road, and so will their fences. We've had a lot of problems over the years with that alignment on major arterial roads because, unfortunately, as much as we try, the POAs and the users have a hard time keeping that a consistent aesthetic. It's no different here. If you look at the fences around the park, there's a number of them have fallen in disrepair. That's likely to happen on Tecumseh Road if we simply build up along the street. But here we have the option to do something different. We can do an office park that doesn't have those fences along Tecumseh Road. This is what I really hope you'll look at very closely. This is the current layout of the preliminary plat – 14 small lots – 6,000 square foot lots – and you see the size of these lots over here? Much smaller than what you have in adjacency.

But what I really want you to look at in the photo – do you see those red lines? If you build that preliminary plat like that, you're building a fort. See that little red line around that? You're going have a little fort of wood stockade fence on a little pod of residential stuck out on Tecumseh Road in the middle of this area. It's an isolated piece. It's by itself. If you go the route of the professional office park, you've broken that up. You don't have the fence stockaded all around it, and you've brought in some visibility and some view corridors into the park area. And you certainly have beautified Tecumseh Road more than that would do. As Rick talked about, we talked about this tremendous separation – it actually is 126 feet. I think Rick got us that earlier today from the closest building to the closest house. If you talk about other areas of town and we're talking if we can find 20 or 50 feet of buffer, we're doing pretty darn good. 126 is incredible. And so these developments tend to be very, very good neighbors. I just want to close with some examples around Norman of professional office parks – professional office buildings – garden style – residential style – that are next to some very high-caliber residential additions. This one – 36th Avenue N.W. at Brookford Drive. You probably remember – I think it's Jack Combs Insurance and Talley Dentist office. You see these facilities right there? Those are professional offices right there on 36th Avenue. I don't see 126 buffer around them, but I do see a house right there that's worth a million bucks. A million dollar house right next to that professional office park. I may be wrong – I don't follow the police scanners, but I don't think there has been a tremendous problem in that location. I think it has been a good adjacency. I think it has been a good neighbor, and I'm quite confident the property values in this area have not declined with those professional offices right next to them. And those are two stories and flat roofs. Do you see all that? We don't have that here. We're one story, low slope, 27 foot tall max. I want to show you another example: High Point Building on South McGee and Highway 9. It has been there many years, but actually recently we've seen development just to the east of this across the street. Again, kind of a garden style professional office building that has been there a long time. See that house right there? That's a million dollar house. It has not affected those property values. The Hunt Club was built – sold out pretty quickly. It has been a good neighbor. There's no 126 buffer around that site. This is The Trails Office Park down on Berry Road. You see Berry Road coming off here. This is a building that was just built – good neighborhood – good addition – property values intact. Professional office park adjacent to you and immediately abutting up against it. And this is Northwest 24th at Palmer Circle. You see these buildings. These are actually quite large two-story, flat roof. I think there may even be a three story building in this location. You see these Westport homes that were put right in here – all of them sold out, no problem, good property values. And this is another one off North Porter. This neighborhood again doing quite well. Professional office buildings, medical buildings right up against it. Cambridge – another neighborhood that has always been very proud and doing very well. We are certainly not a storage facility, but you see the office up front here at the outset with a residential character.

And so I hope you will see tonight that this applicant responded substantially to the concerns they heard from the neighborhood at the outset. They changed everything that they heard about in Pre-Development to the tee. They've put substantial restraints upon themselves, right down to the mullion color of the windows and the French doors of the entry doors. And they've gone to a use that has no more commercial – purely office – and that has historically been a very good neighbor next to residential. We urge you to approve this tonight. We look forward to being good

neighbors with this neighborhood. This developer has a track record of that and they're proud of that. We're happy to answer any questions that you have.

4. Mr. Gasaway asked if the offices will be 4-sided architecture, so that one side is not obviously the front and one the back with the dumpsters, etc. Mr. Rieger responded that this is very much 4-sided architecture. Circulation is around the four sides with entry points on multiple sides. There is not just a bare back of the building with HVAC compressors and things like that. The architecture is compatible and consistent around all sides.

5. Mr. Gasaway asked if this will comply with the new lighting ordinance in terms of full cut-off fixtures. Mr. Rieger responded that is specifically written into the PUD and is actually more aggressive than the lighting ordinance. The lighting ordinance allows you to go beyond the property line at .2 footcandles for 10 feet; the PUD says zero – they can't go beyond the property line.

PARTICIPATION BY THE AUDIENCE:

1. Keith Brewster, 3921 Ripple Avenue – First, I want to say that I am speaking for myself. There were a group of us who have had a number of email conversations over the past few months, and this sort of represents all of our opinions, but I must say it's my own because we didn't do quality control at the end. I live at 3921 Ripple Avenue, and I've lived there for 14 years and been a Norman resident for 20 years. My property backs up directly across from the park and this property. I want to start off with this first slide and show – we've heard this word buffer thrown out here and I really think it has been misused and it's been misapplied. We have a commercial use going on along 36th, and if you look at the 2025 Plan every commercial use in this part of town – on the west side, north, even Main Street with the exception of the one property kind of far off on 48th near Cambridge that he mentioned – all of the commercial use is contiguous with 36th Avenue NW. And we see that same thing borne out here. As they show, there's commercial use on both sides of the street. This happens to be owned by an orthopedic company, so it can't be just anything. The property across here is also a bank and orthopedic. So it's more office than, say, on the east side, which is retail. But we do see a boundary here which has been brought up in the Porter Avenue discussions, and in the study that's been done, and they talked a lot about this line between the commercial and the residential. And the current line runs across here and we have basically 12 properties within Cascade Estates that are affected by that. If you go ahead and look at their proposal, we now more than double and close to tripling the number of properties that are directly across from the property in question. This is an office, but this business about office and commercial – I know there's a legal definition about that, but, let's be honest, offices – medical offices you're going to have the same traffic. I believe there were 1,000 vehicles per day in the traffic study – that number was not thrown out tonight, but I believe I saw that in the report. A thousand vehicles per day running in and out of this, and this is just changing – as you go along Tecumseh Road you want, as a resident of this area – Castlerock, our area – you want to be stepping down into a residential area. We come here. There's a 300+ foot boundary of parkland then we go to office. This is an island. It is not a buffer. Now our park, which is a neighborhood park, we would envision this was always sold to be – this is going to be cloistered thing. People will walk there. We will just have like the neighborhood people there. It's a City park but, if you look at Brookhaven, you look at

Castlerock – these parks are used by the neighbors. You know the people in the park. You know who they are. Now we have 1,000 vehicles per day in and out. Who are these people? That's a concern to us. If they're coming there for a doctor's appointment or they're coming to buy something – like eyeglasses, which, by the way, I go to my optometrist – half of my money goes to retail. It goes to buying eyeglasses, contacts, that sort of thing. So this whole distinction, I think, is blown out of proportion and we're just bringing in something different character than what was originally planned.

So let's talk about the original plan. We have never seen this shown tonight and in the documents. This was the original plan that was from 1998. 2001 the preliminary plat was finally approved. So we're talking around 2001. During that time, then, this 107 acres of land was developed, people were sold lots, 300, and now we're just down to the last 12. So this is 5% of a huge project. And all of a sudden they want to change it and everything else has been sold. So that's a sticking point with a lot of people, and I think a lot of others have more clear stories on that. I'll leave that to them. But they went ahead in 2007 and they put this plan together. And you saw this plan presented today. You saw the problems pointed out with the plan. This plan did not just fall in their laps. They didn't just take over someone's bankrupt property or anything. This was their own plan. If there's something wrong with it, why did they create it? It just floors me, because they went against everything that was in the original plan. Larger lots. This plan has 8-9,000 foot lots. Now they're going down to 6,000 foot lots and they come in today and they criticize 6,000 foot lots. Well, just go back. You want to put a fence? Well, we could put a masonry fence all around here and that would be your boundary along Tecumseh and have some open space around this cul-de-sac. Now there's a few odd-shaped lots here, but again, that was their plan. I don't know why they changed it to this. Now this plan lasted exactly 18 months. Now you say that was done four years ago. Eighteen months after this plan, we had a company formed – we had a loan from a bank – we have people now going after commercial use – I'm sorry, office. Well, it was commercial then, now it changed to office. So I just thought it important to tell the whole story.

We didn't talk about it tonight, but in the documents we talked a lot about how the traffic in the area was going to really cut down on the marketability of these lots. So I explained this in my letter. I think you all have the letter. I don't want to spend a lot of time about numbers and details of property values. But there is no evidence that traffic has had any impact on the sales of lots in Cascade. And we see here exactly the intended consequence of the planners of the 2025 Plan – keep the commercial and the offices over here. We run 14,000 vehicles per day over here and it drops down to 7,000. Why? Because people are going to the neighborhoods, people are going to the school, and beyond that there's really nothing. There's another neighborhood going in. This is going to come up; we understand that. But we're not going to see the 1,000 pop that we're going to see with this project. So what does 1,000 mean? Well, in the last six years, from 2004, we've gone from 6,000 to 7,000. So in one shot we're going to jump six years worth of growth if this project goes in. Now east of 36th Avenue this is the rate, and we understand that. That's because of all the factors that they mentioned in their report. You have the hospital, you have the Tecumseh Road East going all the way to 12th Avenue. Those people are just coming to I-35. They're not going to 10-mile flat.

So is this really needed by the citizens of this city? This area has a new hospital, but we also have 233 acres – not just the 96. We have the 96 there and we have 233

total. On the other side of I-35 we have 250 mixed use from the University North and it's in the best interests of the City to keep these sales going, because it's our community hospital, it's our community TIF over there. Then one last thing – and before I jump to this, I want to make a statement. I think the developers have done a great job in Cascade. The green space is great. I was promised – and I think that's part of why it sold well and got good solid prices. But there were some details when you look at concept versus reality. And they're trying to say this is our concept, and I know they're trying to codify things but it's really hard to codify every single thing about a building. You say the door – well, then there might be something else that didn't come out right. And if you look at what has happened in Cascade it hasn't gone quite as well as those other projects that were shown. The concept was have this with a nice cap on the newel – didn't appear. Where is the other side of the entry? It has now totally been eliminated. And then the bridge never happened. I don't know what happened there. So let's look at this design over here that we just saw earlier, and this is a nice design, but look at the trees and then when you actually look at it from the ground view. So a lot has been done to screen this stuff from the west, but I'm looking at this from the south and this is what I'm going to be looking at. We kept asking for it – there's no pony wall, no row of shrubbery, no berm to screen the visitors to the park and the residents who have to look at this every single day. Thank you very much.

2. Bonner Slayton, 4001 Ripple Avenue – I don't have one of those million dollar homes next to the development. I don't see that happening soon. Years ago my family and I decided to move to Norman. I'm a public school teacher here in Norman and we saved, borrowed, begged – we didn't steal – and we found what we thought was a perfect house in Cascade Estates, and I've been happy since then and I'm very happy that I've reared my children there. One of the things that I like about the neighborhood is that it is a family neighborhood. It's a great place to have family values. I don't see how this project is going to help me. And one of the things I am concerned also is about looking out my back door facing this from the south – facing it toward the north and looking and not seeing the view. I'm very, very concerned about that. I've watched for years developers come in, promise to do something, and then they actually don't follow through. It's great to put trees up. It's great to put shrubbery up. But what's it going to be like for 5 or 10 years down the road? I can honestly say that's one of my concerns is to look at that. But as far as I'm concerned, I'm against this proposal. I don't think it does anything to help our family values. I don't think it does anything to help our families and our neighborhood, so I would ask you to vote no. Thank you.

3. Robert Morey, 4009 Teton Lane – My property is actually directly adjacent to the west of this proposal. I don't have a nice expensive presentation. Sorry. I'm just going to come up here and share my experience and share why we bought this. You guys hear a lot of promises. I know you do. I can see it just from this one meeting. A lot of promises to do things. Well, me and my family – we've been living here since '96. Purchased this property from our initial one as an upgrade, and we bought into the promise – to the dream of owning a larger home near a grade school and a park. I have younger children. I wanted to be able to, one, walk to the school and also be able to get my children to the park safely. One of the major concerns I always had is that, when they did this proposal, the original dream I bought into was residential. This was a residential piece of property. This was a neighborhood that was going to be built

up all the way around us with neighbors – not businesses, not office complexes, not medical. None of that. I bought into it. My property actually you can look out the back window. This will be their parking lot is where they're going to build. I have a lot of concern about the fact of the increased traffic – the cut-through traffic on Astor Drive will absolutely increase. We have a lot of small children in the area, as stated by many of the other people around here. There's a lot of people walking and running. There's a grade school that is less than a – about a block and a half away from the others. All of this increased traffic will put these children and other people at risk. So my concern is that the increased traffic – the auto/pedestrian issues that's going to happen there. The use – I appreciate the decrease in the use of Astor Drive that obviously will cut down the cut-through from the back end of it, but we know it's going to happen. There's an office complex there. We know they're going to cut through that area. Not going to be looking. And you have small children in the area. So I would ask you to oppose this. I'm not going to take a long time. I did write a letter. I know you guys have that. But my request is this, please don't make our neighborhood a better place to work than it is to live. Thank you very much.

4. Yumi Davis, 4113 Teton Lane – I can say I'm not a big fan of public speaking and I think some of my neighbors were feeling the same way, so they asked me to give them the opportunity to stand and just show their support. So if you guys want to do that. Thank you.

We're actually here in support of keeping our neighborhood residential. I wanted to address a few things that were shown earlier. I saw on the Powerpoint presentation that they had a sign that we had presented for our petition signing and it said commercial, but I wanted to clarify that originally this was brought as a rezoning and then they changed it to amendment for the PUD, so that's why it stated commercial. Also, they brought up some minutes from the preliminary meeting and I wanted to address that as well, because those were literally our initial concerns. You know, obviously we came to the preliminary meeting and we didn't have the opportunity to really think about what was going on. Like I said, those were our initial concerns because we didn't know what the plan was until we came to the meeting. And on their side, I feel like they had an opportunity to prepare and really calculate what they were going to say and do in order to move forward. So I just don't want that to be used against us. They brought up the fence, and I can't say that I know what the developer's initial plans were, but around the perimeter of the neighborhood all of those fences are bricks, so I'm not sure why that particular fence in that one 5 acre or 4 acre area wouldn't be brick fence. But I also want to point out that it's the entrance to the neighborhood and the particular section that I live in and so right now it's half of an entrance. I know that was one of the concerns I brought to them and they assured me that that wouldn't affect my square footage or the price of my home, but I feel like it will deter potential buyers because I think people do look at the amenities of the neighborhood and I'm assuming that's why we have neighborhood pools and parks and things to attract people to the neighborhood. I think this was brought up. I also have safety concerns regarding the commercial area by the park. I walk my kids to the park often. We use that drainage ditch; that's how they ride their bikes because otherwise it's a grass area. Again, I brought this up to the developer, but I have, obviously, a 4 year old and a 6 year old there trying to stay quiet. But when you walk in a residential area, obviously, you let your kids go a little bit ahead of you. It's much different if you're walking in a commercial or office parking lot. So I do feel like that will

have a negative impact on the park and just the overall dynamics of the neighborhood. A lot of people said this was the neighborhood that they had dreamed of. I feel the same way. Our kids can walk to the school. We have watermelon socials. We have 4th of July parades and all the things that we want and I just feel like a commercial area will change that. We did have a petition signing. We offered this at the clubhouse. The clubhouse area is where our pool area is. That wasn't open, so people had to make an effort to come sign the petition. I don't remember the exact number so it was between 2 and 300 – I think you guys have those numbers in front of you. Two to three hundred neighbors come sign and make an effort to do that. We were actually even surprised because a lot of the surrounding neighborhoods came and we weren't prepared for them. We had no idea of their interest in what we were doing, but we were surprised that several of the neighborhoods showed up. I also wanted to point out that, like they mentioned, Roosevelt is about a block away and their official walk to school day starts in the Cascade neighborhood. So it starts at our clubhouse, it walks right by this area, and so, again, I don't want it to have a negative impact on what we already have in our neighborhood. Also, regarding the safety concerns, I know that the developers at one time – and this is an approximate, but I think they mentioned 220 parking spots. So, again, I have concerns whether that's a vacant building or a building with 220 parking lots. I just feel like with residential that's more controlled and I think Keith touched on this a little bit, but, you know, you're at a park with small children and you want to know if there's someone that shouldn't be there that's there. And I don't think that commercial area allows us to really manage that or keep track of that. Regarding the economic development, I know you guys look at the overall plan for the City, and I just feel like there's many other commercial areas nearby that everybody has pointed out. Regarding economic development, I don't think it's about just developing buildings – it's about having residents, having quality employees and small business owners, and those are all in our neighborhood as well, and I feel like we've made an investment in Norman, so I hope you guys will consider our investment in Norman as well.

5. Jon Williford, 3607 Gullane Drive – I'm a few blocks to the south of the proposed rezoning area. If I could just real quickly – just to kind of illustrate my point I want to tell a quick story. I work in an office in downtown Oklahoma City. Two of the individuals that work in my office are strictly criminal defense attorneys. Well, one day one of the attorneys was meeting with a client. The client was driven to the meeting by her son. While the client is meeting with this other attorney, our receptionist steps to the back office for some reason – doesn't matter what. She's gone about five minutes. She comes back, doesn't think anything. The client's son is still in the front waiting on his mother. A little bit later, client leaves. A little bit later our secretary goes to try to buy herself lunch. She realizes at that point that her bankcard that had been in her purse on her desk the whole time had been stolen. Thankfully for her, she knew the gas station where these folks tried to use the card that they just stole out of her purse. So she wasn't out anything because they were able to stop her and catch her. The point of that is – why I think that story is particularly relevant to this is that she was away from her desk for maybe five minutes and a client – a client's son – took that five minute time span to commit a crime. And it's that small of a window, and it's the particular potential clientele that could be brought into this neighborhood, that is specifically concerning to me. I have a 7 year old that goes to Roosevelt. One of the things that my wife and I like about it right now is we let him walk from school to Astor Drive where

he is either picked up by my wife or picked up by the car pool. Gives him a little sense of self-confidence; gives him a little sense of responsibility. My concern is we don't know who is going to be the clients at these offices. We don't know what kind – and there's no way that we can know. There's no way. We don't know why they would be there. We don't know what they might be seeking at these offices, so we can't protect and we can't monitor or can't police that. One of the things that is part of my job – I'm an attorney as well – is I do estate planning sometimes. I draft people's wills. They have small children. I ask them who is going to be your guardian if both you and your spouse die, and as soon as I ask the question everybody says we're not both dying at the same time – that's crazy. That never happens. Well, the problem is, that does happen. And the problem for me is, as an attorney, as somebody who has to think about these things, I have to consider the worst case scenario, and I've got to do what I can to plan for it. It's very similar to somebody who buys a gun to protect their home. You hope and you pray and statistically you're almost never ever ever going to have to use that gun because your home is being invaded or your family is being threatened. But if it is, and if that -- heaven forbid – scenario ever comes up, you're thankful that you took the time to plan for that worst case scenario. You took the time to consider what happens if somebody breaks into my house at night. That's what I would ask for this committee. Consider the unknowns and consider the worst case scenarios that we can't predict and we can't police. If it's residential, we know who lives there. If it's residential, we know whether or not they're on any particular registries or not. We know that the residential community has a community feel. I know who my neighbor is because I like knowing who my neighbor is. It benefits me and my family to know who my neighbor is. For example, the other day my neighbor called me and said, hey, your sprinklers are still going. Turns out we had a broken sprinkler so I had to rush home to fix it. That's part of being in the community and that's one of the things that helps protect the people in that community. And that's one of the things that there's no way we could ever know what's going on inside those offices or with the people that come to visit those offices or with the people who may come to park at the office as a pretext, because they might know that there's an elementary school that gets out in a few minutes. So those are my concerns. And are they likely to ever happen – realistically probably not. But if they did happen, I would feel horrible for not having come and voiced these concerns to all of you. So with that, I appreciate everyone's time and I would ask that everyone on the committee vote no for this. Thank you.

6. Thomas Boyer, 3939 W. Tecumseh – I'm Pastor at St. Mark's. I live around the corner – 3701 Castlerock. I wrote, and I'm assuming that my letter was disseminated to the whole commission. And I will just summarize that briefly and add a little bit more. If it would be possible to oppose more strongly than the letter did, I would. The concept – this is a matter of ideas and I'm very uncomfortable and got more uncomfortable when five citizens' names got put up on the screen. This isn't about people; this is about an idea. And as I have worked with the neighbors, I keep insisting on the civility of this and we focus on the idea. St. Mark Church is where it is because we build churches where people live, not where they shop or where they work. We chose that piece of property because we understood this was going to be a residential area and that's where we choose to be. I'm uncomfortable with the idea of continually changing that. At the meeting recently held at the church, someone tried to persuade me by saying, well, Father, things change. And so I'm sitting here thinking, with all these assurances of what kind of offices these are going to be, I can imagine my successor

standing here some day objecting to another change. That instead of professional offices they be allowed to be – well, I don't know what the opposite is – unprofessional offices. If things change, then they change and then there's no certitude about anything. My point is, we oppose this and I'm so puzzled that if all this professional time and energy and money has been put into this development of office space, why it couldn't have been put into the development of residential space just as creatively and consistently with the original PUD. So I simply object to the idea of changing the PUD. We want this to be residential, and I speak for all of my neighbors as well. We do ask that you preserve this property for its residential use. Thank you.

7. Vicki Hopkins, 4112 Teton Oval – I have been a resident of Cascade Estates for three years when we moved here from Texas. One of the main reasons we chose our house was because of how warm and neighborly Cascade Estates felt. My kids loved having a park in walking distance from our home and our realtor told us more houses would back up to the park. When we questioned that – if it would change or not – she assured us it would not because of the PUD. We felt confident that we had a great place to raise our family. Walking distance to the elementary school. Walking distance to the park. And no businesses nearby. On moving day we sat on my back porch and had lunch. My sister, who was visiting, said it was amazing how quiet the neighborhood was. It was as though the sound had been turned off she said. She looked at how many children and families were out and how many cookies were brought to my door as a welcome and declared that we lived in Mayberry. She was right. We have a watermelon social each August. We have an Easter egg hunt and a 4th of July parade. I feel safe to have my kids play around our block and the surrounding blocks freely. When someone drives on my street, I know who they are. We have an incredible neighborhood watch. When we see an unfamiliar car sitting or driving around, we all email one another to watch out for it and to find out what is going on. Now that car will be able to simply sit in the new business park parking lot. We will not be able to monitor the strangers and dangers at all. No matter what the developers say, it does bring a danger to our neighborhood. I feel like the safe feeling that we have is going to change if the make-up of our family-oriented neighborhood changes. When people drive down my street in the future, they may be patrons of the business park. I will no longer feel safe for my kids to roam and play because strangers have now entered our wonderful home. When we go to the park, I will have to have my kids watch for traffic that will inherently cross through our neighborhood to avoid lights on 36th. Now there is stranger danger. I will always feel uneasy that a stranger could be watching us from the parking lot. In addition to the safety issue, we have a noise factor – cars coming and going, starting and stopping; people coming down our streets. We will no longer live in Mayberry where the sound has been turned off. We will live in a neighborhood that backs up to an office park. The developers keep telling us this is not commercial, because there is no retail store. I beg to differ. It's not houses. People are coming and going. There is a parking lot. There are strangers. It's commercial. Like I said before, we are in walking distance to Roosevelt Elementary. Each day we have children walk and ride bikes to school. Many of us bought our homes because we like the idea of walking to school. There are so many children walking and riding their bikes to and from school on a daily basis on Astor, and now we have a business park to contend with. We have cars and strangers and simply an element of unrest for our children. I moved to Norman from Houston three years ago. I recently went back to see family. At times I was overwhelmed by all the businesses near the subdivisions. Several of my

family members live near business parks. In fact, our old neighborhood backed up to a business park, which is why Cascade Estates was so appealing to us. It's not quiet. It's not homey, and it's simply not Norman. Almost home from my trip, I got off Tecumseh from I-35 and was heading toward the turn into my neighborhood and it just felt so peaceful. I loved turning into Cascade Estates, seeing the park, not hearing anything. People were mowing their yards. Kids were playing. That's the feeling I want to keep. That was a Tuesday in the middle of the day. If they get their way, I would have had to turn at the business park, navigated traffic, barely able to see my neighborhood park and, no, it would not have been quiet. I'm a stay-at-home mom whose home and children mean the world to me. I simply do not understand why they cannot build houses in this spot. They said people would not want to back up to Tecumseh. We have houses that do, indeed, back up to Tecumseh. They have built a wonderful neighborhood, so just finish it. I do not agree with the developers when they say they do not want our neighborhood to diminish in any way. A business park will change the make-up of our home. There is so much undeveloped commercial land down Tecumseh near the hospital, there is not a need nor a demand to put such dangers in our neighborhood. Please keep our kids safe. I beg you to not let them make this amendment to our existing PUD. Please keep this land residential. It is a wonderful neighborhood. Please keep it that way. Thank you very much.

8. Tracey Satepauhoodle-Mikkanen, 3409 Glisten Street – I have lived in Norman for 30 years, but I have lived at Glisten Street for 20. I have moved from a very rural area in Oklahoma to Glisten Street when there was no hospital, there was no I-35 connection, there was no way to get to where I lived except if you went off Robinson Street. I do not understand how there is not a mindset to explain to our children – they don't understand Lexicon, they don't understand legalese – but why we can't make this type of project and development something for our children. If I look at those little children right there, that reminds me of how my children grew up on Glisten Street. They are now 26 years old. One is a police officer and the other is getting ready to start Norman North. If I can't explain to you how important it is to keep our children safe in an environment within which we live and keep something that is recreational – someplace that is separate from home, that is what that park does. It brings all of us as neighbors together. It keeps our children playing together. They practice every day. It is someplace that we can keep as a residential area safe. I was robbed last year of $20,000 out of my driveway of equipment. The more people that you bring in, the more people that you just don't know who is watching. You don't know how safe you can keep your house – your home. When I looked out my back yard at times there was nothing there and now there's a hospital. There's even a water tower that didn't used to be there. I understand that there's things that need to be developed for progression – that need to be there for a good purpose, but our children need someplace in that neighborhood to go and that park is the place that they go to. Thank you.

9. Phillip Johnson, 4000 Teton Lane – I will represent my family. My home is located directly across from the park. When I look out my front door I see the property that's in question. When we bought our house, we understood that it was more than likely the single biggest investment we would ever make and, of course, we wanted to know what was planned for this area that would be out our front door so we questioned and found out that it would be residential, that was the PUD in place, and that's what was going to happen – that Cascade Estates would be completed with more homes. Since

that time, the lots have been decreased and they've changed that plan, and now we're here again trying to change the plan once more. One of the questions that I have is if these lots don't sell, are we going to be back here in five years trying to change it to a commercial designation? Are we on a slippery slope that just keeps continuing to change year after year if the property doesn't sell? Obviously, we're concerned about the safety issues that have been raised – the school being there so close to the neighborhood and the park right there. But there's also a concern about property value. All of us are home owners and we invest so much into that and we don't want to see anything that's going to decrease that value. And as this process continues to evolve and change year after year, it just seems we're on a slope that just keeps slipping away from us. Thank you for your time.

10. Kenyon Hoggard, 3120 Troon Street – I've been there for a couple of years now. My primary concern is the safety of my son. He goes to Roosevelt. He's 7 years old. My second concern is the looks of the area. But I would like to point out one issue that I've thought of while listening. I understand there have been several meetings like this, and I know we're hearing a lot of very strong feelings on the testimony that people are giving. It was stated earlier that, in order for another change to be made, this entire process would have to be gone through again. My concern is that if we're going through this – I believe I heard this was the fourth meeting like this that we've had on this issue. If that's not enough to dissuade change, then I don't see how any future re-addressing of this issue could possibly prevent further change. Thank you.

11. Susan Wood, 4008 Teton Lane – I'm just here to show support and most everything that I wanted to say has been said. All due respect to the developers, we were told that this property would be zoned residential when we made the choice to purchase our property and to build our home and to make that huge investment, and they're asking us to trust them again. And we did trust them. And we'd like to hold them to that. Thank you.

12. Janelle Borden, 4000 Ripple Avenue – My property faces north and I wanted to address that 27 feet – I'm used to the idea of 10 feet per floor, so I would be looking at almost a three story structure that would be in front of my house facing north. Most of the houses on Ripple, with the exception of one on the northeast corner, are one story. There is one two story house on the northeast corner. There are plenty of office buildings in that general area that have vacant signs. I just think that this property needs to be gone back to residential and make it a neighborhood and not a property that has office buildings and keep the park as it is and please keep this residential. Thank you.

13. Cara Black, 3520 Bright Street – We're on the cul-de-sac and our house would back up to the Building 4 that they've proposed. I have several objections, most of which has been voiced by everyone else here. Primarily the park and the children in the area. Not only the Roosevelt School, but there's also, I believe, a daycare or a Mother's Day Out that's at St. Mark's several mornings a week. On a personal level, I do appreciate some of the changes they've made to accommodate us, one being no entrance onto Astor, the other being that these would be one story buildings, because some of us felt that if they were higher than that they might be able to look into our back yards even with our higher fences. Other concerns I have – I don't like the fact

that they would – well, I would prefer this stay residential as we all would. I don't like the fact that they discussed selling this and building this piecemeal. There's no telling how long this construction would go on. I mean, they might get one building finished and then they'd start with another, so we might be talking about a period of several months – we could be talking about a period of several years. The whole noise of the construction, plus the added noise of having the office park there is not appealing. But, basically, it will impede our view from the back of our house. But when we bought our house it was with the understanding that this was a residential PUD, it would stay residential, and as everyone else here has asked there's no guarantee that we wouldn't be here in a few years asking for yet another change to make it retail or to accommodate different commercial buildings. So I would ask that you take all of the residents' wishes into consideration. Those of us living within the 300 feet and even more of us that are neighbors that don't that have come to support us and come to support the idea of keeping this residential. Thank you.

RECESS
8:15 to 8:28 p.m.

14. Sean Rieger – Thank you, Mr. Chairman. I appreciate you accommodating our rebuttal. I'll be very brief. I don't like to go item by item after everything has been said. I think it has been valuable input you've received. But I think you've heard it several times said tonight that there's still concerns about traffic and traffic that would go down Astor Drive and impede through the neighborhood. We feel very confident that's been solved and I simply want you to think about one other thing that hasn't been mentioned tonight is "Don't Hump my Norman." Astor Drive is full of speed humps; they're all over Astor Drive as you go south. I really doubt – severely doubt that many people are going to turn left as they leave this office development on the far eastern edge of it, turn left so they can go down Astor Drive over the speed humps and somehow wind out and get over to 36th. I think they're pretty quickly going to go right over to 36th. So I think we've accommodated those requests very, very carefully and appropriately.

One other point I want to make is that it was mentioned that this is a quiet little end of Tecumseh Road right now. You saw some traffic count information. Maybe now, but we all know ACOG and Central Oklahoma Governments and everybody else, the funding of the state is going to widen Western all the way up to Oklahoma City. It is planned to be one of the major arteries north and south, and Tecumseh Road is planned to be the major artery connecting it east/west across Norman. The day will come, as the hospital builds its next phase, and as Western widens, this is going to be an intense road. No question about it. When you put that little island of small housing out there as a fortress unto itself, it won't be appropriate and it will be undesirable, I think, particularly as an entry piece into this very good neighborhood.

I just want to close on one last point. It was surprising I heard the word stranger so often tonight. You hear that a lot in zonings. You've heard that a lot. But it usually is a fear of change. I remember a Council member recently talked about that, I think, in an addition to the north of this. It was that fear of change. We see it all the time. It's reasonable. We understand that. But strangers are everywhere, and I would hope that we can teach our children that not every stranger is a danger – that strangers are to be welcomed in. There is a City park right there. The City park is open and accessible to everybody. A person can sit in that City park, be them a stranger or somebody they

know, all day long and nobody can remove them. It's already there. So if that fear is already there of dangers of strangers and so forth, we're not changing that. The City park is right there. So I thank you again. I urge you to consider all these comments and I urge you to approve this project tonight.

15. Ms. Connors – One issue that arose was the height of these buildings. I just wanted to clarify that currently in the R-1 zone a structure can be two stories in height, which could be up to approximately 35 feet maximum, and that's the pitch of the roof. But that is an allowed height in the R-1 district, which is the district that these homes are in generally. So 27 feet, up to the top of the pitch, is in fact a one-story building.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Ms. Pailes – This is a question for the developers. I guess there is no structural barrier between the parking lot and the park – there is landscape but no structure. That might be reconsidered. You don't want kids skittering out of the park into a parking lot and it sure happens. Along Porter Corridor where residential and commercial are cheek by jowl, I think a barrier is considered mandatory between the two areas. And it would certainly seem appropriate between the south edge of the parking lot and the park to have a structural barrier of 3 feet – 4 feet – something, and perhaps wrought iron above that so that kids don't chase a ball out of the park and just run right into the parking lot. In general, I usually weigh civic input very, very heavily, because if you can't get listened to here, where can you get listened to? So I'm moderately torn. On the side of the proposed development, commercial or offices, in this kind of situation, tend to make for a better streetscape, because with residential you do tend to have stockade fences abutting the street, whereas if you have a landscaped, very attractive, architecturally sensitive commercial development, that actually tends to be more attractive. There are actually health issues about why you don't really want to put a residence right next to a very large busy street, which Tecumseh now is. So, in some ways, I'm not sure that this is the greatest place to live if it was to be residential. And I also appreciate the effort on the part of the developers to accommodate the worries and fears and concerns of the residents. In terms of the urban fears, I don't know what to say. I don't know that making it residential would in fact make it safer. I understand those fears. I'm not sure how to address that.

2. Mr. McCarty – I'd just like to say we are always challenged with these kinds of requests throughout the whole city, and our job is to try and make the best decision for the city and for the people in the area. Tecumseh Road is going to be a busier road. And, like Roberta just said, not too many people want to back up to major arterial roads. Major arterial roads through Norman and are going to be tying into Western, which is already currently underway. I appreciate all the work that the applicant and the homeowners have done on this project. I believe that they have met some consensus in certain areas. I think that's what's important when we look at these projects, to make sure that they can get to the best consensus possible. I can see tonight that we do have some contention between those areas. I do feel the project that they have proposed is very good and very well planned. They are building them to look as much like residences as possible to fit into the community. They have taken traffic considerations into concern from Astor Road to not cut through out to Tecumseh. They have taken into consideration the PUD being very stringent – roof heights are called out, 6:12 roof pitches. They have done a really good job, in my opinion, of trying

to make it consistent with the area. With that said, I'm also kind of concerned about when there's a misunderstanding in our community when there's a vacant piece of land that that's always what it's going to be. Commercial property – C-1 zoning on 36th Avenue could be rezoned at any time. Those people have the rights that own that land to possibly try and rezone it. We don't know what's going to go in there, but C-1 zoning is definitely a lot higher and more intense than what they're asking for. You could have a 7-Eleven on the corner that's open 24:7. You could have a Conoco. You could have a number of those things. They're not asking for that. They're asking for office space that's typically open 8 to 5. Typically these kinds of places have less of a traffic impact than residential communities, believe it or not. So there's a number of things that I think lend itself to this being a good plan for the area. Like was said, the C-1 zoning on 36th Avenue are large parcels. The hospital land can't be bought and opened into office parks; that's not the intent of it. There's an authority over how that land is used. So, I guess, after reviewing and hearing all the comments tonight, I think this project makes sense. I think they've spent a lot of time in reviewing this, trying to work it out with the community and the people in the area. Again, no one leaves happy at the end of the night if you're against this. But I do think that long-term the values of what you're going to have here are going to be beneficial versus possibly 1,200 square foot homes that could be built on 50 foot lots. I guess with everything said, I am going to support this tonight and I think it makes good sense for the area.

3. Mr. Knotts – When I was out there today looking around, I felt that the proposed project was very in tune with the area. It even is reflective of St. Mark's Church across the street. It really doesn't have a negative impact, as far as I can see. The fact that Tecumseh is going to be a higher traffic area just kind of pushes me toward trying to keep residential away from that kind of development. So I think I will support this project.

4. Mr. Gasaway – I've really wrestled with this issue. I bicycle almost every morning and usually two or three times a week go through this neighborhood. Without knowing, until about a week ago, that this was going to be on our agenda, I often look at that park area and the land to the north of it and most of the time my thought is that's a really unusual piece of property, I wonder what in the world anybody can do with it. And, frankly, I never have a solution and, since it's not marked, I never knew exactly how much was park and how much was available for some other kind of use. And, low and behold, I get the agenda and find out it is on our agenda this week. It's a really tough issue. It's a very odd-shaped piece of property in a very odd and somewhat inconvenient location because of where it is and it makes any type of use really difficult. It's not very well-suited to put in a two-sided one-street neighborhood, because it kind of becomes a fenced in area. It's probably not, in all honesty, all the best area because it is a residential area for office space. It's a very difficult situation. As I bicycle around the area, I go down Robinson to get there and up 36th and I see residential houses backed up to four-lane streets. Some of them were four-lane when the houses were built; most were not. And I see what the back of those areas facing the street looks like and it's not attractive; it's not appealing and it's not something that, if I had to turn there to go into my neighborhood, frankly, I'd be embarrassed at some of the fences and what backs up to those streets. That's not saying anything about those particular neighborhoods, but it's what happens on a busy four-lane street because there are no residences to look at those, they typically get a little more run

down on the back side than otherwise. It also reminds me of a slightly different case we had about a year ago for a house on West Main that was formerly a residence and over the years a pest control agency. They had lived in the house, but operated their business out of the agency. And there was an attorney that came in that wanted to buy the house and make it a law firm. I voted against that because it bordered a residential area. I was very firmly against it because I thought that we don't need another business bordering the area, although to some extent already on two sides it was. It turns out to be, at least in my opinion, one of the nicest looking things on that corner. It was very well-done in a residential style. It's green. It's well landscaped and there's probably several votes I should have taken back over the years but it's one that really comes to my mind that I would like to have that back to vote yes on if I could. And, to some extent, that kind of reminds me of this area. Sometimes when I'm kind of undecided I try and think, well, if that were my neighborhood would I want an office building right there as opposed to some of the other options. In my opinion, I probably would, because I think, from what we've seen from the landscaping and things of that nature, that it will be a reasonably attractive entrance. Now, that being said, I don't live there and we have heard from many people tonight that do live there that do have great concerns. I am going to support this tonight. Again, it's very close in my mind, but I think, at least in terms of aesthetics, it will end up being a pleasing entrance to the area. It will be a pleasing sight from the park which will probably remain a much more open and green look than a six-foot wooden stockade fence.

5. Ms. Pailes – This is just to remind you all, I, too, voted against that proposed business on West Main, hoping that it would remain residential. We were overturned by the Council. So all we do is advise. We don't even consent. We advice the Council, but they will make the decision that is binding. And should you not be pleased with the decision here, you should certainly appear before the Council, because it is their opinion that will count. Again, in terms of your fears, I don't know if perhaps some sort of partially mortar, partially wrought iron fence between this area and the park would perhaps alleviate some of that. It strikes me as some fencing would be appropriate just so you don't have kids running into the parking lot. And that might be something that you want to take up with the developers. That's not something that we can do anything about.

6. Mr. Gasaway – At any point, that condition could be added, either here or at City Council. You all do have a wonderful neighborhood and we certainly appreciate your opinion. However the vote comes out tonight, I hope that all of you will go to City Council. I might just add that all of the minutes from tonight go to the City Council members. Most, if not all of them, do watch Planning Commission, so they are very much in tune with you all's feelings and the facts that have been presented here tonight.

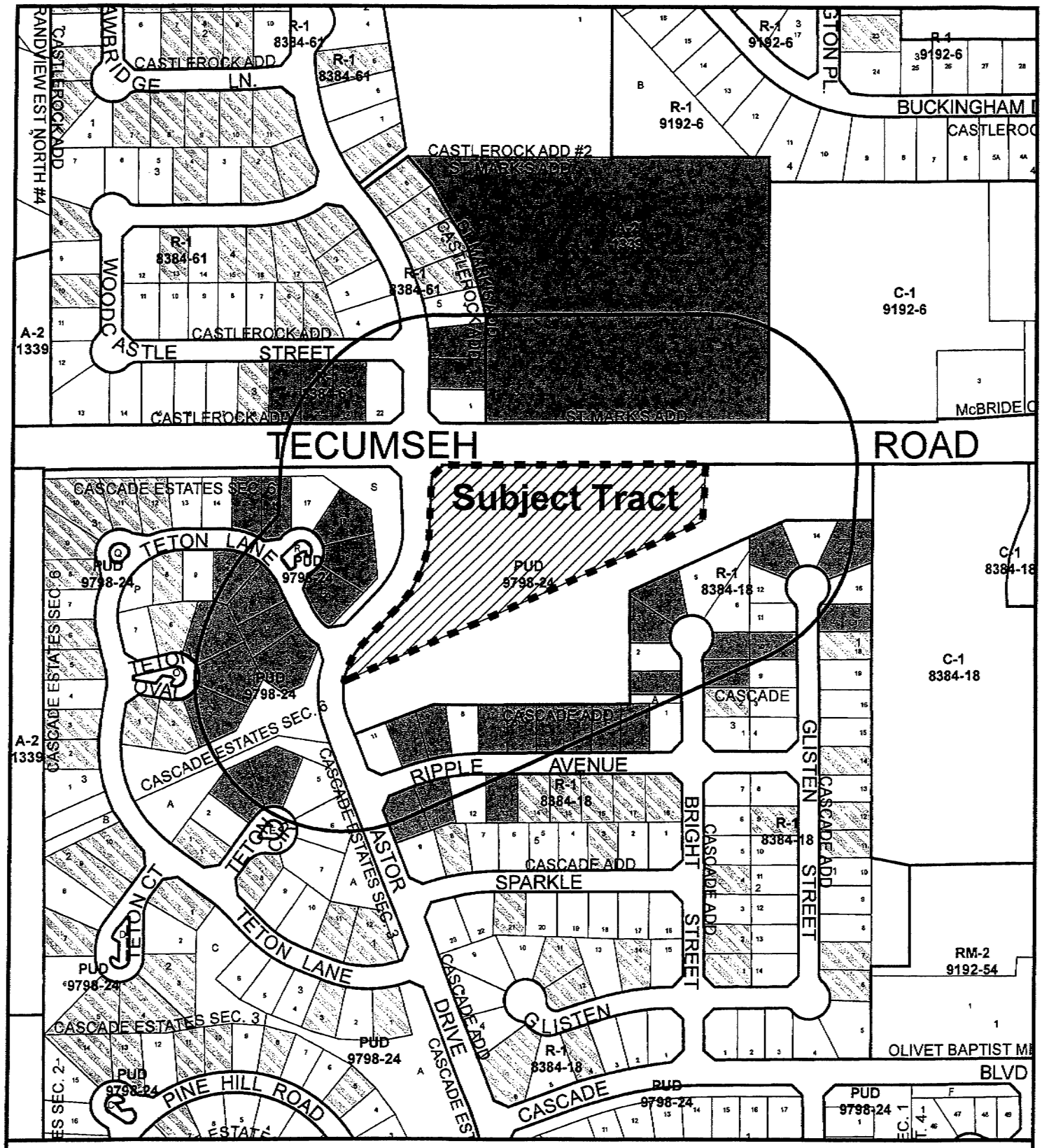
Diana Hartley moved to recommend adoption of Resolution No. R-1112-4, Ordinance No. O-1112-1, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for <u>TECUMSEH PROJECT, A Planned Unit Development</u>, to the City Council. Tom Knotts seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1112-4, Ordinance No. O-1112-1, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for TECUMSEH PROJECT, A Planned Unit Development, to the City Council, passed by a vote of 5-0.

* * *



Protest Map

50.4% Protest Within Notification Area

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

N W E S

Scale: 1" = 300'
July 12, 2011

- Subject Tract
- Protest
- Notification Area
- Protest Outside Notification Area

Yumi Davis

From: Yumi Davis [yumi@newlookmedia.com]
Sent: Thursday, March 24, 2011 11:48 PM
To: Mayor@NormanOK.gov; ward1@normanok.gov; ward2@normanok.gov; ward3 @normanok.gov; ward4@normanok.gov; ward5@normanok.gov; ward6@normanok.gov; ward7@normanok.gov; ward8@normanok.gov
Cc: Myron Cunningham; Jerry Kershaw; catiejewell@gmail.com; Elaine and Grant; ourob@sbcglobal.net; reh7194@aol.com; soonerservants@hotmail.com; Tom/Susan Thurston; Angela Wright; Melissa Free; Vicki Hopkins; Susan Wood; Beth McCoy; mark.mccoy@sbcglobal.net; Peter Khor; ohpchamplain@aol.com; Jill/Floyd Smith; Jeff Davis; mcullins1@cox.net; powerman2@cox.net; cbartrub@cox.net; tkahoe99@yahoo.com; Justin Furnish; joe-aprilperry@cox.net; Karmen Tucker; Irene Woo; Becky Schmidt; jenannelliott@cox.net; Erin Williford; Heather Hack; Yumi Davis; Bonner Slayton; Destiny Merkley; Dan & Ashley Nickel; Luisa Lucas; Rex and Toni; Debbie Argo; Lindsey Williams; Oj Williams; cbartrug@cox.net; paul.a.fagiano@usps.gov; consigliere@att.net; kbrews@cox.net; vjdicastro@att.net
Subject: Zoning in Cascade Estates

Mayor Rosenthal and City Council Members,

I am writing regarding the recent preliminary discussions to rezone the property north of the Cascade Estates park located off Tecumseh. If you are not familiar with the issues that have recently surfaced, I will let you know that developers are requesting to change what has previously been approved by council to be residential area for 12 plots of land for single family homes to commercial property. Tonight, I attended a preliminary meeting at City Hall to discuss the possibility to rezone. I went in with an open mind, but left with a strong stand against rezoning!

I have several concerns that have influenced my decision to move forward against this development. My number one concern is safety. Cascade Estates is a very family friendly neighborhood. Kids play in the street. We have culdesac parties with families. We have parades in the street. This truly is a neighborhood that is a community. I feel that the possibility of bringing this commercial land will change the dynamic of the neighborhood and have a negative impact! Almost every home on my street, which is directly across from the property of concern, has small children. These children walk and ride bikes to school and to the park that is beside the property under discussion. The commercial property will attract traffic to this area. An area which has always been safe. It will also change the ability for the view to the park. A park that is hidden behind a medical building or has trees with empty parking lots would not have the same secure feel for parents.

Although developers showed us a plan, this is only an idea. They plan to sell off the land and homeowners will not be able to have any input to entrances that will attract traffic, how the aesthetic of the buildings will turn out, or landscaping. All of these issues could impact the property value of the homes. Moreover, homeowners were assured before the purchase of their property that the land by the park was marked for residential. This promise was backed by the approval of a residential zoning by the City Council. A rezoning would leave no guarantees for homeowners.

I am not alone in my opinion to reject the request for commercial property within our neighborhood. I hope you will take into consideration the voice of the homeowners who are the people who will be most affected by this change. I know that I will personally be disappointed if I am unable to count on my local government to protect my rights and look at the best interest of the families within their city.

Thank you so much! I appreciate any responses or thoughts concerning this matter.

Yumi Davis
4113 Teton Lane
Norman, OK 73072
(405) 202-8745

1

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 DMC

From: VICKI HOPKINS <vhopkins21@mac.com>
Subject: **Zoning In Cascade Estates**
Date: March 25, 2011 10:33:42 PM CDT
To: Mayor@NormanOK.gov, ward1@normanok.gov, ward3@normanok.gov, ward4@normanok.gov, ward2@normanok.gov, ward6@normanok.gov, ward5@normanok.gov, ward8@normanok.gov, ward7@normanok.gov

Mayor Rosenthal and City Council Members:

I am writing as a resident of Cascade Estates off Tecumseh. We recently had a rezoning meeting with the city regarding the property north of the Cascade Estates park located off Tecumseh and Astor. It is currently zoned as a Residual property, but the owners of the land, Cascade Development, want to rezone it as Commercial Office. That concerns not only me, but also many of my neighbors. At the meeting the developers showed us a plan for four proposed buildings with over 200 parking spaces. They would be sold off individually with no assurance it would be medical office space (which is what they are hoping for). Who knows who will buy each building, and their plan. There is so much uncertainty with the plan. They could not even give us assurances how the buildings would look.

I moved here almost three years ago and fell in love with my neighborhood. We have socials in our col-de-sacs, parades, easter egg hunts and so many other activities. Many children walk or ride bikes to and from school. At the Cascade Park, that would be located right behind the new development, we have many sport practices in addition to families visiting it in the neighborhood. This is what concerns me the most about the new development. The safety of our children. We have such a family oriented residential community. Adding a commercial complex right next to our neighborhood park, would ruin this environment. It would have traffic, which would be a danger to our children. It is already difficult to exit our neighborhood. I cannot imagine what it would be like with this new office park. It would add noise to our wonderful peaceful environment. When I sit on my back porch I hear birds chirping. I also do not want my property value to fall because now I live in a commercial area. When we bought our home we were told that was a residential property. That is why the area was so appealing to us.

Please help us keep our neighborhood a neighborhood. When my family hears about all the wonderful activities we do in our neighborhood they say I live in Mayberry. I love Norman. I want to keep my neighborhood just like Mayberry. Isn't that what we all want for our children? The safety to walk to the park, to school and ride bikes with friends. With this new development that wonderful environment would be taken away.

When this comes before the Planning Commission, I beg you to keep this Residential, and not allow the developers to rezone it to Commercial Office.

Thank you,

Vicki Hopkins
4112 Teton Oval
Norman, 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 MC

on t

Yumi Davis

From:	Bonner Slayton
Sent:	Friday, April 01, 2011 11:53 AM
To:	'Susan Wood'; Mayor@NormanOK.gov; ward1@normanok.gov; ward2@normanok.gov; ward3@normanok.gov; ward4@normanok.gov; ward5@normanok.gov; ward6 @normanok.gov; ward7@normanok.gov; ward8@normanok.gov
Cc:	'Myron Cunningham'; 'Jerry Kershaw'; catiejewell@gmail.com; 'Elaine and Grant'; ourob@sbcglobal.net; reh7194@aol.com; soonerservants@hotmail.com; 'Tom/Susan Thurston'; 'Angela Wright'; 'Melissa Free'; 'Vicki Hopkins'; 'Beth McCoy'; mark.mccoy@sbcglobal.net; 'Peter Khor'; ohpchamplain@aol.com; 'Jill/Floyd Smith'; 'Jeff Davis'; mcullins1@cox.net; powerman2@cox.net; cbartrub@cox.net; tkahoe99@yahoo.com; 'Justin Furnish'; joe-aprilperry@cox.net; 'Karmen Tucker'; 'Irene Woo'; 'Becky Schmidt'; jenannelliott@cox.net; 'Erin Williford'; 'Heather Hack'; Yumi Davis; 'Destiny Merkley'; 'Dan & Ashley Nickel'; 'Luisa Lucas'; 'Rex and Toni'; Debbie Argo; 'Lindsey Williams'; 'Oj Williams'; cbartrug@cox.net; paul.a.fagiano@usps.gov; consigliere@att.net; kbrews@cox.net; vjdicastro@att.net; jamesreese@cox.net; brandyreese@cox.net
Subject:	Rezoning in Cascade Estates

Dear Mayor and City Council:

As a citizen, taxpayer, parent, teacher, minister, community leader, Journey Church member, and Leadership Norman alumni, I am writing to oppose the change in zoning for the land north of Cascade Estates Park. I moved to Norman, Oklahoma, years ago because I knew that Norman was the place that I wanted to rear my children. After searching, saving, and working hard, I found the ideal house in Cascade Estates in Northwest Norman. My children and I have been happy ever since. **I am afraid that rezoning this land will diminish our happiness, lower our property values, increase traffic, allow strangers more access to our neighborhood, and ruin the "family" atmosphere that our neighborhood enjoys.**

There are many communities in this state who "get things wrong" in the name of economic development. **I am proud as a taxpayer and citizen that, more often than not, Norman, Oklahoma, gets it right.** Yet, rezoning the land north of the Cascade Park is the **wrong** thing to do. **First,** there is no guarantee of what the property will look like. The city has done a fantastic job in keeping this area of Norman attractive. There are no guarantees that the developers will follow through on their plans. **Second,** Cascade Estates and Castle Rock are both quiet neighborhoods with a family atmosphere. The addition of commercial properties within our neighborhood will ruin this dynamic. Why would we want more traffic within our neighborhood? **Third,** there is plenty of room for commercial entities to the east and the northeast of our neighborhood. There is not a need for this commercial area or medical area within our neighborhood. **Last,** this plan will LOWER our property values. I live in a house that backs up to the park. There is not much distance from my back gate to the edge of the proposed property line for this development. This development will cause the resale value of my house and others in Cascade Estates to plummet. **It is my understanding that the vast majority of citizens in Cascade Estates DO NOT approve for this land to be rezoned. It is my expectation that the Norman City Council and the City Planning Commission to do the right thing and LISTEN to the voices of concerned citizens and do what the majority of citizens ask.**

In a world where "family" values are eroding, why would we want to add a commercial interest in our neighborhood that would cause more traffic, allow more strangers access to our neighborhood, put children in danger who play in the park, and ruin the aesthetics of our neighborhood. This proposal does nothing to improve the quality of life for me, my family, or my neighborhood. **It actually diminishes the very family values and community togetherness that Norman, Oklahoma, is known for in Oklahoma and throughout the nation.**

w/ sig in petition

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 TMC
6-56

I moved to Norman and into Cascade Estates with the understanding that the land north of Cascade Park would stay residential. I strongly oppose **ANY** and **ALL** plans to change this.

Sincerely,

Bonner Slayton, M.Ed., NBCT
4001 Ripple Avenue
Norman, Oklahoma 73072

Yumi Davis

From: Susan Wood [swood13@cox.net]
Sent: Friday, April 01, 2011 11:11 AM
To: Mayor@NormanOK.gov; ward1@normanok.gov; ward2@normanok.gov; ward3 @normanok.gov; ward4@normanok.gov; ward5@normanok.gov; ward6@normanok.gov; ward7@normanok.gov; ward8@normanok.gov
Cc: 'Myron Cunningham'; 'Jerry Kershaw'; catiejewell@gmail.com; 'Elaine and Grant'; ourob@sbcglobal.net; reh7194@aol.com; soonerservants@hotmail.com; 'Tom/Susan Thurston'; 'Angela Wright'; 'Melissa Free'; 'Vicki Hopkins'; 'Susan Wood'; 'Beth McCoy'; mark.mccoy@sbcglobal.net; 'Peter Khor'; ohpchamplain@aol.com; 'Jill/Floyd Smith'; 'Jeff Davis'; mcullins1@cox.net; powerman2@cox.net; cbartrub@cox.net; tkahoe99@yahoo.com; 'Justin Furnish'; joe-aprilperry@cox.net; 'Karmen Tucker'; 'Irene Woo'; 'Becky Schmidt'; jenannelliott@cox.net; 'Erin Williford'; 'Heather Hack'; Yumi Davis; Bonner Slayton; 'Destiny Merkley'; 'Dan & Ashley Nickel'; 'Luisa Lucas'; 'Rex and Toni'; Debbie Argo; 'Lindsey Williams'; 'Oj Williams'; cbartrug@cox.net; paul.a.fagiano@usps.gov; consigliere@att.net; kbrews@cox.net; vjdicastro@att.net; jamesreese@cox.net; brandyreese@cox.net
Subject: letter re. rezoning

Dear Mayor and Council members,

I am writing you in regards to the proposed rezoning of the property on the corner of Tecumseh and Astor Dr. I am a homeowner in Cascade Estates and this proposal concerns me deeply.
My concerns include the **safety** of the MANY children who walk, play, ride bikes, etc. along Astor Dr. on a daily basis. The proximity to the park is also a serious concern.

Cascade park is a neighborhood park where families with children and pets play and have ball practice. Bordering the park with a commercial area will create a **less safe and desirable atmosphere**. As it is, anyone who is around the park area is most likely a resident or has a child practicing at the park. Locating businesses here would bring lots of people who have no connection to the park. I believe this would make parents fell less secure about their children's safety. The "sidewalk" to the park is also the drainage ditch. If businesses are built here the drainage will most certainly increase, creating unsafe access for families, children and pets.

Another issue is traffic. This area is a school pick up and drop off area as well as parking for the park. Every day, morning and afternoon both sides of the street are lined with cars, as well as many evenings, when teams practice at the park. Children and their families walk across Astor from the adjacent neighborhood as well as from their cars to access the park. Locating businesses here will make crossing this street hazardous. With all the current traffic it is already difficult for homeowners to enter and exit onto Tecumseh from Astor. Increasing this traffic with businesses on this corner is going to create a unimaginable bottleneck.

We are so proud of our neighborhood! I often brag about the "block party" atmosphere that exists here. Our addition has 4th of July parades on this street. At Halloween there are **hundreds** of children and their families walking the streets. Our children walk along Astor to the neighborhood pool. This neighborhood was designed with greenbelts and beautiful sidewalks that facilitate foot traffic, where our children play in their front yards and up and down Teton lane and across the street at the park. My sister is a city planner in another state and marvels at how beautifully this neighborhood is designed. We couldn't agree more. Please help us preserve the integrity of our family oriented atmosphere!

When we selected to build our home in this location we asked about the property in question and what future plans were for this property. We were told that it was zoned residential single family dwelling and due to its proximity to the park, church and school would stay that way. This was a deal breaker for us. The reassurance that this property was zoned residential and would stay that way made building our home in this location desirable. We hope that you will take the homeowners concerns into consideration in this matter and help us keep our neighborhood the beautiful, safe, family oriented, desirable jewel that it is now.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 MC
6-58

Sincerely, Susan Wood

Dear City of Norman Planning Commission,

I am writing today to talk to you about my neighborhood, Cascade Estates. I am strongly opposed to the pending rezoning request to change the land near Astor Drive and Tecumseh from residential to commercial.

Cascade is an amazing neighborhood, with a wonderful feeling of friendship among neighbors. On any given day, you will see families talking in their yards, and children riding their bikes to friends houses or playing ball in the street. We have neighborhood cookouts, parties and play-dates in our front yards. Our neighborhood pool is always filled with families cooling off from the heat. People in Cascade Estates say hello to each other. We know the names of our neighbors' children and pets. On Halloween, hundreds of children take to the streets to go trick-or-treating.

My husband and I purchased our home six years ago. We choose Cascade because we felt it was the perfect neighborhood to raise our then one-year-old son. It's a beautiful neighborhood, with trees, gardens, and lots of green space. Our son is now seven, and has a three-year-old little sister. We still feel our neighborhood is a wonderful place to raise children, but if a commercial property is built, that will change things.

When we purchased our home, we were happy knowing the empty land at the intersection of Astor Drive and Tecumseh was zoned residential. With the neighborhood park right there, and all the homes surrounding that land, we feel it should remain residential.

My son walks part of the way home from Roosevelt Elementary School. He takes the sidewalk down Tecumseh, and meets me on Astor Drive. This is a very important aspect of his day, because it teaches him about responsibility. He knows I trust him to walk straight to our meeting spot, and it gives him a feeling of pride that I trust him to do so. There isn't much traffic in Cascade. It's pretty much limited to those of us who live here. We are always careful driving through our neighborhood because we expect to see children and families playing outside. If a commercial property is built on Astor Drive, he will not be allowed to walk home anymore. There will be too much traffic, and it will no longer be safe.

We don't want a parking lot in our neighborhood. We don't want commercial buildings, even if it is aesthetically pleasing. It doesn't change the fact that we want our neighborhood to remain just that: a neighborhood. There is plenty of land to be developed in Norman. Please tell this developer to find a different spot to locate his commercial building.

Sincerely,

Erin Williford
3607 Gullane Drive
Norman, Oklahoma 73072
(405) 579-4370

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-30-11

out

June 30, 2011

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

To the Members of the Norman Planning Commission:

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office.

I have been a resident of the Cascade Addition since 1985. Many welcome changes have come to pass since I moved into that neighborhood. As a citizen of Norman, I am proud of the new hospital on the west side and enjoy the convenience of the businesses that have arrived in its wake. I understand that businesses associated with the hospital will want to locate in the area and believe there is sufficient property north of the hospital between NW 36th and I-35 for that purpose.

I oppose the changing of the above-mentioned parcel of land. This strip of land is surrounded by residential property and a neighborhood park and very near an elementary school. During the school year particularly (which in the near future may be year round), that area is very congested and it is already difficult to exit the Cascade and Castlerock Additions onto Tecumseh. I can only imagine how the traffic would multiply should the suggested change occur. The residences nearest to the land in question are in the six figure price range and I believe the change would negatively affect the investment made by those homeowners. This location and the adjacent property were never intended to be commercial and people chose to make their home there with that in mind. I feel it would negatively impact the lives of the citizens in the immediate area and would be dangerous to increase the traffic so near to Roosevelt elementary.

Sincerely,

Mary Lynne Cooper

Mary Lynne Cooper
3912 Glisten Court
Norman, OK 73072
Telephone: 405-360-6178

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/1/11

out

Dear Norman City Planning Commission,

I am writing this letter in regards to the property located on Tecumseh Road across from St. Mark's Catholic Church. The purpose for writing this letter is to state my families opposition to the proposed rezoning of this land from a residential designation to a commercial designation. I live at 4000 Teton Lane in Cascade Estates. My property is located directly across from the city park. The land in question along Tecumseh Road is diagonal to my home at 4000 Teton Lane. This land is what my family sees when we look out our front door.

My wife and I bought our house in 2007. The purchase of our home was a substantial investment for us. Like many families, the purchase of our home was the biggest financial investment we would ever make. Before buying our house at 4000 Teton Lane we checked with the city of Norman in regards to the zoning of the property immediately north of the park. We were told that this land was zoned residential and would be developed in this manner. We would not have bought our home at this location if this property was zoned commercial. We understood whatever was developed on this property would become our neighbor. We did not want our home to be across the street from a commercial development. We were assured that this property was zoned residential and would be developed with houses to complete the Cascade Estates residential development. After receiving this information from the city of Norman, we made the decision to purchase our home.

There are other reasons why we oppose changing this land from a residential to commercial designation. We are concerned about the safety of our children in this area as are many other families. We are also concerned about having a city park located next to a commercial development. We also realize this development would increase traffic in our area which would affect the safety and value of our home.

We want to see the continued commercial development of the city of Norman. There are many acres around the hospital and on 36th Avenue that have yet to be developed. These areas are currently zoned commercial and are ready for development. We also want to see the continued residential development of the city of Norman. The land in question along Tecumseh Road is zoned residential and should be developed in this manner.

As stated earlier, the zoning of this land had a direct impact on our decision to purchase our home at 4000 Teton Lane. We bought our home only after confirming with the city of Norman that the land in question along Tecumseh Road was zoned residential and would be developed in this manner. It is our request that this land maintain its residential zoning status.

Sincerely,

Phillip & Shannon Johnson
4000 Teton Lane
Norman, OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/5/11

✓

Gregory S. and Paula J. Cook
3102 Carnoustie Drive
Norman, OK 73072-1948

June 30, 2011

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

To the Members of the Norman Planning Commission,

Please register this letter in protest of the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office.

We have been notified that our property, above address, is within three hundred and fifty (350) feet of the proposed change and agree with our neighbors that the above proposal and potential use of said property would ultimately devalue our property.

Two primary concerns are: immediately the ingress and regress from our home onto 36th would be seriously compromised and long term major infrastructure issues. Construction is not complete on the medical park east of said zone, not to mention any additional construction in the above area and south of Tecumseh Road, and when that has occurred we are deeply concerned about the City of Norman's ability to maintain the infrastructure and demands thereon.

Bottom line, as homeowners that will directly affected by this proposed change, we oppose.

Respectfully Submitted

Paula J. Cook

Paula J. Cook

Gregory S. Cook

Gregory S. Cook

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-6-11 DMC

Mark and Beth McCoy
4021 Teton Lane
Norman, Oklahoma 73072

Date: July 4, 2011

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

To the Members of the Norman Planning Commission,

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. We have been notified that our property at 4021 Teton Lane is within 350 feet of the proposed change.

We oppose this change for the following reasons:

1. The property was promised to remain low density residential and there is plenty of commercial/ office property available at the intersection of Tecumseh and 36th street.
2. Rezoning this area reduces our property values.
3. This change would increase traffic in a residential area with many children that play at the adjacent city park and walk to Roosevelt Elementary School.
4. This area is adjacent to a city park and it is unwise and unsafe to have commercial/office property next to a city park.

Sincerely,

Mark R. McCoy

Bethany D. McCoy

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-6-11 mc

Address: 4000 Ripple, Norman, OK

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 7, 2011

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 4000 Ripple Ave. is within 350 feet of the proposed change.

I oppose this change for the following reasons:

1. Commercial use in a neighborhood. No one wants to look out their front door and see office buildings.
2. Purchased home in area because of neighborhood feel. This feeling will be lost with the proposed change from residential to commercial buildings. Very upset that this proposal is even being considered.
3. Safety in the neighborhood.

Sincerely,

Janelle Borden

Legal Homeowner Name:

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-7-11 PM

St. Mark The Evangelist Catholic Church

July 5, 2011

Office of the City Clerk
P.O. Box 370
201 West Gray
Norman, OK 73070

Dear Members of the Norman City Planning Commission:

With this letter I wish to file formal protest regarding the proposed amendment of the existing PUD for the property located on the south side of Tecumseh Road east of Astor Drive across Tecumseh Road from this Church.

The Roman Catholic Church consistently and deliberately builds its churches in the heart of residential communities. The Church has no history of building churches on Freeways or in Commercial or Shopping Districts. The very nature and identity of our church is family and it is rooted in a residential/neighborhood setting. Sites for new churches are considered only in residential areas, and the spirit of our communities is always about home-life, and neighborhood. In cities all over the country, Catholic Parishes are always active and concerned with the renewal of housing projects and residential communities. Catholic Churches are found where people live, not where they shop or work.

For this reason, the Tecumseh Road site was chosen about twenty-five years ago on the belief that the City of Norman would preserve this part of the city for a residential community. We trusted that this planning and vision would be preserved. With consideration of the proposed change, the parish community feels somewhat betrayed and disappointed. Consequently we do take this opportunity to object to any amendment to the PUD or the zoning adjacent to our property that removes this property from residential use. This proposal moves people further away from what we hoped would be a church "home" and creates more distance from the kind of community and development with which we are identified.

Respectfully submitted July 7, 2011

Thomas J. Boyer

Reverend Thomas J. Boyer, Pastor

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-7-11

3939 W. Tecumseh Road
Norman, Oklahoma 73072-1708

Telephone (405) 366-7676
Fax (405) 366-7842

6-66

Robert & Stacy Morey
4009 Teton Ln.
Norman, OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: 7-1-2011

To the Members of the Norman Planning Commission,

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that my property, at address 4009 Teton Lane, is within 350 feet of the proposed change.

I oppose this change for the following reasons:

First, the proposal calls for an entrance to the office area to be constructed off of Astor Drive. As you may be aware, Roosevelt Elementary school is only blocks away from Astor Drive. As such, many children, including our youngest son who will begin pre-K this fall, walk to school from our neighborhood. In fact, Astor Drive has historically been utilized as the major pick-up and drop-off location for children pre-K through fifth grade, second only to the school lot. Therefore, as you can imagine, we are extremely concerned about the increased traffic which will be created not only from the office development itself, but also from the placement of the proposed entrances. As long-time residents of the neighborhood and parents of school age children, we are accustomed to the young pedestrians in our area, as are all of our neighborhood residents. However, introducing sales and client traffic into this area would bring in a large number of people to our street who are unaware of the potential problems. As a result, this residential street simply cannot adequately handle the school and office traffic without creating an unnecessary hazard to young children.

Second, there is a wonderful park which sits adjacent to the proposed office development. The park is constantly used by neighborhood children and their friends, youth softball and baseball teams, and pet owners. Within this area, is also the continuation of a green belt which runs throughout the entire neighborhood of Cascade Estates. Our neighbors who have homes which are adjacent to the green belt have worked diligently and in a united front to keep the green belt from being infringed upon. For example, none of the individuals within the green belt have erected fences or any other structure which would infringe upon the environment. If the new

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OF THE CITY CLERK
ON 7/8/11

plans are accepted, their efforts will be in vain, and the environmental sanctity of the area will be destroyed.

Third, on a more personal note, the proposed office development, will negatively impact our family's lifestyle and finances. We bought this home in large part because of its natural surroundings, and the promise that any development within the area in question would be of a residential nature. Altering the surrounding area in the suggested manner will hurt our property values and the aesthetic nature of our home. The increased traffic and noise will impact our ability to use our home in the manner to which we have become accustomed and envisioned since we first viewed the property.

While I am certain that the tenants of the office development would find their surroundings to be quiet and serene, the same cannot be said of how the neighborhood views the proposed development. Please don't allow our neighborhood to become a better place to work than it is to live.

Sincerely,

Robert Morey

Stacy Morey

City of Norman
Planning Commission
P.O. Box 370
Norman OK 73070

6 July 2011

Dear Sir/Ma'am,

The purpose of this letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office Use. I have been notified that my property at 3912 Ripple Ave is within 350 feet of the proposed change.

I oppose this change for a number of reasons. Foremost is the issue of fairness. The current residents of Cascade Estates made important personal and financial decisions based upon the finalized Cascade Estates Residential PUD created 13 years ago. Now, well after all lots have been sold and people have settled into their homes, this major change requested will significant degrade the character of the entire neighborhood, detract from current aesthetics, and perhaps most importantly lower property values.

Other concerns include the issue of safety. Adding a heavily trafficked office complex with over 200 parking spaces creates a potential risk for those who use adjacent streets and park land. This change would also potentially facilitate loitering or even criminal activity by miscreants (or worse) posing as office patrons while awaiting/stalking victims in the park.

A primary purpose of city planning is to allow individuals and business to anticipate future land use. This land parcel has been reserved for residential user ever since it was first taken out of agricultural uses. Changing the use of this parcel now negates decades of wise planning and blurs the line separating commercial and residential use. This is important as conflicts can arise when commercial use evolves in similar settings...reference the problems associated with the recent Porter Avenue Study.

In conclusion, I cry foul and respectfully request the City of Norman deny any and all such requests for amending the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan.

Sincerely,

Gordon Mohon
3912 Ripple Ave
Norman OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/8/11

out

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

July 8, 2011

Re: Proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan

To the Members of the Norman Planning Commission,

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that my property at 3520 Bright St., Norman, OK 73072 is within 350 feet of the proposed change.

I oppose this change for the following reasons:

- The increase in traffic. Roosevelt Elementary School is located at 4250 W. Tecumseh Road and St. Mark's Catholic Church, Mother's Day Out is located across the street at 3939 W. Tecumseh Road. Also, the Cascades Estate Park would be just south of the building project. At one point, they were also discussing an entrance into the building off of Astor Drive, which would be even more dangerous for children walking home from school or the park.

- The extended construction period. We have been advised by the Tecumseh Project, LLC that they do not plan to build the entire office center at one time, but will build each additional office building as it is sold. This means that the construction could drag on for several years.

- The construction noise. Since it is unclear how quickly this building project would be completed, there could be construction noise off and on for several years.

- Decrease in home values. Our home is located just southeast of the proposed building site. The building would not only impede our view, but if a two story design is built, the occupants of the upper floors may be able to see into our fenced and private back yard.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-8-11 mc

We appreciate your consideration of our reasons to protest this change in the zoning law.

Sincerely,

Timothy D. Black

Cara L. Black

Cara L. Black

3520 Bright St.
Cascasde Estates Addition
Norman, OK 73072

2

3921 Ripple Ave.
Norman, OK 73072
405-473-6662 (cell)

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

July 7, 2011

To the Members of the Norman Planning Commission,

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates Planned Unit Development (PUD) and the Norman 2025 Land Use and Transportation Plan by rezoning a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that our residence at 3921 Ripple Ave is within 350 feet of the proposed change; our property is just across the city park from the subject parcel.

We oppose this change because it is unfair to change a residential PUD plan after nearly all the homes have been built, it will change the character of the neighborhood and the neighborhood association will lose aesthetic control of this parcel. Finally, we think it is poor planning to extend the extent of the boundary line between commercial and residential properties in this area, inviting future conflict. This document will explain our position on each of those points.

Unfair

In 1997 Cascade Development Company, led by Mr. Newcomer and Mr. Clagg, proposed the current PUD including a City Park and a cul du sac with 12 residential lots between my property on Ripple Ave. and Tecumseh Road. This PUD was approved by the Parks Board, the Planning Commission and the City Council. I spoke at the City Council meeting in support of this PUD. Although I was a little disappointed that their plan cut-off that green space right at the north edge of the pipeline easement, I was content with plan for homes on the opposite side of the park and I thought they had a good plan for the neighborhood overall. I would not have spoken in favor of a plan that included any commercial development on Tecumseh Road.

A few years later, the owners erected a "For Sale or Lease" sign in that area. I phoned asked about the intent of the sign. At that time Mr. Newcomer told me he was trying to see if a church would interested in buying that property and that I should not be concerned because the land was zoned residential, was part of an established PUD and thus was very restricted in what could be built there. Because of those assurances I was not concerned about the use of that land and

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OF THE CITY CLERK
ON 7/8/11

when we considered buying other property in Norman, one of the factors in our decision not to relocated was thinking our current location had distinct advantages, including the proximity to the park. If the land across from the park becomes commercial we feel it will detract from the advantages we factored into the decision process.

Beyond our experience, there are literally hundreds of people who bought homes or built homes in Cascade Estates with the expectation – from the published plan – that Cascade Estates was going to be entirely residential. The owners gave no indication that commercial offices would be built there until March of 2011, after nearly every lot and home in the remainder of the development had been sold to builders or individuals. .

Change in Character

This area of Northwest Norman is a very attractive area for families and has long been planned to have a nearly continuous strip residential, park, school and church usage from Robinson Street north to Franklin Road. The contiguous strip makes for a zone where people can jog, bike and walk through the adjoining neighborhoods with low traffic, noise, etc, due to the lack of commercial development. Astor Drive is a bike route, for this reason. This is a result of wise planning that has been carried through many versions of the Norman Comprehensive Plan.

Changing this parcel to office use changes the character of not only Cascade Estates but the adjacent Castlerock subdivision and Cascade Park. In west Norman there is no other neighborhood park that is bounded by a commercial land, with the lone exception of Russell Bates Park which is within a commercial development. In addition to that increased traffic for the 211-space parking lots, there is some concern that the parking lots surrounding the office buildings could be used by criminals who might prey on people using the park, posing as office patrons while watching activity in the park. In contrast, a stranger loitering in the planned cul du sac would be more easily detected and reported police.

This corner is the north entrance to Cascade Estates, putting an office building at this location detracts from the residential character of our subdivision's "front door", affecting the first impression of visitors and potential home buyers entering from the north.

Although the office use is less intrusive to the residential character than, say, retail or restaurant use, it will put the property in the commercial use category and, as such, it begins a slippery slope toward other commercial use with relatively minor re-zoning consideration over the long term future.

Loss of Aesthetic Control

The aesthetic qualities of Cascade Estates and Castlerock are preserved through homeowner covenants enforced by the neighborhood homeowner associations. These covenants and their enforcement are important to preserve the aesthetic condition of the properties in the area for the

long term and hence preserve property values, safety and quality of life for the residents. If the Cascade Estates PUD is completed as originally planned, the 12 homes on the parcel will be subject to such covenants and subsequent long-term enforcement.

The Tecumseh Project owners are proposing building plans and covenants for the office property that they envision for this parcel. While the current owners can come up with some plans that might be aesthetically appealing when first built, their covenants would be controlled and enforced by the future office building owners and as such there is no guarantee to the neighboring homeowners that such enforcement would be effective, nor that the covenants would not be changed in the future. Given the harsh weather in Oklahoma, landscape maintenance is key to maintaining an attractive appearance. We are concerned, in particular, that the eventual building owners will not have a long term interest in maintaining the appearance and landscaping of back side of their office buildings, the side that will face the park and many Cascade homeowners.

Furthermore, all plans are being shown by the Tecumseh Project owners, but they will not be the eventual builders, owners or operators of the buildings. They intend to subdivide and sell the office lots. So what is stated or shown as example buildings or landscaping is not legally binding and the present owners will be far out of the picture should a problem arise with the eventual owners not properly landscaping or maintaining their buildings or landscaping.

Poor Planning

We believe that allowing a change to the current 2025 Plan represents poor planning. Part of the purpose of a published plan is to allow all citizens and developers to know the future intended use of land in the area where they are considering moving or building. If the plan is changed it is nullifying the wise choices of decades of city planners. Furthermore, the additional of a commercial use of land in this parcel will increase the length of the most sensitive and critical city planning line, that line that divides commercial property from single-family residential property. The recent Porter Street Study highlighted the problems surrounding this line and how it invites future conflict as commercial use of properties evolves with time. Extending the length of the line is inviting increased future problems – wise development avoids the need for future expensive revitalization projects.

The critical commercial-residential line near Cascade currently affects only the homes on the east side of Glisten St., about 14 homes. Allowing commercial office use will extend the line to also affect parts of Bright St., homes on the north side of Ripple Ave., the east end of Teton Lane and also one home in Castlerock, a total of 35 homes plus Cascade Park.

Changes should be made when there is a compelling reason driven by outside changes. So what compelling reason does the Tecumseh Project present for changing the Cascade Estates PUD? Is there a dire and compelling need for office space? There is good demand for single family homes in Northwest Norman so it is quite reasonable to expect that the home lots in the Cascade

PUD will sell. Meanwhile, there appears to be considerable unused commercial land adjacent to the Norman Healthplex and in the surrounding area. In the area from Rock Creek Rd to north of Tecumseh Rd along and east of 36th Avenue NW we count more than 230 acres of land developed or zoned for commercial development. In addition there is about 250 acres of land available just across I-35 in the University North Park planned mixed use development north of Rock Creek Rd. See attached map. We see no advantage to the City of Norman or its citizens to add this relatively small parcel to the land available for offices in this part of the city.

We urge the Norman Planning Commission and the City Council to reject any use of this property other than low-density single-family homes. We are open to redrawing the individual lot boundaries within the parcel if that is needed to improve their marketability.

Sincerely,

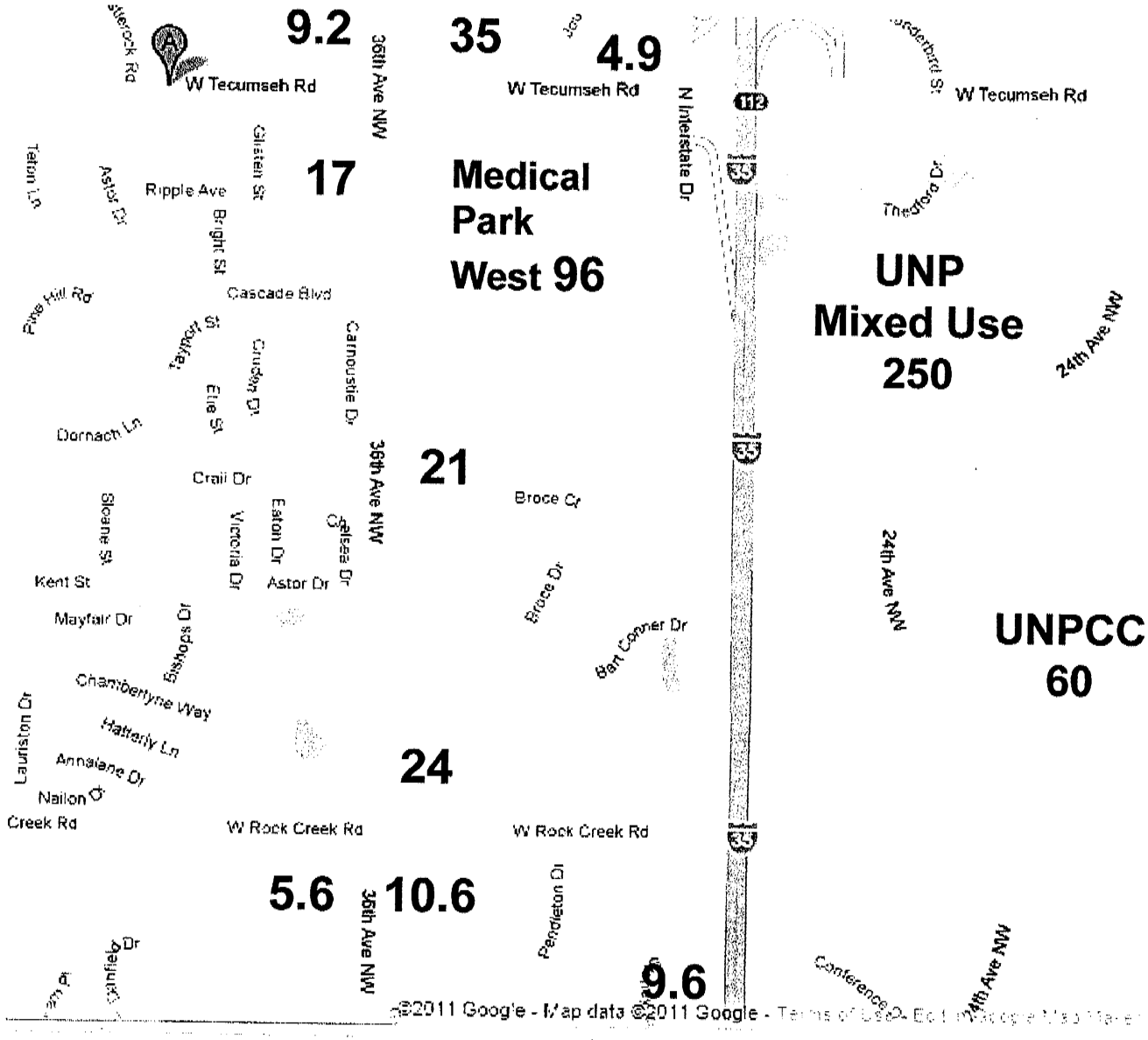
Keith Brewster

Crystal Brewster

Undeveloped/Recently-Developed Land for Office Space Zoned Office or Commercial (Acres)

West of I-35 : 233 acres

UNP N of Rock Creek Rd:
Mixed Use: ~250 acres
Corp Centre: ~60 acres



Address: 3516 Bright St.
Norman, OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: 7/7/11

To the Members of the Norman Planning Commission,

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that my property at address 3516 Bright St. is within 350 feet of the proposed change.

I oppose this change for the following reasons: poor planning, safety, and neighborhood character. One purpose of city planning is to allow individuals and business to anticipate future land use. The subject parcel has been reserved for residential use ever since it was first taken out of agriculture use. At the same time, there are large areas along 36th Ave NW which have long been zoned for commercial and light industrial use. Changing the use of this parcel now negates decades of wise planning and increases the length of the line separating commercial and residential use. The line is important because conflicts can arise as commercial use evolves – a lesson learned from the recent Porter Avenue Study. If this should be rezoned the fact that it could have over 200 parking spaced there is a safety risk now involved. Office parking lots adjacent to the park could aide a criminal who could loiter there posing as an office patron while awaiting a victim. Finally the proposed changes will alter the residential character of the Cascade Estates and Castlerock neighborhoods. This change would break-up what is now a contiguous strip of quality neighborhood space, consisting of residences, green space, neighborhood parks, churches and schools running from Robinson Street north to Franklin Road, and beyond. This makes it a very attractive area for families, the result of careful consideration and planning by many citizens, developers and civic leaders over the last few decades.

We sincerely hope you take the interest of those who actually live and make their homes here. While we certainly don't begrudge anyone from trying to make a profit from their property, we think the city as a whole would benefit more from single residential homes being built on this parcel.

Sincerely,

R. Scott Copeland

Paula J. Copeland

we already have

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11

6-77

Address: 3917 Ripple
Norman, Ok

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: 7-8-11

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by rezoning a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3917 Ripple is within 350 feet of the proposed change.

I oppose this change for the following reasons: See attached.

Sincerely,
Cheryl Conley

Legal Homeowner Name:

Margaret Crawford
Second Homeowner Name, if owned jointly:

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 DM

Alex Chadwick
Address: 3908 Ripple Ave
Norman OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: 7/7/11

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3908 Ripple Ave, Norman, OK is within 350 feet of the proposed change.

I oppose this change for the following reasons:

We bought our property with the expectation that this area would remain residential as it was zoned. This was a large selling point for us as this creates a safe, quiet community atmosphere. Close enough to the conveniences of the city yet removed enough to feel secure and welcoming. We don't feel it is fair that we're forced to accept such a drastic change that could negatively affect our property value, especially considering that the alternative of selling and moving with the current housing market is ill advised at best. We fear that opening our neighborhood to commercial offices and parking threatens its safety with increased traffic and people accessing the area, especially right next to a park regularly used by our children. This will also make it more difficult exiting from Astor and Tecumseh.

Sincerely,

X [signature]

Legal Homeowner Name: Alex Chadwick

X [signature]

Second Homeowner Name, if owned jointly: KATHRYN CHADWICK

[illegible] out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 [initials]

6-79

Address: 3904 Ripple Ave
Norman, OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: Thursday, July 7th, 2011

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3904 Ripple Ave is within 350 feet of the proposed change.

I oppose this change for the following reasons:

Safety Risk ⇒ Many recreational visitors in the area
Neighborhood Character ⇒ diminish the quality of the neighborhood & attractiveness for families

Sincerely,

X [signature]

Legal Homeowner Name:

X KRISJANIS VERMELIS

Second Homeowner Name, if owned jointly:

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11

6-80

Address: 3916 Ripple Avenue
Norman, Oklahoma
73072-1914

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 8, 2011

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3916 Ripple Avenue is within 350 feet of the proposed change.

I oppose this change for the following reasons:

SEE ATTACHMENT.

Sincerely,

X

Legal Homeowner Name:

XMonte L. Stutterheim

Second Homeowner Name, if owned jointly:

Brenda Stutterheim

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 m

6-81

don't already have

Some Objections

These are personal opinions gathered from discussion among several of the residents and do not represent the official position of any one person or entity and are presented in no particular order.

1. **Fairness:** The current Cascade Estates Residential PUD was created 13 years ago and since then many important personal and financial decisions were made by Cascade residents based on that plan. Now the same authors of the PUD are asking to make a major change after all the lots have been sold and people have settled into their homes. The timing and the way that this has been handled seems unfair to the residents.
2. **Neighborhood Character**: The proposed changes will alter the residential character of the Cascade Estates and Castlerock neighborhoods. This change would break-up what is now a contiguous strip of quality neighborhood space, consisting of residences, green space, neighborhood parks, churches and schools running from Robinson Street north to Franklin Road, and beyond. This makes it a very attractive area for families, the result of careful consideration and planning by many citizens, developers and civic leaders over the last few decades.
3. **Loss of Aesthetic Control**: Placement of office property and large parking lots could detract from the aesthetics of the neighborhood and Cascade Park that border the rear and sides of the commercial buildings. The covenants will be completely controlled by the office owners, removing control and enforcement from the neighborhood association. Over the long term there is the risk of deterioration of the appearance of the buildings and landscaping and coincident reduction in nearby property values. While the current owners promise nice buildings and landscaping, they will not be the ultimate owners so they cannot guarantee quality long term maintenance.
4. **Safety:** Office buildings and vehicles utilizing over 200 parking spaces added to this area pose a potential safety risk to those who use adjacent streets and park land. The area has many recreational visitors using the nearby park, green space, sidewalks and designated bike route. Office parking lots adjacent to the park could also aide a criminal who could loiter there posing as an office patron while awaiting a victim in the adjacent park.
5. **Poor Planning**: One purpose of city planning is to allow individuals and business to anticipate future land use. The subject parcel has been reserved for residential use ever since it was first taken out of agriculture use. At the same time, there are large areas along 36th Ave NW which have long been zoned for commercial and light industrial use. Changing the use of this parcel now negates decades of wise planning and increases the length of the line separating commercial and residential use. The line is important because conflicts can arise as commercial use evolves – a lesson learned from the recent Porter Avenue Study.

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OF THE CITY CLERK
ON 7-11-11 PM

James C. and Brandy M. Reese

4100 Teton Ln.

Norman, OK 73072-1973

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 11, 2011

To the Members of the Norman Planning Commission,

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that my property at address 4100 Teton Ln. is within 350 feet of the proposed change.

I oppose this change for the following reasons:

- The proposal would increase vehicle traffic and congestion along Tecumseh Road and Astor Drive.
- The proposal would increase the safety risk to Cascade residents and younger pedestrians accessing Roosevelt Elementary School.
- The proposal exacerbates the underutilization of already established commercial and office zoning immediately East of 36th Ave. N.W.

Sincerely,

James C. Reese

James C. Reese

Brandy Reese

Brandy M. Reese

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 [illegible]

in, already have

July 5, 2011

Dear Mayor, City Council, and City Planning Commission:

As a citizen, taxpayer, parent, teacher, minister, community leader, Journey Church member, and Leadership Norman alumni, I am writing to oppose the change in zoning for the land north of Cascade Estates Park. I moved to Norman, Oklahoma, years ago because I knew that Norman was the place that I wanted to rear my children. After searching, saving, and working hard, I found the ideal house in Cascade Estates in Northwest Norman. My children and I have been happy ever since. **I am afraid that rezoning this land will diminish our happiness, lower our property values, increase traffic, allow strangers more access to our neighborhood, and ruin the "family" atmosphere that our neighborhood enjoys.**

There are many communities in this state who "get things wrong" in the name of economic development. **I am proud as a taxpayer and citizen that, more often than not, Norman, Oklahoma, gets it right.** Yet, rezoning the land north of the Cascade Park is the **wrong** thing to do. **First**, there is no guarantee of what the property will look like. The city has done a fantastic job in keeping this area of Norman attractive. There are no guarantees that the developers will follow through on their plans. **Second,** Cascade Estates and Castle Rock are both quiet neighborhoods with a family atmosphere. The addition of commercial properties within our neighborhood will ruin this dynamic. Why would we want more traffic within our neighborhood? **Third,** there is plenty of room for commercial entities to the east and the northeast of our neighborhood. There is not a need for this commercial area or medical area within our neighborhood. **Last,** this plan will LOWER our property values. I live in a house that backs up to the park. There is not much distance from my back gate to the edge of the proposed property line for this development. This development will cause the resale value of my house and others in Cascade Estates to plummet. **It is my understanding that the vast majority of citizens in Cascade Estates DO NOT approve for this land to be rezoned. It is my expectation that the Norman City Council and the City Planning Commission to do the right thing and LISTEN to the voices of concerned citizens and do what the majority of citizens ask.**

In a world where "family" values are eroding, why would we want to add a commercial interest in our neighborhood that would cause more traffic, allow more strangers access to our neighborhood, put children in danger who play in the park, and ruin the aesthetics of our neighborhood. This proposal does nothing to improve the quality of life for me, my family, or my neighborhood. **It actually diminishes the very family values and community togetherness that Norman, Oklahoma, is known for in Oklahoma and throughout the nation.**

I moved to Norman and into Cascade Estates with the understanding that the land north of Cascade Park would stay residential. I strongly oppose **ANY** and **ALL** plans to change this.

Sincerely,

Bonner Slayton

Bonner Slayton, M.Ed., NBCT
4001 Ripple Avenue
Norman, Oklahoma 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/11/11

IN, already have

Address: 3509 Bright St
Norman, OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 8, 2011

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3509 Bright Street is within 350 feet of the proposed change.

I oppose this change for the following reasons: When we purchased our lot in 1997 and had our house built we expected the area to become housing not business in the area being considered for change. There is already plenty of commercial areas on Tecumseh & 36th which creates traffic and noise. It seems unfair to change this now. It also will cause a problem with safety because children & families will be at the adjacent park. The neighborhood residents work to make this area an aesthetically attractive area. This change will be detrimental because of noise and traffic. Please leave this area as residential.

Sincerely,

X Joyce J Harris

Legal Homeowner Name:

X Douglas Harris

Second Homeowner Name, if owned jointly:

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OF THE CITY [illegible]
ON 7-11-11 PM

I, already have

6-85

Address: 3513 Bright Street
Norman Oklahoma
73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 7, 2011

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3513 Bright Street is within 350 feet of the proposed change.

I oppose this change for the following reasons:

I would like the area west of 36th street and south of Tecumseh to remain exclusively residential.

Sincerely,

X James W. Gentry

Legal Homeowner Name:

X JAMES WALTER GENTRY

Second Homeowner Name, if owned jointly:

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-12-11 PK

IN

4104 Dornoch Lane
Norman, OK 73072
paul.phelps@eac.edu
July 20, 2011

City of Norman
ATTN: Planning Commission
P.O. Box 370
Norman, OK 73070

To the Members of the Norman Planning Commission,

Since the July 14 Planning Commission meeting did not deal with the following subject, and we will be unable to attend your August 9 and 11, 2011, meeting(s), we are sending this letter to protest the proposal by The Tecumseh Project, LLC, to amend the Cascade Estates Planned Urban Development and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from "Low Density Residential" to "Office," OR any other use than residential.

Our property at 4104 Dornoch Lane, Norman, 73072, is not within 350-feet of the proposed change, but we are property owners in Cascade subdivision and our concern is the same as if we were within the designated/ affected 350 feet of the proposed change.

We oppose this proposed change for the following reasons:

- There is sufficient commercial property on Tecumseh east of 36th NW on which to build the proposed commercial/office buildings.
- The proposed change area is adjacent to a public park area and a church area which would be adversely impacted *(additional traffic, noise, trash, large buildings, etc.)* by creating commercial/office space.
- The traffic at the intersection of Astor and Tecumseh, particularly during the school year, is already problematic and the proposed rezoning for commercial building would only add to the problem.
- Although the public Park area is still rather primitive in its beauty, it will get better, but adding a bunch of commercial buildings would detract from the park's current/future beauty.
- Once a zoning change occurs it will only encourage further "domino-effect" rezoning requests and, no doubt, subsequent approvals in the future.
- The property owners in the Cascade and Castlerock subdivisions purchased their homes there so as to be separated from commercial building and the aforementioned problems that such building would inevitably bring.

If the Planning Commission thinks that commercial/office building should take place in a residential/ park/church/school area, then we would suggest that one, or all, of you should recommend your personal residential neighborhood(s) in which to have the requested commercial interest built.

Commerce is great, BUT putting that interest ahead of a residential neighborhood's interest and stability is wrong and inappropriate.

Sincerely,

Paul E Phelps & Erica B. Phelps

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-21-11

6-87

3921 Ripple Ave.
Norman, OK 73072
405-473-6662 (cell)

City of Norman
Planning Commission
c/o City Clerk
P.O. Box 370
Norman, OK 73070

August 8, 2011

To the Members of the Norman Planning Commission,

This letter is in regard to the proposal by The Tecumseh Project, LLC to amend the Cascade Estates Planned Unit Development (PUD) and the Norman 2025 Land Use and Transportation Plan (2025 Plan) by rezoning a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. Our home is just across the city park from the subject parcel.

My wife and I oppose this change and we have sent a letter describing our reasons last month (letter dated July 7). Since that time I have attended another public meeting with the applicants and read the city staff report. The purpose of this letter is to demonstrate that the justification for change to the 2025 Plan is weak and based on inaccurate assumptions. The strong opposition from the residents in Cascade and nearby subdivisions should clearly demonstrate that the change is also detrimental to the interests of the citizens.

The rules for revising the 2025 Plan require that there be a change in the general area that necessitates an amendment to the plan. Logic dictates that such changes should have occurred after the writing of the 2025 Plan (dated December, 2004) and that such changes are significant and directly relevant to the parcel in question. The applicants have asserted that the change in traffic on Tecumseh Road have made R-1 home lots that back to Tecumseh road undesirable, and imply that they will be difficult to sell. They state that changes in traffic are due to the extension of Tecumseh Road from Porter Avenue east to 12th Avenue East and two new churches, St Mark the Evangelist Catholic Church and Journey Church. This is echoed by the city staff report without any supporting data.

Let's look at the facts. The initial St Mark's building was built in 1993 and membership grew rapidly via transfers from other Norman Catholic churches in the early years. The main sanctuary was completed in 2000 and by the end of 2002, two years before the creation of the 2025 Plan, the church membership had grown to 1100 families. In the following 9 years the church has continued to grow, but at a much smaller rate, today comprising 1356 families. The

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primary growth at St Mark's church clearly preceded the 2025 Plan. Journey Church is indeed a new addition to the area, being complete in January, 2006, but my observation is that most of the Journey Church members turn left from the Journey Church Parkway to go east on Tecumseh Rd., and continue east or enter I-35. In fact, there are two dedicated left turn lanes to handle the large volume of traffic heading east on Tecumseh Rd.

The changes to Tecumseh Road in east Norman are not at all relevant to traffic west of 36th Ave NW. The only reason for residents of that part of town, or even HealthPlex visitors, to travel west of 36th Ave NW would be to go to residences in the immediate vicinity or to horse farms in 10-mile flats. Data from the Association of Central Oklahoma Governments (ACOG) traffic map, Fig. 1, shows the most recent traffic counts on Tecumseh Rd. Note that there are two points with 14,000 vehicles-per-day traffic count east of 36th Ave NW, likely a result of some of the factors cited by the applicants, but the traffic drops sharply to below 8,000 west of 36th Ave NW. Historical data provided by Norman Assistant City Traffic Engineer David Riesland that I plotted in Figure 2, show the rate of increase on Tecumseh Rd east of I-35 is much higher than the gradual rate of increase west of 36th Ave NW (there is no historical data for the point just east of 36th Ave NW, only the 2010 count).

So the traffic rate is moderate on Tecumseh Rd at Astor Road and is relatively unaffected by the factors cited by the applicants. Form my observation the biggest single factor causing a change to traffic since the opening of Astor Drive in 2004, would be the addition of the proposed office buildings, adding 1000 trips per day (applicant's traffic study). While being concerned about their own property, the applicants don't address the negative impact their project's traffic would have on the existing residences at the north end of Bright St and Glisten St.

To address the implication that increased traffic in the area has made the planned Cascade Estates Section 8 residential lots difficult to sell, I examined past land and home sales for Cascade Estates. There are lots along Ladybank Lane that back to 36th Ave NW with similar lots across the street. The Ladybank lots adjacent to 36th Ave NW sold for an average of $30.8k each, slightly more than corresponding lots across the street, selling at an average $29.0k each. While the interior lots sold sooner, the lots adjacent to 36th Ave NW increased in price with time and the developers were able to capture that increase. During the years that the Ladybank homes sold the traffic counts on 36th Ave NW were between 7700 and 9700 vehicles per day.

Specific to Tecumseh Rd, I conducted a similar review of land and home sales on Teton Lane in Cascade Estates. The lots on Teton Lane that back to Tecumseh Rd all sold for $40k, exactly the same as the home lots on the other side of the street. Home sales were actually slower on the interior lots. Traffic counts of around 6500 vehicles per day on Tecumseh Rd did not deter new home buyers on Teton Lane who bought homes valued between $214k to $329k. New home values per square foot at time of initial sale were $109/sq ft for the interior lots and $106/sq ft for those along Tecumseh Rd. It should be noted that the developers' own plan amendment filed in 2007, more than doubled the number of lots that backed to Tecumseh Rd from 3 to 7. If they

were concerned about traffic on Tecumseh Rd, it is not reflected in their 2007 PUD amendment. The developers are now telling Cascade Residents that in that amendment they also removed plans for a brick wall and an entrance sign to pair with the entrance sign on the west side of Astor Drive. The other changes by the developers in 2007 to reduce the size of the Section 8 lots (from 8000-9000 sq ft each to 6000 sq ft) and replacing the brick barrier with stockade fencing are contributing to making these lots less desirable to builders and home buyers.

The applicants have stated that a recent significant change in this area was the acquisition of land for the HealthPlex and subsequent build-out of the HealthPlex area. According to the deed transfer records of the Cleveland County Clerk (Table 1) the acquisition of land by the Norman Regional Hospital Authority for the HealthPlex actually occurred between January, 2001 and April, 2003. The building of the HealthPlex was included in the NRH Master Plan of 2004 and the land around the HealthPlex is thus properly indicated as institutional, commercial and office in the Norman 2025 Plan. While the details of the buildout were uncertain, the planned use was established. The first land sale preceded the final approval of the Cascade Estates Preliminary Plat (March, 2001). A developer in this area would surely be aware of a $4M land sale. As I detailed in my July 7 letter, there are over 200 acres of undeveloped or recently-developed land zoned commercial and office along and east of 36th Ave NW. Most of that was included in the original 2025 Plan.

So, again, I ask the Norman Planning Commission and the City Council to listen to the citizens of this area and reject any use of this property other than low-density single-family homes. The residents are open to redrawing the individual lot boundaries within the parcel if that is needed to improve their marketability. We ask the Planning Commission to recommend that the developers work with the current residents and builders to find such a plan that will retain the promised features of Cascade Estates with marketable lots that provide a reasonable profit to the developers as measured in the context of the entire 300-lot Cascade Estates project.

Sincerely,

Keith Brewster

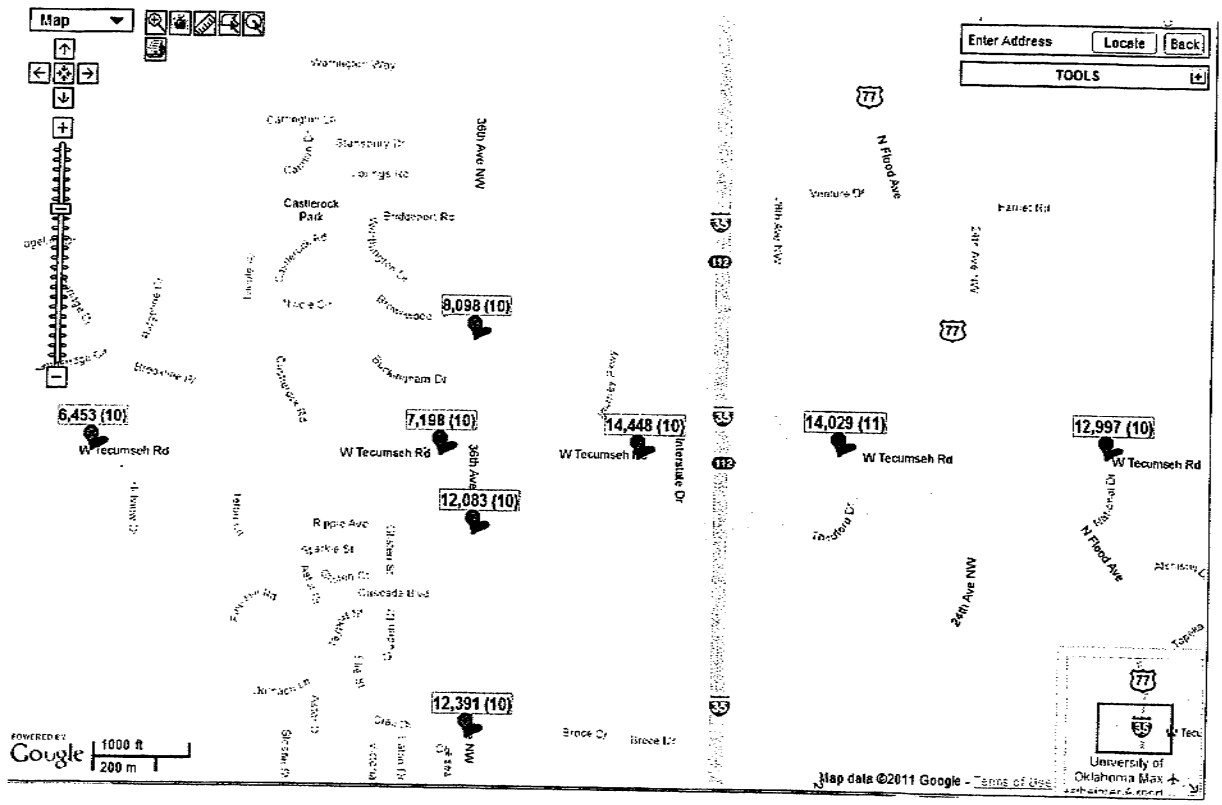

Figure 1. Two-way traffic volume map (average vehicles per day) in the vicinity of West Tecumseh Road and 36th Ave. NW in Norman. Number in parentheses is the year of latest measurement. From Association of Central Oklahoma Governments (ACOG). Accessed August 7, 2011.

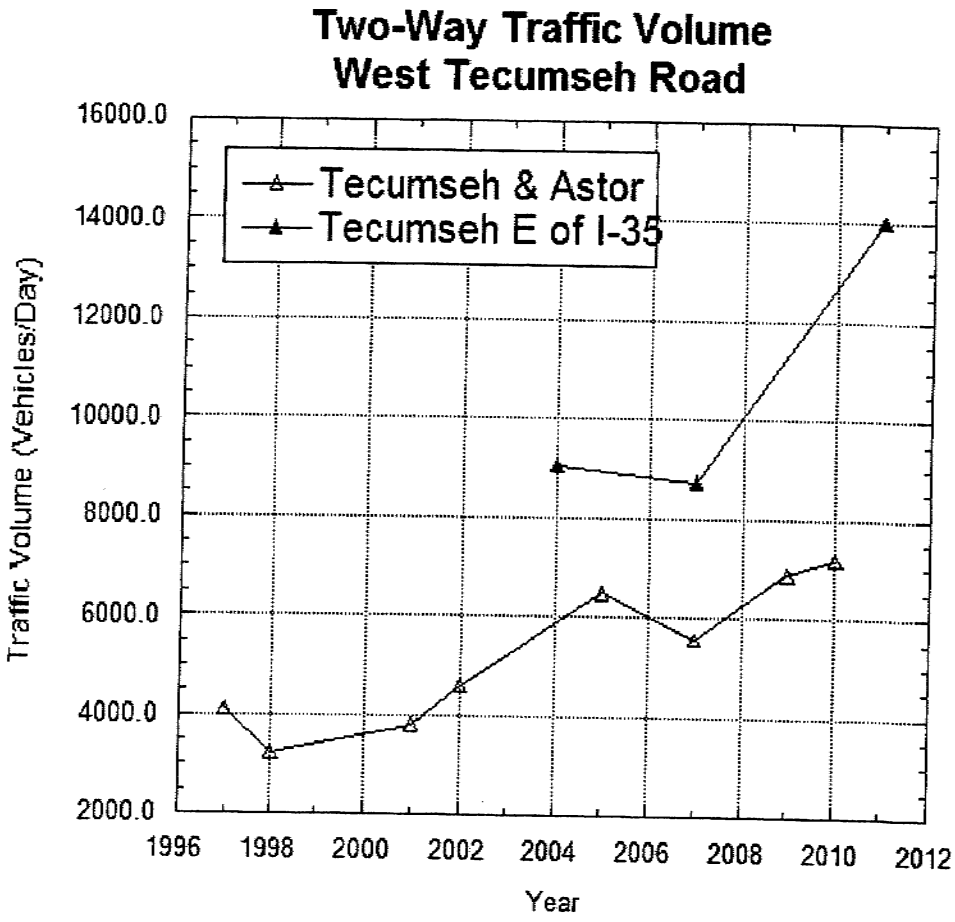

Figure 2. Traffic Volumes on West Tecumseh Rd. Data from City of Norman Traffic Engineering.

Table 1 Warranty Deed Transfers to Norman Regional Hospital Authority for the HealthPlex

Date of Sale	Seller	Price	Book/Page
1/3/2001	Don Young et al.	$3.966M	3225/1343
3/5/2001	Don Young et al.	$348K	3241/1360
8/29/2002	Donroe LLC	$1M	3467/961
12/20/2002	Marvin Sturtz Trust et al.	$805k	3526/20
4/30/2003	Norman Industrial Devel. et al.	$7.419M	3614/40

Data from Cleveland County Clerk database.

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
(2) proposed rezoning to Commercial Office

This application, if approved, will change the subject property located south of Tecumseh Road at Astor Drive in Norman, Oklahoma, from its current residential designation to commercial offices. A change from residential to commercial use and ensuing commercial development of the subject property will forever adversely alter the well-established quality and residential characteristics of the Cascade and Castlerock Additions to Norman, will adversely affect residential property values in the vicinity, and will pose serious threats to neighborhood safety. Accordingly, for these and other valid reasons, the undersigned owners of real property within 350 feet of the subject property hereby submit this protest petition in opposition to the above captioned and described application.

	PROPERTY OWNER*	ADDRESS	DATE
	Myron K Cunningham		
✓	Myron K. Cunningham	4001 Teton Lane	4/14/11
	Maxine A. Cunningham		
✓	Maxine A. Cunningham	4001 Teton Lane	4/14/11
	Jennifer Elliott		
✓	Jennifer Elliott	4104 Teton Oval	4/14/11
	GORDON MOHON	3912 RIPPLE AVE	4/14/11
out			
out	Alex Chadwick	3908 Ripple Ave	4/14/11
→	Kathy Chadwick	" "	4/14/11
out	Brenda Stutterheim	Brenda Stutterheim	4-14-11
out	Monte Stutterheim 3916 Ripple Ave		4/14/11
out	Roxanne M Johnson 3505 Bridgeport Dr		4-14-11

***Provide legible printing of name AND signature.**
***If property jointly owned, all owners should sign.**

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OF THE CITY CLERK
ON 6-27-11

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
DANNY HALES	3513 Glisten St.	4/14/11
Danny Hales		
Kelly Foster	3525 Glisten St	4/14/11
Kelly Foster		
Brandy Reese	4100 Teton Lane	4/14/11
Brandy Reese		
DONNA Wright		
Donna Wright	3512 Glisten St	4/14/11
R Scott Copeland		
R. Scott Copeland	3576 Bright St	4/14/2011
Cara L. Black	3520 Bright St.	4/14/2011
Cara L. Black		
Kevin Foster	3525 Glisten St.	4-14-11
Kevin Foster		

***Provide legible printing of name AND signature.**
***If property jointly owned, all owners should sign.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 DMC

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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	PROPERTY OWNER*	ADDRESS	DATE
not owner ✓	Timothy D Black	3520 Bright St	4/14/11
✓	Joyce Harris	3509 Bright St	4/14/11
✓	Joyce Harris	3509 Bright St	"
✓	Douglas Harris	Douglas M Harris	
✓	Warren Hsieh	3343 Teton Circle	4/11/11
✓	Kevin L. Haney	4013 Ripple Ave	4/14/11
	Kevin L. Haney		
✓	Kay S. Beavers (Haney)	4013 Ripple Ave	4/14/2011
	KAY. S. BEAVERS (HANEY)		
letter ✓	Robert Morey	4009 Teton Ln.	
			4-16-2011
✓	Vicki Hundley	4013 Teton Ln	4-28-11

***Provide legible printing of name AND signature.**
***If property jointly owned, all owners should sign.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 DM

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
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PROPERTY OWNER*	ADDRESS	DATE
Stacy Morey	4009 Teton Lane	4/14/11
Shannon Johnson	4000 Teton Lane	4/14/11
Shannon Johnson	4004 TETON LN	4/14/11
BETH A. WINDHAM		
Mike Wilds	" " "	"
already have BETHANY McCOY	4021 TETON LN	4-14-11
Beth McCoy		
already have MARK R. McCOY	4021 TETON LN	4-14-11
JAMES L. JONES		
	3524 GLISTEN ST	4-14-11
Taya S. Jones		
Taya L. Jones	3524 Glisten St.	04-14-11
Catie R. Jewell	4005 Teton Lane	4-14-11

***Provide legible printing of name AND signature.**
***If property jointly owned, all owners should sign.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
out Ken Sutton	4009 SPARKLE	4-14-11
✓ Bridget Furnish Bridget Furnish	4100 Teton Oval	4-14-11
✓ Peter S. KHOR	4105 Teton Oval	4/14/11
✓ Irene Woo-Khor	4105 Teton Oval	4/14/11
✓ Susan Wood	4008 Teton Ln	4/14/11
✓ Susan Wood	4008 Teton Ln.	4/14/11
✓ Tanya Edmunds	4016 Ripple Ave	4/14/11
✓ Tanya Edmunds	4016 Ripple Ave	4/14/11
✓ RANDAL H EDMUNDS	4016 RIPPLE AVE	4/14/11
✓	4016 RIPPLE AVE	4/14/11
✓ Paula J. Copeland	3516 Bright St.	4/14/11
✓	3516 Bright St.	4/14/11

***Provide legible printing of name AND signature.**
***If property jointly owned, all owners should sign.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-22-11

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
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PROPERTY OWNER*	ADDRESS	DATE
already have Kieth Hunley Kieth Hunley	4017 Teton Lane	4-14-11
✓ JEANNIE CRAIG Jeannie Craig	3913 Ripple Ave	4-14-11
✓ Thomas L. Cole Thomas L. Cole	3900 Ripple ave.	4-14-11
✓ Bonner Slayton Bonner Slayton	4001 Ripple Ave	4-14-11
✓ JENNIFER CHANATTAN	4009 Ripple Ave	4-14-11
on't Carolyn Cole Cascade	3900 Ripple Ave	4-14-11
✓ Lauren Cornwell Lauren L. Cornwell	4010 Ripple Ave	4-14-11
✓ Ben Cornwell [signature]	4010 Ripple Ave	4-14-11
✓ Justin Furnish	4100 Teton Drive	4-14-11
✓ Justin Furnish	4100 Teton Drive	4-14-11

***Provide legible printing of name AND signature.**
***If property jointly owned, all owners should sign.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 [signature]

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
(2) proposed rezoning to Commercial Office

This application, if approved, will change the subject property located south of Tecumseh Road at Astor Drive in Norman, Oklahoma, from its current residential designation to commercial offices. A change from residential to commercial use and ensuing commercial development of the subject property will forever adversely alter the well-established quality and residential characteristics of the Cascade and Castlerock Additions to Norman, will adversely affect residential property values in the vicinity, and will pose serious threats to neighborhood safety. Accordingly, for these and other valid reasons, the undersigned owners of real property within 350 feet of the subject property hereby submit this protest petition in opposition to the above captioned and described application.

	PROPERTY OWNER*	ADDRESS	DATE
ont	Bruce Kennedy	3909 Sparkle St.	4-14-11
✓	Phillip Johnson	4000 Teton Lane	4-14-11
✓	James Reese	4100 Teton Ln.	4/14/11
✓	Gregg Parker	3905 Ripple Ave.	4/14/11
✓	Michelle Parker	3905 Ripple Ave.	4/14/11
✓	Chris Dunlap	3517 Gloster Street	4/14/11
✓	Letitia Manning	3909 Ripple Ave	4/14/11

***Provide legible printing of name ~~AND~~ signature.**
***If property jointly owned, all owners should sign.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 mc

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
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PROPERTY OWNER*	ADDRESS	DATE
Melissa Eulberg Melissa Eulberg	4009 Wood Castle St	4/16/11
Rick Eulberg Rick Eulberg	4009 Wood Castle St	4/16/11
Ross McClish Ross McClish	4012 Wood Castle St.	4/16/11
Jeanne McClish Jeanne McClish	4012 Wood Castle St.	4/16/11
Michelle Bourne Michelle Bourne	4008 Wood Castle St.	4/16/11
Julie Troutt Julie Troutt	4004 Wood Castle St	4-16-11
Robert Troutt Robert Trout	4004 WOOD CASTLE ST	4-16-11
Leslie Wilson Leslie Wilson	3609 Castlerock	4-16-11
Jackie Garbarino Jackie Garbarino	3613 Castlerock	4-16-11
John Garbarino John Garbarino	3613 CASTLEROCK	4-16-11
Greg Brodsher GREG BRODSHER	3605 CASTLEROCK	4-16-11
Sonya Baker	3508 Bright st	4-28-11
Roland Barrett Roland Barrett	3339 Teton Circle	4-28-11

*Provide legible printing of name AND signature.
*If property jointly owned, all owners should sign.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 DNC

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
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PROPERTY OWNER*	ADDRESS	DATE
Ryan Lovell	4005 Teton Lane	4/28/11
Donald Lee Elliott	4104 Teton Oval	4/28/11
Misty Hsieh	3343 Teton Circle	4/28/11

***Provide legible printing of name AND signature.**
***If property jointly owned, all owners should sign.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 MC

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
Kendall Speer		
Kendall Speer	3107 Ladybank Lane	4/14/11
MICHAEL HOUCK	4017 DORNOCH LN	4/14/11
Michael Houck		
out ✓	3351 Teton Circle	4-14-11
ANDRES LUCAS	3609 GUILANE DR	4/14/2011
Luisa Lucas	3609 Guilane Dr	4/14/2011
	4108 TETON LN	4-14-11
	4108 TETON LANE	4-14-11
Michelle Camp	3020 Cruden Dr.	4/14/11
	3809 Elie St.	4-14-11
Damon Brooks	3809 Elie St.	4/14/11

***Provide legible printing of name AND signature.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 DMC

out

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
[illegible]	3401 Bright St	4/14/11
Shari Erickson	3823 Tayport St	4/14/11
[illegible]	3301 Teton Ln	4-14-11
David Grogan	4125 Pine Hill Rd	4-14-11
[illegible]	3921 Glisten Ct	4-14-11
[illegible]	4109 TETON	4-14-11
Nick & Destiny Merklay	3801 Teyport	4/14/11
[illegible]	4157 Pine Hill	4/14/11
Terresa Verble	3313 Bright St	4/14/11
Ronald Dean Springfield	4129 Eden Court	4-14-11
Wayne R. Rives	4108 Troon St	4-14-11
[illegible]	3016 REUBEN DR	4.14.11
Gregory T. Noble	3009 Pine Hill Rd	4-14-11
[illegible]	3520 Teton Ln	4-14-11

***Provide legible printing of name AND signature.**

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 MC

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
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PROPERTY OWNER*	ADDRESS	DATE
Shelly McGeever	3520 Teton Lane	4-14-11
Jill Smith	3504 Teton Lane	4-14-11
[illegible]	3924 IRVINE DR	4-14-11
[illegible]	3120 TAMARET ST	4/14/11
Rumen Nikolov	3062 Elie St	4/14/11
Carrie Vincent	3016 Cruden Drive	4-14-11
Jill Hennigas	4114 Pine Hill Rd	4/14/11
PETER DUCHENE	4114 PINE HILL RD	4/14/11
Rake Pantry RAM KUMAR PARTHASARATHY	4109 DORNOCH LN	4/14/2011
Joni Pace	3408 GLISEN ST.	4/14/11
Matthew Pempin	3307 Teton LN	4/14/11
[illegible]	3912 CLISTEL CT.	4-14-11
[illegible]	4105 Dornoch Lane	4-14-11

***Provide legible printing of name AND signature.**

FILED IN THE OFFICE
OF THE CITY CLERK
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out

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
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PROPERTY OWNER*	ADDRESS	DATE
[signature]	4112 Eden CT	4/14/11
Leah Pitts	4116 Dornoch Ln	4/14/11
Cecyle Haley	3124 Pine Hill Rd	4/14/11
V w/ C Haley	3124 Pine Hill Rd	4/14/11
Vicki Y. Medlin	3104 Pine Hill Rd	4/14/11
Jerry L. Medlin	3104 Pine Hill Rd	4/14/11
Cassandra Crawford	3436 Teton Court	4/14/11
L.CHIDAMBARAM & A.LAKSHMANAN	3408 TETON CT	4/14/11
Luther Lee / Luther Lee	3001 Ladybank Lane	4/14/11
Mary Lee / Marcy Lee	3001 Ladybank Lane	4/14/11
Beverly Nelson	4137 Pine Hill Rd	4-14-11
Vicki Hopkins	4112 Teton Oval	4-14-11
[signature]	3607 Gullane Dr.	4-14-11
[signature]	3109 Lady Bank Lane	4/14/11

***Provide legible printing of name AND signature.**

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 DMC

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
Melissa Free	4109 Teton Oval	4-14-11
Alan Free	4109 Teton Oval	4-14-11
Judy Foster	3132 Pine Hill	4-14-11
Debra Deal	4150 Pine Hill Rd	4-14-11
Mary Lynne Cooper	3912 Glisten court	4-14-11
Susan L. Nickman	4108 Dornoch Lane	4-14-11
Robert A Nickman	4100 Dornoch Lane	4-14-11
Mrs. Tracey L. Nikkanen	3409 Glisten Street	4-14-11
[illegible]	3607 Gulland	4-14-11
Lee Ann Bartrug	4125 Eden Ct.	4-14-11
Lynn McGehee	4108 Teton Oval	4-14-11
[illegible]	4108 Teton Oval	4-14-11
Orvil & BARBARA CORLEE	4112 DORNOCH LN	4-14-11

***Provide legible printing of name AND signature.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 DLC

ont

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
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PROPERTY OWNER*	ADDRESS	DATE
[illegible]	3012 Carnoustie	4/14/11
Lucy Hoeksel	3012 Carnoustie	4-14-11
Mary Ann Lovett	3920 Glisten ct	4-14-11
Shea [illegible] Hawter	3016 Pine Hill Rd	4-14-11
[illegible]	4004 Dornoch Ln	4.14.11
Jaime Mincher	3432 Teton Ct.	4-14-11
[illegible] Mincher	3432 Teton CT	4-14-11
Margaret Cullins	3015 Ladybank Ln	4-14-11
Anne Bailey	3045 Glisten	4-14-11
Christi Smith	3109 Tayport St	4.14.11
Raquel [illegible]	3113 Ladybank Lane	4-14-11
Gregory Mings	3113 Ladybank Lane	4/14/11
Paula Cook	3102 Carnoustie	4/14/2011

***Provide legible printing of name AND signature.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 [illegible]

ont

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
Gregory S Cook	3102 Carnoustie Dr	4/14/11
[illegible]	3308 Teton Ln	4/14/11
Danan Neuber	3516 Teton LN	4/14/11
[illegible]	3516 Teton Ln	4/14/11
Curtis Lawson	3300 TETON LN	4/14/11
[illegible]	3606 Ladybank	4/14/11
Kathryn Checkers	3908 Ripple Ave	4/14/11
Carol E [illegible]	4149 Pine Hill Rd	4/14/11
Kristie Eschi	3606 Jubilee	4-14-11
Jim Dembowski	3309 Bright St.	4/14/11
Leigh W. Dembowski	3309 Bright St	4/14/11
Linda J. Birch	3400 Teton Ct.	4/14/11
Andrea Elder	3309 Glisten St	4/14/11
[illegible]	3615 CARNOUSTIE DR	4-14-11

***Provide legible printing of name AND signature.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 DM

out

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
[illegible]	3412 Teton Ct	April 14, 2011
[illegible]	3412 Teton Ct	April 14 2011
[illegible]	3032 Elie St	4.14.11
[illegible]	3032 Elie St	4.14.11
Angela Wright	4113 Teton Oval	4-14-11
Dustin Nichols	3813 Elie St.	4-14-11
Sheryn Nichols	3813 Elie St.	4-14-11
[illegible]	4117 Teton Lane	4-14-11
CLAY BARTRUG, III	4124 Eden Ct	4-14-11
[illegible]	4161 Pine Hill Rd	4-14-11
[illegible]	4100 Troon St	4-14-11
[illegible]	4145 Pine Hill	4-14
Jan Brink	3416 TETON CT	4-14-11
Sarah K. [illegible]	3610 Ladybank Ln.	4-14-11

***Provide legible printing of name AND signature.**

ont

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 [illegible]

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
[illegible]	3610 Ladybank	4-14-11
[illegible]	3606 Gullane	04-14-2011
Becky Schmidt	3323 Teton Ln	4-14-2011
Michelle Groza	4125 Pine Hill Rd.	4-14-2011
Denise Sarabia	3116 Pine Hill Rd	4-14-2011
Beth Martin	4108 Eden Ct	4-14-2011
Grant Ozment	3532 Teton Ln	4-17-11
Maria C. Ozment	3528 Teton Ln	4-17-11
[illegible] R. [illegible]	Box 6321 Norm. 73070	4/28/11
Patricia R. Dutton	3101 Cruden Dr	4/28/11
Betty Walker	3106 Carnoustie Dr	4/28/11
[illegible]	4009 Troon St.	4/28/11
Paul FAGIANO	3605 Ladybank Ln	4/28/11
[illegible]	3717 Glisten Ct	4-28-11

***Provide legible printing of name AND signature.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 MC

out

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
B. Ernestine Trollberg	3424 Teton Ct.	4-14-11
Susan T Thurston [illegible]	3508 Teton Ln	4-16-11
[illegible]	3905 CUSTEN CT	4/16/11
Phylis J. Ellzey	3009 Elie	4/28-11
Lucian P. Ellzey Jr	3009 Elie Street	4/28-11
Cynthia A. Creger	3117 Tayport St.	4-28-11
Erica B Phelps Erica B Phelps	4104 Dornoch Lane	4-28-11
Paul E Phelps Paul E. Phelps	4104 Dornoch Ln	4/28/11
Christy McDonald	3005 Elie St.	4/28/11
Melonnie Maxon	3611 Carnoustie Dr.	4/28/11
Paula Brown	3112 Tayport St	4/28/11
Kevin Brown	3112 Tayport St	4/28/11
[illegible]	3436 Teton Court	4/28/11

***Provide legible printing of name AND signature.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 [illegible]

out

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
[signature]	3610 Carnoustie Dr	4/28/11
Lindsay Cahn	3610 Carnoustie Dr.	4/28/11
Kamal/Nita Saran	3024 Elee St.	4/28/11
[signature]	3606 Gullane Dr	4/28/11
[signature]	3816 IRVING DR	4-28-11
[signature] Manilamani	3816 IRVING DR	4-28-11
Cathy Delaney	4101 Dornoch Dr.	4-28-11
Jerel Delaney	4101 Dornoch Ln.	4-28-11
Kim Smith	4100 Troon St	4-28-11
Susan K. Bruns	3417 Glisten St.	4/28/11
[signature]	3417 GLISTEN ST	4/28/11
[signature]	4000 Sparkle St.	4-28-11
[signature]	4000 Sparkle St.	4-28-11
[signature]	3408 GLISTEN ST.	4-28-11

***Provide legible printing of name AND signature.**

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 mc

out

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
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PROPERTY OWNER*	ADDRESS	DATE
Kristie Bright	3305 Glisten Ct.	4/28/11
Janet Dulin	3117 Troon St.	4-28-11

*Provide legible printing of name AND signature.

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 9AM

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
(2) proposed rezoning to Commercial Office

This application, if approved, will change the subject property located south of Tecumseh Road at Astor Drive in Norman, Oklahoma, from its current residential designation to commercial offices. A change from residential to commercial use and ensuing commercial development of the subject property will forever adversely alter the well-established quality and residential characteristics of the Cascade and Castlerock Additions to Norman, will adversely affect residential property values in the vicinity, and will pose serious threats to neighborhood safety. Accordingly, for these and other valid reasons, the undersigned owners of real property in Castlerock, Carrington, Warwick, Berkley, Rock Creek Polo, and Grand View Additions hereby submit this protest petition in opposition to the above captioned and described application.

PROPERTY OWNER	ADDRESS	DATE
Curtis Byrd	4121 Castlerock	4/22/11
Otto Cox	4105 Castlerock	4/22/11
CF Flowman	4101 Castlerock	4/22/11
Cindy Flowman	4101 Castlerock	4/22/11
Mark Thompson	4013 Castlerock	4/22/11
Brenda Argo	4000 Castlerock Rd	4/22/11
Suzanne Dunn	4012 Castlerock	4/22/11
[illegible]	4189 Castlerock Rd	4/22/11
[illegible]	4109 Castlerock Rd	4/22/11
[illegible] Lane	4104 Castlerock Rd.	4/22/11
[illegible]	4112 Castlerock Rd	4/22/11
David Stensrud	4108 Castlerock RD	4/23/11
Carl D. Mahan	4116 Castlerock Rd	4/23/11
Pauline Mahan	4116 Castlerock	4/23/11
JACE LOERWALD	4132 CASTLEROCK RD	4/23/11
Mark LaCroix	4113 Castlerock Rd	4/23/11
Cheryl LaCroix	4113 Castlerock Rd	4/23/11

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-8-11

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
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PROPERTY OWNER	ADDRESS	DATE
✓ Saba Tahmassebi	4013 Wood Castle St	4/23/2011
✓ Carol Moore	4016 Wood Castle St	4/23/11
Jeff Spears	3825 CASTLEROCK RD	4-23-11
✓ Ross White	3705 CASTLEROCK RD	4-26-11
✓ Bob Bledsoe	3813 Castlerock Rd	4/27/11
✓ & Jimmy Givens	3708 Castlerock Rd	4/27/11
✓ James O. Scott	3712 CASTLEROCK RD	4/27/2011
✓ Don Bower	3801 CASTLEROCK Rd	4/27/2011
✓ Chad Wilson	3713 Castlerock	4/27/2011
✓ Linda D. Hart	3709 Castlerock Rd.	4/28/11

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-8-11

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	PROPERTY OWNER	ADDRESS	DATE
	Robert Cook	4005 Stonehurst	5-3-11
	Russell Schmidt	4001 Stonehurst	5-3-11
✓	Shelli Cain	4000 Stonehurst	5/3/11
✓	Scott Miller	4004 STONEHURST	5/3/11
✓	Matt Sneed	4100 Stonehurst	5/3/11
✓	Liz Robertson	4104 Stonehurst St	5-3-11
✓	Millie R. Wyllie	4108 Stonehurst St	5-3-11
	Fran Allen	4109 STONEHURST ST	5-3-11
	J. Allen Schows	4105 Stonehurst st	5/3/11
	Amy Slovacek	4017 Brownwood Ln	5-21-11

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PROPERTY OWNER	ADDRESS	DATE
Cheryl Alexander	3812 Drawbridge	4-20-11
David Kinney	4105 Drawbridge Lane	4-20-11
Shalman J Ashton	4101 Drawbridge Lane	4-20-11
Connie L. Hall	4000 Drawbridge Ln.	4/20/11
Cynthia M Sohl	4100 Drawbridge Ln	4/20/11
[illegible]	4113 Stonehurst	4-20-11
[illegible]	3820 Drawbridge Ln	4-25-11
[illegible]	3804 Drawbridge Ln	4-25-11
Terri Sarsgeli	3800 Drawbridge Ln	4-25-11
Marian C Hall	4108 Drawbridge Lane	4-26-11
KENNETH W. SAY	4005 DRAWBRIDGE LANE	4-26-11

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PROPERTY OWNER*	ADDRESS	DATE
Kristi Gray	4108 Moorgate Cir	4-15-11
Karla Hanson	3805 Warrington Way	4-15-11
CHRIS ELLIOTT	3705 LORINGS RD	4/15/2011
Rhonda Elliott	3705 Lorings Rd	4/15/2011
Carol Hanson	3805 Warrington Way	4/15/2011
Rachelle Selensky	4104 Moorgate Circle	4-15-2011

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PROPERTY OWNER	ADDRESS	DATE
Daniel Emery	3809 Wellington Place	4/25
Eileen Jensen	3905 Wellington Pl	4/25
Joe Shannon	3813 Wellington Pl	4/25
Jana Williams	3817 Wellington Place	4/25/11
Junko Gramoll	3816 Wellington Pl	4.25.11
Kurt Gramoll	3816 Wellington Pl	4/25/11
Tracy Campbell	3812 Wellington Pl	4/25/11
Mack Campbell	3812 Wellington Pl	4.25.11

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PROPERTY OWNER	ADDRESS	DATE
Loreta L. Hayes	2817 Brompton Dr. Norman	4/21/11
Tricia R. Carleton	2801 Chelsea Dr.	4/22/11
Crystal Twyford	4113 Sloane St	4/23/11
Kathy Cardott	2400 Lauriston	4/25/11
Richard Carlton	2801 Chelsea Dr.	4/26/11
Rosemary Quillin	2824 Eaton Dr	4/27/11
Barry Quillin	2824 EATon DR.	4-27-11

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PROPERTY OWNER*	ADDRESS	DATE
✓ Donna Harris	4008 Knights Bridge	4-26-11
✓ Mike Borcherding	4601 Knights Bridge	4-26-11
✓ Cory Gann	4009 Knights Bridge St	4-26-11
✓ Jeff Perkins	4105 Knights Bridge St	4-26-11
✓ [illegible]	3716 Wood Castle	4/26/11
✓ [illegible]	3708 Wood Castle	4/26/11
✓ Kakali Nath	4108 Knights bridge	4/26/11
✓ Warwick Campbell	4100 Knights Bridge	4/26/11
[illegible]	4104 Glasgow Dr.	4/26/11
Beth Grant	" "	"

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PROPERTY OWNER	ADDRESS	DATE
Monica Rauch	4020 Nicole Pl	4/27/11
[illegible]	4032 Nicole Pl	4/26/11
Gregg L Elliott-Teague	4032 Nicole Pl	4/26/11
[illegible]	4048 Nicole Place	4/26/2011
[illegible]	4048 Nicole Place	4/26/11
[illegible]	4028 Nicole Place	4/26/11
[illegible]	4029 Nicole Place	4/27/11

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PROPERTY OWNER	ADDRESS	DATE
Terry Gross	4114 Nicole Pl.	042711
Marty Pruett	4117 NICOLE PL	4-27-11
Sattis Family	4128 Nicole Pl.	4.27.11

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PROPERTY OWNER	ADDRESS	DATE
Steve Rodriguez	4000 NICOLE PLACE	4/22/11
Joyce Fulghum	4012 Nicole Place	4/22/11
Jeff Noel	4024 Nicole Pl.	4/22/11
Shannon Goodman	4024 Nicol Pl	4/22/11
[signature]	4040 Nicole Pl.	4/22/11
Beverly Reese	4040 Nicole P	4/22/11
Gang Li	4037 Nicole Pl	4/22/11
Lily Li	"	4/22/11
KEITH GRAHAM	4045 Nicole Pl	4/25/11
GARY DAVIS	4044 Nicole Pl	4/25/11
RAYMOND CALLAN	4052 Nicole Place	4/25/11
ROBERT OCHSNER	Robert Ochsner 4053 Nicole Pl.	4/25/11
BONNIE OCHSNER	4053 Nicole Pl.	4/25/11
[signature]	4004 Nicole Pl	4/26/11
Jim Rauch	4020 Nicole Pl	4/27/11

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PROPERTY OWNER*	ADDRESS	DATE
Marla J. Mann	4033 Nicole Place	4/14/11
LeAnn Williams	3800 Lorings Road	4/14/11
Ken Benjamin Williams	3800 LORINGS ROAD	4/14/11
✓	4104 Drawbridge Ln	4/14/11
✓	4104 Drawbridge Ln.	4/14/11
✓	4004 Drawbridge	4/14/11
✓ Cheryl Patrick	4012 Knights Bridge	4-14-11
✓	4012 KNIGHTS BRIDGE	4-14-11
Andy McPherson	3901 Brunswick Lane	4-16-11
Teri Emery	3809 Wellington Pl.	4-16-11
	3916 Nicole Cir	4/16/11
Andrea Kaplan	3916 Nicole Circle	4-16-11
Kelly Bright	4036 Nicole Place	4-25-11
John Bright	4036 Nicole Pl	4-25-11

FILED IN THE OFFICE
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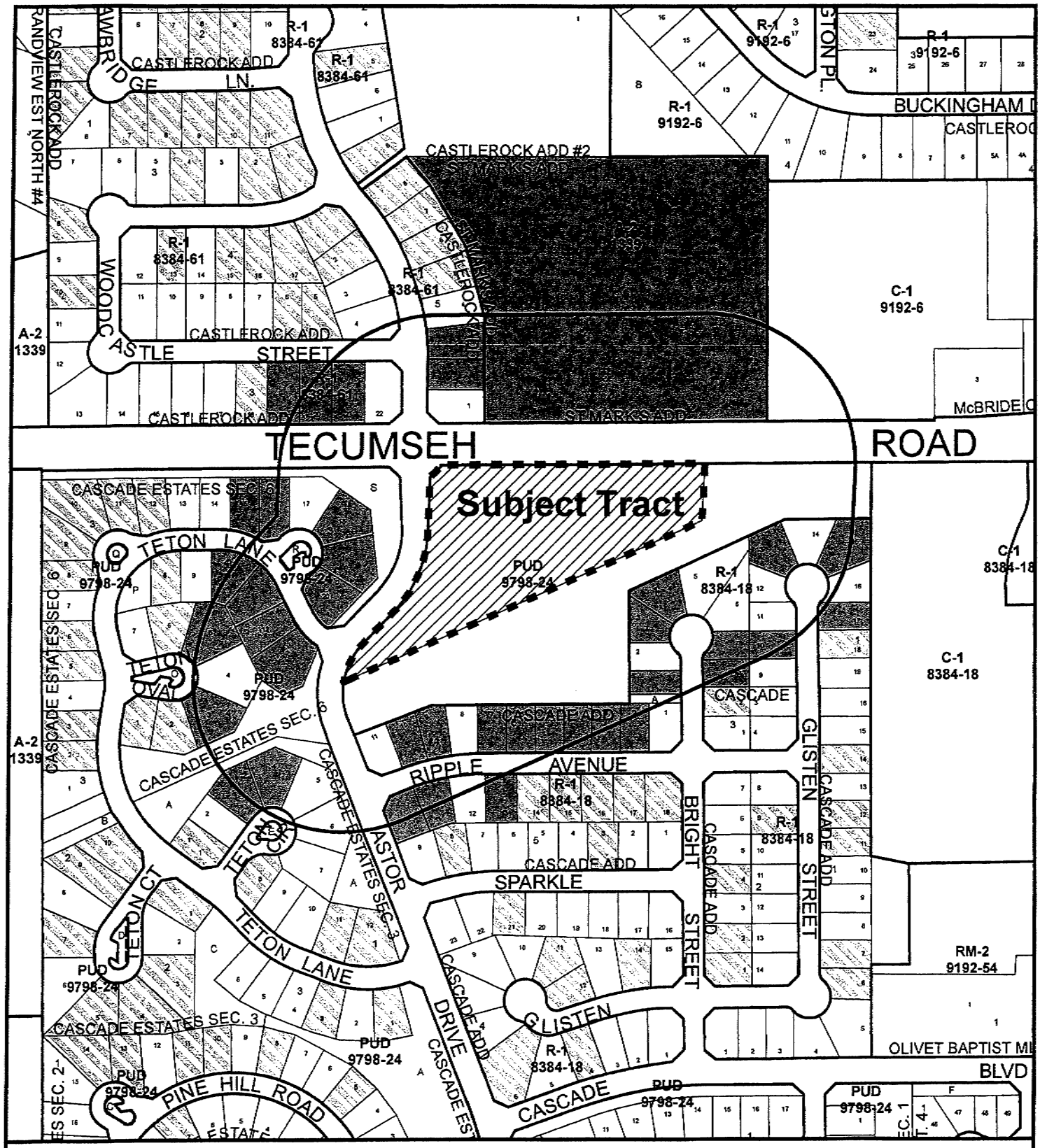


Protest Map

48.8% Protest Within Notification Area

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

N W E S

Scale: 1" = 300'
August 15, 2011

Subject Tract
Protest
Notification Area
Protest Outside Notification Area

Rone Tromble

From: Justin Furnish [j.furnish@sbcglobal.net]

Sent: Thursday, August 11, 2011 1:34 PM

To: Rone Tromble

Subject: Cascade Estates rezone

To the Members of the Norman Planning Commission,

I want to send a request to withdraw my previous protest of the rezoning project on Tecumseh Rd/Cascade Estates.

Thank you,

Justin and Bridget Furnish
4100 Teton Oval
Norman, OK 73072

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: AP-1112-8

File ID: AP-1112-8	**Type:** Appointment	**Status:** Consent Item
Version: 1	**Reference:** Item No. 7	**In Control:** City Council
Department: City Clerk Department	**Cost:**	**File Created:** 09/20/2011
File Name: Appt of CTP Citizen's Visioning Committee		**Final Action:**

Title: CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

COMPREHENSIVE TRANSPORTATION PLAN CITIZEN'S VISIONING COMMITTEE

CHRIS APPLEGATE, Red Earth Group, Sierra Club
ROGER BROWN, Norman Public Schools
TERESA CAPPS, Chair, Social And Voluntary Services Commission
NICK HATHAWAY, Vice President, Administration and Finance, University Of Oklahoma
HAROLD HEIPLE, Norman Developer's Council
MARION HUTCHISON, Oklahomans For New Transportation Alternatives Coalition Board
DOUG MYERS, Director Of Cleveland Area Rapid Transit (Cart)
CHRIS NANNY, Cart Disability Advisory Committee
JANICE OAKES, Progressive Independence
RENEE O'LEARY, United Way Seniors Council And Positive Aging Initiative
HELEN ROBERTSON, Representing The Bicycle Community
TOM SHERMAN, Chair, Chamber Of Commerce Transportation Committee
JOE SPARKS, Chair, Norman Convention And Visitor's Bureau
WALT STRONG, Administrator, Westheimer Airport
CHUCK THOMPSON, Chair, Central Oklahoma Regional Advocacy Alliance
LARRY WALKER, Chair, Public Arts Board
BRAD WORSTER, Commercial Realtor/Chamber Of Commerce Norman Next

INFORMATION: City Council in its meeting of September 13, 2011, approved Contract No. K-1112-43 with H.W. Lochner, Inc., to provide scoping services for a Comprehensive Transportation Plan (CPT) for the City of Norman. For the eventual CTP to be developed for the City of Norman, a conscious decision was made by the City Council in early 2011 to undertake, first, a scoping effort to give the City the best opportunity to achieve buy-in for the issues to be addressed and the goals that will be developed for the ultimate plan. The purpose of this effort is to undertake sufficient public involvement to arrive at a consensus of the issues to be addressed and the goals to be achieved with the future CTP. Once this scoping phase is completed, it is anticipated that the City of Norman will proceed to the preparation of a full CTP.

The City Council Community Planning and Transportation Committee will act as the CTP Steering Committee to undertake the plan with a second committee to be formed as a Vision Work Group. The proposed members of the Comprehensive Transportation Plan Citizen's Visioning Committee are listed above and submitted for City Council's consideration.

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 7

Attachments:

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File AP-1112-8

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: RPT-1112-9

File ID: RPT-1112-9 **Type:** Communication or Report **Status:** Consent Item

Version: 1 **Reference:** Item No. 8 **In Control:** City Council

Department: Finance Department **Cost:** **File Created:** 09/12/2011

File Name: Finance Director's Investment Report August 31, 2011 **Final Action:**

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF AUGUST 31, 2011, AND DIRECTING THE FILING THEREOF.

ACTION NEEDED: Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 8

Attachments: Finance Directors Report August 2011

Project Manager: Anthony Francisco, Director of Finance

Entered by: Ellen.Usry@NormanOK.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File RPT-1112-9

DATE: 02-Sep-11

TO: City Council

FROM: Anthony Francisco, Director of Finance
PREPARED BY: Clint Mercer, Chief Accountant

SUBJECT: Breakdown of Interest Earnings by Fund

	MONTHLY COMPARISON				ANNUAL COMPARISON			
FUND	MONTHLY BUDGETED INTEREST EARNINGS FYE12	MONTHLY INTEREST EARNINGS August 2011	MONTHLY % INCREASE (DECREASE)	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS FYE12-YTD	INTEREST EARNINGS YTD FYE12	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	$8,333	$4,827	-42.08%	8.33%	$16,667	$10,709	-35.75%	8.54%
PUBLIC SAFETY SALES TAX FUND	N/A	$4,824	100.00%	8.32%	N/A	$10,178	100.00%	8.12%
ROOM TAX FUND	$250	$137	-45.35%	0.24%	$500	$278	-44.39%	0.22%
CAPITAL PROJECTS FUND	$12,500	$13,938	11.50%	24.04%	$25,000	$30,260	21.04%	24.13%
SINKING FUND	$2,083	$2,492	19.63%	4.30%	$4,167	$5,946	42.71%	4.74%
G.O. BOND FUND	$167	$108	-35.03%	0.19%	$333	$209	-37.43%	0.17%
WESTWOOD FUND	$625	$78	-87.49%	0.13%	$1,250	$182	-85.42%	0.15%
WATER FUND	$10,000	$9,042	-9.58%	15.60%	$20,000	$19,056	-4.72%	15.20%
WASTEWATER FUND	$8,333	$5,914	-29.04%	10.20%	$16,667	$12,808	-23.15%	10.21%
HALLPARK FUND	N/A	$0	100.00%	0.00%	N/A	$0	100.00%	0.00%
DEVELOPMENT EXCISE	$16,667	$7,970	-52.18%	13.75%	$33,333	$17,307	-48.08%	13.80%
SEWER SALES TAX	$6,250	$5,060	-19.04%	8.73%	$12,500	$10,875	-13.00%	8.67%
SANITATION FUND	$2,500	$220	-91.19%	0.38%	$5,000	$455	-90.91%	0.36%
PARKLAND FUND	$1,250	$876	-29.92%	1.51%	$2,500	$1,874	-25.03%	1.49%
TRUST & AGENCY FUNDS	N/A	$4	100.00%	0.01%	N/A	$8	100.00%	0.01%
TAX INCREMENT DISTRICT	$1,458	$1,333	100.00%	2.30%	$2,917	$2,688	100.00%	2.14%
SPECIAL GRANTS FUND	N/A	$385	100.00%	0.66%	N/A	$911	100.00%	0.73%
CLEET FUND	N/A	$18	100.00%	0.03%	N/A	$41	100.00%	0.03%
HOUSING	N/A	$0	100.00%	0.00%	N/A	$0	100.00%	0.00%
SITE IMPROVEMENT FUND	N/A	$30	100.00%	0.05%	N/A	$64	100.00%	0.05%
ARTERIAL ROAD FUND	N/A	$380	100.00%	0.66%	N/A	$816	100.00%	0.65%
SEIZURES	$42	$339	713.12%	0.58%	$83	$731	777.14%	0.58%
	$70,458	$57,974	-17.72%	100.00%	$140,917	125,396	-11.01%	100.00%

City funds are invested in interest bearing accounts and investment securities, as directed by the City's Investment Policy. Rates of return on these investments relate directly to current Treasury and Money Market rates. Total funds on deposit of $ 114.41 million as of 8/31/11 are represented by working capital cash balances of all City funds of approximately $ 65.79 million, outstanding encumbrances of $20.97 million, General Oblig.ation Bond proceeds of $6.20, NUA revenue bond proceeds of $12.6 million, NMA bond proceeds of $3.95 million, and UNP TIF reserve amounts of $4.90 million.

INVESTMENT BY TYPE

August 31, 2011

LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	EARNED INTEREST	COST	MARKET
**Checking							
BANK OF AMERICA	NUA REV. FD.				$0.00	$0.00	$0.00
BANK OF AMERICA	GEN'L DEP.			0.28%	$2,585.53	$12,695,484.51	$12,695,484.51
BANK OF AMERICA	WARRANTS PAYABLE				$0.00	($2,553,922.53)	($2,553,922.53)
BANK OF AMERICA	PAYROLL				$0.00	($3,297,766.97)	($3,297,766.97)
BANK OF AMERICA	COURT BOND REFUNDS				$0.00	$242,776.50	$242,776.50
BANK OF AMERICA	INSURANCE CLAIMS				$0.00	$284,662.08	$284,662.08
BANK OF AMERICA	HALLPARK			0.01%	$0.73	$90,062.55	$90,062.55
**Subtotal					$2,586.26	$7,461,296.14	$7,461,296.14
**Money Market							
BANCFIRST-NUA	MONEY MKT.			0.01%	$3.36	$921,237.54	$921,237.54
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	$29.66	$3,672,055.66	$3,672,055.66
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	$0.14	$280,376.74	$280,376.74
BANCFIRST-NUA Water	MONEY MKT.			0.01%	$56.91	$11,679,196.31	$11,679,196.31
Bank of Oklahoma UNP TIF	MONEY MKT.			0.01%	$32.59	$4,258,097.03	$4,258,097.03
REPUBLIC BANK UNP TIF	MONEY MKT.			0.70%	$379.85	$639,291.16	$639,291.16
FIRST FIDELITY	MONEY MKT.			0.34%	$78.05	$0.00	$0.00
BANK OF AMERICA	MONEY MKT.			0.28%	$4.40	$452,434.66	$452,434.66
BANK OF AMERICA	MONEY MKT.			0.05%	$13.08	$265,527.58	$265,527.58
BANK OF AMERICA - Drinking W	MONEY MKT.			0.28%	$181.33	$1,358,489.48	$1,358,489.48
BANK OF AMERICA - Clean Wate	MONEY MKT.			0.28%	$0.38	$1,635.26	$1,635.26
BANK OF AMERICA-2008A	MONEY MKT.			0.28%	$182.72	$771,265.29	$771,265.29
BANK OF AMERICA-2008B	MONEY MKT.			0.28%	$428.11	$1,802,989.06	$1,802,989.06
BANK OF AMERICA-2010	MONEY MKT.			0.28%	$859.48	$3,582,594.03	$3,582,594.03
**Subtotal					$2,250.06	$29,685,189.80	$29,685,189.80
**Sweep/Overnight							
JP MORGAN	SHORT TERM			0.00%	$0.00	$9,234,874.95	$9,234,874.95
**U.S. Treasury Securities/Agency Securities							
FHLB	3133XWD71	12/31/09	02/28/12	1.24%	5,172.68	5,000,000.00	$5,022,850.00
FHLB	3133XWD71	12/31/09	02/28/12	1.25%	5,196.26	5,000,000.00	$5,022,850.00
T-Note	912828KP4	12/31/09	05/15/12	1.31%	6,539.41	6,000,000.00	$6,046,312.65
T-Note	912828KP4	12/31/09	05/15/12	1.31%	7,357.44	6,750,000.00	$6,818,182.35
FHLB	3133XTS49	03/31/10	06/20/12	1.30%	107.99	100,000.00	$101,302.00
FNMA	313359MNU3	11/30/10	08/01/12	0.73%	4,215.47	8,000,000.00	$8,370,080.00
FFCB	31331G2R9	03/31/10	12/07/12	1.58%	131.58	100,000.00	$101,999.00
US T-Note	912828MN7	05/20/11	02/15/13	0.48%	2,833.73	7,500,000.00	$7,630,350.00
FFCB	31331JBV4	06/30/11	02/21/13	0.49%	762.11	2,000,000.00	$2,039,080.00
FHLMC	312SX1EJ2	12/31/09	05/22/13	2.08%	3,534.60	2,000,000.00	$2,134,520.00
FHLB	3133XYHD0	07/22/10	06/14/13	1.05%	3,484.75	4,000,000.00	$4,091,440.00
FNMA	31398AZ47	07/29/10	07/29/13	1.19%	(3,790.41)	0.00	$0.00
FFCB	31331KET3	05/20/11	09/23/13	0.80%	3,314.66	5,000,000.00	$5,055,800.00
FNMA	31398A5Q1	12/02/10	11/08/13	1.06%	7,356.60	8,250,000.00	$8,256,600.00
FFCB	31331KKX7	05/18/11	11/18/13	1.04%	2,860.00	0.00	$0.00
FHLB	313371WK8	11/30/10	02/25/14	1.00%	1,458.34	1,750,000.00	$1,752,415.00
US T-Note	912828KV1	06/30/11	05/31/14	0.76%	2,157.23	3,500,000.00	$3,687,320.00
FNMA	31398A3G5	08/31/11	09/08/14	1.50%	0.00	3,000,000.00	$3,076,530.00
U.S. STRIPS (Hallpark)	912833KC3	06/09/04	05/15/14	5.12%	445.64	79,860.00	$130,975.68
**Subtotal					53,138.08	68,029,860.00	$69,338,606.68
TOTAL					57,974.40	114,411,220.89	$115,719,967.57

The Governmental Accounting Standards Board requires the reporting of market values of investment securities. These market values represent the amount of money the security would sell for on the open market, if cash flow demands were such that the security had to be sold. The City of Norman purchases investment securities with the intent of holding them to maturity, as stated in the City's Investment Policy. Only in exceptional circumstances would securities be sold before their maturity, due to cash flow demands or favorable market conditions.

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: RPT-1112-10

File ID: RPT-1112-10 **Type:** Communication or Report **Status:** Consent Item

Version: 1 **Reference:** Item No. 9 **In Control:** City Council

Department: City Manager Department **Cost:** **File Created:** 09/12/2011

File Name: Monthly Dept Report August 2011 **Final Action:**

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF AUGUST, 2011, AND DIRECTING THE FILING THEREOF

ACTION NEED: Motion to acknowledge receipt of the reports and direct the filing thereof.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 9

Attachments:

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File RPT-1112-10

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-1112-09

File ID: K-1112-09 **Type:** Contract **Status:** Consent Item

Version: 1 **Reference:** Item No. 10 **In Control:** City Council

Department: Utilities Department **Cost:** $437,400.00 **File Created:** 08/29/2011

File Name: K-1112-19 Boyd Street Water Tower **Final Action:**

Title: CONSIDERATION OF AWARDING OF BID NO. 1112-02 AND APPROVAL OF CONTRACT NO. K-1112-09 WITH CLASSIC PROTECTIVE COATINGS IN THE AMOUNT OF $437,400, PERFORMANCE BOND NO. B-1112-01, STATUTORY BOND NO. B-1112-02, AND MAINTENANCE BOND NO. MB-1112-01 FOR THE BOYD STREET WATER TOWER PROJECT.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of $437,400 to Classic Protective Coatings as the lowest and best bidder meeting specifications; approve Contract No. K-1112-09 and the performance, statutory, and maintenance bonds; authorize execution of the contract; and direct the filing of the bonds.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 10

Attachments: Consultant Recommendation and Bid Tab.pdf, BID TAB and Cities.pdf, K-1112-09, Perf B-1112-1, Stat B-1112-2, MB-1112-1

Project Manager: Chris Mattingly, Water Treatment Superintendent

Entered by: chris.mattingly@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1112-09

Body

BACKGROUND: Funds were budgeted in FYE10 for the resurfacing of the Boyd Water

Tower. On May 11, 2010, the Norman Utilities Authority (NUA) approved Contract K-0910-176 with EST, Inc. to provide engineering services associated with this project. EST submitted a preliminary report on June 18, 2010 that outlined their findings from their detailed inspection. They identified that an additional railing was necessary for the interior and the man-way and air vents were not to current specifications. Lead paint was also reconfirmed in the exterior coating. The project was not completed that year but was delayed due to budget concerns.

DISCUSSION: The advertisement for bids was published in The Norman Transcript on July 14th and 21st, 2011. The engineer's estimate was $398,425. Bids were received from three contractors on August 11, 2011. As shown on the attached bid tabulation, the low bid of $437,400 was received from Classic Protective Coatings. The other two bids were $490,560 and $883,600. EST, Inc. recommends award of contract K-1112-09 to Classic Protective Coatings in the amount of $437,400. Although the low bid was $38,975 above the engineer's estimate, staff concurs with this recommendation. Funds in the amount of $594,934 are available in Construction (account 031-9354-462.61-01), Project WA0039. Classic Protective Coatings performed the resurfacing work on the NUA's last tank project (Brookhaven Water Tower) March 31, 2008 and staff was satisfied with their performance.

Special considerations have been given for the neighbors that will be affected. A shower curtain style apparatus will be used to keep dust and paint spray on site. Our inspection team will work with the contractor to notify local homes and businesses before the project begins and provide them contact information for future complaints should they arise. The project is expected to last until March 2012.

RECOMMENDATION: Staff recommends award of Bid No. 1112-02 to Classic Protective Coatings. Staff also recommends the Chairman be authorized to sign Contract K-1112-09 in the amount of $437,400 with Classic Protective Coatings, Performance Bond B-1112-01, Statutory Bond B-1112-02, and Maintenance Bond MB-1112-01 contingent upon the City Attorney's approval; all bonds being in the amount of the construction contract.

BOYD WATER TOWER RESURFACING PROJECT
NORMAN, OKLAHOMA
BID NO: 1112-02
DATE: 08/11/11

NO.	BIDDER NAME		TOTAL BID PRICE
	ENGINEER'S ESTIMATE		$398,425.00
1	CLASSIC PROTECTIVE COATINGS	Menomonie, Wisconsin	$437,400.00
2	TMI COATINGS, INC.	St. Paul, Minnesota	$490,560.00
3	PANTHER INDUSTRIAL PAINTING	Mishawaka, Indiana	$883,600.00
4	BLASCO	Houston, Texas	NO BID
5	TANK PRO	Northport, Alabama	NO BID

EST, Inc.
Comprehensive Engineering Services
Norman Office: 3201 S. Berry Road, Norman, OK 73072, (405) 307-8378, Fax (405) 329-1914

To: Chris Mattingly, P.E.
Utility Superintendent
The City of Norman
P.O. Box 370
Norman, OK 73070

Date: August 18, 2011

Subject: Boyd Street Water Storage Tank Resurfacing Project
Recommendation to award contract for bid no. K-1112-02

After review of submitted bids by Classic Protective Coatings, TMI Coatings, Inc, and Panther Industrial Painting to Norman Utilities Authority; EST, Inc. recommends accepting the bid by Classic Protective Coatings of $437,400 for the ultimate system paint.

Based on the information provided by Tnemec, we recommend using the ultimate exterior coating system. The ultimate coating system will exceed the standard coating system in both corrosion resistance and color and gloss retention. EST recommends the ultimate system paint because it will require fewer resurfacing projects in the future.

Sincerely,

Cassidy Doescher, P.E.
Project Engineer

Enclosures: Bid Tab

Cc: File

CONTRACT AGREEMENT

THIS CONTRACT made and entered into this _____ day of _____, 20____, by and between the NORMAN UTILITIES AUTHORITY, a Public Trust of the State of Oklahoma, hereinafter designated as the AUTHORITY, and
Classic Protective Coatings, Inc., hereinafter designated as the CONTRACTOR.

WITNESSETH

WHEREAS, the AUTHORITY has caused to be prepared in accordance with law, specifications, and other bidding documents for the work hereinafter described and has approved and adopted all of said bidding documents, and has caused Notice to Bidders to be given and advertised as required by law, and has received sealed proposals for the furnishing of all labor and materials for the following project:

Boyd Street Water Storage Tank Resurfacing, Norman, Oklahoma

As outlined and set out in the bidding documents and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR in response to said Notice to Bidders, has submitted to the AUTHORITY in the manner and at the time specified, a sealed proposal in accordance with the terms of this CONTRACT; and,

WHEREAS, the AUTHORITY, in the manner provided by law, has publicly opened, examined, and canvassed the proposals submitted and has determined and declared the above-named CONTRACTOR to be the lowest and best Bidder on the above-prepared project, and has duly awarded this CONTRACT to said CONTRACTOR, for the sum named in the proposal, to wit:

Four Hundred Thirty Seven Thousand Four Hundred ——— Dollars ($ 437,400.00).

NOW, THEREFORE, for and in consideration of the mutual agreements, and covenants herein contained, the parties to this CONTRACT have agreed, and hereby agree, as follows:

1) The CONTRACTOR shall, in a good and first-class, workman-like manner at his/her own cost and expense, furnish all labor, materials, tools, and equipment required to perform and complete said work in strict accordance with this CONTRACT and the following CONTRACT Documents:

- the Bid Notice published in The Norman Transcript;
- the Notice to Bidders;
- the Instructions to Bidders;
- the CONTRACTOR'S Bid or Proposal;
- the Construction Drawings, Specifications, and Provisions; and
- the Bonds thereto; all of which documents are on file in the Office of the Purchasing Department of the NORMAN UTILITIES AUTHORITY, and are made a part of this CONTRACT as fully as if the same were set out at length, with the following additions and/or exceptions:

2) The AUTHORITY shall make payments, minus a retainage as stipulated in the CONTRACT Documents, to the CONTRACTOR in the following manner: On or about the first day of each month, the project manager, or other appropriate person, will make accurate estimates of the value, based on CONTRACT prices, of work done, and materials incorporated in the work and of materials suitably stored at the site thereof during the preceding calendar month. The CONTRACTOR shall furnish to the project manager, or other appropriate person, such detailed information as he may request to aid him as a guide in the preparation of the monthly estimates.

Each monthly estimate for payment must contain or have attached an affidavit in accordance with the Constitution of the State of Oklahoma, Title 74, Section 3109-3110, and Title 62, Section 310.09.

On completion of the work, but prior to the acceptance thereof by the AUTHORITY, it shall be the duty of the project manager, or other appropriate person, to determine that said work has been completely and fully performed in accordance with said CONTRACT Documents; and upon making such determinations said official shall make his final certificate to the AUTHORITY.

The CONTRACTOR shall furnish proof that all claims and obligations incurred by him in connection with the performance of said work have been fully paid and settled; said information shall be in the form of an affidavit, which shall bear the approval of the surety on the CONTRACT Bonds for payment of the final estimate to the CONTRACTOR; thereupon, the final estimate (including retainage) will be approved and paid.

3) It is further agreed that the CONTRACTOR will commence said work within 10 calendar days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same on or before March 31, 2012.

4) That the AUTHORITY shall pay the CONTRACTOR for the work performed as follows:
   a) Payment for unit price items shall be at the unit price bid for actual construction quantities. (or) Payment for the lump sum price items shall be at the price bid for actual construction complete in place.
   b) Construction items specified but not included as bid items shall be considered incidental and shall not be paid for directly, but shall be included in the bid price for any or all of the pay quantities. Should any defective work or materials be discovered or should a reasonable doubt arise at to the quality of any work completed, there will be deducted from the next estimate an amount equal to the value of the defective or questionable work and shall not be paid until the defects are remedied. And that the CONTRACTOR'S bid is hereby made a part of this CONTRACT.
   c) Minor repairs up to the amount of two thousand dollars and no cents ($2,000.00) are included in the CONTRACTOR'S bid. Payment on these said repairs will be made to the CONTRACTOR when necessary documents of proof (such as receipts of labor, receipt of materials, timesheets, etc.) have been provided to the AUTHORITY along with the invoice affidavit. Any additional work must be approved by the AUTHORITY in writing prior to completion of work.

5) That the AUTHORITY reserves the right to add to or subtract from the estimated quantities or amount of work to be performed up to a maximum of 15% of the total bid price. The work to be performed or deducted shall be at the unit price bid.

6) That the CONTRACTOR will not undertake to furnish any materials or to perform any work not specifically authorized under the terms of this Agreement unless additional materials or work are authorized by written Change Order, executed by the AUTHORITY; and that in the event any additions are provided by the CONTRACTOR without such authorization, the CONTRACTOR shall not be entitled to any compensation therefore whatsoever.

7) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the AUTHORITY, the CONTRACTOR shall be compensated therefore at the unit price bid or as agreed to by both parties in the execution of the Change Order.

8) That the CONTRACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind and all work and materials shall be subject to rejection by the AUTHORITY through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefore by the AUTHORITY.

9) The CONTRACTOR shall complete the work in accordance with the terms of this Agreement. The CONTRACTOR agrees to pay as liquidated damages as stipulated in the contract document General Provisions for each calendar day thereafter. The CONTRACTOR further agrees to pay the additional fee as stipulated in the contract document General Provisions for each calendar day after April 30, 2008.

10) The CONTRACTOR shall furnish surety bonds and certificate of insurance as specified herein which bonds and insurance must be approved by the AUTHORITY prior to issuance of the NOTICE-TO-PROCEED and commencement of work on the project.

11) The CONTRACTOR shall indemnify, hold harmless, and defend the AUTHORITY from and against any and all liabilities, claims, penalties, fines, forfeitures, suits and the cost and expenses incidental thereto (including cost of defense, settlement, and the reasonable attorney's fees) which may be alleged against the AUTHORITY or which the AUTHORITY may incur, become responsible for, or pay out as a result of death or bodily injury to any person, destruction, or damage to any property, contamination of or adverse effects on the environment, or any violation or alleged violation of governmental laws, regulations orders, to the extent that such damage was caused by the CONTRACTOR or CONTRACTOR'S agents negligence, willful or intentional act or omission, breach or contract or a failure of CONTRACTOR'S warranties to be true, accurate, or complete.

12) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in four (4) duplicate originals, the day and year first above written.

To that end, no provision of this CONTRACT or of any such aforementioned documents shall be interpreted or given legal effect to create an obligation on the part of the AUTHORITY to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of the CONTRACTOR, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the obligations of the

CONTRACTOR; nor shall any such provisions be interpreted or given legal effect to afford a defense against any obligation owed or assumed by such third person to the AUTHORITY or in any way to restrict the freedom of the AUTHORITY to exercise full discretion in its dealing with the Contractor.

The sworn, notarized statement below must be signed and notarized before this Contract will become effective.

STATE OF WI)
)§
COUNTY OF Dane)

Ray Witke, of lawful age, being first duly sworn, on oath says that (s)he is the agent authorized by CONTRACTOR to submit the above CONTRACT to the AUTHORITY. Affiant further states that CONTRACTOR has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the AUTHORITY any money or other thing of value, either directly or indirectly, in the procuring of the CONTRACT.

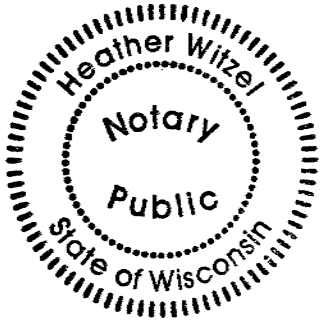
Ray Witke

Submitted and sworn to before me this 13 day of September 2011.

Heather Witzel

Notary Public

My Commission Expires:
January 25, 2015



IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the _____day of _____, 20_____, and the _____ day of _____, 20_____.

(Corporate Seal) (where applicable)

ATTEST

Corporate Secretary (where applicable)

Ray Witke
PRINCIPAL

Signed:
Authorized Representative

Ray Witke - President
Name and Title

Address: N 7670 State Hwy 25
Menominee, WI 54751

Telephone: 715-233-6267

NORMAN UTILITIES AUTHORITY

APPROVED as to form and legality this 13 day of September, 2011.

AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this _____ day of _____, 20_____.

NORMAN UTILITIES AUTHORITY

ATTEST

By: _____ _____

Title: Chairman Secretary

Bond #929523808

PERFORMANCE BOND

Know all men by these presents that Classic Protective Coatings, Inc., as PRINCIPAL, and Western Surety Company, a corporation organized under the laws of the State of South Dakota, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN UTILITIES AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum of Four Hundred Thirty Seven Thousand Four Hundred and 00/100---------- Dollars ($437,400.00-----), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the lowest and best bidder on the following PROJECT:

Boyd Street Water Storage Tank, Norman Resurfacing, Oklahoma

has entered into a written CONTRACT (K-1112-09) with the AUTHORITY, dated _____ for the completion of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if PRINCIPAL shall, in all particulars, well and truly perform and abide by the CONTRACT and all specifications and covenants thereto; and if the PRINCIPAL shall promptly pay or cause to be paid all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of this PROJECT, whether incurred by the PRINCIPAL or subcontractors; and if the PRINCIPAL shall protect and hold harmless the AUTHORITY from all loss, damage, and expense to life or property suffered or sustained by any person, firm, or corporation caused by the PRINCIPAL or his or its agents, servants, or employees in the construction of the PROJECT, or by or in consequence of any negligence, carelessness or misconduct in guarding and protecting the same, or from any act or omission of the PRINCIPAL or his or its agents, servants, or employees; and if the PRINCIPAL shall protect and save the AUTHORITY harmless from all suits and claims of infringement or alleged infringement or patent rights or processes, then this obligation shall be null and void. Otherwise this obligation shall remain in full force and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in the CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

It is further expressly agreed that the PRINCIPAL'S obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor and by the Secretary of the U.S. Department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 13 day of September, 2011, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the 13 day of September, 2011.

(Corporate Seal) (where applicable)

ATTEST

Corporate Secretary (where applicable)

Classic Protective Coatings, Inc.
PRINCIPAL

Signed:

Authorized Representative

Ray Witke, President
Name and Title

Address: N 7670 State Hwy 25

Menomonie, WI 54751

Telephone: 715-233-6267

(Corporate Seal)

ATTEST

Corporate Secretary

Western Surety Company
SURETY

Signed:

Authorized Representative

KLEIN AGENCY, INC.
3570 Lexington Ave.
St. Paul, MN 55126
651-484-6461

Stephen M Klein, Attorney-in-Fact
Name and Title

Address: 333 S Wabash Ave., 41st Floor

Chicago, IL 60604

Telephone: 312-822-5000

CORPORATE ACKNOWLEDGEMENT

STATE OF ~~OKLAHOMA~~ Wisconsin)
)§
COUNTY OF Dunn)

The foregoing instrument was acknowledged before me this 13 day of September,
20 11, by Ray Witke - President of Classic Protective Coatings, Inc.
Name and Title
a S corporation, on behalf of the corporation.

WITNESS my hand and seal this 13 day of September 20 11.

Heather Witzel
Notary Public

My Commission Expires: January 25, 2015

Heather Witzel Notary Public State of Wisconsin

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)§
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
20 _____, by _____ an individual.
Name and Title

WITNESS my hand and seal this ____ day of _____ 20 _____.

_____
Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)§
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,

20 _____, by _____ partner (or agent) on behalf of
Name and Title

_____, a partnership.

WITNESS my hand and seal this ____ day of _____20 _____.

_____
Notary Public

My Commission Expires: _____

NORMAN UTILITIES AUTHORITY

APPROVED as to form and legality this 13 day of September, 20 11.

_____
AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this _____ day of _____, 20_____.

NORMAN UTILITIES AUTHORITY

ATTEST

By: _____ _____

Title: Chairman Secretary

STATUTORY BOND

Know all men by these presents that Classic Protective Coatings, Inc., as PRINCIPAL, and Western Surety Company, a corporation organized under the laws of the State of South Dakota, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN UTILITIES AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum of Four Hundred Thirty Seven Thousand Four Hundred and 00/100--------- Dollars ($437,400.00------), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the lowest and best bidder on the following PROJECT:

Boyd Street Water Storage Tank Resurfacing, Norman, Oklahoma

has entered into a written CONTRACT (K-1112-09) with the AUTHORITY, dated _____ for the completion of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if the PRINCIPAL, shall properly and promptly complete the work on this PROJECT in accordance with the CONTRACT, and shall well and truly pay all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of the PROJECT, whether incurred by the PRINCIPAL, his subcontractors, or any material men, then this obligation shall be void. Otherwise this obligation shall remain in full force and effect. If debts are not paid within thirty (30) days after the same becomes due and payable, the person, firm, or corporation entitled thereto may sue and recover on this Bond, subject to the provisions of 61 O.S. 1981 §2, for the amount so due and unpaid.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the SURETIES, or any of them, from the obligation of this Bond.

It is further expressly agreed that the PRINCIPAL'S obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor of the State of Oklahoma and by the Secretary of the U.S. Department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 13 day of September, 2011, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative on the 13 day of September, 2011.

(Corporate Seal) (where applicable)

ATTEST

Corporate Secretary (where applicable)

Classic Protective Coatings, Inc.
PRINCIPAL

Signed:
Authorized Representative

Ray Witke, President
Name and Title

Address: N 7670 State Hwy 25
Menomonie, WI 54751

Telephone: 715-233-6267

(Corporate Seal)

ATTEST

Corporate Secretary

Western Surety Company
SURETY

Signed:
Authorized Representative

KLEIN AGENCY, INC.
3570 Lexington Ave.
St. Paul, MN 55126
651-484-6461

Stephen M Klein, Attorney-in-Fact
Name and Title

Address: 333 S Wabash Ave., 41st Floor
Chicago, IL 60604

Telephone: 312-822-5000

CORPORATE ACKNOWLEDGEMENT

STATE OF ~~OKLAHOMA~~ Wisconsin)
)§
COUNTY OF Dunn)

The foregoing instrument was acknowledged before me this 13 day of September,
20 11, by Ray Witke - President of Classic Protective Coatings, Inc.
Name and Title
a S corporation, on behalf of the corporation.

WITNESS my hand and seal this 13 day of September 20 11.

Heather Witzel
Notary Public

My Commission Expires: January 25, 2015

Heather Witzel Notary Public State of Wisconsin

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)§
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,

20 _____, by _____ an individual.
Name and Title

WITNESS my hand and seal this ____ day of _____ 20 _____.

_____
Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)§
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,

20 _____, by _____ partner (or agent) on behalf of
Name and Title

_____, a partnership.

WITNESS my hand and seal this ____ day of _____20 _____.

_____
Notary Public

My Commission Expires: _____

NORMAN UTILITIES AUTHORITY

APPROVED as to form and legality this 13 day of September ,20 11.

_____
AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this 13 day of September, 20 11.

NORMAN UTILITIES AUTHORITY

ATTEST

By: _____ _____

Title: Chairman Secretary

Bond #929523808

MAINTENANCE BOND

Know all men by these presents that Classic Protective Coatings, Inc., as PRINCIPAL, and Western Surety Company, a corporation organized under the laws of the State of South Dakota, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN UTILITIES AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum of Four Hundred Thirty Seven Thousand Four Hundred and 00/100---------- Dollars ($437,400.00------), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the lowest and best bidder on the following PROJECT:

Boyd Street Water Storage Tank Resurfacing, Norman, Oklahoma

has entered into a written CONTRACT (K-1112-09) with the AUTHORITY, dated _____ for the completion of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

WHEREAS, under the ordinances of the AUTHORITY, the PRINCIPAL is required to furnish to the AUTHORITY a maintenance bond covering said construction of this PROJECT, the bond to include the terms and provisions hereinafter set forth, as a condition precedent to final acceptance of the PROJECT.

NOW THEREFORE, if the PRINCIPAL shall keep and maintain, subject to normal wear and tear, the construction, except for defects not occasioned by improper workmanship, materials, or failure to protect new work until it is accepted, and if the PRINCIPAL shall promptly repair, without notice from the AUTHORITY or expense to the AUTHORITY any and all defects arising from improper workmanship, materials, or failure to protect new work until it is accepted; all for a period of two (2) years from the date of the written final acceptance by the AUTHORITY, then this obligation shall be null and void. Otherwise, this obligation shall remain in full force and effect at all times.

Provided further, however, that upon neglect, failure or refusal of the PRINCIPAL to maintain or make any needed repairs upon the construction of the PROJECT, as set out in the preceding paragraph, within ten (10) days after the mailing of notice to the PRINCIPAL by letter deposited in the United States Post Office at Norman, Oklahoma, addressed to the PRINCIPAL at the address set forth below, then the PRINCIPAL and SURETY shall jointly and severally be liable to the AUTHORITY for the cost and expense for making such repair, or otherwise maintaining the said construction.

If is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized

representative(s), on the 13 day of September, 20 11, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the 13 day of September, 20 11.
(Corporate Seal) (where applicable)

Classic Protective Coatings, Inc.
PRINCIPAL

ATTEST

Signed:

Corporate Secretary (where applicable)

Authorized Representative

Ray Witke, President
Name and Title

Address: N 7670 State Hwy 25

Menomonie, WI 54751

Telephone: 715-233-6267

(Corporate Seal)

Western Surety Company
SURETY

ATTEST

Signed:

Corporate Secretary

Authorized Representative

Stephen M Klein, Attorney-in-Fact
Name and Title

Address: 333 S Wabash Ave., 41st Floor

Chicago, IL 60604

Telephone: 312-822-5000

KLEIN AGENCY, INC.
3570 Lexington Ave.
St. Paul, MN 55126
651-484-6461

CORPORATE ACKNOWLEDGEMENT

STATE OF ~~OKLAHOMA~~ Wisconsin)
)§
COUNTY OF Dunn)

The foregoing instrument was acknowledged before me this 13 day of September,
20 11, by Ray Witke - President of Classic Protective Coatings, Inc.
Name and Title
a S corporation, on behalf of the corporation.

WITNESS my hand and seal this 13 day of September 20 11.

Heather Witzel
Notary Public

My Commission Expires: January 25, 2015

Heather Witzel Notary Public State of Wisconsin

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)§
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
20 _____, by _____ an individual.
Name and Title

WITNESS my hand and seal this ____ day of _____ 20 _____.

_____
Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)§
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,

20 _____, by _____ partner (or agent) on behalf of
Name and Title

_____, a partnership.

WITNESS my hand and seal this ____ day of _____ 20 _____.

_____
Notary Public

My Commission Expires: _____

NORMAN UTILITIES AUTHORITY

APPROVED as to form and legality this 13 day of September, 20 11.

_____
AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this 19 day of September, 2011.

NORMAN UTILITIES AUTHORITY

ATTEST

By: _____ _____

Title: Chairman Secretary

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: BID-1112-18

File ID: BID-1112-18 **Type:** Minutes **Status:** Consent Item

Version: 1 **Reference:** Iten No. 11 **In Control:** City Council

Department: City Clerk Department **Cost:** $96,618.00 **File Created:** 09/08/2011

File Name: Bid for Building and Contents Insurance **Final Action:**

Title: CONSIDERATION AND AWARDING OF BID NO. 1112-18 FOR THE PURCHASE OF BUILDINGS AND CONTENTS INSURANCE AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of $96,618 to Affiliated FM as the lowest and best bidder meeting specifications and appropriate $11,520 from the Risk Management Fund Balance (043-0000-253.20-00) to Self Insurance/Liability and Property (043-3004-415.44-03).

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 11

Attachments: Listing of Vendors.PDF, Bid Recieved.PDF

Project Clint Mercer, Chief Accountant

Entered by: clint.mercer@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File BID-1112-18

Body

BACKGROUND: The City of Norman self-insures against most risks (i.e., workers compensation, vehicle/equipment damage, employee health benefits, tort claims, etc.) but historically has purchased insurance to cover casualty losses to City buildings and contents. This insurance is purchased in a blanket amount but is limited to agreed-upon values of independent buildings and contents and subject to a deductible. It is important to note that contents include

electronic data processing equipment.

The City of Norman has bid out its buildings and contents insurance through the competitive bid process. This year invitations to bid were extended to nine vendors. Last year's premium for this insurance was $81,911. The blanket amount requested in the current bid increased from $79,408,593 to $85,562,993 in the current year. This increase was due to the addition of several properties. We requested quotes based on a $5,000 deductible, $10,000 deductible and a $50,000 deductible.

The Oklahoma City area was hit with several weather disasters these past few years including a tornado, severe hailstorm and a flood. In addition, this region of the country has experienced several severe natural disasters such as the devastating tornado in Joplin, Missouri. Insurance payouts on these disasters reached in the billions.

DISCUSSION: Bids were mailed to nine different brokers/agents (see attachment). Bids were opened on September 8, 2011. One agent submitted a bid, namely Arthur J. Gallagher Risk Management Services. Bid documents were returned for one of the nine agents as they had moved without a forwarding address. One of the agents was in fact an underwriter that in the past had bid directly with customers bypassing an agent. This company (Liberty Mutual) now uses agents and was contacted by Arthur J. Gallagher for this bid. It is important to note that Arthur J. Gallagher is a large player in the insurance industry and has access to many underwrites of a size that can quote on a product of Norman's size and scope.

Arthur J. Gallagher received responses from 2 different underwriters. These underwriters provided bids with differing premium/deductible combinations as follows:

Affiliated FM - $96,618 premium on a $10,000 deductible/$100,000 deductible for wind and hail, flood and earthquake.
Continental Casualty Insurance Co. - $92,237 premium on $25,000 deductible/$250,000 deductible for wind and hail.

We solicited a three-year policy in our bid packet however; no underwriter was willing to provide such a policy at this time.

The City budgeted $85,098 in Fiscal Year 2012 to pay for building and contents insurance. An additional $11,520 is needed to cover the proposed Affiliated FM premium of $96,618.

RECOMMENDATION: Staff recommends awarding the bid to Affiliated FM with a premium amount of $96,618 as it provides the lowest premium for coverage within acceptable deductible limits. Affiliated FM is the incumbent insurance carrier for the City. As noted above, an additional $11,520 is needed to fund this premium. We recommend $11,520 be appropriated from the Risk Management Fund (Fund 43) Fund Balance Account (043-0000-253.20-00) to the Liability and Property Account (043-3004-415.44-03).

Listing of Vendors:

Arthur J. Gallagher
Attn: Mitchell C. Robinson
1300 South Main
Tulsa, OK 74119

Hilb, Rogal and Hamilton Company
Attn: Gail Harris
One Leadership Square
211 N. Robinson, Suite 1100
Oklahoma City, OK 73102-7105

Liberty Mutual Insurance Company
Attn:
3503 NW 63rd Street, Suite 101
Oklahoma City, OK 73116

Hub International Rigg
Attn: Paul Stabler
5801 N. Broadway, Ste. 201
Oklahoma City, OK 73118

Agar, Ford, Jarmon, and Muldrow
Attn: Debbie Smith
3101 West Tecumseh road, Suite #202
Norman, OK 73072

Holiday & Associates
Attn: Brent Holiday
6636 NW 39th Expressway
Bethany, OK 73008

Glenn Harris & Associates
Attn: Dan Cramer
P. O. Box 14790
Oklahoma City, OK 73113

Wausau Signature Agency
Attn: Lin Harvey
5100 N. Brookline, Suite 1055
Oklahoma City, OK 73112

Trident
Attn: Charles Tucker
10101 Reunion Place Suite 450
San Antonio, TX 78216

PROPOSAL OF INSURANCE

Invitation to Bid #1112-18

City Of Norman, Oklahoma
and Norman Utilities Authority
Office of Purchasing
201-C West Gray Street
Norman, OK 73069

Date Presented:

09/08/2011

Presented by:

Mitchell C. Robinson

Arthur J. Gallagher Risk Management Services, Inc.
1300 South Main Street
Tulsa, OK 74119
918-584-1433
Mitch_robinson@ajg.com
www.ajg.com

CITY OF NORMAN
Office of the Purchasing Agent
Norman, Oklahoma

FORM FOR BIDDERS NO. #1112-18

City Controller's Office
Opening of Bids
City of Norman
Purchasing
P.O. Box 370
Norman, Oklahoma 73070

Bid Opening:
2:00 P.M.
September 8, 2011

Dear Sir:

The undersigned bidder declares that before preparing this bid, (s)he read carefully the detailed specifications and that his/her bid is made with full knowledge of the kind, quality, and quantity of the materials or services to be furnished.

The undersigned bidder offers and proposes to furnish the materials, equipment, or other services hereinafter set forth, in the manner and under the conditions and in accordance with the specifications on file in the Office of the Purchasing Agent, at the following prices:

SECTION 1:		ANNUAL PREMIUM
Option 1:	PROP & CONTENTS INSURANCE-$5,000 deductible	$ No Bid
Option 2:	PROP & CONTENTS INSURANCE-$10,000 deductible	$ See Premium Summary for details & deductible
Option 3:	PROP & CONTENTS INSURANCE -$50,000 deductible	$ No Bid

AFFIDAVIT OF NON-COLLUSION

STATE OF Oklahoma)
COUNTY OF Tulsa)ss

Mitchell C. Robinson, of lawful age being first duly sworn, on oath says, that (s)he is the agent authorized by the bidder to submit the attached bid. Affiant further states that the bidder has not been a party to any collusion among bidders in restraint to freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any City official or employee as to quantity, quality, or price in the prospective contract, or any other terms of prospective contract; or in any discussion between bidders and any City official concerning exchange of money or other thing of value for special consideration in the letting of a contract; that the bidder/contractor has not paid, given or donated or agreed to pay, give or donate to any officer or employee of the City of Norman, Oklahoma, any money or other thing of value, either directly or indirectly, in the procuring of the award of a contract pursuant to this bid.

Bidder: Mitchell C. Robinson
By: Mitchell C. Robinson

Subscribed and sworn to before me this 7th day of September, 2011.

My Commission expires: 10/03/2012 Michelle C Pruitt
Notary Public

Notary Public -- State of Oklahoma
MICHELLE C PRUITT
COMMISSION # 08010296
WAGONER COUNTY
Comm. Exp. 10-03-2012

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Proposal Includes:

Affiliated FM Insurance Company Property Quotation effective 10/1/2011

Service Team/Service Commitment

Service Team

- The primary servicing responsibility for your company will be by Mitch Robinson. We operate on a team approach. Your team consists of:

  - Mitch Robinson – Producer
  - Michelle Pruitt – Account Executive
  - Jennifer McKenzie – Sr. Account Manager
  - Roxanne Weber – Claims Representative
  - Jay Eshelman – Manager (backup)

  -

- Our office hours are Monday through Friday, 8:15 a.m. to 5:00 p.m. During other times, your calls will be received by our voice mail system. Your recorded calls will then be returned during business hours.
- The cellular phone number of your account executive and manager are shown in case of an emergency:

	Producer	Account Executive	Manager
Direct Line:	918-764-1665	918-764-1635	918-764-7130
Cellular:	918-230-4582	918-740-2997	918-695-5350
Fax:	918-582-1329	918-289-2252	918-582-1329
E-mail:	Mitch_robinson@ajg.com	Michelle_pruitt@ajg.com	Jay_eshelman@ajg.com

Premium Summary

Coverages	Proposed Premium
Commercial Property & Equipment Breakdown	
• Total Premium Excluding Terrorism	$94,118.00
• Optional Terrorism Premium	5,000.00
• Engineering Fees	2,500.00

Gallagher is responsible for the placement of the following lines of coverage:

Commercial Property & Equipment Breakdown

Crime

Note: This proposal applies to Commercial Property & Equipment Breakdown coverages only.

It is understood that any other type of exposure/coverage is either self-insured or placed by another brokerage firm other than Gallagher. If you need help in placing other lines of coverage or covering other types of exposures, please contact your Gallagher representative.

Budget 85,098 11,520 short

Bindable Quotations & Compensation Disclosure Schedule

Client Name: City of Norman, OK and Norman Utilities Authority

Coverage(s)	Carrier Name(s)	Wholesaler, MGA, or Intermediary Name 1	Estimated Annual Premium 2	Comm % or Fee 3	Wholesaler, MGA or Intermediary % 4	AJG Owned? Yes or No
RECOMMENDED QUOTATION: Commercial Property & Equipment Breakdown- **$10,000 All Other Perils Deductible and $100,000 Wind/Hail Ded.**	Affiliated FM	NA	Premium- $94,118 TRIA-$5,000 Eng. Fee- $2,500 96,618	15% 15% 0%	NA	NA
OTHER QUOTATION: Commercial Property & Equipment Breakdown- **$25,000 All Other Perils Deductible and $250,000 Wind/Hail Ded.**	Continental Casualty Insurance Co.	NA	Premium- **$92,237** TRIA- $2,995	15% 15%	NA	NA

Some carriers pay Gallagher supplemental or contingent commissions in addition to the policy commission. Contingent commissions are typically contingent upon performance factors such as growth, profit, volume or retention, while supplemental commissions are not. These supplemental or contingent commissions may range from less than 1% up to 10 % of the policy premium. Please refer to the Contingent and Supplemental Commission Disclosure or contact your Gallagher representative for additional information.

1. We were able to obtain more advantageous terms and conditions for you through an intermediary/ wholesaler.

11-7

2. If the premium is shown as an indication: The premium indicated is an estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application.
   * A verbal quotation was received from this carrier. We are awaiting a quotation in writing.
3. The commission rate is a percentage of annual premium excluding taxes & fees.
   * Gallagher is receiving ___% commission on this policy. The fee due Gallagher will be reduced by the amount of the commissions received.
4. * The non-Gallagher intermediary/wholesaler did not provide their compensation information for this proposal. The usual and customary compensation to a wholesaler/ intermediary ranges from 5% to 12%, but we cannot verify that range is applicable in connection with this proposal.

Named Insureds

Note: Any entity not named in this proposal, may not be an insured entity. This may include partnerships and joint ventures.

City of Norman, Oklahoma and
Norman Utilities Authority

City Of Norman, OK and Norman Utilities Authority

Property

Named Insured:	City of Norman
Policy Period:	10/1/2011 to 10/1/2012
Company:	Affiliated FM Insurance Company

Location	Loc #	Bldg #	Address
			PER STATEMENT OF VALUES

Perils:	Special Form: All perils are covered except those specifically excluded.
Schedule of Locations and Values:	See Affiliated FM Insurance Co Quotation
Total Limit (Building &, Personal Property, Extra Expense):	$85,562,993
Co-Insurance	Not Applicable
Valuation	Replacement Cost
Deductible:	**See Affiliated FM Insurance Co Quotation**
Sublimits:	**See Affiliated FM Insurance Co Quotation**
Extensions of Coverage (Sublmits):	**See Affiliated FM Insurance Co Quotation**
Policy or Coverage Warranties:	None at Time of Quotation
Special Endorsements/ Conditions:	**See Affiliated FM Insurance Co Quotation**
Options:	Terrorism Coverage- $5,000 Annual Premium
Special Endorsements/Conditions:	**See Affiliated FM Insurance Co. Quotation**
Annual Premium:	$94,118.00 + $2,500 Engineering Fee
Minimum Premium:	Not Applicable
Binding Requirements:	Signed Client Authorization to Bind Form and Signed TRIA Form

Property

Statement of Values

Subject	Address	Amount of Insurance	Coins %	Valuation Basis
Per Statement of Values Submitted with Bid Specifications	Per Statement of Values Submitted with Bid Specifications	$85,562,993	NA	Replacement Cost

Terrorism Act Proposal Disclaimer

The current TRIA/ TRIPRA program may not cover all terrorism losses. While the most recent legislation eliminated the distinction between foreign and domestic acts of terrorism, a number of lines of coverage excluded under the TRIEA legislation passed in 2005 remain excluded,including commercial automobile, burglary and theft insurance; surety insurance, farmowners multiple perils and professional liability (although directors and officers liability is specifically included) . If such excluded coverages are required, we recommend that you consider purchasing a separate terrorism policy. Please note that a separate terrorism policy for these excluded coverages may be necessary to satisfy loan covenants or other contractual obligations.

City Of Norman, OK and Norman Utilities Authority

Payment Plans and Finance Options

Insurance Coverage	Insurance Carrier	Payment Schedule
Commercial Property and Equipment Breakdown	Affiliated FM Insurance Co.	☒ Prepaid ☐ Monthly Installments ☐ Direct Bill by Carrier ☐ Premium Financed*

Premiums for the policies are due and payable as billed, in full or as insurance company installments. Premiums may be financed, subject to acceptance by an approved finance company.

Note: Following acceptance, completion (and signature) of a premium finance agreement with the specified down payment is required.

City Of Norman, OK and Norman Utilities Authority

Claims Reporting By Policy

Reporting to Gallagher

All claims for the following primary and excess lines of business will be reported to the Gallagher claims representative designated in the service team commitment.

1) Property
   a. Report immediately
   b. Report to Arthur J. Gallagher Risk Management Services
   c. Report by Phone at 918-764-1648 or email to roxanne_weber@ajg.com

Changes and Developments

It is important that we be advised of any changes in your operations that may have a bearing on the validity and/or adequacy of your insurance. The types of changes that concern us include, but are not limited to, those listed below:

2. Changes in any operation such as expansion to another state, new products.

3. Mergers and/or acquisition of new companies.

4. Any newly assumed contractual liability, granting of indemnities, or hold harmless agreements.

5. Circumstances which may require an increased liability insurance limits.

6. Any changes in fire or theft protection, such as the installation of or disconnection of sprinkler systems, burglar alarms, etc. This includes any alterations to same.

7. Immediate advice of any changes to scheduled equipment such as contractors' equipment, electronic data processing, etc.

8. Property, of yours that is in transit, unless we have previously arranged for the insurance.

9. Any changes in existing premises including vacancy, whether temporary or permanent, alterations, demolition, etc. Also, any new premises either purchased, constructed, or occupied.

Carrier Ratings and Admitted Status

Proposed Carriers	A.M. Best's Rating	Admitted/Non-Admitted
Affiliated FM Insurance Co.	A + XV	Admitted

If the above indicates coverage is placed with a non-admitted carrier, the carrier is doing business in the state as a surplus lines or non-admitted carrier. As such, this carrier is not subject to the same regulations which apply to an admitted carrier nor do they participate in any insurance guarantee fund applicable in that state.

The above A.M. Best Rating was verified on the date the proposal document was created.

Guide to Best Ratings

Rating Levels and Categories

Level	Category
A++, A+	Superior
A, A-	Excellent
B++, B+	Good

Level	Category
B, B-	Fair
C++, C+	Marginal
C, C-	Weak

Level	Category
D	Poor
E	Under Regulatory Supervision
F	In Liquidation
S	Suspended

Financial Size Categories

(In $000 of Reported Policyholders' Surplus Plus Conditional Reserve Funds)

FSC I	Up to	1,000	
FSC II	1,000	to	2,000
FSC III	2,000	to	5,000
FSC IV	5,000	to	10,000
FSC V	10,000	to	25,000
FSC VI	25,000	to	50,000
FSC VII	50,000	to	100,000
FSC VIII	100,000	to	250,000
FSC IX	250,000	to	500,000
FSC X	500,000	to	750,000
FSC XI	750,000	to	1,000,000
FSC XII	1,000,000	to	1,250,000
FSC XIII	1,250,000	to	1,500,000
FSC XIV	1,500,000	to	2,000,000
FSC XV	2,000,000	or more	

Best's Insurance Reports, published annually by A.M. Best Company, Inc., presents comprehensive reports on the financial position, history, and transactions of insurance companies operating in the United States and Canada. Companies licensed to do business in the United States are assigned a Best's Rating which attempts to measure the comparative position of the company or association against industry averages.

A Best's Financial Strength Rating opinion addresses the relative ability of an insurer to meet its ongoing insurance obligations. It is not a warranty of a company's financial strength and ability to meet its obligations to policyholders. View the A.M. Best Important Notice: Best's Credit Ratings for a disclaimer notice and complete details at http://www.ambest.com/ratings/notice.

Best's Credit Ratings are under continuous review and subject to change and/or affirmation. For the latest Best's Credit Ratings and Best Credit Reports (which include Best Ratings), visit the A.M. Best website at http://www.ambest.com. See Guide to Best's Credit Ratings for explanation of use and charges. Copies of the Best's Insurance Reports for carriers listed above are also available upon request of your Gallagher representative.

Best's Credit Ratings reproduced herein appear under license from A.M. Best and do not constitute, either expressly or impliedly, an endorsement of (Licensee's publication or service) or its recommendations, formulas, criteria or comparisons to any other ratings, rating scales or rating organizations which are published or referenced herein. A.M. Best is not responsible for transcription errors made in presenting Best's Credit Ratings. Best's Credit Ratings are proprietary and may not be reproduced or distributed without the express written permission of A.M. Best Company.

Gallagher companies use A.M. Best Company's rating services to evaluate the financial condition of insurers whose policies we propose to deliver. Gallagher companies make no representations and warranties concerning the solvency of any carrier, nor does it make any representation or warranty concerning the rating of the carrier which may change.

Confidentiality Statement

We consider as confidential any information presented by Arthur J. Gallagher Risk Management Services, Inc. in response to your "request for proposal," as well as subsequent verbal and written communications between our organizations. We ask that other brokers not have access to our material and that information presented in this proposal be shared only with those who have a need to know within your company. We make our commitment to you that information already received from you, and additional to follow, will be treated with the same high level of respect and confidentiality.

Important Disclosures

The proposal is an outline of certain of the terms and conditions of the insurance proposed by the insurers, based on the information provided by your company. It does not include all the terms, coverages, exclusions, limitations, or conditions of the actual policy contract language. The insurance policies themselves must be read for those details. Policy forms for your reference will be made available upon request.

We will not be operating in a fiduciary capacity, but only as your broker, obtaining a variety of coverage terms and conditions to protect the risks of your enterprise. We will seek to bind those coverages based upon your authorization; however, we can make no warranties in respect to policy limits or coverage considerations of the carrier. Actual coverage is determined by policy language, so read all policies carefully. Contact us with questions on these or any other issues of concern.

The information contained in this proposal is based on the historical loss experience and exposures that were provided to Arthur J Gallagher Risk Management Services, Inc.. This proposal is not an actuarial study. Should you wish to have this proposal reviewed by an independent actuary, we will be pleased to provide you with a listing of actuaries for your use.

Compensation Disclosure

One of the core values highlighted in The Gallagher Way states, "We are an Open Society," and our open society extends to the compensation Gallagher receives. For more information on Gallagher's compensation arrangements, please visit http://www.ajg.com/compdisclosure. In general, Gallagher may be compensated as follows:

1. Gallagher Companies are primarily compensated from the usual and customary commissions or fees received from the brokerage and servicing of insurance policies, annuity contracts, guarantee contracts and surety bonds (collectively "insurance coverages") handled for a client's account, which such commissions and fees may vary from company to company and insurance coverage to insurance coverage. As permitted by law, Gallagher companies occasionally receive both commissions and fees. In placing, renewing, consulting on or servicing your insurance coverages, Gallagher Companies may participate in contingent commission arrangements with intermediaries and insurance companies that provide for additional contingent compensation if underwriting, profitability, volume or retention goals are achieved. Such goals are typically based on the total amount of certain insurance coverages placed by Gallagher with the insurance company and/or through the intermediary, not on an individual policy basis. As a result, Gallagher may be considered to have an incentive to place your insurance coverages with a particular insurance company.

2. Gallagher Companies may also receive investment income on fiduciary funds temporarily held by them, such as premiums or return premiums.

3. Gallagher Companies may access other facilities, including wholesalers, reinsurance intermediaries, captive managers, underwriting managers and others that act as intermediaries for both Gallagher and other brokers in the insurance marketplace. Gallagher Companies may own some of these facilities, in whole or in part. If such a facility was utilized in the placement of a client's account, the facility may have earned and retained customary brokerage commission or fees for its work.

4. Gallagher assists its customers in procuring premium finance quotes and unless prohibited by law may earn compensation for this value added service.

If you have specific questions about the compensation received by Gallagher and its affiliates in relation to your insurance placements, please contact your Gallagher representative for more details.

In the event you wish to register a formal complaint regarding compensation Gallagher receives from insurers or third parties, please send an e-mail to Compensation_Complaints@ajg.com or send a letter to:

AVC Compliance Officer
Arthur J. Gallagher & Co.
Two Pierce Place, 20th Floor
Itasca, IL 60143

COMMERCIAL ACCOUNTS
Contingent and Supplemental Commission Disclosure

Effective October 1, 2009, Arthur J. Gallagher & Co., and its subsidiaries operating as insurance agents/brokers under the corporate holding company known as Arthur J. Gallagher Brokerage & Risk Management Services, LLC, resumed participating in contingent commission arrangements which are routinely offered by insurance companies and intermediaries to agents and brokers, after voluntarily foregoing the benefit of this type of compensation since January 1, 2005. Contingent commission arrangements provide for additional compensation if certain underwriting, profitability, volume or retention goals are achieved. Such goals are typically based on the total amount of certain insurance coverages placed by Gallagher with the insurance company and/or through the intermediary, not on an individual policy basis. As a result, Gallagher may be considered to have an incentive to place your insurance coverages with a particular insurance company.

During the time Gallagher's retail operations did not accept contingent commissions, some insurance markets and intermediaries, including Gallagher owned intermediaries, modified their commission schedule with Gallagher, resulting in an increase in some commission rates. The additional commissions, commonly referred to as "supplemental commissions", are known at the effective date of the policy, but some intermediaries and insurance companies are paying the commission increase apart and later from when the commission is normally paid at policy issuance.

Unlike contingent commissions, supplemental commission payments are determined **without** regard to any performance factors which are contingent on future growth, retention, profitability, etc.

Contingent and supplemental commission ranges from less than 1% up to 10% of written or earned premium on eligible lines of business (not all lines of business qualify).

NOTE: Upon request, your Gallagher representative can provide more specific market information regarding contingent and supplemental commission related to your insurance coverage.

City Of Norman, OK and Norman Utilities Authority

Client Authorization to Bind Coverage

After careful consideration of your proposal dated 09/08/2011, we accept your insurance program subject to the following exceptions/changes:

POLICY OPTIONS:

YES	NO	OPTION DESCRIPTION
☐	☐	Bind All Policies As Shown Herein Except As Listed Below:
☐	☐	Bind TRIA Terrorism Coverage As Quoted Except For the Following Policies
☐	☐	Provide Quotations or Additional Information on the following Coverage Considerations

It is understood this proposal provides only a summary of the details; the policies will contain the actual coverages.

We confirm the values, schedules, and other data contained in the proposal are from our records and acknowledge it is our responsibility to see that they are maintained accurately.

☐ If available, we request an electronic copy of the policy(s) and endorsements rather than a hard copy.

Client Signature

Dated

Affiliated FM

INSURANCE PROPOSAL for City of Norman and Norman Utilities Authority

To: Mitch Robinson	At: Arthur J. Gallagher Risk Management Services, Inc.	Fax No.:
From: Emily Lochhead	Date: 01 Sep 2011	Pages:

A. POLICY TERM:

01-October-2011 to 01-October-2012

B. NAMED INSURED:

City of Norman and Norman Utilities Authority

C. POLICY LIMIT:

This company's liability will not exceed the respective Sub-Limits of Liability shown elsewhere for the coverages involved. However, in no event will the company's total Limit of Liability exceed $85,562,993 as a result of any one occurrence, regardless of the number of perils, coverages or locations involved.

D. INSURANCE PROVIDED:

All risks of direct physical loss or damage, as defined and limited herein, on Real Property, Personal Property, Extra Expense, including the Extensions of Coverage applying at the following described locations:

Location Schedule:

1. Animal Control (New Facility), 3428 South Jenkins Avenue, Norman, OK, 73019
2. Reeves Garden Center, 405 East Constitution Street, Norman, OK, 73072
3. Concession/Restroom, 515 East Constitution Street, Norman, OK, 73072
4. Irving Recreation Center, 1920 Alameda Street, Norman, OK, 73071
5. Whittier Recreation Center, 2000 West Brooks Street, Norman, OK, 73069
6. Senior Citizens Center, 329 South Peters Avenue, Norman, OK, 73069
7. 12th Ave Recreation Center, 1701 12th Avenue Northeast, Norman, OK, 73071
8. Fire Station #4, 4145 West Robinson Street, Norman, OK, 73072, Index No. 002188.52
9. 24th Ave Booster Station, SW 24th Avenue, Norman, OK, 73069
10. Lift Station "D", West End, Little River Road, Norman, OK, 73071
11. Bldg Maint., 121 North Peters Avenue, Norman, OK, 73069
12. Fleet/Line Maint., 1301 Da Vinci Street, Norman, OK, 73069, Index No. 002188.53
13. Fire Training Tower, 1472 Da Vinci Street, Norman, OK, 73069
14. Lindsey Street Yard - Office, 676 East Lindsey Street, Norman, OK, 73069
15. Firing Range, 3942 Jenkins Avenue, Norman, OK, 73072
16. Park Maint., 215 East Constitution Street, Norman, OK, 73072
17. Transfer Station, 3901 Chautauqua Avenue, Norman, OK, 73072
18. Fire Station #1, 411 East Main Street, Norman, OK, 73071
19. Fire Station #2, 2211 West Boyd Street, Norman, OK, 73069
20. Fire Station #3 (New), 500 East Constitution Street, Norman, OK, 73072
21. Fire Station #5 and Little Axe Center, 1000 168th Avenue Northeast, Norman, OK, 73026
22. Fire Station #6, 7405 Alameda Drive, Norman, OK, 73026
23. Fire Station #7 & Training Center, 2207 Goddard Avenue, Norman, OK, 73069
24. Police/Court Building B, 201B West Gray Street, Norman, OK, 73069, Index No. 002188.61
25. Special Ops Facility, 4323 Country Club Terrace, Norman, OK, 73072
26. Municipal Building A, 201A West Gray Street, Norman, OK, 73069, Index No. 002188.61
27. Municipal Building 201, 201 West Gray Street, Norman, OK, 73069, Index No. 002188.61

28. Municipal Building C, 201C West Gray Street, Norman, OK, 73069, Index No. 002188.61
29. Sooner Theatre, 101 East Main Street, Norman, OK, 73069
30. Juvenile Services, 1 West Gray Street, Norman, OK, 73069
31. Firehouse Art Gallery, 444 South Flood Avenue, Norman, OK, 73069
32. Museum, 508 North Peters Avenue, Norman, OK, 73069
33. Carriage House, 123 Beal Street, Norman, OK, 73069
34. Griffin Park, 1001 East Robinson Street, Norman, OK, 73071
35. Falls-Lakeview Bathroom, 3280 108th Avenue Northeast, Norman, OK, 73026
36. Santa Fe Railroad Depot Museum, 200 South Jones Avenue, Norman, OK, 73069
37. Andrews Park, 200 West Daws Street, Norman, OK, 73069
38. Lions Park, 444 South Flood Avenue, Norman, OK, 73069
39. Cascade Water tower, 3199 36th Avenue Northwest, Norman, OK, 73072, Index No. 002188.57
40. Rotary Park, Boyd & Wyle, Norman, OK, 73072
41. Lindsey Water tower, 600 East Lindsey Street, Norman, OK, 73069
42. Wellhouse #1, 2498 36th Ave NE, Norman, OK, 73026
43. Wellhouse #2, 1898 36th Avenue Northeast, Norman, OK, 73026
44. Wellhouse #3, 3098 36th Avenue Northeast, Norman, OK, 73026
45. Wellhouse #4A, 2598 9th Avenue Northeast, Norman, OK, 73071
46. Wellhouse #5, 1398 36th Avenue Northeast, Norman, OK, 73026
47. Wellhouse #6, 2498 East Robinson Street, Norman, OK, 73071
48. Wellhouse #7, 2799 36th Avenue Northwest, Norman, OK, 73072
49. Wellhouse #8, 1399 East Rock Creek Road, Norman, OK, 73071
50. Wellhouse #11, 3498 North Highway 77, Norman, OK, 73071
51. Wellhouse #12, 3998 North Highway 77, Norman, OK, 73071
52. Wellhouse #13, 4798 North Highway 77, Norman, OK, 73071
53. Wellhouse #14, 4198 North Highway 77, Norman, OK, 73071
54. Wellhouse #15, 4599 North Highway 77, Norman, OK, 73071
55. Wellhouse #16, 5099 North Interstate Drive, Norman, OK, 73069
56. Wellhouse #17, 1/2 mi N. of Franklin Rd, Norman, OK, 73026
57. Wellhouse #18, 5999 North Interstate Drive, Norman, OK, 73069
58. Wellhouse #10, 600 East Lindsey Street, Norman, OK, 73069
59. Wellhouse #19, 6398 North Interstate Drive, Norman, OK, 73072
60. Wellhouse #20, 6798 North Interstate Drive, Norman, OK, 73072
61. Wellhouse #21, 900 Blk of East Apache Street, Norman, OK, 73071
62. Wellhouse #23, NE 12th & Robinson, Norman, OK, 73071
63. Wellhouse #24, Carter & Robinson, Norman, OK, 73071
64. Wellhouse #25, 1/2 mi E. of NE 13th & Robinson, Norman, OK, 73071
65. Wellhouse #31, 3599 North Porter Avenue, Norman, OK, 73071
66. Wellhouse #32, 3298 12th Avenue Northeast, Norman, OK, 73071
67. Wellhouse #33, 1898 East Tecumseh Road, Norman, OK, 73071
68. Wellhouse #34, 3298 24th Avenue Northeast, Norman, OK, 73071
69. Wellhouse #35, 4298 24th Avenue Northeast, Norman, OK, 73071
70. Wellhouse #36, 2498 East Franklin Road, Norman, OK, 73071
71. Wellhouse #37, 3398 East Franklin Road, Norman, OK, 73071
72. Wellhouse #38, 4298 36th Avenue Northeast, Norman, OK, 73026
73. Wellhouse #39, 3798 36th Avenue Northeast, Norman, OK, 73026
74. Wellhouse #40, 4298 East Tecumseh Road, Norman, OK, 73026
75. Wellhouse #41, 5401 East Tecumseh Road, Norman, OK, 73026
76. Wellhouse #42, 5897 East Tecumseh Road, Norman, OK, 73026
77. Wellhouse #43, 5799 North Floyd Cox Drive, Norman, OK, 73026
78. Wellhouse #44, 6000 Corky Drive Northeast, Norman, OK, 73026
79. Wellhouse #45, 6799 Day Drive, Norman, OK, 73026
80. Wellhouse #46, 2198 72nd Avenue Northeast, Norman, OK, 73026
81. Wellhouse #47, 7799 East Rock Creek Road, Norman, OK, 73026
82. Wellhouse #48, 1399 Paso de Vaca Drive, Norman, OK, 73026

83. Wellhouse #49, 1200 72nd Avenue Northeast, Norman, OK, 73026
84. Robinson Water tower, 451 West Robinson Street, Norman, OK, 73069
85. Water Treatment Plant, 3000 East Robinson Street, Norman, OK, 73026, Index No. 002188.58
86. Wastewater Treatment Plant, 3500 Jenkins Avenue, Norman, OK, 73072, Index No. 002188.59
87. Compost Facility, 398 Bratcher-Miner Road, Norman, OK, 73072
88. Reeves Park Shop Bldg/Office, Reeves Park, Norman, OK, 73072
89. Fire Dept Admin, 415 East Main Street, Norman, OK, 73071
90. Westwood Pool/Equipment Maint. Building, 2400 Westport Drive, Norman, OK, 73069, Index No. 002188.60
91. East Tower - Radio, 3180 108th Avenue Northeast, Norman, OK, 73026
92. Community Intervention Center, 1900 West Robinson Street, Norman, OK, 73069
93. Fire Station #8, 3901 26th Avenue, Norman, OK, 73069
94. Wellhouse #51, 1198 48th Ave. NE, Norman, OK, 73069
95. Wellhouse #52, 859 36th Ave NE, Norman, OK, 73069
96. Wellhouse #54, 4698 96th Ave NE, Norman, OK, 73069
97. Wellhouse #55, 4799 72nd Ave NE, Norman, OK, 73069
98. Wellhouse #56, 3998 72nd Ave NE, Norman, OK, 73069
99. Wellhouse #57, 6699 E. Tecumseh Rd.l, Norman, OK, 73069
100. Wellhouse #58, 8399 E Rock Creek Rd., Norman, OK, 73069
101. Wellhouse #59, 4398 108th Ave NE, Norman, OK, 73069
102. Wellhouse #60, 4303 84th Ave NE, Norman, OK, 73069
103. Wellhouse #61, 4703 91st Ave NE, Norman, OK, 73069

E. SUB-LIMITS:

Unless otherwise stated below, the following sub-limits of liability will apply on a per occurrence basis for all coverages provided, and are part of, not in addition to, the above limit(s) of liability.

For Annual Aggregate sub-limits the policy year will begin at the inception date of this policy and be concurrent with the anniversary dates of this policy.

1.	$50,000,000	Earth Movement (Annual Aggregate, for all coverages provided)
2.	$50,000,000	Flood (Annual Aggregate, for all coverages provided)
3.	$100,000	Extra Expense

F. EXTENSIONS OF COVERAGE (EOC) SUB-LIMITS:

The following sub-limits of liability will apply on a per occurrence basis for all coverages provided, unless otherwise stated below, and are part of, not in addition to the above limit(s) of liability.

For Annual Aggregate sub-limits the policy year will begin at the inception date of this policy and be concurrent with the anniversary dates of this policy.

All Risk - Extensions of Coverage Sub-Limits:

1.	$100,000	Fire Fighting Materials and Expenses
2.	$100,000	Professional Fees
3.	$250,000	Expediting Expenses
4.	$100,000	Trees, Shrubs, Plants and Lawns not to exceed a limit of $1,000 per item
5.	$250,000	Pavements and Roadways
6.	$50,000	Land and Water Clean Up Expense (Annual Aggregate, for all coverages provided)
7.	$250,000	Installation Floater
8.	$2,500,000	Newly Acquired Property
9.	$1,000,000	Unnamed Locations Coverage
10.	$250,000	Fine Arts
11.	$500,000	Accounts Receivable

12.	$500,000	Valuable Papers and Records
13.	$500,000	Electronic Data Processing, Data and Media
14. Demolition and Increased Cost of Construction		
	Policy Limit	Item A: Undamaged Portion
	$1,000,000	Item B: Demolition
	$1,000,000	Item C: Compliance with the Law
	$1,000,000	Item D: Business Interruption
15.	$1,000,000	Errors and Omissions
16.	$250,000	Transit
17. Terrorism Coverage and the Supplemental United States Certified Act of Terrorism Endorsement		
	$100,000	A. United States Certified Act of Terrorism coverage
	$100,000	B. Terrorism Coverage for Locations Outside of the United States (Annual Aggregate, for all coverages provided)
18.	$1,000,000	Fungus, Mold or Mildew
19.	$100,000	Deferred Payment
20.	$250,000	Off-Premises Service Interruption - Property Damage
21.	$100,000	Arson or Theft Reward
22.	$100,000	Money and Securities
23.	$100,000	Locks and Keys
24.	$100,000	Tenants Legal Liability and Expense
25.	$100,000	Soft Costs

The above Extensions of Coverage sub-limits of liability will be the maximum payable for property damage and business interruption (if applicable) resulting from such property damage, or any combination thereof.

As respects the United States of America, its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, the U. S. Virgin Islands; and Canada, Section D. Extensions of Coverage Item 9. Unnamed Locations and Section C. Additional Coverage Item 4. Property Removed from Described Locations are extended to Section D. Extension of Coverage Item 17. Terrorism with a sub-limit of liability of $100,000 (Annual Aggregate for all coverages provided) for Property Damage and Business Interruption (if provided) combined. Also a $100,000 Flood sub-limit of liability (if provided) (Annual Aggregate for all coverages provided) for Property Damage and Business Interruption (if provided) combined applies to Section D. Extension of Coverage Item 17. Terrorism.

Both of these sub-limits of liability applying to the Extension of Coverage Item 17. Terrorism do not apply to the Supplemental United States Certified Acts of Terrorism Endorsement.

These limits shall not include the Actual Cash Value portion of fire damage caused by Terrorism.

G. DEDUCTIBLE AMOUNT:

The following deductible amounts shall apply per occurrence for loss or damage under this policy in the respective loss categories indicated:

1. $100,000 Earth Movement (per occurrence for each location for all coverages provided).

2. $100,000 Flood (per occurrence for each location for all coverages provided).

3. $100,000 Wind and/or Hail (per occurrence for all coverages provided in this policy).

4. Boiler and Machinery:

   A.Property Damage: $10,000

B.Business Interruption Waiting Period:

In the event of loss or damage insured by this policy, no coverage is provided for business interruption unless and until the period of interruption exceeds 24 hours beginning from the time of loss. The company's liability commences only after, and does not include, the waiting period.

5. Electronic Data Processing Equipment, Data and Media Deductible:

In the event of loss or damage to Electronic Data Processing (EDP) Equipment, Data and Media insured by this policy caused by the malicious introduction of a machine code or instruction, no coverage is provided unless the period of interruption exceeds 48 hours beginning from the time of insured loss. The company's liability commences only after, and does not include, the Waiting Period specified.

If the period of interruption exceeds 48 hours, the insured loss will be calculated based upon the amount of insured loss in excess of the Waiting Period and subject to a combined deductible for all coverages of $10,000 per location.

Any period in which business operations or services would have not been maintained, or any period in which goods would have not been produced will not be included as part of or serve to reduce the effect of any Waiting Period.

6. $10,000 All Other Losses.

H. SPECIAL TERMS AND CONDITIONS:

1. **Extended Terrorism Coverage Endorsement**

Section F. Perils Excluded, Group I. Item 2. f) is amended to:

f. Terrorism, including action taken to prevent, defend against, respond to or retaliate against Terrorism or suspected Terrorism, except to the extent provided in Section D, Extensions of Coverage, 17. Terrorism. However, if direct loss or damage by fire results from any of these acts (unless committed by or on behalf of the insured), then this Policy covers only to the extent the Actual Cash Value of the resulting direct loss or damage by fire to property insured. This coverage exception for such resulting fire loss or damage does not apply to any coverage provided in any Business Interruption Endorsement, if any, which may be a part of this Policy, or any extension of such coverage, or to any other coverages provided by this Policy.

Any act which satisfies the definition of Terrorism provided in Section H, Definitions, or in any Terrorism Endorsement to this policy, shall not be considered to be vandalism, malicious mischief, riot, civil commotion, or any other risk of physical loss or damage which may be covered elsewhere in this Policy.

If any act which satisfies the definition of Terrorism provided in Section H, Definitions, or in any Terrorism Endorsement to this policy, also comes within the terms of the hostile or warlike action exclusion of this Policy in Section F, Group I, 2.a), the hostile or warlike action exclusion applies in place of this exclusion.

If any act excluded herein involves nuclear reaction, nuclear radiation or radioactive contamination, this exclusion applies in place of the nuclear hazard exclusion of this Policy, Section F, Group I, 1.

2. **United States Certified Act of Terrorism 2008**

As respects the United States, its territories and possessions and the Commonwealth of Puerto Rico, the definition of **Terrorism** contained in Section H. DEFINITIONS is declared null and void and it is agreed that an event defined as a Certified Act of Terrorism under the terms of the SUPPLEMENTAL UNITED STATES CERTIFIED ACT OF TERRORISM ENDORSEMENT attached to this policy shall be considered **Terrorism** within the terms of this policy. Notwithstanding anything contained in this policy to the contrary, this policy provides coverage for direct physical loss or damage to insured property and any resulting Business Interruption loss, as provided in the policy, caused by or resulting from a Certified Act of Terrorism only to the extent coverage is provided under the terms and conditions of the SUPPLEMENTAL UNITED STATES CERTIFIED ACT OF TERRORISM ENDORSEMENT attached to this policy. Any difference in limit between loss recoverable under the SUPPLEMENTAL UNITED STATES CERTIFIED ACT OF TERRORISM ENDORSEMENT and this policy is not recoverable under this policy.

3. **Transmission and Distribution Systems Exclusion**

Section E., Property Excluded, is amended to include:

Transmission and distribution systems, including poles, towers and fixtures, overhead conductors and devices, underground or underwater conduit, underground or underwater conductors and devices, line transformers, service meters, street lighting and signal systems.

4. **Specific Flood Exclusion**

Coverage provided by Section C., Additional Coverage, Item 2. Flood: does not apply to any property situated at the following location(s):

Location

10. Lift Station "D", West End, Little River Road, Norman, OK, 73071
15. Firing Range, 3942 Jenkins Avenue, Norman, OK, 73072
31. Firehouse Art Gallery, 444 South Flood Avenue, Norman, OK, 73069
88. Reeves Park Shop Bldg/Office, Reeves Park, Norman, OK, 73072
92. Community Intervention Center, 1900 West Robinson Street, Norman, OK, 73069

I. INDEX OF FORMS:

The following forms are made part of this policy:

Title	Form No.	Edition
Standard Fire Insurance Policy	1677-A	(1/00)
Declarations	S-1 PRO 3100	(1/08)
All Risk Property Coverage	PRO AR 3100	(10/09)
Business Interruption Endorsement Extra Expense	PRO EE 2260	(1/03)
Oklahoma Amendatory Endorsement	6242	(5/08)
Supplemental United States Certified Acts of Terrorism Endorsement	7312	(1/08)
Application of Policy to Date and Time Recognition	PRO DTR 2400	(11/00)

Total Premium **including** the United States Certified Act of Terrorism coverage: $99,118 at 15.00% commission

Total Premium **excluding** the United States Certified Act of Terrorism coverage: $94,118 at 15.00% commission

Total Premium for the United States Certified Act of Terrorism: $5,000 at 15.00% commission

If the option to purchase coverage for the United States Certified Act of Terrorism is elected, the Extension of Coverage Sub-Limit 17.A. will be amended to 17.A. $85,562,993

Engineering Fees: $2,500 at no commission.

Applicable state taxes, surcharges and fees are not included in this proposal. Applicable state taxes, surcharges and fees will be added to the invoice.

Any variations between this proposal letter and Affiliated FM forms versus your application are not provided.

This proposal expires 10/1/11.

POLICYHOLDER DISCLOSURE
NOTICE OF TERRORISM INSURANCE COVERAGE

Insured Name: **City of Norman** **Date: 9/1/11**

Account Number: **1-57162**

Insurer Name: **Affiliated FM Insurance Company**

The Terrorism Risk Insurance Act of 2002, as amended and extended in 2005 and again in 2007, gives you the right as part of your property renewal policy to elect or reject insurance coverage for locations within the United States or any territory or possession of the United States for losses arising out of acts of terrorism, as defined and certified in accordance with the provisions of the act.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. UNDER THIS FORMULA, THE UNITED STATES GOVERNMENT GENERALLY PAYS 85% OF COVERED TERRORISM LOSSES EXCEEDING A STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURER REFERENCED ABOVE. **ALSO, THERE IS A $100,000,000,000 CAP ON THE FEDERAL AND INSURER SHARE OF LIABILITY STATING THAT IF THE AGGREGATE INSURED LOSSES EXCEED $100,000,000,000 DURING ANY PROGRAM YEAR, NEITHER THE UNITED STATES GOVERNMENT NOR ANY INSURER THAT HAS MET ITS INSURER DEDUCTIBLE SHALL MAKE PAYMENT OR BE LIABLE FOR ANY PORTION OF THE AMOUNT OF SUCH LOSSES THAT EXCEED $100,000,000,000.** THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

ACCEPTANCE OR REJECTION OF TERRORISM INSURANCE COVERAGE: UNDER FEDERAL LAW, YOU HAVE THE RIGHT TO ACCEPT OR REJECT THIS OFFER OF COVERAGE FOR TERRORIST ACTS COVERED BY THE ACT AS PART OF YOUR RENEWAL POLICY. IF WE DO NOT RECEIVE THIS SIGNED DISCLOSURE FORM PRIOR TO THE RENEWAL POLICY EFFECTIVE DATE OF 10/1/11, THEN YOUR RENEWAL POLICY WILL REFLECT YOUR DECISION NOT TO PURCHASE THE TERRORISM COVERAGE PROVIDED BY THE ACT.

_____ I hereby elect to purchase coverage for terrorist acts covered by the act for an annual premium of $5,000. This premium does not include applicable taxes or surcharges.

_____ I hereby decline this offer of coverage for terrorist acts covered by the act.

_____ _____

Policyholder/Applicant Signature Date

_____

Print Name

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: RFP-1112-19

File ID: RFP-1112-19 **Type:** Bid **Status:** Consent Item

Version: 1 **Reference:** Item No. 12 **In Control:** City Council

Department: Parks and Recreation Department **Cost:** $55,034.00 **File Created:** 09/12/2011

File Name: Purchase of 24 golf carts **Final Action:**

Title: CONSIDERATION OF ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-1112-19 FROM EZ GO TEXTRON TO PURCHASE TWENTY-FOUR (24) GOLF CARTS FOR THE WESTWOOD GOLF COURSE.

ACTION NEED: Acting as the Norman Municipal Authority, motion to accept or reject Request for Proposal No. RFP-1112-19 from EZ Go Textron to purchase twenty-four (24) golf cars for Westwood Golf Course; and, if accepted, authorize the purchase in the amount of $55,034 from EZ Go Textron.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 12

Attachments: SUMMARY OF RFP NUMBER 1112, Proposal EZ Go Textron

Project Manager: Jud Foster, Director of Parks and Recreation

Entered by: suzanne.terry@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File RFP-1112-19

Body

BACKGROUND: During the Fiscal Year 2012 budget process, City Council approved the purchase of 22 golf cars for the Westwood Golf Course. This represents approximately one-third of the fleet. An annual replacement allows us to maintain a fleet of rental golf cars no older than three years, minimizing maintenance costs and providing a quality rental vehicle

for golf course patrons. These golf cares are a major source of revenue for the Westwood Golf operation.

DISCUSSION: RFP. No. 1112-19 for the purchase of 22 golf cars was advertised in the Norman Transcript on August 6 and 13, 2011. The specifications for the purchase of the golf cars were distributed to three electric golf car vendors, two of whom responded with a complete proposal. The lowest and best proposal to meet specifications was received from EZ Go Textron in the amount of $50,552, including trade-ins and battery filling systems. This is an average cost of $2,297.82 per car. EZ Go has also included the use of a beverage car during the golf season at no cost to the City of Norman.

The budget for the FYE 2012 golf car purchase is $57,000. With the proposed price of $2,297.82 per car, we are able to trade-in and replace two additional, older cars from the fleet. The total cost of 24 golf cars including trade-ins and batter filling systems is $55,034, which is $1,960 under the estimated budget.

RECOMMENDATION: It is recommended that RFP No. 1112-19 for the purchase of 24 golf cars to be used at Westwood Golf Course be approved. Funding in the amount of $57,000 is available in Westwood Maintenance: Other Operating Equipment (029-7031-451.51-99).

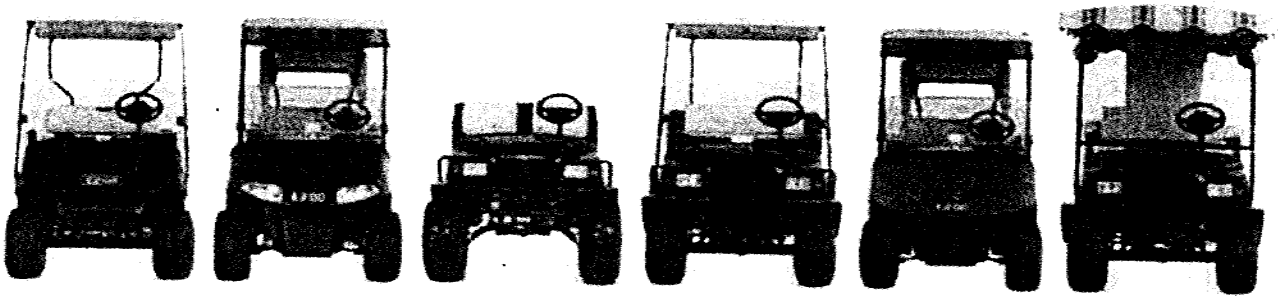
SUMMARY OF RFP NUMBER 1112-19

Westwood Golf Course
24 Golf Cars

Bidders:	**EZ-Go Textron** Tulsa, Oklahoma	Yamaha Golf-Car Co. Tulsa, Oklahoma
Per car price:	$ 3,453.00	$ 3,627.60
Total 22 golf cars:	$75,966.00	$79,807.20
Trade-in 22 golf cars	(27,350.00)	(25,700.00)
Battery Filling Systems:	$ 1,936.00	$ 2,420.00
Net Total 22 golf cars:	**$50,552.00**	$56,527.20
Average net price per car:	$ 2,297.82	$ 2,569.41
Total 24 golf cars:	$82,872.00	$87,062.40
Trade-in 24 golf cars:	(29,950.00)	(28,036.32)
Battery Filling Systems:	$ 2,112.00	$ 2,640.00
Net Total 24 golf cars:	**$55,034.00**	$61,666.08
Optional beverage car Use for 7 months:	**Free**	$ 875.00

EZGO
A Textron Company

EZGO
A Textron Company



Prepared for:

Westwood Park - RFP # 1112-19

PROPOSAL FOR:

Jud Foster

22	TXT 48 Volt	2012	Net 30	$ 3,453.00	$ 75,966.00
1	Beverage Unit	Used	7 Months	No Charge	

PROGRAM DETAILS

Payment schedule: **Net 30** Payment months: **N/A**

Delivery: **45 Days from Issued PO** First pay: **N/A**

	Champagne	Wheel Covers	Charger	Message Holder	***Battery Filling System $88***
	Tan	Numbers	Freight		Above is per unit price
	Tan	Sand Bottles	Set Up		

Any change to the accessory list must be obtained in writing at least 45 days prior to production date.

TRADE INFORMATION

E-Z-GO	2	TXT	2004	$ 675.00	$ 1,350.00
E-Z-GO	20	TXT	2008	$ 1,300.00	$ 26,000.00
					$ -
				Total Less Trades	

ACCESSORIES: Trades must have top and working charger.

SPECIAL CONSIDERATIONS

A beverage car will be provided free of use for the months April - October 2012.

E-Z-GO at its discretion reserves the right to offer an early fleet roll option. Westwood Park must enter into a new lease purchase agreement with E-Z-GO and the existing account must be current and credit approved. Prices quoted are those in effect at the time the quote is made and are guaranteed subject to acceptance within 45 days. All lease cars and trades must be in running condition and a fleet inspection will be done prior to pick up. It is the club's responsibility to either repair damages noted or pay for these repairs to be completed. All electric cars must have a working charger. All pricing and trade values are contingent upon management approval. Applicable state taxes, local taxes, and insurance are not included. Lease rates may change if alternate financing is required. Payment schedule(s) does not include any finance, documentation or initiation fees that may be included with the first payment.

Course Name: **Westwood Park - RFP # 1112-19** **Accepted By:** _____

Title: _____ **Date:** _____

E-Z-GO

Accepted By: **David Tennant** **Date:** **8/25/2011**

Title: **Sales Representative**

SUMMARY OF RFP NUMBER 1112-19

Westwood Golf Course
24 Golf Cars

Bidders:	**EZ-Go Textron**	Yamaha Golf-Car Co.
Per car price:	$ 3,453.00	$ 3,627.60
Total 22 golf cars:	$75,966.00	$79,807.20
Trade-in 22 golf cars	(27,350.00)	(25,700.00)
Battery Filling Systems:	$ 1,936.00	$ 2,420.00
Net Total 22 golf cars:	**$50,552.00**	$56,527.20
Average net price per car:	$ 2,297.82	$ 2,569.41
Total 24 golf cars:	$82,872.00	$87,062.40
Trade-in 24 golf cars:	(29,950.00)	(28,036.32)
Battery Filling Systems:	$ 2,112.00	$ 2,640.00
Net Total 24 golf cars:	**$55,034.00**	$61,666.08
Optional beverage car Use for 7 months:	**Free**	$ 875.00

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: BID-1112-21

File ID: BID-1112-21 **Type:** Bid **Status:** Consent Item

Version: 2 **Reference:** Item 13 **In Control:** City Council

Department: Utilities Department **Cost:** **File Created:** 09/08/2011

File Name: Bid 1112-21 Meter Yokes, Meter Boxes & Clamps **Final Action:**

Title: CONSIDERATION AND AWARDING OF BID NO. 1112-21 FOR THE PURCHASE OF COPPER METER YOKES FOR WATER METERS, HDPE METER BOXES WITH CAST IRON LIDS, AND WATER LINE REPAIR CLAMPS FOR THE LINE MAINTENANCE DIVISION.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications for Copper Meter Yokes and Sections 7, 13, 25, and 26; and, if accepted, award the bid to HD Supply Waterworks as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications for Meter Boxes with Cast Iron Lids; and, if accepted, award the bid in the amount of $44.94 each to American Waterworks Supply, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications for Sections 1-6; 8-12; 14 -24; and 27-34; and, if accepted, award the bid to OKC Winwater Works as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

Notes:

Agenda Date: 09/27/2011

Agenda Number: 13

Attachments: Bid Tabulation for Water Materials

Project Manager: David Hager, Utilities Superintendent

Entered by: david.hager@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File BID-1112-21

Body

BACKGROUND: Water Maintenance Division crews utilize repair clamps to effect repairs on ruptured water mains. These clamps come in various lengths and diameters and are used according to specific type and extent of the break. Division specifications require all-stainless steel repair clamps due to the soil conditions of Norman. Each manufacturer uses stainless steel technology and all repair clamps are compatible among suppliers.

Copper meter yokes are used in connecting the water meter and residential service lines to the City water main. A purchase of approximately 500-700 copper meter yokes is foreseen for the fiscal year ending June 30, 2012 (FYE 12).

Bid No. 1112-21 also provides competitive prices for the purchase of high-density polyethylene (HDPE) meter boxes and cast iron meter lids for approximately 500-700 water meter services. These purchases will be made during the fiscal year ending June 30, 2012 (FYE 12).

DISCUSSION: Bid No. 1112-21 provides competitive prices for the purchase, on an as-needed basis, for varied repair clamps, copper meter yokes for water meters, and meter boxes. Six vendors were invited to bid; five bidders responded. Bids were opened on September 1, 2011. The attached bid tabulation provides a complete accounting of these bids.

Bid prices decreased by 3.88% for meter yokes and increased 20% for high-density polyethylene (HDPE) meter boxes. Bids for stainless steel repair clamps increased 1.10% over the current contract amounts approved in FYE 11. Reasons for bid increases include higher resin costs associated with the manufacture of HDPE products, and manufacturers of stainless steel increased prices primarily due to materials costs and shipping.

American Waterworks Supply, Inc., a local vendor that responded to this bid was substantially higher than the two lowest bidders, HD Supply Waterworks, and Oklahoma City Winwater Works on all items for bid except the HDPE Meter Boxes with Cast Iron Lids which they were awarded. Article II, Section 8-205 was amended to give preference to vendors maintaining offices in and being citizen taxpayers of the City of Norman. Although American Waterworks Supply, Inc. is a local vendor their prices are between four (4), and fifty-two (52) percent higher than the lowest bid prices. For this reason the bid was awarded as presented.

RECOMMENDATION: It is recommended that Bid No. 1121-21 be awarded to the lowest and best bidders as follows:

Copper Meter Yokes and Repair Clamps, Sections 7, 13, 25, and 26 awarded to HD Supply Waterworks located in Oklahoma City.

HDPE Meter Boxes with Cast Iron Lids, awarded to American Waterworks Supply, Inc., located in Norman.

Water Line Repair Clamps, Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, and 34 awarded to Oklahoma City Winwater Works located in Oklahoma City.

FYE 12 funds are available in:
Maintenance Supplies, Water and Sewer (031-5551-462.32-16)
Account Amount $62,190
Estimated Expenditure $12,000
Account Balance $52,190

FYE 12 funds are available in:
Maintenance Supplies/Meter Sets/Repairs (031-5551-462.32-18)
Account Amount $161,500
Estimated Expenditure $68,400
Account Balance $93,100

LINE MAINTENANCE DIVISION – TABULATION OF BIDS
COPPER METER YOKES FOR WATER METERS, HDPE METER BOXES WITH CAST IRON LIDS, AND WATER LINE REPAIR CLAMPS
BID NO. 1112-21– September 1, 2011

	OKLAHOMA CONTRACTORS SUPPLY, INC. Oklahoma City, OK	FERGUSON WATER WORKS Oklahoma City, OK	OKC WINWATER WORKS Oklahoma City, OK	PIONEER SUPPLY Moore, Oklahoma	AMERICAN WATERWORKS SUPPLY, INC. Norman, OK	HD SUPPLY WATERWORKS Oklahoma City, OK
COPPER METER YOKES FOR WATER METERS/UNIT PRICE	88.00	135.15	83.61	NO BID	80.40	69.00
HDPE METER BOXES WITH CAST IRON LIDS/UNIT PRICE	45.00	48.00	46.86	NO BID	44.94	46.50
W.L. REPAIR CLAMPS: SECTION 1, 2 INCH X 6 INCH/UNIT PRICE	36.00	29.24	25.21	NO BID	31.13	26.00
SECTION 2 4 x 6 INCH	41.00	36.77	31.56	NO BID	32.89	34.50
SECTION 3 4 X 8 INCH	41.00	46.07	36.05	NO BID	41.22	40.70
SECTION 4 4 X 12 INCH	62.00	70.26	51.97	NO BID	62.86	54.00
SECTION 5 6 X 8 INCH	48.00	52.93	41.02	NO BID	47.36	43.00
SECTION 6 6 X 12 INCH	76.00	84.52	59.52	NO BID	75.62	65.20
SECTION 7 6 X 15 INCH	92.00	96.67	75.89	NO BID	86.49	72.10
SECTION 8 6 X 20 INCH	121.00	135.40	102.16	NO BID	121.14	119.00
SECTION 9 6 X 24 INCH	148.00	170.34	115.28	NO BID	152.45	142.00
SECTION 10 6 X 30 INCH	169.00	221.84	158.53	NO BID	198.48	159.00
SECTION 11 8 X 8 INCH	53.00	62.00	47.56	NO BID	55.48	47.90
SECTION 12 8 X 12 INCH	84.00	95.85	66.92	NO BID	85.75	76.90
SECTION 13 8 X 15 INCH	102.00	117.97	88.54	NO BID	105.54	87.95
SECTION 14 8 X 20 INCH	134.00	155.18	119.79	NO BID	138.84	128.65
SECTION 15 8 X 30 INCH	198.00	274.31	167.16	NO BID	245.43	199.00
SECTION 16 12 X 15 INCH	141.00	176.22	105.68	NO BID	157.67	124.00

LINE MAINTENANCE DIVISION – TABULATION OF BIDS
COPPER METER YOKES FOR WATER METERS, HDPE METER BOXES WITH CAST IRON LIDS, AND WATER LINE REPAIR CLAMPS
BID NO. 1112-21– September 1, 2011

	OKLAHOMA CONTRACTORS SUPPLY, INC. Oklahoma City, OK	FERGUSON WATER WORKS Oklahoma City, OK	OKC WINWATER WORKS Oklahoma City, OK	PIONEER SUPPLY Moore, OK	AMERICAN WATERWORKS SUPPLY, INC. Norman, OK	HD SUPPLY WATERWORKS Oklahoma City, OK
SECTION 17 12 X 20 INCH	193.00	227.25	144.69	NO BID	203.32	173.00
SECTION 18 12 X 24 INCH	230.00	269.92	153.06	NO BID	241.50	238.00
SECTION 19 12 X 30 INCH	270.00	385.24	194.97	NO BID	344.68	270.00
SECTION 20 14 X 20 INCH	401.00	432.55	247.66	NO BID	387.02	257.00
SECTION 21 16 X 20 INCH	414.00	553.41	271.31	NO BID	495.23	286.00
SECTION 22 16 X 30 INCH	638.00	851.97	360.87	NO BID	762.28	457.00
SECTION 23 24 X 24 INCH	956.00	996.48	523.33	NO BID	891.59	860.00
SECTION 24 30 X 36 INCH	1016.00	1,707.62	929.00	NO BID	1,527.87	1,480.00
SECTION 25 2 X 12 W/ ¾" CC	73.00	79.86	57.00	NO BID	77.88	53.30
SECTION 26 2 X 12 W/ 1" CC	73.00	79.86	57.00	NO BID	77.88	53.30
SECTION 27 4 X 12 W/3/4" CC	84.00	90.72	60.03	NO BID	81.17	67.00
SECTION 28 4 X 12 W 1" CC	84.00	90.72	60.03	NO BID	81.17	67.00
SECTION 29 6 X 15 W ¾" CC	110.00	118.60	82.95	NO BID	106.12	83.00
SECTION 30 6 X 15 INCH W/ 1" CC	110.00	118.60	82.95	NO BID	106.12	83.00
SECTION 31 8 X 15 INCH W ¾"CC	130.00	155.21	95.44	NO BID	138.87	97.00
SECTION 32 8 X 15 INCH W 1" CC	130.00	155.21	95.44	NO BID	138.87	97.00
SECTION 33 12 X 15 INCH W ¾"CC	159.00 OKLAHOMA	201.01	113.85	NO BID	179.85	141.50

LINE MAINTENANCE DIVISION – TABULATION OF BIDS
COPPER METER YOKES FOR WATER METERS, HDPE METER BOXES WITH CAST IRON LIDS, AND WATER LINE REPAIR CLAMPS
BID NO. 1112-21– September 1, 2011

	CONTRACTORS SUPPLY, INC. Oklahoma City, OK	FERGUSON WATER WORKS Oklahoma City, OK	OKC WINWATER WORKS Oklahoma City, OK	PIONEER SUPPLY Moore, OK	AMERICAN WATERWORKS SUPPLY, INC. Norman, OK	HD SUPPLY WATERWORKS Oklahoma City, OK
SECTION 34 12 X 15 INCH W 1"CC	159.00	201.01	113.85	NO BID	179.85	141.50

RECOMMENDATION: That Bid No. 1112-21 for Meter Yokes, Repair Clamps, and Meter Boxes be awarded to HD Supply Waterworks for Copper Meter Yokes for Water Meters; to American Waterworks Supply, Inc. for HDPE Meter Boxes with Cast Iron Lids; and as follows for Water Line Repair Clamps: to Oklahoma City Winwater Works for Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, and 34; and to HD Supply Waterworks for Sections 7, 13, 25, and 26 as the best bidders meeting all of the specifications. The repair clamp contract is effective through September 30, 2012, or for an additional one-year period up to four years, if agreeable by the parties.

Forwarded by: David Heger, Line Maintenance Superintendent

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: E-1112-05

File ID: E-1112-05 **Type:** Easement **Status:** Consent Item

Version: 2 **Reference:** Item No. 14 **In Control:** City Council

Department: Utilities Department **Cost:** **File Created:** 09/12/2011

File Name: E-1112-05 Barnard **Final Action:**

Title: EASEMENT NO. E-1112-05: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SEWER EASEMENT DONATED BY GREGORY BARNARD FOR THE FYE09 SEWER MAINTENANCE PROJECT, PHASE 2.

ACTION NEEDED: Motion to accept or reject Easement No. E-1112-05; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes:

Agenda Date: 09/27/2011

Agenda Number: 14

Attachments: Summary of SS Replacement Projects, E-1112-05

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File E-1112-05

Body

BACKGROUND: The Sewer Maintenance Program replaces aged and deteriorated sewer lines in Norman and is funded by the $5 per month sewer maintenance fee. The fee is collected from all sewer customers and was initiated in 2001 following a citizen vote with revenues deposited in the Sewer Maintenance Fund (322). Approximately $2 million is expended annually by the Norman Utilities Authority (NUA) to repair or replace sewers; replacement began in the oldest areas of Norman first and is slowly moving outward, typically mimicking Norman's original development. Attached is Summary of Sewer Replacement Projects which details past projects,

the completion date and construction cost.

The Fiscal Year Ending 2009 (FYE09) Sewer Maintenance Project was awarded to Urban Contractors, Inc. in two separate phases. The first phase is complete and the second phase is nearing completion. Staff has identified additional work that may be included in the Phase 2 project if approved by the NUA.

DISCUSSION: The existing 8-inch diameter vitrified clay pipe (VCP) sewer line along the east side of South Berry Road, north of Imhoff Road, is in need of immediate attention. The sewer line is about 600 feet long and is approximately 3 to 8 feet deep; it was constructed in the 1950's and is in poor condition. Staff will soon request NUA approval of a change order to replace this sewer.

Many homes along this sewer alignment are in very close proximity to the existing sewer. The new alignment requires acquisition of a new sewer easement from three of the six affected property owners. All three of the property owners have verbally agreed to donate the required sewer easement.

This item requests City Council approval of the Easement E-1112-05, a 15-foot wide permanent sewer easement donated by Gregory Barnard.

RECOMMENDATION: Staff recommends that the City of Norman approve acquisition of Easement No. E-1112-5.

Norman Utilities Authority
Summary of Sewer Replacement Projects

	Feet	Completion Date	Construction Cost
FYE00 SS Replacement	4,544	02/05/03	$690,364
FYE01 SS Replacement	3,929	03/02/03	$403,543
FYE03 Sewer Maintenance Plan	55,001	04/14/05	$3,419,162
FYE04 Sewer Maintenance Plan	18,541	02/28/06	$1,684,636
FYE05 Sewer Maintenance Plan	57,645	09/15/06	$3,168,188
FYE06 Sewer Maintenance Plan	22,459	10/02/07	$1,996,012
FYE07 Sewer Maintenance Plan	38,253	08/15/08	$3,039,721
FYE08 Sewer Maintenance Plan	22,901	08/30/09	$1,810,918
FYE09 Sewer Maintenance Plan Phase 1	26,012	04/13/11	$1,264,509
FYE09 Sewer Maintenance Plan Phase 2			
Subtotal	249,285 feet		$17,477,053
	47.2 miles		

GRANT OF EASEMENT
City of Norman

KNOW ALL MEN BY THESE PRESENTS:

THAT Gregory Barnard (GRANTOR), in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman (CITY), a municipal corporation, a public sewer easement over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

A tract of land being a part of Lot Four (4), Replat of Lakewood Park, being a subdivision of the West 693 feet of Lot Seven (7), in the Southwest Quarter (SW/4) of Section Six (6), Township Eight (8) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma, according to the recorded plat thereof, said tract being more particularly described as being 7.5 feet each side of a center line described as follows:

Commencing at the Northwest Corner (NW/c) of said Lot Four (4); Thence North 65°14'21" East, along the North line of said Lot Four (4), a distance of 149.84 feet to the point of beginning;

Thence South 28°54'30" East, a distance of 100.15 feet to a point on the South line of said Lot Four (4), said point being 202.91 feet North 65°14'21" East of the Southwest Corner (SW/c) of said Lot Four (4), being the point of ending.

Said tract of land contains an area of approximately 1,517 square feet or 0.0348 acres, more or less.

The basis of bearing for this description is the recorded plat of Replat of Lakewood Park.

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public sanitary sewer line.

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 22nd day of August, 20 11.

BY: _____
GRANTOR

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Oklahoma, COUNTY OF cleveland, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 22nd day of August, 20 11 personally appeared Gregory Barnard to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Notary Public

My Commission Expires: 06/08/13

Approved as to form and legality this 13 day of September 20 11.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____ 20 ___.

Mayor

ATTEST:

City Clerk

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: E-1112-06

File ID: E-1112-06 **Type:** Easement **Status:** Consent Item

Version: 1 **Reference:** Item No. 15 **In Control:** City Council

Department: Utilities Department **Cost:** **File Created:** 09/12/2011

File Name: E-1112-06 Smith **Final Action:**

Title: EASEMENT NO. E-1112-06: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SEWER EASEMENT DONATED BY MICHAEL C. AND KATHRYN R. SMITH FOR THE FYE09 SEWER MAINTENANCE PROJECT, PHASE 2.

ACTION NEEDED: Motion to accept or reject Easement No. E-1112-06; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 15

Attachments: Summary of SS Replacement Projects, E-1112-06

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@normanok.gov **Effective Date:**

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File E-1112-06

Body

BACKGROUND: The Sewer Maintenance Program replaces aged and deteriorated sewer lines in Norman and is funded by the $5 per month sewer maintenance fee. The fee is collected from all sewer customers and was initiated in 2001 following a citizen vote with revenues deposited in the Sewer Maintenance Fund (322). Approximately $2 million is expended annually by the Norman Utilities Authority (NUA) to repair or replace sewers; replacement began in the oldest areas of Norman first and is slowly moving outward, typically mimicking Norman's original development. Attached is Summary of Sewer Replacement Projects which details past projects, the completion date and construction cost.

The Fiscal Year Ending 2009 (FYE09) Sewer Maintenance Project was awarded to Urban Contractors, Inc. in two separate phases. The first phase is complete and the second phase is nearing completion. Staff has identified additional work that may be included in the Phase 2 project if approved by the NUA.

DISCUSSION: The existing 8-inch diameter vitrified clay pipe (VCP) sewer line along the east side of South Berry Road, north of Imhoff Road, is in need of immediate attention. The sewer line is about 600 feet long and is approximately 3 to 8 feet deep; it was constructed in the 1950's and is in poor condition. Staff will soon request NUA approval of a change order to replace this sewer.

Many homes along this sewer alignment are in very close proximity to the existing sewer. The new alignment requires acquisition of a new sewer easement from three of the six affected property owners. All three of the property owners have verbally agreed to donate the required sewer easement.

This item requests City Council approval of the Easement E-1112-06, a 10-foot wide permanent sewer easement donated by Michael C. Smith and Kathryn R. Smith.

RECOMMENDATION: Staff recommends that the City of Norman approve acquisition of Easement No. E-1112-6.

Norman Utilities Authority
Summary of Sewer Replacement Projects

	Feet	Completion Date	Construction Cost
FYE00 SS Replacement	4,544	02/05/03	$690,364
FYE01 SS Replacement	3,929	03/02/03	$403,543
FYE03 Sewer Maintenance Plan	55,001	04/14/05	$3,419,162
FYE04 Sewer Maintenance Plan	18,541	02/28/06	$1,684,636
FYE05 Sewer Maintenance Plan	57,645	09/15/06	$3,168,188
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FYE07 Sewer Maintenance Plan	38,253	08/15/08	$3,039,721
FYE08 Sewer Maintenance Plan	22,901	08/30/09	$1,810,918
FYE09 Sewer Maintenance Plan Phase 1	26,012	04/13/11	$1,264,509
FYE09 Sewer Maintenance Plan Phase 2			
Subtotal	249,285 feet		$17,477,053
	47.2 miles		

GRANT OF EASEMENT
City of Norman

KNOW ALL MEN BY THESE PRESENTS:

THAT Michael C. Smith and Kathryn R. Smith (GRANTOR), in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman (CITY), a municipal corporation, a public sewer easement over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

A tract of land being a part of Lot Five (5), Replat of Lakewood Park, being a subdivision of the West 693 feet of Lot Seven (7), in the Southwest Quarter (SW/4) of Section Six (6), Township Eight (8) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma, according to the recorded plat thereof, said tract being more particularly described as being 5 feet each side of a center line described as follows:

Commencing at the Southwest Corner (SW/c) of said Lot Five (5); Thence North 65°14'21" East, along the South line of said Lot Five (5), a distance of 149.84 feet to the point of beginning;

Thence North 28°54'30" West, a distance of 100.27 feet to a point on the North line of said Lot Five (5), said point being 96.71 feet North 65°14'21" East of the Northwest Corner (NW/c) of said Lot Five (5), being the point of ending.

The basis of bearing for this description is the recorded plat of Replat of Lakewood Park

Said tract of land contains an area of 1,003 square feet or 0.0230 acres, more or less.

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public sanitary sewer line.

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 6th day of September, 20 11.

BY: Michael C. Smith
GRANTOR

BY: Kathryn R. Smith
GRANTOR

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Oklahoma, COUNTY OF Cleveland, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 6th day of September, 20 11 personally appeared Michael C. Smith and Kathryn R. Smith to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

NOTARY PUBLIC OFFICIAL SEAL Janice A. Allen Commission #08009392 Expires September 11, 2012

Janice A. Allen
Notary Public

My Commission Expires: 9/11/2012

Approved as to form and legality this 22 day of September 20 11.

City Attorney

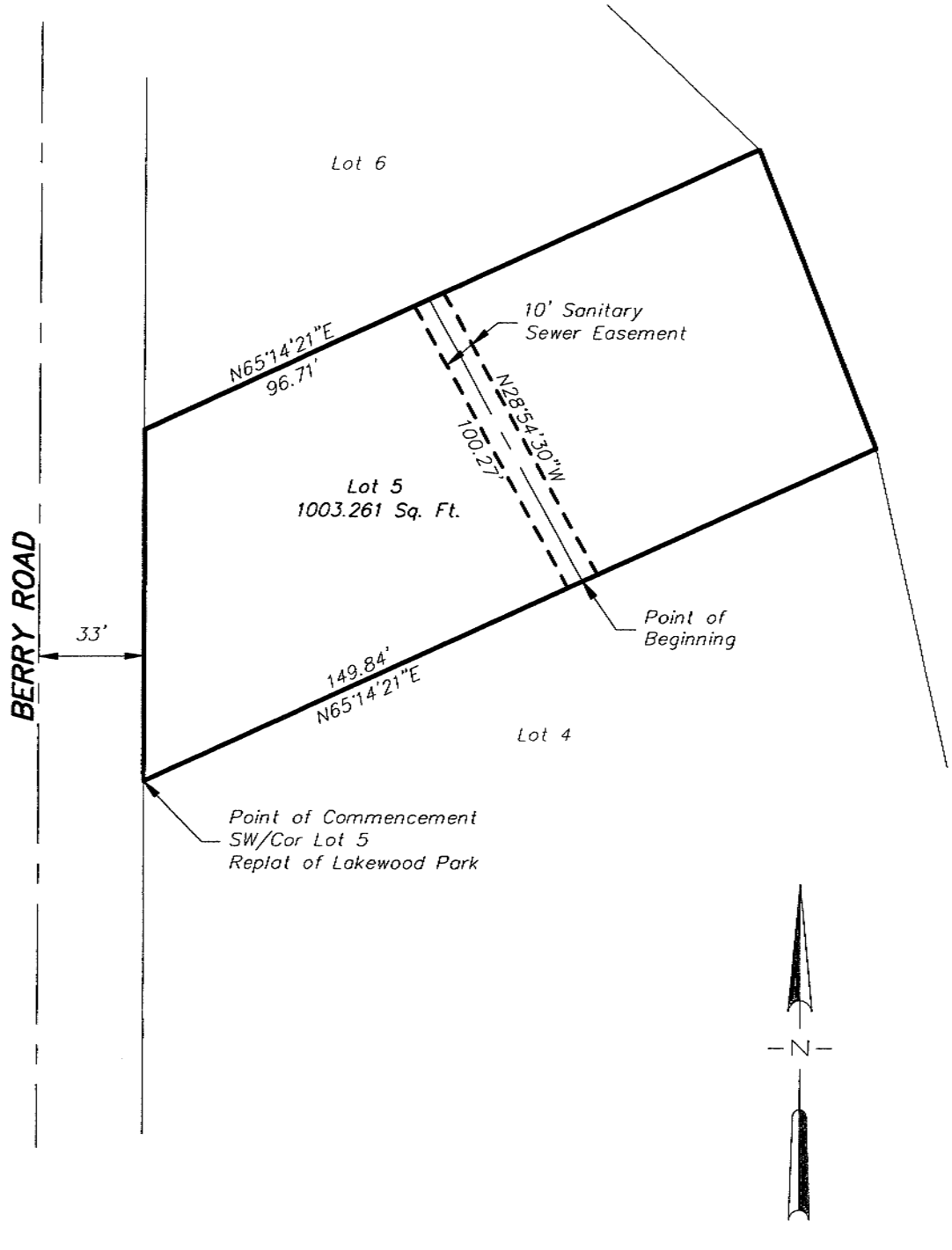
Approved and accepted by the Council of the City of Norman, this _____ day of _____ 20 ___.

Mayor

ATTEST:

City Clerk

EXHIBIT A



Scale 1" = 50'

H:\10042\LLS-Data\Final\User Directory\ss\Easement Exhibits dwg 9/1/2011 10:26:41 AM

LEMKE LAND SURVEYING, Inc.	Surveyed By: N/A	Project: 15' SANITARY SEWER EASEMENT	Sheet Number 1
S L L S	Drawn By: SS		
3228 BART CONNER DRIVE, NORMAN, OK 73072	Approved By: MD	Project Location: LOT FIVE REPLAT OF LAKEWOOD PARK	
PH:(405)366-8541 FAX(405)366-8540	Date: 08-25-2011		
CA # 2054	Scale: 1" = 50'	Client: CITY OF NORMAN, OKLAHOMA	
http://www.lemke-ls.com	Project No: 10042		Sheet 1 of 1

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: COS-1112-1

File ID: COS-1112-1 **Type:** Certificate of Survey **Status:** Consent Item

Version: 1 **Reference:** Item No. 16 **In Control:** City Council

Department: Public Works Department **Cost:** **File Created:** 07/12/2011

File Name: COS-1112-1 Spears Acres **Final Action:**

Title: CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1112-1 FOR SPEARS ACRES AND ACCEPTANCE OF EASEMENT NOS. E-1112-8 AND E-1112-9. (LOCATED AT THE SOUTHWEST CORNER OF EAST INDIAN HILLS ROAD AND 84TH AVENUE N.E.)

ACTION NEEDED: Motion to approve or reject Norman Rural Certificate of Survey No. COS-1112-1; and, if approved, accept Easement Nos. E-1112-8 and E-1112-9 and direct the filing of the certificate of survey and easements with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes: September 22, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 16

Attachments: Location Map - Spears Acres, Spears Acres COS, Staff Rpt-Spears, E-1112-8, E-1112-9

Project Ken Danner, Development Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	08/11/2011					

Text of Legislative File COS-1112-1

body

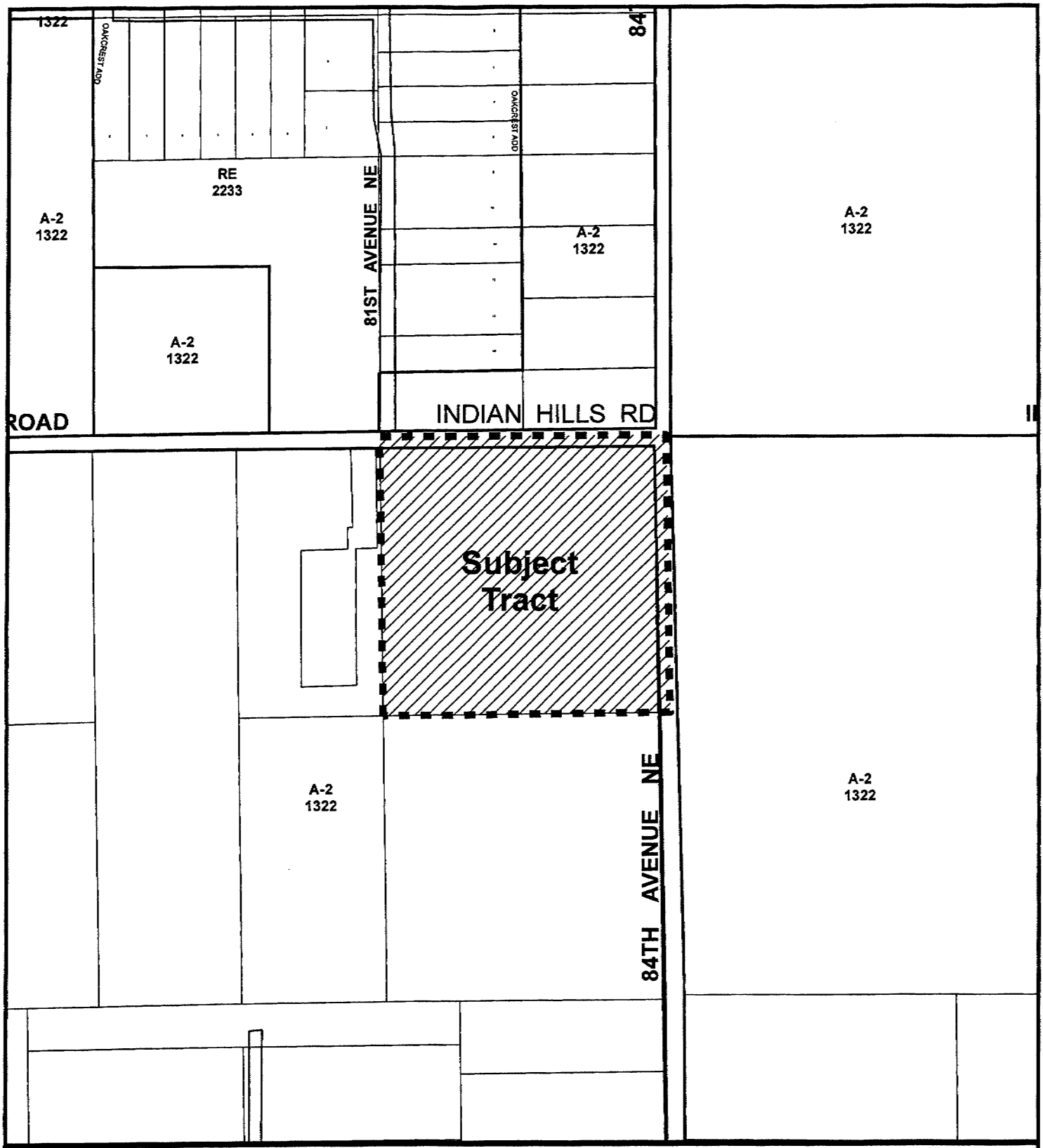
BACKGROUND: This item is Norman Rural Certificate of Survey No. COS-1112-1, Spears Acres, located at the southwest corner of the intersection of East Indian Hills Road and 84th Avenue N.E. The property is located in the A-2, rural agricultural zoning district.

Norman Rural Certificate of Survey COS-1112-1 for Spears Acres was approved by Planning Commission at its meeting of August 11, 2011. An additional seven-foot (7') roadway, drainage, and utility easement for Indian Hills Road and seventeen-foot (17") roadway, drainage and utility easement for 84th Avenue N.E. are included with the Certificate of Survey.

DISCUSSION: Tract 1 consists of 10.00 acres and Tract 2 consists of 29.13 acres. There are a total of 2 lots encompassing 39.13 acres in this certificate of survey. This certificate of survey, if approved, will allow one single-family structure on each lot. There is an existing house on Tract 2. There is an existing drive approach providing ingress and egress to Tract 2. Due to the topography of Indian Hills Road and 84th Avenue N.E., it has been determined Tract 1 has limited site distance. Tract 1 frontage on Indian Hills Road has two locations of Limits of No Access and is shown on the Certificate of Survey. The frontage for 84th Avenue N.E. has a Limits of No Access from Indian Hills Road south for 850 feet.

Private individual sanitary sewer systems and water wells will be installed in accordance with the Oklahoma Department of Environmental Quality (ODEQ) standards. There is an existing sanitary sewer system and water well on Tract 2. Fire protection will be provided by the City of Norman pumper/tanker trucks.

RECOMMENDATION: Based upon the above information, staff recommends approval of Norman Rural Certificate of Survey No. COS-1112-1 for Spears Acres with Easement No. E-1112-8 and Easement No. E-1112-9 for roadway, drainage, and utilities.



Location Map

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

N
W E
S

August 4, 2011

0 290 580 Ft.

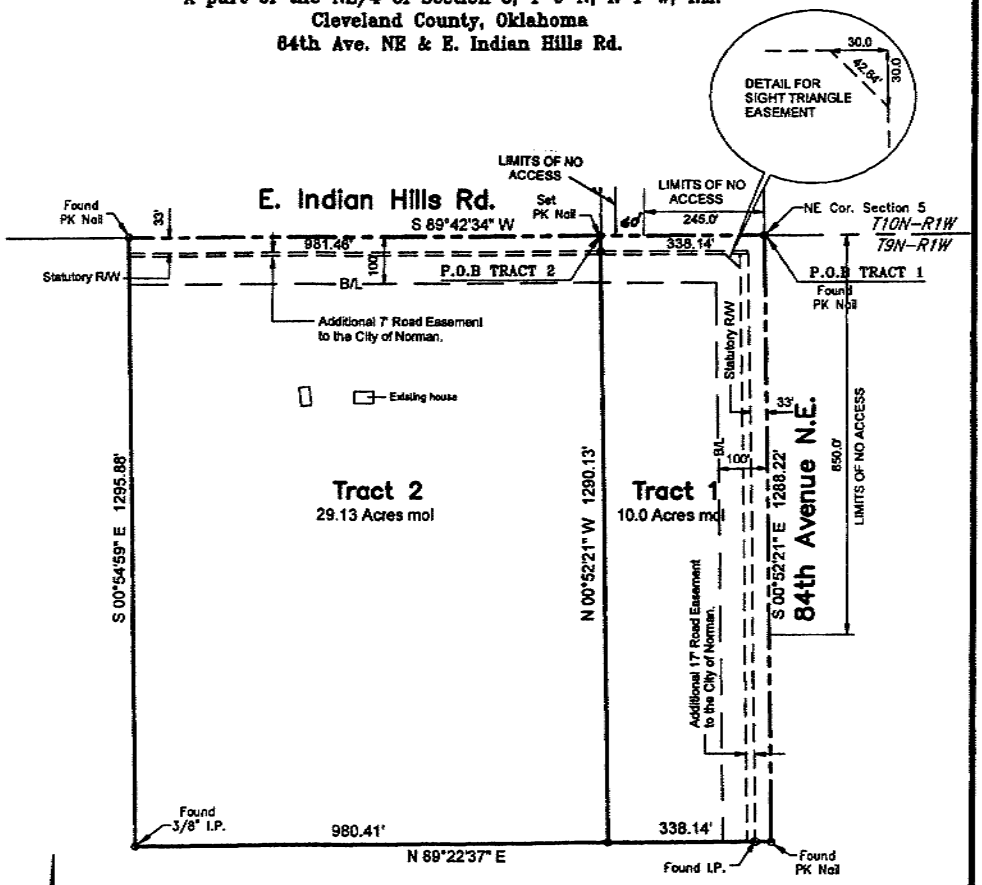
Subject Tract

Zoning

Norman Rural Certificate of Survey Plat

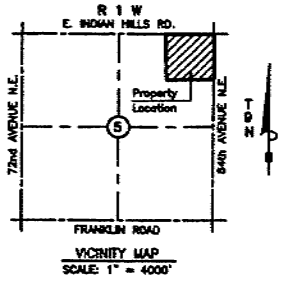
SPEARS ACRES

A part of the NE/4 of Section 5, T-9-N, R-1-W, I.M.
Cleveland County, Oklahoma
84th Ave. NE & E. Indian Hills Rd.



SCALE: 1"=300'

● Denotes Iron Pins w/Cap No. 1431



VICINITY MAP
SCALE: 1" = 4000'

I, D. Mike Dossey, a Registered Land Surveyor in the State of Oklahoma do hereby certify that:
This Plat of Survey meets the Oklahoma Minimum Standards for the practice of Land Surveying which was adopted by the Board of Registration for Professional Engineers and Land Surveyors. Basis of Bearings: GPS Observation.

D. Mike Dossey, PLS # 1431

REGISTERED PROFESSIONAL LAND SURVEYOR
7-26-12
D. MIKE DOSSEY
1431
OKLAHOMA

CA-4853 Expires: 06-30-2013

VMI Inspection, Inc.
Mortgage Inspections • ALTA/ACSM • Elevations
1530 SW 89th St., Suite C-2 Oklahoma City, Oklahoma 73159
(405) 691-0077 (405) 691-0023 Fax
www.vmisurvey.com

CERTIFICATE OF SURVEY ITEM NO. 4

STAFF REPORT

ITEM: Consideration of NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1112-1 FOR SPEARS ACRES.

LOCATION: Located at the southwest corner of Indian Hills Road and 84th Avenue NE.

INFORMATION:

1. Owners. Michael and Debra Spears.
2. Developer. Michael and Debra Spears.
3. Surveyor. VMI Inspection, Inc.

HISTORY:

1. The property for the proposed development is A-2 zoning classification.

IMPROVEMENT PROGRAM:

1. Fire Protection. Fire protection will be provided by the Norman Fire Department.
2. Sanitary Sewer. Individual septic systems will be installed in accordance with City and Oklahoma Department of Environmental Quality standards. There is an existing house on Tract 2 served by a septic system with lateral field.
3. Water. Individual water wells will be installed in accordance with City and Oklahoma Department of Environmental Quality standards. Tract 2 is served by an existing water well.
4. Easements. Roadway, drainage and utility easement will be granted for Indian Hills Road and 84th Avenue NE by the owner and will be filed of record with the certificate of survey.
5. Acreage. Tract 1 is approximately 10.0 acres and Tract 2 is approximately 29.12 acres.

SUPPLEMENTAL MATERIAL: Copies of a location map, Norman Rural Certificate of Survey No. COS-1112-1 for Spears Acres is included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: There is an existing drive approach providing ingress and egress to Tract 2. Due to the topography of Indian Hills Road and 84th Avenue NE, it has been determined Tract 1 has limited site distance. Tract 1 on Indian Hills Road has two locations of Limits of No Access and is shown on the Certificate of Survey. The Limits of No Access for 84th Avenue NE is located from Indian Hills Road south for 850-feet. This will eliminate any potential safety concerns. The Traffic Engineer, Angelo Lombardo, has reviewed the plan and supports the proposal. This information will be filed of record with the Certificate of Survey. Staff recommends approval of the Norman Rural Certificate of Survey No. COS-1112-1 for Spears Acres.

ACTION NEEDED: Approve or disapprove Certificate of Survey No. COS-1112-1 for Spears Acres.

ACTION TAKEN:_____

Grant of Easement
Tract 1

E-1112-8

KNOW ALL MEN THESE PRESENTS:

THAT, Micheal Steve & Debra C Spears in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for an upon othergood and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

7' Road Easement:
A strip or parcel of land in the Northeast Quarter (NE/4) of Section Five (5), Township Nine (9) North, Range One (1) West of the Indian Meridian, Cleveland County, Oklahoma, more particularly described as follows: Commencing at the Northeast Corner (NE/C) of said Section 5; thence South 89°42'34" West along the North line of said Section 5 a distance of 33 feet; thence South 00°52'21" West a distance of 33.00 feet to the Point of Beginning; thence South 89°42'34" West and parallel to said North line a distance of 305.14 feet; thence South 00°54'59" East a distance of 7.0 feet; thence North 89°42'34" East a distance of 305.14 feet; thence North 00°52'21" West a distance of 7.0 feet to the Point of Beginning.

17' Road Easement:
A strip or parcel of land in the Northeast Quarter (NE/4) of Section Five (5), Township Nine (9) North, Range One (1) West of the Indian Meridian, Cleveland County, Oklahoma, more particularly described as follows: Commencing at the Northeast Corner (NE/C) of said Section 5; thence South 89°42'34" West along the North line of said Section 5 a distance of 33 feet; thence South 00°52'21" West and parallel to the East line of said Section 5 a distance of 40.00 feet to the Point of Beginning; thence continuing South 00°52'21" West a distance of 1248.40 feet; thence South 89°22'37" West a distance of 17.0 feet; thence North 00°52'21" East a distance of 1248.50 feet; thence North 89°42'34" East a distance of 17.0 feet to the Point of Beginning.

With the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining and operating public utility(ies), drainage and/or roadway(s) as indicated below:

Public Roadway, Drainage and Utility Easement.

To have and to hold the same unto said City, its successors and assigned forever.

Signed and delivered this 4th day of August, 2011.

OWNER: Michael Steve Spears
Debra C Spears

REPRESENTATIVE ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 4th day _____ of, August 2011, personally appeared Michael & Debra Spears _____, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that executed the same as free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Wendy B Vermillion
Notary Public

WENDY B. VERMILLION NOTARY # 07001500 EXP. 02/15/15 STATE OF OKLAHOMA

My Commission Expires: 2/15/2015

Approved as to form and legality this 9th day of September, 2011.

R B [signature]
City Attorney

Approved and accepted by the Council of the City of Norman, this day of 2011.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

Grant of Easement
Tract 2

E-1112-9

KNOW ALL MEN THESE PRESENTS:

THAT, Michael Steven & Debra C Spears in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for an upon othergood and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

A strip or parcel of land in the Northeast Quarter (NE/4) of Section Five (5), Township Nine (9) North, Range One (1) West of the Indian Meridian, Cleveland County, Oklahoma, more particularly described as follows:

Commencing at the Northeast Corner (NE/C) of said Section 5; thence South 89°42'34" West along the North line of said Section 5 a distance of 338.14 feet; thence South 00°52'21" East a distance of 33.00 feet to the Point of Beginning; thence South 89°42'34" West and parallel to said North line a distance of 981.43 feet; thence South 00°54'58" East a distance of 7.0 feet; thence North 89°42'34" East a distance of 981.43 feet; thence North 00°52'21" West a distance of 7.0 feet to the Point of Beginning.

With the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining and operating public utility(ies), drainage and/or roadway(s) as indicated below:

Public Roadway, Drainage and Utility Easement.

To have and to hold the same unto said City, its successors and assigned forever.

Signed and delivered this 4th day of August, 2011.

OWNER: Michael Steven Spears
Debra C Spears

REPRESENTATIVE ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 4th day of August 2011, personally appeared Michael & Debra Spears, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that executed the same as free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Wendy B Jerrell
Notary Public

My Commission Expires: 2/15/2015

Approved as to form and legality this 9th day of September, 2011.

R Bonnie
City Attorney

Approved and accepted by the Council of the City of Norman, this day of 2011.

Mayor

ATTEST:

City Clerk

SEAL:

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

AUGUST 11, 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 11th day of August 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

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

Item No. 1, being:
ROLL CALL

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

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

* * *

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 JULY 14, 2011 REGULAR SESSION MINUTES

Item No. 4, being:
COS-1112-1 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY MICHAEL AND DEBRA SPEARS (VMI INSPECTION, INC.) FOR SPEARS ACRES FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF EAST INDIAN HILLS ROAD AND 84TH AVENUE N.E.

Item No. 5, being:
FP-1112-2 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR GREENLEAF TRAILS ADDITION SECTION 4 GENERALLY LOCATED EAST OF 12TH AVENUE N.W. AND APPROXIMATELY ¼ MILE SOUTH OF TECUMSEH ROAD.

*

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.

Andy Sherrer moved to place approval of Item Nos. 3, 4 and 5 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	Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Andy Sherrer, Jim Gasaway
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis, Zev Trachtenberg

Recording Secretary Roné Tromble announced that the motion, to place approval of Item Nos. 3, 4 and 5 on the Consent Docket, passed by a vote of 6-0.

* * *

Item No. 4, being:
COS-1112-1 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY MICHAEL AND DEBRA SPEARS (VMI INSPECTION, INC.) FOR SPEARS ACRES FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF EAST INDIAN HILLS ROAD AND 84TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Norman Rural Certificate of Survey
3. Staff Report

This item was approved on the Consent Docket by a vote of 6-0.

* * *

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: FP-1011-16

File ID: FP-1011-16 **Type:** Final Plat **Status:** Consent Item

Version: 1 **Reference:** Item No. 17 **In Control:** City Council

Department: Public Works Department **Cost:** **File Created:** 11/16/2010

File Name: Trailwoods Section 6 Final Plat **Final Action:**

Title: CONSIDERATION OF A FINAL PLAT FOR TRAILWOODS ADDITION, SECTION 6, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (LOCATED ONE-QUARTER MILE NORTH OF WEST ROCK CREEK ROAD APPROXIMATELY ONE-HALF MILE EAST OF 12TH AVENUE N.W.)

ACTION NEEDED: Motion to approve or reject the final plat for Trailwoods Addition, Section 6, a Planned Unit Development; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a traffic impact fee in the amount of $19,477.84 and a filed copy of a warranty deed for private park land submitted to the Property Owners Association, and direct the filing of the final plat.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 17

Attachments: Location Map - Trailwoods 6, Staff Report Trailwoods, Final Plat - Trailwoods 6, Prelim Plat - Trailwoods 6, 12-9-10 Minutes - Trailwoods 6

Project Manager: Ken Danner, Development Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

1	Planning Commission	12/09/2010	Recommended for Adoption at a subsequent City Council Meeting	City Clerk Department	Pass

Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Clerk Department

1 Planning Commission 12/09/2010

Text of Legislative File FP-1011-16

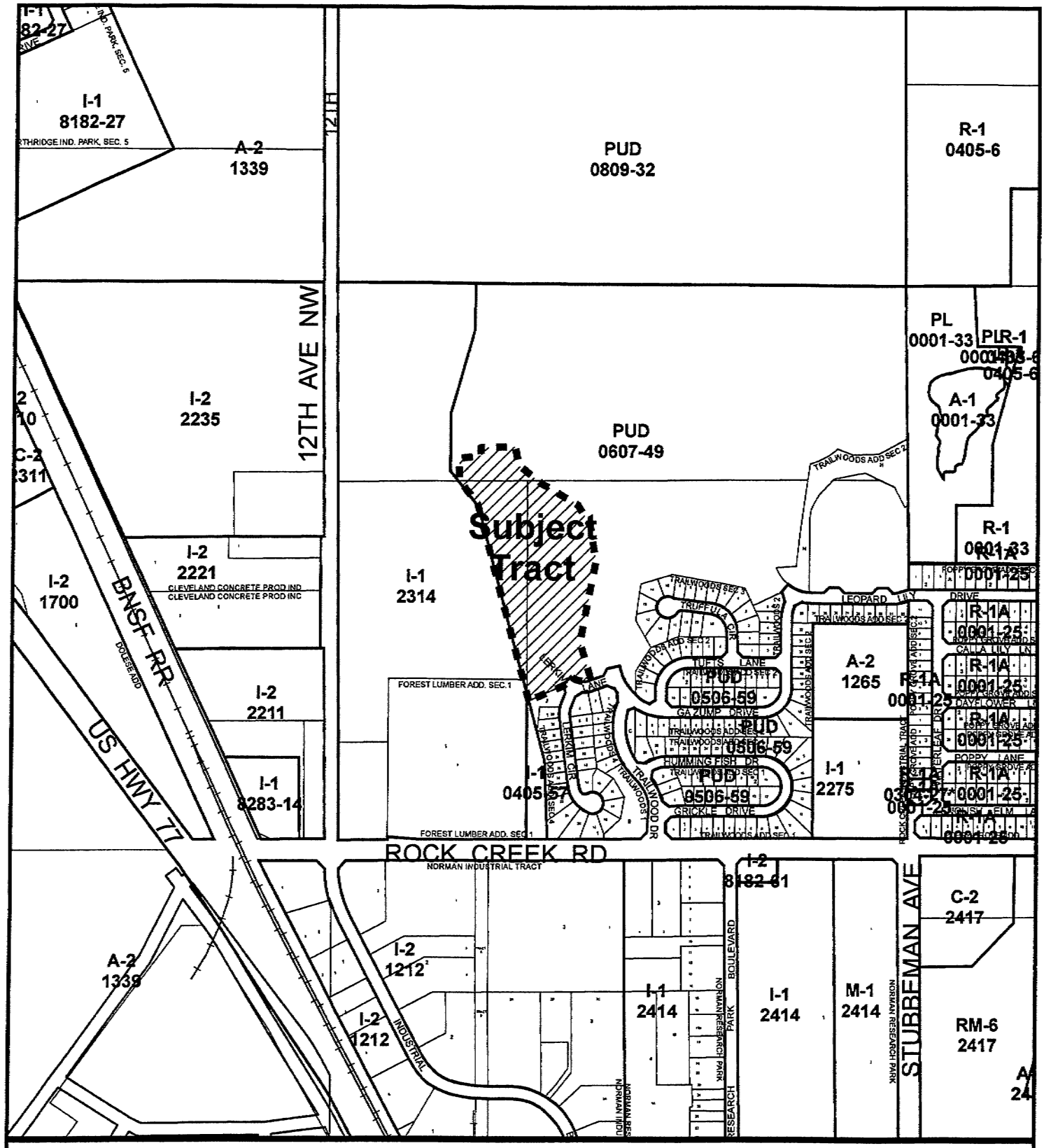
Body

BACKGROUND: This item is a final plat for Trailwoods Addition, Section 6, and is generally located one-quarter of a mile north of West Rock Creek Road approximately one-half mile east of 12th Avenue NW. City Council, at its meeting of August 28, 2007, adopted Ordinance No. O-0607-49 placing this property in the Planned Unit Development (PUD) and approved the revised preliminary plat for Trailwoods Addition, a Planned Unit Development. Planning Commission, at its meeting of December 9, 2010, approved the final plat for the Trailwoods Addition, Section 6, a Planned Unit Development. This property consists of 9.86 acres and 40 single-family residential lots.

DISCUSSION: Construction plans have been reviewed for the required public improvements for this property. The public improvements are under construction. These improvements consist of sidewalks, water mains with fire hydrants, sanitary sewer, drainage, and street improvements. A Traffic Impact Fee in the amount of $19,477.84 is required to be submitted prior to the final plat being filed of record.

The developer/owner will deed private parkland to the Property Owners Association prior to filing the final plat.

STAFF RECOMMENDATIONS: The final plat is consistent with the approved revised preliminary plat. Based on the above information, staff recommends acceptance of the public dedications, approval of the final plat and filing of the final plat subject to completion of public improvements and the City Development Committee's acceptance of all required public improvements and authorizes the Mayor to sign the final plat and bonds and submittal of $19,477.84 for Traffic Impact Fee and warranty deed to the Property Owners Association for private park dedication.



Location Map

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

FP-1011-16
Final Plat
TRAILWOODS ADDITION SECTION 6
Owner/Developer: Terra Verde Development, LLC
Engineer/Surveyor: SMC Consulting Engineers, PC

FINAL PLAT ITEM NO. 6

STAFF REPORT

ITEM: Consideration of a Final Plat for TRAILWOODS ADDITION, SECTION 6, A PLANNED UNIT DEVELOPMENT.

LOCATION: Generally located one-quarter of a mile north of West Rock Creek Road and one-quarter mile east of 12th Avenue NW.

INFORMATION:

1. Owners. Terre Verde Development, LLC.

2. Developer. Terre Verde Development, LLC.

3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. October 6, 2005. The Norman Board of Parks Commissioners reconsidered park land dedication requirements. The Commissioners, on a vote of 5-0, recommended private park land.

2. June 14, 2007. Planning Commission, on a vote of 6-0, recommended to City Council amending the NORMAN 2025 Land Use and Transportation Plan to place this property in the Current Urban Service Area from Future Urban Service Area Designation.

3. June 14, 2007. Planning Commission, on a vote of 6-0, recommended to City Council that this property be placed in the Planned Unit Development (PUD) and removed from A-2 zoning classification.

4. June 14, 2007. Planning Commission, on a vote of 6-0, recommended to City Council that the revised preliminary plat for Trailwoods Addition, a Planned Unit Development be approved.

5. August 28, 2007. City Council amended the NORMAN 2025 Land Use and Transportation Plan to place this property in the Current Urban Service Area from the Future Service Area Designation.

ACTION NEEDED: Approve or disapprove the Final Plat for Trailwoods Addition, Section 6, a Planned Unit Development.

ACTION TAKEN:_____

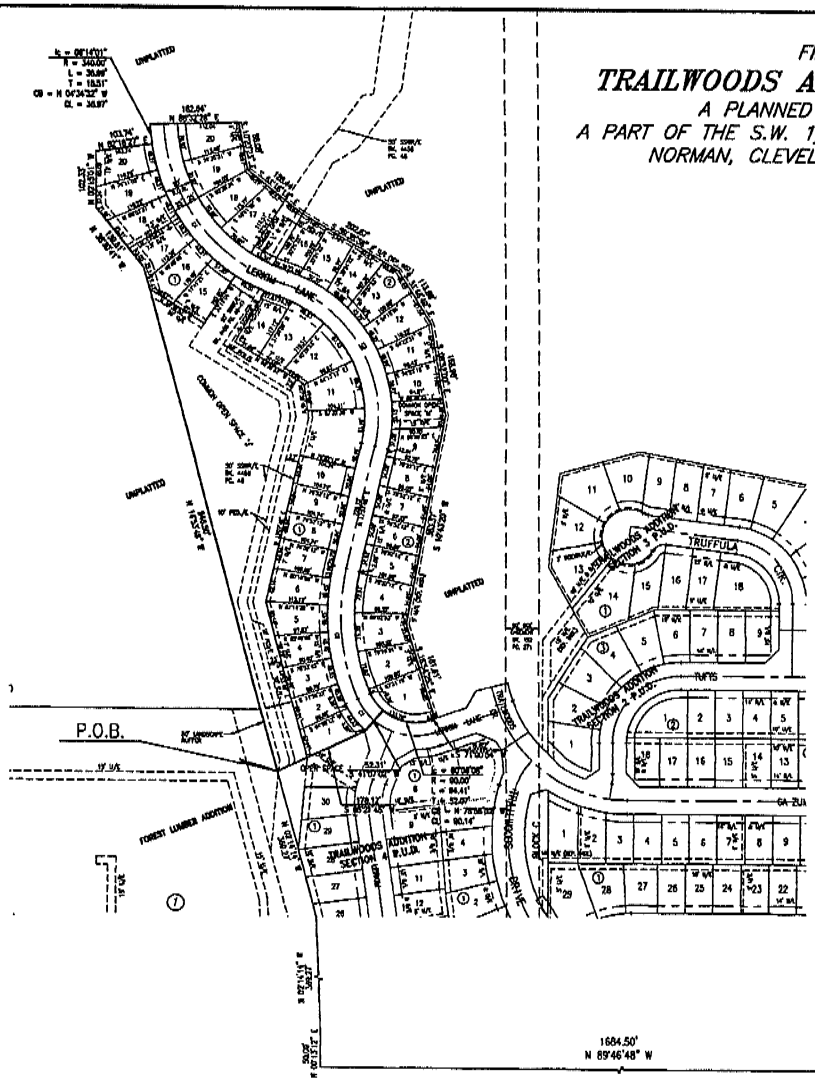
FINAL PLAT

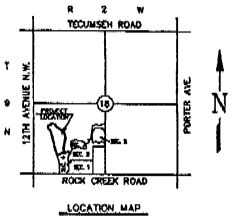
TRAILWOODS ADDITION SECTION 6

A PLANNED UNIT DEVELOPMENT

A PART OF THE S.W. 1/4, SECTION 18, T9N, R2W I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA





LOCATION MAP

TOTAL LOTS = 40

N

SCALE: 1" = 100'

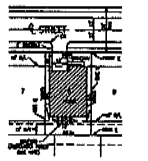
BASIS OF BEARING FOR THIS FINAL PLAT IS N 89°46'48" W AS SHOWN ON THE SOUTH LINE OF SEC. 18

● SET 1/2" I.P. W/ 3948 C.A. CAP AT ALL PROPERTY CORNERS

BENCHMARK: BRASS CAP AT CENTERLINE OF LORAX LANE AT NORTH PROPERTY LINE CENTERLINE
O.D.V. = ____

CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	90°00'00"	113.00'	177.48'	113.00'	N 44°46'48" W	159.81'
C2	90°00'00"	113.00'	177.48'	113.00'	S 45°13'12" W	159.81'
C3	90°00'00"	113.00'	177.48'	113.00'	S 44°46'48" E	159.81'
C4	90°00'00"	113.00'	177.48'	113.00'	N 45°13'12" E	159.81'
C5	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C6	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C7	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C8	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C9	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C10	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C11	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C12	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C13	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C14	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C15	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C16	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C17	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C18	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C19	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C20	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C21	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C22	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C23	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C24	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C25	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C26	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C27	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C28	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C29	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C30	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C31	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C32	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C33	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C34	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C35	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C36	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C37	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C38	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C39	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'
C40	19°14'11"	340.00'	114.17'	57.62'	N 80°23'42" W	113.63'



TYPICAL LOT SITE PLAN
TRAILWOODS ADDITION SECTION 6

D/E = DRAINAGE EASEMENT
PED/E = PEDESTRIAN EASEMENT
LNA = LIMITS OF NO ACCESS
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
-1000- = ADDRESS

NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS FEET.

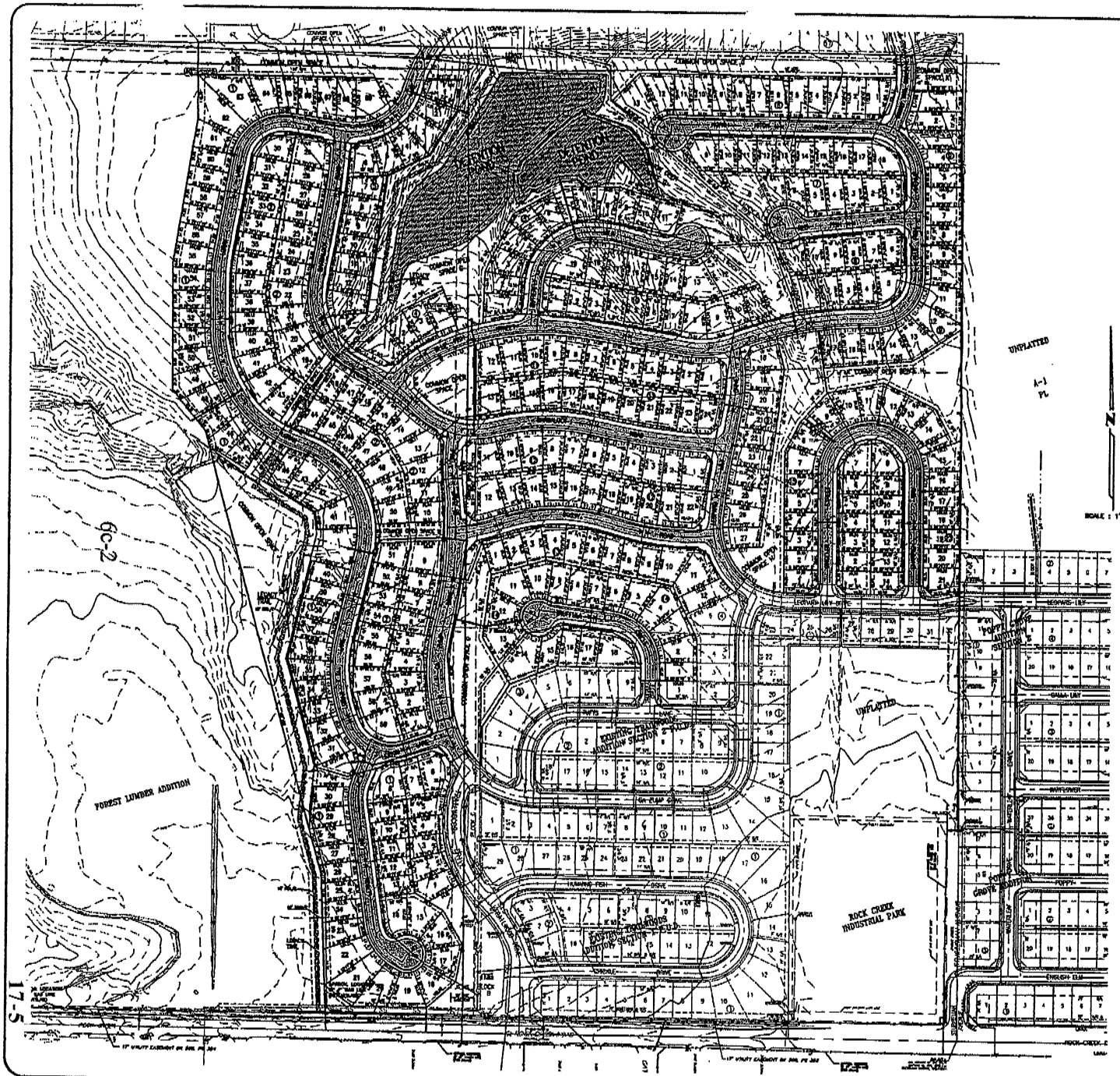
NOTE: OPEN SPACE AREAS WILL BE OWNED AND MAINTAINED BY MANDATORY PROPERTY OWNERS' ASSOCIATION.

THE SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS; AND THAT SAID FINAL PLAT COMPLIES WITH THE REQUIREMENTS OF TITLE 11 SECTION 41-108 OF THE OKLAHOMA STATE STATUTES.

Date: November 18, 2010

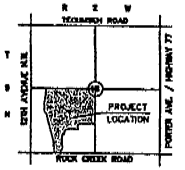
SMC Consulting Engineers, P.C.
815 W. Main Street
Oklahoma City, OK 73106

TRAILWOODS ADDITION SECTION 6
A PLANNED UNIT DEVELOPMENT
FINAL PLAT SHEET 2 OF 2



PRELIMINARY PLAT
TRAILWOODS ADDITION

A PART OF THE S.W. 1/4, SECTION 18, T9N, R2W, I.M. NORMAN, CLEVELAND COUNTY, OKLAHOMA



LOCATION MAP
1" = 4000'

NOTES :

1. EXISTING ZONING IS A-1 AND P.U.D. PROPOSED ZONING IS P.U.D.
2. ALL PUBLIC UTILITIES SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF NORMAN STANDARDS.
3. ALL STREETS SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF NORMAN STANDARDS.
4. ALL PUBLIC UTILITIES WILL BE IN DEDICATED EASEMENTS.
5. ALL SANITARY SEWER LINES TO BE 8" DIA. UNLESS NOTED OTHERWISE.
6. ALL WATER LINES TO BE 8" DIA. UNLESS NOTED OTHERWISE.
7. FIRE HYDRANTS TO BE SPACED A MAXIMUM OF 300' APART.
8. FRONT YARD BUILDING LINE SETBACKS ARE 20'. SIDE YARD BUILDING LINE SETBACKS ARE 15'.
9. ALL DRAINS AND/OR SEWERS WITHIN STREET RIGHTS-OF-WAY AND ALL COMMON AREAS WITHIN THIS DEVELOPMENT WILL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION OF TRAILWOODS ADDITION.
10. THE DEVELOPER WILL CONSTRUCT LEGACY TRAIL THROUGH HIS PROPERTY AND DEDICATE IT TO THE CITY OF NORMAN IN A 15' TRAIL PEDESTRIAN EASEMENT. THE CITY OF NORMAN WILL BE RESPONSIBLE FOR MAINTENANCE OF LEGACY TRAIL.
11. THE DEVELOPER WILL CONSTRUCT LEGACY TRAIL THROUGH HIS PROPERTY AND DEDICATE IT TO THE CITY OF

Legal Description

A tract of land lying in the Southwest Quarter (SW/4) of Section 18, Township 9 North (T9N), Range 2 West (R2W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, and being more particularly described as follows;

COMMENCING at the S.E. corner of said SW/4 of Section 18; THENCE North 89°46'48" West along the South line of said SW/4, also being the centerline of Rock Creek Road, a distance of 1415.32 feet to the POINT OF BEGINNING;

THENCE continuing North 89°46'48" West along said South line a distance of 287.04 feet; THENCE North 02°31'14" West a distance of 418.32 feet; THENCE North 51°57'48" West a distance of 1220.30 feet; THENCE North 36°30'41" West a distance of 138.81 feet; THENCE North 07°15'01" West a distance of 338.40 feet; THENCE North 09°42'31" East a distance of 388.79 feet; THENCE North 00°22'57" East a distance of 2014.29 feet; THENCE South 89°47'15" East a distance of 2631.28 feet; THENCE South 00°03'27" East a distance of 1427.68 feet to a point on a non-tangent curve; THENCE around a curve to the left having a radius of 150.00 feet (said curve being subtended by a chord which bears South 81°59'08" West a distance of 45.06 feet) and an arc distance of 45.25 feet to a point of reverse curvature; THENCE around a curve to the right having a radius of 100.00 feet (said curve being subtended by a chord which bears South 81°07'09" West a distance of 29.78 feet) and an arc distance of 30.91 feet; THENCE North 44°35'15" West a distance of 36.44 feet; THENCE North 89°46'48" West a distance of 50.00 feet; THENCE South 45°04'44" West a distance of 35.37 feet; THENCE North 89°46'48" West a distance of 130.00 feet; THENCE North 44°55'16" West a distance of 35.44 feet; THENCE North 89°46'48" West a distance of 50.00 feet; THENCE South 45°04'44" West a distance of 35.37 feet; THENCE North 89°46'48" West a distance of 35.07 feet to a point of curvature; THENCE around a curve to the right having a radius of 175.00 feet (said curve being subtended by a chord which bears North 70°28'27" West a distance of 115.91 feet) and an arc distance of 118.94 feet;

THENCE South 39°53'55" West a distance of 50.00 feet; THENCE South 84°43'25" West a distance of 143.40 feet; THENCE South 23°16'34" East a distance of 71.40 feet; THENCE South 07°07'45" East a distance of 115.48 feet; THENCE North 89°46'48" West a distance of 150.00 feet; THENCE North 07°07'45" West a distance of 34.19 feet; THENCE North 89°46'48" West a distance of 227.08 feet; THENCE South 88°01'18" West a distance of 132.32 feet; THENCE South 23°47'25" West a distance of 153.82 feet; THENCE South 07°13'12" West a distance of 102.48 feet to a point on a non-tangent curve; THENCE around a curve to the right having a radius of 225.00 feet (said curve being subtended by a chord which bears North 41°38'28" West a distance of 53.55 feet) and an arc length of 53.68 feet; THENCE South 55°13'08" West a distance of 60.00 feet; THENCE South 04°07'26" East a distance of 41.79 feet to a point on a non-tangent curve; THENCE around a curve to the left having a radius of 150.00 feet (said curve being subtended by a chord which bears South 37°43'15" West a distance of 22.81 feet) and an arc length of 22.83 feet to a point of continuing curvature; THENCE around a curve to the left having a radius of 332.14 feet (said curve being subtended by a chord which bears South 09°06'25" East a distance of 258.04 feet) and an arc length of 263.73 feet; THENCE South 56°27'07" East a distance of 84.02 feet; THENCE South 56°58'07" East a distance of 44.83 feet; THENCE South 30°33'52" East a distance of 102.31 feet; THENCE South 09°24'47" West a distance of 102.31 feet; THENCE South 47°19'20" West a distance of 103.88 feet; THENCE South 00°13'12" West a distance of 67.00 feet to the POINT OF BEGINNING.

Said tract contains 82.16 acres more or less.

LEGEND

- 20'0 RESTRICTION/FENCE LINE
- "NO PARKING" AREA

82.16 ACRES
353 LOTS
4.30 LOTS PER ACRE

OWNER/DEVELOPER
TERRA VERDE DEVELOPMENT, L.L.C.,
1320 NORTH PORTER
NORMAN, OK 73071
(405) 364-1152

DESIGNED BY :
SMC Consulting Engineers, P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
(405) 232-7715

PRELIMINARY PLAT
TRAILWOODS ADDITION
ROCK CREEK Rd. & 12th AVE. N.W.
NORMAN, OKLAHOMA

SMC Consulting Engineers, P.C.
SMC

SHEET NO.
1 of 1

Item No. 2, being:
CONSENT DOCKET
Chairman Trachtenberg 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 NOVEMBER 18, 2010 REGULAR SESSION MINUTES

Item No. 4, being:
PP-1011-8 – CONSIDERATION OF A PRELIMINARY PLAT (REAPPROVAL) SUBMITTED BY JOSEPHINE MILLER AND AL LOEFFELHOLZ (SMC CONSULTING ENGINEERS, P.C.) FOR PARK PLACE ADDITION, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 12TH AVENUE N.E. AND ROCK CREEK ROAD.

Item No. 5, being:
FP-1011-15 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY HIGHLAND VILLAGE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR HIGHLAND VILLAGE ADDITION, SECTION 6, GENERALLY LOCATED ON HIGHLAND VILLAGE DRIVE APPROXIMATELY 1,600 FEET WEST OF PORTER AVENUE.

Item No. 6, being:
FP-1011-16 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TRAILWOODS ADDITION, SECTION 6, GENERALLY LOCATED AT THE NORTHEAST CORNER OF ROCK CREEK ROAD AND 12TH AVENUE N.W.

*

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

Jim Gasaway moved to place approval of Item Nos. 3 through 6 on the Consent Docket and approve by one unanimous vote. Chris Lewis 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 Pailes, Andy Sherrer, Jim Gasaway, Zev Trachtenberg
NAYES	None

Recording Secretary Roné Tromble announced that the motion, to place approval of Item Nos. 3 through 6 on the Consent Docket and approve by one unanimous vote, passed by a vote of 9-0.

* * *

Item No. 6, being:
FP-1011-16 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TRAILWOODS ADDITION, SECTION 6, GENERALLY LOCATED AT THE NORTHEAST CORNER OF ROCK CREEK ROAD AND 12TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Final Plat
3. Staff Report
4. Preliminary Plat

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

* * *

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-18

File ID: GID-1112-18 **Type:** Donation **Status:** Consent Item

Version: 1 **Reference:** Item No. 18 **In Control:** City Council

Department: Finance Department **Cost:** $150.00 **File Created:** 09/07/2011

File Name: Donation Norman Family Childcare Association **Final Action:**

Title: CONSIDERATION OF APPROVAL OF AUTHORIZATION FOR AN APPROPRIATION OF A DONATION IN THE AMOUNT OF $150 FROM THE NORMAN FAMILY CHILDCARE ASSOCIATION TO BE USED TO PURCHASE CHILD PASSENGER SEATS FOR THE NORMAN POLICE DEPARTMENT AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to approve or reject authorization for an appropriation of a donation in the amount of $150 from Norman Family Childcare Association to be used to purchase child passenger seats for the Police Department; and, if approved, increase Citizen Donations (010-0000-365.13-73) by $150, and appropriate $150 to Other Supplies/Materials/Child Car Seats (010-6022-421.31-25).

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 18

Attachments:

Project Manager: Sergeant Jennifer Newell

Entered by: kathy.lamar@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File GID-1112-18

Body

BACKGROUND: Section 8-111 of the City Code states that all donations valued above $250 to be received by the City of Norman, whether in the form of monies or any other thing of value, shall be required to be accepted by the Council of the City of Norman prior to any use or

disbursement of such monies or thing of value by or to any City operation or cause. This donation in the amount of $150 is under the amount required for approval by City Council; however, after the funds are deposited, an appropriation is needed to allow the Norman Police Department to use the funds.

DISCUSSION: The Norman Police Department received the donation of $150 from Norman Family Childcare Association. The association conducted a fundraiser after Sergeant Jennifer Newell spoke with their group about child passenger safety. The money will be deposited into the Contributions-Organizations account and will be used to purchase child passenger car seats.

RECOMMENDATION: It is recommended the City Council acknowledge receipt of the donation of $150 from Norman Family Childcare Association and the funds be deposited into Contributions-Organizations account (010-0000-365.13-73). It is further recommended that the funds be appropriated to Other Supplies-Car Seats account (010-6022-421.31-25).

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-20

File ID: GID-1112-20 **Type:** Grant **Status:** Consent Item

Version: 2 **Reference:** Item No. 19 **In Control:** City Council

Department: Fire Department **Cost:** $2,993.00 **File Created:** 09/13/2011

File Name: Grant OHS $2,993 Noah's Wish Training **Final Action:**

Title: CONSIDERATION OF THE ACCEPTANCE OF A URBAN AREA SECURITY INITIATIVE GRANT IN THE AMOUNT OF $2,993 FROM THE OFFICE OF HOMELAND SECURITY TO BE USED BY THE FIRE DEPARTMENT TO HOST NOAH'S WISH ANIMAL DISASTER TRAINING AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to accept or reject a Urban Area Security Initiative grant in the amount of $2,993 from the Office of Homeland Security to be used by the Fire Department; and, if accepted, increase the Other Revenue/Emergency Management Grant (022-0000-331.13-60) by $2,993 and appropriate $2,125 into Employee Travel/Workshops and Seminars (022-9508-422.46-04) and $868 into Other Materials-Supplies/Miscellaneous (022-9508-422.31-99).

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 19

Attachments: UASI Grant attachment

Project Manager: James Fullingim, Fire Chief

Entered by: devra.smith@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File GID-1112-20

body

BACKGROUND: In June 2011, the Office of Emergency Management applied for and was approved to receive a grant from the Urban Area Security Initiative to host training from the

Noah's Wish organization.

DISCUSSION: Noah's Wish responds to natural disasters such as hurricanes, tornadoes, fires, and floods, to help families with their animals. Each year Noah's Wish offers training classes across the United States and Canada. The training is unique in that unlike other animal disaster response training programs, the training is conducted outdoors in a realistic environment so volunteers are better prepared if they are required to deploy. They are expected to camp out onsite for the duration of the two-day training event and are expected to bring in enough food and water to meet their personal needs. Trainees are expected to be able to sleep in tents or sleeping areas provided that would be consistent with disaster accommodations. Typically, exercises have been conducted in a variety of settings including fairgrounds, warehouses, campgrounds, and fire training academies. The proposed training will be conducted at Lake Thunderbird State Park and will be offered to City of Norman Animal Welfare Officers, State of Oklahoma Park Rangers, and community volunteers.

RECOMMENDATION: It is recommended that City Council accept the grant in the amount of $2,993; receipt funds into Special Revenue Fund, Emergency Management Grants (account 022-0000-331.13-60) and further appropriate said funds as follows: $2,125.00 into Emergency Management Grant/Educational Workshops (account 022-9508-422.46-04) and $868.00 into Emergency Management Grant/Miscellaneous (account 022-9508-422.31-99); project number GF0067.

KIM EDD CARTER
DIRECTOR

MARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
OFFICE OF HOMELAND SECURITY

September 7, 2011

Mr. Steve Lewis, City Manager
City of Norman
PO Box 370
Norman, OK 73070

RE: Grant # 150.018 (2009 OKC UASI) Approval Schedule attached

Dear Mr. Lewis:

Based on the Budget Detail Worksheet(s) ("BDW") that you previously submitted to OKOHS, we have confirmed Department of Homeland Security ("DHS") approval for you to purchase the requested items that are listed on the attached Schedule "1".

Accordingly, you are now authorized to purchase these approved items. Please keep in mind that the total amount OKOHS can reimburse is limited to the amount of the grant less any prior reimbursements made to your agency. If the total amount of approvals to date is less than the total amount of your award, please provide a supplemental BDW with a list of additional equipment so we can provide the required written pre-approval for the additional items.

After delivery of the approved items has been accepted by your agency, please forward signed copies of the invoices to verify your receipt of the items and your commitment to pay the vendor in accordance with the terms of the invoice. In addition, please complete and provide our office with an original OKOHS Reimbursement Request Form signed by an authorized individual (forms are available in the grants section of the OKOHS website).

We understand that particular items of equipment may cost more or less than the approved amount for that specific item. Purchases of other items of equipment (not listed on Schedule 1 or previously approved by OKOHS) will require an additional OKOHS approval letter and your submission of an additional Reimbursement Request Form.

We appreciate your efforts to spend OKOHS/DHS funds prudently. Should you have any questions, please do not hesitate to call Ms. Robbie Foster or Mr. Chris Huston at our office.

Sincerely,

Kim Edd Carter
Director
encl.

cc: David Grizzle, Emergency Manager Coordinator
James Fullingim, Fire Chief

P.O. Box 11415 Oklahoma City, OK 73136-0415 PHONE 405/425-7296 FAX 405/425-7295 www.homelandsecurity.ok.gov

2009 Grant Master
Summary of Approved Items
Updated 08-24-11

Schedule 1

9/7/2011
10:56 AM

Award ID #	Subgrantee	Agency	Program	Project Description	Category	ITEM (Approval Requested)	UnitCost	Qty	Total	September 2011 Approvals	Revised Award Amount	Total Apprvd. To Date	Checks Written	Current Available	Notes
150.018	Norman, City of	EM	UASI-OKC	CBRNE/RRS	Training	Noah Wish Animal Disaster Training: One Course Presentation Allowed Costs to reimbursed include Instructor Lodging, Student Registration, meals	$2,993.00	1	$2,993.00	$2,993.00	$2,993.00	$2,993.00		$2,993.00	

KEC

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: LL-1112-6

File ID: LL-1112-6 **Type:** Limited License **Status:** Consent Item

Version: 1 **Reference:** Item No. 20 **In Control:** City Council

Department: Planning and Community Development Department **Cost:** **File Created:** 09/13/2011

File Name: Limited License YMCA Free Fall Festival **Final Action:**

Title:

LIMITED LICENSE NO. LL-1112-6 LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE CLEVELAND COUNTY YMCA FOR THE YMCA FREE FALL CARNIVAL EVENT TO BE HELD ON OCTOBER 21 , 2011.

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1112-6 to place four (4) banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Notes: September 27, 2011

Agenda Date: 09/27/2011

Agenda Number: 20

Attachments: YMCA Application, YMCA

Project Manager: Wayne Stenis, Planner II

Entered by: Ellen.Usry@NormanOK.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File LL-1112-6

Body

BACKGROUND: Section 18-308 authorizes the issuance of a Limited License under certain circumstances:

Signs announcing specific events or promotions that are of a legitimate public benefit to the community at large may be erected within the public right-of-way when authorized by a limited license granted by the City Council. The size, number, type, and wording of such signs must be specified in the license, as well as their location and duration of use. Because of their unique location within the pubic right-of-way, such banners may not be placed so as to interfere with legitimate traffic and safety concerns.

DISCUSSION: The Cleveland County YMCA has requested permission to install four large (4' by 10') vinyl banners at designated locations in the community announcing their free Fall Carnival on October 21st. The signs will be in use from October 7 to October 24.

A copy of the letter of request, with the specified locations, is attached for reference. The locations are acceptable.

RECOMMENDATION: Staff supports this request, with the condition that the signs not be utilized for more than the specified time period, they are not placed in a sight triangle and do not otherwise create a traffic hazard. Staff has prepared the license in accordance with the request, and presents it to the Council for consideration. Conditions may be attached, if the Council desires.

APPLICATION FOR LIMITED LICENSE FOR FESTIVAL OR PUBLIC EVENT BANNER/SIGN

Date: 9/13/11

Name of Applicant: Cleveland County Family YMCA

Address: 1350 Lexington Avenue, Norman, OK 73069 Phone: 364-9622 ext. 131

Number of banners: 4

Location of Banners/Signs (if list is lengthy you may attach separate sheet or map)

1. Berry & Robinson – SE Corner
2. Lindsey & Ed Noble Parkway – South side of Lindsey facing Ed Noble Parkway
3. Alameda & 12th Ave. SE
4. Main St./ 24th NW

*We still have our maps from planning department from previous years.

Banner/Sign size: 4x10

Working of Banner/Sign:

YMCA Free Fall Carnival
Friday, Oct. 21st
Free Inflatables & Fun Activities

Duration of Use: October 7 – October 24, 2011

LIMITED LICENSE NO. LL- 1112-6

LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE CLEVELAND COUNTY FAMILY YMCA FOR THE YMCA FREE FALL CARNIVAL EVENT TO BE HELD ON FRIDAY, OCTOBER 21, 2011.

An Application has been filed by the Cleveland County Family YMCA for a Limited License to place four (4) ground banners within the public rights-of-way pursuant to Section 18-308 of Chapter 18 of the Code of Ordinances, which Application is hereby granted pursuant to the conditions and limitations as set forth in said Application.

Special conditions for the granting of this limited license by the City Council are as follows:

Strict compliance with all the conditions set forth in the application filed herein with regard to description, location, duration, and wording as specified in the application which is incorporated herein and made a part hereof

License limited to a 18 day period from October 7 through 24, 2011.

Any special conditions which may be outlined in the Staff memorandum or imposed by the City Council.

Further, any breach of the conditions as above set forth shall be grounds for immediate revocation of this license and further that the City Council may revoke this limited license at will and for any cause whatsoever upon the giving of thirty (30) days notice authorized by the City Council to the application.

Approved this 27th day of September, 2011.

CITY OF NORMAN

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: SC-1112-4

File ID: SC-1112-4 **Type:** Special Claim **Status:** Consent Item

Version: 1 **Reference:** Item No. 21 **In Control:** City Council

Department: Legal Department **Cost:** $4,000.00 **File Created:** 09/13/2011

File Name: Special Claim Grossman **Final Action:**

Title: SPECIAL CLAIM NO. SC-1112-4: A CLAIM IN THE REDUCED AMOUNT OF $4,000 SUBMITTED BY HAL GROSSMAN FOR MEDICAL EXPENSES INCURRED WHEN THE BICYCLE HE WAS RIDING ON JENKINS AVENUE WAS STRUCK BY A TRAILER TOWED BY A PARK MAINTENANCE DIVISION EMPLOYEE.

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1112-4; and, if approved, direct payment in the reduced amount of $4,000 contingent upon obtaining a Release and Covenant Not to Sue from Hal Grossman.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 21

Attachments: Special Claim Grossman, Staff Memo - Grossman, Accident Report Grossman

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: jayme.rowe@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File SC-1112-4

Body

BACKGROUND: A claim has been filed by Hal Grossman for medical expenses in the amount of $4,127.26 due to an incident which occurred on November 2, 2010 when he was riding his bicycle northbound on Jenkins Avenue and was struck by a trailer being towed by a City of Norman vehicle that was also traveling northbound on Jenkins Avenue. Mr. Grossman reports

that when the trailer struck his bicycle, he fell to the ground and was drug 29.10 feet by the trailer.

DISCUSSION: This incident was investigated by Jud Foster, Director of Parks and Recreation. According to his investigation, a small mowing crew for the Park Maintenance Division was traveling northbound on Jenkins Avenue in Unit #459. They were pulling a trailer that was loaded with mowing equipment. The driver, Paul Boyer, Maintenance Worker II, reports that he passed a person riding a bicycle, also northbound, while in the intersection at Lindsey Street. Mr. Boyer also reported that neither he, nor the two passengers in Unit #459, were aware of any contact with the bicycle. Another City employee, Mike Mitchell, observed Mr. Grossman fall and stopped to be of assistance to Mr. Grossman. An ambulance was called and Mr. Grossman was transported to Norman Regional Hospital.

As a result of this incident, Mr. Grossman, a professor of violin at the University of Oklahoma, has incurred medical expenses which include expenses for physical therapy.

As indicated above, there appears to be possible negligence on the part of the City in this matter and, consequently, potential liability on the City. In reviewing the claim with Mr. Grossman, some discrepancies in addition were discovered and he has agreed to accept $4,000 as payment in full of his medical expenses. This amount claimed by Mr. Grossman appears to be reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's Office that the claim of Hal Grossman in the original amount of $4,127.26, as above set forth, be approved in the reduced amount of $4,000.

CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070

NOTICE OF TORT CLAIM

CLAIMANT: Hal Grossman DATE: 11/29/10

ADDRESS: 3700 12th Ave., SE #814 CITY Norman

STATE: OK ZIP: 73072 PHONE: (H) 231.357.0786 (W) 231.357.0786

DATE OF INCIDENT: 11/2/10

LOCATION OF INCIDENT: Jenkins Ave. by Lindsey St., Norman, OK

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

As Recorded on the Police Report for Case # 2010-14554, A city vehicle [redacted] hit me while I was Riding my bicycle. An Ambulance was called to the Scene and I was taken to the hospital. I am seeking payment for those medical costs. I have had Re-occurring physical issues related to this accident and [redacted] am being treated by See them. Additional bills & expenses will be forthcoming.

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

Emerg. Accident Care	$ [redacted] 611.28	Hospital Services ↳ See Attached	$ 2031.00
CVS Pharmacy Meds	$ 23.98	Doctor Visit	$ $60.00
Additional Ambulance Services ↳ please see attached	$ $1341.00	BCBS Additional Bills	$ $60.00

TOTAL AMOUNT CLAIMED: $ 4,127.26

NAME AND ADDRESS OF INSURANCE COMPANY: BC/BS. PO B[redacted]3283, 1215 S. Boulder, Tulsa, OK 74102-3283 AGENT: BC/BS

THIS FORM MUST BE SIGNED AND RETURNED WITH ALL REQUESTED INFORMATION IN ORDER TO BE PROCESSED.

I SWEAR AND/OR AFFIRM THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT.

Hal Grossman
CLAIMANT'S SIGNATURE

FILED IN THE OFFICE OF THE CITY CLERK ON 8-5-11 EV

office memorandum

DATE: August 5, 2011

TO: Jud Foster, Director of Parks and Recreation
Jeff Bryant, City Attorney

FROM: Brenda Hall, City Clerk

SUBJECT: Claim from Hal Grossman

I am in receipt of a claim from Hal Grossman in the amount of $4,127.26 for medical expenses due to his claim that on November 2, 2010, a City of Norman vehicle traveling northbound on Jenkins Avenue, driven by Paul Steven Boyer, an employee of the Parks and Recreation Division, struck his bicycle while he was pedaling northbound on Jenkins Avenue. According to the accident report, Mr. Boyer passed Mr. Grossman and when doing so the trailer he was towing hit Mr. Grossman's bicycle causing him to fall to the ground. Mr. Boyer was not aware that he hit Mr. Grossman and continued to drive northbound on Jenkins Avenue, dragging Mr. Grossman 29.10 feet. Mr. Boyer was notified later and returned to the scene of the accident.

Mr. Grossman said an ambulance was called to the scene and he was taken to the hospital. He also claims he has had reoccurring physical issues related to the accident and is currently being treated for them, therefore additional bills and expenses will be forthcoming.

Jud, I would appreciate your checking with your staff regarding verification of the problem. Please report your findings by written memorandum to me with a copy to Jeff.

Jeff, if it is determined the City has liability in this matter, please signify by writing a report of your recommendations in order that we may schedule this claim as an agenda item.

BH:kjc
attachments

DO NOT WRITE IN THIS SPACE

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

	Y	N		Y	N
Incident Report		X			
Investigation Completed	X		Revised		X
Investigation Made at Scene	X		Fatality		X
Photographs		X	Hit and Run		X

COMPLETE

(1) Reporting Agency: NORMAN POLICE DEPARTMENT | Case Number (Agency Use): 2010-14554 | Motor Vehicles Involved: 01 | Number Injured: 01 | Number Killed: 00

(2) Date of Collision (mm/dd/yyyy): 11/02/2010 | Time: 0831 | County Number and Name: 14 CLEVELAND | Nearest City or Town Number and Name: In [X] Near [ ] 20 NORMAN

(3) Distance from Nearest City or Town Limits: Mi. [ ] Ft. [ ] N [ ] S | Mi. [ ] Ft. [ ] E [ ] W | Control # | Int ID | Location | East Grid | North Grid | Administrative

(4) Street, Road or Highway: JENKINS AVE | At [ ] | Distance from: 0046 Mi. [ ] Ft. [X] N [X] S [ ] E [ ] W [ ] | (Nearest) Intersecting Street, Road or Highway: of LINDSEY ST

(5) Unit	Occupants	Type	Hit & Run / CMV	Last Name	First	Middle	Suffix	Date of Birth (mm/dd/yyyy)	Sex
01	03	D	[ ] / [ ]	BOYER	PAUL	STEVEN		10/16/1954	M

(6) Address: 1503 PECAN AVE | City: NORMAN | State: OK | Zip: 73072 | Telephone (Use Area Code):

(7) Driver License Number: | State: OK | Class: A | Endorsement(s): M | Restriction(s): | Inj. Sev.: 1 | Type of Injury: 0 | Drv /Ped. Cond: 01 | OP Use: 04

(8) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0. | Transported by: | To Medical Facility: | License Plate Number: | State: OK | Month: 12 | Year: 2010

(9) VIN: | Vehicle Year: 2008 | Color: WHI | 2nd Color: 0 | Make: CHEV | Model: SILV | Veh. Conf.: 04 | Extent of Damage: 1

(10) Insurance Verification: 4 | Insurance Company Name: | Policy Number: | Insurance Telephone (Use Area Code):

(11) Vehicle Removed by: Driver [ ] NICHOLAS HEMESLEY | Same as Driver [ ] | Owner's Last Name: CITY OF NORMAN | First: | Middle: | Suffix:

(12) Owner's Address: 201 W-GRAY ST | City: NORMAN | State: OK | Zip: 73069 | Oversized Load: 0 | Towed Veh. Type: 06 | Rolled [ ] Burned [ ] | Phone present [X] Phone in use [ ]

(13) Citation Number: | Statute/Ordinance Number: | Citation Number: | Statute/Ordinance Number:

(14) Unit	Occupants	Type	Hit & Run / CMV	Last Name	First	Middle	Suffix	Date of Birth (mm/dd/yyyy)	Sex
02	01	B	[ ] / [ ]	GROSSMAN	HAL	FEDERICK		07/26/1959	M

(15) Address: 3700 12TH AVE SE #814 | City: NORMAN | State: OK | Zip: 73071 | Telephone (Use Area Code):

(16) Driver License Number: 0 | State: | Class: | Endorsement(s): | Restriction(s): | Inj. Sev.: 3 | Type of Injury: 245 | Drv /Ped. Cond: 01 | OP Use: 07

(17) Air Bag: 0 | Ejected: 0 | Extricated: 0 | Test: 0 | (% BAC): 0. | Transported by: EMSSTAT | To Medical Facility: NORMAN HEALTH PLEX | License Plate Number: | State: | Month: | Year:

(18) VIN: P3HM23020 | Vehicle Year: | Color: SIL | 2nd Color: 0 | Make: SPEC | Model: SEQU | Veh. Conf.: 0 | Extent of Damage: 0

(19) Insurance Verification: [ ] | Insurance Company Name: | Policy Number: | Insurance Telephone (Use Area Code):

(20) Vehicle Removed by: Driver [ ] | Same as Driver [ ] | Owner's Last Name: | First: | Middle: | Suffix:

(21) Owner's Address: | City: | State: | Zip: | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled [ ] Burned [ ] | Phone present [ ] Phone in use [ ]

(22) Citation Number: | Statute/Ordinance Number: | Citation Number: | Statute/Ordinance Number:

(23) Investigating Officer	Badge Number	Trp/Div. Assigned	Trp/Div. Location	Reviewer (Init.)	Reviewer Badge Number	Date of Report (mm/dd/yyyy)
OFFICER J.C. BARBOUR	0928	PL		JL	8299	11/02/2010

Unit Type: 0 Driver, P Pedestrian, X Pedestrian Conveyance, B Bicyclist, Z Other Cyclist, C Parked Car, A Animal, T Train

Injury Severity: 0 N/A, 1 No Injury, 2 Possible, 3 Non-incapacitating, 4 Incapacitating, 5 Fatal, 9 Unknown

Type of Injury: 0 N/A, 1 Head, 2 Trunk - External, 3 Trunk - Internal, 4 Arms, 5 Legs, 9 Unknown

Driver/Pedestrian Condition: 00 Not Applicable, 01 Apparently Normal, 02 Drinking - Ability Impaired, 03 Odor of Alcohol Beverage, 04 Illegal Drugs, 05 Under the Influence of Medications, 06 Very Tired, 07 Sleepy, 08 Ill (Sick), 09 Dizzy/Faint, 10 Emotional, 11 Other, 99 Unknown

Occupant Protection (OP) in Use: 00 Not Applicable, 01 None Used, 02 Lap Belt Only, 03 Shoulder Belt Only, 04 Shoulder and Lap Belt, 05 Child Restraint Type Unknown, 06 Restraint Used - Type Unknown, 07 Helmet, 08 Child Restraint - Forward Facing, 09 Child Restraint - Rear Facing, 10 Booster Seat, 11 Other, 99 Unknown

Air Bag Deployed: 0 Not Applicable, 1 Not Deployed, 2 Deployed - Front, 3 Deployed - Side, 4 Deployed - Other (knee, air belt, etc.), 5 Deployed - Combination, 9 Deployment Unknown

Ejected: 0 Not Applicable, 1 Not Ejected, 2 Ejected, Partially, 3 Ejected, Totally, 9 Unknown

Extricated: 0 N/A, 1 No, 2 Yes

Chemical Test: 0 N/A, 1 Blood, 2 Breath, 3 Blood/Breath, 4 Test Refused, 5 None Given, 6 Other

Extent of Damage: 0 N/A, 1 None, 2 Minor, 3 Functional, 4 Disabling, 9 Unknown

Insurance Verification: 0 N/A, 1 No, 2 Owner, 3 Operator, 4 Exempt

Oversized Load: 0 N/A, N Not Permitted, P Permitted

Towed Vehicle Type: 00 N/A, 01 Boat Trailer, 02 House Trailer, 03 Farm Trailer, 04 Horse Trailer, 05 Another Vehicle, 06 Utility Trailer, 07 Homemade Trailer, 08 Box Trailer, 09 StockTrailer, 10 Camping Trailer, 11 Combination, 12 Other, 99 Unknown

WARNING - STATE LAW Use of contents for commercial solicitation is unlawful

DPS: 0192-01 REV 0107

14554

Case Number 2010-14554

(24) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
01		X	13	HEMESLEY	NICHOLAS	LEON		10/08/1988	M

(25) Address	Same as Driver	City	State	Zip	Telephone (Use Area Code)
1209 MEADOWLAKE		NOBLE	OK	73068	

(26) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type
1 0	04	1	1	1			

(27) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
01		X	21	CHADWICK	MICHEAL	BRENT		08/07/1980	M

(28) Address	Same as Driver	City	State	Zip	Telephone (Use Area Code)
1200 N 4TH ST		NOBLE	OK	73068	

(29) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type
1 0	04	1	1	1			

(30) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
		X		MITCHELL	MICHAEL	CHARLES		08/17/1976	M

(31) Address	Same as Driver	City	State	Zip	Telephone (Use Area Code)
422 S. HARRISON AVE		BLANCHARD	OK	73010	4058869268

(32) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

(33) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex

(34) Address	Same as Driver	City	State	Zip	Telephone (Use Area Code)

(35) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,000 LBS., or has a HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER

(36) Unit	Carrier Name	Address

(37) City	State	Zip	GVWR / GCWR	0 - 10K lbs. / 10,001 - 26K lbs. / 26K+ lbs.	Axle Qty.	Cargo Body	Vehicle Use
							Interstate Commerce / Intrastate Commerce / Other Non-Commercial / Government

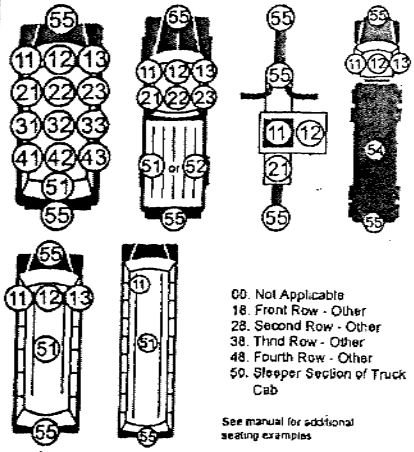
(38) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release
	OK			Yes / No	Yes / No

(39) Unit	Carrier Name	Address

(40) City	State	Zip	GVWR / GCWR	0 - 10K lbs. / 10,001 - 26K lbs. / 26K+ lbs.	Axle Qty.	Cargo Body	Vehicle Use
							Interstate Commerce / Intrastate Commerce / Other Non-Commercial / Government

(41) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release
	OK			Yes / No	Yes / No

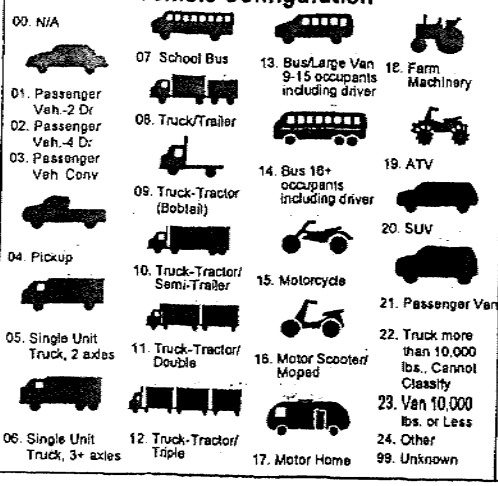
Position in Vehicle



00. Not Applicable
18. Front Row - Other
28. Second Row - Other
38. Third Row - Other
48. Fourth Row - Other
50. Sleeper Section of Truck Cab

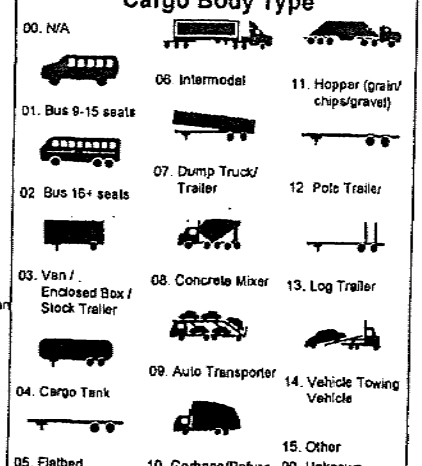
See manual for additional seating examples

Vehicle Configuration



00. N/A
01. Passenger Veh.-2 Dr
02. Passenger Veh.-4 Dr
03. Passenger Veh. Conv
04. Pickup
05. Single Unit Truck, 2 axles
06. Single Unit Truck, 3+ axles
07. School Bus
08. Truck/Trailer
09. Truck-Tractor (Bobtail)
10. Truck-Tractor/ Semi-Trailer
11. Truck-Tractor/ Double
12. Truck-Tractor/ Triple
13. Bus/Large Van 9-15 occupants including driver
14. Bus 16+ occupants including driver
15. Motorcycle
16. Motor Scooter/ Moped
17. Motor Home
18. Farm Machinery
19. ATV
20. SUV
21. Passenger Van
22. Truck more than 10,000 lbs., Cannot Classify
23. Van 10,000 lbs. or Less
24. Other
99. Unknown

Cargo Body Type



00. N/A
01. Bus 9-15 seats
02. Bus 16+ seats
03. Van / Enclosed Box / Stock Trailer
04. Cargo Tank
05. Flatbed
06. Intermodal
07. Dump Truck/ Trailer
08. Concrete Mixer
09. Auto Transporter
10. Garbage/Refuse
11. Hopper (grain/ chips/gravel)
12. Pole Trailer
13. Log Trailer
14. Vehicle Towing Vehicle
15. Other
99. Unknown

DPS: 0192-02 REV 0107

Case Number 2010-14554

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

	Unit	Total Lanes In Roadway	Legal Speed	Pedestrian / Pedalcyclist Only: Actions Prior to Collision	Location at Time of Collision	Safety Equip.	Unit Number of Vehicle Striking
This unit will correspond to "Unit 1"	01	02	25				
This unit will correspond to "Unit 2"	02	02	25	06	10	2	01

Was the collision in or near a construction, maintenance or utility work zone? (If yes, complete this section) Yes ☐ No ☒

Type of Work Zone
1 Lane Closure
2 Lane Shift/Crossover
3 Work on Shoulder or Median
4 Intermittent or Moving Work
9 Unknown

Location of the Work Zone Collision
1 Before the First Work Zone Warning Sign
2 Advance Warning Area
3 Transition Area
4 Activity Area
5 Termination Area
9 Unknown

Workers Present Yes ☐ No ☐ Unknown ☐

Light 1
1 Daylight
2 Dark-Not Lighted
3 Dark-Lighted
4 Dawn
5 Dusk
6 Dark-Unknown Lighting
7 Other
9 Unknown

Weather 01
01 Clear
02 Fog/Smog/Smoke
03 Cloudy
04 Rain
05 Snow
06 Sleet/Hail (Freezing Rain/Drizzle)
07 Severe Crosswind
08 Blowing Snow
09 Blowing Sand, Soil, Dirt
10 Other
99 Unknown

Locality 2
1 Residential
2 Business
3 Industrial
4 School
5 Not Built-up
6 Mixed Use
7 Other
9 Unknown

Type of Intersection 0
0 Not an Intersection
2 Y-Intersection
3 T-Intersection
4 Four-Way Intersection
5 Five-Point or More
6 Intersection as Part of Interchange
7 Traffic Circle
8 Roundabout
9 Unknown

Incident Type 00
00 Not an Incident
51 Private Property
52 Deliberate Intent
53 Medical Condition
54 Legal Intervention
55 Suicide
57 Drowning
58 Other

Location of First Harmful Event 01
01 On Roadway
02 Shoulder
03 Median
04 Roadside
05 Gore
06 Separator
07 Parking Lane/Zone
08 Off Roadway, Location Unknown
09 Outside Right-of Way
10 Other
99 Unknown

What Vehicle Was Going to Do	Unit 1	Unit 2
	01	01

00 Not Applicable
01 Go Ahead
02 Turn Left
03 Turn Right
04 Make "U" Turn
05 Stop
06 Slow for Cause
07 Start from Park/Stop
08 Change Lanes
09 Overtake
10 Pass
11 Back
12 Remain Stopped
13 Remain Parked
14 Enter/Merge in Traffic
15 Negotiate a Curve
16 Park
17 Other
99 Unknown

What Vehicle Did	Unit 1	Unit 2
	01	01

00 Not Applicable
01 Went Ahead
02 Turned Left
03 Turned Right
04 Entered "U" Turn
05 Stopped
06 Slowed
07 Started From Park/Stop
08 Entered Other Lane
09 Overtaking
10 Passing
11 Backed
12 Remained Stopped
13 Remained Parked
14 Entered/Merged
15 Departed Rdwy-Right
16 Departed Rdwy-Left
17 Swerved Right
18 Swerved Left
19 Parked
20 Other
99 Unknown

Visibility Obscured by	Unit 1	Unit 2
	00	00

00 Not Applicable
01 Trees
02 Embankment
03 Building
04 Signs
05 Parked Vehicles
06 High Weeds
07 Fences
08 Shrubbery
09 Ice, Snow or Frost on Windows
10 Smoke
11 Fog
12 Dust
13 Rain
14 Sun
15 Other
99 Unknown

Driver Distracted by	Unit 1	Unit 2
	0	0

0 Not Applicable/None
1 Electronic Communication Devices
2 Other Electronic Device
3 Other Inside Vehicle
4 Other Outside Vehicle
9 Unknown

Underride/ Override	Unit 1	Unit 2
	6	3

0 Not Applicable
1 No Underride or Override
2 Underride, Compartment Intrusion
3 Underride, No Compartment Intrusion
4 Underride, Compartment Intrusion Unknown
5 Override, Motor Vehicle in Transport
6 Override, Other Motor Vehicle
9 Unknown

Traffic Control	Unit 1	Unit 2
	00	00

00 No Control
01 Stop Sign
02 Traffic Signal
03 Flashing Traffic Signal
04 School Zone Signs
05 Yield Sign
06 Warning Sign
07 Railroad Advance Warning Sign
08 Railroad Cross Bucks
09 Railroad Gates
10 Railroad Signal
11 No Passing Zone
12 Person (including flagger, law enforcement, crossing guard, etc.)
13 Abnormal Control
14 Other
99 Unknown

Road Surface Conditions	Unit 1	Unit 2
	01	01

01 Dry
02 Wet
03 Ice/Frost
04 Snow
05 Mud, Dirt, Gravel
06 Slush
07 Water (standing, moving)
08 Sand
09 Oil
10 Other
99 Unknown

Road Character

Grade	Unit 1	Unit 2
1 Level, 2 Hillcrest, 3 Uphill, 4 Downhill, 5 Sag (bottom)	1	1

Road Alignment	Unit 1	Unit 2
1 Straight, 2 Curve - Left, 3 Curve - Right	1	1

Road Surface Type	Unit 1	Unit 2
	2	2

1 Concrete
2 Asphalt
3 Gravel
4 Dirt
5 Brick
6 Other
9 Unknown

Trafficway	Unit 1	Unit 2
	2	2

0 Not Applicable
1 One Way
2 Two-Way - Not Divided
3 Two-Way - Divided
4 Two-Way - Divided - Positive Median Barrier
5 Turn Lane
6 Ramp / Loop
7 Driveway
8 Alley / Parking Lot
9 Unknown

Vehicle Removal	Unit 1	Unit 2
	4	0

0 Not Applicable
1 Towed Due to Vehicle Damage
2 Towed For Reasons Other Than Damage
3 Remained at Scene
4 Driven from Scene
9 Unknown

Vehicle Condition	Unit 1	Unit 2
	01	00

00 Not Applicable
01 Apparently Normal
02 Brakes
03 Headlights
04 Steering
05 Tail Lights
06 Brake Lights
07 Tires/Wheels
08 Suspension
09 Signal lights
10 Windows
11 Truck Coupling/Trailer Hitch/Safety Chains
12 Mirrors
13 Wipers
14 Power Train
15 Other
99 Unknown

Special Function of Vehicle	Unit 1	Unit 2
	00	00

00 Not Applicable
01 School Bus
02 Transit Bus
03 Intercity Bus
04 Charter Bus
05 Other Bus
06 Military
07 OHP
08 Other Police
09 Other Law Enforcement
10 Ambulance
11 Fire Truck
12 Public Owned Vehicle
13 Highway Equipment
14 Special Mobilized Machine
15 Other
99 Unknown

Emergency Vehicle Responding to an Emergency	Unit 1	Unit 2
	0	0

0 N/A
1 Yes
2 No
9 Unknown

Unsafe / Unlawful Contributing Factors	Unit 1	Unit 2
	84	98

FAILED TO YIELD
01 From Stop Sign
02 From Yield Sign
03 Private Drive
04 County Road at Through Highway
05 From Signal Light
06 From Alley
07 To Pedestrian
08 To Vehicle on Right
09 To Vehicle in Intersection
10 To Emergency Vehicles
12 Other

FOLLOWED TOO CLOSELY
13 Human Element
14 Traffic Condition
15 Weather Condition

UNSAFE SPEED
16 Driver's Ability (Aged)
17 Inexperienced Driver - Young
18 Exceeding Legal Limit
19 For Traffic Conditions
20 For Type of Roadway (Gravel, Dirt, etc.)
21 For Ice or Snow on Roadway
22 Rain or Wet Roadway
23 Wind
24 Other Weather Conditions
25 Vehicle Condition
26 View Obstruction
27 On Curve/Turn
28 Impeding Traffic
29 Other

IMPROPER TURN
30 From Wrong Lane
31 From Direct Course
32 Right
33 Left
34 Turn About/U-Turn
35 To Enter Private Drive
36 In Front of Oncoming Traffic
37 Other
38 CHANGED LANES UNSAFELY
39 STOPPED IN TRAFFIC LANE

FAILED TO STOP
40 For Stop Sign
41 For Traffic Signal
42 For School Bus
43 For Railroad Gates/ Signal
44 For Officer/Flagman
45 At Sidewalk/Stopline
46 Other

UNSAFE VEHICLE
47 Brakes
48 Steering
49 Tires
50 Suspension
51 Headlights
52 Tail Lights
53 Stop Lights
54 Wheel
55 Exhaust System
56 Windshield Wipers
57 Other Mechanical Defects

LEFT OF CENTER
58 In Meeting
59 No Passing Zone (Unmarked)
60 Marked Zone
61 Other

IMPROPER OVERTAKING
62 In Marked Zone
63 On Hill/Curve
64 At Intersection
65 Without Sufficient Clearance
66 Other

IMPROPER PARKING
67 On Roadway
68 Where Prohibited
69 Other

INATTENTION
70 Distracted by Passenger in Vehicle
71 Other Distraction Inside Vehicle
72 Distraction From Outside Vehicle
73 Other

WRONG WAY
74 On One Way
75 On Exit Ramp
76 On Entrance Ramp
77 Other

IMPROPER START FROM
78 Parked Position
79 Other

80 ALCOHOL-DUI/DWI
81 DRUG-DUI

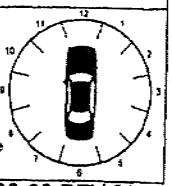
OTHER IMPROPER ACT/ MOVEMENT
82 Failed to Signal
83 Disregarded Warning Signal
84 Improper Use of Lane
85 Improper Backing
86 Apparently Sleepy
87 Failed to Secure Load
88 Other/Unknown

UNKN./NO IMPROPER ACT
89 Deer in Roadway
90 Animal in Roadway
91 Domestic Animal in Rdwy
92 Avoiding Other Vehicle
93 Avoiding Pedestrian
94 Object/Debris in Roadway
95 Defect in Roadway
96 Abnormal Traffic Control
97 Improper Bicyclist Action
98 NO IMPROPER ACTION BY DRIVER
99 PEDESTRIAN ACTION

Point of First Contact on Vehicle	Unit 1	Unit 2
	05	00

Most Damaged Area	Unit 1	Unit 2
	00	00

00 Not Applicable
13 Top
14 Undercarriage
99 Unknown

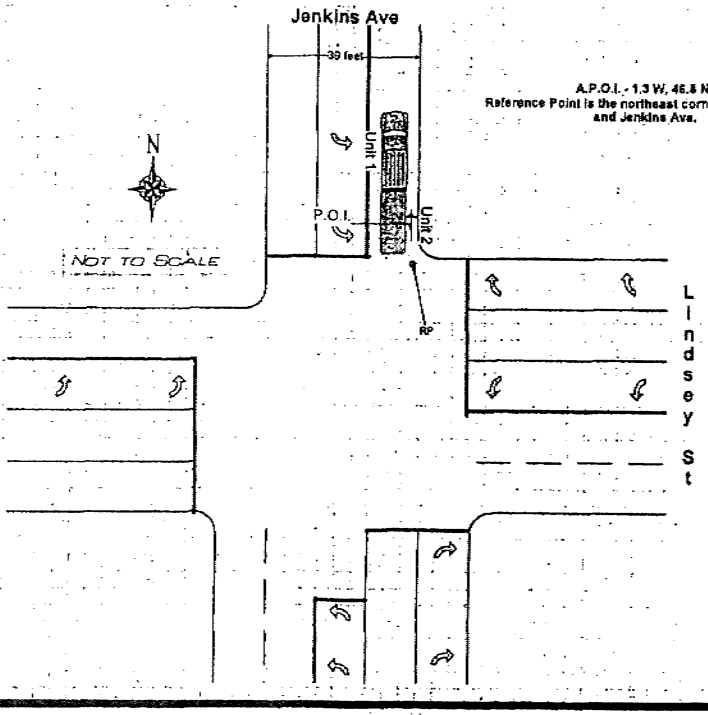


DPS: 0192-03 REV 0107

Case Number 2010-14554

Latitude ____ N Longitude ____ W Railroad Crossing Number ____ Roadway Orientation Unit Number 01 NE SW N Unit Number 02 NE SW N

Indicate North by Arrow



COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event	First Harmful Event for the Entire Collision
01	31	00	00	00	31	31
02	00	00	00	00	00	

00 Not Applicable
10 Overturn/Rollover
11 Fire/Explosion
12 Immersion
13 Jackknife
14 Cargo/Equipment Loss or Shift
15 Equipment Failure (Blown Tire, Brake Failure, etc.)
16 Separation of Units
17 Departed Road Right
18 Departed Road Left
19 Cross Median/Centerline
20 Downhill Runaway
21 Fell/Jumped From Motor Vehicle
22 Thrown Or Falling Object
23 Other Non-Collision

PERSON, MOTOR VEHICLE, OR NON-FIXED OBJECT:
30 Pedestrian
31 Pedal Cycle
32 Railway Vehicle (train, engine)
33 Animal
34 Motor Vehicle in Transport
35 Parked Motor Vehicle
36 Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle
37 Work Zone/Maintenance Equipment
38 Other Non-Fixed Object

FIXED OBJECT:
40 Barrier (Cable)
41 Barrier (Concrete)
42 Barrier (Other)
43 Fence Pole
44 Fence
45 Traffic Signal Support
46 Traffic Sign Support
47 Utility Pole/Light Support
48 Other Post/Pole/Support
49 Guardrail/Guardrail Face
50 Guardrail End
51 Culvert
52 Curb
53 Island
54 Sand Barrels
55 Impact Attenuator/ Crash Cushion
56 Pavement Drop-Off
57 Ditch
58 Embankment
59 Tree (Standing)
60 Dividing Strip
61 Retaining Wall
62 Bridge Abutment
63 Bridge Pier or Support
64 Bridge Rail
65 Bridge Post
66 Bridge Curb
67 Bridge Super Structure (Beams)
68 Bridge Overhead Structure
69 Delineator
70 Mailbox
71 Other Fixed Object
72 Other Highway Structure
73 Ground
99 Unknown

Remarks

UNIT 1 WAS DRIVING NORTH BOUND ON JENKINS AVE. UNIT 2 WAS ON A BIKE PEDALING NORTH BOUND ON JENKINS AVE. UNIT 1 PASSED BY UNIT 2. WHEN UNIT 1 PASSED BY UNIT 2 THE TRAILER BEING TOWED BY UNIT 1 HIT UNIT 2 CAUSING HIM TO FALL TO THE GROUND AND UNIT 1 DRAGGED UNIT 2 FOR 29.10 FEET. UNIT 1 WAS NOT AWARE THAT HE HIT UNIT 2 AND CONTINUED TO DRIVE NORTH BOUND. THE DRIVER FROM UNIT 1 WAS LATER NOTIFIED AND RETURNED TO THE SCENE.

This report is based on the officer's investigation of this collision. This report may contain the opinion of the officer.

DPS: 0192-04 REV 0107

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-0910-103 Chg #3

File ID: K-0910-103 Chg #3 **Type:** Contract **Status:** Consent Item

Version: 1 **Reference:** Item No. 22 **In Control:** City Council

Department: Fire Department **Cost:** $2,325.82 **File Created:** 09/13/2011

File Name: Change #3 & Final Accpt Fire Station #8 **Final Action:**

Title: CHANGE ORDER NO. THREE TO CONTRACT NO. K-0910-103: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DIVERSIFIED CONSTRUCTION OF OKLAHOMA, INC., INCREASING THE CONTRACT AMOUNT BY $2,325.82 FOR THE FIRE STATION NO. EIGHT CONSTRUCTION PROJECT LOCATED AT 3901 36TH AVENUE N.W. AND FINAL ACCEPTANCE OF THE PROJECT.

ACTION NEEDED: Motion to approve or reject Change Order No. Three to Contract No. K-0910-103 with Diversified Construction of Oklahoma, Inc., increasing the contract amount by $2,325.82; and, if approved, authorize the execution thereof, accept the project, and direct final payment to Diversified Construction of Oklahoma, Inc., in the amount of $2,325.82.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 22

Attachments: Final Invoice - Diversified Construction - Fire Station 8,
Change Order 3 K-0910-103

Project Manager: James Fullingim, Fire Chief

Entered by: devra.smith@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-0910-103 Chg #3

body

BACKGROUND: In May 2008, the Public Safety Sales Tax was approved by the voters to build two additional fire stations. The FYE 2009 Budget provided $500,000 for land acquisition and $2,500,000 for design and construction of the first of the two fire stations to be located on the

west side of Norman. On April 14, 2009, Council approved a contract with Kirkpatrick Architecture Studio to provide architectural services for the first fire station, Fire Station #8 to be located at 3901 36th Ave NW. An acceptable fire station plan was designed and the bid documents were prepared by Kirkpatrick Architecture Studio. Contract K-0910-103 between the City of Norman and Diversified Construction of Oklahoma in the amount of $2,064,000 for construction of Fire Station #8 was approved by Council on December 22, 2009. Change Order No. 1 to this contract was approved by Council on June 8, 2010 and provided for relocation of an electrical transmission line utility pole. On February 8, 2011 Council approved Change Order No. 2 that provided for a storage building and a future fueling site.

DISCUSSION: This change order encompasses the following items.

1. Building permit for storage shed -$55.00
2. Renew Storm Water Permit - $360.94
3. Install ramp for storage facility - $968.00
4. Paint sprinkler pipe and base in apparatus room - $210.38
5. Provide & install eleven additional LEED Signs - $181.50
6. Install Blazlock paint to conceal spray foam - $550.00

The total cost associated with the above changes is $2,325.82, making the total contract amount $2,144,277.89. Funds for this work are available in Project No. FT0002, Fire Station 8, Construction (050-9377-419.61-01).

RECOMMENDATION: Staff recommends approval of Change Order No. 3 increasing Contract K-0910-103 by $2,325.82; final acceptance the Fire Station 8 construction project; and authorization to make final payment on this contract to Diversified Construction of Oklahoma.

Diversified Construction of Oklahoma, Inc.
6288 Boucher Drive, Edmond, OK 73034 * (405) 340-3164 * Fax-(405) 348-7070

INVOICE

August 2, 2011

Norman Fire Department
415 East Main
Norman, OK 73071

We, Diversified Construction, completed the following work:

1.	Building permit for storage shed	$ 55.00
2.	Renew Storm Water Permit	$360.94
3.	Install ramp for new storage shed	$968.00
4.	Paint Sprinkler pipe & base in Rig Room	$210.38
5.	Provide & Install 11 additional LEED Signs	$181.50
6.	Install Blaziock paint to conceal spray foam	$550.00
	Total Amount Owed:	$2,325.82

The above work was not covered by any previous Change Orders or Allowances.

Authorized Signature: Kenneth Ferchau Date: 8-2-2011
Ken Ferchau - -Project Manager

Please Remit Payments to:

Diversified Construction
6288 Boucher Drive
Edmond, Oklahoma 73034

Still to be Paid Items				
RFP Storm Water	Renew storm water permit	12/1/2010	$360.94	
RFP Ramp @ Shed	Saw cut and install ramp @ storage shed	3/24/2011	$968.00	
RFP Add Paint	Paint sprinkler pipe and base in Rig room	4/25/2011	$210.38	
RFP LEED Signs	11 additional LEED signs	5/18/2011	$181.50	
RFP Blazlock Paint	Add Blazlock paint to cover spray foam	5/18/2011	$550.00	
RFP 13 Storage Shed	Building Permit		$55.00	**$2,325.82**

AIA Document G701™ – 2001

Change Order

PROJECT *(Name and address):*	**CHANGE ORDER NUMBER:** 003	OWNER: ☒
City of Norman P O Box 370 201 West Gray, Bldg. A Norman, OK 73070	**DATE:** 20 September 2011	ARCHITECT: ☒
		CONTRACTOR: ☒
TO CONTRACTOR *(Name and address):*	**ARCHITECT'S PROJECT NUMBER:**	FIELD: ☐
Diversified Construction of Okla., Inc. 6288 Boucher Drive Edmond, OK 73034	**CONTRACT DATE:** 04 January 2010 **CONTRACT FOR:** General Construction	OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:
(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

1. Building permit for storage shed Add $55.00
2. Renew Storm Water Permit Add $360.94
3. Install ramp for new storage shed Add $968.00
4. Paint sprinkler pipe & base in Rig Room Add $210.38
5. Provide & install 11 additional LEED Signs Add $181.50
6. Install Blazlock paint to conceal spray foam Add $550.00

The original Contract Sum was	$	2,064,000.00
The net change by previously authorized Change Orders	$	77,952.07
The Contract Sum prior to this Change Order was	$	2,141,952.07
The Contract Sum will be increased by this Change Order in the amount of	$	2,325.82
The new Contract Sum including this Change Order will be	$	2,144,277.89

The Contract Time will be unchanged by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is 21 January 2011

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Kirkpatrick Architecture Studio **ARCHITECT** *(Firm name)*	Diversified Construction of Okla., Inc. **CONTRACTOR** *(Firm name)*	City of Norman **OWNER** *(Firm name)*
100 W. Mulberry Denton, TX 76201 **ADDRESS**	6288 Boucher Drive Edmond, OK 73034 **ADDRESS**	P O Box 370 201 West Gray, Bldg. A Norman, OK 73070 **ADDRESS**
BY *(Signature)*	**BY** *(Signature)*	**BY** *(Signature)*
James R. Kirkpatrick, President *(Typed name)*	Kenneth Fenhaus *(Typed name)*	*(Typed name)*
09/20/11 **DATE**	9-20-2011 **DATE**	**DATE**

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE 9/20/11

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City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-0910-129 FINAL

File ID: K-0910-129 FINAL **Type:** Contract **Status:** Consent Item

Version: 2 **Reference:** Item No. 23 **In Control:** City Council

Department: Utilities Department **Cost:** **File Created:** 08/08/2011

File Name: Final Acceptance K-0910-129 **Final Action:**

Title: CONSIDERATION OF FINAL ACCEPTANCE OF CONTRACT NO. K-0910-129 BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND C-P INTEGRATED SERVICES, INC., FOR THE TRANSFER STATION EXPANSION PROJECT.

ACTION NEEDED: Acting as the Norman Municipal Authority, motion to accept or reject the project; and, if accepted, direct final payment in the amount of $27,752.70 to C-P Integrated Services, Inc.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 23

Attachments: Recommendation Letter

Project Manager: Jim Speck, Capital Projects Engineer

Entered by: jim.speck@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-0910-129 FINAL

Body

BACKGROUND: The Norman Municipal Authority (NMA) Transfer Station is located at 3901 S. Chautauqua just south of State Highway 9. The Transfer Station is the centralized facility where residential and commercial solid waste is unloaded from collection vehicles and then loaded into larger tractor trailer vehicles for transfer to a solid waste landfill outside of Norman. The Transfer Station is utilized by the University of Oklahoma and City of Norman as well as the general public for non-hazardous waste disposal. The existing transfer station was built in 1985, is undersized, and is in very poor condition because of heavy usage.

On April 25, 2006, the NMA approved Contract No. K-0506-141 authorizing Cardinal Engineering, Inc. to proceed with preliminary design services. The Norman Transfer Station Project (SA0002) will allow more efficient collection and transfer of solid waste and will enhance safety at the facility by improving traffic flow. As a result of the preliminary design, Cardinal recommended development of a new facility adjacent to and east of the existing transfer station.

DESCRIPTION: On March 9, 2010, the NMA approved No. Contract K-0910-129 with C-P Integrated Services, Inc. of Oklahoma City with a low bid of $2,775,270. The project included the construction of a Transfer Station building, scale house, scales, waterlines and sewerlines along with site development.

The project is now complete. A final inspection was performed in June 2011 by staff and our consultant, Cardinal Engineering. All minor work remaining at that time is complete and construction meets city standards. The facility was placed in operation on July 1, 2011.

RECOMMENDATION: Staff recommends the NMA accept the improvements for the Transfer Station and authorize the final payment to C-P Integrated Services, Inc. in the amount of $27,752.70.

CARDINAL
ENGINEERING
www.cardinalengineers.com

July 18, 2011

Mr. Jim Speck, P.E., P.L.S.
Utility Department
City of Norman
201-C West Gray
Norman, OK 73070

RE: Contract K-0910-129 – C-P Integrated Services, Inc.
Norman Transfer Station FYE 2011
Recommendation for Acceptance of Public Improvements

Dear Mr. Speck
This letter represents the Engineer's recommendation to accept the public improvements related to the Norman Transfer Station under contract K-0910-129 with C-P Integrated Services, Inc. for project "close-out".

Original Contract Amount (K-0910-129)	$2,775,270.00
Final Contract Amount =	**$2,775,270.00**

If you have any questions, please call.

Sincerely,

William R. Swain, P.E., P.L.S.
Cardinal Engineering Inc.

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-1112-41

File ID: K-1112-41 **Type:** Contract **Status:** Consent Item

Version: 1 **Reference:** 24 **In Control:** City Council

Department: Public Works Department **Cost:** $39,973.96 **File Created:** 08/08/2011

File Name: K-1112-41 IMS **Final Action:**

Title: CONTRACT NO. K-1112-41: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INFRASTRUCTURE MANAGEMENT SERVICES, INC., (IMS) IN AN AMOUNT NOT-TO-EXCEED $39,973.96 TO DEVELOP A PAVEMENT MANAGEMENT PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2012.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-41 with IMS in an amount not-to-exceed $39,973.96; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 24

Attachments: 2010 Pavement Management Report Executive Summary.pdf, I M S Contract 09-01-2011, PR IMS

Project Manager: Greg Hall, Street Superintendent

Entered by: julie.shelton@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1112-41

Body

BACKGROUND: On February 27, 2001, the City Council approved Contract No. K-0001-113 with Infrastructure Management Services, Inc. (IMS) of Tempe, Arizona to develop a Pavement Management Program for the City of Norman. The City has used this program since that time to plan its street maintenance activities, including the Pavement Rehabilitation Programs funded by

the 2005 and 2010 General Obligation Bonds.

This pavement management system allows staff to objectively perform pavement maintenance of the City's extensive network of 750 miles of public streets. The condition of each street is re-evaluated every five (5) years in order to keep the system current and valid. The 2010 Pavement Management Report was previously distributed in Council's agenda packet for review.

DISCUSSION: Contract No. K-1112-41 by and between the City of Norman and IMS, Infrastructure Management Services, Inc., provides pavement management system services. These services provide engineering field test data of the City's streets, which is software loaded and computer analyzed for the development of the most cost effective and timely maintenance strategy. One fifth (1/5) of the City's street network, or 150 miles, is re-evaluated by IMS each year. Funding is budgeted in FYE 2012 as follows:

050-9511-431.62-01 - Asphalt Pavement Maintenance - SC 0540 - $ 10,000
050-9692-431.62-01 - Asphalt Paver Patching - SC 0527 - $ 10,000
050-9718-431.62-01 - Concrete Pavement Maintenance - SC 0530 - $ 10,000
050-9696-431.62-01 - Rural Roads System Improvements - SC 0538 - $ 9,973.96

Infrastructure Management Services, Inc. is the only source of support for the IMS software system. Section 8-204(b)(2) of the Code of the City of Norman authorizes the City Council to waive competitive bidding for the purchase of supplies, materials, equipment, or contractual services which can only be furnished by a single dealer or have a uniform price wherever bought. IMS has submitted a fee schedule to perform updated tests and provide maintenance strategy software to the City in an amount not to exceed $39,973.96.

1) TERM/RENEWAL
This CONTRACT shall be effective from July 01, 2011 through June 30, 2012 when it shall terminate automatically, unless terminated by either party as set forth in section (1) (B) of this Agreement.

This CONTRACT may be renewable for two additional one-year periods at the option of the CITY. Should the CITY desire to renew the CONTRACT, a written preliminary notice will be furnished to the CONTRACTOR prior to the expiration date of the CONTRACT. Such preliminary notice shall not be considered to be a commitment to contract with the CONTRACTOR as all contracts must be approved by the Norman City Council and sufficient appropriations shall have been made for the particular fiscal year for which the renewal is sought.

Should the CITY exercise this option for renewal, the CONTRACT as renewed shall be deemed to include this option provision except that the total duration of this CONTRACT, including any renewals, shall not exceed three years.

Either party may terminate this Agreement with (30) days advanced written notice to the other party, with or without cause.

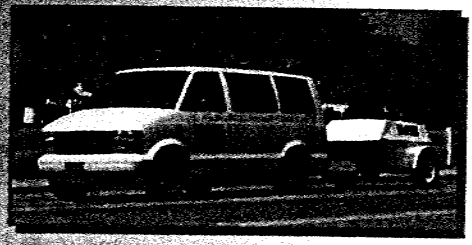
RECOMMENDATION: Staff recommends approval of Contract K-1112-41 with IMS, Infrastructure Management Services, Inc. be approved and staff authorized to issue a Notice to Proceed.

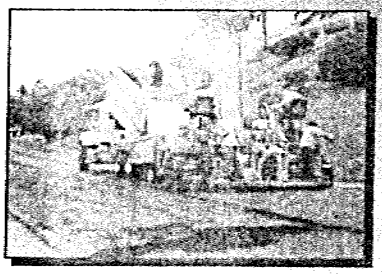
City of Norman, OK

2010 Pavement Management Report

December, 2010

Prepared By
David E. Butler P.E.





IMS Infrastructure Management Services
1895 Rohlwing Road, Suite D, Rolling Meadows, IL 60008
Phone: (847) 506-1500, Fax: (847) 255-2938
www.ims-rst.com

1.0 INTRODUCTION

The City of Norman, Oklahoma retained IMS Infrastructure Management Services, Inc. to create a Pavement Management Report in conjunction with the implementation of the City's Pavement Management System. This initial study was completed in 2001. IMS has retested significant portions of the network on a systematic basis in 2005, 2006, 2007, 2008, 2009 and 2010. The purpose of this document is to report the current condition of the pavement network and report the condition of the network in the future as predicted by the pavement management program. This report's purpose is also to compare portions of the network that have been re-tested to the data collected in 2001. The report also outlines the budget necessary to maintain the current pavement condition of the network.

2.0 EXECUTIVE SUMMARY

Billions of dollars have been invested in our street networks. Sound decisions on preventive maintenance, rehabilitation, and reconstruction of streets are crucial to protecting that large investment. Preservation of existing road and street systems has become a major activity for all levels of government. There is a shortage of funds to maintain street systems at the State and local government levels. Funds that have been designated for pavements must therefore be used as effectively as possible. One proven method to obtain maximum value of available funds is through the use of a Pavement Management System (PMS).

Pavement management is the process of planning, budgeting, funding, designing, constructing, monitoring, evaluating, maintaining, and rehabilitating the pavement network to provide maximum benefits for available funds. A PMS is a set of tools or methods that assists decision makers in finding optimum strategies for providing and maintaining pavements in a serviceable condition over a given time period. As shown in Figure 1, streets that are repaired when they are in a fair condition will cost less over their lifetime than streets that are allowed to deteriorate to a bad condition. Without an adequate routine pavement maintenance program, streets require more frequent reconstruction, thereby costing millions of extra dollars.

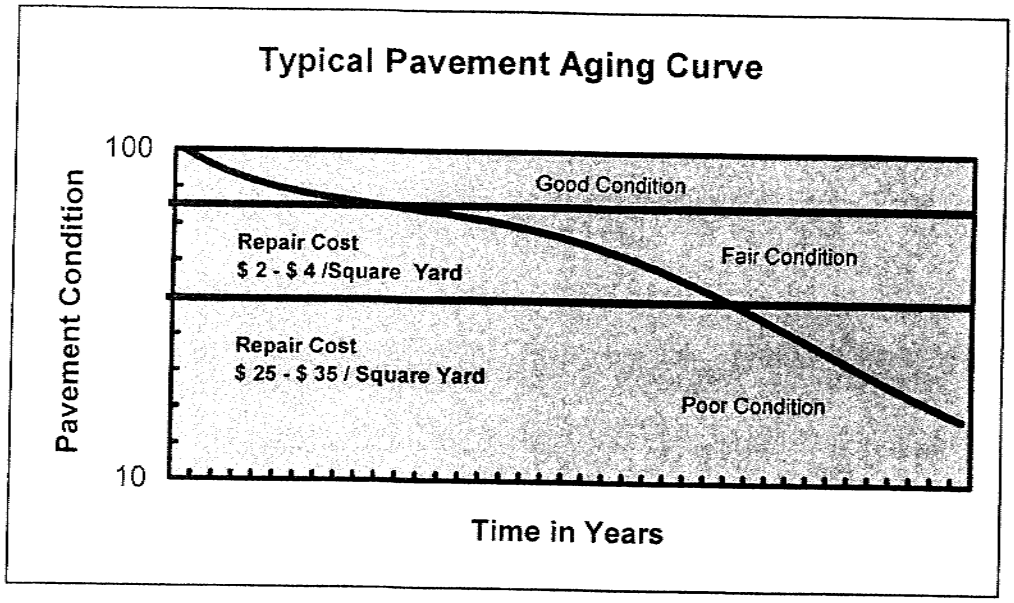


Figure 1:

IMS Infrastructure Management Services, Inc. has developed a PMS that can scientifically answer questions typically asked by organizations responsible for maintaining street networks. These questions include the following:

What is the current condition of the street network?,
How much money is required to maintain the same level in 3 or 5 years?,
What will the condition be if present funding levels are maintained?,
What is the most cost effective way to spend street repair money?, and
What type of repairs should be carried out? etc.

In 2001 IMS carried out a detailed pavement condition survey for the City of Norman, utilizing the Laser Road Surface Tester (RST) for pavement condition testing, and the Dynaflect for deflection condition testing. In addition, traffic and repair cost data was acquired from the City. Portions of the road network were retested in 2005, 2006, 2007, 2008, 2009 and 2010. The IMS Pavement Management System utilizes this data for pavement condition determination, surface and structural analysis, improvement determination, prioritization and budgeting.

Conditions and Findings

The street network of the City of Norman consists of approximately 10,609,496 square yards of pavement area. The overall condition of the pavement network or pavement condition number (PCN) in 2010 is 74. Figure 2 shows overall pavement condition for the City of Norman on a 10 to 100 scale, 10 being worst and 100 being best condition.

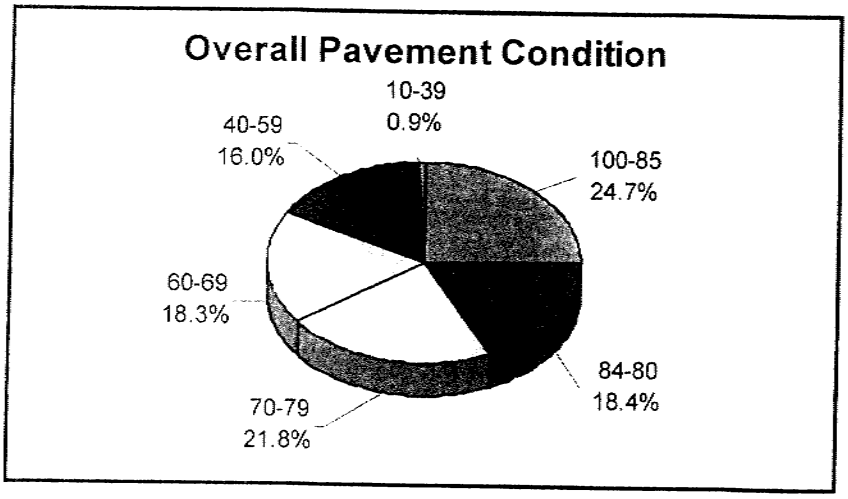


Figure 2: Overall Pavement Condition

A general description of what the PCN level means with respect to remaining life is included in table 2 and table 3.

Table 2:

PCN Level	Relative Remaining Life
85 and above	12 to 15 Years
80 – 84	10 to 12 Years
70 – 79	8 to 10 Years
60 – 69	6 to 8 Years
40 – 59	3 to 6 Years
10 – 39	Less than 3 Years

AGREEMENT FOR ENGINEERING SERVICES

FOR A

FYE 2012 PAVEMENT MANAGEMENT SYSTEM UPDATE

FOR THE

CITY OF NORMAN, OKLAHOMA

AGREEMENT FOR ENGINEERING SERVICES

This AGREEMENT, made and entered into this _____ day of _____, 2011, by and between IMS Infrastructure Management Services, whose address is 1820 W. Drake Drive, Suite 108, Tempe, AZ, 85283, hereinafter called the "Engineer" and the Public Agency of the City of Norman, State of Oklahoma, hereinafter called the "Public Agency", covers certain professional engineering services in connection with the City of Norman Pavement Management Program which is an engineering service financed entirely by the Public Agency.

WITNESSETH THAT, in consideration of these premises and of the mutual covenants herein set forth:

THE ENGINEER AGREES:

1. **To perform a Pavement Management Program Update for approximately 1572 test sections on roads designated by the Public Agency in accordance with the procedures set forth in Appendix "A".**

2. **To conduct the following operations necessary to develop a current computerized Pavement Management Program:**
   - **A. Pavement Inventory**
   - **B. Environmental Survey**
   - **C. RST Surface Condition Survey**
   - **D. Dynamic Deflection Testing**
   - **E. Computerized Pavement Management Software Program upgrade**

3. **To update the Pavement Management Software Program to be installed on Public Agency Workstation.**

4. **To complete the field investigation and update the operational computerized Pavement Management Program and provide all deliverables in workable form within 150 calendar days after the Notice to Proceed. Bad weather days will not be counted.**

5. **To meet with the Public Agency or representatives of the department for initiation of the project, coordination of field activities, and installation of the updated computerized Pavement Management Program.**

6. **Default values that could misrepresent the true condition will not be utilized in program calculations. In the event data or test results are found in error during review of the report, the Engineer agrees to perform such corrections without additional expense to the Public Agency. The Engineer shall give immediate attention to these changes so there will be a minimum delay to the Public Agency.**

7. **No Subcontractor shall be used without reasonable advanced written notice. If such Subcontractor is approved by the Public Agency, such Subcontractor shall comply with provisions of this agreement. Nothing contained in a Subcontract by the Engineer shall create any obligation on the part of the Public Agency.**

THE ENGINEER AGREES: "Continued"

8. To indemnify and save Public Agency from any loss, cost, or expense including attorney fees, claimed by third parties for property damage or bodily injury, including death, caused by the negligence of the Engineer or its employees during services.

THE PUBLIC AGENCY AGREES:

1. To pay the Engineer compensation for all services performed as stipulated in paragraphs 1,2,3 and 4 of the ENGINEER AGREES and further defined in Appendix "A".

2. Should the project be abandoned at anytime after the Engineer has performed any part of the services provided for in Paragraphs 1, 2, and 3 of ENGINEER AGREES, and prior to the completion of such services, the Public Agency shall reimburse the Engineer for the percentage of the work completed up to the time he is notified in writing of such abandonment.

3. That, should the Public Agency require changes on any of the detailed specifications, except for those pursuant to paragraph 6 of ENGINEER AGREES, after they have been approved by the Public Agency, the Public Agency will pay the Engineer for such changes on the basis of the Engineer's established unit prices. It is understood that "Changes" as used in this paragraph shall in no way relieve the Engineer of his responsibility to prepare a complete Pavement Management Program for the evaluation of pavement conditions.

4. To provide the following:
   - A. Project limits and street map for performing the various data collection operations.
   - B. Present and projected future traffic volumes (delineating automobiles, single-axle trucks, multi-axle trucks and buses if available).
   - C. Maintenance strategies and corresponding implementation costs for use in the program.
   - D. A safety vehicle, when requested, to provide protection for the deflection testing operation on heavily traveled roads or those in hilly terrains.
   - E. Cost: To be paid from allocated budgeted funds.

5. To indemnify and save Engineer from any loss, cost, or expense including attorney fees, claimed by third parties for property damage or bodily injury, including death, caused by the negligence of the Public Agency or its employees during services.

IT IS MUTUALLY AGREED:

1. **That any difference between the Engineer and the Public Agency concerning the interpretation of the provisions of this Agreement shall be referred to a committee of disinterested parties consisting of one member appointed by the Engineer, one member appointed by the Public Agency and a third member appointed by the two other members for disposition and the committee's decision shall be final.**

2. **This Agreement may be terminated by the Public Agency upon giving notice in writing to the Engineer at his last known post office address. Upon such termination, the Engineer shall cause to be delivered to the Public Agency all data, if any, from pavement studies with the understanding that all such material becomes the property of the Public Agency. The Engineer shall be paid for any services completed and any services partially completed in accordance with Section 3 of THE PUBLIC AGENCY AGREES.**

3. **That the Engineer warrants that he has not employed or retained any company or person, other than a bona fide employee working solely for the Engineer, to solicit or secure this contract, and that he has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the Engineer, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of his contract. For breach or violation of this warranty with Public Agency shall have the right to annul this contract without liability.**

4. **Term/Renewal**

   A. **This CONTRACT shall be effective from July 01, 2011 through June 30, 2012 when it shall terminate automatically, unless terminated by either party as set forth in section (4) (D) of the IT IS MUTUALLY AGREED section in this Agreement.**

   B. **This CONTRACT may be renewable for two additional one-year periods at the option of the CITY. Should the CITY desire to renew the CONTRACT, a written preliminary notice will be furnished to the CONTRACTOR prior to the expiration date of the CONTRACT. Such preliminary notice shall not be considered to be a commitment to contract with the CONTRACTOR as all contracts must be approved by the Norman City Council and sufficient appropriations shall have been made for the particular fiscal year for which the renewal is sought.**

   C. **Should the CITY exercise this option for renewal, the CONTRACT as renewed shall be deemed to include this option provision except that the total duration of this CONTRACT, including any renewals, shall not exceed three years.**

   D. **Either party may terminate this Agreement with (30) days advanced written notice to the other party, with or without cause.**

IN WITNESS WHEROF, the parties hereto have executed this Agreement the day and year first above written.

IMS INFRASTRUCTURE MANAGEMENT SERVICES
Name of Company

By _____
Alan Sadowsky
Member Manager

ATTEST:

THE CITY OF NORMAN, OKLAHOMA
A Municipal Corporation

_____
MAYOR, First Party

ATTEST:

_____
City Clerk

APPROVED as to form and legality this 15th **day of** September **, 2011**

_____
City Attorney

APPENDIX "A"

(FYE 2012 Update)

PROJECT OUTLINE

1. Project initiation

A meeting with City and IMS personnel will be held to discuss and finalize the work plan prior to each phase of the program. Items to be dealt with include:

A. Maps and lists of those streets to be evaluated (to be provided by the City).

B. Stationing frequency and maximum section length.

C. Time schedule for the various components of the program.

D. Traffic counts provided by the City.

E. Rehabilitation strategies to be included in the software, including in-place costs and anticipated inflation factors.

F. Historical data, where applicable, relating to pavement type, pavement section, and subgrade properties.

G. Specific conditions existing in the City of Norman for inclusion in software development.

H. Safety vehicle for deflection testing if requested on high volume streets.

2. Stationing

During the Project Initiation Meeting, IMS and City staff will discuss the various alternatives in stationing frequency, and the resultant levels of confidence and costs. This meeting will confirm a plan to maximize data collection efficiency and minimize costs to the City; yet ensure that the resulting database is consistent with an effective comprehensive network level program. Stationing is proposed as follows:

Rural Section line roads shall be tested at 880 feet intervals, resulting in six (6) tests per mile and allow the City to categorize tests by block number.

Urban streets shall be tested at one (1) test per block unless otherwise Request by City Staff. However the test interval shall not exceed 660 feet.

3. Estimated Cost

Utilizing the Laser Road Surface Tester (RST) and Dynaflect Machine on approximately 1572 test sections of concrete and flexible pavement streets, IMS will evaluate sections using a single-and multi-direction testing methodology. The fee schedule to perform the RST surface condition survey, environmental survey deflection testing and inventory software development is set out below:

Project Set-up and Sectioning	$2,500.00
Laser RST Surface Condition Survey	$12.75/test section
Deflection Testing	$9.18/test section
Pave Pro Manager Software Update	No Charge
Annual Software Maintenance	$3,000.00/year

IMS will continue to offer update testing using the above referenced fee schedule as a base with no increase of more than 2% per year for a period of three years through 2014. The City has the option to acquire future update testing using addendums to the agreement.

Cost Summary

IMS has developed the following cost summary based on testing 1572 sections. To offer the lowest unit prices and eliminate mobilization charges for projects of this size, IMS will perform this work in conjunction with projects in the Oklahoma area.

Project Set-up	$2,500.00
RST Testing – 1572 test sections @ $12.75/test section	$20,043.00
Deflection Testing - 1572 test sections @ $9.18/test section	$14,430.96
Annual Software Maintenance	$3,000.00
FYE 2012 Pavement Management Update	$39,973.96

Based on an estimated 1572 test sections developed through a single and multi-direction testing methodology, IMS will deliver an update to the pavement management program including an RST surface condition survey, deflection testing, environmental survey, inventory and software, for a total cost not-to-exceed $39,973.96. The cost is calculated on a unit price basis and the City will be charged only for the number of sections tested and included in the database.

Invoices will be submitted on a monthly basis for the actual work completed. Payments are due within thirty (30) days of receipt of invoice. The Public Agency shall notify Engineer of any objection within seven (7) days after receipt of invoice. Invoices will be considered acceptable to the Public Agency if no such objections are made.

4. Project Timing

IMS estimate that the field data collection will require 2 to 4 weeks. IMS will deliver the Pavement Management Software Program to the City within 45 days of completion of field data collection.

5. Technical Support

Following completion of the contractual obligations, IMS will assist the City at any time additional technical support is needed to ensure the efficient use of the Pavement Management Programs. IMS offers consultation services on an hourly or per diem basis. The rate will vary with the level of individual required to provide this service.
Our current hourly rates are as follows:

Senior Engineer	**$125.00/hour**
Senior Data Analyst	**$ 85.00/hour**
Data Entry Clerk	**$ 65.00/hour**

The differences in rates are tied only to the individuals involved. IMS will respond to the client's needs as early as possible with the correct person to meet their particular requirements.

6. GENERAL PROVISIONS

A. Insurance

IMS shall, during the term of the Agreement and until completion thereof, provide and maintain the following insurance coverage:

Type of Insurance	Minimum Limits of Liability
Standard Workmen's Compensation and Employer's Liability Including Occupational Disease Coverage	Statutory in conformance with the current compensation laws of the State of Oklahoma
Comprehensive General Liability Insurance	Statutory in conformance with the current compensation laws of the State of Oklahoma
Comprehensive Automobile Liability Insurance	Statutory in conformance with the current compensation laws of the State of Oklahoma
Umbrella Coverage	Statutory in conformance with the current compensation laws of the State of Oklahoma

Prior to the commencement of work, IMS will provide the City Certificates of Insurance evidencing the insurance is in full force and provided that said insurance will not be changed or cancelled without at least ten (10) days notice by certified mail, return receipt requested, to the City of Norman.

B. Equal Employment Opportunity

IMS is an Equal Opportunity employer and agrees not to discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer: recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation: and selection for training including apprenticeship. Further, IMS does comply in all respects with the Americans with Disabilities Act.

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-1112-57

File ID: K-1112-57	**Type:** Contract	**Status:** Consent Item
Version: 3	**Reference:** Item No. 25	**In Control:** City Council
Department: Utilities Department	**Cost:** $150,000.00	**File Created:** 09/12/2011
File Name: K-1112-57 USGS		**Final Action:**

Title: CONTRACT NO. K-1112-57: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE UNITED STATES GEOLOGICAL SURVEY IN THE AMOUNT OF $150,000 TO PROVIDE JOINT FUNDING FOR A PILOT STUDY TO EVALUATE THE NATURAL ATTENUATION OF ARSENIC AND SELECTED TRACE ELEMENTS IN GROUNDWATER.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1112-57 with the United States Geological Survey in the amount of $150,000; and, if accepted authorize the execution thereof.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 25

Attachments: Contract K-1112-57, USGS-Norman Arsenic Study 090911

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1112-57

Body

BACKGROUND: The Norman Utilities Authority (NUA) is continuing to research and develop cost effective means to provide short and long-term solutions to our water supply needs. One alternative not yet fully examined is to attempt to reclaim groundwater wells no longer in service, by pumping well water that does not meet current drinking water standards

to adjacent drainage ways and allowing the water to flow to Lake Thunderbird for treatment at our Water Treatment Plant (WTP). The wells in question are generally along US Highway 77 and have been inoperative since implementation of more stringent arsenic limits in 2006.

In early 2011, the United States Geological Survey (USGS) advised the NUA of potential grant funding for a project of this nature. On June 28, 2011, the NUA authorized submission of a grant application package to the Bureau of Reclamation (BOR) for a WaterSMART grant. The BOR grant would have provided $150,000 to match NUA funds of $150,000 toward completion of a "*Pilot Study to Evaluate the Natural Attenuation of Arsenic and Selected Trace Elements in Groundwater, Norman, OK*" by the USGS. On July 25, 2011, the BOR advised us that our application was not funded.

DISCUSSION: Since that time, staff had additional discussions with the USGS regarding possible funding scenarios for this important project. On August 25, 2011, the USGS forwarded the attached Joint Funding Agreement for "*Pilot Study to Evaluate the Natural Attenuation of Arsenic and Selected Trace Elements in Goundwater, Norman, OK*".

The work scope and cost is defined in the proposal, '*Pilot Study to Evaluate the Natural Attenuation of Arsenic and Selected Trace Elements in Groundwater, Norman, OK*". As shown on page 18 of the proposal, USGS costs for labor, soil and water sampling, and laboratory and publishing costs are expected to be $300,000. Under the agreement, the NUA and the USGS will each provide funding of $150,000 towards the project costs. The project scope is to be complete in fifteen months, between October 1, 2011 through December 31, 2012.

The Fiscal Year Ending 2012 (FYE12) budget includes funds totaling $150,000 in account 031-9942-462.62-01, USGS Aquifer Study, Project WA0175.

RECOMMENDATION: Recommend the NUA approve Contract K-1112-57 with the United States Geological Survey for $150,000 to fund '*Pilot Study to Evaluate the Natural Attenuation of Arsenic and Selected Trace Elements in Groundwater, Norman, OK*".

United States Department of the Interior

U.S. GEOLOGICAL SURVEY

Oklahoma Water Science Center
202 NW 66th Street, Building 7
Oklahoma City, OK 73116

August 25, 2011

Mr. Ken Komiske
City of Norman
201 West Gray, Building C
Norman, OK 73069

Dear Mr. Komiske:

Enclosed is the Joint Funding Agreement for the Pilot Study to Evaluate the Natural Attenuation of Arsenic and Selected Trace Elements in Groundwater, Norman, Oklahoma. This agreement between the City of Norman and the U.S. Geological Survey is for the period October 1, 2011 through December 31, 2012. The City of Norman's contribution is $150,000.00. The U.S. Geological Survey Federal matching program will contribute $150,000.00.

The USGS, Oklahoma Water Science Center DUNS No. is 094774676. The U.S. Geological Survey Employer ID (Tax ID) is 53-0196958.

Work performed with funds from this agreement will be conducted on a fixed-cost basis. You will be billed quarterly and total billing will not exceed the dollar amount stated on the Joint Funding Agreement. A DI-1040, Bill for Collection, will be the document used for billing purposes.

The results of all work under this agreement will be available for publication by the U.S. Geological Survey with the City of Norman indentified as the cooperating agency.

Please indicate your acceptance of the agreement by signing these documents. Keep two signed copies for your files and return two original signed copies to this office. Please contact Mark Becker at 405-810-4412, if you have technical questions concerning the project or other natural resource issues: and administrative questions should be directed to Suzanne Mitchell at 405-8104421.

Sincerely,

Kimberly Winton, Ph.D., Director
USGS, Oklahoma Water Science Center

Enclosures – 4

Copy to:
Project Chief
Studies Chief
AO Finance
Reading File

/hlw

Form 9-1366
(Oct. 2005)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement

Customer #:	6000002040
Agreement #:	12C4OK12OK06905
Project #:	SH00EPG
TIN #:	73-6005350
Fixed Cost Agreement	☑ Yes ☐ No

FOR
Water Resources Investigations

THIS AGREEMENT is entered into as of the 1st day of October, 2011, by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the City of Norman, party of the second part.

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation for the Pilot Study to Evaluate the Natural Attenuation of Arsenic and Selected Trace Elements in Groundwater, Norman, Oklahoma, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of $0.00.

by the party of the first part during the period

(a) $150,000.00 October 1, 2011 **to** December 31, 2012

by the party of the second part during the period

(b) $150,000.00 October 1, 2011 **to** December 31, 2012

(c) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.

(d) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.
7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

Page 2 of 2

Form 9-1366 continued	U.S. Department of the Interior U.S. Geological Survey Joint Funding Agreement	Customer #: Agreement #: Project #: TIN #:	6000002040 12C4OK12OK06905 SH00EPG 73-6005350

8. The maps, records, or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records, or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at costs, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records, or reports published by either party shall contain a statement of the cooperative relations between the parties.
9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered **Quarterly**. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983).

U.S. Geological Survey
United States
Department of the Interior

USGS Point of Contact

Name: Mark Becker
Address: 202 NW 66th Street, Bldg 7
Oklahoma City, OK 73116

Telephone: 405-810-4412
Email: mfbecker@usgs.gov

Signatures

By_____ Date 8-25-11
Name: Kim Winton, Ph. D., Director
Title: USGS, Oklahoma Water Science Center

By_____ Date_____
Name:
Title:

By_____ Date_____
Name:
Title:

City of Norman

Customer Point of Contact

Name: Mark Daniels, P.E.
Address: Department of Utilities
201 W. Gray, Bldg C
Norman, OK 73069

Telephone: 405-366-5377
Email: mark.daniels@normanok.gov

Signatures

By_____ Date_____
Name:
Title:

By_____ Date_____
Name:
Title:

By_____ Date 9/16/11
Name: Kathryn L. Walker
Title: Assistant City Attorney

Proposal: Pilot Study to Evaluate the Natural Attenuation of Arsenic and Selected Trace Elements in Groundwater, Norman, OK

Proposal Prepared for Norman Utilities Authority, City of Norman, Oklahoma

INTRODUCTION

Arsenic is a common element in rocks that make up the earth's crust and commonly is strongly associated with iron minerals. Arsenic exists at low concentrations in many hydrogeologic settings and can occur naturally at concentrations high enough to be detrimental to human health. Arsenic in water has long been a source of concern because of toxic and carcinogenic effects. In January 2001, the U.S. Environmental Protection Agency (EPA) reduced the MCL for arsenic in drinking water from 50 to 10 micrograms per liter (μg/L). That reduction was in response to recent information on the risk of lung and bladder cancers. The new MCL became effective January 2006. About 5 % of water systems in the United States, serving about 11 million people, were likely to exceed the new MCL. Arsenic removal technologies investigated by the U.S. EPA prior to implementation of the new MCL focused of sorption of arsenic on activated alumina or iron resins. Although inexpensive compared to other available arsenic removal technologies (such as coprecipitation with iron), arsenic removal using sorptive resins requires significant capital expenditure, and operational costs including possible disposal of the used resin as a hazardous waste. A number of simple inexpensive arsenic removal systems have been developed for use in rural areas of developing countries. These systems rely on locally available materials and some of these systems take advantage of the fact that alumina and iron oxides are naturally occurring and abundant. Alumina and iron oxide coatings are ubiquitous on mineral grains in soils and alluvial deposits. Mixing groundwater with sediment containing alumina and iron oxides, regardless of the setting, may provide the capacity to reduce arsenic concentrations on a large scale. In Oklahoma, water produced from parts of the Central Oklahoma aquifer (COA) has arsenic concentrations exceeding the MCL. The elevated levels of arsenic have affected the availability of groundwater to a number of communities. Mobilization of arsenic and other trace elements in the COA are the result of geochemical conditions within the aquifer. Specific groundwater flowpaths produce alkaline conditions (pH's in excess of 8.5), oxidize arsenic, chromium, and uranium which are present in the iron oxides and hydroxides within the sediments, increasing the solubility of these elements and increasing the concentrations in the groundwater. Many communities in Central Oklahoma such as Guthrie, Edmond, and Norman, rely on a mixture of surface water and groundwater for their local supplies. Norman, Oklahoma is an ideal test case to determine the potential for natural attenuation of arsenic and selected trace elements because of the availability of idle wells with high arsenic concentrations. Norman's

potential for exploiting their groundwater resources without significant expense has been diminished due to the lowering of the MCL for arsenic and the potential for lower MCL's for chromium and uranium. A pilot study evaluating the potential for natural attenuation of arsenic in groundwater by pumping water from high-arsenic wells into streams is needed to determine the feasibility of such a low-cost remediation method. Selected public supply wells owned by the City of Norman will be discharged into the Little River above Lake Thunderbird, a public supply reservoir. A 10-week period of data collection is proposed in which pertinent data would be collected prior to, during, and after pumping to determine: 1) changes in chemistry of the well water as it flows down the river, 2) losses to evapotranspiration (ET) and channel seepage during the test, and 3) potential for dilution or sorption of selected trace elements such as arsenic and other selected trace elements onto the sediment. Discharging groundwater into the Little River would provide the City of Norman a low-maintenance, low-cost solution to arsenic contamination of well water requiring a minimal amount of water-treatment infrastructure.

LOCATION AND SETTING

The central Oklahoma region has a population of approximately 1 million at present (2011). The State's population is expected to increase 30 percent by 2060. Growing cities such as Norman need to locate water supplies that will yield sufficient amounts of good-quality water which can meet new Federal drinking water standards for arsenic.

Norman, Oklahoma is located in Cleveland County 10 miles south of Oklahoma City (figure 1 and 2). The U.S. Census in 2006 Norman reported the population to be 102,827. Public water supplies in Norman are a mixture of treated surface water from Lake Thunderbird and groundwater from the COA. Norman has removed numerous public supply wells that exceeded the MCL for arsenic. Some of these wells are used intermittently for irrigation or blended to reduce the concentrations of arsenic in delivered water.

Parkhurst and others (1996) provide a comprehensive assessment of the water quality, geochemistry, and geohydrology of the COA. The COA consists of a series of Permian-age rocks consisting of sandstones, siltstones, and mudstones. Most groundwater is produced from sandstones within the Garber Sandstone and Wellington Formation which underlie about 3,000 square miles in central Oklahoma (figs. 1 and 2). Dip of the aquifer is westward at about 50 feet per mile. Overlying the Garber and Wellington is the Hennessey Group which mainly consists of mudstones and siltstones that and acts as a leaky-confining unit.

The headwaters of the Little River (fig. 2) are located north and west of Norman. The river flows eastward and becomes one of the principle tributaries into Lake Thunderbird. Ephemeral in the uppermost reaches of the basin, the Little River's baseflow is maintained by discharge from the COA. Above Lake Thunderbird, the Little River is deeply incised and can maintain substantial flow within the channel. Unconsolidated alluvial sediment within the channel consists of fine sands, silts, and clays from the weathering of the Permian bedrock of the COA.

OCCURRENCE OF ARSENIC

Arsenic is a common element in rocks that make up the earth's crust (Hem, 1970) and commonly is strongly associated with iron minerals. Arsenic exists at low concentrations in many hydrogeologic settings and can occur naturally at concentrations high enough to be detrimental to human health. Arsenic compounds have been widely used as medicines,

herbicides, poultry feed supplements, and in a wide range of industrial applications. Although arsenic exists in nature in the -3, 0, +3, and +5 valence states, only arsenic (III) and arsenic (V) (As III and As V, respectively) are significant in aqueous solutions (Rai and Zachara, 1984). As III is the stable form of arsenic in reduced (oxygen absent) water, and As V is the stable form in oxygenated water. As III and As V may co-occur in water because conversion of As III to As V, or As V to As III, are slow reactions (Welch and others, 1988). Although As III is more toxic than As V, both As III and As V are toxic and the Maximum Contaminant Level (MCL) is for total arsenic (As III plus As V).

Arsenic in water has long been a source of concern because of toxic and carcinogenic effects. In January 2001, the U.S. Environmental Protection Agency (EPA) reduced the MCL for arsenic in drinking water from 50 to 10 micrograms per liter (µg/L). That reduction was in response to recent information on the risk of lung and bladder cancers (Morales et al., 2000). The new MCL became effective January 2006. Arsenic is naturally occurring in some sources of water supply at concentrations in excess of 10 µg/L. Tiemann (2001) estimated that about 5 % of water systems in the United States, serving about 11 million people, were likely to exceed the new MCL. Arsenic in excess of the MCL is expected more frequently in groundwater supplies than in surface-water supplies, and is of particular concern in parts of New England, the interior plains, and the western United States (Focazio, et al., 1999; Federal Register, 2001; Welch et al., 2000; Ryker, 2001).

Arsenic removal technologies investigated by the U.S. EPA prior to implementation of the new MCL focused of sorption of arsenic on activated alumina or iron resins (Chen and others, 2004). Although inexpensive compared to other available arsenic removal technologies, such as coprecipitation with iron, arsenic removal using sorptive resins requires significant capital expenditure, and operational costs including possible disposal of the used resin as a hazardous waste (Chen and others, 2004). A number of simple inexpensive arsenic removal systems have been developed for use in rural areas of developing countries (Khan, and others, 2000; Cornejo and others, 2008; Di and Monnell, 2009). These systems rely on locally available materials and some of these systems take advantage of the fact that alumina and iron oxides are naturally occurring and abundant in the environment. However, these approaches are limited to the size and scope of water supplies typical for rural areas in developing countries.

Sorption of arsenic on naturally occurring alumina and iron oxide coatings on mineral grains in the unsaturated zone has been observed during groundwater recharge (Izbicki and others, 2008). Sorption occurred at rates sufficient for arsenic removal in municipal supplies. Alumina and iron oxide coatings are ubiquitous on mineral grains in soils and alluvial deposits. The occurrence of coatings is largely a function of surface area associated with fine-grained deposits. Izbicki and others (2008) suggested that thick unsaturated zones having abundant alumina and iron oxides associated with paleosol development would be favorable setting for natural attenuation of arsenic during infiltration through the unsaturated zone. These soils and sediments are not unlike the sediments found in streams however, resident time and interaction with sediments is important for adsorption and infiltration through an unsaturated zone differs from stream transport. Water-rock interaction within the streambed will have to be sufficient for the potential for substantial adsorption to take place. Mixing groundwater with sediment containing alumina and iron oxides, regardless of the setting, may provide the capacity to reduce arsenic concentrations on a large scale. Although removal of arsenic through natural attenuation of arsenic was demonstrated, the physical and chemical factors that control sorption were not

thoroughly investigated by Izbicki and others (2008). Those factors need to be understood at the field and laboratory scale to establish guidelines, methodologies, and regulatory approval to implement natural attenuation treatments before the approach will have widespread transfer value to other areas.

In Oklahoma, water produced from parts of the Permian Garber Wellington aquifer (also known as the Central Oklahoma aquifer or COA) has arsenic concentrations exceeding the MCL. These arsenic exceedances affect the availability of groundwater to a number of communities. Other trace elements such as chromium, selenium, and uranium also occur in elevated concentrations in the groundwater; however, they generally do not exceed the MCL. In the vicinity of Norman, Oklahoma, groundwater produced from many of the public supply wells exceeds the arsenic MCL. In addition, the Environmental Working Group (2011) reported that Norman, Oklahoma had the highest concentration of hexavalent chromium (Cr VI) of drinking water tested in 31 U.S. cities. Although there is an MCL of 100 micrograms per liter for total chromium, there is not currently an MCL for Cr VI. Mobilization of arsenic and other trace elements are the result of geochemical conditions within the COA. These geochemical conditions are a product of fluid-rock interactions along flowpaths in the aquifer. The oxidizing and alkaline (pHs > 8.5) geochemical conditions promote the solubility of arsenic, chromium, and uranium present in the iron oxides and hydroxides that occur naturally within the aquifer. The increased solubility of these elements results in increasing concentrations in the groundwater (Schlottman and others, 1998).

Many communities in Central Oklahoma such as Guthrie, Edmond, and Norman, rely on a mixture of surface water and groundwater for their local supplies. Norman, Oklahoma, is an ideal test case to determine the potential for natural attenuation of arsenic and selected trace elements because of the availability of wells with high arsenic concentrations. Norman's potential for exploiting their groundwater resources without significant expense has been diminished due to the lowering of the MCL for arsenic and a possibility that lower MCL's for chromium and uranium may be established. A pilot study evaluating the potential for natural attenuation of arsenic in groundwater through flow in surface streams is needed to determine the feasibility of such a low-cost remediation method.

REMOVAL TECHNOLOGIES

Resin technology currently used on commercial treatment systems is based upon the sorption of arsenic on alumina, iron, and manganese oxides. These oxides are ubiquitous and occur naturally on mineral particle surfaces in sedimentary rocks, sediments, and soils.

Factors such as oxidation state, pH, and the presence of competing ions can affect the sorption of arsenic. As III and As V have different absorption characteristics because of their valences (Rai and Zachara, 1984). In general, As V is more strongly sorbed than As III. Maximum sorption of As III occurs between pH 7 and 9, whereas sorption of As V is highest at low pH and decreases at pH's between pH 7 and 9 (Rai and Zachara, 1984). The current range of pH of waters in the Little River is unknown at this time. Groundwater exposed to atmospheric conditions may equilibrate with CO_2, potentially lowering the pH. Phosphate competes with arsenic for sorption sites and the presence of natural organic matter also decreases sorption. Currently, no major sources of dissolved organic matter or phosphate such as widespread agriculture or wastewater treatment plant discharges are in the upper reaches of the Little River. Other ions, especially

oxianions, such as those of chromium or vanadium, are elevated in concentration and may compete with arsenic for sorption sites.

Sorption of arsenic from water to alluvial deposits has been observed in unsaturated alluvium at an artificial recharge site by Izbicki and others, 2008b, and to soils at other sites McGeehan and others; 1998; Gimenez and others, 2007; Kniewald and Fiket, 2007. Those reports have shown that sorption occurs within days under oxic, alkaline conditions and that naturally occurring alumina, iron, and manganese oxides have similar sorptive properties as synthetic sorbents. Infiltration through an unsaturated zone is different than transport down an open channel. The same kinetics that allow adsorption in the unsaturated zone, residence time and mineral/water interaction, would be different. Estimated time of travel downstream from the pumping wells to Lake Thunderbird, assuming an average velocity of 1.5 ft/sec, would be approximately 8 hours. Unless there was significant exchange of water within the hyporheic zone within the channel, potential for adsorption would be much lower than infiltration through an unsaturated zone to the water-table.

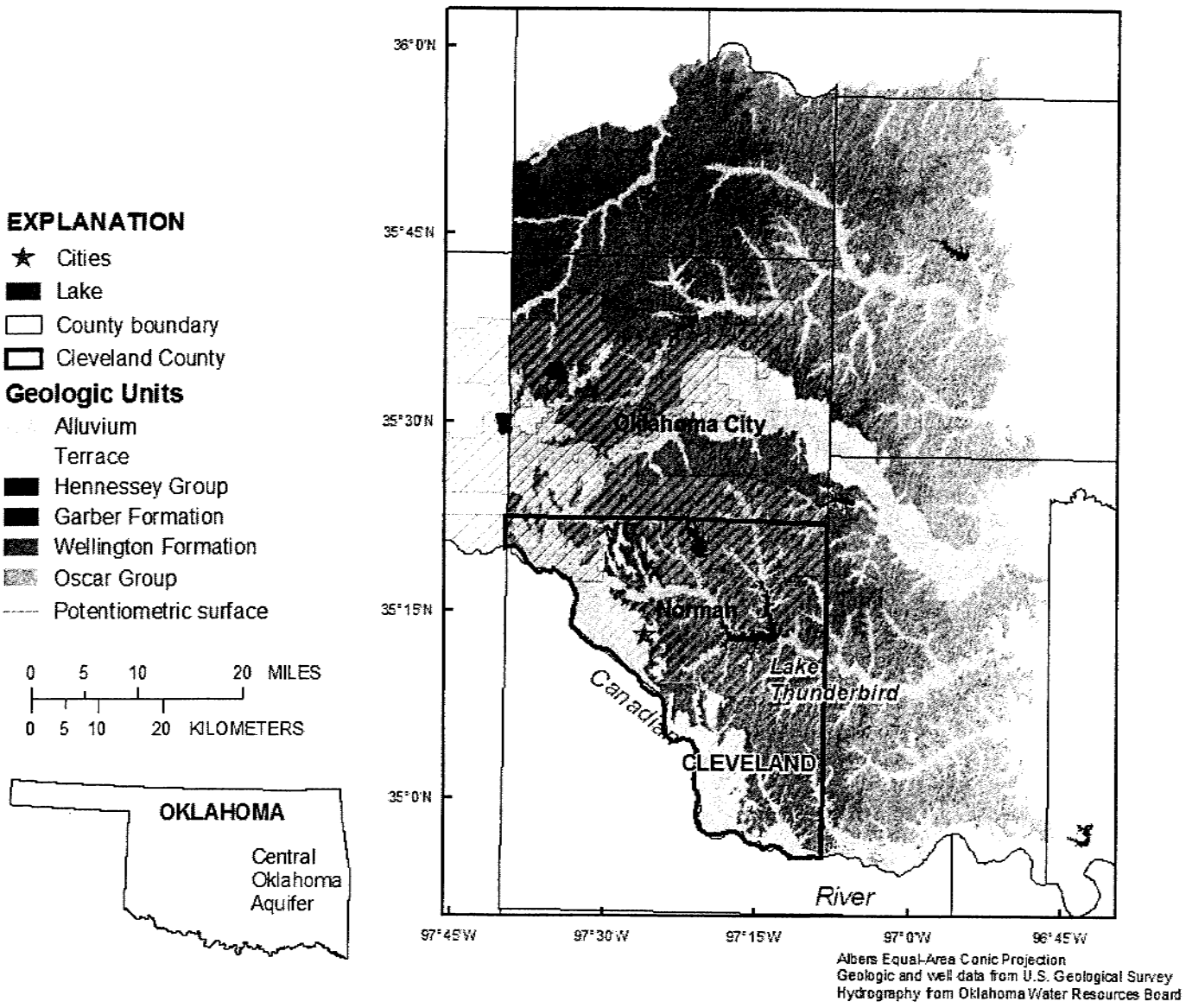


Figure 1. Location of the City of Norman Oklahoma.

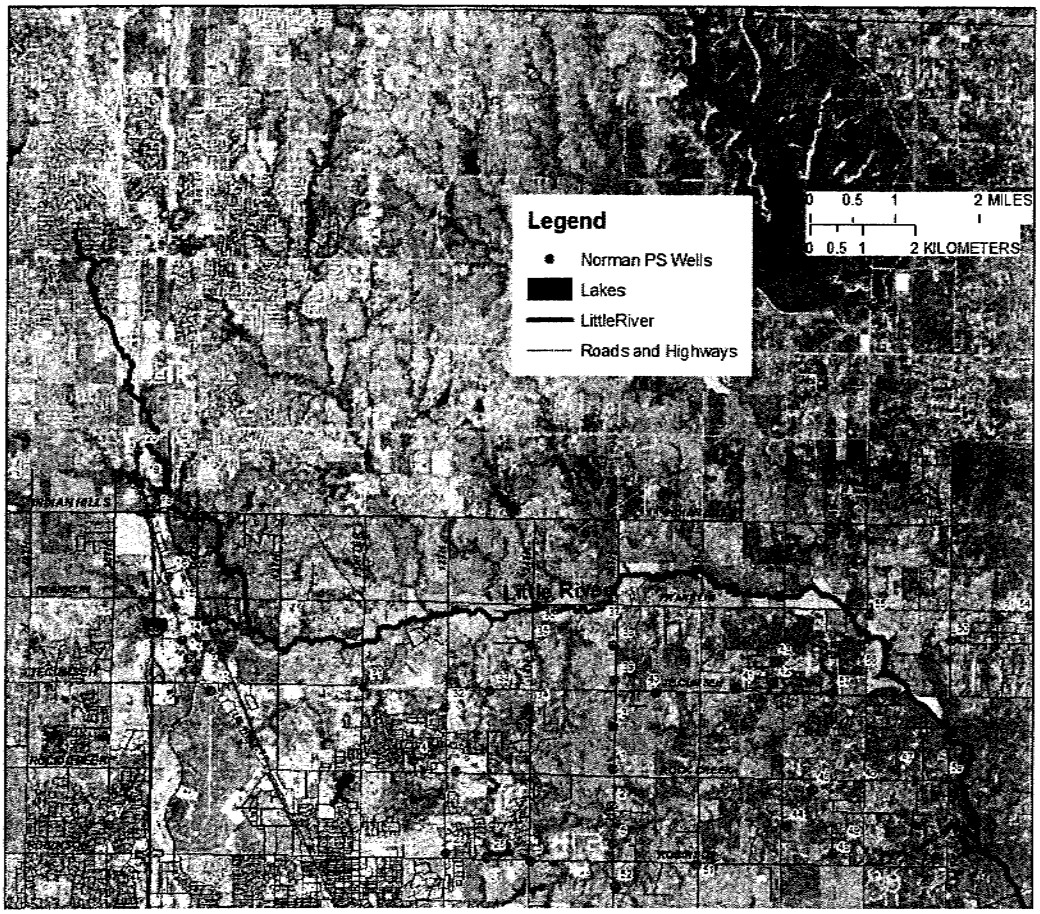


Figure 2. Map showing the City of Norman Oklahoma, location of the Little River, Lake Thunderbird, and public supply wells as green dots.

PURPOSE

The purpose of this study is to determine the potential for natural attenuation of arsenic and other trace elements to increase local water supplies by bringing underused and abandoned public supply wells back online in a cost-effective manner. Discharging groundwater into a stream may alter the water chemistry, facilitating sorption of arsenic and necessary water-sediment interaction that would promote sorption of arsenic to sediment minerals. To what degree chemical changes occur will be better understood from data collected from this study. During a 2-week period, public supply wells in Norman, Oklahoma having arsenic concentrations ranging from 50 to 90 µg/L will be pumped and discharged into the Little River above Lake Thunderbird. Prior to, during, and following the discharge of water to the Little River, (1) sediment, (2) instantaneous discharge, and (3) water-quality data will be collected to determine the efficacy of using the stream to provide the media for natural attenuation of arsenic and selected trace elements. If the data indicates that this approach to bring underused or idle wells back online is effective, a longer-term, larger-scale demonstration project will be proposed for future funding.

Data will be collected for four weeks prior to and following pumping and for two weeks during the pumping (a total of 10 weeks). All data collected will be entered into the USGS National Water Information System (NWIS) database. The duration of the project will be two years

during which data will be collected, analyzed, and a USGS Scientific Investigations Report will be published describing the observed changes in flow, sediment chemistry, and water quality.

BENEFITS TO THE CITY OF NORMAN

This study is the initial phase of a potential long-term solution for treatment of arsenic in groundwater. Discharging groundwater into the Little River would provide the City of Norman a low-maintenance, low-cost solution to arsenic contamination of well water requiring a minimal amount of infrastructure. Such results would potentially increase the water supply to the city with the current infrastructure in place. The City of Norman has a substantial investment in public supply wells that are underutilized or idle due to arsenic concentrations exceeding the MCL. Currently, 11 wells are idle or underused representing an investment of approximately $4.4M. With a limited supply of water, Norman will need to evaluate alternate water sources to meet future demands. One option would be to purchase southeast Oklahoma water with Oklahoma City at an estimated cost of $360M for infrastructure prorated over 40 years.

Treating groundwater at wellheads would require significant infrastructure and annual operational and maintenance costs. Current treatment technologies being tested by Norman add approximately $1.35 per 1,000 gallons cost to the public. Treatment systems also generate a waste stream that requires the disposal of potentially hazardous waste.

Increasing the safe yield to Lake Thunderbird could provide a benefit not only to Norman but other communities that are dependent on the lake as a public water supply source. Although the groundwater pumped will not substantially increase lake levels it would reduce net loss from municipal withdrawals.

Future growth for Norman will depend on the available public supplies of water. With the potential uncertainty for climate change, it is to the benefit that Norman takes advantage of all potential means of expanding the local water supplies in a cost-effective manner. The strategy of pumping idle water wells into drainages to reduce trace elements and increase supplies creates many potential avenues to implement green technologies. An example of a green option that Norman could implement with this approach would be to use wind or solar energy to pump wells since the demand on wells is no longer directly dependent on the wells pumping directly into the distribution system.

Other communities in Central Oklahoma such as Guthrie and Edmond as well as other smaller communities and public supply utilities could benefit from this study. Many smaller communities and public water utilities are affected by the lowering of MCL for arsenic and are faced with additional costs to expand their water supplies. Resources to implement expensive treatment systems are not possible and a cost-effective approach using natural attenuation would be beneficial.

TECHNICAL PROJECT DESCRIPTION

APPROACH

A proof of concept pilot study will be conducted to obtain data that will assist in the determination of the viability of natural attenuation of arsenic and selected trace elements in

groundwater. This study will utilize underused or idle public supply wells with arsenic concentrations above the MCL. Selected public supply wells owned by the City of Norman will be discharged into the Little River above Lake Thunderbird, a public supply reservoir. A 10-week period would collect data prior to, during, and after pumping to determine: 1) changes in chemistry of the well water as it flows down the river, 2) losses to evapotranspiration (ET) and channel seepage during the test, and 3) potential for dilution or sorption of selected trace elements such as arsenic and other selected trace elements on to the sediment.

One month before the wells start pumping water into the Little River, sediment and instantaneous discharge data will be collected from the river to determine current conditions.Wells will be pumped and samples collected for two weeks. For one month following completion of the well discharge test, water, sediment, and instantaneous stream discharge data will be collected to determine post-pumping conditions in the river bed. Wells selected for pumping will have arsenic concentrations above the MCL and will be located in close proximity to the river. Sediment will be analyzed for a selected set of trace elements (Table 1, Garbarino and others, 2002). Water will be analyzed for physical parameters, filtered major ions (Fishman and others, 1989; Fishman, 1993), filtered trace elements, unfiltered trace elements, (Garbarino and others, 1998,2001,2002,2006; Garbarino, 1999; Hoffman and others, 1996; and Fishman and Friedman, 1989)) and arsenic speciation (arsenite and arsenate) (Garbarino and others, 2006; Table 1). Surface water samples will also be analyzed for suspended sediment concentrations. Stream and lake sediment will be analyzed for trace element concentrations using a portable Niton XL3t 950 x-ray fluorescence (XRF) analyzer (Table 1). The elemental concentrations measure the sediment coatings and not the elemental concentrations of the entire particle. This will provide the elemental concentrations of the reactive surface of the particles. Protocols for XRF analysis will follow EPA Method 6200. All water samples will be analyzed by the USGS National Water Quality Lab (NWQL) in Lakewood, Colorado. Suspended sediment analysis will be done at the USGS Sediment Lab in Rolla Missouri. Discharge measurements will be made prior to the collection of surface-water samples.

Table 1. List of parameters that will be analyzed in sediment and water from wells, the Little River, and Lake Thunderbird.

Parameter Name		
XRF Analysis for Sediment	Filter and Unfiltered Trace Elements for Water	Filtered Major Ions and Arsenic Speciation for Water
Aluminum	Aluminum	Calcium
Antimony	Antimony	Chloride
Arsenic	Arsenic	Fluoride
Barium	Barium	Iron
Beryllium	Beryllium	Magnesium
Boron	Boron	Manganese
Cadmium	Cadmium	pH, laboratory
Chromium	Chromium	Potassium
Cobalt	Cobalt	Residue, 180 degrees Celsius (TDS)
Copper	Copper	Silica
Iron	Iron	Sodium
Lead	Lead	Sulfate
Lithium	Lithium	
Manganese	Manganese	Arsenite [As(III)], Arsenic
Mercury	Mercury	Arsenate [As(V)], Arsenic
Molybdenum	Molybdenum	
Nickel	Nickel	
Selenium	Selenium	
Silver	Silver	
Thallium	Thallium	
Uranium, natural	Uranium, natural	
Vanadium	Vanadium	
Zinc	Zinc	

GEOCHEMICAL MODELING

Geochemical modeling will be completed prior to any testing to determine the fate of arsenic once it is pumped into the stream. Chemical analyses of the sediment, surface water, and groundwater will be used as inputs. The equilibrium model Phreeqe (Parkhurst,and others, 1980) will be used to simulate the potential chemical changes in the pumped groundwater and the

potential for sorption to particles in the streams. Groundwater discharged into the streams will be brought into equilibrium with the atmosphere and the common minerals found in the stream channel and mixed with waters of existing known chemistry in the stream. Modeled changes will be observed and later compared to data collected during the test.

METHOD FOR EVALUATING PRE-PUMPING CONDITIONS

Sediment samples will be collected from 2 locations each at approximately 15 sites in the Little River channel between Hwy 77 and NE 60th Avenue. Sampling will occur during the month prior to wells discharging into the stream. Samples will be collected at 15 bridge crossings at both upstream and downstream locations of each crossing. Sediment will be sampled to a depth no greater than six inches, sealed in a plastic bag, and refrigerated until analyzed. Sample sites will be surveyed to allow return to the same locations after pumping for post-pumping sample collection.

Prior to pumping well water into the Little River, cores from Lake Thunderbird will be obtained to determine the current concentration of trace elements in the lakebed sediment. Four cores will be collected to a maximum depth of three feet below the lake bottom using a gravity piston coring device. All coring sites will be north of Alameda Drive where the Little River discharges into Lake Thunderbird. Sites will be surveyed to allow future repeat sampling at the sites if necessary. Following collection, cores will be sealed and frozen until they can be analyzed. Cores will be analyzed at the USGS Oklahoma Water Science Center by dividing the upper 12 inches into 3 inch segments and dividing the remaining core into 6 inch segments. Samples will be air dried and analyzed with the XRF. Every tenth sample will have a replicate sent to the USGS National Water-Quality Lab in Lakewood, Colorado for total digestion and analysis using ICP-MS.

Two locations will be selected for measuring streamflow and to operate temporary streamgages. One site is located where the Little River crosses NE 48th Avenue. The other site will be where the river crosses at NW 12th Avenue. Both of these sites will be downstream of the discharging public supply wells. These temporary streamgages will record stage only and would begin recording data 30 days prior to the discharge of water into Little River. Discharge will be measured and samples collected at the two sites six times prior to the pumping.

Stream-water samples will be collected at both temporary gages six times prior to pumping water into Little River. Water samples will be taken at the sites where the cores will be obtained in Lake Thunderbird. A total of four water samples would be collected from the bottom of the water column. Water samples would be analyzed for physical parameters (dissolved oxygen, pH, specific conductance, temperature, turbidity), filtered major ions, filtered trace elements, whole water trace elements, arsenic III, arsenic V, and suspended sediment. Water will be analyzed by the USGS National Water Quality Laboratory in Lakewood, Colorado. Suspended sediment will be analyzed for sand/clay splits and total suspended sediment concentration by the USGS in Rolla, Missouri.

METHOD FOR EVALUATING PUMPING CONDITIONS

Municipal wells used for the study will be selected based upon the proximity to the Little River, easement available to allow discharge to flow to river, and level of arsenic in the produced water. The number of wells selected for the experiment will be determined by well yields. A

target goal is to pump 2-4 acre-feet per day. To achieve this volume, the cumulative pump rate would be approximately 500-1,000 gallons per minute.

To document losses from ET and streambed infiltration, two temporary gages will continuously monitor and record stream stage. Instantaneous discharge measurements will be made at four locations every other day for the duration of the pumping period. Two of the stations where the instantaneous measurements will be made will be at the temporary streamgages. The one of the two additional sites will be close to the discharging wells and the other close to Lake Thunderbird..

Wells will pump and discharge into the Little River continuously for two weeks. During the two-week pumping test water samples from the each well and the Little River will be collected twice a day every other day through the pumping period at the two gage sites. Water samples would be analyzed for physical parameters (dissolved oxygen, pH, specific conductance, temperature, and turbidity), filtered major ions, filtered trace elements, whole water trace elements, arsenic III, arsenic V, and suspended sediment. Water will be analyzed by the USGS National Water Quality Laboratory in Lakewood, Colorado. Suspended sediment will be analyzed for sand/clay splits and total concentration by the USGS in Rolla, Missouri.

EVALUATION OF POST-PUMPING CONDITIONS

A duplication of the data collection efforts for the pre-pumping conditions, with the exception of the lake sediment coring and analysis, will be performed for post-pumping conditions. Data collection will be done over one month following the cessation of pumping from the public supply wells. Concentrations of arsenic and selected trace elements will be evaluated to determine the magnitude of change throughout the three stages of the test. Sediment will be evaluated to detect changes in concentrations of arsenic and selected trace elements to determine if the two-week pumping period could be identified. Discharge measurements and stream stage will be analyzed to assess the amount of loss in the stream to ET or streambed seepage. Suspended sediment samples will be collected to determine if the amount of sediment being transported throughout the pumping period is significantly different during pumping and non-pumping conditions.

EVALUATION CRITERIA

This study is designed to evaluate the potential for natural attenuation of arsenic and selected trace elements in groundwater discharged into a stream flowing into a public supply reservoir. Comparisons of sediment chemistry, water-quality, and stream discharge data of the prior-to-pumping and post-pumping periods to the pumping period will provide an estimate of the effectiveness of this approach. Arsenic toxicity concentrations in water and sediment cited in the literature will be compared to field data to determine whether arsenic concentrations in the river would be sufficiently high to adversely affect aquatic ecosystems. These values will only provide guidelines for this pilot study. Toxicity testing will need to be performed for arsenic and selected trace elements in the Little River in future studies. Loss of pumped water through ET and streambed infiltration will be evaluated using the data collected from the two temporary streamgages and the repetitive discharge measurements taken during the study. Sediment collected prior to and following the pumping phase from the same sites will be evaluated for differences in the concentrations of arsenic and other selected trace elements. A non-parametric

test such as Mann-Whitney will be conducted on the sediment data collected prior to and following the pumping test to determine if the arsenic concentrations are statistically different.

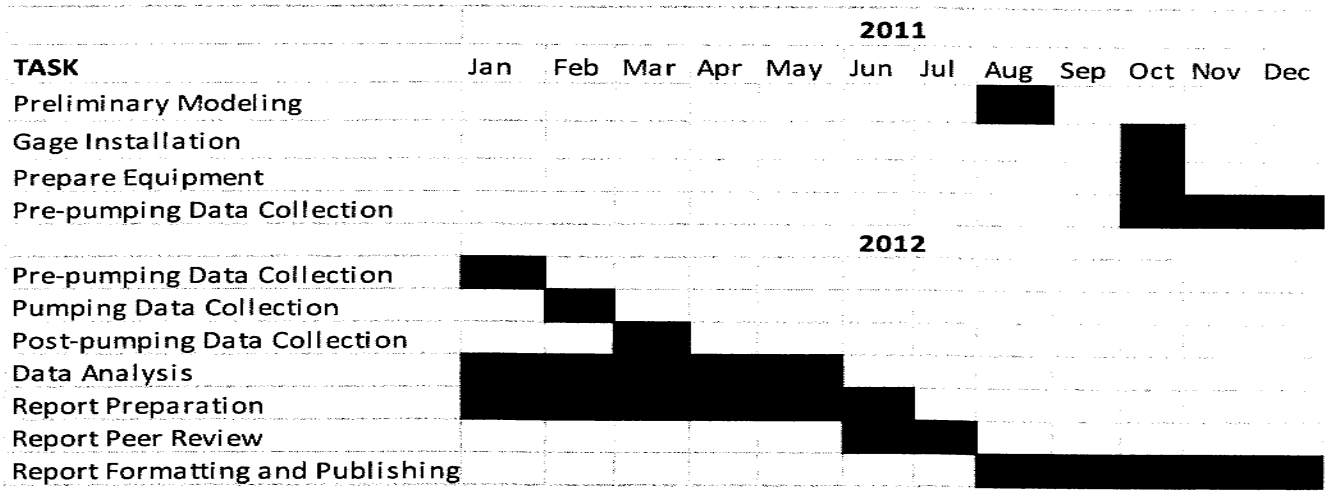
QA/QC

In order to minimize bias in the data, all water and sediment samples will be collected as described by Wilde and others (1997-2010). Discharge measurements will be performed as described by Rantz et al., 1982. EPA Method 6200 for the analysis of soils and sediment by XRF recommends that 10 percent of split samples be analyzed by inductively coupled plasma-mass spectroscopy (ICP-MS). In accordance with EPA Method 6100, sediment splits will be sent to the USGS NWQL lab for analysis of arsenic and selected trace elements to determine the level of bias and precision provided by the XRF . Additionally, each sediment sample will be measured three times with the XRF and concentrations will be averaged to assure that a single measurement does not bias the results for any given sample. All instrument calibrations will be recorded and maintained in the records.

REPORT

Data and analysis will be published in a USGS Scientific Investigations Report. Analysis of the data provided in the report could include: the computation of the potential changes of long-term mean concentrations of arsenic in the lake water (assuming the inputs are nothing more than the pumped groundwater and available surface water); comparison of sediment and water quality data prior to and following the test; estimate of ET during the test: amount of pumped water that is received by Lake Thunderbird during the test; and estimate of loading of arsenic to the lake compared to pumped well water. The report will be published online and printed. It is assumed that funding will be made available in September, 2011. A timeline showing major components of the study is found in Table 2.

Table 2. Timeline for major components of proposed pilot study of evaluating the natural attenuation of arsenic in groundwater pumped into the Little River, Norman, Oklahoma.



POST-PROJECT BENEFITS

Recognizing the sensitivity of the public and regulatory agencies to pumping groundwater with known concentrations of arsenic into a public waterway, this study will be of a short duration. However, this short experiment should answer some fundamental questions about the feasibility of the approach. If the public and state regulatory agencies are satisfied that no endangerment to the biota or physical setting is demonstrated with this preliminary assessment, then the conceptual framework can move forward with recommendations to perform a long-term demonstration project. If the outcome of this pilot project appears promising, other communities in Oklahoma may consider this approach as a potential option to meet their water needs and reduce the cost of treatment for arsenic.

POTENTIAL ENVIRONMENTAL IMPACTS

Potential impacts on environmental health and physical characteristics on the stream are unknown, however, additional arsenic added to the stream and lake sediment may be insignificant relative to the natural concentrations that currently may exist. Arsenic concentrations measured in the Rush Springs sandstone, a Permian bedrock aquifer in southwest Oklahoma, is generally around 20 parts per million (Jessica Magers, personal communication, 2011). The concentrations of arsenic in the rocks of the Central Oklahoma aquifer are quite possibly equal to or higher than the Rush Springs Sandstone. Arsenic from pumping wells may l increase the concentrations of arsenic in the waters and sediment of the stream and lake

but the hypothesis is that the arsenic would adsorb to particles in the sediment (become unavailable) prior to arrival at the lake. It is unknown whether the concentrations will be significant over time to result in any negative effects to the biota, because drinking water standards are calculated for humans that are exposed over a 70 year time period, and this test will only take 2 weeks. Evapotranspiration losses of water from the stream channel may be determined to be unacceptable by the City of Norman. Several trace metal concentrations other than arsenic may increase (i.e. uranium, chromium, vanadium) and an estimate of the loading to the lake of these elements should also be considered.

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REQUIRED PERMITS AND APPROVALS

A temporary discharge permit will need to be obtained from the Oklahoma Department of Environmental Quality. A temporary waiver or variance will be required from the Oklahoma Water Resources Board (OWRB). OWRB has designated the Little River a sensitive water supply and discharge of groundwater into the waterway will need to be reviewed.

BUDGET

	Cost	Amount	Subtotal	Gross
Labor		Hrs		
Hydrologist-GS12	$50.00	1800	$90,000.00	$144,207
Hydrologic Technician GS11	$42.00	400	$16,800.00	$26,919
Analyses		Quantity		
ICP-MS for Trace Elements in Water	$680.57	28	$19,055.96	$30,533
ICP-MS for Trace Elements in Sediment	$150.00	10	$1,500.00	$2,403
Suspended Sediment	$35.00	25	$875.00	$1,402
Temporary Gage	$5,000.00	2	$10,000.00	$16,023
Supplies	$5,000.00	1	$5,000.00	$8,012
Shipping	$1,500.00	1	$1,500.00	$2,403
Vehicles	$2,500.00	1	$2,500.00	$4,006
SPN	$40,000.00	1	$40,000.00	$64,092
				$300,000

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: R-1112-38

File ID: R-1112-38 **Type:** Resolution **Status:** Consent Item

Version: 1 **Reference:** Item No. 26 **In Control:** City Council

Department: Public Works Department **Cost:** **File Created:** 09/09/2011

File Name: R-1911-38 Rock Creek Road Street Name Change **Final Action:**

Title: RESOLUTION NO. R-1112-38: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CHANGING THE STREET NAME IN THE 3000 TO 3300 BLOCK OF WEST ROCK CREEK ROAD (BETWEEN INTERSTATE DRIVE AND PENDLETON DRIVE) TO ROCK CREEK TRAIL, CITY OF NORMAN, OKLAHOMA.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-38.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 26

Attachments: R-1112-38 Rock Creek Trail, Location Map-Street Name Change

Project Manager: Ken Danner, Development Manager

Entered by: pam.jones@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File R-1112-38

Body

BACKGROUND: In order to complete the Rock Creek Road Overpass, it was necessary for the alignment of Rock Creek Road to be shifted to the north of the existing Rock Creek Road. This realignment allowed the least negative impact to developed properties on the south side of Rock Creek Road.

DISCUSSION: City staff is requesting the street name change of a portion of Rock Creek Road located between Interstate Drive and Pendleton Drive in the 3000 to 3300 block. This

portion of the existing Rock Creek Road had to remain in order to provide access to existing apartments located at the southwest corner of the intersection of North Interstate Drive and Rock Creek Road. These apartments are currently addressed off of Rock Creek Road. The owner of the apartments has collaborated with staff regarding this proposed street name change. Their preference is to rename the road as Rock Creek Trail in order to minimize any confusion and costs related to addressing. Staff has coordinated closely with public safety officials regarding this street name change.

RECOMMENDATION: It is recommended that City Council adopt Resolution No. R-1112-38 changing the street name of Rock Creek Road between Interstate Drive and Pendleton Drive to "Rock Creek Trail". If approved, the resolution will be filed with the Cleveland County Clerk. The filed documents will be distributed to various agencies within the City and County. Maps and other documents that include the previous street name will be changed to reflect the new name.

Resolution

R-1112-38

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CHANGING THE STREET NAME IN THE 3000 TO 3300 BLOCK OF WEST ROCK CREEK ROAD TO ROCK CREEK TRAIL, CITY OF NORMAN, OKLAHOMA.

§ 1. WHEREAS, with the new alignment of West Rock Creek Road from 24th Avenue N.W. to Pendleton Drive an existing parallel street is in need of a name change to alleviate any confusion to the public and emergency personnel; and

§ 2. WHEREAS, with the filing of this document with the Cleveland County Clerk, notice has been given for the street name change.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 3. That by the authority of the Council of the City of Norman, Oklahoma, to review and approve resolutions including street name changes, the 3000 to 3300 block of West Rock Creek Road is now changed and will be known as Rock Creek Trail.

PASSED AND ADOPTED this 27th day of September, 2011.

_____
Mayor

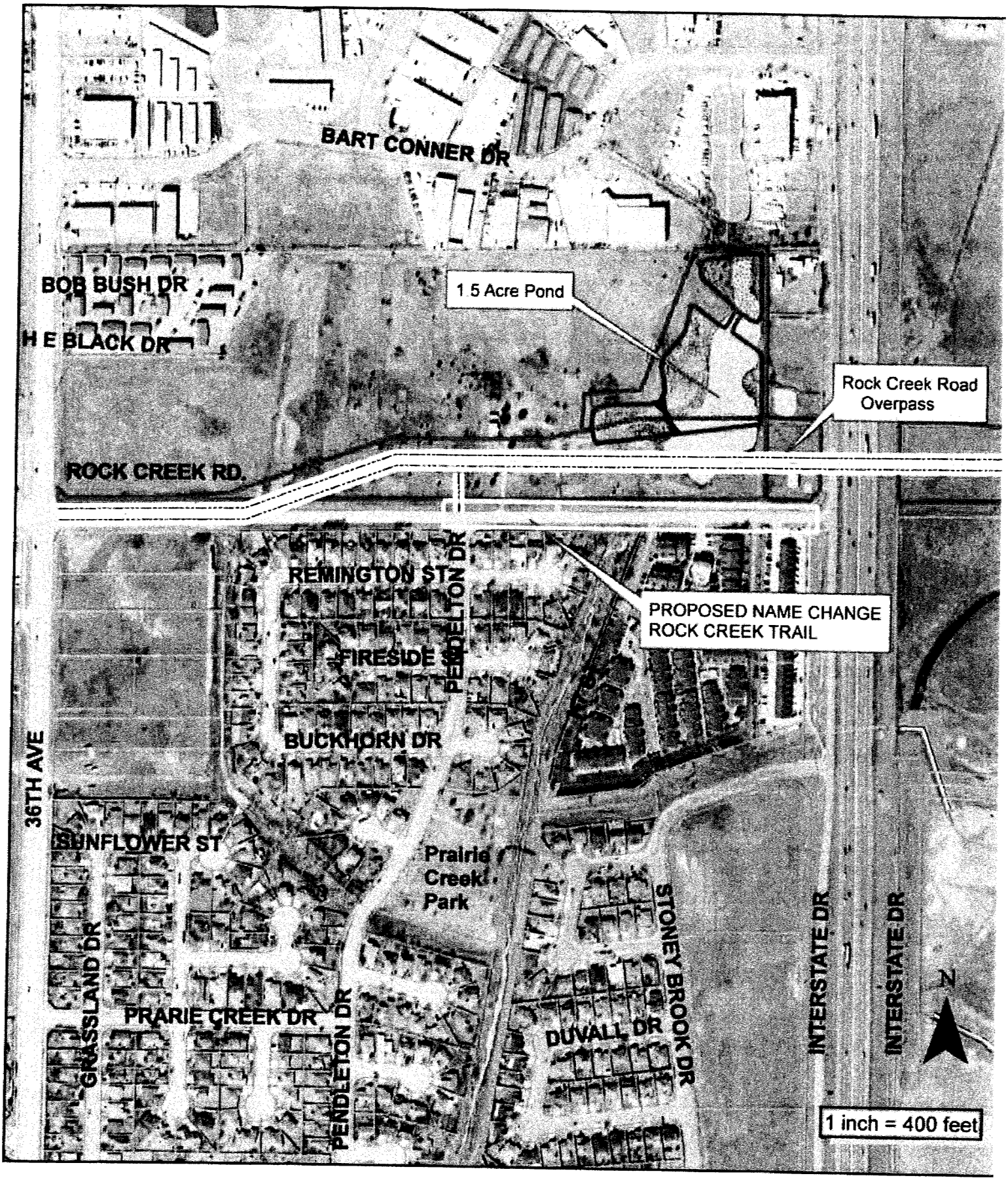
ATTEST:

_____
City Clerk

Before me, the undersigned, a Notary Public in and for Cleveland County, Oklahoma, this _____ day of _____, 2011, personally appeared Cindy Rosenthal and Brenda Hall to me known to be the identical persons who executed the foregoing, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

My Commission Expires:

_____ _____
Signature



LOCATION MAP

Street Name Change

Section of Rock Creek Rd to Rock Creek Trail

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-1112-59

File ID: K-1112-59 **Type:** Contract **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 27 **In Control:** City Council

Department: Police Department **Cost:** $18,116.00 **File Created:** 09/12/2011

File Name: Public Hearing and Contract for Grant PD **Final Action:**

Title:

PUBLIC HEARING REGARDING A GRANT IN THE AMOUNT OF $18,116 TO THE CITIES OF NORMAN, MOORE AND CLEVELAND COUNTY FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE (DOJ/BJA) THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM WITH NORMAN'S PORTION OF $10,689 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR TRAINING AND TO PURCHASE WEAPONS, APPROVAL OF CONTRACT NO. K-1112-59, AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to conduct a public hearing.

ACTION TAKEN: _____

ACTION NEEDED: Motion to close the public hearing.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject a grant in the amount of $18,116 from DOJ/BJA through the JAG Program to be used by the Police Department; and, if accepted, approve Contract No. K-1112-59; authorize the execution thereof; increase Other Revenue/JAG Grant (022-0000-331.13-33) by $18,116; appropriate $5,889 into Project No. GP0015, JAG Grant, Professional Services/Workshops and Seminars (022-6017-421.46-04); $4,800 to Firearms (022-6017-421.51-16); transfer $7,427 to Miscellaneous Pass-Thru Refunds (022-6017-421.47-54); and direct payment in the amount of $5,253 to the City of Moore and $2,174 to the County of Cleveland upon receipt of invoices.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 27

Attachments: Award Letter 1.pdf, Award Documents pgs 1-6 to be signed.pdf

Project Manager: Jim Spearman, Grants Manager

Entered by: jim.spearman@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1112-59

Body

BACKGROUND: The U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG), announced that grant funds are available to the Cities of Norman, Moore and Cleveland County in the amount of $18,116. These entities are considered disparate jurisdictions and therefore are required to share grant funds based on a United States Department of Justice formula that includes population crime statistics and other law enforcement related data. Norman's share of the award is $10,689 with $5,253 to Moore and $2,174 to Cleveland County.

DISCUSSION: It is the intention of the Norman Police Department to use their share of the wards for the following: Training - $5,889 and Patrol Rifles - $4,800.

STAFF RECOMMENDATION NO ONE: A public hearing is required prior to the disbursement of grant funds. It is recommended that a public hearing be conducted first.

STAFF RECOMMENDATION NO. TWO: Following the public hearing, it is recommended the Council accept the grant funds in the amount of $18,116 and deposit the funds into account 022-0000-331.13-33 JAG Grant Revenue. Funds should be appropriated into and expended from the following accounts:

Training (Workshops and Seminars) 022-6017-421.46-04 GP0015, amount $5,889
Weapons (Firearms) 022-6017-421.51-16 GP0015, amount $4,800
Miscellaneous Services (Pass-Thru Refunds) 022-6017-421.47-54 GP0015, amount $7,427 for distribution to the City of Moore and County of Cleveland.

Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

August 30, 2011

Mr. Steve Lewis
City of Norman
201 West Gray
Norman, OK 73069

Dear Mr. Lewis:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 11 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation in the amount of $18,116 for City of Norman.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Elizabeth White, Program Manager at (202) 305-1671; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Denise O'Donnell
Director

Enclosures

Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 6

1. RECIPIENT NAME AND ADDRESS (Including Zip Code)

City of Norman
201 West Gray
Norman, OK 73069

4. AWARD NUMBER: 2011-DJ-BX-2941

5. PROJECT PERIOD: FROM 10/01/2010 TO 09/30/2014
BUDGET PERIOD: FROM 10/01/2010 TO 09/30/2014

6. AWARD DATE 08/30/2011

7. ACTION: Initial

1A. GRANTEE IRS/VENDOR NO.
736005350

8. SUPPLEMENT NUMBER
00

9. PREVIOUS AWARD AMOUNT $0

3. PROJECT TITLE
Norman City and of Cleveland County FY 2011 JAG Project

10. AMOUNT OF THIS AWARD $18,116

11. TOTAL AWARD $18,116

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under FY11(BJA - JAG) 42 USC 3750, et seq.

15. METHOD OF PAYMENT

GPRS

[redacted] AGENCY APPROVAL [redacted]

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Denise O'Donnell
Director

17. SIGNATURE OF APPROVING OFFICIAL

[redacted] GRANTEE ACCEPTANCE [redacted]

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Steve Lewis
City Manager

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

19A. DATE

[redacted] AGENCY USE ONLY [redacted]

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BUD. ACT.	OFC.	DIV. REG.	SUB.	POMS	AMOUNT
X	B	DJ	80	00	00		18116

21. KDJUGT1581

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)

PROJECT NUMBER 2011-DJ-BX-2941 AWARD DATE 08/30/2011

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.

2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.

3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide.

4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.

5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

   mail:

   Office of the Inspector General
   U.S. Department of Justice
   Investigations Division
   950 Pennsylvania Avenue, N.W.
   Room 4706
   Washington, DC 20530

   e-mail: oig.hotline@usdoj.gov

   hotline: (contact information in English and Spanish): (800) 869-4499

   or hotline fax: (202) 616-9881

   Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.

PROJECT NUMBER 2011-DJ-BX-2941 AWARD DATE 08/30/2011

SPECIAL CONDITIONS

8. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

9. The recipient agrees to comply with applicable requirements regarding Central Contractor Registration (CCR) and applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at http://www.ojp.gov/funding/ccr.htm (Award condition: Central Contractor Registration and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

10. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 90 days after the end of the grant period, along with the final submission of the Federal Financial Report (SF-425).

11. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

12. To support public safety and justice information sharing, OJP requires the grantee to use the National Information Exchange Model (NIEM) specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas generated as a result of this grant to the component registry as specified in the guidelines. For more information on compliance with this special condition, visit http://www.niem.gov/implementationguide.php.

PROJECT NUMBER 2011-DJ-BX-2941 AWARD DATE 08/30/2011

SPECIAL CONDITIONS

13. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.

    The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:
    a. New construction;
    b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
    c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
    d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
    e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

    The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at http://www.ojp.usdoj.gov/BJA/resource/nepa.html, for programs relating to methamphetamine laboratory operations.

    Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

14. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.

15. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to http://www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046.

PROJECT NUMBER 2011-DJ-BX-2941 AWARD DATE 08/30/2011

SPECIAL CONDITIONS

16. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.

17. The recipient acknowledges that all programs funded through subawards, whether at the state or local levels, must conform to the grant program requirements as stated in BJA program guidance.

18. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

19. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.

20. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.

21. Award recipients must submit quarterly a Federal Financial Report (SF-425) and annual performance reports through GMS (https://grants.ojp.usdoj.gov). Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Therefore, quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) website (www.bjaperformancetools.org). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.

22. The recipient agrees to monitor subawards under this JAG award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide, and to include the applicable conditions of this award in any subaward. The recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of JAG funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

23. Award recipients must verify Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.

PROJECT NUMBER 2011-DJ-BX-2941 AWARD DATE 08/30/2011

SPECIAL CONDITIONS

24. The grantee agrees that within 120 days of award acceptance, each member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). All current and new task force members are required to complete this training once during the life of the award, or once every four years if multiple awards include this requirement. This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: R-1011-108

File ID: R-1011-108 **Type:** Land Use Plan Resolution **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 28 **In Control:** Planning Commission

Department: Planning and Community Development Department **Cost:** **File Created:** 03/22/2011

File Name: R-1011-108 Commerce Parkway 2025 **Final Action:**

Title: RESOLUTION NO. R-1011-108: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1011-10, SO AS TO DELETE THE PROPOSED OUTER LOOP DESIGNATION ON PART OF THE SOUTHWEST QUARTER OF SECTION 35 OF TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, AND TO PLACE TRACT 1 IN THE OPEN SPACE/PARK DESIGNATION AND TO PLACE TRACT 2 IN THE HIGH DENSITY RESIDENTIAL/OFFICE DESIGNATION; AND TO REMOVE TRACT 3 FROM THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE HIGH DENSITY RESIDENTIAL/OFFICE DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD EAST OF 36TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-108, Land Use Plan Amendment No. LUP-1011-10; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Meeting

Agenda Date: 09/27/2011

Agenda Number: 28

Attachments: R-1011-108 CommercePkwy 2025, CommercePkwy_2025, Commerce Parkway 2025 Staff Report, 4-14-11 PC Minutes - CommercePkwy

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	04/14/2011	Recommended for Adoption at a subsequent City Council Meeting	City Clerk Department			Pass
	Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Clerk Department						
1	Planning Commission	04/14/2011					

Text of Legislative File R-1011-108

Body

ITEM: Hallbrooke Development Group One, L.L.C., requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1011-10) to delete the Outer Loop Designation and change a portion of the tract to Open Space/Park Designation (8.67 acres) and a portion to Office or Medium Density Residential Designation (6.09 acres) for property generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

SUMMARY OF REQUEST: Commerce Parkway Addition was initially approved as a Planned Unit Development in 2005, and contained a mixture of uses including industrial, office, commercial, and multi-family. The northern 600 feet of the tract, containing approximately fifteen acres, was not included in the PUD, and was reserved for a future Outer Loop. While not yet finalized, ACOG is currently considering removal of that designation as part of their next area-wide transportation plan. This amendment to the 2025 Plan would delete the designation of "Outer Loop" from that area. The amendment would then designate the 8.67 acre tract as "Parkland/Open Space" and the remaining 6.09 acres as Medium Density Residential/Office.

STAFF ANALYSIS: Two criteria must be addressed whenever a Land Use Plan change is proposed. First, that *there has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.* Several nearby developments have been approved in this immediate area that were all impacted by the presence of the proposed Outer Loop. Staff has supported those requests because all recent communication with ACOG has supported the removal of that designation, but our recommendation has always been contingent on an official statement from ACOG, and staff has recommended that no final plats be processed within that area until the roadway has been "officially" removed. It is in that spirit that staff conceptually supports this request; pending an official statement that Norman no longer needs to reserve that right-of-way.

As to the specific land uses proposed, the second criteria mandates that *there is a*

determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the area. The park area will be dedicated as a new public park that will serve the nearby developing subdivisions, and has tentatively been identified as a "gateway park" into Norman. That concept has been endorsed by the Park Board and the Greenbelt Commission. The applicant has asked that the six-acre parcel which will adjoin the park be designated for apartment use, which can capitalize on that amenity. The park will also provide a buffer between the apartment/office use and the college which abuts this tract in Moore. That site will abut another tract within the approved PUD that is also slated for apartment use. Both multi-family tracts, under the PUD language in the companion item, could alternatively be used as office areas, which would have a similar traffic impact.

STAFF RECOMMENDATION: With the assumption that an official statement deleting the Outer Loop designation is forthcoming, staff conditionally supports this proposed amendment to the 2025 Plan.

This item was reviewed at the April 14, 2011, Planning Commission meeting, where it received a unanimous recommendation for approval. No filed protests were submitted for the public hearing of the Planning Commission. The applicant asked that this item be held back so that it could be considered in conjunction with the proposed Uplands Addition which lies immediately west of the Commerce Parkway tract. Since that time, protests were submitted for the Uplands Addition, some of whom also protested any change associated with this Commerce Parkway PUD revision. Filed protests within the official protest area for the 2025 change amounted to 7.1%.

R-1011-108
LUP-1011-10

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1011-10, SO AS TO DELETE THE PROPOSED OUTER LOOP DESIGNATION ON PART OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FIVE (35) OF TOWNSHIP TEN (10) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, AND TO PLACE TRACT 1 OF SAID PROPERTY IN THE OPEN SPACE/PARK DESIGNATION AND TO PLACE TRACT 2 OF SAID PROPERTY IN THE HIGH DENSITY RESIDENTIAL/OFFICE DESIGNATION; AND TO REMOVE TRACT 3 FROM THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE HIGH DENSITY RESIDENTIAL/OFFICE DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.)

§ 1. WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and

§ 2. WHEREAS, the City Council at its meeting of December 19, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan; and

§ 3. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that the following described property be moved from the Proposed Outer Loop Designation and placed in the Open Space/Park Designation for the hereinafter described property, to wit:

Tract 1
A tract of land in the SW ¼, Section 35, T10N, R3W, of the Indian Meridian, Norman, Cleveland County, Oklahoma, more particularly described as follows:
COMMENCING at the SW Corner of the SW ¼ of said Section 35; THENCE North 00°16'29" West along the West line of said SW ¼ a distance of 2419.64 feet to the POINT OF BEGINNING;
THENCE continuing North 00°16'29" West along said West line a distance of 213.69 feet; THENCE North 89°43'31" East a distance of 50.00 feet; THENCE North 89°51'24" East a distance of 637.00 feet; THENCE South 00°13'13" East a distance of 286.00 feet; THENCE North 89°51'24" East a distance of 537.21 feet to a point on the existing right-of-way line of Interstate Highway 35 as set out in Report of Commissioners Case No. 20954 recorded in Book 318 Page 289; THENCE along said right-of-way line along a curve to the left having a radius of 5929.58 feet (said curve subtended by a chord which bears South 11°36'55" East a distance of 368.89 feet) with an arc length of 368.95 feet; THENCE South 65°23'01" West a distance of 58.11 feet; THENCE South 87°45'51" West a distance of 33.83 feet; THENCE North 82°24'26" West a distance of 43.96 feet; THENCE North 71°14'04" West a distance of 68.17 feet; THENCE North 83°44'34" West a distance of 60.58 feet; THENCE South 55°51'41" West a distance of 82.33 feet; THENCE South 69°49'35" West a distance of 29.06 feet; THENCE North 89°32'11" West a distance of 30.06 feet; THENCE North 79°44'03" West a distance of 55.23 feet; THENCE North 51°55'31"

West a distance of 27.90 feet; THENCE North 38°52'31" West a distance of 105.94 feet; THENCE North 35°16'22" West a distance of 124.61 feet; THENCE North 48°13'27" West a distance of 126.57 feet; THENCE North 62°07'02" West a distance of 121.69 feet; THENCE North 41°26'19" West a distance of 164.07 feet; THENCE North 58°00'32" West a distance of 125.19 feet; THENCE North 87°20'18" West a distance of 51.93 feet; THENCE South 79°59'53" West a distance of 41.66 feet; THENCE South 67°38'19" West a distance of 155.40 feet; THENCE South 89°43'31" West a distance of 50.00 feet to the POINT OF BEGINNING. Said tract contains 377,568 square feet or 8.67 acres more or less.

§ 4. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that the following described property be moved from the Proposed Outer Loop Designation and placed in the High Density Residential/Office Designation for the hereinafter described property, to wit:

Tract 2

A tract of land in the SW ¼, Section 35, T10N, R3W, of the Indian Meridian, Norman, Cleveland County, Oklahoma, more particularly described as follows:
COMMENCING at the SW Corner of the SW ¼ of said Section 35; THENCE North 00°16'29" West along the West line of said SW ¼ a distance of 2010.87 feet to the POINT OF BEGINNING;
THENCE continuing North 00°16'29" West a distance of 408.77 feet; THENCE North 89°43'31" East a distance of 50.00 feet; THENCE North 67°38'19" East a distance of 155.40 feet; THENCE North 79°59'53" East a distance of 41.66 feet; THENCE South 87°20'18" East a distance of 51.93 feet; THENCE South 58°00'32" East a distance of 125.19 feet; THENCE South 41°26'19" East a distance of 164.07 feet; THENCE South 62°07'02" East a distance of 121.69 feet; THENCE South 48°13'27" East a distance of 126.57 feet; THENCE South 35°16'22" East a distance of 124.61 feet; THENCE South 38°52'31" East a distance of 105.94 feet; THENCE South 51°55'31" East a distance of 27.90 feet; THENCE South 79°44'03" East a distance of 55.23 feet; THENCE South 59°47'10" West a distance of 54.66 feet to a point on a curve; THENCE along a curve to the left having a radius of 200.00 feet (said curve subtended by a chord which bears North 60°13'43" West a distance of 200.09 feet) with an arc length of 209.54 feet; THENCE South 89°45'24" West a distance of 645.23 feet; THENCE South 89°43'31" West a distance of 50.00 feet to the POINT OF BEGINNING. Said tract contains 265,363 square feet or 6.09 acres more or less.

§ 5. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that the following described property be moved from the Medium Density Residential/Office Designation and placed in the High Density Residential/Office Designation for the hereinafter described property, to wit:

Tract 3

A tract of land in the SW ¼, Section 35, T10N, R3W, of the Indian Meridian, Norman, Cleveland County, Oklahoma, more particularly described as follows:
COMMENCING at the SW Corner of the SW ¼ of said Section 35; THENCE North 00°16'29" West along the West line of said SW ¼ a distance of 1550.87 feet to the POINT OF BEGINNING;
THENCE continuing North 00°16'29" West a distance of 460.00 feet; THENCE North 89°43'31" East a distance of 50.00 feet; THENCE North 89°45'24" East a distance of 538.42 feet; THENCE South 00°00'00" East a

distance of 460.00 feet; THENCE South 89°45'24" West a distance of 536.21 feet; THENCE South 89°43'31" West a distance of 50.00 feet to the POINT OF BEGINNING. Said tract contains 270,166 square feet or 6.20 acres more or less.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

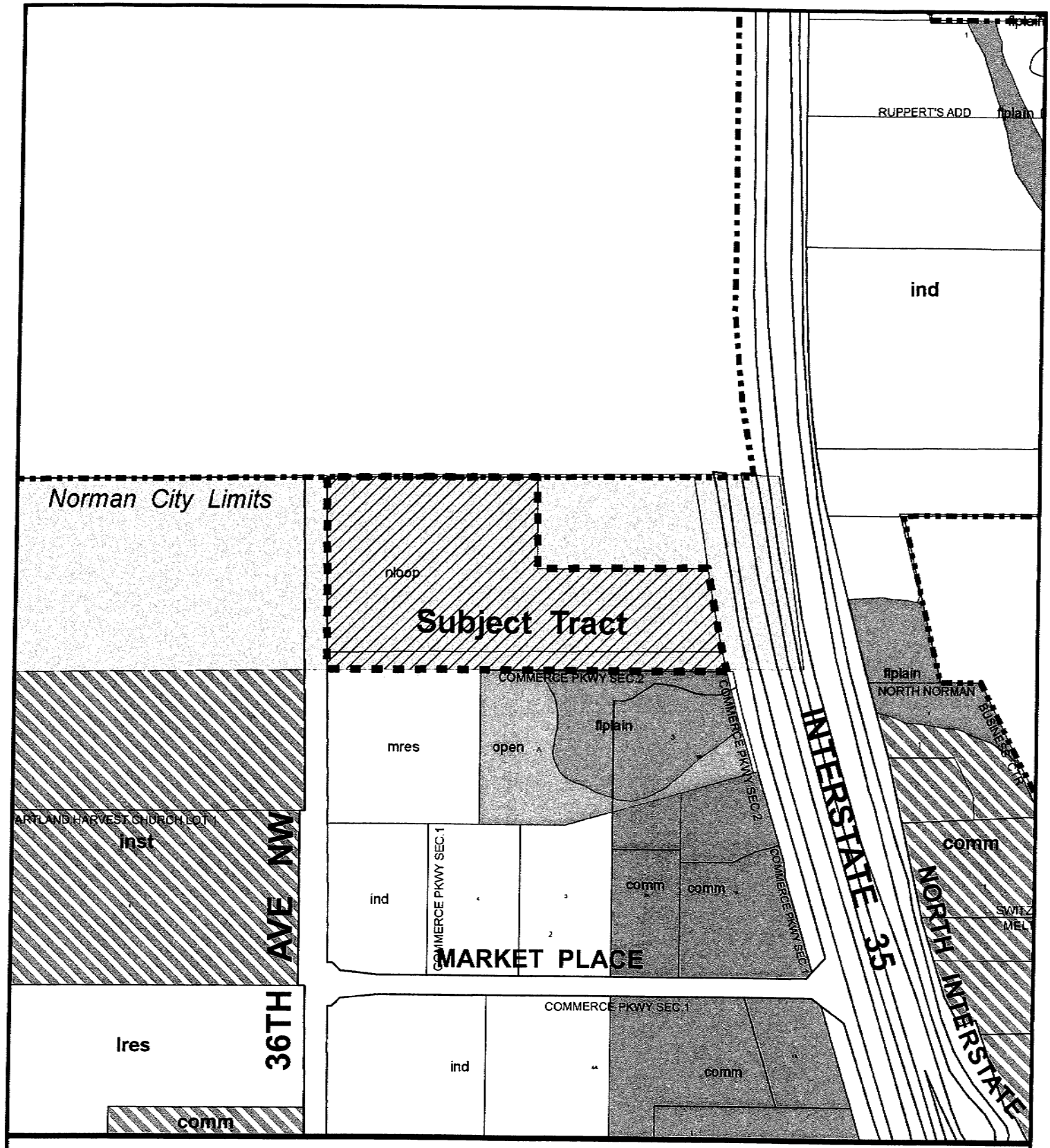
§ 6. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this _____day of_____, 2011.

_____
(Mayor)

ATTEST:

_____
(City Clerk)



Norman 2025 Land Use

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

N
W E
S

August 29, 2011

0 200 400 Ft.

Subject Tract

Zoning

RESOLUTION NO. R-1011-108 ITEM NO. 7a

STAFF REPORT

ITEM: Hallbrooke Development Group One, L.L.C., requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1011-10) to delete the Outer Loop Designation and change a portion of the tract to Open Space/Park Designation (8.67 acres) and a portion to Office or Medium Density Residential Designation (6.09 acres) for property generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

SUMMARY OF REQUEST: When Commerce Parkway Addition was initially approved as a Planned Unit Development, the northern 600 feet of the tract, containing approximately fifteen acres, was not included in the PUD, and was reserved for a future Outer Loop. While not yet finalized, ACOG is currently considering removal of that designation as part of their next area-wide transportation plan. The applicant is requesting an amendment to the 2025 Plan that would delete the designation of "Outer Loop" and substitute Parkland/Open Space on approximately nine acres, and Medium Density Residential/Office designation on the remaining six acres.

STAFF ANALYSIS: Several nearby developments have been approved in this immediate area that were all impacted by the presence of the proposed Outer Loop. Staff has supported those requests because all recent communication with ACOG has supported the removal of that designation, but our recommendation has always been contingent on that official statement from ACOG, and staff has recommended that no final plats be processed within that area until the roadway has been "officially" removed. It is in that spirit that staff conceptually supports this request; pending an official statement that Norman no longer needs to reserve that right-of-way.

As to the specific land uses proposed, the park area will be dedicated as a new public park that will serve the nearby developing subdivisions, and has tentatively been identified as a "gateway park" into Norman. That concept has been endorsed by the Park Board and the Greenbelt Commission. The applicant has asked for the six-acre parcel which will adjoin the park to be designated for apartment use, which can capitalize on that amenity. That site will abut another tract within the approved PUD that is also slated for apartment use. Both multi-family tracts, under the PUD language in the companion item, could also be used as office areas, which would have a similar impact.

STAFF RECOMMENDATION: With the assumption that an official statement deleting the Outer Loop designation is forthcoming, staff conditionally supports this proposed amendment to the 2025 Plan.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

APRIL 14, 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 14th day of April 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 (arrived after Roll Call) Diana Hartley Tom Knotts Chris Lewis Curtis McCarty Roberta Pailes Andy Sherrer (arrived at 7:38 p.m.) Jim Gasaway Zev Trachtenberg
MEMBERS ABSENT	Tom Knotts

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Development Coordinator Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst Jane Hudson, Planner II Shawn O'Leary, Director, Public Works Department Bob Hanger, Storm Water Engineer

* * *

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

7a. RESOLUTION NO. R-1011-108
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1011-10) TO DELETE THE OUTER LOOP DESIGNATION AND CHANGE A PORTION OF THE TRACT TO OPEN SPACE/PARK DESIGNATION AND A PORTION TO OFFICE OR MEDIUM DENSITY RESIDENTIAL DESIGNATION FOR 41.61 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Land Use Plan Map
2. Staff Report

7b. ORDINANCE NO. O-1011-51
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT (6.09 ACRES AND 8.67 ACRES), AND PUD, PLANNED UNIT DEVELOPMENT (6.20 ACRES), TO PUD, PLANNED UNIT DEVELOPMENT (12.29 ACRES) AND PL, PARKLAND DISTRICT (8.67 ACRES), FOR 41.61 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative

7c. PP-1011-19
CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., (SMC CONSULTING ENGINEERS, P.C.) FOR COMMERCE PARKWAY ADDITION, A PLANNED UNIT DEVELOPMENT AND PARK, GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Revised Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Development Plan
6. Request for Alley Waiver
7. Pre-Development Summary
8. Greenbelt Commission Comments
9. Greenbelt Enhancement Statement

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that the Land Use Plan change covers only the northern area of the site. Part of it will be open space/park, and part will be either medium density residential or office. The developer did the same thing in the existing PUD. There is a mixture of uses, although it is not truly "mixed use." They think the time is ripe

to delete the Outer Loop designation. The site is currently zoned A-2 and it was not included in the prior PUD. They are adding it to the PUD at this time. It is anticipated that the parkland area will become City park. The site is vacant at this time. Hillsdale Bible College is to the north of the site in the City of Moore. The park area will become part of a linear park that was presented to the Planning Commission in the past couple of months in some items on property to the west. Staff is supporting the Plan change, with the proviso that we really don't have an official answer from ODOT to delete the Outer Loop designation. There were no filed protests on the request. They are asking for some multi-family designation next to the park, which is a nice idea. We don't expect any negative impacts in any direction from this.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, SMC Consulting Engineers, representing the applicant – We are changing an area that was in the PUD as RM/CO to RM-6/CO. The area zoned A-2 that wasn't part of the prior PUD is to be RM-6/CO. The developer wants to have the option to go either way. There were changes to the floodplain map recently, that allowed the area to the east of this to be platted to be the new Bob Moore Cadillac facility. The new proposed Gateway Park is the area being zoned as parkland, and it continues to the west across other properties. The affected area is only 20.96 acres.

PARTICIPATION BY THE AUDIENCE:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to recommend adoption of Resolution No. R-1011-108, Ordinance No. O-1011-51, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for COMMERCE PARKWAY, A Planned Unit Development, to the City Council, dependent on the deletion of the Proposed Outer Loop. 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, Chris Lewis, Curtis McCarty, Roberta Pailes, Zev Trachtenberg, Jim Gasaway
NAYES	None
ABSENT	Tom Knotts, Andy Sherrer

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1011-108, Ordinance No. O-1011-51, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for COMMERCE PARKWAY, A Planned Unit Development, to the City Council, passed by a vote of 7-0.

* * *

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: O-1011-51

File ID: O-1011-51 **Type:** Zoning Ordinance **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 29 **In Control:** City Council

Department: Planning and Community Development Department **Cost:** **File Created:** 03/22/2011

File Name: Commerce Parkway Rezone O-1011-51 **Final Action:**

Title: ORDINANCE NO. O-1011-51: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-0506-3 AND TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-51 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-51 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Meeting

Agenda Date: 09/27/2011

Agenda Number: 29

Attachments: O-1011-51 Commerce Pkwy Rezone, Commerce PkwyRezone Location Map, Commerce Parkway PUD Staff Report, CommercePkwySitePlan, Commerce Parkway PUD Narrative, 4-14-11 PC

Minutes - CommercePkwy, Protest Map Commerce Parkway, Commerce (1) Protest, Commerce (2) Protest, Commerce (3) Protest, Commerce (4) Protest, Commerce (5) Protest

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	04/14/2011	Recommended for Adoption at a subsequent City Council Meeting	City Clerk Department			Pass
	Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Clerk Department						
1	Planning Commission	04/14/2011					
1	City Council	09/13/2011	Introduced and adopted on First Reading by title only				
	Action Text: Introduced and adopted on First Reading by title only						
1	City Council	09/13/2011					

Text of Legislative File O-1011-51

Body

SYNOPSIS: In 2005, a Planned Unit Development (PUD) was approved north and east of Indian Hills Road and 36th Avenue NW, but the northern 15 acres was not included because of its designation as part of the alignment for the Outer Loop. Since then two final plats have been approved and filed, and a minor amendment to the open space within the PUD was approved last year which created an additional commercial lot along the frontage road. Approximately 48 acres out of the original 71 acres have been final platted, and buildings constructed on some of the lots. The applicant believes that the Outer Loop alignment is no longer functional, and has cooperated with other developers in this area to create a new community park that will run along the northern city limits. He has submitted a revision to the approved PUD to include the parkland tract and has asked for higher density multi-family/office designation for a six acre tract which will abut that proposed park.

ANALYSIS: The approved PUD contained a mixture of uses including retail commercial, office uses, and warehouse/industrial areas. A large central open space, which incorporated the required detention pond, served as a buffer between those more intense uses and a six acre multi-family tract which faced 36th Avenue. This amendment would add an additional 6.09 acre tract along 36th Avenue which would be used as multi-family, or alternatively for offices. The 8.67 acre public park will serve as a buffer between this multi-family use in Norman and the Hillsdale Bible College in Moore.

The restrictions and design standards that were included in the original PUD will remain in

place, and govern the appearance of all new commercial/industrial uses in the development.

ALTERNATIVES/ISSUES: The addition of this 14.76 acre tract to the approved PUD is a logical expansion of the mixture of uses already approved, and includes an 8.67 tract that will become part of a larger "gateway" park at the north end of Norman. This change is compatible with the existing design and uses already established. The Park Board has endorsed the idea of this new public park in north Norman. Parkland dedication will be required when the multi-family parcels are final platted. The proposed park connects this tract with several residential developments that will occur further west, and provides an alternative pathway that fulfills the goals expressed by the Greenbelt Commission.

STAFF RECOMMENDATION: Staff is able to support this proposed amendment to the approved PUD, with the understanding that no final plats will be submitted until ACOG formally removes the Outer Loop alignment from their long-range plans.

This item was reviewed at the April 14, 2011, Planning Commission meeting, where it received a unanimous recommendation for approval. No filed protests were submitted for the public hearing of the Planning Commission. The applicant asked that this item be held back so that it could be considered in conjunction with the proposed Uplands Addition which lies immediately west of the Commerce Parkway tract. Since that time, protests were submitted for the Uplands Addition, some of whom also protested any change associated with this Commerce Parkway PUD revision. The filed protest for this PUD amendment totals 7.1 percent as of September 22, 2011.

O-1011-51

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-0506-3, AND TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FIVE (35) OF TOWNSHIP TEN (10) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT, AND REMOVE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (Generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.)

§ 1. WHEREAS, Hallbrooke Development Group One, L.L.C., the owners of the hereinafter described property, have made application to amend the PUD created by Ordinance No. O-0506-3 by amending the allowable uses for Tract 3; and

§ 2. WHEREAS, Hallbrooke Development Group One, L.L.C., have made application to have Tract 1 placed in the PL, Park Land District, and to have the same removed from the A-2, Rural Agricultural District; and

§ 3. WHEREAS, Hallbrooke Development Group One, L.L.C., have made application to have Tract 2 placed in the PUD, Planned Unit Development, and to have the same removed from the A-2, Rural Agricultural District; and

§ 4. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and

§ 5. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 6. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the PL, Park Land District, and to remove the same from the A-2, Rural Agricultural District, to wit:

A tract of land in the SW ¼, Section 35, T10N, R3W, of the Indian Meridian, Norman, Cleveland County, Oklahoma, more particularly described as follows: COMMENCING at the SW Corner of the SW ¼ of said Section 35; THENCE North 00°16'29" West along the West line of said SW ¼ a distance of 2419.64 feet to the POINT OF BEGINNING;

THENCE continuing North 00°16'29" West along said West line a distance of 213.69 feet; THENCE North 89°43'31" East a distance of 50.00 feet; THENCE North 89°51'24" East a distance of 637.00 feet; THENCE South 00°13'13" East a distance of 286.00 feet; THENCE North 89°51'24" East a distance of 537.21 feet to a point on the existing right-of-way line of Interstate Highway 35 as set out in Report of Commissioners Case No. 20954 recorded in Book 318 Page 289; THENCE along said right-of-way line along a curve to the left having a radius of 5929.58 feet (said curve subtended by a chord which bears South 11°36'55" East a distance of 368.89 feet) with an arc length of 368.95 feet; THENCE South 65°23'01" West a distance of 58.11 feet; THENCE South 87°45'51" West a distance of 33.83 feet; THENCE North 82°24'26" West a distance of 43.96 feet; THENCE North 71°14'04" West a distance of 68.17 feet; THENCE North 83°44'34" West a distance of 60.58 feet; THENCE South 55°51'41" West a distance of 82.33 feet; THENCE South 69°49'35" West a distance of 29.06 feet; THENCE North 89°32'11" West a distance of 30.06 feet; THENCE North 79°44'03" West a distance of 55.23 feet; THENCE North 51°55'31" West a distance of 27.90 feet; THENCE North 38°52'31" West a distance of 105.94 feet; THENCE North 35°16'22" West a distance of 124.61 feet; THENCE North 48°13'27" West a distance of 126.57 feet; THENCE North 62°07'02" West a distance of 121.69 feet; THENCE North 41°26'19" West a distance of 164.07 feet; THENCE North 58°00'32" West a distance of 125.19 feet; THENCE North 87°20'18" West a distance of 51.93 feet; THENCE South 79°59'53" West a distance of 41.66 feet; THENCE South 67°38'19" West a distance of 155.40 feet; THENCE South 89°43'31" West a distance of 50.00 feet to the POINT OF BEGINNING.

Said tract contains 377,568 square feet or 8.67 acres more or less.

§ 7. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the PUD, PLANNED UNIT DEVELOPMENT, and to remove the same from the A-2, Rural Agricultural District, to wit:

A tract of land in the SW ¼, Section 35, T10N, R3W, of the Indian Meridian, Norman, Cleveland County, Oklahoma, more particularly described as follows:
COMMENCING at the SW Corner of the SW ¼ of said Section 35; THENCE North 00°16'29" West along the West line of said SW ¼ a distance of 2010.87 feet to the POINT OF BEGINNING;
THENCE continuing North 00°16'29" West a distance of 408.77 feet; THENCE North 89°43'31" East a distance of 50.00 feet; THENCE North 67°38'19" East a distance of 155.40 feet; THENCE North 79°59'53" East a distance of 41.66 feet; THENCE South 87°20'18" East a distance of 51.93 feet; THENCE South 58°00'32" East a distance of 125.19 feet; THENCE South 41°26'19" East a distance of 164.07 feet; THENCE South 62°07'02" East a distance of 121.69 feet; THENCE South 48°13'27" East a distance of 126.57 feet; THENCE South 35°16'22" East a distance of 124.61 feet; THENCE South 38°52'31" East a distance of 105.94 feet; THENCE South 51°55'31" East a distance of 27.90 feet; THENCE South 79°44'03" East a distance of 55.23 feet; THENCE South 59°47'10" West a distance of 54.66 feet to a point on a curve; THENCE along a curve to the left having a radius of 200.00 feet (said curve subtended by a chord which bears North 60°13'43" West a distance of 200.09 feet) with an arc length of 209.54 feet; THENCE South 89°45'24" West a

distance of 645.23 feet; THENCE South 89°43'31" West a distance of 50.00 feet to the POINT OF BEGINNING.

Said tract contains 265,363 square feet or 6.09 acres more or less.

§ 8. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to amend the PUD created by Ordinance No. O-0506-3 by amending the allowable uses from low-density apartment to medium-density apartment, to wit:

A tract of land in the SW ¼, Section 35, T10N, R3W, of the Indian Meridian, Norman, Cleveland County, Oklahoma, more particularly described as follows:
COMMENCING at the SW Corner of the SW ¼ of said Section 35; THENCE North 00°16'29" West along the West line of said SW ¼ a distance of 1550.87 feet to the POINT OF BEGINNING;
THENCE continuing North 00°16'29" West a distance of 460.00 feet; THENCE North 89°43'31" East a distance of 50.00 feet; THENCE North 89°45'24" East a distance of 538.42 feet; THENCE South 00°00'00" East a distance of 460.00 feet; THENCE South 89°45'24" West a distance of 536.21 feet; THENCE South 89°43'31" West a distance of 50.00 feet to the POINT OF BEGINNING.

Said tract contains 270,166 square feet or 6.20 acres more or less.

§ 9. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the Preliminary Site Development Plan and Planned Unit Development Narrative, approved April 14, 2011, and supporting documentation submitted by the applicant and approved by the Planning Commission.

§ 10. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of

_____, 2011.

_____
(Mayor)

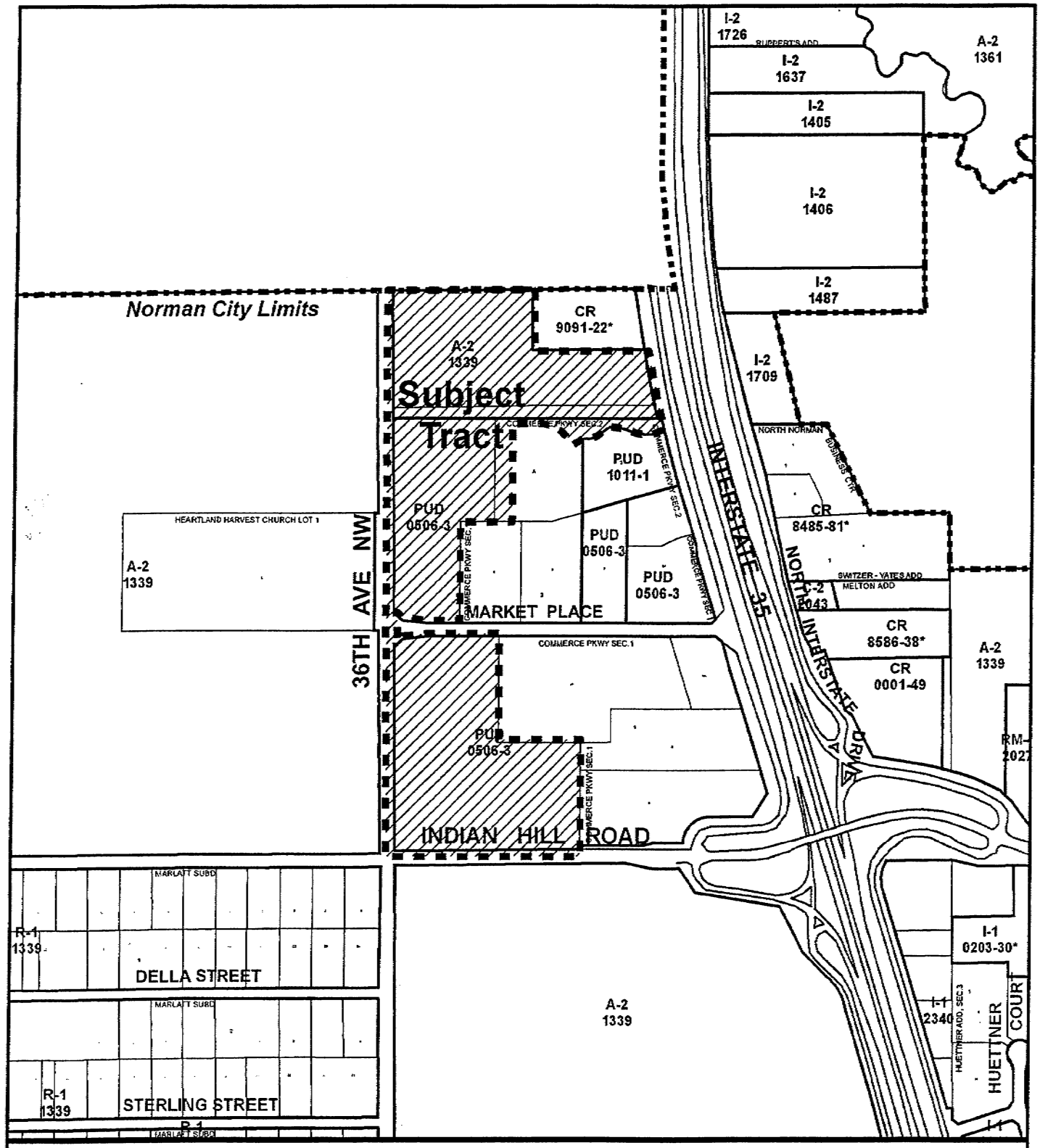
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2011.

_____
(Mayor)



Location Map

O-1011-51
Rezoning
Owner: Hallbrooke Development Group One, L.L.C.
March 9, 2011

Subject Tract
Zoning

0 400 800 Ft.

Map Produced by the City of Norman Geographic Information System. (405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

ORDINANCE NO. O-1011-51 ITEM NO. 7b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Hallbrooke Development Group One, L.L.C.
REQUESTED ACTION	Amendment of the approved uses and the Site Development Plan approved with the Planned Unit Development established by Ordinance No. O-0506-3 and rezoning of property currently zoned A-2, Rural Agricultural, to PUD and PL, Parkland District
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: CR, Rural Commercial East: PUD and I-2 South: A-2 West: A-2
LOCATION	One-half mile North of Indian Hills Road on the east side of 36th Avenue N.W.
SIZE	41.61 acres, more or less
PURPOSE	Office, Apartment, and Park
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Hillsdale College, SF homes East: Interstate Highway South: Vacant West: Vacant
GROWTH AREA DESIGNATION	Current Urban Service Area

SYNOPSIS: In 2005, a Planned Unit Development (PUD) was approved north and east of Indian Hills Road and 36th Avenue NW, but the northern 15 acres was not included because of its designation as part of the alignment for the Outer Loop. Since then two final plats have been approved and filed, and a minor amendment to the open space within the PUD was approved last year which created a small commercial lot along the frontage road. Approximately 48 acres out of the original 71 acres have been final platted, and some portions have been developed. The applicant believes that the Outer Loop alignment is no longer functional, and has cooperated with other developers in this area to create a new community park that will run along the northern city limits. He has submitted a revision to the approved PUD to include the parkland tract and has asked for higher density multi-family/office designation for a six acre tract which will abut that proposed park.

ANALYSIS: The approved PUD contained a mixture of uses including retail commercial, office uses, and warehouse/industrial areas. A large central open space, which incorporated the required detention pond, served as a buffer between those more intense uses and a six acre multi-family tract which faced 36th Avenue. This amendment would add an additional 6.09 acre tract along 36th Avenue which would be used as multi-family, or alternatively for offices. The 8.67 acre public park will serve as a buffer between the multi-family uses in Norman and the lower density uses in Moore.

The restrictions and design standards that were included in the original PUD will remain in place, and govern the appearance of all new commercial/industrial uses in the development.

ALTERNATIVES/ISSUES: The addition of this 14.76 acre tract to the approved PUD is a logical expansion of the mixture of uses already approved, and includes an 8.67 tract that will become part of a larger "gateway" park at the north end of Norman. This change is compatible with the existing design and uses already established.

OTHER AGENCY COMMENTS:

- **PARK BOARD** The Board has endorsed the idea of this new public park in north Norman. Parkland dedication will be required when the multi-family parcels are final platted.

- **PUBLIC WORKS** All major roads within this PUD have been constructed. The remaining parcels will be platted as market demand warrants.

- **GREENBELT COMMISSION** The proposed park connects this tract with several residential developments that will occur further west, and provides an alternative pathway that fulfills the goals expressed by the Greenbelt Commission.

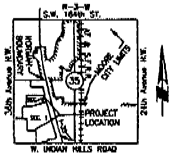
STAFF RECOMMENDATION: Staff is able to support this proposed amendment to the approved PUD, with the understanding that no final plats will be submitted until ACOG formally removes the Outer Loop alignment from their long-range plans.

PRELIMINARY SITE DEVELOPMENT PLAN

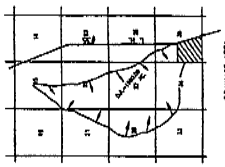
COMMERCE PARKWAY ADDITION

(A PLANNED UNIT DEVELOPMENT)

A PART OF SW/4, SEC. 35, T.-10-N, R.-3-W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



VICINITY MAP
Scale: 1"=2000'



DRAINAGE AREA
1" = 1 MILE

Scale: 1" = 100'

LINE TABLE

COURSE	BEARING	DISTANCE
L1	S 00°07'15" E	50.00'
L2	S 89°52'45" W	50.00'

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR STORAGE OF STORM SURFACE WATER AS CONCEIVED AT APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE PROPERTY OWNER'S RESPONSIBILITY OF THE PROPERTY OWNER'S ASSOCIATION. NO ALTERATIONS OR MODIFICATIONS, INCLUDING STRUCTURES OR IMPROVEMENTS OF ANY KIND, SHALL BE MADE TO THE DRAINAGE FACILITIES AND IS DETERMINED TO BE A HAZARD OR DEFECT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE IMPROVEMENTS MAY BE REQUIRED BY THE GOVERNING ASSOCIATION WITH COSTS ASSESSED TO AND IN LIEN ON THE PROPERTY OWNERS. UPON NOTIFICATION THE GOVERNING BODY, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON SAID EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE GOVERNING BODIES, PUBLIC WORKS DEPARTMENT, PROPERTY OWNERS MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENTS DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

NOTES:

1. FIRE HYDRANTS SHALL BE LOCATED AND INSTALLED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.
2. SIDEWALKS ARE REQUIRED WITHIN ALL COMMERCIAL AREAS.
3. REFER TO DRAINAGE REPORT FOR SPECIFIC DATA.
4. EXISTING ZONING IS PUD & "A-2". PROPOSED ZONING USES ARE C-O, C-2, RM-1, RM-6 & PL.
5. ALL PROPOSED SANITARY LINES ARE 8-INCH EXCEPT AS NOTED.
6. ALL PROPOSED WATERLINES ARE 8-INCH EXCEPT AS NOTED.
7. "ASSOCIATION EASEMENT" SHALL MEAN THE EASEMENTS GRANTED TO THE ASSOCIATION FOR THE PURPOSES OF LAYING THE SEWER LINES AND MAINTAINING AND OPERATING SAME ON THE LOTS AND FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING THE LIFT STATION. THE ASSOCIATION EASEMENT IS SHOWN, AS SUCH, ON THE PLAT. (V & A /O
8. "LIFT STATION" SHALL MEAN THE EQUIPMENT LOCATED AS SHOWN ON THE PLAT, CONTAINED IN THE ASSOCIATION EASEMENT, WHICH IS OWNED BY THE ASSOCIATION AND USED AS A PORTION OF THE WASTEWATER SYSTEM MAINTAINED BY THE ASSOCIATION.

DEVELOPER / OWNER
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C.
2110 HALLBROOKE DRIVE
NORMAN, OK. 73071

PROPOSED PARKLAND 6.67 AC.±

EXISTING ZONING C-2

EXISTING ZONING USES C-O

PROPOSED ZONING USES C-O

0.20 AC.±

LOT 2A

LOT 1

STAR SPANGLED

HENRY DR.

MARKET PLACE

ANDY ALLGATOR

ACCESS ROAD

EXIST. 4" SAN SEWER FORCE MAIN

EXIST. SAN SEWER LIFT STATION

LIMITS OF CURRENT 100 YR. FLOOD PLAIN

P.O.C.
S.W. CORNER, S.W. 1/4
SECTION 35, T10N, R3W, I.M.

15' SANITARY R.O.W.

PRELIMINARY SITE DEVELOPMENT PLAN
COMMERCE PARKWAY ADDITION
(A PLANNED UNIT DEVELOPMENT)
INDIAN HILLS RD. & I-35
NORMAN, CLEVELAND COUNTY, OKLAHOMA

SMC Consulting Engineers, P.C.
915 North 10th - Oklahoma City, OK 73103
PH: 405-232-7715 FAX: 405-232-7995
CERTIFICATE OF AUTHORIZATION NO. CA 1414 EXP. 6/30/2011

SMC

NO.	REVISION	BY	DATE
1	Revised per City plan review comments	DJL	3-29-11

DATE: 2-7-11
SCALE: 1" = 100'
DRAWN BY: DJL
PROJECT NO: 0711.02
SHEET NO. 1

ENGINEER: TIM L. MCCLAIN, P.E. 13468

29-7

COMMERCE PARKWAY ADDITION

Norman, Oklahoma

PLANNED UNIT DEVELOPMENT
APPLICATION FOR REZONING AND
PRELIMINARY DEVELOPMENT
PLAN/PLAT

Revised April 8, 2011
March 14, 2011
June 7, 2010
June 24, 2005
June 13, 2005

PREPARED BY:

SMC Consulting Engineers, P.C.
815 W. Main
Oklahoma City, OK 73106

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I. INTRODUCTION

The applicant is requesting a rezoning of the Indian Hill property to Planned Unit Development (PUD) and is submitting a Rezoning Application and Preliminary Plat.

Two Final Plats have already been recorded for this development. Commerce Parkway Section One was 40.40 acres and Commerce Parkway Section Two was 8.04 acres.

The purpose for this application, as in the initial application, is to stimulate a commercial interest at the gateway to Norman. This site is on the City limit lime with the City of Moore. Development has rapidly occurred in Moore attracting many good commercial businesses. Those businesses have been able to vary site plans to accommodate specific individual requirements for lot size.

It is not possible, in this juncture, to realistically outline specific building footprints. This application requests flexibility to respond to those commercial requests and as specific users come forward, final plats and site plans will be submitted for City review and approval. The site plan submitted is purely conceptual. The preliminary plat that is submitted has been divided into a Lot and Block pattern. However, the plat has the capability to change to reduce or increase lots to meet demands based on buyer / tenant requirements.

Part of the property has been previously final platted. Certain infrastructures are constricted or committed with approved construction plans. The waterline has been completely constructed in Indian Hills, service road, and Market Place. The line is connected to the existing 24-inch waterline in 36th Avenue N.W., thus completing the looped system. A sanitary sewer lift station has been constructed and discharges the raw effluent to the City of Moore sewer treatment plant. The lift station is privately maintained by the CPA Association. Parts of the permanent storm drainage structures have been constructed. The east/west collector road named Market Place has been constructed as shown.

CPA commits heavy landscaping along the I-35 service road and is submitting a landscape plan. In addition, Market Place will be heavily landscaped, as well, with the installation of decorated lighting. All buildings must be masonry on all sides using 80% of walls, excluding windows, doors, roofs, glass or sidewalk and walkway covers.

The Commerce Parkway Addition (CPA) was initially approved in June 2005 and was revised June 2010. The current revision is being done as a result of a new parkland contribution to the City of Norman. The other reason is to allow land to develop that was restricted by the Outer Loop. That Outer Loop is currently being removed by the City of Norman and

ACOG. The new park area is rugged and will become a compatible area for new apartments. Thus, this new PUD is making such a request. The following is a comparison of the changes that have occurred with CPA.

	2010	2011
PUD Area	70.98 ac	84.71 ac
Commercial Tracts	60.38 ac	60.38 ac
RM-2/C-O Tracts	6.20 ac	0 ac
RM-6/C-O Tracts	0 ac	12.29 ac
PL Area	5.02 ac	12.04 ac

The open space including the parkland area is over ten acres. Open space area will be located throughout the property. Open space will exceed 15% of the total site area.

The PUD will have the following:

1) 20-feet front yard building line. Across the entire front of all lots a minimum 10' landscape strip shall be installed, which may not be encroached upon by parking or outdoor storage. One 8-foot tall canopy tree and one 8-foot tall understory or evergreen tree per each thirty feet of lot frontage, and one three-gallon shrub per five feet of building frontage shall be installed within this landscape strip. A three-year maintenance bond required when new landscaping is installed with the parking lot on the same tract shall cover such planting.
2) 20-feet rear yard building line.

CPA proposes the following described uses for the tracts, relating to the total developed land area as follows:

The terms used, immediately above, are defined to mean:

"Residential" – Any uses currently permitted as a matter of right in the RM-6 zoning district of the City of Norman.

"Commercial" – Any uses currently permitted as a matter of right in the C-2 zoning district of the City of Norman.

The anticipated uses for Block 2, Lot 1 is Office/Industrial. Block 1, Lots 1-3 may develop independently or as a centralized Commercial development.

Block 2, Lots 2 & 3 are capable of Residential or professional office.
The maximum lot coverage for all buildings or structures shall not exceed thirty-five to forty (35-40) percent of the lot area.

Final Plats: Whenever CPA has a specific Buyer or Tenant for any portion of the Property, CPA will cause a Final Plat and a Site Plan to be prepared and submitted to the City of Norman, for review and approval. Once approved, CPA will describe the tract, in its deed or lease, by Lot and Block numbers shown on the approved Final Plat. All Final Plats and building permits will be subject to then-applicable ordinances and regulations of the City of Norman.

The northern 600 L.F. of the land owned by CPA that was reserved for the Outer Loop is no longer to be reserved as previously stated in the PUD. That portion of the property is now included in the application. CPA reserves the right to bring forward plans for development should conditions change. They have changed. Staff with ACOG is ending the Outer Loop proposal. CPA is now adding this area to the PUD and is dedicating 8.67 acres to the City of Norman for Parkland (see attached sketch). Adjoining the parkland will be apartments that may be developed under RM-6 requirements or CO.

II. PROPERTY DESCRIPTION/EXISTING SITE CONDITIONS

A. Location

Commerce Parkway Addition is located at the NE corner of Indian Hills Road and 36th Avenue N.W. The site is bordered on the south by Indian Hills Road; bordered on the east by I-35 Service Road; bordered on the west by 36th Avenue N.W.; and bordered on the north by City of Moore. No significant development is adjacent to the tract.

B. Existing Land Use and Zoning

The property is currently zoned A-2 and PUD.

C. Elevation and Topography

The site is 80% flat with steep drainage ravines located on the north. A portion drains to the southeast corner. The remaining land slopes to the north.

D. Drainage

A Drainage Impact Analysis was prepared and approved by the City Engineer. The report may be modified with subsequent final plats.

E. Utility Services

All of the required utility systems for the projects (including water, sewer, gas, telephone and electric) are currently located adjacent to the boundaries of the property.

F. Fire Protection Services

Fire protection services will be provided by the City of Norman Fire Department and by Owner provided NFPA 13R building sprinkler systems.

G. Traffic Circulation and Access

Primary vehicular access to the site would be provided by Indian Hills Road, I-35 Service Road, and 36th Avenue N.W. Market Place has been constructed. Updated Traffic Impact Analysis will be required as the project is final platted to establish intersection design and pro-rata cost sharing.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

A. Architectural Standards

Construction Material

All nonresidential buildings constructed in the PUD shall have all exterior walls constructed using masonry material, which shall mean and include brick, slump-faced or decorative concrete block, stucco, concrete (poured in place, pre-cast or tilt-wall) with aggregate, sandblasted or textured coating finish, stone, rock or other structural material of equal durability and architectural effect, covering at least eighty percent (80%) of said walls, exclusive of all windows, doors, roofs, glass, or sidewalk and walkway covers. Smooth faced concrete block or concrete tilt-wall, except as accent to approved finish material, shall not be included in the 80% coverage requirement on the principal facade.

Roof Design Standards

In an effort to screen rooftop mechanical equipment, other appurtenances, and flat or built-up roofs, all structures having a 6,000 square feet or less footprint shall be constructed with a pitched roof. Those structures having a footprint greater than 6,000 square feet shall be constructed with either a pitched, parapet or mansard roof system (enclosed on all sides). Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish. Metal roofs with lapped-seamed construction, bituminous built-up roofs, and flat, membrane-type roofs which are visible from adjacent public ROW shall be prohibited.

Mechanical Equipment Screening
All buildings must be designed such that no mechanical equipment (HVAC, etc.) or satellite dishes shall be visible from I-35, Indian Hills Road, 36th Avenue N.W., and Market Place. This shall include equipment on the roof, on the ground, or otherwise attached to the building or located on the site. Rooftop mechanical equipment and / or other rooftop appurtenance screening shall be accomplished by either the construction of 1) the roof systems described above or 2) an architectural feature which is integral to the building's design and ensures that such equipment is not visible from adjacent public ROW. All rooftop mechanicals or architectural features described herein shall be shown on the required building elevations at the time of site plan approval.

Façade Articulation
On all non-residential buildings, all façades which are visible from I-35, Indian Hills Road, 36th Avenue N.W., and Market Place, the following horizontal and vertical articulation must be met:

a. Horizontal Articulation: No building façade shall extend greater than three (3) times the wall's height without having a minimum off-set of 15% of the wall's height, and such off-set shall continue for a minimum distance equal to at least 25% of the maximum length of either adjacent plane.
b. Vertical Articulation: No horizontal wall shall extend for a distance greater than three (3) times the height of the wall without changing height by a minimum of 15% of the wall's height, and such height change shall continue for a minimum distance equal to at least 25% of the maximum length of either adjacent plane.

Exposed Columns
Exposed structural support columns shall be constructed of, or clad in, the same masonry material as the principal façade of the structure. Architecturally significant columns (e.g. fluted, etc.) may be permitted.

Architectural Fencing
All architectural fencing which runs roughly parallel to and is visible from the I-35, Indian Hills Road, 36th Avenue N.W., and Market Place rights-of-way, shall be constructed of the primary masonry materials of the building, wrought iron or living plant material. It shall not run in a straight line without being off-set by a minimum of 6 feet every 60 feet. No chain link fencing with metallic finishes will be allowed within the PUD.

Loading and Service Areas:
Loading and service areas shall be located at the side or rear of buildings. A minimum 10 foot solid screening wall shall be required to screen views of loading docks and loading spaces intended for tractor/semi-trailer delivery from any public right-of-way. This 10 foot wall must screen the entire loading dock or space. Screening material shall utilize similar masonry materials to the front façade. The accommodation of adequate access for service delivery trucks may be evaluated to determine the extent of screening required.

Trash and Recycling Enclosures
Trash and recycling enclosures shall be four sided with a gate and to the side or rear of the principal building. They shall be screened by a minimum eight foot (8') solid masonry screen and shall utilize similar masonry materials to the principal façade of the structure.

Play Structures
Play structures, not used as the principal use of the premises, shall not be placed outdoors between the primary building and any adjacent public ROW.

Requirements for Outdoor Storage
The following are requirements for outdoor storage for non-residential uses within the PUD. All uses with storage and display of any goods, materials, merchandise, equipment, parts, junk or vehicles (overnight parking) shall not be permitted unless in conformance with the following:

a. All proposed areas used for outdoor storage and the associated method of screening shall be indicated on an approved site plan along with scaled elevation drawings indicating the type of screening and materials proposed to be utilized. Chain link fencing with a metallic finish with plastic slat inserts shall not constitute an acceptable screening device.
b. No portion of the screening device shall be used for advertising and display of signage or materials.
c. Outdoor storage areas shall observe all setback requirements for the principal building on the lot.
d. All surface areas dedicated to outdoor storage must be constructed of an all weather surface material and shall be exclusive of any required parking.
e. Materials stored outdoors, excluding vehicles, trailers, and mobile machinery or equipment, shall be stacked no higher than one (1) foot below the top of the required screen.
f. Where the principal use of the premises involves the sale and display of finished vehicles, such as automobiles, boats, and recreational vehicles, no special screening will be required for the display of inventory for sale other than landscaping that would be

required for parking areas and other buildings required by this PUD and the City of Norman; however, screening will be required for vehicles held in any service and / or repair yards.

g. The outdoor storage of living plant material stored on the ground is not subject to the screening requirements; however, screening will be required for all equipment, tools, vehicles, etc. associated with the upkeep and maintenance of the living plant material that are stored outdoors.
h. In no instance shall outside display of merchandise be located within, nor encroach upon, a fire lane, maneuvering aisle, or a parking space necessary to meet the minimum parking requirements of all the uses on the lot.

Screening

Items stored outside any enclosed building must be screened by a fence, which contains elements of the primary masonry facade of the structure which is tall enough to completely screen the stored items from the view of passing motorists and pedestrians. In no event shall such fence be less than six feet (6') tall. Such storage must be behind any applicable building setback lines. Automobiles, trucks, recreational vehicles, boats and similar fully-finished products, which are part of inventories being offered for sale at retail, are expressly excluded from the screening requirement in this paragraph. At the time any Final Plat is submitted, it must specify any outdoor storage and /or sales area.

Signage

- Entryway signs:
  The entrance to the PUD at I-35 Service Road and Indian Hills Road will contain a sign designating the development. The sign will conform to current City signage requirements. The sign may be lighted and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic site lines. Vegetation may also be located in the traffic-calming device at the entry; similar to what is located on the entry fence.

- Other signage:
  All other signage related to specific structures within the PUD will be in conformance with the City of Norman's sign codes with regard to size and height; however, all signs must also be approved by CPA to ensure consistency within the PUD.

Amenities

- Streetscapes along Market Place & I-35 Service Road.
- Decorative lighting along Market Place.

B. Open space and green space

Open space areas will be located throughout the project. Open space will exceed 15% of the total site area.

The project will fully comply with all Norman ordinances and regulations relating to landscaping. On-site landscaping will be installed when a Building Permit is issued. Market Place will be landscaped, irrigated, and have decorative lighting. This will be constructed with the public roadway.

The maintenance of any and all streetscaping (along with the operation and maintenance of all common drainage / detention areas and any other common areas) will be the responsibility of a mandatory Property Owners Association that has been formed by CPA.

C. Traffic access/circulation/parking and sidewalks

The PUD will have public streets to serve all lots. The access to the PUD will be from Indian Hills Road, 36th Avenue N.W., I-35 Service Road, and Market Place (internal public streets). No private gates are planned. Landscape buffers will accommodate all City of Norman traffic department sight triangle requirements. All internal streets will have adequate circulation provided for the fire department and City Waste Management Services.

All private sidewalks will be four feet (4') wide and provide adequate access (normal/handicapped) to the buildings along with all project amenities. A five-foot wide City sidewalk will be provided along Indian Hills Road and 36th Avenue N.W., constructed to City of Norman Standards.

D. Development Phasing

The project may be developed in phases in any sequence. Market demand will be the determining factor in the number of units constructed. Two Final Plats have been recorded.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

APRIL 14, 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 14th day of April 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 (arrived after Roll Call) Diana Hartley Tom Knotts Chris Lewis Curtis McCarty Roberta Pailes Andy Sherrer (arrived at 7:38 p.m.) Jim Gasaway Zev Trachtenberg
MEMBERS ABSENT	Tom Knotts

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Development Coordinator Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst Jane Hudson, Planner II Shawn O'Leary, Director, Public Works Department Bob Hanger, Storm Water Engineer

* * *

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

7a. RESOLUTION NO. R-1011-108
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1011-10) TO DELETE THE OUTER LOOP DESIGNATION AND CHANGE A PORTION OF THE TRACT TO OPEN SPACE/PARK DESIGNATION AND A PORTION TO OFFICE OR MEDIUM DENSITY RESIDENTIAL DESIGNATION FOR 41.61 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Land Use Plan Map
2. Staff Report

7b. ORDINANCE NO. O-1011-51
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT (6.09 ACRES AND 8.67 ACRES), AND PUD, PLANNED UNIT DEVELOPMENT (6.20 ACRES), TO PUD, PLANNED UNIT DEVELOPMENT (12.29 ACRES) AND PL, PARKLAND DISTRICT (8.67 ACRES), FOR 41.61 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative

7c. PP-1011-19
CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., (SMC CONSULTING ENGINEERS, P.C.) FOR COMMERCE PARKWAY ADDITION, A PLANNED UNIT DEVELOPMENT AND PARK, GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Revised Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Development Plan
6. Request for Alley Waiver
7. Pre-Development Summary
8. Greenbelt Commission Comments
9. Greenbelt Enhancement Statement

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that the Land Use Plan change covers only the northern area of the site. Part of it will be open space/park, and part will be either medium density residential or office. The developer did the same thing in the existing PUD. There is a mixture of uses, although it is not truly "mixed use." They think the time is ripe

to delete the Outer Loop designation. The site is currently zoned A-2 and it was not included in the prior PUD. They are adding it to the PUD at this time. It is anticipated that the parkland area will become City park. The site is vacant at this time. Hillsdale Bible College is to the north of the site in the City of Moore. The park area will become part of a linear park that was presented to the Planning Commission in the past couple of months in some items on property to the west. Staff is supporting the Plan change, with the proviso that we really don't have an official answer from ODOT to delete the Outer Loop designation. There were no filed protests on the request. They are asking for some multi-family designation next to the park, which is a nice idea. We don't expect any negative impacts in any direction from this.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, SMC Consulting Engineers, representing the applicant – We are changing an area that was in the PUD as RM/CO to RM-6/CO. The area zoned A-2 that wasn't part of the prior PUD is to be RM-6/CO. The developer wants to have the option to go either way. There were changes to the floodplain map recently, that allowed the area to the east of this to be platted to be the new Bob Moore Cadillac facility. The new proposed Gateway Park is the area being zoned as parkland, and it continues to the west across other properties. The affected area is only 20.96 acres.

PARTICIPATION BY THE AUDIENCE:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to recommend adoption of Resolution No. R-1011-108, Ordinance No. O-1011-51, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for COMMERCE PARKWAY, A Planned Unit Development, to the City Council, dependent on the deletion of the Proposed Outer Loop. 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, Chris Lewis, Curtis McCarty, Roberta Pailes, Zev Trachtenberg, Jim Gasaway
NAYES	None
ABSENT	Tom Knotts, Andy Sherrer

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1011-108, Ordinance No. O-1011-51, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for COMMERCE PARKWAY, A Planned Unit Development, to the City Council, passed by a vote of 7-0.

* * *

Commissioner Gallagher questioned the access to adjacent parkland besides going out of the addition and back in. James Briggs responded there was no guarantee for access, but it has been discussed. Vice-Chairman Farley questioned the issue of having 154 single family lots and no open space for people to practice and would J & J be happy about those residents coming over and using their space. Jud Foster replied there is a public park site ½ mile to the North and if there was a public park requirement, it would only be about 1 acre which is not suitable for a soccer field.

Commissioner Goth made the motion and Commissioner Hoover seconded to approve a private park decision for the Glenridge Addition. The vote was taken with the following results:

YEAH: Vice Chairman Farley and Commissioners Ferrier, Gallagher, Goth, Hoover and McGuire

NAY: None

ITEM 9, being:

CONSIDERATION OF PARKLAND DEDICATION REQUIREMENTS FOR THE COMMERCE PARKWAY ADDITION PUD

The Commerce Parkway Addition PUD is located in Section 35 of T-10-North, R-3-West of the Indian Meridian. Specifically it is located on the northeast corner of Indian Hills Road. and 36th Ave N.W. A plat for this development was seen by Park Board in July of 2005; however that preliminary plat has expired. The revised preliminary plat now being submitted has a mixture of commercial/office and industrial uses and some RM-2 zoning for residential units.

The Development includes 258 units of multifamily residential zoning as part of the PUD which requires a 1.1417 acre parkland dedication. This development will also yield $19,350 in Neighborhood Park Development Fees and the same in Community Park Development fees once all building permits have been issued.

Park Board recommended a fee-in-lieu of land for this plat in 2005. However, since that time, the area has been re-designed to include a large expanse of park land, totaling 8.67 acres. This far exceeds the 1.1417 acres required by ordinance. This park land is part of the large green space that has been shown in recent months as a "Gateway Park" area at the northern border of Norman on the west side of I-35. The total area is a combination of park land dedications from the Redlands, Foxworth, Whispering Pines and (now) the Commerce Parkway Additions. The park area shown in the Commerce Parkway plat is the western segment of the trail and park area that begins in the Redlands area at the public park for that addition (1/2 mile west of 36th Avenue NW) and which stretches along the Moore/Norman border all the way east to 36th, where it crosses the road into the area being seen in this proposal.

The land is in the 100 year flood plain, however, that does not prohibit the area from being developed into a public space—with walking trails, playing fields and some site furnishings.

Staff Recommendation:

Recognizing that the 2005 plat and park board recommendation for the Commerce Parkway Addition has expired and since been re-designed, staff now recommends that the Board of Park Commissioners make a land decision for the Commerce Parkway Addition PUD as shown in the

attached drawing. This plan is consistent with the proposals we have reviewed and approved for the adjacent neighborhood developments mentioned above.

Commissioner Gallagher questioned if the land being deeded in the area among all of the developments was enough to meet the proper land dedication requirements. Mr. Briggs stated it was. She again questioned the safety issue of residents crossing 36th Ave to the east playing fields and if anyone has a plan to put protective crosswalks there. Jud Foster stated yes, staff is working with the traffic engineer to come up with a safe crossing there.

Commissioner Goth made the motion and Commissioner McGuire seconded to approve a land decision of the 8.6 acres per the attached drawing for the Commerce Parkway Addition PUD. The vote was taken with the following results:

YEAH: Vice Chairman Farley and Commissioners Ferrier, Gallagher, Goth, Hoover and McGuire

NAY: None

ITEM 10, being:

SPRING PARK TOUR DISCUSSION FOR MAY MEETING

Jud Foster asked for suggestions for the Spring Park Tour. If there was anything in particular they want to see to e-mail him their suggestions. He also recommended that the Park Board informational workshop "Park Board 101" originally slated for this evening be postponed to May as well. Board members agreed.

ITEM 11, being:

MISCELLANEOUS

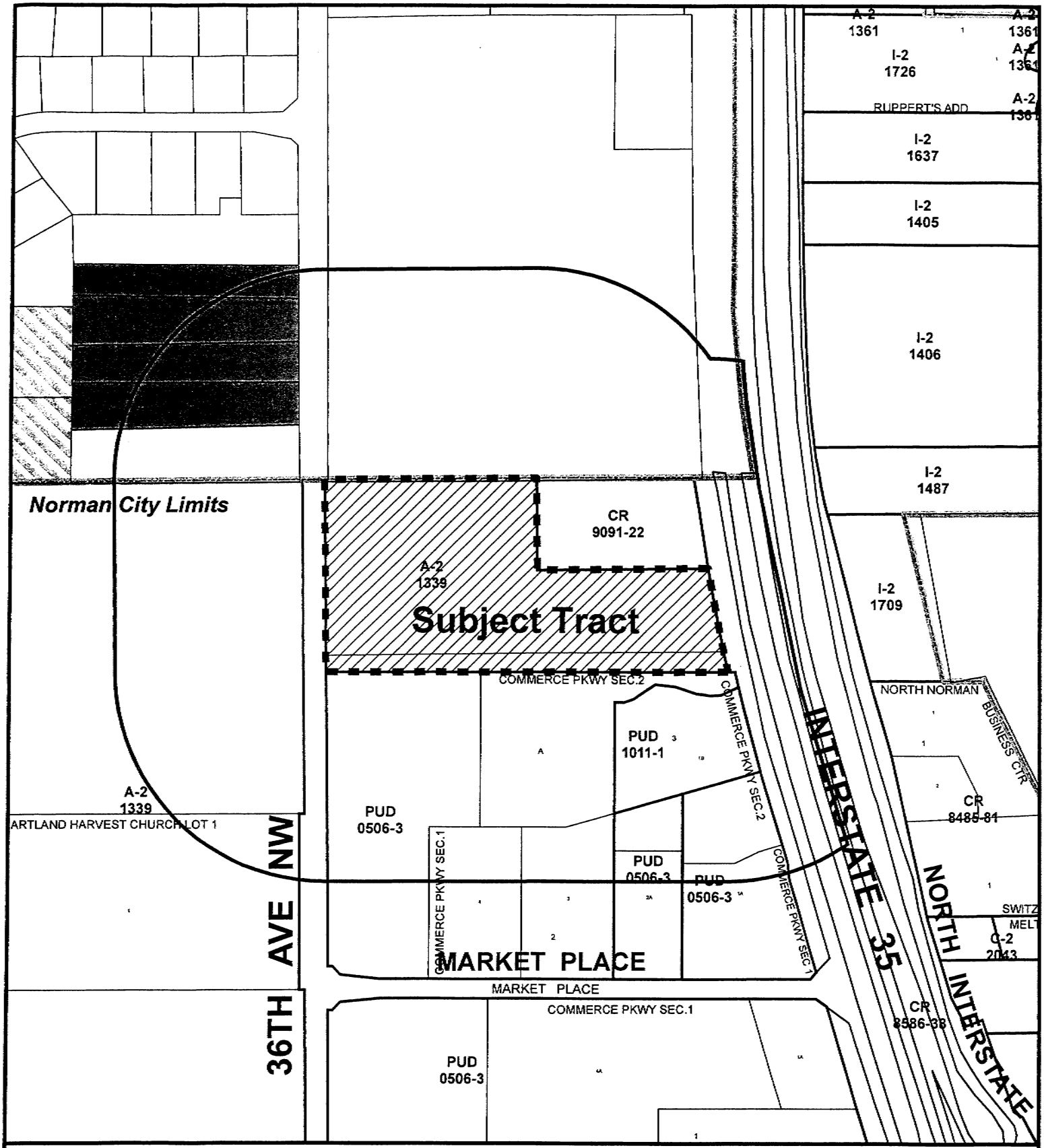
Jud Foster reminded the board about the 7th Free Tree giveaway tomorrow at Reaves Park.

Saturday will be the annual Kid's Fishing Derby at N.E. Lions Park co-sponsored by the Wildlife Department. There is also a fishing clinic on Friday evening at the 12th Ave. Recreation Center.

Commissioner Gallagher mentioned that Saturday was Special Olympics at Norman High.

Commissioner Gallagher questioned a report from David Lisle stating rounds were down, yet the numbers reported were showing rounds being up. Jud Foster stated he would check into it.

THERE HAVE BEEN ADDITIONAL PROTEST LETTERS FILED AS OF THE PRINTING OF THIS AGENDA BOOK. AN UPDATED PROTEST AREA MAP, LISTS, AND ADDITIONAL LETTERS WILL BE PROVIDED FOR SECOND AND FINAL READING OF THE ITEM.



Protest Map

7.1% Protest Within Notification Area

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

N W E S

Scale: 1" = 400'
August 29, 2011

Subject Tract
Protest
Notification Area
Protest Outside Notification Area

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

I am a member of a broad rural area; an area of established rural character for over half a century; an area containing both old and new private homes on spacious lots in three, access restricted, housing additions. One addition is small, separate, and restricted. One is large and centrally located on single to multiple acre lots with limited livestock allowed. The third is a residential only, gated community addition. The only non-residential components in this rural area are a bible college; a church; a radio broadcast station; and recent, isolated, peripheral, small scale, commercial business along Interstate 35.

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NAME Hoai Hatuc

ADDRESS: 3920 W. Indian Hills Rd, Norman OK 73072
3932 W. Indian Hills Rd, Norman OK 73072

LEGAL—LOT Marlt 1 11 001 BLOCK
Marlt 1 12 001

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/29/11

in, already have

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NAME Sadie Willmon-Haque

ADDRESS: 3920 W. Indian Hills Rd. Norman, OK 73072
3932 W. Indian Hills Rd. Norman, OK 73072

LEGAL—LOT Mar11 1 11 001 BLOCK
Mar11 1 12 001

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/29/11

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To NORMAN PLANNING COMMISSION

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W D Smallwood BLK 2 LOT 22 7 - 5 - 11

To Norman Planning + Community Dev. Dept.

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Wanda Smallwood Blk 2 Lot 22 7-[illegible]-5 2011

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Chris Womack 1601 Mark Dr. Moore, OK 73160

TRACT 45 SEC 2 LT 5 BLK 2

HIDDEN LAKE

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-19-11

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Maggie Potts 3717 N.W Della St Block 1 lot 20

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-5-11

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Steve Boyd Kelli Boyd 6/24/11

3729 Della St. NW
Norman, OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/29/11

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Larry Don Fowler 4204 Hudden Lake Cr Moore 73160
Hudden Lake
Sect 2 Lot 21 Block 1 Moore

Larry Don Fowler

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/24/11

JUSTIN KAMMERER

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3931 DELTA ST

MARCATT ADDITION
TRACT 16 BLK 1 W/2 LOT 14

COMMERCE PARKWAY PROTEST

FILED IN THE OFFICE OF THE CITY CLERK ON 8-19-11

29-33

JUSTIN KAMMERER

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[signature] 3931 DELLA ST.

MARCATT ADDITION

TRACT 15 BLK 1 LOT 13

COMMERCE PARKWAY PROTEST

KAMMERER out

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WHO is the benefactor here? Does more tax money here benefit our living environment and the community as a whole? Can pursuit of personal profit be allowed to negate part of a communities well being and security and not then negatively impact the entire community?

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

Name _____ (sign)

Louis W. Ball (print name)

3730 W INDIAN HILLS ROAD MARLATT ADDITION

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Just recently approved or in process developments now surround us except on the east. Very limited acreage within our approximate two square mile area has been approved for development as non-resident. There are approximately twenty nine acres planned for General Commercial development on our outskirts. They are at the N.E. and S.E. corners of 48th Avenue and Indian Hills Road. Approximately nine acres are planned for a Suburban Office district directly across Indian Hills Road from the new church and gated community to be built. And last, approximately nineteen acres of upscale townhouses are planned along 48th Avenue N.W. All these specified locations are now, essentially isolated and way out in the country away from any current residential area. No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development.

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Alexis Stinnett 3884 W. Indian Hills Rd Norman Block 1 Lot 7

ALEXIS STINNETT

COMMERCIAL PARKWAY PROJECT

FILED IN THE OFFICE OF THE CITY CLERK ON 8/15 9:36

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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Dell Wells 3705 Della Rd Norman, Ok 73072

MARLATT BLK 1 LOT 21

COMMERCE PARKWAY PROTEST

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

29-37

Commerce Parkway Protest

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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[redacted] 3908 West Indian Hills Road

Barth Tomas

Husted

Tract 12 Blk 1 Lot 10

out

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

29-38

I, Rochelle D. Muse, the undersigned resident of the Hidden Lakes Addition, a gated community, hereby Protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the Commerce Parkway Addition for planned unit development under PUD 0-5063.

Hidden Lake Addition is a residential community within a broad rural area; an area of established rural character for over half a century; an area containing both old and new private homes on spacious lots in four, limited or restricted access housing additions. One addition is small and separate with limited access. One is large and centrally located with limited access to single and multiple acre lots with limited livestock allowed. A third is our residential only, gated community addition. The fourth is adjacent and similar to our addition but with limited access without gating. The only non-residential components in this rural area are a bible college; a church; a radio broadcast station; and recent, isolated, peripheral, small scale, commercial business along Interstate 35.

No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development. The multiple, undesirable, neighborhood disruptive and destructive problems attributable to Apartment environments are totally rejected as an addition to our rural area.
Sincerely,

Rochelle Muse Date: 8/12/11

Address: 4209 Hiddenbrooke Circle
Moore OK 73160
HIDDEN LAKE
TRACT 37 SEC 2 LT 17 BLK 1

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-19-11

Commerce Parkway

I, Kyle W. Muse DC, the undersigned resident of the Hidden Lakes Addition, a gated community, hereby Protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the Commerce Parkway Addition for planned unit development under PUD 0-5063.

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Sincerely,

Kyle Muse Date: 8/12/11

Address: 4209 Hidden Lake Circle
Moore OK 73160
HIDDEN LAKE
TRACT 37 SEC 2 LT 17 BLK 1

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-19-11

Commerce
Parkway

I, Ron A. Frempton, the undersigned resident of the Hidden Lakes Addition, a gated community, hereby Protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the Commerce Parkway Addition for planned unit development under PUD 0-5063.

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Sincerely,

x Ron A Frempton Date: 8-12-11

Address: 4112 SW 40th Place
Moore OK 73160

HIDDEN LAKE
TRACT 44 SEC 2 LT 4 BLK 2

FILED IN THE OFFICE OF THE CITY CLERK ON 8-19-11

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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Wayne Bentley 3825 NW Sterling Norman, OK 73072

Laura Bentley

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-30-11

Mallatt Addition

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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Willie Long Darris Long Marlatt Lot 11 Block 3
3916 N.W. Sterling
405-329-4154
6-27-2011

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/29/11

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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Ron Wofford 3726 nw sterling St. Norman, OK 73072 MacLatt Add. Block 3 Lot 6

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-23-29-44

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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VICTOR JAROSEK 5429 NW STEED DR. NORMAN OK 73072

Victor Jarosek

LOT 5 BLOCK 7 MARLATT SUBDIVISION

FILED IN THE OFFICE
OF THE CITY CLERK
ON 1-6-11

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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R. F. Jaronek Marlett Lot 6 Blk 7 - 5409 Steed Dr
Josephine Jaronek Norman, Ok. 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/29/11

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/29/11

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Delma Wells Blk 2 Lot 22
3715 N.W Sterling Marlott Neighborhood
Norman OK 73072

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6.26.11 Carolyn Reynolds 6-26-11

3918 NW Della
Norman, Ok. 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-28-11

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Jerry Schweizer Reba Schweizer 3826 NW Della
Norman, Ok
405-329-2528

SCHWEIZERJHCF

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-28-11

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Paul E Traugh 3816 NW Pioneer Norman OK 73072

Katherine Traugh 3816 NW Pioneer Norman OK 73072

June 26, 2011

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-28-11

29-50

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6-22-11 (BLK 2 LOT 15) 3929 NW STERLING

LOGAN DUNBAR

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-28-11

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Peggy Ritchie 5555 N.W. Pioneer cir 73072 701 2357

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11

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Jan Nelson 3616 NW Stanley St. Norman, OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-22-11

COM

I, the undersigned president of the Hidden Lakes gated community homeowner's association acting in the best interests of the association membership, would like to protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the Commerce Parkway Addition for planned unit development under PUD 0-5063.

We are very concerned about neighborhood character and home value impact issues, traffic issues, light issues, and noise issues throughout our area. There are isolated unresolved drainage issues, and sewer solution issues. If they are **cooperatively** addressed in combination with area development plans taken as a whole, **at this time**, it will enhance property value and significantly reduce future costs that a peculiar unresolved issue might force on a then isolated Addition's residents. Traffic issues especially are significant with increased commercial development along the interstate, without significant Interstate Drive improvement, imposing the situation that 36th Ave becomes the only direct viable outlet for us and the increased, bypassing, non-interstate traffic from both Norman and Moore. Our limited/restricted access drives effectively are being blocked at typically busy times creating hazardous driving environments. Introducing significant additional traffic from Apartments is dangerous, reflects poor planning as it is diametrically opposite to our neighborhood character, and it is totally disarming and undesirable versus the long established, sought after nature of our rural area. The transient environment with its well documented disruptive issues that Apartments would create within our area is totally foreign and not only detrimental, but destructive. No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development.

Ron Ashley 3608 W Indian Hills Road
Marcia Ashley Norman, OK 73072

TRACT 3 BLK 1 LOT 1 MARLATT ADDITION

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-19-11

June 21, 2011. COM.

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Marcia R. Ashley; 3608 W. Indian Hills Road
Norman, Oklahoma.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11

I'm already

MACLATT ADD BLK 1 LOT 1
29-55

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Mayor Marrow Loretta Marrow 6-25-11

3827 Della N.W.
Norman OK 73072 in, already here

FILED IN THE OFFICE OF THE CITY CLERK ON 6-27-11

Lots 16, 17, 18 Bell [illegible]

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[signature] [signature] 6/27/2011

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-28-11

29-57

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WHO is the benefactor here? Does more tax money here benefit our living environment and the community as a whole? Can pursuit of personal profit be allowed to negate part of a communities well being and security and not then negatively impact the entire community?

Terry Puttkammer 3905 NW Sterling St Norman 73072

Block 2 Lot 15
Marlatt

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-29-58

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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Joel C. Sudduth Marlatt BLK 1 2

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11

29-59

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Virgil R. Vaughan 3702 N.W. Sterling Norman OK 73072

Virgil R. Vaughan

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-5-11

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Bobbie Smallwood 3637 W Indian Hills Norman Ok 73072

MARLATT BLOCK 1 LOT 3
MARLATT BLOCK 1 LOT 4

COMMERCE PARKWAY PROPERTIES
here

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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Ron Gibson Sheila Gibson

3718 W Indian Hills Rd
Norman, OK 73072

Marlatt
Block 1 Lot 5

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/24/11

out

COMMERCE PARKWAY

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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3967 DeHAST.

Block 1
EAST/2 Lot #14 & 15
MARLATT

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

29-63

I, Jerry W. Meek, the undersigned resident of the Hidden Lakes Addition, a gated community, hereby Protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the Commerce Parkway Addition for planned unit development under PUD 0-5063.

Hidden Lake Addition is a residential community within a broad rural area; an area of established rural character for over half a century; an area containing both old and new private homes on spacious lots in four, limited or restricted access housing additions. One addition is small and separate with limited access. One is large and centrally located with limited access to single and multiple acre lots with limited livestock allowed. A third is our residential only, gated community addition. The fourth is adjacent and similar to our addition but with limited access without gating. The only non-residential components in this rural area are a bible college; a church; a radio broadcast station; and recent, isolated, peripheral, small scale, commercial business along Interstate 35.

No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development. The multiple, undesirable, neighborhood disruptive and destructive problems attributable to Apartment environments are totally rejected as an addition to our rural area.

Sincerely,

Jerry W. Meek Date: 8/11/11

4213 Hidden Lake Circle – Moore, Oklahoma 73160

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-19-11

Commerce Parkway Protest

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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Darlene R. Anderson, Carl Anderson

3816 W INDIAN HILLS RD

TRACT 10 BLK 1 LOT 8
TRACT 11 BLK 1 LOT 9
MARLATT

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11
29-65

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Thomas Parker

4109 S. Telephone Rd.
Moore, OK 73160
TRACT 32/TRACT 33 LOT 4, BLK 1
HIDDEN LAKE/KYLIE ACRES
already

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

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Albert Lane Norma Lane 4105 S. Telephone Rd

HIDDEN LAKE/KYLIE ACRES

FILED IN THE OFFICE OF THE CITY CLERK ON 8-19-11

I, Stephanie Percival Rockett, the undersigned resident of Kylie Acres, hereby Protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

I am a member of a broad rural area; an area of established rural character for over half a century; an area containing both old and new private homes on spacious lots in four, access restricted, housing additions. One addition is small, separate, and restricted. One is large and centrally located on single to multiple acre lots with limited livestock allowed. The third is a residential only, gated community addition. The forth is adjacent to the gated community, has restricted access but is not gated. I live in Kylie Acres, an area adjacent to the gated community. The only non-residential components in this rural area are a bible college; a church; a radio broadcast station; and recent, isolated, peripheral, small scale, commercial business along Interstate 35.

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Sincerely,

Stephanie Percival Rockett

4525 S. Telephone Rd – Moore, Oklahoma 73160

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

KYLIE ACRES LT 5A BLK 1

AKA 4525 and Le Beg 180 N 440 to 225 SE to 40465 N133.26 E690 S127.26 POB

HIDDEN LAKE/KYLIE ACRES

29-68

I, MOHAMMED ISLAM, the undersigned resident of Kylie Acres, hereby Protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

I am a member of a broad rural area; an area of established rural character for over half a century; an area containing both old and new private homes on spacious lots in four, access restricted, housing additions. One addition is small, separate, and restricted. One is large and centrally located on single to multiple acre lots with limited livestock allowed. The third is a residential only, gated community addition. The forth is adjacent to the gated community, has restricted access but is not gated. I live in Kylie Acres, an area adjacent to the gated community. The only non-residential components in this rural area are a bible college; a church; a radio broadcast station; and recent, isolated, peripheral, small scale, commercial business along Interstate 35.

Just recently approved or in process developments now surround us except on the east. Very limited acreage within our approximate two square mile area has been approved for development as non-resident. There are approximately twenty nine acres planned for General Commercial development on our outskirts. They are at the N.E. and S.E. corners of 48th Avenue and Indian Hills Road. Approximately nine acres are planned for a Suburban Office district directly across Indian Hills Road from the new church and gated community to be built. And last, approximately nineteen acres of upscale townhouses are planned along 48th Avenue N.W. All these specified locations are now, essentially isolated and way out in the country away from any current residential area. No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development.

The nine acres of suburban office space proposed and approved as an amendment to the original Redlands addition with 288 residential homes proposed on 80 acres, is the first and ONLY non-commercial, transient environment approved in our area. The approved commercial locations may serve our local community in terms of convenience versus their issues disruptive of neighborhood character. However, the approval of suburban office space in our large rural area seems ill-conceived. What benefit to our neighborhood does transient activity with all its unnecessary, disruptive issues afford? The answer is an awfully long list and each item is NEGATIVE.

As ill-conceived as suburban office space is, the request by Hallbrooke Development to build APARTMENTS, anywhere in our country neighborhood is a shock. How can such a change in environment with all the known negative and dangerous consequences be allowed, by people whose job it is to protect people, to be thrust upon a rural neighborhood when such problems are now minimal and mostly non-existent because of our half century of diligence in effort to maintain and prosper our extremely valued environment? Help solve traffic, sewer, drainage, noise, light issues. Don't add more!

WHO is the benefactor here? Does more tax money here benefit our living environment and the community as a whole? Can pursuit of personal profit be allowed to negate part of a communities well being and security and not then negatively impact the entire community?

Sincerely,

Md. Atiqul Islam

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

4205 S TELEPHONE RD – Moore, Oklahoma 73160

KYLIE ACRES LT 5A BLK 1 AKA LTS 5 AND 6 BEG 180' N LT 6 W225' S6' W465' N133.26' E690' S127.26' POB

I, Stephanie Percival Puckett, the undersigned resident of Kylie Acres, hereby Protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

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Sincerely,

Stephanie Percival Puckett

4205 S. Telephone Rd – Moore, Oklahoma 73160

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

KYLIE ACRES LT 5A BLK 1

aka Lt 5 and 6 Beg 180 N Lt 6 W225 S6 W465 N133.26 E690 S127.26 POB

HIDDEN LAKE/KYLIE ACRES

29-70

I, MOHAMMED ISLAM, the undersigned resident of Kylie Acres, hereby Protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

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Just recently approved or in process developments now surround us except on the east. Very limited acreage within our approximate two square mile area has been approved for development as non-resident. There are approximately twenty nine acres planned for General Commercial development on our outskirts. They are at the N.E. and S.E. corners of 48th Avenue and Indian Hills Road. Approximately nine acres are planned for a Suburban Office district directly across Indian Hills Road from the new church and gated community to be built. And last, approximately nineteen acres of upscale townhouses are planned along 48th Avenue N.W. All these specified locations are now, essentially isolated and way out in the country away from any current residential area. No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development.

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Sincerely,

Md. Atiqul Islam

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

4205 S TELEPHONE RD – Moore, Oklahoma 73160

KYLIE ACRES LT 5A BLK 1 AKA LTS 5 AND 6 BEG 180' N LT 6 W225' S6' W465' N133.26' E690' S127.26' POB

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Albert Lane Norma Lane 4105 S. Telephone Rd

HIDDEN LAKE/KYLIE ACRES

FILED IN THE OFFICE OF THE CITY CLERK ON 8-19-11

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Just recently approved or in process developments now surround us except on the east. Very limited acreage within our approximate two square mile area has been approved for development as non-resident. There are approximately twenty nine acres planned for General Commercial development on our outskirts. They are at the N.E. and S.E. corners of 48th Avenue and Indian Hills Road. Approximately nine acres are planned for a Suburban Office district directly across Indian Hills Road from the new church and gated community to be built. And last, approximately nineteen acres of upscale townhouses are planned along 48th Avenue N.W. All these specified locations are now, essentially isolated and way out in the country away from any current residential area. No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development.

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Thomas Parker

4109 S. Telephone Rd.
Moore, OK 73160

TRACT 32+33

HIDDEN LAKE / KYLIE ACRES

already

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

I, Debra K Frempton, the undersigned resident of the Hidden Lakes Addition, a gated community, hereby Protest, as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the Commerce Parkway Addition for planned unit development under PUD 0-5063.

Hidden Lake Addition is a residential community within a broad rural area; an area of established rural character for over half a century; an area containing both old and new private homes on spacious lots in four, limited or restricted access housing additions. One addition is small and separate with limited access. One is large and centrally located with limited access to single and multiple acre lots with limited livestock allowed. A third is our residential only, gated community addition. The fourth is adjacent and similar to our addition but with limited access without gating. The only non-residential components in this rural area are a bible college; a church; a radio broadcast station; and recent, isolated, peripheral, small scale, commercial business along Interstate 35.

No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development. The multiple, undesirable, neighborhood disruptive and destructive problems attributable to Apartment environments are totally rejected as an addition to our rural area.

Sincerely,

Date: 8/11/11

Address: 4112 SW 40th Place
Moore OK 73160
HIDDEN LAKE
TRACT 44 SEC 2 LT 4 BLK 2

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-19-11

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Charles W Simonds Jr

Trustee, Charles W Simonds Trust
3631 Della NW
Norman OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/8/11

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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Richard D. Manley 3619 NW Bella Sta Blk 1 Lot 23

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/22/11

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.

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Rick Davenport 3800 NW Sterling St Norman OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 1-20-11

I, Jerry W. Meek, the undersigned President of the Hidden Lake Homeowner's Association, a gated community homeowner's association, acting in the best interest of the association membership, do hereby "Protest" the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the Commerce Parkway Addition for planned unit development under PUD 0-5063.

As a Homeowner's Association, we are very concerned about addressing neighborhood character, maintaining home values, traffic impact issues, extraordinary light issues, and noise issues that may be a detriment to our right to a peaceful environment throughout our area. Within this planned development there are isolated unresolved drainage issues and sewer solution issues. If they are cooperatively and responsibly addressed in combination with area development plans taken as a whole, it very well could enhance property values and significantly reduce future costs that a peculiar unresolved issue might force on a then isolated Addition's residents. Traffic issues especially are significant with increased commercial development along the interstate. Without significant Interstate Drive improvements, 36th Ave becomes the only direct viable outlet for relief of the increased bypassing of non-interstate traffic both from Norman and Moore. Our present limited and restricted access drives regularly are being blocked on typical busy times creating hazardous driving environments. The idea of introducing significant additional traffic from a number of potential Apartment Complex's is dangerous, reflects poor planning on the part of Leadership and is diametrically opposed to our neighborhood character. It is undesirable and contrary to the long established and sought after nature of our rural area. The potential transient environment of "Apartment Complexes" with its well documented disruptive issues would create an environment that is totally foreign, detrimental and potentially destructive to our long established way of life. Previously by Norman leadership there have been no Apartments proposed or approved anywhere in our area. We believe them to be ill-conceived and detrimental to our existing development as well as to newly approved residential developments.

Legal Description: Hidden Lake 2 PRT LT A Common Lake Area Less BEG 57.04'W NE/C LT 6 N98.44' W120.86' S 34D E119.92' E52.05' POB

HIDDEN LAKE SEC 2 HOMEOWNERS ASSOCIATION

Date: 8/11/11

Jerry W. Meek - President

P.O. BOX 7572 - MOORE OK 73153

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

To: Norman City Council
Subject: Protest Letter Commerce Parkway March 23 Rezoning Request

I would like to protest the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property location as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W.
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Robert Stoops

Carol Stoops

Address: 4301 Berry Farm Rd.
Norman, OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 DM

I, _____, the undersigned, a long term resident neighbor in the large rural Cleveland County Community to be affected, acting in the best interest and in concert with the community at large, do hereby "Protest", as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

As a long term neighborhood member, we are very concerned about addressing neighborhood character, maintaining home values, traffic impact issues, extraordinary light issues, and noise issues that may be a detriment to our right to a peaceful environment throughout our area. Within this area there are isolated unresolved drainage issues and sewer solution issues. If they are cooperatively and responsibly addressed in combination with area development plans taken as a whole, it very well could enhance property values and significantly reduce future costs that a peculiar unresolved issue might force on a then isolated area member or Addition. Traffic issues especially are significant with increased commercial development along the interstate. Without significant Interstate Drive improvements, 36th Ave becomes the only direct viable outlet for relief for the increased bypassing, non-interstate traffic both from Norman and Moore. Present limited and restricted access drives regularly are being blocked on typical busy times. The hazardous driving environment of extensive traffic congestion at 36th Ave and Indian Hills Road results in compounded, dangerous traffic backup on both roads. The idea of introducing significant additional traffic from a number of potential Apartment Complex's is dangerous, reflects poor planning on the part of Leadership and is diametrically opposed to our neighborhood character. It is undesirable and contrary to the long established and sought after nature of our rural area. The potential transient environment of "Apartment Complexes" with its well documented disruptive issues would create an environment that is totally foreign, detrimental and potentially destructive to our long established way of life. Previously by Norman leadership there have been no Apartments proposed or approved anywhere in our area. We believe this planned Development to be contrary to the 2025 Land Plan.

[signature] 4208 Hidden Lake Circle

Tonic J Haught Moore, OK 73160

9/7/2011

SEC 2 LOT 20 BLK 1

WITHIN 350' OF UPLAND

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-0-11 [initials]

29-80

I, Earl Tillery, the undersigned, a long term resident neighbor in the large rural Cleveland County Community to be affected, acting in the best interest and in concert with the community at large, do hereby "Protest", as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Halibrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the Commerce Parkway Addition for planned unit development under PUD O-5063.

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Earl E. Tillery EARL E. TILLERY

Jerlene Tillery Jerlene Tillery

Hidden Lake Sec 2 Lt 31 Blk 1

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 DR

I, Dan LaRue Stephens, the undersigned, a long term resident neighbor in the large rural Cleveland County Community to be affected, acting in the best interest and in concert with the community at large, do hereby "Protest", as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the Commerce Parkway Addition for planned unit development under PUD 0-5063.

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LaRue Stephens
4116 Kerri Cr
Moore, Ok 73160

4116 Kerri Cr
Moore, Ok 73160

HIDDEN LAKE SEC 2 LT 33 BLK 1

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 MK

I, Sherry Davis, the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

Park Glenn Addition is a residential community within a broad rural area; an area of established rural character for over half a century; an area containing both old and new private homes on spacious lots in four, limited or restricted access housing additions. One addition is small and separate with limited access. One is large and centrally located with limited access to single and multiple acre lots with limited livestock allowed. A third is a residential only, gated community addition. The fourth is our addition, adjacent and similar to the gated community addition but with limited access without gating. The only non-residential components in this rural area are a bible college; a church; a radio broadcast station; and recent, isolated, peripheral, small scale, commercial business along Interstate 35.

No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development. The multiple, undesirable, neighborhood disruptive and destructive problems attributable to Apartment environments are totally rejected as an addition to our rural area.

Sincerely,

Sherry Davis

1517 S.W. 35th – Moore, Oklahoma 73160

PARK GLENN ADDITION

BLK _____ LOT _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 PM

I, Paul J Fischer, the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

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No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development. The multiple, undesirable, neighborhood disruptive and destructive problems attributable to Apartment environments are totally rejected as an addition to our rural area.

Sincerely,

Paul J Fischer

1508 SW 38th – Moore, Oklahoma 73160

PARK GLENN ADDITION

BLK _____ LOT _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-6-11

I, Paul J Fischer, the undersigned President of the Park Glenn Homeowner's Association, acting in the best interest of the association membership, do hereby "Protest" the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

As a Homeowner's Association, we are very concerned about addressing neighborhood character, maintaining home values, traffic impact issues, extraordinary light issues, and noise issues that may be a detriment to our right to a peaceful environment throughout our area. Within our area there are isolated unresolved drainage issues and sewer solution issues. If they are **cooperatively** and responsibly addressed in combination with area development plans taken as a whole, it very well could enhance property values and significantly reduce future costs that a peculiar unresolved issue might force on a then isolated member of members. Traffic issues especially are significant with increased commercial development along the interstate. Without significant Interstate Drive improvements, 36th Ave becomes the only direct viable outlet for relief for the increased bypassing, non-interstate traffic both from Norman and Moore. Our present limited and restricted access drives regularly are being blocked on typically busy times creating hazardous driving environments. The idea of introducing significant additional traffic from a number of potential Apartment Complex's is dangerous, reflects poor planning on the part of Leadership and is diametrically opposed to our neighborhood character. It is undesirable and contrary to the long established and sought after nature of our rural area. The potential transient environment of "Apartment Complexes" with its well documented disruptive issues would create an environment that is totally foreign, detrimental and potentially destructive to our long established way of life. Previously by Norman leadership there have been no Apartments proposed or approved anywhere in our area. We believe them to be ill-conceived and detrimental to our existing development as well as to newly approved residential developments.

Paul Fischer PARK GLENN HOMEOWNERS ASSOCIATION PRESIDENT

1508 SW 38th

Moore Ok 73160

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-6-11

Park Glenn

I, _____, the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

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No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development. The multiple, undesirable, neighborhood disruptive and destructive problems attributable to Apartment environments are totally rejected as an addition to our rural area.
Sincerely,

Gordon Bean (by Shawn Bean)

1512 SW 38th St – Moore, Oklahoma 73160

PARK GLENN ADDITION

BLK _____ LOT _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-21 MC

I, Caroline M. Herron, the undersigned, a long term resident neighbor in the large rural Cleveland County Community to be affected, acting in the best interest and in concert with the community at large, do hereby "Protest", as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

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Caroline M. Herron — 5200 36th Ave N.W.

Norman Ok. 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 MM

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: PP-1011-19

File ID: PP-1011-19 **Type:** Preliminary Plat **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 30 **In Control:** City Council

Department: Public Works Department **Cost:** **File Created:** 03/22/2011

File Name: Commerce Parkway PP **Final Action:**

Title: CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR COMMERCE PARKWAY ADDITION, A PLANNED UNIT DEVELOPMENT, WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL AREAS, AND WAIVER OF SIDEWALK REQUIREMENTS ADJACENT TO INTERSTATE DRIVE NORTH OF MARKET PLACE.

ACTION NEEDED: Motion to approve or reject the revised preliminary plat, waiver of alley requirements for the commercial areas, and waiver of sidewalk requirements adjacent to Interstate Drive north of Market Place.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 30

Attachments: CommercePkwyPP Location Map, CommercePkwyRevPrelimPlat, CommercePkwySitePlan, Commerce Parkway PP Staff Report, CommercePkwyTraffic, CommercePkwyAlleyWaiver, CommercePkwy Pre-Devel Summary, CommercePkwy Greenbelt Comments, PD11-10 Commerce Parkway GES, 4-14-11 PC Minutes - CommercePkwy

Project Manager: Ken Danner, Development Managers

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	04/14/2011	Recommended for Adoption at a subsequent City Council Meeting	City Clerk Department			Pass

Text of Legislative File PP-1011-19

body

BACKGROUND: This item is a revised preliminary plat for Commerce Parkway Addition, a Planned Unit Development (PUD), and is generally located north of Indian Hills Road between Interstate Drive and 36th Avenue NW. This property consists of approximately 44.84 acres and six (6) developable lots. The northern portion is currently zoned as A-2, rural agricultural district. The property contains designated flood plain. The flood plain property is proposed to be utilized as park land.

The revised preliminary plat for Commerce Parkway Addition was approved by City Council on August 24, 2010. The Norman Board of Parks Commissioners, at its meeting of April 7, 2011, recommended park land dedication for the residential property. Planning Commission, at its meeting of April 14, 2011, recommended to City Council that the Planned Unit Development (PUD) be amended. Also, Planning Commission recommended approval of the revised preliminary plat for Commerce Parkway Addition, a Planned Unit Development.

DISCUSSION: The development expected on the six (6) lots will generate approximately 629 trips per day or 64 PM peak hour trips. As such, the trip generation potential for this development is below the threshold for when a traffic impact study is normally required. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on these facilities as outlined in Attachment "A".

The additional 64 PM peak hour trips will increase the previously collected traffic impact fees collected for the development by increasing the total number of trips through the intersections in the study area that can be attributed to the development. The last approved portion of the Commerce Parkway Addition revised the traffic impact fees for this area from $65.65 per PM peak hour trip to $66.05 per PM peak hour trip. As such, an impact fee of $66.05 per PM peak hour trip should be collected at final platting of this revised Preliminary Plat for Commerce Parkway Addition. The total to be collected would be $4,227.20 ($66.05 per PM peak trip times 64 PM peak trips = $4,227.20).

Public improvements for this property consist of the following:

Alley. The engineer for the developer has made a request to waive alley requirements. Planning Commission, at its meeting of April 14, 2011, recommended waiver of alley requirements for the commercial and industrial designations.

Fire Hydrants. Fire hydrants will be installed at each intersection and spacing of 300-feet between intersections.

Sanitary Sewers. This development will utilize the City of Moore sanitary sewer services. An agreement has been submitted to Staff. Private sanitary sewer mains will serve the development including lift station and force main. Oklahoma Department of Environmental Quality has approved the plan and the Hallbrooke Development Group, L.L.C. is the responsible group for maintenance of the system.

Sidewalks. Sidewalks will be constructed adjacent to Indian Hills Road, 36th Avenue NW and Market Place. The engineer for the developer has made a request to waive sidewalk requirements adjacent to Interstate Drive.

Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. A privately-maintained detention facility will be utilized.

Streets. Streets will be constructed in accordance with approved plans and City paving standards. Indian Hills Road paving improvements will be constructed as an urban arterial street. Market Place is existing. Thirty-sixth Avenue NW will be constructed as an urban arterial street.

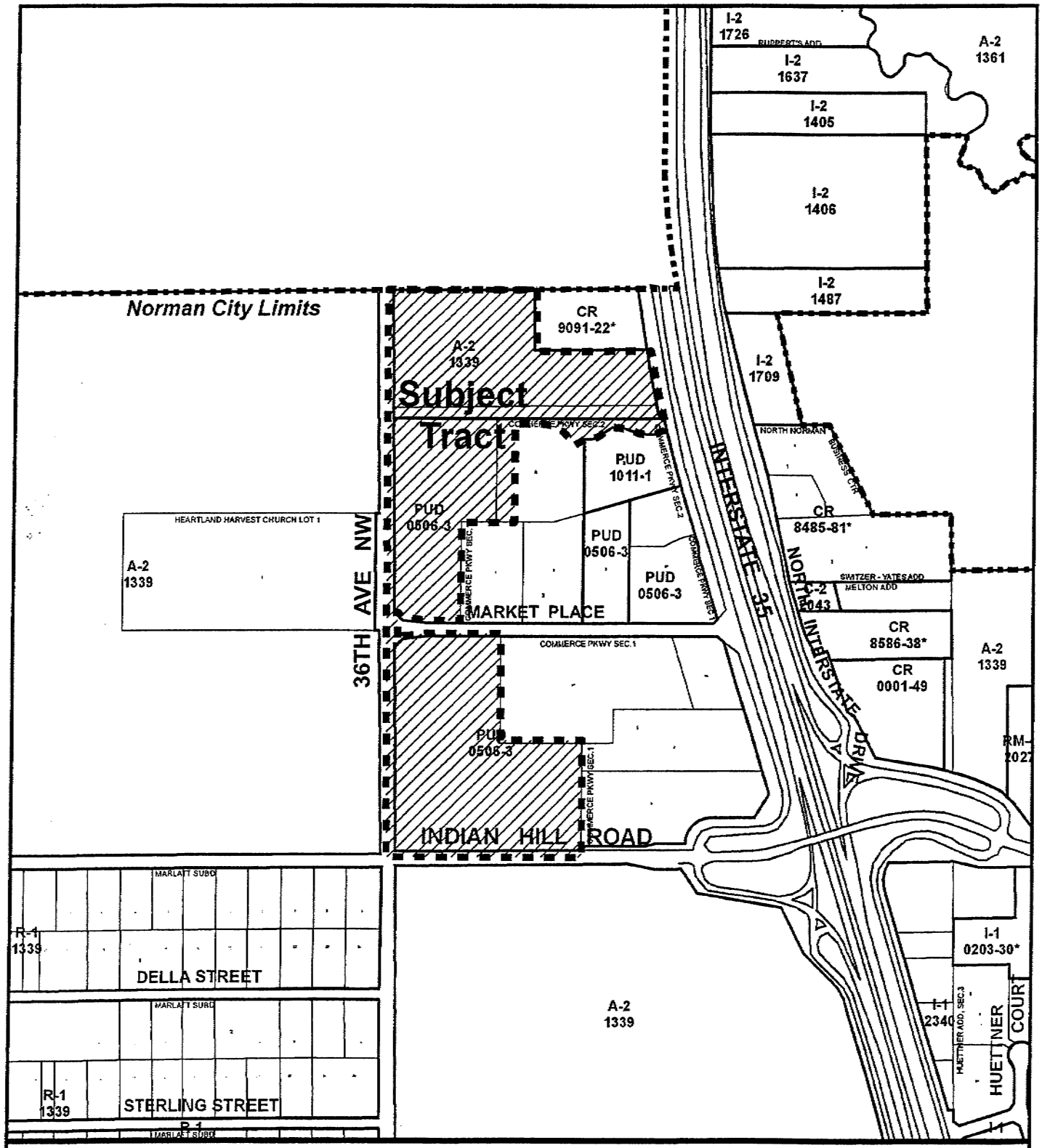
Traffic Signal Improvements. The applicant will continue to be financially responsible for the installation of three new traffic signals along Indian Hills Road at its intersections with 36th Avenue NW, North Interstate Drive, and Interstate Drive. The traffic impact fee per p.m. peak hour trip has been set at $66.05 to reflect the slightly higher number of trips generated by the additional lot in the revised preliminary plat. Fees totally $4,227.20 should be collected with the filing of the final plat.

Water Mains. Water mains will be installed in accordance with approved plans and City water standards. In order to provide adequate water pressure and fire protection, the developer will be required to construct a looped water system as needed.

Public Dedications. All rights-of-ways and easements will be dedicated to the City with final platting.

STAFF RECOMMENDATIONS: With the existing design of Interstate Drive and the rural setting, the topography of the land, flood plain and the limitations of connecting a sidewalk to the north into another municipality, staff is recommending the waiver of sidewalks adjacent to Interstate Drive north of Market Place. Market Place, 36th Avenue NW and Indian Hills Road appear to provide adequate sidewalk circulation for the area and the anticipated development.

Based on the above information, Staff recommends approval of the request to waive alley requirements for the commercial and industrial designated lots and sidewalk requirements adjacent to Interstate Drive and approval of the revised preliminary plat for Commerce Parkway Addition, a Planned Unit Development.



Location Map

PP-1011-19
Preliminary Plat (Revised)
COMMERCE PARKWAY ADDITION, PUD
Owner: Hallbrooke Development Group One, L.L.C.
(SMC Consulting Engineers, P.C.)

Subject Tract
Zoning

0 400 800 Ft.

Map Produced by the City of Norman Geographic Information System.
(405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

VICINITY MAP
Scale: 1"=2000'

DRAINAGE AREA
1" = 1 MILE

REVISED PRELIMINARY PLAT
COMMERCE PARKWAY ADDITION
(A PLANNED UNIT DEVELOPMENT)
A REPLAT OF A PART OF COMMERCE PARKWAY ADDITION SECTION 2 AND
A PART OF SW/4, SEC. 35, T.-10-N, R.-3-W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

Scale: 1" = 100'

LEGAL DESCRIPTION:

[illegible]

LINE TABLE

[illegible]

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) IN THE PLAT OF COMMERCE PARKWAY ADDITION; HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR MENACE TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORNE UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

NOTES:

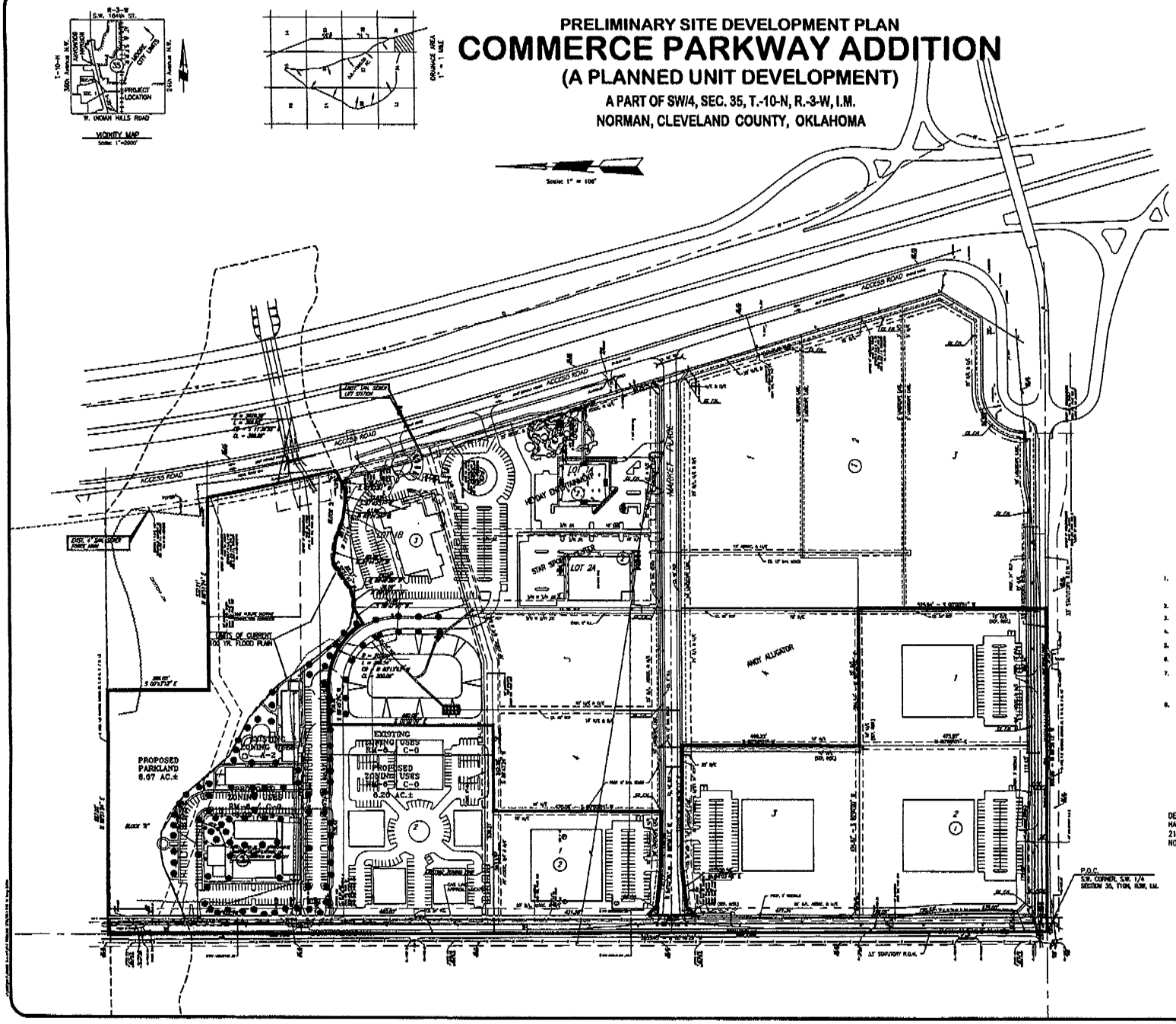
1. FIRE HYDRANTS WILL BE LOCATED AND INSTALLED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.
2. SIDEWALKS ARE REQUIRED WITHIN ALL COMMERCIAL AREAS.
3. REFER TO DRAINAGE REPORT FOR SPECIFIC DATA.
4. EXISTING ZONING IS PUD & "A-2". PROPOSED ZONING USES ARE C-0, C-2, RM-1, RM-6 & PL.
5. ALL PROPOSED SANITARY LINES ARE 8-INCH EXCEPT AS NOTED.
6. ALL PROPOSED WATERLINES ARE 8-INCH EXCEPT AS NOTED.
7. "ASSOCIATION EASEMENT" SHALL MEAN THE EASEMENTS GRANTED TO THE ASSOCIATION FOR THE PURPOSES OF LAYING THE SEWER LINES AND MAINTAINING AND OPERATING SAME ON THE LOTS AND FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING THE LIFT STATION. THE ASSOCIATION EASEMENT IS SHOWN, AS SUCH, ON THE PLAT. (U & A /E)
8. "LIFT STATION" SHALL MEAN THE EQUIPMENT LOCATED AS SHOWN ON THE PLAT, CONTAINED IN THE ASSOCIATION EASEMENT, WHICH IS OWNED BY THE ASSOCIATION AND USED AS A PORTION OF THE WASTEWATER SYSTEM MAINTAINED BY THE ASSOCIATION.
9. PER NORMAN 2025 AND OCARTS 2030, A RESERVATION OF AREA OF 540 FEET IS IDENTIFIED FOR THE OUTER LOOP TRANSPORTATION CORRIDOR. THIS RESERVATION WILL REMAIN IN PLACE UNLESS THE NORMAN 2025 IS AMENDED. A FINAL PLAT FOR THE RESERVATION AREA WILL NOT BE CONSIDERED UNTIL A CHANGE TO THE NORMAN 2025 REMOVING THE OUTER LOOP IS ADOPTED BY THE NORMAN CITY COUNCIL.
10. STATE PLANE COORDINATES FOR EXISTING PLUGGED OIL WELL:
N. 714723.64
E. 2118142.88

DEVELOPER / OWNER
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C.
2110 HALLBROOKE DRIVE
NORMAN, OK. 73071

P.O.C.
S.W. CORNER, S.W. 1/4
SECTION 35, T10N, R3W, I.M.

REVISED PRELIMINARY PLAT
COMMERCE PARKWAY ADDITION
(A PLANNED UNIT DEVELOPMENT)
INDIAN HILLS RD. & I-35
NORMAN, CLEVELAND COUNTY, OKLAHOMA
SMC Consulting Engineers, P.C.
SMC
SHEET NO. 1

PRELIMINARY SITE DEVELOPMENT PLAN
COMMERCE PARKWAY ADDITION
(A PLANNED UNIT DEVELOPMENT)
A PART OF SW/4, SEC. 35, T.-10-N, R.-3-W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



LINE TABLE

NUMBER	BEARING	DISTANCE
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREIN ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, LEFT AND RESPONSIBILITY OF THE PROPERTY OWNERS AT THE PLAT OF ADDITION COMMERCE PARKWAY ADDITION. HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER LEGAL DISCLOSURES AND IS DETERMINED TO BE A HAZARD OR DIRECT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE CONSTRUCT ASSOCIATION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNERS. OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE DESIGNATION FOR PURPOSES OF REVIEW, INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

NOTES:

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DEVELOPER / OWNER
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C.
2110 HALLBROOKE DRIVE
NORMAN, OK. 73071

PRELIMINARY SITE DEVELOPMENT PLAN
COMMERCE PARKWAY ADDITION
(A PLANNED UNIT DEVELOPMENT)
INDIAN HILLS RD. & I-35
NORMAN, CLEVELAND COUNTY, OKLAHOMA

SMC Consulting Engineers, P.C.
SMC

SCALE: 1" = 100'
SHEET NO. 1

PRELIMINARY PLAT ITEM NO. 7c

STAFF REPORT

ITEM: CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR COMMERCE PARKWAY ADDITION, A PLANNED UNIT DEVELOPMENT

LOCATION: Generally located north of West Indian Hills Road between Interstate 35 and 36th Avenue NW.

INFORMATION:

1. Owner. Hallbrooke Development Group One, L.L.C.
2. Developer. Hallbrooke Development Group One, L.L.C.
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. July 10, 1979. City Council, on a vote of 7-2, approved a request for the construction of a total retention waste stabilization lagoon.
2. July 12, 1979. Planning Commission, on a vote 8-0, tabled a request for rezoning a portion of this property from A-2 to I-1 zoning classification and the preliminary plat for Indian Hill Research Park Addition.
3. July 10, 1980. Planning Commission, on a vote of 8-1, recommended to City Council that a portion of this property should not be placed in I-I and removed from A-2 zoning classification.
4. July 10, 1980. Planning Commission, on a vote of 9-0, tabled the preliminary plat for Indian Hill Research Park Addition.
5. July 29, 1980. City Council adopted Ordinance No. O-7879-78 placing a portion of this property in I-1, and removing it from A-2 zoning classification.
6. September 11, 1980. Planning Commission, on a vote of 7-0, postponed the preliminary plat for Indian Hill Research Park Addition at the request of the applicant.
7. June 14, 2001. Planning Commission, on a vote of 7-0, recommended to City Council that the preliminary plat for Commerce Parkway Addition be approved.

HISTORY (con't.):

8. August 2, 2001. City Council approved the preliminary plat for Commerce Parkway Addition.

9. September 12, 2002. Planning Commission, on a vote of 8-0, recommended to City Council that the alley requirements be waived and the revised preliminary plat for Commerce Parkway Addition be approved.

10. November 26, 2002. City Council approved a request to waive the alley requirements and approved the revised preliminary plat for Commerce Parkway Addition.

11. February 13, 2003. Planning Commission, on a vote of 8-0, recommended to the City Council that the final plat for Commerce Parkway Addition be approved.

12. July 7, 2005. The Norman Board of Parks Commissioners, on a vote of 5-0, recommended fee in lieu of park land for the proposed residential lots for Commerce Parkway Addition, a Planned Unit Development.

13. July 14, 2005. Planning Commission, on a vote of 5-0, recommended to City Council the amendment of the NORMAN 2025 Land Use and Transportation Plan to place this property in Commercial, Medium Density Residential, and Open Space/Park Designations and remove it from Industrial Designation.

14. July 14, 2005. Planning Commission, on a vote of 5-0, recommended to City Council that this property be placed in the Planned Unit Development District and removed from I-1, Light Industrial District.

15. July 14, 2005. Planning Commission, on a vote of 5-0, recommended that the preliminary plat for Commerce Parkway Addition, a Planned Unit Development, be approved.

16. September 13, 2005. City Council amended the NORMAN 2025 Land Use and Transportation Plan placing this property in Commercial Designation and removing it from Industrial Designation.

17. September 13, 2005. City Council adopted Ordinance No. O-0506-3 placing this property in the Planned Unit Development and removing it from Industrial zoning classification.

18. September 13, 2005. City Council approved a request to waive alley requirements and approved the preliminary plat for Commerce Parkway Addition, a Planned Unit Development.

19. July 8, 2010. Planning Commission, on a vote of 8-0, amended Planned Unit Development Ordinance No. O-0506-3.

HISTORY (con't.):

20. July 8, 2010. Planning Commission, on a vote of 8-0, recommended approval of the revised preliminary plat for Commerce Parkway, a Planned Unit Development to City Council.

21. August 24, 2010. City Council amended Planned Unit Development Ordinance No. 0506-3.

22. August 24, 2010. City Council waived sidewalk requirements adjacent to Interstate Drive and alley requirements in the commercial/industrial designated areas and approved the revised preliminary plat for Commerce Parkway Addition, a Planned Unit Development.

23. September 9, 2010. Planning Commission, on a vote of 9-0, approved the final plat for Commerce Parkway Addition, Section 2, a Planned Unit Development.

24. September 28, 2010. City Council approved the final plat for Commerce Parkway Addition, Section 2, a Planned Unit Development.

25. September 30, 2010. The Development Committee accepted Subdivision Bond No. B-1011-53 securing public improvements in order to file the final plat.

26. October 6, 2010. The final plat for Commerce Parkway Addition, Section 2, a Planned Unit Development was filed of record with the Cleveland County Clerk.

27. April 7, 2011. The Norman Board of Parks Commissioners is scheduled to consider the preliminary plat for Commerce Parkway Addition, a Planned Unit Development. Results of that consideration will be presented separately.

28. April 14, 2011. Planning Commission is scheduled to consider a request to amend the NORMAN 2025 Land Use and Transportation Plan to delete the Outer Loop Designation and change a portion of the tract to Open Space/Park Designation and a portion to Office or Medium Density Residential Designation.

29. April 14, 2011. Planning Commission is scheduled to consider a request to place this property in PUD, Planned Unit Development District and remove it from A-2, Rural Agricultural District and PL, Park Land.

IMPROVEMENT PROGRAM:

1. Alley. The engineer for the owner has made a request to waive alley requirements.

2. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans and City standards. Their locations will be reviewed by the Fire Department.

3. Permanent Markers. Permanent markers will be installed prior to City acceptance of the street improvements.

IMPROVEMENT PROGRAM (con't.):

4. Sanitary Sewers. This development will utilize the City of Moore sanitary sewer services. An agreement has been submitted to Staff. Private sanitary sewer mains will serve the development including lift station and force main. Oklahoma Department of Environmental Quality has approved the plan and the Hallbrooke Development Group, L.L.C., will be the responsible group for maintenance of the system.

5. Sidewalks. Sidewalks will be required adjacent to Indian Hills Road, 36th Avenue and any interior streets that would develop as residential or commercial.

6. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. A privately-maintained detention facility will be utilized. An existing detention facility platted with Commerce Parkway Addition, Section 2, will be reshaped and reconstructed.

7. Streets. Streets will be constructed in accordance with approved plans and City paving standards. Indian Hills Road paving improvements will be constructed as urban arterial street. Commerce Parkway has been constructed to City standards.

8. Water Mains. Water mains will be installed in accordance with approved plans and City water standards. In order to provide adequate water pressure and fire protection, the developer will be required to construct a looped water system. There is a twelve-inch (12") water main adjacent to Indian Hills Road, twenty-four inch (24") water main adjacent to 36th Avenue NW, an eight-inch (8") water main adjacent to Commerce Parkway and an eight-inch (8") water main adjacent to Interstate Drive from Indian Hills Road to Commerce Parkway.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat.

2. Rights-of-Way. Street rights-of-way will be dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary site development plan, preliminary plat, and letter of request to waive alley requirements are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: The engineer for the owner has made a request to waive alley requirements. The preliminary site development plan has provided accessibility to Interstate Drive, Indian Hills Road and 36th Avenue NW. With adequate circulation for service, safety, and sanitation vehicles, staff recommends approval of the request to waive alley requirements. The northern portion of the property is intended to be park land/open space. Within this area is flood plain. Staff recommends approval of the revised preliminary plat for Commerce Parkway Addition, a Planned Unit Development.

ACTION NEEDED: Recommend approval or disapproval to waive alley requirements, and approval or disapproval of the revised preliminary plat for Commerce Parkway Addition, a Planned Unit Development, to City Council.

ACTION TAKEN: _____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: April 5, 2010

CONDUCTED BY: David R. Riesland, P.E.
Assistant City Traffic Engineer

PROJECT NAME: Commerce Parkway Apartments Preliminary Plat **PROJECT TYPE:** Residential

SURROUNDING ENVIRONMENT (Streets, Developments)
Industrial/Commercial developments surround the project location with some residential to the west of 36th Avenue NW. Indian Hills Road is the main east/west roadway, and 36th Avenue NW is the main north/south roadway.

ALLOWABLE ACCESS:
Proposed access to 36th Avenue NW is in accordance with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Indian Hills Road: 2 lanes (existing) / 4 lanes (future). Speed Limit - 50 mph. No sight distance problems. No medians.
36th Avenue NW : 2 lanes (existing and future). Speed Limit - 50 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: YES ■ NO ☐

Proposed number of access points along for the development is in compliance with what is allowed in the subdivision regulations.

TRIP GENERATION

	Total	In	Out
Weekday	629	314	315
A.M. Peak Hour	45	9	36
P.M. Peak Hour	64	41	23

TRANSPORTATION IMPACT STUDY REQUIRED? YES ☐ NO ■

The trip generation potential for this development is below the threshold for when a traffic impact study is required. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on these facilities.

RECOMMENDATION: APPROVAL ■ DENIAL ☐ N/A ☐ STIPULATIONS ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

The additional 64 PM peak hour trips will increase the previously collected traffic impact fees collected for the development by increasing the total number of trips through the intersections in the study area that can be attributed to the development. The Commerce Parkway Addition revised the traffic impact fees for this area from $65.65 per PM peak hour trip to $66.05 per PM peak hour trip. As such, an impact fee of $66.05 per PM peak hour trip should be collected at final platting of the Commerce Parkway Apartments.

COMMERCE PARKWAY APARTMENTS--PRELIMINARY

The Commerce Parkway Apartments, which is located between 36th Avenue NW and North Interstate Drive and north of Indian Hills Road, will accommodate a total of 85 new apartment units. All access to the apartments will be from 36th Avenue NW. The 85 new apartments are expected to generate approximately 629 trips per day or 64 PM peak hour trips. As such, the trip generation potential for this development is below the threshold for when a traffic impact study is required. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on these facilities.

STREET	NO. OF LANES	PROPOSED DEVELOP-MENT (Veh/day)	EXISTING TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Indian Hills Road	2	189	6,007	6,196	17,100	35.13	36.23
36th Avenue NW	2	629	5,877	6,506	17,100	34.37	38.05

The additional 64 PM peak hour trips will increase the previously collected traffic impact fees collected for the development by increasing the total number of trips through the intersections in the study area that can be attributed to the development. The Commerce Parkway Addition revised the traffic impact fees for this area from $65.65 per PM peak hour trip to $66.05 per PM peak hour trip. As such, an impact fee of $66.05 per PM peak hour trip should be collected at final platting of the Commerce Parkway Apartments.

SMC
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Oklahoma City, OK 73106
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www.smcokc.com

Civil Engineering
Land Development
Storm Water Management

Tom L. McCaleb
Terence L. Haynes
Christopher D. Anderson
Ole M. Marcussen

March 28, 2011

Mr. Jim Gassaway, Chairman
Planning Commission
City of Norman
P.O. Box 370
Norman, Oklahoma 73070

RE: Preliminary Plat (Revised)
Commerce Parkway Addition
SMC No. 5217.00

Dear Mr. Gassaway:

As agent for the applicant, we respectfully request a waiver of the alley requirements for the above referenced addition for all commercial, industrial, and office areas in accordance with Section 19-402 of the City of Norman. The plat has large tracts that can be designed adequately without the use of an alley. All utilities, sanitation access, emergency access, and fire protection will be provided and identified without the use of an alley.

Please accept this request and grant the alley waiver.

Sincerely,

SMC Consulting Engineers, P.C.

Ole M. Marcussen, P.E.

cc: Trey Bates
SMC file

City of Norman Predevelopment **March 24, 2011**

Applicant(s)	Hallbrooke Development Group One
Location	North of Indian Hills Road, east of 36th Avenue NW abutting the northern city limits
Case Number	PD11-10
Time	6:30—7:30 PM

Attendee	Stakeholder	Address	Phone
Tom McCaleb	Applicant's Engineer	SMC Engineers 815 W Main OKC	232-7715
Bobbie Smallwood	Neighbor	3632 Indian Hill NW	321-9619
Justin & Brandi Kammerer	Neighbor	3931 Della St.	206-4167
Trey Bates	Owner	3720 Timberridge Dr.	229-9687
Ben Newcomer	Owner	3750 W. Main St.	329-5033
Mickey Clagg	Owner	4700 Harrogate	364-9020
Sassan Moghadam	Owner	221 48th Avenue	329-9634
Richard McKown	Consultant	4409 Cannon Dr.	637-8742
Doug Koscinski	City Staff		366-5433
Ken Danner	City Staff		366-5458
Blaine Nice	City Staff		366-5472
Jane Hudson	City Staff		366-5344

Application Summary. Hallbrooke Development Group One is seeking approval of a revision to the previously approved Commerce Parkway Addition Preliminary Plat. The current zoning is A-2. The *Norman 2025 Land Use Plan* designation is Industrial and part of the Outer Loop.

Applicant's Opportunity. Applicant's representative, Tom McCaleb, presented an outline for the preliminary plat, stating he has never before been involved with a project where so many developers are working together to improve an area for development. The

applicant, Hallbrooke Development Group One, is seeking approval of a revision to the previously approved Commerce Parkway Addition Preliminary Plat. The change is at the northern corner of the plat, consisting of a zoning change and a land use change to add residential land uses to the existing office/commercial uses.

Neighbors' Comments. A few neighbors from the Marlatt Addition attended the meeting concerned with how the future development will impact their property values, how the additional runoff would impact their property and when the development would start.

> **Answer.** The areas will be better equipped to drain, pulling additional runoff away from the Marlatt Addition. The developments are not expected to impact property value negatively. The developments won't begin construction for some time as they are not done with the pubic improvements. Typically residential will be established before commercial developments are set in motion.

Greenbelt Commission Regular Meeting **Greenbelt Case No. 11-11**

Monday – March 21, 2011- 6:30 p.m.

Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements

In performing its duties, the Greenbelt Commission shall take into account the considerations listed below and how they apply to each proposed development

Please check the areas that will apply to your development.

(Not all considerations will be applicable or feasible for each application.)

Yes (a) Portions of the Greenbelt System are accessible to the general public.

Yes (b) Greenways are established and provide connections to other existing and future components of the Greenbelt System.

N/A (c) Existing easements (e.g. utility, pipeline, oil lease right of way, etc) may be used for Greenways where appropriate and where expressly approved by the easement grantor and grantee.

Yes (d) Greenways connect neighborhoods to each other and to industrial and commercial areas.

Yes (e) Greenways provide alternative routes to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking.

Yes (f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized.

N/A (g) Developments between urbanized Norman and Lake Thunderbird include pedestrian and bike connectivity to adjacent parcels to allow for future connections to Lake Thunderbird.

N/A (h) Landscaping required by the City has been planted in conformance with Norman Zoning regulations, including with local drought-resistant low maintenance plants, shrubs and trees.

N/A (i) Vegetative buffers between neighborhoods and railway lines have been provided to enhance safety and reduce the effects of noise and air pollution.

Yes (j) Permeable ground surfaces have been preserved to the extent possible.

Yes (k) Ingress and egress to and from a development is designed to permit safe use by non-motorized traffic in and out of the development and across the ingress and egress provisions of the development.

N/A (l) Fences abutting components of the Greenbelt System, and particularly those abutting green spaces, are of designs and materials that minimize their visual impact to the extent such fences are allowable under Norman City Code and not in conflict with applicable national standards for utility facilities. Examples of acceptable open fences include such types as wrought iron, split rail, low picket fence with every other picket removed, and metal pickets.

Yes (m) Water retention and detention storage facilities are designed in accordance with bioengineering principles and built with bioengineering materials.

Yes (n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.

Yes (o) Storm water management design considers the potential for trail and green space preservation, enhancement and/or creation.

Yes (p) The development layout is designed to preserve the health and diversity of wildlife affected by development in natural drainage corridor areas.

Yes (q) The development layout is designed to minimize the intrusions of noise, trash and other things into the Greenbelt System that would negatively affect visitors' and users' experience of any impacted components of the Greenbelt System.

N/A (r) To the extent possible, the development layout, as designed, does not impair the ability of riparian buffers from serving as corridors for wildlife movement.

N/A (s) Riparian buffers are incorporated into the Greenbelt System.

N/A (t) The commercial developments have provided for pedestrian access.

Yes (u) Pavement is minimized when possible by, among other things, using shared parking areas and/or permeable parking surfaces where feasible and allowed under the Zoning Ordinance of the City of Norman and the City Engineering Design Criteria.

N/A (v) Cluster development has been utilized as a means to develop the Greenbelt System.

Yes (w) Structures, other than utility transmission poles or substations, were located to maximize greenbelt and trail opportunities.

Greenbelt Case No. 11-11

Greenbelt Commission comments and suggestions regarding proposed development submitted for Planning Commission and City Council consideration are as follows:

Guideline "j"; applicant is commended for installation of shared parking for visitors to access park area.

Guideline "k"; development is pedestrian friendly because park is adjacent to development.

Commission likes the fact that this development extends the Gateway Park System for residents and visitors of several neighborhoods.

Vote by Commission: Move to approve; 6-0, 1 abstain

Pre-Development Case No. PD 11-10

NORMAN GREENBELT ENHANCEMENT STATEMENT DATE: 3-7-11

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement form was developed to aid in assessing proposed new developments to insure that green space and trail opportunities are being included in new development designs, whenever possible.

As part of your application and submittal of information for a Pre-Development Meeting, this form should be utilized to address the Greenbelt Commission's review. ***The City of Norman ordinances require that you complete this Greenbelt Enhancement Statement and leave it with City of Norman staff at the same time as you submit the required information for a Pre-Development Meeting.***

Review: At the time you submit the application and information for a Pre-Development Meeting, you will be provided with both the date of the Pre-Development Meeting and the date of the next Greenbelt Commission meeting. You are urged to attend that Greenbelt Commission meeting where you will be provided an opportunity to present information, to explain and discuss your proposed development, and to answer questions the Greenbelt Commission might have about your submittal. Based upon the review and discussion at the Greenbelt Commission meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will then be recorded and provided to you. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application for consideration of your proposed development.

Should you have any questions about this process or any of the questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5435. (Attached is the adopted Greenbelt Ordinance which includes guidelines.)

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: Hallbrooke Development Group One, LLC Date: February 7, 2011

Contact Person: Tom L. McCaleb, P.E. Telephone/Fax/Email: (405) 232-7715

1. List development name, location, number of acres, and type of development, including types of buildings and their proposed uses.

   This is a 19.71 acre revision of the approved Commerce Parkway Addition Preliminary Plat. The location is on the east side of 36th Ave., NW just north of Indian Hills Road. The applicant is requesting the use of apartments that will be adjacent to the new proposed park area as previously discussed with the Greenbelt Committee.

2. How does your proposed development or project incorporate open space(s)? Are those open spaces accessible to the general public, only to the future owners of property within the proposed development, or some other arrangement? Please explain.

   Parkland is being proposed for the north 8.42 acres. The apartment area will be designed to have connectivity with the Parkland.

3. Does (do) the open space(s) for this development include some kind of trail or path? Indicate all that are applicable.

   The Parkland will be public. The apartments will be private. Access from the apartments will be sidewalk and non-paved trails.

	For access only	Within open space
Sidewalks		
Other paved surface trail		
Unpaved Trail		
Direct Access from lots		

4. Identify the public open space(s), such as a parks or trails, within ½ mile of your proposed development. Explain how the proposed development will connect to that area via a trail, sidewalk, or other means.

   This is the Parkland for this area.

5. Please provide a short description for each type of proposed trail, if any. The description should include information about anticipated users, connectivity, accessibility to area residents, accessibility by the general public, and other information which you believe would be helpful for the Commission to understand your development's compliance with the Guidelines for Evaluating Greenbelt Enhancement Statements in Sec. 4-2028 of the Greenbelt Commission Ordinance.

   The City of Norman Parks Department will be in charge of specific components.

6. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking.

   The apartment area is being designed to allow parking to allow all visitors to use and then walk to the park.

7. Please circle, from the following (or make a list) of geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails. These may include: **storm water channels, floodplains, stream bank/ riparian corridors.** How will your development incorporate those elements into greenbelts and trails?

   Attached drawing illustrates the concept design.

8. If after answering the above questions you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly.

   This is a Greenbelt design.

9. Other comments:

   None

Signature of Applicant or Contact Person: _____
Tom L. McCaleb, P.E., Agent

GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS SEPARATE SHEET):

VOTE BY COMMISSION

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

APRIL 14, 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 14th day of April 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 (arrived after Roll Call) Diana Hartley Tom Knotts Chris Lewis Curtis McCarty Roberta Pailes Andy Sherrer (arrived at 7:38 p.m.) Jim Gasaway Zev Trachtenberg
MEMBERS ABSENT	Tom Knotts

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Development Coordinator Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst Jane Hudson, Planner II Shawn O'Leary, Director, Public Works Department Bob Hanger, Storm Water Engineer

* * *

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

7a. RESOLUTION NO. R-1011-108
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1011-10) TO DELETE THE OUTER LOOP DESIGNATION AND CHANGE A PORTION OF THE TRACT TO OPEN SPACE/PARK DESIGNATION AND A PORTION TO OFFICE OR MEDIUM DENSITY RESIDENTIAL DESIGNATION FOR 41.61 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Land Use Plan Map
2. Staff Report

7b. ORDINANCE NO. O-1011-51
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT (6.09 ACRES AND 8.67 ACRES), AND PUD, PLANNED UNIT DEVELOPMENT (6.20 ACRES), TO PUD, PLANNED UNIT DEVELOPMENT (12.29 ACRES) AND PL, PARKLAND DISTRICT (8.67 ACRES), FOR 41.61 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative

7c. PP-1011-19
CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., (SMC CONSULTING ENGINEERS, P.C.) FOR COMMERCE PARKWAY ADDITION, A PLANNED UNIT DEVELOPMENT AND PARK, GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Revised Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Development Plan
6. Request for Alley Waiver
7. Pre-Development Summary
8. Greenbelt Commission Comments
9. Greenbelt Enhancement Statement

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that the Land Use Plan change covers only the northern area of the site. Part of it will be open space/park, and part will be either medium density residential or office. The developer did the same thing in the existing PUD. There is a mixture of uses, although it is not truly "mixed use." They think the time is ripe

to delete the Outer Loop designation. The site is currently zoned A-2 and it was not included in the prior PUD. They are adding it to the PUD at this time. It is anticipated that the parkland area will become City park. The site is vacant at this time. Hillsdale Bible College is to the north of the site in the City of Moore. The park area will become part of a linear park that was presented to the Planning Commission in the past couple of months in some items on property to the west. Staff is supporting the Plan change, with the proviso that we really don't have an official answer from ODOT to delete the Outer Loop designation. There were no filed protests on the request. They are asking for some multi-family designation next to the park, which is a nice idea. We don't expect any negative impacts in any direction from this.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, SMC Consulting Engineers, representing the applicant – We are changing an area that was in the PUD as RM/CO to RM-6/CO. The area zoned A-2 that wasn't part of the prior PUD is to be RM-6/CO. The developer wants to have the option to go either way. There were changes to the floodplain map recently, that allowed the area to the east of this to be platted to be the new Bob Moore Cadillac facility. The new proposed Gateway Park is the area being zoned as parkland, and it continues to the west across other properties. The affected area is only 20.96 acres.

PARTICIPATION BY THE AUDIENCE:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to recommend adoption of Resolution No. R-1011-108, Ordinance No. O-1011-51, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for COMMERCE PARKWAY, A Planned Unit Development, to the City Council, dependent on the deletion of the Proposed Outer Loop. 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, Chris Lewis, Curtis McCarty, Roberta Pailes, Zev Trachtenberg, Jim Gasaway
NAYES	None
ABSENT	Tom Knotts, Andy Sherrer

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1011-108, Ordinance No. O-1011-51, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for COMMERCE PARKWAY, A Planned Unit Development, to the City Council, passed by a vote of 7-0.

* * *

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: R-1011-115

File ID: R-1011-115 **Type:** Resolution **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 31 **In Control:** City Council

Department: Planning and Community Development Department **Cost:** **File Created:** 04/14/2011

File Name: R-1011-115 Uplands 2025 **Final Action:**

Title:

RESOLUTION NO. R-1011-115: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1011-6, SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 34 OF TOWNSHIP 10 NORTH, RANGE THREE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA, TO REMOVE THE PROPOSED OUTER LOOP DESIGNATION, EXPANSION OF THE COMMERCIAL DESIGNATION FROM 9.3 ACRES TO 21.64 ACRES, AND AMENDING 9.79 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO OFFICE DESIGNATION, 16.56 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION, AND 11.02 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD WEST OF 36TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-115, Land Use Plan Amendment No. LUP-1011-6; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Notes: September 27, 2011, City Council Agenda

Agenda Date: 09/27/2011

Agenda Number: 31

Attachments: R-1011-115 Uplands, Uplands 2025 Location Map, Uplands 2025 Staff Report, 7-14-11 PC Minutes - Uplands

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	06/09/2011					
1	Planning Commission	07/14/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	07/14/2011					

Text of Legislative File R-1011-115

body

ITEM: Hallbrooke Development Group One, L.L.C., requests amendment of the NORMAN 2025 Land Use and Transportation Plan as follows:

(1) from Future Urban Service Area to Current Urban Service Area for 129.90 acres of property generally located on the north side of Indian Hills Road and west of 36th Avenue N.W.
(2) removal of the Proposed Outer Loop Designation
(3) expansion of the Commercial Designation from approximately 9.3 acres to 21.64 acres, and
(4) amending 9.79 acres from Low Density Residential Designation to Office Designation, 16.56 acres from Low Density Residential Designation to Medium Density Residential Designation, and 11.02 acres from Low Density Residential Designation to High Density Residential Designation.

DISCUSSION: The applicant has requested an amendment to the 2025 Land Use Plan to allow a mixture of residential uses as well as retail commercial and office uses in a proposed development containing approximately 130 acres. A portion of the tract is still designated as the alignment for the Outer Loop, and the applicant has also requested elimination of that designation. The entire tract would be moved into the Current Urban Service Area. The existing commercial designation would be enlarged from ten acres to twenty-one (tract 3), and a ten-acre tract would be added for office use (tract 1). Two multi-family tracts are proposed. A sixteen acre site (tract 2) is adjacent to Indian Hills Road, and would be designated Medium Density Residential to allow a low-density multi-family project. An eleven-acre tract (tract 4) is located within the outer loop area, and would abut the five-acre Parkland tract. The sixty-five acre remainder of the parcel (tract 5) will retain its designation for low-density

residential use.

The 2025 Land Use Plan identifies two criteria that should be addressed in order to change the approved land use designations. First, *there must a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.* Like all of the recent subdivisions which have been reviewed and approved in this area, the principal change is the extension of water and sewer lines into this area that will allow urban development to occur. The construction of the Northwest Sewer Interceptor has provided the impetus for this developer to join with his neighbors to cooperatively design and install all basic infrastructure for this emerging area. Second, *there is a determination that the proposed change would not result in adverse land use or traffic impacts to surrounding properties or the vicinity.* Goal 3 of the 2025 Plan does encourage and support diversified types of housing and densities, in order to better serve different income levels and family types. Tract 5 will abut a future "Gateway Park" which will provide a buffer between the apartments and a lower density subdivision in Moore. Lower density apartments (duplex, triplex, or four-plex buildings) are proposed for an area that abuts Indian Hills Road. Included in that area is a large detention pond, which will provide a substantial buffer between the proposed low-density apartments and the larger residential lots in the Marlatt Addition which lies immediately south. The expansion of the commercial area is intended to facilitate the development of various commercial uses that would support this emerging residential area. It is located (and will be designed) to allow easy access between the commercial and residential areas. ACOG has been updating their regional transportation plan, and has removed the proposed Outer Loop from their 2035 Plan, which supports the deletion of the outer loop from the 2025 Plan for this and all nearby properties.

STAFF RECOMMENDATION: Areas along the Interstate are already developing into citywide or regional retail and amusement enterprises. Like many of the recently approved subdivisions along Indian Hills Road, this developer is interested in a mixture of neighborhood retail, office, and residential areas that are mutually supportive. Staff supports the request to move this area into the Current Urban Service Area as well as the proposed land use amendments. With the assumption that an official statement deleting the Outer Loop designation is forthcoming, staff conditionally supports the deletion of the Outer Loop, with the condition that no final plats can be approved until ACOG formally deletes the alignment.

Protest letters from persons within the official notice area totaled 16.4 percent when the item was heard at the public hearing before the Planning Commission. As of September 22, 2011 the total protest had increased to 33.0 percent. Additional letters were received from persons who are outside of the notification area. The Planning Commission supported these changes, by a vote of 6-2, at their July 14, 2011, meeting.

Resolution

R-1011-115
LUP-1011-13

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1011-6, SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 34 OF TOWNSHIP 10 NORTH, RANGE THREE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA, TO REMOVE THE PROPOSED OUTER LOOP DESIGNATION, EXPANSION OF THE COMMERCIAL DESIGNATION FROM 9.3 ACRES TO 21.64 ACRES, AND AMENDING 9.79 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO OFFICE DESIGNATION, 16.56 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION, AND 11.02 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD WEST OF 36TH AVENUE N.W.)

§ 1. WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and

§ 2. WHEREAS, the City Council at its meeting of December 19, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan; and

§ 3. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that the following described property be moved from the Future Urban Service Area and placed in the Current Urban Service Area for the hereinafter described property, to wit:

A part of the Southeast quarter (SE/4) of Section Thirty-four (34), Township Ten (10) North, Range Three (3) West of the Indian Meridian, Cleveland County, Oklahoma, described as follows:

BEGINNING at the SE/C of said SE/4;
THENCE South 89°48'39" West, and along the south line of said SE/4, a distance of 2639.41 feet to the SW corner of said SE/4;
THENCE North 00°15'46" West, and along the west line of said SE/4, a distance of 2646.36 feet to the NW corner of said SE/4;
THENCE South 89°55'42" East, and along the north line of said SE/4, a distance of 2633.75 feet to the NE corner of said SE/4;
THENCE South 00°23'13" East, and along the east line of said SE/4, a distance of 518.92 feet;
THENCE North 89°57'17" West, a distance of 1230.42 feet;
THENCE South 00°20'02" East, a distance of 1059.65 feet;
THENCE North 89°57'32" East, a distance of 1231.39 feet to a point on the east line of said SE/4;

THENCE South 00°23'13" East, and along the east line of said SE/4, a distance of 1057.66 feet to the POINT OF BEGINNING.

Said tract containing 129.90 acres, more or less.

§ 4. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that the following described property be removed from the Proposed Outer Loop Designation for the hereinafter described property, to wit:

The north 300' of the SE/4 of Section 34, Township 10 North, Range 3 West of the Indian Meridian, Cleveland County, Oklahoma.

§ 5. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that Tract 1, described below, be moved from the Low Density Residential Designation and placed in the Office Designation:

Tract 1 – Office Designation
A tract of land being a part of the SE ¼ of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma, and being more particularly described as follows:

COMMENCING at the Southeast corner of said SE ¼;
THENCE South 89°48'39" West along the South line of said Section 34 a distance of 1865.27 feet to the Point of Beginning;
THENCE continuing South 89°48'39" West along said South line a distance of 774.14 feet;
THENCE North 00°15'46" West a distance of 550.00 feet;
THENCE North 89°48'39" East a distance of 777.35 feet;
THENCE South 00°04'18" West a distance of 550.00 feet to the POINT OF BEGINNING.

Said Tract containing 9.79 acres more or less.

§ 6. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that Tract 2, described below, be moved from the Low Density Residential Designation and placed in the Medium Density Residential Designation:

Tract 2 – Medium Density Residential Designation:
A tract of land being a part of the SE/4 of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma, and being more particularly described as follows:

COMMENCING at the SE/C of said SE/4; THENCE South 89°48'39" West along the South line of said Section 34 a distance of 560.18 feet to the Point of Beginning;
THENCE continuing South 89°48'39" West along said South line a distance of 1305.09 feet;
THENCE North 00°04'18" East a distance of 550.00 feet; THENCE North 89°48'39" East a distance of 443.58 feet;
THENCE North 51°12'22" East a distance of 221.93 feet; THENCE South 66°43'26" East a distance of 11.24 feet; THENCE North 90°00'00" East a distance of 673.69 feet; THENCE South 00°22'07" East a distance of 535.81 feet to the POINT OF BEGINNING.

Said tract containing 16.56 acres more or less.

§ 7. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that Tract 3, described below, be moved from the Low Density Residential Designation and placed in the Commercial Designation:

Tract 3 – Commercial Designation
A tract of land being a part of the SE/4of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma, and being more particularly described as follows:

BEGINNING at the Se/C of said Se/4; THENCE South 89°48'39" West along the South line of said Section 34 a distance of 560.18 feet;
THENCE North 00°22'07" West a distance of 553.81 feet;
THENCE North 90°00'00" West a distance of 673.69 feet;
THENCE North 00°09'13" West a distance of 521.16 feet;
THENCE North 89°56'31" East a distance of 1231.57 feet to a point on the East line of said S.E. ¼;
THENCE South 00°23'13" East a distance of 1056.38 feet to the POINT OF BEGINNING.

Said tract containing 21.64 acres more or less.

§ 8. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that Tract 4, described below, be moved from the Low Density Residential Designation and placed in the High Density Residential Designation:

Tract 4 – High Density Residential Designation
A tract of land being a part of the SE.4 of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma and being more particularly described as follows:

COMMENCING at the Southeast corner of said SE ¼; THENCE North 00°23'13" West along the East line of said SE ¼ a distance of 2115.46 feet to the POINT OF BEGINNING;
THENCE North 89°58'14" West a distance of 1230.89 feet;
THENCE North 00°21'51" West a distance of 469.82 feet;
THENCE South 89°55'42" East a distance of 383.45 feet;
THENCE South 62°29'14" East a distance of 111.65 feet;
THENCE North 66°42'54" East a distance of 37.23 feet;
THENCE South 88°58'08" East a distance of 38.85 feet;
THENCE North 76°55'46" East a distance of 27.64 feet;
THENCE South 74°13'43" East a distance of 50.96 feet;
THENCE South 75°36'25" West a distance of 14.40 feet;
THENCE South 17°33'46" West a distance of 14.85 feet;
THENCE South 22°52'49" East a distance of 28.19 feet;
THENCE South 48°07'19" East a distance of 26.61 feet;
THENCE South 66°19'09" East a distance of 30.40 feet;
THENCE South 82°00'36" East a distance of 48.93 feet;
THENCE South 72°12'24" East a distance of 49.21 feet;
THENCE South 52°57'23" East a distance of 39.79 feet;

THENCE South 86°25'56" East a distance of 15.92 feet;
THENCE North 70°40'14" East a distance of 16.83 feet;
THENCE North 88°39'36" East a distance of 48.45 feet;
THENCE North 83°55'48" East a distance of 94.62 feet;
THENCE North 82°24'40" East a distance of 78.61 feet;
THENCE South 84°48'30" East a distance of 18.56 feet;
THENCE South 68°33'43" East a distance of 50.55 feet;
THENCE South 75°04'32" East a distance of 58.70 feet;
THENCE South 89°34'36" East a distance of 56.72 feet;
THENCE North 73°19'09" East a distance of 2.33 feet to a point on the East line of said SE ¼;
THENCE South 00°23'13" East along said East line a distance of 296.40 feet to the POINT OF BEGINNING.

Said tract containing 11.02 acres more or less.

§ 9. WHEREAS, Hallbrooke Development Group One, L.L.C. has requested that the Parkland Tract, described below, be moved from the Low Density Residential Designation and placed in the Open Space/Park Designation:

Parkland Tract
A tract of land being a part of the SE/4 of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma, and being more particularly described as follows:

COMMENCING at the Southeast corner of said SE ¼; THENCE North 00°23'13" West along the East line of said SE ¼ a distance of 2411.86 feet to the POINT OF BEGINNING;
THENCE South 73°19'09" West a distance of 2.33 feet;
THENCE North 89°34'36" West a distance of 56.72 feet;
THENCE North 75°04'32" West a distance of 58.70 feet;
THENCE North 68°33'43" West a distance of 50.55 feet;
THENCE North 84°48'30" West a distance of 18.56 feet;
THENCE South 82°24'40" West a distance of 78.61 feet;
THENCE South 83°55'48" West a distance of 94.62 feet;
THENCE South 88°39'36" West a distance of 48.45 feet;
THENCE South 70°40'14" West a distance of 16.83 feet;
THENCE North 86°25'56" West a distance of 15.92 feet;
THENCE North 52°57'23" West a distance of 39.79 feet;
THENCE North 72°12'24" West a distance of 49.21 feet;
THENCE North 82°00'36" West a distance of 48.93 feet;
THENCE North 66°19'09" West a distance of 30.40 feet;
THENCE North 48°07'19" West a distance of 26.61 feet;
THENCE North 22°52'49" West a distance of 28.19 feet;
THENCE North 17°33'46" East a distance of 14.85 feet;
THENCE North 75°36'25" East a distance of 14.40 feet;
THENCE North 74°13'43" West a distance of 50.96 feet;
THENCE South 76°55'46" West a distance of 27.64 feet;
THENCE North 88°58'08" West a distance of 38.85 feet;
THENCE South 66°42'54" West a distance of 37.23 feet;
THENCE North 62°29'14" West a distance of 111.65 feet;
THENCE North 89°55'42" West a distance of 383.45 feet;

THENCE North 89°55'42" West a distance of 1786.62 feet;
THENCE North 00°15'46" West a distance of 50.00 feet to a point on the North line of said SE/4;
THENCE South 89°55'42" East along said North line a distance of 2633.75 feet to a point on the East line of said SE/4;
THENCE South 00°23'13" East along East line a distance of 222.52 feet to the POINT OF BEGINNING.

Said tract containing 5.27 acres more or less.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

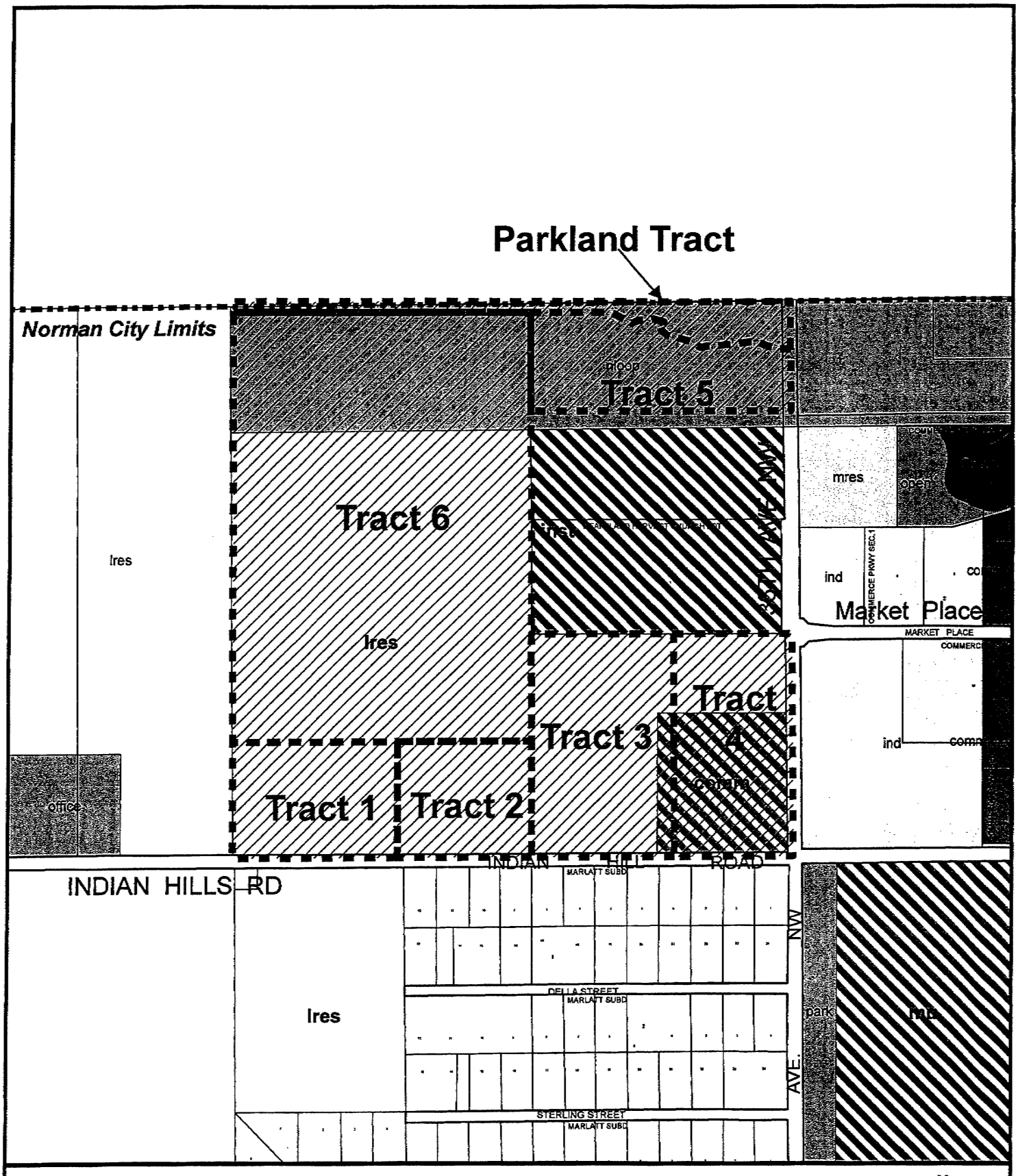
§ 10. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this _____day of_____, 2011.

_____
(Mayor)

ATTEST:

_____
(City Clerk)



Norman 2025 Land Use Plan

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

April 13, 2011

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RESOLUTION NO. R-1011-115 ITEM NO. 7a

STAFF REPORT

ITEM: Hallbrooke Development Group One, L.L.C., requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1011-13) from Future Urban Service Area to Current Urban Service Area for 129.90 acres of property generally located on the north side of Indian Hills Road and west of 36th Avenue N.W., removal of the Proposed Outer Loop Designation, expansion of the Commercial Designation from approximately 9.3 acres to 21.64 acres, and amending 9.79 acres from Low Density Residential Designation to Office Designation, 16.56 acres from Low Density Residential Designation to Medium Density Residential Designation, and 11.02 acres from Low Density Residential Designation to High Density Residential Designation.

DISCUSSION: The applicant has requested an amendment to the 2025 Land Use Plan to allow a mixture of residential uses as well as retail commercial and office uses in a proposed development containing approximately 130 acres. A portion of the tract is still designated as the alignment for the Outer Loop, and the applicant has also requested elimination of that designation. The entire tract would be moved into the Current Urban Service Area.

The existing commercial designation would be enlarged from ten acres to twenty-one (tract 3), and a ten-acre tract would be added for office use (tract 1). Two multi-family tracts are proposed. A sixteen acre site (tract 2) is adjacent to Indian Hills Road, and would be designated Medium Density Residential to allow a low density multi-family project. An eleven acre tract (tract 4) is located within the outer loop area, and would abut the five-acre Parkland tract. The sixty-five acre remainder of the parcel (tract 5) will retain its designation for low density residential use.

The 2025 Land Use Plan identifies two criteria that should be addressed in order to change the approved land use designations. First, there must a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest. Like all of the recent subdivisions which have been reviewed and approved in this area, the principal change is the extension of water and sewer lines into this area that will allow urban development to occur. The construction of the Northwest Sewer Interceptor has provided the impetus for this developer to join with his neighbors to cooperatively design and install all basic infrastructure for this emerging area. Second, there is a determination that the proposed change would not result in adverse land use or traffic impacts to surrounding properties or the vicinity. Goal 3 of the 2025 Plan does encourage and support diversified types of housing and densities, in order to better serve different income levels and family types. Tract 5 will abut a future "gateway park" which will provide a buffer between the apartments and a lower density subdivision in Moore. Lower density apartments (duplex, triplex, or four-plex buildings) are proposed for an area that abuts

Indian Hills Road. Included in that area is a large detention pond, which will provide a substantial buffer between the proposed apartments and the larger lots in the Marlatt Addition which lies immediately south. The expansion of the commercial area is intended to facilitate the development of various commercial uses that would support this emerging residential area. It is located (and will be designed) to allow easy access between the commercial and residential areas. ACOG has been updating their regional transportation plan, and has removed the proposed Outer Loop from their 2035 Plan, which supports the deletion of the outer loop from the 2025 Plan for this and all nearby properties.

STAFF RECOMMENDATION: Areas along the Interstate are already developing into city-wide or regional retail and amusement enterprises. Like many of the recently approved subdivisions along Indian Hills Road, this developer is interested in a mixture of neighborhood retail, office, and residential areas that are mutually supportive. Staff supports the request to move this area into the Current Urban Service Area and the proposed land use amendments. With the assumption that an official statement deleting the Outer Loop designation is forthcoming, staff conditionally supports the deletion of the Outer Loop, with the condition that no final plats can be approved until ACOG formally deletes the alignment.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JULY 14, 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 14th day of July 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 Roberta Pailes Andy Sherrer Zev Trachtenberg Jim Gasaway
MEMBERS ABSENT	Curtis McCarty

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

* * *

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C. FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W.

7A. RESOLUTION NO. R-1011-115
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1011-13) FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR 129.90 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W., REMOVAL OF THE PROPOSED OUTER LOOP DESIGNATION, EXPANSION OF THE COMMERCIAL DESIGNATION FROM APPROXIMATELY 9.3 ACRES TO 21.64 ACRES, AND AMENDING 9.79 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO OFFICE DESIGNATION, 16.56 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION, AND 11.02 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION.

ITEMS SUBMITTED FOR THE RECORD:
1. NORMAN 2025 Map
2. Staff Report

7B. ORDINANCE NO. O-1011-55
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT (21.64 ACRES), CO, SUBURBAN OFFICE COMMERCIAL DISTRICT (9.79 ACRES), RM-2, LOW DENSITY APARTMENT DISTRICT (16.56 ACRES), RM-6, MEDIUM DENSITY APARTMENT DISTRICT (11.02 ACRES), R-1, SINGLE FAMILY DWELLING DISTRICT (65.57 ACRES), AND PL, PARKLAND (5.27 ACRES), FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Preliminary Site Plan

7C. PP-1011-23
CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UPLANDS ADDITION, GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Traffic Impacts
5. Preliminary Site Plan
6. Oil Well Site Plan
7. Alley Waiver
8. Pre-Development Summary
9. Greenbelt Commission Checklist and Comments
10. Greenbelt Enhancement Statement

PRESENTATION BY STAFF:

1. Mr. Koscinski reported that this is a complicated application in the sense that there are a lot of pieces. The entire tract is currently designated for future residential use. All of the developments in this area have been coming in one-by-one and getting approved for different types of zoning. Sewer lines are being laid to service this area, and that is the main driver for this whole area to become developed. Water lines will come later. The entire tract will become Current Urban Service Area based on the imminent availability of utilities. It was originally designated for low density use with a little spot of commercial on the corner. Tract 3 would be a larger tract of commercial. Tract 2 encompasses a large detention pond and some low-density apartments. Tract 1 is an office designation similar to the one that was approved for the property next door. There is a higher density multi-family area in Tract 4 at the north, which is buffered by what will become a public park in that area. The rest of the property (Tract 5) retains its residential designation. There is a property surrounded on the north, west, and south by this project that is owned by the church. The rezoning reflects the proposed 2025 changes. The property is vacant. To the north of this property is the City of Moore and there are some homes along 36th and in a gated community to the west. To the east of this tract is the Commerce Parkway area, which is largely commercial, industrial, and a little multi-family. South of the subject property is the Marlatt Addition, which is the only current residential use, with large homes on approximately 2-acre lots. The property to the west is still vacant and development there has not yet started. Protests were filed that constituted approximately 16.7% of the notification area, largely from residents of Marlatt Addition and the residents of Moore to the north of the project site. There were also protests from outside of the notification area. The same engineer is developing all of the tracts in this area, so there has been quite a bit of coordination and integration of the design, the utilities, and drainage. Staff supports the plan change; it is consistent with what has been going on west of this site. The plan supports multiple densities to try to provide different housing opportunities for different clients in the community. Staff also recommends approval of the rezoning and preliminary plat.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, engineer for the applicant – This is not terribly complicated, but there are some moving parts. We submitted this application March 8 of this year and went to the Pre-Development meeting on March 22. We also met with the Greenbelt Commission on March 21, and we recently submitted the application you have before you for the 2025 Plan Amendment, the traffic study, the rezoning application, the drainage report, and the preliminary plat on April 8. It was scheduled for the May 12 Planning Commission meeting. We met with staff after they reviewed the tract and they had some geometrics and some zoning changes that they wanted us to consider. We agreed to continue that application for a month to try to accommodate the questions and the modifications that staff suggested for the June 9 meeting. A few days before that meeting we were notified that citizens in Moore had not been notified. So at that meeting we agreed again to continue it and make proper notification to those folks in the Moore area. That has been done. That gets us to tonight. We think we've done all the correct things. The application's request for land use change has been justified, as per the staff report that you've got in front of you. Staff has reported on page 7a-2: "The 2025 Land Use Plan identifies two criteria that should be addressed in order to change the approved land use designations. First, there must have been a change in circumstances resulting from development of

properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest. Like all the recent subdivisions which have been reviewed and approved in this area, the principal change is the extension of water and sewer" that Doug just eluded to. The one sewer line that we've laid to sewer the tract that you've seen and approved called J&J, Whispering Trails, Foxworth, Redlands, and the new church, has been accommodated with a sewer line that we laid from Franklin Road west through J&J and up to Indian Hills Road. That line is built. We completed the as-builts today and we're submitting it for the walk-through for final. That line is now in place. That's one line. Now we're going to do another line. The other goal that we need to accommodate is the 2025 Plan does encourage and support diversified types of housing and densities in order to better serve different income levels of folks. Tract 5 will abut the future gateway park that has been presented to this board and provide a buffer between the apartment area and the lower density areas in Moore. Lower density apartments that we're proposing – duplex, triplex, four-plex – are proposed in an area that abuts Indian Hills. There is also a large detention pond. This is a good example of the drawing that we put together that shows the diversification of all the areas I'm mentioning to you. The area below is J&J. This area is Glenridge. This is the church. This is Foxworth, Whispering Trails, and Redlands. Those all have been designed, with the assistance of staff, to give what we have called good planning. It also shows diversification of all the different housing types and how connectivity can be employed. What this drawing also shows is connectivity of green areas. This is the green area that represents all of the areas that will be green or detention or active waters. That's all open space. This open space generates through J&J, flows through this tract, through the church, on forward into this tract, on forward into this piece right there that is a proposed and approved parkland site. Then it will traverse through the linear park that is being recommended and suggested by this application. That has also been shown to this board. We brought that to you a few months ago, suggesting a gateway park. Gateway park attaches to the north of this tract before you tonight. This is Commerce Parkway tract that you've already approved. This is part of that process. This is the Gateway Park. It's illustrative, showing what could be done. We made great strides trying to put all of this together so it all connects and interconnects with transportation, utilities, and open space.

This is the utility drawing. It shows how the comprehensive drainage will work and how all the water will be directed to the betterment of everybody, including some of the folks in the Marlatt Addition, who have gone on record with the Council that they have some drainage problems. We've heard that. We acknowledge that. We're trying to mitigate those problems as much as possible. There is a large detention pond we're putting right there that will buffer this tract and the townhomes tract right there. And the water will be picked up, detained, and discharged so an enormous amount of water does not damage the Marlatt Addition. A separate utility is being considered, and that is the other sewer line. The other sewer line would go through this area. If you're familiar with the Community Christian School, we have an agreement with the school that brings a sewer line that will be west of their football field and west of their new concession stand that sticks out a little bit too far. But we're going to lay the sewer line so that tract will have sewer. Then we'll bring that sewer line to connect to this tract that this party has not seen yet – it's called the Apex Property. Presently we have a sewer line that serves Uplands. City staff has asked us to reconsider and see if we could realign that sewer line and maybe serve the Marlatt Addition, which is this tract. So we are considering if we can take the sewer line and go like this and come up with

this and provide a connection for the Marlatt Addition. They have expressed interest in a sewer connection – they have no sewer; it's all septic. So we've looked at that. The Uplands people have asked me to look at the feasibility of making that connection and the cost and how it's going to work. So we have a preliminary design that will work. That would impose Marlatt to come up with a solution for their tract. We've also looked at how that can work. We're comfortable now. We've met with the Director of Utilities and utilities engineer and have that information.

In addition, there is the requirement to put in a 12" water line one mile from 36th Avenue to 48th Avenue that will serve all these properties. We now have a group together, like we do the sewer group, to pay for that. So we have started the design of a water line for that one mile that will be paid for by these property owners – not Marlatt. Marlatt also has an existing 6" water line that was installed with the cooperative effort of the City a few years ago. It's a dead-end 6" line that goes from 36th Street and out to about right there and dies. We have been asked if that line can be connected with the 12". That line is on the south side of Indian Hills Road. So we have agreed to do that. We're going to take the 12", connect to the 6" and loop it. That will enhance their water capability and fire protection for the whole Marlatt Addition. So right now on the table this 12" water line is to be built that serves all the tracts. It will connect to the big line here in 36th Street. And the sewer line design is underway to fulfill the obligation to make Uplands work, and it will also be designed so that the Marlatt Addition could also work. That all has taken place here in the last several weeks.

When we had the Pre-Development meeting we only had about four people show up and there was really no adverse situation in that meeting. We explained to them what it was going to be and they seemed to be fine. But now, as you know, there have been a few protest letters turned in. The client has met with the Marlatt folks on two occasions to try to mitigate and respond and try to take care of some of their concerns. We think we've done quite a bit. We probably haven't alleviated all the concerns, but certainly the major ones we have. The densities that we're proposing are less than the allowable in every zoning category. Our single family zoning comes out to less than 4 to the acre. The lots are comparable sized to the Redlands tract and they're larger than two other tracts. So they're pretty good sized; they meet all the City requirements. Staff has reviewed all these criteria and the geometrics.

One of the issues we've got that has been a problem is the Outer Loop. It is the gray area. The Outer Loop was a mystical area that has been determined to be the new bypass through Norman. That was a location on the ACOG plan. It was proposed to be a highway – four to six lanes – that would connect to I-35, extend all the way to here and keep extending all the way to Oklahoma City. That project now is not dead, but is wounded badly. ACOG has taken it out of their 2035 plan. So it is going to be terminated in the 2025 plan. In talking with Susan Connors and Shawn O'Leary, that is happening. We thought it would be happening last October, but it hasn't happened yet, but it is dying. This will have to be taken to the City Council for final death. So what we're suggesting to do here is we're going to swap this gray potential four to six lane road for a park which will look like the Gateway Park. That's what we're swapping with the folks in Moore. Now how big is this park. The developer of Uplands is providing a park site – a linear park that accommodates the park requirement for the Foxworth and Whispering Trails, and his tract, and all this as extra. There is no requirement for that; that is just a bonus park – 13 acres is the totality of parkland, linear and on the east side of 36th Street. So that's what we're offering with this mitigation here between the two

pieces of land. We think we've solved about all the utility problems, or at least we have a bona fide solution that will accommodate everybody out there. The plan has been reviewed, and reviewed, and reviewed by staff and we have staff support tonight. We have a very diverse plan and we've had a cooperative effort for quite a while with several people who own land – major pieces of land. They have cooperatively agreed and we have put together a master plan that we think is for the betterment of everybody. It all connects. It moves. It has traffic requirements that have been solved and utility problems that have been solved. The applicant is here tonight – Trey Bates, Mickey Clagg and Ben Newcomer – that is Uplands.

2. Trey Bates, 3720 Timberridge, one of the partners in the development – Over the last few months, we have gone through a lengthy process to try to make sure that everybody was notified and everybody had an opportunity to be heard, and that we took into account as many of the concerns as we could. I want to express my appreciation for the president of the Hidden Lakes POA who is here. He'll probably say a few words, as well as all of the folks from the Marlatt Addition that, over a period of multiple days and many hours, we've sat and listened to and tried to work through the various misinformation as well as information related to the project. Just briefly, this is an incredible mixed use opportunity for the City of Norman. It's principally a low density subdivision with supporting townhomes and multi-family, tied together with commercial along the urban arterial and across from 36th Street. I'd like to note that in the existing Land Use and Transportation Plan the commercial piece of this that abuts the residential is already in the Land Use and Transportation Plan as commercial. As you go west along Indian Hills Road, we tie it together with some townhome type, little bit higher density housing, and then further to the west, directly across from the radio station, we add some office space, again trying to buffer the existing houses from the change. This crown jewel of the project – and Tom has already given away part of my speech – but there's about six to seven square miles of projects that have been approved. Well, the crown jewel of this allows us to tie a park system and trail system where all of these projects have the ability to walk, bike, and move from shopping to the various residential uses to the office space without necessarily having to drive. This epitomizes the concept of development where you can raise a family, where you can start a family, where you can retire, where you can work, where you can shop, and where you can play. And this doesn't happen very often. This is kind of one of those – everybody says this is the last one, this is the great one – but it's not very often that you have as clean a slate as we were able to start with here and then so many projects all kind of come together at the same time. So what that provided was an unprecedented opportunity – not that everybody was working together so much, but the fact is, as all of these projects came together within a relatively short period of time, we could take advantages of what each individual project had and put together something that truly is magnificent. And I'm really proud of it. I know that this is a lot of change for people. The Marlatt people we've heard a lot of frustration about issues they've dealt with over the years and I understand it. It's hard to envision. But Western is being improved all the way to Oklahoma City. You've got an incredible explosion of commercial in Moore, up 36th Street and Telephone Road. You have the additional improvements of I-35 all the way through Norman now nearing completion. At some point, the Indian Hills interchange is going to have to be upgraded; it's coming. So you've got an amazing opportunity for Norman to take advantage of all of this confluence of all of these events and build a great development. I know that for the

people, again, that live out there, it's been the edge of town forever – it's been the open field where they saw horses grazing or the crops growing. But the reality is, regardless of this project, the development is coming and this is an opportunity to tie together an incredible project for the neighborhoods. I feel comfortable when I lay my head down at night that these people one day will wake up and be really happy with the fact that they have quality projects happening all around them that will ultimately improve property values. So I would hope that you all would approve this project tonight.

3. Mr. Knotts asked whether the drainage has enough surge south of Indian Hills to accommodate all of that if something goes wrong down here so that it won't flood. Mr. McCaleb responded affirmatively. Right now there is an existing 36" corrugated metal pipe that carries the water across Indian Hills and it goes in a couple of areas and it drains down to a pond. We need to release some water that is presently going down there to make sure that they have water. We don't want to intercept all of that, but we're going to intercept a huge chunk of it. Mr. Knotts asked if this is all surface flow. Mr. McCaleb replied that there will be some surface, but primarily it will be underground. Mr. Knotts asked whether the west side of the lower area will intercept some of the water. Mr. McCaleb said those are going to be live waters. It's water that's just going to be at a static level. We will have wells in there that will make sure they have a static level. It will be a retention pond that will have water at a certain level at all times, and also will have capability of rising during the floods to take that water off. So the whole thing is a combination of those facilities.

4. Mr. Trachtenberg commented that one of the things that he admires about the whole system is the inter-connectivity and the trails. He asked if they had considered the possibility of connectivity to the Ruby Grant property. Mr. McCaleb indicated that the intervening piece of property is owned by a different entity. He has been in a lot of communication with them, because they needed an easement for the sewer line. He has done some master planning for him that does that, but that is not being presented at this time.

5. Ms. Pailes asked the height of the apartments at both the north and the south ends. Mr. McCaleb replied that on the south side are townhomes, and they're two story max. They will be similar to the tract of land north of Sooner Fashion Mall – Brookhaven Square. The one on the north would be apartments – probably two story again. I think it will be 16 units. There are no immediate plans. Ms. Pailes asked about the commercial areas. Mr. McCaleb said they will probably be one story. Mr. Bates added that, with regard to the RM-6 area at the north end, the concept is for an all masonry type structure that would be two-story structures. Mr. Trachtenberg asked what the office component is going to look like. Mr. Bates indicated those haven't really been designed, but the concept for the entire project is substantial masonry type construction – not the low end kind of starter home concept that I think you see in a lot of areas. The idea is that we'd build this toward an upscale neighborhood and hopefully coordinate this in such a way that it attracts that kind of market. I think the advantage of the huge amenity package with the trails and that sort of thing will hopefully attract the kind of clientele that will support those kinds of markets. The concept is a professional office park type setting. So I can envision surgical centers, doctors' offices, other professional offices. Mr. Trachtenberg asked if it will be like the

Quorum area. Mr. Bates responded that he and his partners were involved in building Quorum, and it will be similar.

6. Mr. Gasaway asked about the road access to the development. Mr. McCaleb stated that one of the modifications that staff suggested was that there be one road off Indian Hills and then one connecting the residential area through the commercial area to 36th.

7. Mr. Gasaway asked if Mr. McCaleb believes the drainage solution can handle the water from the north side of Indian Hills in addition to the additional runoff from the impervious surface. Mr. McCaleb said that's correct. We prepared the drainage report. We've met with Mr. O'Leary and the drainage engineers on multiple occasions to make sure that he agreed and he does.

8. Ms. Gordon commented that Street C goes through the residential area and actually cuts through the commercial all the way over to 36th. That's quite a bit of commercial from Tract 3 and quite a lot of traffic going through that residential neighborhood. If I was a driver, I would sure take that instead of Indian Hills Road and skip that intersection. Mr. McCaleb indicated that this road is a collector all the way to 48th. Staff suggested that we take this point right here and continue it to 36th Street. We had suggested that not be a collector, but they wanted it to be a collector road.

9. Ms. Gordon asked the width of the gateway park in the narrow area. Mr. McCaleb said it is 50 feet at the narrowest. Ms. Gordon asked the width near where the apartments are going to be. Mr. Bates said it will be 200 to 300 feet.

PARTICIPATION BY THE AUDIENCE:

1. Lou Ball, 3730 West Indian Hills Road – In the Marlatt Addition, mine is about the fifth tract of land in off of 36th. This addition is going to affect me and my family directly, being as we're property lined right on the discussed development. I've only lived there for five years, so I don't have as much emotional tie that some of the people behind me probably have to what's going on here. And when we moved here, we fully thought that that land would be developed. We talked to our realtor – we talked to people that advised us and helped us with our move down to Norman from the Iowa area. We come from a very country background and the one thing that we were going to get out of this was going to get a country feel to it, still be out away from a lot of the traffic, be able to raise our family. I talked to Trey at the meetings and he provided a lot of detail. I love the idea of the community and the parks and such, but my greatest concern is two things – with the addition of the extra commercial, and a couple of people have made reference to the fact that the increased traffic and the flow of the traffic and how it's going to work relative to where I'm going to be pulling in and out of my home – I have great concern about that. I also have concern, and I spoke to Trey about this, too – with the drainage pond which is directly across from my property – dealing with the idea – I think they spoke earlier about some of these other ponds over here and I'm not sure what the terminology is, but I won't say maintained because I don't think that's what was used, but they would have a fill system and they would have a constant level and have a certain appearance, and it sounds as if the pond that's across the street from my property will not have that same appearance, based on what they just said – that it could be low, could be high. So I have a concern

with that. Also with the traffic and, not having been from Norman, I'm not familiar with the property that was discussed as far as the office buildings go and the appearance of those office buildings. You made reference to a certain office building – I'm not sure where that is. So I have great concern about the appearance of it and having it fit the look of the neighborhood and looking as much like homes as possible, because when we bought the land it was zoned R-1 for homes to be there and we thought we were going to be moving into a neighborhood that was 100% homes – no office buildings -- looking out your front door to look at office buildings, not looking at duplexes or any other kind of buildings of that nature. That's what's being changed right before our eyes, and not really having a feel for how that works and there's no guarantee how it's going to look ten years down the road; once it's approved, they can put in whatever they want. My greatest concern is what's going on on the very first portion of Trey's development there right along Indian Hills. If it was all residential and they had this great plan of doing the parks and everything, I think it would be great. But in its current state with the additional traffic that's going to be going in there – we're already going to be dealing with a lot more traffic if it goes to four lane and I understood that when I bought the property. But then to throw businesses and medium density living in there and then a lot more commercial right along that path, you're looking at a totally different living situation than what I purchased my house under. And that's my greatest concern, is that it's not going to be what we thought we were going to do for the 15 – 20 years – whatever we ended up living here. And we looked at 12-15 pieces of property and we bought that piece of property knowing that it was zoned for residential homes. That's all I have to say. Thank you.

2. Donald Davis, 5532 Steed Drive – There are only two apartment buildings west of 36th Street here in Norman. They're off Main Street. They're surrounded by duplexes and creeks. Going north from Main Street, where they're located, you go through nice neighborhoods which are full of townhomes and multi-million dollar mansions. Further north there's all the Brookhavens. They're all on nice lots. The Polo Club, Ashton Grove with million dollar houses, and Cambridge, plus the Grandview Estates and on to Crystal Springs, which are multi-acre estates. Likewise, there are lovely homes and neighborhoods and acreaged estates in the south part of Moore. Even the apartments around the Moore Country Club are very spacious and parklike in design. I'm very much against this densely compressed proposed neighborhood that's north of Indian Hills with over 500 homes and hundreds of apartments. Potentially, there could be over 3,000 new residents in less than 3/8 of a section. I don't know of any plots here in Norman that are that densely populated with four or five houses per acre. Our neighborhood is one house on one acre and that seems kind of tight to me, but seeing those little bitty, teeny, tiny lots up there – it will ruin the character of the rural idea of homes in our neighborhood that go all the way from Main Street out these five miles, past the coach's house and then to be deadlocked – it honestly is going to turn Norman into – pardon me, but Moore. Little tiny houses – cheap houses. Now we're in the Moore School District, and although Moore has built a new south high school and a new elementary school up on 34th, they're still, when you add in the potential – maybe 2,000-3,000 people here and likewise the same number to the west of our Marlatt area, you're going to have to put in a new elementary school probably. I don't know if the people here in Norman even care about that. But the thing I worry about is that with all the guttering, the curbing, and the street runoff of rain water and these retention ponds, which will not hold the overflow – even now with the open farmland soil that

soaks up the rain when it does rain, two of my three acres are flooded usually six or seven times through the year. But that was planned in the Marlatt area. That was used as the upwaters for Little River to help hold and retain, but with this neighborhood going in north of Indian Hills, unless that water is taken and taken someplace north, it will come back over the road and it will come through the Marlatt area and it will come through our neighborhood and it will go over Steed Drive like it has several times in just the last few months. Now there is a retention pond at the end of Jaronek's yard, which holds water, which then goes into coach's little pond, which will hold water. Those things help. They help keep our neighborhood – the aquifer down. They help keep all of our wells nice and sweet and help hold water into our neighborhood. But when you have an influx of water, and the one thing I don't think they've counted on is the speed of the water. And lots of times my two acres will fill up in just less than an hour. And that's quite a bit. It makes my two acres of property unsaleable – I can't get a note and I can't sell the property because now they're in the floodplain. But I like that. I like the greenbelt idea that it's going to have. I just don't think, as Mr. Ball just said, that unless it's really considered what to do with this water that there's going to be a major problem. And have you all noticed? There's gutters – street gutters in Moore where they're building all these new buildings for the doctors offices. There's street gutters in the street. Moore seems to be willing to handle this problem, but here in Norman all they do is put out mosquito ponds and these retention ponds – and how many – I can count, I guess – one, two, three, four, five, six in this area. I'm afraid, unless they're fenced and guarded and they keep the BT dunks in them – you know what those are – to help keep the mosquitoes down, or stock them with fish – that these are going to become problems. Week before last I found a copperhead in my garage. Now, I expected that, because I live across the street from a pond. But when you add that into a densely populated neighborhood where there's going to be lots of kids – well, who knows what problems. And my time, I'm sure, is almost up. I just want you to remember that these developers who come up with these real clever ideas that look wonderful on paper very rarely end up living in these neighborhoods. And they leave the problems and the situations – all the extra people, the cars – there's only three outlets onto Indian Hills, and with all those people coming in and out, going up to Walmart and over to Heyday, that will make that a very high-traffic neighborhood, and I feel for your children, Mr. Ball. I wouldn't want anybody out running on the streets out here because it's going to be quite a high-traffic neighborhood. But, again, these people that design all this – they never have to live there. They don't care. They've got their money and they've left. They leave the problems to poor unsuspecting people like me, who move into a neighborhood and then have to pay the taxes for it. Thank you.

3. Robert Ashton, 3812 NW Sterling – I've lived in Marlatt for 41 years. I didn't know that living in the internal portion of Marlatt I wouldn't get a notice and be counted as a person that was objecting to what was going on around me. I can certainly tell you it will impact me, because I would say probably for the next half a dozen years the amount of dirt movement and vehicles, construction traffic, and general tie-ups on the small road that we have will really impact me. The other thing I'm worried about is the City of Norman just went through a long period of talking about how we have to take care of the lake where our drinking water comes from. Well, you are taking out of the filtration project that Mother Nature supposedly takes care of, I was told, a lot of acreage here that flows directly into the Little River. Some of you may remember many

years ago we fought a long battle against the City of Moore to keep about 40 of these acres from being de-annexed from Norman and into Moore. And, in fact, the City Council did de-annex it, but we got a petition up, got an election, and got it back, and the Council had to eat what they done. Now you're going to take that acreage, with all that filtration that the dirt and grass can supposedly do, and cover it with concrete and blacktop. Now somebody down here has got the wrong message. Either they were right when they were worried about the lake and all the stuff that was flowing into it, or they're wrong because you're taking all of this out of the system. So I think you really need to consider what you're doing here. Thank you.

4. Jeff Zehr, 3707 NW Pioneer – A lot of my questions have already been asked, but there are a couple that I do have. The park addition – who is going to maintain that? Are the residents going to be responsible for maintaining that? The City of Moore going to be responsible for maintaining that? Is it going to become a dump station for everybody's trash? Is it going to grow up to be not the nice park that we want it to be? The other was – Milt brought it up. The school issue. I have four young boys that are going to school in the Moore district right now. They attend the new elementary. When this is built, where are they going to go? Are they going to be in classrooms – I understand that there's a limited number of students that can go in a classroom. But if we don't have another school – a junior high, a grade school, eventually another high school, are my kids going to be going to school in a trailer house that's parked behind their present school that they have right now? In this plan right here, I don't see a school being developed or being planned. And who's going to pay for that school if we do decide to build one? The other issue was they said there was four houses to the acre – when we did our meeting and calculations, we calculated close to 5 houses per acre, so I'd like to have that clarified and get that understood. Mrs. Gordon brought up a good point about the buffer on the north side of this addition. The south side of the addition there's not a buffer. You have a retention pond. There's nothing there but apartments. One thing that struck me odd in this discussion was the developers kept talking about hopefully and probably. Hopefully we get the right kind of neighborhood that we want. And it's probably going to be masonry and look nice. That kind of bothers me. I'd rather see something concrete, something set – this is what it's going to look like, this is what Lou is going to look at out his front door. Haven't seen that yet. So those are some of my concerns. And, again, the other issues were brought up. The traffic was another concern of mine. My four boys right now can go outside and play. Traffic gets a little bit fast up and down our neighborhood, I'm able to control that – I sit in my front yard and I'm able to control that. With what's going to go on here, there is no way we're going to be able to control what kind of traffic is coming in. Thank you.

5. Brian Beddo, 3823 NW Pioneer – My concern is I don't know whether the water that comes from this addition is going to increase or decrease through this neighborhood. We own a creek that runs to the west of our house and a couple of years ago the City decided to file criminal charges against me because I refused to clean out the creek. The creek never has had a problem – it was the City's culverts that were too small. Currently there is development going on in this creek and, if the water increases, then it's going to cause more erosion and it's going to impact the houses that are in this creek. And if the water decreases, it's going to impact the pond that is in this neighborhood and it will not have any water in it. So those are my

concerns. If you change the water flow either way, it's going to impact this neighborhood. Thank you.

6. Jerry Meek, 4213 Hidden Lake Circle – I'm a resident of Moore, Oklahoma and hopefully that doesn't give me two strikes. I come tonight wearing two hats, one as the President of Hidden Lake Property Owners Association, and one as a resident who falls within the 350 notification. When Mr. McCaleb had the plan up that showed the notification residents and then it showed those that were outside who had filed protests, I think it's important for the Planning Commission to understand that a number of that percentage that Mr. McCaleb spoke to were initially because of the fact that, just by accident, the residents of Hidden Lake happened to find out about the June agenda. What you had was a number of residents who, at the midnight hour, responded by filing a protest. So hopefully you will understand how that came about. I have to, in good conscience, tell you that I first made a call to your Planning Commission and the response I got regarding the notification and why we weren't notified – the response I got was less than a courteous one. I don't know if that's because I was a resident of Moore, or if that's just typical for staff in Norman. I brought the protests down – a stack of them – personally and filed those. I had an opportunity to visit with the City Clerk. I told her that I was given a response that was less than courteous by staff and that I was told essentially that the City of Norman did not have to notify me because I was a Moore resident and the second reason that I was not notified was because of something here in Norman called home rule. Still not sure what that is. But that was the response I was given. I mentioned that to the City Clerk and she was very nice in responding, Mr. Meek, I'll check into that. Soon after that, I had an opportunity to meet with Mr. Bates. He was kind enough to give me the time, as well as another resident, to explain to us what his plan was. First and foremost, we didn't have that opportunity prior to the June agenda because we weren't notified. He brought this plan that you see there. If you look to the far left corner on the north side of the greenbelt, you see a little pond. To the right of that is a house. That's my house. When I straddle my south fence, I can put one foot in Norman and I can put one foot in Moore. In the explanation that Mr. Bates gave me regarding the development, I probably am less affected, yet I am the probably one resident that has the closest proximity to the development of 50 feet – not the three or four times that. I'm here to tell you today that I took exception to, and I want to voice that tonight, that I believe that the City of Norman – you people – my request would be that you look into how your staff does notification. It concerns me that maybe notification hasn't been given to other people in the past, because there is a – regardless of where you live, if I own that property and I lived in Durango, Colorado you still are obligated to notify me. We all have, as citizens of this state, by law we are allowed due process. That, I believe, was not afforded to every one of those houses that you see that line that buffer – not one house was given notification. Mr. Bates and I visited. Subsequent to that, I was walking in this door to file those protests and he called me and said that he had counseled with others and it was his decision to pull that from the June meeting. His concern – and I won't speak for him – I'll just tell you that, as I took it, his concern was that we were given due process and given opportunity to be notified. I commend him for that. His concern was real. His explanation to me – his vision to me was one that I personally don't have a problem with. I think that anyone who sits on this Commission behind that circle would have the same concerns if someone by chance told you that in a few days was going to be a rezoning and there was going to

be apartments out your front door. I don't believe that you would have acted any less responsibly in filing a protest. I want to put on the hat as a resident and tell you that I personally am not opposed to Mr. Bates and his development. I believe that he has truthfully told me that he will make a determined effort to build a development wherein that, contrary to certain statements that were made – I live in Moore. I live in Hidden Lake Addition, which is executive homes. Probably the least priced house in that addition would be $300,000 up to in excess of a million. So they're not little, small homes and they are large tracts. So we have a valid concern that our property values would be diminished by something that wasn't acceptable. What Mr. Bates has showed me – it's less than what I would want, but it's not anything that I can't live with given he would follow through with what he said he would do to try to enhance his development somewhat off of the quality of homes that he will be adjacent to, which is the Hidden Lake Addition. So, in conclusion, please look into how your staff directs the general public when they are notified in the future. And, as far as the residents go, if I speak on behalf of Hidden Lake and those that are represented within that 350 feet notification, it would be our desire that the Commission would look at that development, the density levels to be something that would be reasonable for those things that would parallel or be adjacent to it. Thank you very much.

7. Dick Manley, 3619 NW Della Street – You guys are all professionals. These guys are professionals. What they presented to you – my heart just jumps out when I look at that and I think look at all that beautiful development that we've been wanting to have. I've been there 45 years. Look at that beautiful development that's there. What I'm going to try to tell you is those are all houses all the way from where this development started at the bottom that they tied together clear up to the Moore property line. This Uplands has in it what nothing else has in it that's been developed. It has one ten-acre – almost ten-acre spot across from the church that's gonna be suburban office space. That's the only thing that's been approved that's not residential, other than the corners where it's commercial. What I would like to see is this beautiful thing that they've got all these trails and everything that they want to put in there – all of this handling of the water – everything that they've talked about and tied together is totally professional and would be an absolute boon to us, who have lived out there with nothing around us for half a century and here all this is coming. All we're asking is don't make this new addition multiple use. None of that other stuff is multiple use, to the extent that they want to make multiple use here. Apartments. Office space. Out in the country as it is right now. It'll be non-commensurate with everything else that's gone on all the way up to the Moore property line. Now, right across the street from our addition on the east is a Planned Unit Development area – but that's not the proper term for it. It's a Special Unit Area that has been designated by this thing right here – designated as Special Planning Area 4. Special Planning Area 4 is situated between 36th Avenue NW and I-35, from Indian Hills Road south one-half mile. Now I'm not as eloquent as some of these other people, so I'm going to have to read this. But you all people – I don't know if you're familiar with it, because you can't – you're on the Planning Commission, but you can't be familiar with everything that's in this book. So what I'm going to try to read you is Multiple Use Area for a half mile right east of us has already been established as a Special Planning Unit Area by this book. That means it can't be anything else, unless you people say it can. It's designated to be multi-use. A half a mile. That covers every bit of the Marlatt Addition. There's another slide that shows that area and it's cross-hatched, and that's the one that – it's this thing right

here. That's that multiple use area. It's already designated as a Special Planning Area 4. Proposed land uses. This area is designated for mixed use development. The primary emphasis is to allow for a mix of employment uses – office, light industrial – with some supporting commercial and medium or high density residential housing as part of an overall, unified planned development. It is envisioned that employment and commercial uses would be oriented toward Indian Hill Road and I-35 to the north and east – and so on, and so on, and so on. What I'm going to tell you is, if you look on page 21 of this book – page 22, you'll see there's another planned area just below that. Area 5 – 36th Avenue NW and I-35 from Franklin Road north one-half mile. Same kind of deal. That's to the east of us. Look at here. This thing shows you a park – it shows you a park right there where that multiple use is. There's going to be a park right there. Ruby Grant is just past the road down there. All of this surrounding us – the only place that multiple use is is on the east. Right after this was written – 2004 – they established multiple use as an introductory way to develop. That's what this 2025 plan did. It also talked about planned urban development processes and planned urban development processes – can I read the definition of that? Planned urban development process – a land development project comprehensively planned as an entity utilizing a site development plan which permits flexibility in building site, mixtures of all types, attached and detached housing, usable open spaces, and the preservation of significant natural features. In 2005, right after this was written and established the multiple use idea that the Planning Commission would promote, this area right here – which is to the east of Uplands – they own it – put in a PUD 0506-3 and guess what that PUD did? Established that area on the east as multiple use. Now we're surrounded by everything here and my heart goes out when I look at that and I think everything they've done is beautiful, if they would just take out the apartments, the office, and the apartments, and even the commercial on the end that's already established – they want to make it bigger. If they would take that out, every bit of this whole thing is residential. That's all we're asking. Do not approve Uplands for multiple use when right across the street the same owner has got multiple use. Why doesn't he put that stuff across the street? The City has established right across from us multiple use. I have no animosity toward these guys. They've got to make money. All we're asking is we've been out there for all these years and it's all been residential – everything that's come from Norman up to us from Main basically have been residential. As we got out here at the bottom of this, look at the size of those lots. Big beautiful lots with J&J. They get a little bit smaller, but they get all the way up to Indian Hills Road. That's commensurate with everything we've got in our addition. We jump across the road and it get's smaller.

8. Lindle Coleman, 3604 Sterling Street – Thanks for listening to our concerns. I live in the Marlatt Addition, corner of 36th and Sterling Street. I grew up there since I was about 2. I left, came back, built a house in '93 and have been there ever since. I love the area, and I want to clarify that I believe, from my perspective, the protest was not necessarily just development in general, but the rezoning and the rezoning to the medium to high density. I believe that development is going to happen in this area. I'm actually excited about some of this. I appreciate Mr. Bates and the other developers taking time to visit with us and explain a lot to us. And I do believe that they try to put in the greenbelt and try to make this really nice. I believe growth will happen. But I guess the concerns and the protest for me is specifically around the unintended consequences of that development, and particularly the medium to high-density. The

medium and high-density – the entrances to those areas are very limited. I haven't seen any plans for four-laning any of the roads, so my question is around traffic. Are we going to have four lanes of roads on all four legs of that intersection? Another question is around the interchange and overpass. Is that going to be a four-lane and widened, because that is a main hub off the interstate that will be used to access this area. And, in my opinion, right now it's already becoming overcrowded because a lot of times we can't get out of our neighborhood as it is with the two-lane. And then on the water flow – the unintended consequences of that change in that water flow – how that's going to affect the ponds that are around there and how those buffer zones are going to be maintained. I'd hate to see those grow up in weeds, become dry – just that concern of how that's going to look in the end. And then the sewer costs – will there be a cost incurred on the Marlatt residents to tie into the main line? We've already spent $6,000 and above per resident to have a septic system. And what would be the cost of that? That's another question. And so overall, it's really – I think the main concern for me is the medium to high density. When you pack all those people into those smaller areas with limited entry and exit, what's that going to do to the overall area. Thank you.

9. Sadie Willmon-Haque, 3920 West Indian Hills Road – I live in the Marlatt Addition. I am here to speak concerning the Uplands Addition to the north of our home. I live right next to the radio towers. I am here to speak on behalf of my husband – he couldn't be here, he's in class – and my daughter, Dora – my adorable daughter Dora, who is seven weeks old today. I'm from Oklahoma City and I just thought I'd throw this in, but my dad actually paid $2,000 for our home in Oklahoma City, so that's the complete cost of the home I grew up with in 1979. Now, I've been lucky, through education and different things, and now I pay about $2,000 to live where I live now, and have worked really hard. I have my Ph.D. in Psychology, graduated from OU, and it's been really nice to move to a nice area. We have lived there about four years. Actually, we've bought two homes in the area. We used to live at 3908 West Indian Hills Road, but when our neighbor put up the for sale sign – it was a bigger house – we sold that and moved to our current home, so we just moved our stuff next door over the fence. We just love the area so much. When we moved there, our understanding was that there would just be some development in our area, and like the gentleman right here said I'm really excited over multi-use development. I'm concerned about traffic. Right now I can't even hardly go out and check my mail without getting hit by a car. I don't like that. I don't like having a lot of people. I feel like it might lead to more crime. I've been concerned about water flow since I've lived there. We have two acres and our one acre floods when it rains heavily. And like someone said, the water rises really quickly and so it floods pretty quickly, so I just worry about that. I love my home. I told my husband – he doesn't like for me to brag, but my home is my dream home. It's quiet. It's like the country but I can access Moore and just different shopping centers. I like the people. I love the location. I had a dog – unfortunately she got hit by a car – so I got to know a lot of my neighbors from walking her. It's just a wonderful place to live and I would like it to – if there is development, that it would be I guess single-family homes. Thank you.

10. Ron Ashley, 3608 West Indian Hills Road – I live on the corner of Indian Hills and 36th Avenue. We live in the Marlatt Addition. I'm here to speak concerning Uplands Addition to the north of our home. We've lived there for seven years. We like our

location. We like our home, and we like our neighbors. We moved there because we like it. We purchased our home because it's a little bit country – that would be me – and then my wife, she's a little bit city. There are single-family homes west of 36th Avenue from 164th Street to Carrington Lakes development. We have the Harvest Church north of our home on Telephone Road and Bridgeview United Methodist Church will build their home on West Indian Hills Road. All land east of 36th Avenue is mixed-use or commercial up through Interstate 35. The new commercial development would continue along the I-35 access road as it has since we've been there. As you know, from the Walmart store south it's really coming this way, and we anticipated it would go along there. I understand that from 36th Avenue to I-35, I assume probably half of that would go right on down to Norman and would be commercial. I assumed also that Crystal Lakes development would come north. I look for that to be single-family dwellings. We live within two miles of any retail business I need. I do not want to see commercial property across the street from us. I want to see homes comparable to our homes. If you go north on Telephone Road, you see the Hidden Lake development and the Park Glen development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us is Crystal Lakes development. There are no small homes in these areas. The Uplands Addition developers have been understanding of our concerns. I appreciate that very much. They've all spent time with me. I'm asking you to review and revise the commercial and mixed-use portion of the Uplands Addition to single-family dwelling. Thank you.

RECESS
8:08 to 8:22 p.m.

11. Mr. McCaleb – Some of the concerns that were expressed by some of the people concerned drainage. We have accommodated the drainage and we had that in the drawings a while ago. There were two concerns expressed by citizens. Some said we want to make sure we keep getting the water we're getting, and one says we don't want to be flooded. And that's exactly what we tried to put together. There's a 36" diameter pipe going underneath Indian Hills today. That's the only pipe that crosses the road. If you equate that number, the structure that would be required would be an enormous box if you traversed it all the way through Marlatt. We don't want to do that. We want to make sure they keep getting the water that they want, but we're going to deter the rest of the water so they don't get flooded. This intersection right here – Mr. Manley said several Council meetings ago that he had a drainage problem there. We heard him and we acknowledged that, and so we're going to take that water from this quadrant of property that's hitting there and it will no longer be hitting there. We will pick it up and run it back to here. So that will be eliminated. So there's significant impact on water that's presently flooding the Marlatt area – and I say flooding – it's getting it wet pretty good. But we're going to remove a considerable amount of the problem, at the same time making sure that the drainage area that they are getting presently is allowed. Mr. Bates is going to address this detention pond right there. I might say that one of the comments was raised – we neglected to try to figure out a school for the area. Not true at all. That piece right there is zoned for a school in the Moore School District; we did that with J&J. Yeah, we thought about it. It's planned. We know it's going to happen. That's what that is. The density of the single-family houses – we've got 257 homes in uplands that goes over 65.57 acres. That's 3.9 density lots per acre.

12. Trey Bates – There was a question about whether it would be a wet or dry detention pond, and when Mr. McCaleb was talking about the other detention areas and we were talking about regenerating that. As currently in Mr. McCaleb's design, that's set up to be a dry detention pond. However, as we develop it, we may end up making it an amenity that could contain water. I'd like to point out that we've had a lot of experience in doing developments, and if there is a wet detention pond or, in fact, if it stays dry there will be a property owners association or some sort of property owners method of collecting money to maintain and keep that as a positive amenity. I had mentioned this to a number of residents who had brought this up before that our interests are absolutely aligned. In order to make this a great project that people will want to live in, this has to be an amenity to the project and that's why we put it right there on Indian Hills Road. One other thing I'd like to address is the general recurring theme in terms of the overall development scheme, and whether it's just straight single-family or mixed-use. And the important thing that I'd like to point out is that we have to provide the services to our residents who are going to live out there. There are potentially, obviously, thousands of homes that will happen out here. And recall that as east Norman developed, those residents out there didn't have services – they didn't have the commercial opportunities, they didn't have the opportunities to work and they started traveling over to west Norman. And so then you started creating that problem where the services weren't adequate to supply the residents that lived out there. You also heard over and over again various people talking about already traveling to Moore to shop. The opportunity here, as we fast forward ten, fifteen, twenty years into the future is we see this as an opportunity for a multi-faceted residential, commercial and office development, and the services that are designed, as you'll see in your staff recommendation, support the oncoming potential housing that's out there. So it all fits together, and I'd like to just close again by pointing out the concept that historically we used to look at certain areas as this was just residential and this was just commercial and this was just office. But I think the general consensus now is that you want to create neighborhoods – walkable, liveable neighborhoods with various income opportunities, various types of housing, places where you can work, places where you can live, places where you can shop, places where you can recreate, and that's what the concept is behind the project, as opposed to just a straight R-1 type development.

13. Chairman Gasaway asked who maintains the park area, once it's established. Mr. Bates responded that the Gateway Park has been reviewed and accepted by the Parks Department and will be a City park. Now, all of the common spaces in between – the detention facilities and that sort of thing -- would be maintained by a property owners association.

14. Ms. Pailes asked about the comment that the density was about 4 houses per acre. Mr. Bates responded that, in the residential area, that is correct.

15. Chairman Gasaway asked about the right-of-way dedication on the north side of Indian Hills and 36th and whether those would be two or four-lane roads. Mr. Bates said it will be a full four-lane – I think there's actually turn lanes at the intersections, so at those points there would actually be a fifth lane. Mr. McCaleb clarified that the Marlatt area only has 33' platted, and the normal right-of-way is 50'. So our half would be two

lanes and then the third lane – the turn lane at the intersection. From there west, where you have both sides, that will be four lanes.

16. Mr. Trachtenberg asked the density of the apartment components. Mr. Bates explained that the concept on the RM-2 area is a townhome concept, similar to what you see adjacent to Sooner Mall. The RM-6 would be more of a brownstone concept – 4 to 6 units on a two-level building – all masonry type brick building. Mr. Trachtenberg asked how many units altogether. Mr. Bates said there will be 180 in the north part.

17. Chairman Gasaway noted that somebody had commented that the buffer on the north was a good idea and asked why there wasn't something like that on the south. Mr. Bates said that along the south side along Indian Hills Road we will have a multi-lane road separating the existing housing, plus the addition of the buffer strip through that detention area. The conception of that was to create an additional buffer. Now, the trail system was to tie Gateway Park along the north to the rest of the six or so miles of projects that have been approved in the prior few months.

18. Ms. Connors explained that there are two special planning areas that were noted in the Norman 2025 Plan that are near this property. One is Special Planning Area 4 and one is Special Planning Area 5. These were identified in the comprehensive plan to have special characteristics that needed to be looked at before they could be developed, and they would be developed through a planned unit development process. There are criteria in the Norman 2025 Plan that list what types of land uses and what characteristics need to be preserved as those areas develop. So those need to be brought in as planned unit development areas specifically by the property owners. So, just like the other areas of the Norman 2025 Plan, they have land use designations. They've created these possibilities for mixed-use areas. Neither of those areas have come in and requested any development to date.

Another issue was about our notification process. We notify within 350 feet of the property in question. What happens is the applicant actually gets the list from an abstract company or the county assessor's office and they develop the list and they bring that list to the City of Norman and we notice those people. I know that in the first round of notice the list that was brought to us did not include the City of Moore residents and that was brought to the applicant's attention and, based on consideration from their attorney, they chose to postpone the hearing of that case and redevelop a list and notice again. The City notices the list that is brought to us. And it is, in the City of Norman, 350 feet from that property boundary. I'm going to ask that Leah Messner, one of our assistant City attorneys, come and speak about home rule.

19. Mr. Knotts asked if the special planning area means that those areas necessarily have to be mixed-use. Ms. Connors responded that these areas will have to be developed under the criteria that were developed in the Norman 2025 Plan, unless they're amended. They could come and request amendment from what is designated in the Norman 2025 Plan, just as other developments have requested change. It was a planning exercise and it didn't zone the property.

20. Ms. Messner explained that home rule is a concept we talk about at the City a lot, and without some explanation, it may not be easily understood or understood right off the bat. The City of Norman is a charter city. It means we are governed initially by

our City Charter and we have ordinances underneath that. By becoming a charter city, we are allowed to be different than state law, and that's where you get the home rule concept. We're a home rule city, and so we get to set some of our own laws and our own ordinances that might differ from state law, but we're allowed to do that as a charter city. Other cities that are not governed by a charter are called statutory towns, and they're required to follow whatever the state law is. So if the state law for notice on an issue like this might be different than our city ordinance, the statutory town would have to follow the state law, but because we are a charter city, we are allowed to follow our ordinance, which is a 350 foot notice area.

Mr. Trachtenberg asked if that means there is no requirement under state law that we notice people outside the City limits. Ms. Messner responded that we follow our city ordinance in regards to notice for zoning issues, because they're issues of home rule and issues unique to Norman and not other places in the state. They're matters of local concern.

21. Ms. Connors addressed the earlier comment about what the office and commercial developments would look like. There is a masonry requirement in the City of Norman. Eighty percent of the façade needs to be masonry, so that would be a requirement for either of those land uses to develop with that masonry requirement.

There was also a question about who builds the schools. When property is turned over to the school district it is through the school district that the schools get built and they do that through the mechanisms they have available for constructing new schools.

22. Chairman Gasaway asked about the costs for the Marlatt residents to tie into the water and sewer. Mr. Danner said if the sewer line comes up 36th Avenue, adjacent to Marlatt, it would be the responsible party of the Marlatt Addition to bring the sewer to them. If they're adjacent to 36th, we have a requirement within 500 feet that you're supposed to tie into a public sewer. They currently have water through an assessment district that they did.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Ms. Pailes –First, just to clarify for the audience, the Planning Commission is advisory. So our mission is to clarify issues, bring up problems for the attention of the Council. We will vote and recommend to the Council. Our vote is not binding. What is binding is the Council action, and so you all need to be advised of when this will come before the Council. The detention ponds are not a worry. Every construction event involves a detention pond and their maintenance is always provided for and they work well. The general drainage issues, I have no way to judge if that's going to be a problem or if it's entirely adequate – I simply don't know. I was going to say there's distrust of the commercial and apartment areas, which, upon consideration, the neighbors might consider it's not an entirely bad idea. The third that's commercial removes population. It means fewer people; it means less density, in essence. It means fewer kids in the schools. So it may, in some ways, be something that you would appreciate. It also may actually be more attractive. If you consider that it was solidly single-family residence, what you're likely to get is stockade fences along Indian Hills Road, and probably the commercial and townhouses are basically more attractive fronting Indian Hills than the back yards and stockade fences would be. So it's possible if you consider it, you might not object to that kind of mixed-use element. I personally

take the neighbors' concerns very seriously, and I like to be able to assist people in their bid for democracy as they approach us. And I admit myself to be a little bit mystified on how to bring this to kind of a friendly resolution. One of the things we didn't consider tonight – the Tecumseh Project – also had some neighborhood protests, and the developers there made some very specific accommodations. For one thing, they gave you a very specific plan of what the commercial areas would look like and specified that they would be residential in style and gave a suggested drawing. And the neighbors have a right to sort of bargain for that. They can be very attractive, and they can be perfectly attractive commercial residential style buildings. They also bargained for low lighting on the commercial areas, and also low architectural signage so that they would not be intrusive, so you would drive down the street and actually the commercial areas would be an enhancement. And it is within the neighbors' rights to ask for things like that to enhance the entire area. there is a comment by the staff that recommends that until such a time as the interceptor line is near completion, final plats should not be submitted to the Planning Commission. In other words, this is not going to go forward immediately. I would personally suggest tabling this and getting the neighborhood and the developers together and seeing if they couldn't kind of work things out better so that when this comes before the Council there is general agreement on the style and the system and the general appearance of the neighborhood.

2. Mr. Lewis – Certainly it's an item that there's a great amount of empathy with. Certainly if we looked out of our doors for 50 years and saw a field, that certainly is something that we're accustomed to. But there are several things that I heard that really stood out, and one was the concern of Marlatt regarding storm water, and I think Tom addressed that very well, that the majority of storm water will be directed into tributary G in order to protect Marlatt from flooding. So I think from this development standpoint that is a very good thing in the design. In regards to the school, certainly I remembered, as you reiterated, in the J&J development that came through that land was specifically set aside for a school, so that will be taken care of in the Moore School District. But a couple of the things that I get the impression that maybe is uncomfortable is some of the commercial development. One of the things that the City of Norman is challenged with is that 65% of our overall income comes from sales tax revenue, and when we have a development that far up into northwest Norman, many people will just drive over to Moore and Moore will reap the benefit of a very large development and many, many people that live up in that area. One of the things that I think Mr. Bates has provided for us is a sales tax revenue stream that will allow the City to be provided with the revenue to provide City services to that area, such as fire, police, those types of things, which is commendable in such a development. That way we retain the sales tax revenue within our city, as opposed to people driving to Moore to spend their dollars. Who wouldn't want the dollars spent in Norman so that Norman can benefit and provide those services? Lastly, the thing that really concerns me, and I believe the gentleman has left – I believe his name was Mr. Meeks – was his overall impression with his interaction of our city. I will ask the City Manager to look into that further. I would commend Brenda Hall, our City Clerk, on answering his questions and his characterization of that interaction, but I will ask our City Manager to look into this video streaming and take his comments to heart and his overall impression of his interaction with our Planning Department. I would hope that anyone that comes to the City, whether they're from Oklahoma City, whether they're

from Austin, Texas, would always, without exception, have a good and positive experience and good remarks to make about our city instead of something I had to listen to from Mr. Meeks. So, other than that, I will be voting for this. Certainly it is a very difficult and challenging development to vote on, but I do think overall, long term, and that's what I must look proactively long term it will benefit the City of Norman and I think it will be a beautiful development that everyone can be proud of.

3. Ms. Gordon – I really want to like this plan. I really do. But I have some problems with it and some I've already addressed. I have a real problem with that one street cutting through the residential neighborhood and then cutting through commercial. I think that's problematic. From what I heard, I thought City staff recommended that and I don't get it, quite frankly. I have a problem with the gateway park. I love the park – love the connectivity of it in the grand scheme of all this area, but I think we are really kidding ourselves if we think that 50 feet of a stretch of parkland is going to be a buffer from single-family residential houses next to a dense apartment complex. So I'm having trouble kind of wrapping my head around that. I tend to kind of disagree with Commissioner Lewis in that the vibe that I'm getting from everyone tonight is not necessarily having a big issue with the commercial part of this, but with the density of the residential part – the density of the houses in the neighborhood, the density of these apartments going up in the area. And that's kind of the overall feel I have, that I think in general this is a good idea, and I like looking down the road and I don't have too much of a problem with the commercial part of it, but I just get an overall sense that it's a bit too much for the space. I like the mixed use and wanting to do different types of residential for different income levels and such, but I don't necessarily think this is the best area for that given the general surrounding vibe of all of the other neighborhoods. So, for that reason, I think it can be tweaked. I think it can be improved upon. And I think it needs work. So I won't be able to support it tonight.

4. Mr. Knotts asked to clarify the three items before the Commission. Ms. Connors indicated that we have a Norman 2025 Land Use Plan change, we have a zone change, and the preliminary plat. Mr. Knotts commented that this is not the final plat. This kind of the beginning of the negotiation between the designers and the neighborhoods surrounding that. Preliminary plat is just that – preliminary and it really doesn't say that we're going to build it exactly like this. Ms. Connors clarified that the preliminary plat really defines the parameters of the development and the final plat needs to be consistent with the preliminary plat when it comes through. They could make small changes, but if we moved major roadways or did major changes to this, it would have to come back with a preliminary plat amendment.

Andy Sherrer moved to recommend adoption of Resolution No. R-1011-115, Ordinance No. O-1011-55, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for <u>UPLANDS ADDITION</u> to the City Council. Chris Lewis seconded the motion.

5. Mr. Trachtenberg – I'm going to support this development and I want to explain why to the folks who oppose it. I do so in full sympathy with the idea that a part of town that has been a certain way for a long, long time is going to change. That is always tremendously disappointing and discomforting, whether you've lived there for 41 years, as one of the citizens who spoke has, or if you just bought in expecting to have it a

certain way. But I think anyone, whether you're a long-time resident of Norman or a relative newcomer, has got to notice what is going on in central Oklahoma and in this part of town in particular. These changes are not coming from last week. As we've heard, this very project has been in the works, or sort of publicly discussed for a number of months, and it's in the context of a whole wave of development in this area. When you find out about it, it's shocking, for sure. But it's not brand new. This is what's been going on for a while around here. One of the things that I value about this project and one of the reasons I'm supporting it is precisely because it is part of a comprehensive, systematic approach to development in this area. I think one of the features of a lot of residential developments that we see all over the country, but we certainly see here, is it's one little island next to one little island next to one little island, and never the twain or three of them or four of them really talk to each other or meet in any way. I think that's really bad in all kinds of ways. I think one of the things that's valuable about this development as part of this larger set is it's integrated – it's connected. And, as such, I'm afraid I have to very respectfully disagree with the gentleman who spoke against the idea of mixed-use. Mixed-use is a kind of a technical term for some of us here. We spent a lot of hours working on what's called a mixed-use ordinance, so when I hear that word, I think, wait a minute – this isn't mixed use because there's a special designation for mixed use. But I take your point. This is a mixture of uses. And, to be sure, that's not how we've done things in this country for a long time. I think we've really made a big mistake over the years in the United States, and even right here in central Oklahoma, just saying we're going to have one use for miles and miles and miles. I think a number of people have explained why it's advantageous not to do this. Let me just propose an environmental reason. You don't have to drive as much. Right? I mean the way we've got things set up -- and somebody referred to east Norman before. You live way over here – to get to where you need to go you've got to drive for miles and miles. I think that's not a good way to live, frankly, in my view. I think one of the things that a development such as this does is provides the opportunity to walk or bike or be near to the things that you need in order to live. It doesn't isolate homes away from the other activities of life, and I think that's a really good thing about this project. So I'm in the happy position of agreeing with my colleague, Mr. Lewis, in my support of this development and so I will be voting for it.

6. Ms. Hartley – I just wanted to clarify something. The gentleman said something, referring to the developers and the engineers as professionals, and saying that we were all professionals. We are public servants, serving on this Planning Commission, and I am not a professional engineer or developer. I work with non-profit organizations. I happen to have served on the Park Board for eight years in Norman, and I also was part of the 2025 planning group that looked at land use within Norman. One of the things that I think is really important, that I think Mr. McCaleb pointed out very early on, is that this project does address one of the major goals that the 2025 Plan team, that consisted of 300 individuals in our community, where we went through this process I think almost 9 years ago now – that it does encourage and support diversified types of housing and densities in order to better serve different income levels and family types. That's exactly what this project is all about. Change is coming between the area of Moore and Norman, and I really feel like this is a good project that addresses that. It also disappoints me that people paint developers in a very negative light. I know Mr. Bates. I know Mr. Clagg. I know Mr. McCaleb. They don't do shoddy work. They do good work in this community and they do live here and their kids go to school here and

they pay taxes here. And to the woman in the audience who, after Commissioner Lewis said that he was going to vote for this, made this symbol – like we take bribes – we don't. We make difficult decisions sitting on this horseshoe and I'm offended that someone in my community would make that gesture toward Commissioner Lewis. So I ask you, as we vote tonight, like we've all said – we have empathy for you, but we also have tough decisions to make about the future of our community, and that's why we're here.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1011-115, Ordinance No. O-1011-55, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for UPLANDS ADDITION, to the City Council, passed by a vote of 6-2.

* * *

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: O-1011-55

File ID: O-1011-55 **Type:** Zoning Ordinance **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 32 **In Control:** City Council

Department: Planning and Community Development Department **Cost:** **File Created:** 04/14/2011

File Name: Uplands Rezoning O-1011-55 **Final Action:**

Title: ORDINANCE NO. O-1011-55: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN CO, SUBURBAN OFFICE COMMERCIAL DISTRICT; RM-2, LOW DENSITY APARTMENT DISTRICT; C-2, GENERAL COMMERCIAL DISTRICT; RM-6, MEDIUM DENSITY APARTMENT DISTRICT; R-1, SINGLE FAMILY DWELLING DISTRICT; AND PL. PARKLAND DISTRICT, AND REMOVE THE SAME FROM A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD WEST OF 36TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-55 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-55 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes:

Agenda Date: 09/27/2011

Agenda Number: 32

Attachments: O-1011-55 Uplands Rezone, Uplands Location Map, Uplands Prelim Site Plan, Uplands Rezoning Staff Report, 7-14-11 PC Minutes - Uplands, Uplands Protest Map, Uplands (1) Protest, Uplands (2) Protest, Uplands (3) Protest, Uplands (4) Protest, Uplands (5) Protest, Uplands (6) Protest

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	06/09/2011					
1	Planning Commission	07/14/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	07/14/2011					
1	City Council	09/13/2011	Introduced and adopted on First Reading by title only				
	Action Text:	Introduced and adopted on First Reading by title only					
1	City Council	09/13/2011					

Text of Legislative File O-1011-55

Body

SYNOPSIS: The previous item identified the 2025 Land Use Plan amendments which relate to this rezoning request. The applicant has requested rezoning for six tracts for a mixture of uses which will be developed over an extended period of time as the market absorbs the proposed subdivisions in this area. The tracts include:

Tract 1 - CO, Commercial Office - 9.79 acres
Tract 2 - RM-2, Low Density Apartments - 16.56 acres
Tract 3 - C-2, General Commercial -21.64 acres
Tract 4 - RM-6, Medium Density Apartments - 11.02 acres
Tract 5 - R-1, Single Family Dwellings - 65.57 acres
Tract 6 - PL, Parkland - 5.27 acres

Individual developers have coordinated the design and installation of basic infrastructure that will serve all of these various subdivisions that have recently been approved along Indian Hills Road. Surface drainage in the area is a key problem to solve, as minimal improvements were installed when Marlatt Addition was developed before it was annexed into Norman. Tract 2, which is proposed as low-density apartments (two-, three-, or four-plex buildings), will incorporate a very large (200 feet by 600 feet) detention pond adjacent to Indian Hills

which is designed to remove surface water from the new roadway, then move that water north to an upper arm of the Little River.

The applicant incorporated two multi-family tracts into the development, to allow alternative housing styles and prices. The northern tract is adjacent to a linear park that will extend from land east of 36th Avenue almost a half-mile west, into the heart of this emerging neighborhood. That concept has been unanimously endorsed by the Park Board. That area will have pedestrian connections to various other open spaces in the development. The second multi-family area incorporates a large detention pond along Indian Hills Road, which will help solve the stormwater problem as well as help to provide a buffer from the low-density residential area across the street to the south (Marlatt Addition). An area proposed for Office use will provide a buffer between the proposed residential uses within this subdivision and Indian Hills Road.

This subdivision continues the internal roadway connections from the west, and provides access to 36th Avenue through the proposed retail area, as well as connecting to a major entrance onto Indian Hills Road. More intense areas (commercial, office, and multi-family) provide separation and buffering from the two major arteries which abut this subdivision. Indian Hills Road will be developed as a four-lane arterial roadway, possibly with a fifth continuous turn lane, although the actual construction will likely be deferred until a coordinated project can occur once traffic volumes rise. A pipeline lies along the northern edge of this subdivision, and has been incorporated into open space areas that separate this development from land in the Moore city limits.

The applicant would like to enhance commercial opportunities by expanding commercial zoning along 36th Avenue, which is becoming a principal west-side arterial. Some commercial land extends into the neighborhood to provide convenient access for residents of this neighborhood. In the future, the applicant may wish to add a mixed-use designation to this area that would integrate some additional housing with low-intensity neighborhood commercial uses.

Although most of this area is still vacant, the Marlatt Addition was developed before annexation, and has experienced some drainage problems which were not addressed by the initial developer. The engineer for this project has provided preliminary responses to these existing problems in the design, alignment, and construction of the future roadway in this area. This development, along with previous approvals, will contribute to increased traffic in the area, but the proposed roadway is being designed to accommodate those traffic impacts.

STAFF RECOMMENDATION: Although the applicant incorporated several increases in density and intensity, the locations are logical and provide buffers to adjacent users, while meeting the general goal of providing alternative housing types in this overwhelmingly single-family area and allowing supportive retail and office areas. Staff recommends approval of these rezoning requests. At the July 14, 2011, Planning Commission hearing, several

neighbors expressed concerns about the amount of development that will occur in this area, and filed official protests representing 16.4 percent of the official notification area. The Planning Commission, by a vote of 6-2, recommended that this rezoning request be approved. Subsequent to the Planning Commission meeting, additional protests were received from people inside and outside the notification. The filed protest, as of September 22, 2011, stands at 33.0%.

O-1011-55

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION THIRTY-FOUR (34) OF TOWNSHIP TEN (10) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, THE RM-2, LOW DENSITY APARTMENT DISTRICT, THE C-2, GENERAL COMMERCIAL DISTRICT, THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, THE R-1, SINGLE FAMILY DWELLING DISTRICT AND THE PL, PARKLAND DISTRICT, AND REMOVE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (Generally located on the north side of Indian Hills Road and west of 36th Avenue N.W.)

§ 1. WHEREAS, Hallbrooke Development Group One, L.L.C., the owners of the hereinafter described property, have made application to have the same placed in the CO, Suburban Office Commercial District, the RM-2, Low Density Apartment District, the C-2, General Commercial District, the RM-6, Medium Density Apartment District, the R-1, Single Family Dwelling District, and the Parkland District, and to have the same removed from the A-2, Rural Agricultural District; and

§ 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and

§ 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the CO, Suburban Office Commercial District, and to remove the same from the A-2, Rural Agricultural District, to wit:

Tract 1 – Rural Agricultural to Suburban Office Commercial District

A tract of land being a part of the SE ¼ of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma and being more particularly described as follows:

COMMENCING at the Southeast corner of said SE ¼; THENCE South 89°48'39" West along the South line of said Section 34 a distance of 1865.27 feet to the Point of Beginning; THENCE continuing South 89°48'39" West along said South line a distance of 774.14 feet; THENCE North 00°15'46" West a distance of 550.00 feet;

THENCE North 89°48'39" East a distance of 777.35 feet; THENCE South 00°04'18" West a distance of 550.00 feet to the POINT OF BEGINNING. Containing 9.79 acres more or less.

§ 5. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the RM-2, Low Density Apartment District, and to remove the same from the A-2, Rural Agricultural District, to wit:

Tract 2 – Rural Agricultural to Low Density Apartment District
A tract of land being a part of the SE ¼ of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma and being more particularly described as follows:
COMMENCING at the Southeast corner of said SE ¼; THENCE South 89°48'39" West along the South line of said Section 34 a distance of 560.18 feet to the Point of Beginning; THENCE continuing South 89°48'39" West along said South line a distance of 1305.09 feet; THENCE North 00°04'18" East a distance of 550.00 feet; THENCE North 89°48'39" East a distance of 443.58 feet; THENCE North 51°12'22" East a distance of 221.93 feet; THENCE South 66°43'26" East a distance of 11.24 feet; THENCE North 90°00'00" East a distance of 673.69 feet; THENCE South 00°22'07" East a distance of 535.81 feet to the POINT OF BEGINNING. Containing 16.56 acres more or less.

§ 6. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the C-2, General Commercial District, and to remove the same from the A-2, Rural Agricultural District, to wit:

Tract 3 – Rural Agricultural to General Commercial District
A tract of land being a part of the SE ¼ of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma and being more particularly described as follows:
BEGINNING at the Southeast corner of said S.E. ¼; THENCE South 89°48'39" West along the South line of said Section 34 a distance of 560.18 feet; THENCE North 00°22'07" West a distance of 553.81 feet; THENCE North 90°00'00" West a distance of 673.69 feet; THENCE North 00°09'13" West a distance of 521.16 feet; THENCE North 89°56'31" East a distance of 1231.57 feet to a point on the East line of said S.E. ¼; THENCE South 00°23'13" East a distance of 1056.38 feet to the POINT OF BEGINNING. Containing 21.64 acres more or less.

§ 7. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the RM-6, Medium Density Apartment District, and to remove the same from the A-2, Rural Agricultural District, to wit:

Tract 4 – Rural Agricultural to Medium Density Apartment District

A tract of land being a part of the SE ¼ of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma and being more particularly described as follows:

COMMENCING at the Southeast corner of said SE ¼; THENCE North 00°23'13" West along the East line of said SE ¼ a distance of 2115.46 feet to the POINT OF BEGINNING; THENCE North 89°58'14" West a distance of 1230.89 feet; THENCE North 00°21'51" West a distance of 469.82 feet; THENCE South 89°55'42" East a distance of 383.45 feet; THENCE South 62°29'14" East a distance of 111.65 feet; THENCE North 66°42'54" East a distance of 37.23 feet; THENCE South 88°58'08" East a distance of 38.85 feet; THENCE North 76°55'46" East a distance of 27.64 feet; THENCE South 74°13'43" East a distance of 50.96 feet; THENCE South 75°36'25" West a distance of 14.40 feet; THENCE South 17°33'46" West a distance of 14.85 feet; THENCE South 22°52'49" East a distance of 28.19 feet; THENCE South 48°07'19" East a distance of 26.61 feet; THENCE South 66°19'09" East a distance of 30.40 feet; THENCE South 82°00'36" East a distance of 48.93 feet; THENCE South 72°12'24" East a distance of 49.21 feet; THENCE South 52°57'23" East a distance of 39.79 feet; THENCE South 86°25'56" East a distance of 15.92 feet; THENCE North 70°40'14" East a distance of 16.83 feet; THENCE North 88°39'36" East a distance of 48.45 feet; THENCE North 83°55'48" East a distance of 94.62 feet; THENCE North 82°24'40" East a distance of 78.61 feet; THENCE South 84°48'30" East a distance of 18.56 feet; THENCE South 68°33'43" East a distance of 50.55 feet; THENCE South 75°04'32" East a distance of 58.70 feet; THENCE South 89°34'36" East a distance of 56.72 feet; THENCE North 73°19'09" East a distance of 2.33 feet to a point on the East line of said SE ¼; THENCE South 00°23'13" East along said East line a distance of 296.40 feet to the POINT OF BEGINNING. Containing 11.02 acres more or less.

§ 8. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the R-1, Single Family Dwelling District, and to remove the same from the A-2, Rural Agricultural District, to wit:

Tract 5 – Rural Agricultural to Single Family Dwelling District

A tract of land being a part of the SE ¼ of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma and being more particularly described as follows:

COMMENCING at the Southeast corner of said SE ¼; THENCE South 89°48'39" West along the South line of said SE ¼ a distance of 1235.87 feet; THENCE North 00°09'13" West a distance of 684.00 feet to the POINT OF BEGINNING; THENCE North 66°43'26" West a distance of 11.24 feet; THENCE South 51°12'22" West a distance of 221.93 feet; THENCE South 89°48'39" West a distance of 1220.93 feet; THENCE North 00°15'46" West a distance of 2046.36 feet; THENCE South 89°55'42" East a distance of 1402.88 feet; THENCE South 00°21'51" East a distance of 1530.79 feet; THENCE South 00°09'13" East a distance of 375.19 feet to the POINT OF BEGINNING. Containing 65.57 acres more or less.

§ 9. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the PL, Parkland District, and to remove the same from the A-2, Rural Agricultural District, to wit:

Parkland Tract – Rural Agricultural to Parkland

A tract of land being a part of the SE ¼ of Section 34, T10N, R3W, of the I.M., Norman, Cleveland County, Oklahoma and being more particularly described as follows:

COMMENCING at the Southeast corner of said SE ¼; THENCE North 00°23'13" West along the East line of said SE ¼ a distance of 2411.86 feet to the POINT OF BEGINNING; THENCE South 73°19'09" West a distance of 2.33 feet; THENCE North 89°34'36" West a distance of 56.72 feet; THENCE North 75°04'32" West a distance of 58.70 feet; THENCE North 68°33'43" West a distance of 50.55 feet; THENCE North 84°48'30" West a distance of 18.56 feet; THENCE South 82°24'40" West a distance of 78.61 feet; THENCE South 83°55'48" West a distance of 94.62 feet; THENCE South 88°39'36" West a distance of 48.45 feet; THENCE South 70°40'14" West a distance of 16.83 feet; THENCE North 86°25'56" West a distance of 15.92 feet; THENCE North 52°57'23" West a distance of 39.79 feet; THENCE North 72°12'24" West a distance of 49.21 feet; THENCE North 82°00'36" West a distance of 48.93 feet; THENCE North 66°19'09" West a distance of 30.40 feet; THENCE North 48°07'19" West a distance of 26.61 feet; THENCE North 22°52'49" West a distance of 28.19 feet; THENCE North 17°33'46" East a distance of 14.85 feet; THENCE North 75°36'25" East a distance of 14.40 feet; THENCE North 74°13'43" West a distance of 50.96 feet; THENCE South 76°55'46" West a distance of 27.64 feet; THENCE North 88°58'08" West a distance of 38.85 feet; THENCE South 66°42'54" West a distance of 37.23 feet; THENCE North 62°29'14" West a distance of 111.65 feet; THENCE North 89°55'42" West a distance of 383.45 feet; THENCE North 89°55'42" West a distance of 1786.62 feet; THENCE North 00°15'46" West a distance of 50.00 feet to a point on the North line of said SE ¼; THENCE South 89°55'42" East along said North line a distance of 2633.75 feet to a point on the East line of said SE ¼; THENCE South 00°23'13" East along East line a distance of 222.52 feet to the POINT OF BEGINNING. Containing 5.27 acres more or less.

§ 10. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the Preliminary Site Plan, approved July 14, 2011, and supporting documentation submitted by the applicant and approved by the Planning Commission.

§ 11. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of

_____, 2011.

_____
(Mayor)

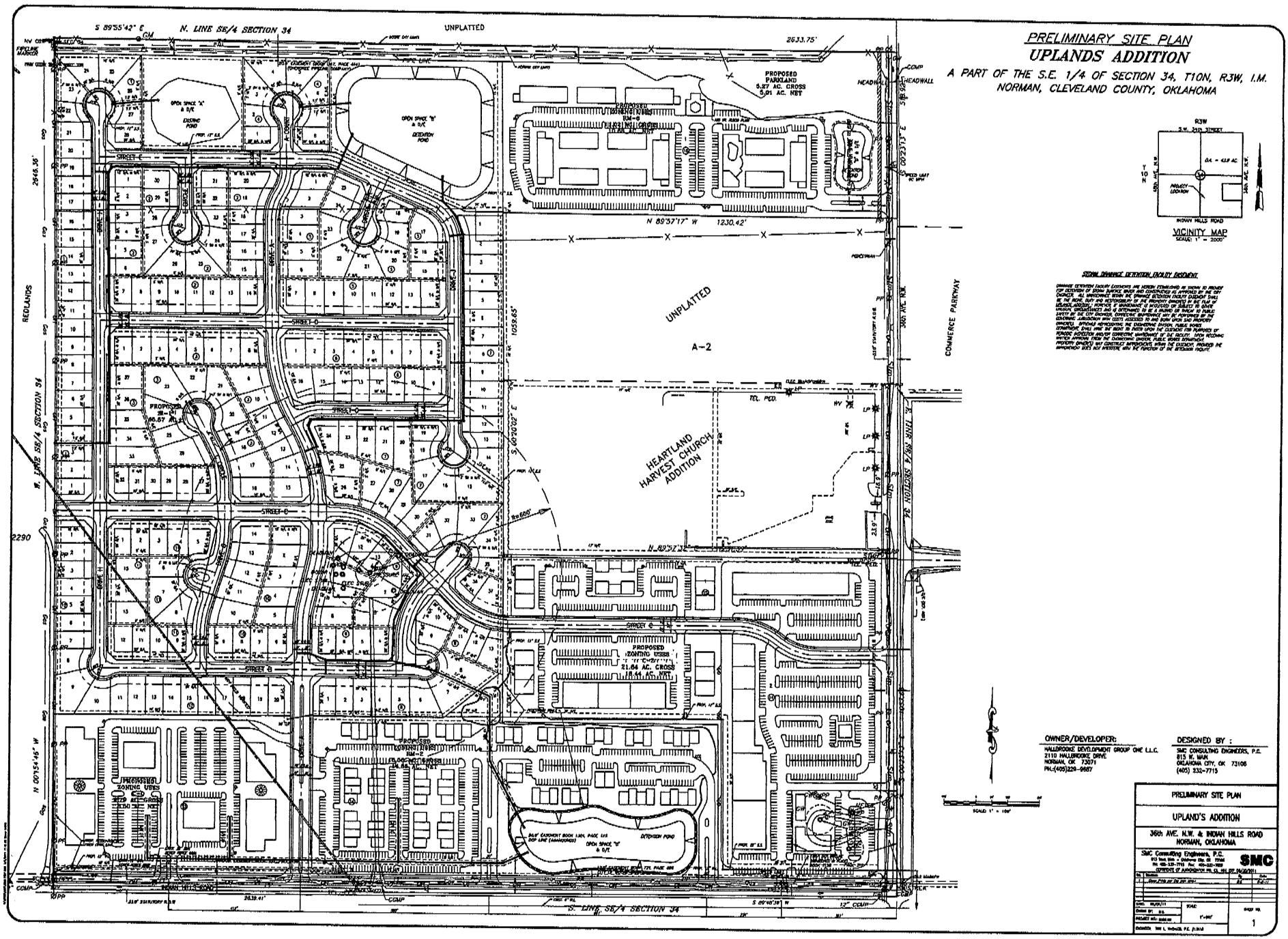
ATTEST:

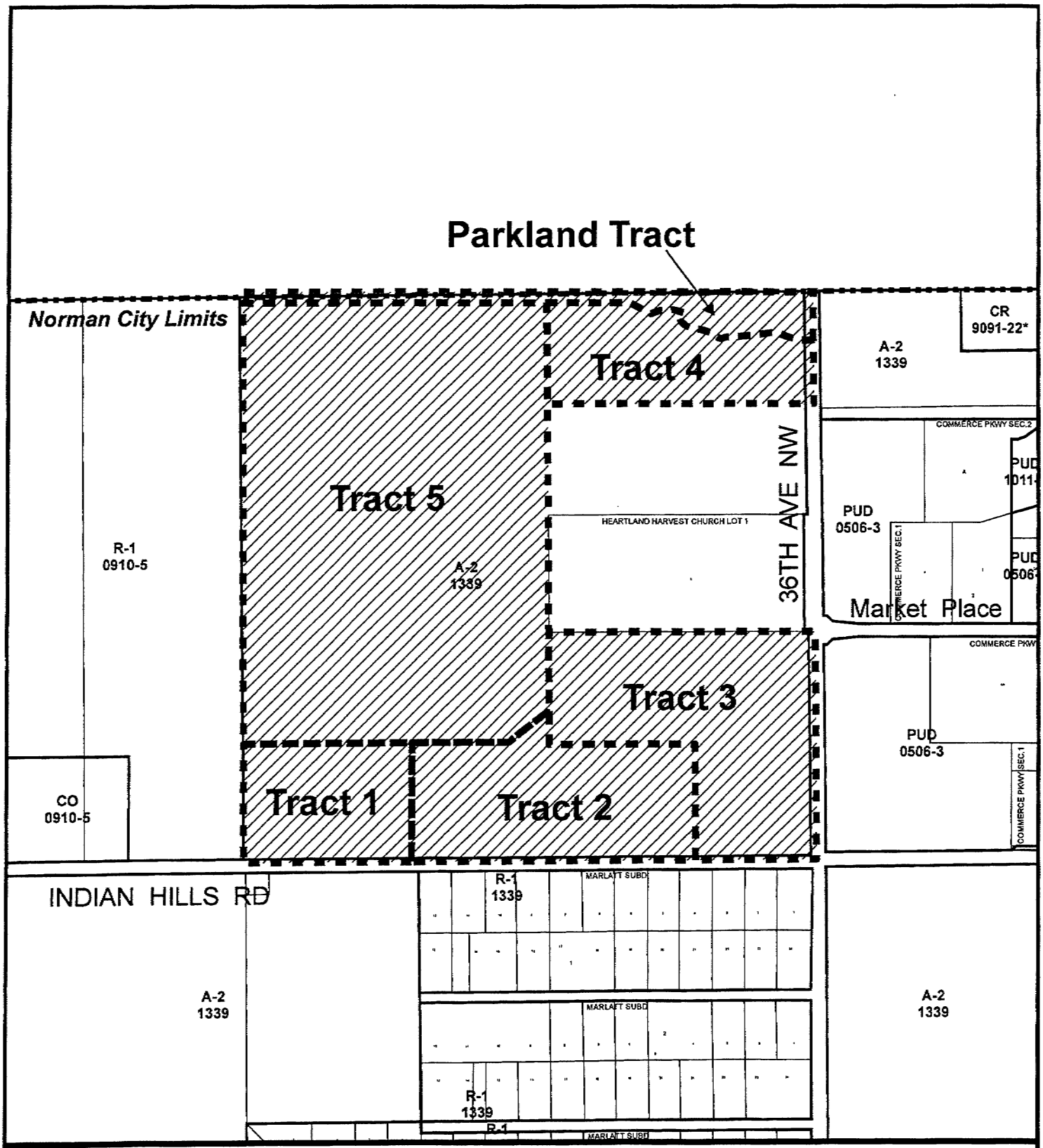
_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2011.

_____
(Mayor)


PRELIMINARY SITE PLAN
UPLANDS ADDITION
A PART OF THE S.E. 1/4 OF SECTION 34, T10N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
VICINITY MAP
SCALE: 1" = 2000'
INDIAN HILLS ROAD
N. LINE SE/4 SECTION 34
UNPLATTED
REDLANDS
COMMERCE PARKWAY
HEARTLAND HARVEST CHURCH ADDITION
A-2
PROPOSED PARKLAND 5.27 AC. GROSS 5.01 AC. NET
PROPOSED ZONING USES 21.64 AC. GROSS 18.44 AC. NET
PROPOSED ZONING USES
OPEN SPACE "A" & D/E
OPEN SPACE "B" & D/E
DETENTION POND
OPEN SPACE "C" & D/E
STREET C
STREET D
STREET E
STREET B
STREET A
STREET H
STREET J
STREET K
N 89°57'17" W 1230.42'
S 89°55'42" E
S 89°48'39" W
S 60°20'02" E
N 00°54'46" W
S. LINE SE/4 SECTION 34
W. LINE SE/4 SECTION 34
E. LINE SE/4 SECTION 34
OWNER/DEVELOPER:
HALLBROOKE DEVELOPMENT GROUP ONE L.L.C.
2110 HALLBROOKE DRIVE
NORMAN, OK 73071
PH.:(405)229-9687
DESIGNED BY :
SMC CONSULTING ENGINEERS, P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
(405) 232-7715
PRELIMINARY SITE PLAN
UPLAND'S ADDITION
36th AVE. N.W. & INDIAN HILLS ROAD
NORMAN, OKLAHOMA
SMC Consulting Engineers, P.C.
SMC
1



Location Map

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

N
W E
S

May 12, 2011

0 300 600 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1011-55 ITEM NO. 7b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Hallbrooke Development Group One, L.L.C.
REQUESTED ACTION	Rezoning to: • Tract 1 - CO, Suburban Office Commercial District for Tract 1 (9.79 acres) • Tract 2 - RM-2, Low Density Apartment District, for Tract 2 (16.56 acres) • Tract 3 - C-2, General Commercial District, for Tract 3 (21.64 acres) • Tract 4 - RM-6, Medium Density Apartment District, for Tract 4 (11.02 acres) • Tract 5 - R-1, Single Family Dwelling District, for Tract 5 (65.57 acres) • Tract 6 - Parkland (5.27 acres)
EXISTING ZONING	A-2, Rural Agricultural District
SURROUNDING ZONING	North: City of Moore East: A-2 and PUD South: R-1 and A-2 West: R-1
LOCATION	North of Indian Hills Road and east of 36th Avenue N.W.
SIZE	129.90 acres
PURPOSE	Urban development
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Low density residential East: Church and vacant South: Single-family dwellings, TV towers West: Vacant

LAND USE PLAN DESIGNATION

Proposed Outer Loop
Future Urban Service Area
Low Density Residential

SYNOPSIS: The previous item identified the 2025 Land Use Plan amendments which relate to this rezoning request. The applicant has requested rezoning for six tracts for a mixture of uses which will be developed over an extended period of time as the market absorbs the proposed subdivisions in this area.

ANALYSIS/ISSUES:

INFRASTRUCTURE Individual developers have coordinated the design and installation of basic infrastructure that will serve all of these various subdivisions. Surface drainage in the area is a key problem to solve, as minimal improvements were installed when Marlatt Addition was developed (before annexation). Tract 2, which is proposed as low-density apartments (two-, three-, or four-plex buildings), will incorporate a very large (200 feet by 600 feet) detention pond adjacent to Indian Hills which is designed to remove surface water from the new roadway, and move that water north to an upper arm of the Little River.

LAND USE The applicant incorporated two multi-family tracts into the development, to allow alternative housing styles and prices. The northern tract is adjacent to a linear park that will extend from land east of 36th Avenue almost a half-mile west, into the heart of this neighborhood. Those areas will have pedestrian connections to various other open spaces in the development. The second multi-family area incorporates a large detention pond along Indian Hills Road, which will help to provide a buffer from the low-density residential area across the street (Marlatt Addition). An area proposed for Office use will provide a buffer between the proposed residential uses within this subdivision and Indian Hills Road.

DESIGN This subdivision continues the internal roadway connections from the west, and provides access to 36th Avenue through the proposed retail area, as well as connecting to a major entrance south onto Indian Hills Road. More intense areas (commercial, office, and multi-family) provide separation and buffering from the two major arteries which abut this subdivision. Indian Hills Road will be developed as a four-lane arterial roadway, although the actual construction will likely be deferred until a coordinated project can occur once traffic volumes rise. A pipeline lies along the northern edge of this subdivision, and has been incorporated into open space areas that separate this development from land in the Moore city limits.

COMMERCIAL The applicant's request is to expand the commercial opportunities by extending commercial zoning along 36th Avenue, which is becoming a principle west-side arterial. Some commercial land extends into the neighborhood to provide convenient access for residents of this neighborhood. In the future, the applicant may wish to add a mixed use designation to this area that would integrate some additional housing with low-intensity neighborhood commercial uses.

IMPACTS Although most of this area is still vacant, the Marlatt Addition was developed before annexation, and has experienced some drainage problems which were not addressed by the initial developer. The engineer for this project has provided preliminary responses to these existing problems in the design, alignment, and construction of the future roadway in this area.

This development, along with previous approvals, will contribute to increased traffic in the area, but the proposed roadway is being designed to accommodate those traffic impacts.

OTHER AGENCY COMMENTS:

- **PARK BOARD** The developer has proposed public land dedication for a "linear park" along the northern edge of this subdivision, and that concept has been unanimously endorsed by the Park Board.

- **PUBLIC WORKS** The arterial street improvements have been recommended for deferral until such time as traffic warrants the improvement or a combined project can be achieved.

STAFF RECOMMENDATION Although the applicant incorporated several increases in density and intensity, the locations are logical and provide buffers to adjacent users, while meeting the general goal of providing alternative housing types in this overwhelmingly single-family area and allowing supportive retail and office areas. Staff recommends approval of these rezoning requests.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JULY 14, 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 14th day of July 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 Roberta Pailes Andy Sherrer Zev Trachtenberg Jim Gasaway
MEMBERS ABSENT	Curtis McCarty

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

* * *

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C. FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W.

7A. RESOLUTION NO. R-1011-115
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1011-13) FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR 129.90 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W., REMOVAL OF THE PROPOSED OUTER LOOP DESIGNATION, EXPANSION OF THE COMMERCIAL DESIGNATION FROM APPROXIMATELY 9.3 ACRES TO 21.64 ACRES, AND AMENDING 9.79 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO OFFICE DESIGNATION, 16.56 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION, AND 11.02 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION.

ITEMS SUBMITTED FOR THE RECORD:
1. NORMAN 2025 Map
2. Staff Report

7B. ORDINANCE NO. O-1011-55
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT (21.64 ACRES), CO, SUBURBAN OFFICE COMMERCIAL DISTRICT (9.79 ACRES), RM-2, LOW DENSITY APARTMENT DISTRICT (16.56 ACRES), RM-6, MEDIUM DENSITY APARTMENT DISTRICT (11.02 ACRES), R-1, SINGLE FAMILY DWELLING DISTRICT (65.57 ACRES), AND PL, PARKLAND (5.27 ACRES), FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Preliminary Site Plan

7C. PP-1011-23
CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UPLANDS ADDITION, GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Traffic Impacts
5. Preliminary Site Plan
6. Oil Well Site Plan
7. Alley Waiver
8. Pre-Development Summary
9. Greenbelt Commission Checklist and Comments
10. Greenbelt Enhancement Statement

PRESENTATION BY STAFF:

1. Mr. Koscinski reported that this is a complicated application in the sense that there are a lot of pieces. The entire tract is currently designated for future residential use. All of the developments in this area have been coming in one-by-one and getting approved for different types of zoning. Sewer lines are being laid to service this area, and that is the main driver for this whole area to become developed. Water lines will come later. The entire tract will become Current Urban Service Area based on the imminent availability of utilities. It was originally designated for low density use with a little spot of commercial on the corner. Tract 3 would be a larger tract of commercial. Tract 2 encompasses a large detention pond and some low-density apartments. Tract 1 is an office designation similar to the one that was approved for the property next door. There is a higher density multi-family area in Tract 4 at the north, which is buffered by what will become a public park in that area. The rest of the property (Tract 5) retains its residential designation. There is a property surrounded on the north, west, and south by this project that is owned by the church. The rezoning reflects the proposed 2025 changes. The property is vacant. To the north of this property is the City of Moore and there are some homes along 36th and in a gated community to the west. To the east of this tract is the Commerce Parkway area, which is largely commercial, industrial, and a little multi-family. South of the subject property is the Marlatt Addition, which is the only current residential use, with large homes on approximately 2-acre lots. The property to the west is still vacant and development there has not yet started. Protests were filed that constituted approximately 16.7% of the notification area, largely from residents of Marlatt Addition and the residents of Moore to the north of the project site. There were also protests from outside of the notification area. The same engineer is developing all of the tracts in this area, so there has been quite a bit of coordination and integration of the design, the utilities, and drainage. Staff supports the plan change; it is consistent with what has been going on west of this site. The plan supports multiple densities to try to provide different housing opportunities for different clients in the community. Staff also recommends approval of the rezoning and preliminary plat.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, engineer for the applicant – This is not terribly complicated, but there are some moving parts. We submitted this application March 8 of this year and went to the Pre-Development meeting on March 22. We also met with the Greenbelt Commission on March 21, and we recently submitted the application you have before you for the 2025 Plan Amendment, the traffic study, the rezoning application, the drainage report, and the preliminary plat on April 8. It was scheduled for the May 12 Planning Commission meeting. We met with staff after they reviewed the tract and they had some geometrics and some zoning changes that they wanted us to consider. We agreed to continue that application for a month to try to accommodate the questions and the modifications that staff suggested for the June 9 meeting. A few days before that meeting we were notified that citizens in Moore had not been notified. So at that meeting we agreed again to continue it and make proper notification to those folks in the Moore area. That has been done. That gets us to tonight. We think we've done all the correct things. The application's request for land use change has been justified, as per the staff report that you've got in front of you. Staff has reported on page 7a-2: "The 2025 Land Use Plan identifies two criteria that should be addressed in order to change the approved land use designations. First, there must have been a change in circumstances resulting from development of

properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest. Like all the recent subdivisions which have been reviewed and approved in this area, the principal change is the extension of water and sewer" that Doug just eluded to. The one sewer line that we've laid to sewer the tract that you've seen and approved called J&J, Whispering Trails, Foxworth, Redlands, and the new church, has been accommodated with a sewer line that we laid from Franklin Road west through J&J and up to Indian Hills Road. That line is built. We completed the as-builts today and we're submitting it for the walk-through for final. That line is now in place. That's one line. Now we're going to do another line. The other goal that we need to accommodate is the 2025 Plan does encourage and support diversified types of housing and densities in order to better serve different income levels of folks. Tract 5 will abut the future gateway park that has been presented to this board and provide a buffer between the apartment area and the lower density areas in Moore. Lower density apartments that we're proposing – duplex, triplex, four-plex – are proposed in an area that abuts Indian Hills. There is also a large detention pond. This is a good example of the drawing that we put together that shows the diversification of all the areas I'm mentioning to you. The area below is J&J. This area is Glenridge. This is the church. This is Foxworth, Whispering Trails, and Redlands. Those all have been designed, with the assistance of staff, to give what we have called good planning. It also shows diversification of all the different housing types and how connectivity can be employed. What this drawing also shows is connectivity of green areas. This is the green area that represents all of the areas that will be green or detention or active waters. That's all open space. This open space generates through J&J, flows through this tract, through the church, on forward into this tract, on forward into this piece right there that is a proposed and approved parkland site. Then it will traverse through the linear park that is being recommended and suggested by this application. That has also been shown to this board. We brought that to you a few months ago, suggesting a gateway park. Gateway park attaches to the north of this tract before you tonight. This is Commerce Parkway tract that you've already approved. This is part of that process. This is the Gateway Park. It's illustrative, showing what could be done. We made great strides trying to put all of this together so it all connects and interconnects with transportation, utilities, and open space.

This is the utility drawing. It shows how the comprehensive drainage will work and how all the water will be directed to the betterment of everybody, including some of the folks in the Marlatt Addition, who have gone on record with the Council that they have some drainage problems. We've heard that. We acknowledge that. We're trying to mitigate those problems as much as possible. There is a large detention pond we're putting right there that will buffer this tract and the townhomes tract right there. And the water will be picked up, detained, and discharged so an enormous amount of water does not damage the Marlatt Addition. A separate utility is being considered, and that is the other sewer line. The other sewer line would go through this area. If you're familiar with the Community Christian School, we have an agreement with the school that brings a sewer line that will be west of their football field and west of their new concession stand that sticks out a little bit too far. But we're going to lay the sewer line so that tract will have sewer. Then we'll bring that sewer line to connect to this tract that this party has not seen yet – it's called the Apex Property. Presently we have a sewer line that serves Uplands. City staff has asked us to reconsider and see if we could realign that sewer line and maybe serve the Marlatt Addition, which is this tract. So we are considering if we can take the sewer line and go like this and come up with

this and provide a connection for the Marlatt Addition. They have expressed interest in a sewer connection – they have no sewer; it's all septic. So we've looked at that. The Uplands people have asked me to look at the feasibility of making that connection and the cost and how it's going to work. So we have a preliminary design that will work. That would impose Marlatt to come up with a solution for their tract. We've also looked at how that can work. We're comfortable now. We've met with the Director of Utilities and utilities engineer and have that information.

In addition, there is the requirement to put in a 12" water line one mile from 36th Avenue to 48th Avenue that will serve all these properties. We now have a group together, like we do the sewer group, to pay for that. So we have started the design of a water line for that one mile that will be paid for by these property owners – not Marlatt. Marlatt also has an existing 6" water line that was installed with the cooperative effort of the City a few years ago. It's a dead-end 6" line that goes from 36th Street and out to about right there and dies. We have been asked if that line can be connected with the 12". That line is on the south side of Indian Hills Road. So we have agreed to do that. We're going to take the 12", connect to the 6" and loop it. That will enhance their water capability and fire protection for the whole Marlatt Addition. So right now on the table this 12" water line is to be built that serves all the tracts. It will connect to the big line here in 36th Street. And the sewer line design is underway to fulfill the obligation to make Uplands work, and it will also be designed so that the Marlatt Addition could also work. That all has taken place here in the last several weeks.

When we had the Pre-Development meeting we only had about four people show up and there was really no adverse situation in that meeting. We explained to them what it was going to be and they seemed to be fine. But now, as you know, there have been a few protest letters turned in. The client has met with the Marlatt folks on two occasions to try to mitigate and respond and try to take care of some of their concerns. We think we've done quite a bit. We probably haven't alleviated all the concerns, but certainly the major ones we have. The densities that we're proposing are less than the allowable in every zoning category. Our single family zoning comes out to less than 4 to the acre. The lots are comparable sized to the Redlands tract and they're larger than two other tracts. So they're pretty good sized; they meet all the City requirements. Staff has reviewed all these criteria and the geometrics.

One of the issues we've got that has been a problem is the Outer Loop. It is the gray area. The Outer Loop was a mystical area that has been determined to be the new bypass through Norman. That was a location on the ACOG plan. It was proposed to be a highway – four to six lanes – that would connect to I-35, extend all the way to here and keep extending all the way to Oklahoma City. That project now is not dead, but is wounded badly. ACOG has taken it out of their 2035 plan. So it is going to be terminated in the 2025 plan. In talking with Susan Connors and Shawn O'Leary, that is happening. We thought it would be happening last October, but it hasn't happened yet, but it is dying. This will have to be taken to the City Council for final death. So what we're suggesting to do here is we're going to swap this gray potential four to six lane road for a park which will look like the Gateway Park. That's what we're swapping with the folks in Moore. Now how big is this park. The developer of Uplands is providing a park site – a linear park that accommodates the park requirement for the Foxworth and Whispering Trails, and his tract, and all this as extra. There is no requirement for that; that is just a bonus park – 13 acres is the totality of parkland, linear and on the east side of 36th Street. So that's what we're offering with this mitigation here between the two

pieces of land. We think we've solved about all the utility problems, or at least we have a bona fide solution that will accommodate everybody out there. The plan has been reviewed, and reviewed, and reviewed by staff and we have staff support tonight. We have a very diverse plan and we've had a cooperative effort for quite a while with several people who own land – major pieces of land. They have cooperatively agreed and we have put together a master plan that we think is for the betterment of everybody. It all connects. It moves. It has traffic requirements that have been solved and utility problems that have been solved. The applicant is here tonight – Trey Bates, Mickey Clagg and Ben Newcomer – that is Uplands.

2. Trey Bates, 3720 Timberridge, one of the partners in the development – Over the last few months, we have gone through a lengthy process to try to make sure that everybody was notified and everybody had an opportunity to be heard, and that we took into account as many of the concerns as we could. I want to express my appreciation for the president of the Hidden Lakes POA who is here. He'll probably say a few words, as well as all of the folks from the Marlatt Addition that, over a period of multiple days and many hours, we've sat and listened to and tried to work through the various misinformation as well as information related to the project. Just briefly, this is an incredible mixed use opportunity for the City of Norman. It's principally a low density subdivision with supporting townhomes and multi-family, tied together with commercial along the urban arterial and across from 36th Street. I'd like to note that in the existing Land Use and Transportation Plan the commercial piece of this that abuts the residential is already in the Land Use and Transportation Plan as commercial. As you go west along Indian Hills Road, we tie it together with some townhome type, little bit higher density housing, and then further to the west, directly across from the radio station, we add some office space, again trying to buffer the existing houses from the change. This crown jewel of the project – and Tom has already given away part of my speech – but there's about six to seven square miles of projects that have been approved. Well, the crown jewel of this allows us to tie a park system and trail system where all of these projects have the ability to walk, bike, and move from shopping to the various residential uses to the office space without necessarily having to drive. This epitomizes the concept of development where you can raise a family, where you can start a family, where you can retire, where you can work, where you can shop, and where you can play. And this doesn't happen very often. This is kind of one of those – everybody says this is the last one, this is the great one – but it's not very often that you have as clean a slate as we were able to start with here and then so many projects all kind of come together at the same time. So what that provided was an unprecedented opportunity – not that everybody was working together so much, but the fact is, as all of these projects came together within a relatively short period of time, we could take advantages of what each individual project had and put together something that truly is magnificent. And I'm really proud of it. I know that this is a lot of change for people. The Marlatt people we've heard a lot of frustration about issues they've dealt with over the years and I understand it. It's hard to envision. But Western is being improved all the way to Oklahoma City. You've got an incredible explosion of commercial in Moore, up 36th Street and Telephone Road. You have the additional improvements of I-35 all the way through Norman now nearing completion. At some point, the Indian Hills interchange is going to have to be upgraded; it's coming. So you've got an amazing opportunity for Norman to take advantage of all of this confluence of all of these events and build a great development. I know that for the

people, again, that live out there, it's been the edge of town forever – it's been the open field where they saw horses grazing or the crops growing. But the reality is, regardless of this project, the development is coming and this is an opportunity to tie together an incredible project for the neighborhoods. I feel comfortable when I lay my head down at night that these people one day will wake up and be really happy with the fact that they have quality projects happening all around them that will ultimately improve property values. So I would hope that you all would approve this project tonight.

3. Mr. Knotts asked whether the drainage has enough surge south of Indian Hills to accommodate all of that if something goes wrong down here so that it won't flood. Mr. McCaleb responded affirmatively. Right now there is an existing 36" corrugated metal pipe that carries the water across Indian Hills and it goes in a couple of areas and it drains down to a pond. We need to release some water that is presently going down there to make sure that they have water. We don't want to intercept all of that, but we're going to intercept a huge chunk of it. Mr. Knotts asked if this is all surface flow. Mr. McCaleb replied that there will be some surface, but primarily it will be underground. Mr. Knotts asked whether the west side of the lower area will intercept some of the water. Mr. McCaleb said those are going to be live waters. It's water that's just going to be at a static level. We will have wells in there that will make sure they have a static level. It will be a retention pond that will have water at a certain level at all times, and also will have capability of rising during the floods to take that water off. So the whole thing is a combination of those facilities.

4. Mr. Trachtenberg commented that one of the things that he admires about the whole system is the inter-connectivity and the trails. He asked if they had considered the possibility of connectivity to the Ruby Grant property. Mr. McCaleb indicated that the intervening piece of property is owned by a different entity. He has been in a lot of communication with them, because they needed an easement for the sewer line. He has done some master planning for him that does that, but that is not being presented at this time.

5. Ms. Pailes asked the height of the apartments at both the north and the south ends. Mr. McCaleb replied that on the south side are townhomes, and they're two story max. They will be similar to the tract of land north of Sooner Fashion Mall – Brookhaven Square. The one on the north would be apartments – probably two story again. I think it will be 16 units. There are no immediate plans. Ms. Pailes asked about the commercial areas. Mr. McCaleb said they will probably be one story. Mr. Bates added that, with regard to the RM-6 area at the north end, the concept is for an all masonry type structure that would be two-story structures. Mr. Trachtenberg asked what the office component is going to look like. Mr. Bates indicated those haven't really been designed, but the concept for the entire project is substantial masonry type construction – not the low end kind of starter home concept that I think you see in a lot of areas. The idea is that we'd build this toward an upscale neighborhood and hopefully coordinate this in such a way that it attracts that kind of market. I think the advantage of the huge amenity package with the trails and that sort of thing will hopefully attract the kind of clientele that will support those kinds of markets. The concept is a professional office park type setting. So I can envision surgical centers, doctors' offices, other professional offices. Mr. Trachtenberg asked if it will be like the

Quorum area. Mr. Bates responded that he and his partners were involved in building Quorum, and it will be similar.

6. Mr. Gasaway asked about the road access to the development. Mr. McCaleb stated that one of the modifications that staff suggested was that there be one road off Indian Hills and then one connecting the residential area through the commercial area to 36th.

7. Mr. Gasaway asked if Mr. McCaleb believes the drainage solution can handle the water from the north side of Indian Hills in addition to the additional runoff from the impervious surface. Mr. McCaleb said that's correct. We prepared the drainage report. We've met with Mr. O'Leary and the drainage engineers on multiple occasions to make sure that he agreed and he does.

8. Ms. Gordon commented that Street C goes through the residential area and actually cuts through the commercial all the way over to 36th. That's quite a bit of commercial from Tract 3 and quite a lot of traffic going through that residential neighborhood. If I was a driver, I would sure take that instead of Indian Hills Road and skip that intersection. Mr. McCaleb indicated that this road is a collector all the way to 48th. Staff suggested that we take this point right here and continue it to 36th Street. We had suggested that not be a collector, but they wanted it to be a collector road.

9. Ms. Gordon asked the width of the gateway park in the narrow area. Mr. McCaleb said it is 50 feet at the narrowest. Ms. Gordon asked the width near where the apartments are going to be. Mr. Bates said it will be 200 to 300 feet.

PARTICIPATION BY THE AUDIENCE:

1. Lou Ball, 3730 West Indian Hills Road – In the Marlatt Addition, mine is about the fifth tract of land in off of 36th. This addition is going to affect me and my family directly, being as we're property lined right on the discussed development. I've only lived there for five years, so I don't have as much emotional tie that some of the people behind me probably have to what's going on here. And when we moved here, we fully thought that that land would be developed. We talked to our realtor – we talked to people that advised us and helped us with our move down to Norman from the Iowa area. We come from a very country background and the one thing that we were going to get out of this was going to get a country feel to it, still be out away from a lot of the traffic, be able to raise our family. I talked to Trey at the meetings and he provided a lot of detail. I love the idea of the community and the parks and such, but my greatest concern is two things – with the addition of the extra commercial, and a couple of people have made reference to the fact that the increased traffic and the flow of the traffic and how it's going to work relative to where I'm going to be pulling in and out of my home – I have great concern about that. I also have concern, and I spoke to Trey about this, too – with the drainage pond which is directly across from my property – dealing with the idea – I think they spoke earlier about some of these other ponds over here and I'm not sure what the terminology is, but I won't say maintained because I don't think that's what was used, but they would have a fill system and they would have a constant level and have a certain appearance, and it sounds as if the pond that's across the street from my property will not have that same appearance, based on what they just said – that it could be low, could be high. So I have a concern

with that. Also with the traffic and, not having been from Norman, I'm not familiar with the property that was discussed as far as the office buildings go and the appearance of those office buildings. You made reference to a certain office building – I'm not sure where that is. So I have great concern about the appearance of it and having it fit the look of the neighborhood and looking as much like homes as possible, because when we bought the land it was zoned R-1 for homes to be there and we thought we were going to be moving into a neighborhood that was 100% homes – no office buildings -- looking out your front door to look at office buildings, not looking at duplexes or any other kind of buildings of that nature. That's what's being changed right before our eyes, and not really having a feel for how that works and there's no guarantee how it's going to look ten years down the road; once it's approved, they can put in whatever they want. My greatest concern is what's going on on the very first portion of Trey's development there right along Indian Hills. If it was all residential and they had this great plan of doing the parks and everything, I think it would be great. But in its current state with the additional traffic that's going to be going in there – we're already going to be dealing with a lot more traffic if it goes to four lane and I understood that when I bought the property. But then to throw businesses and medium density living in there and then a lot more commercial right along that path, you're looking at a totally different living situation than what I purchased my house under. And that's my greatest concern, is that it's not going to be what we thought we were going to do for the 15 – 20 years – whatever we ended up living here. And we looked at 12-15 pieces of property and we bought that piece of property knowing that it was zoned for residential homes. That's all I have to say. Thank you.

2. Donald Davis, 5532 Steed Drive – There are only two apartment buildings west of 36th Street here in Norman. They're off Main Street. They're surrounded by duplexes and creeks. Going north from Main Street, where they're located, you go through nice neighborhoods which are full of townhomes and multi-million dollar mansions. Further north there's all the Brookhavens. They're all on nice lots. The Polo Club, Ashton Grove with million dollar houses, and Cambridge, plus the Grandview Estates and on to Crystal Springs, which are multi-acre estates. Likewise, there are lovely homes and neighborhoods and acreaged estates in the south part of Moore. Even the apartments around the Moore Country Club are very spacious and parklike in design. I'm very much against this densely compressed proposed neighborhood that's north of Indian Hills with over 500 homes and hundreds of apartments. Potentially, there could be over 3,000 new residents in less than 3/8 of a section. I don't know of any plots here in Norman that are that densely populated with four or five houses per acre. Our neighborhood is one house on one acre and that seems kind of tight to me, but seeing those little bitty, teeny, tiny lots up there – it will ruin the character of the rural idea of homes in our neighborhood that go all the way from Main Street out these five miles, past the coach's house and then to be deadlocked – it honestly is going to turn Norman into – pardon me, but Moore. Little tiny houses – cheap houses. Now we're in the Moore School District, and although Moore has built a new south high school and a new elementary school up on 34th, they're still, when you add in the potential – maybe 2,000-3,000 people here and likewise the same number to the west of our Marlatt area, you're going to have to put in a new elementary school probably. I don't know if the people here in Norman even care about that. But the thing I worry about is that with all the guttering, the curbing, and the street runoff of rain water and these retention ponds, which will not hold the overflow – even now with the open farmland soil that

soaks up the rain when it does rain, two of my three acres are flooded usually six or seven times through the year. But that was planned in the Marlatt area. That was used as the upwaters for Little River to help hold and retain, but with this neighborhood going in north of Indian Hills, unless that water is taken and taken someplace north, it will come back over the road and it will come through the Marlatt area and it will come through our neighborhood and it will go over Steed Drive like it has several times in just the last few months. Now there is a retention pond at the end of Jaronek's yard, which holds water, which then goes into coach's little pond, which will hold water. Those things help. They help keep our neighborhood – the aquifer down. They help keep all of our wells nice and sweet and help hold water into our neighborhood. But when you have an influx of water, and the one thing I don't think they've counted on is the speed of the water. And lots of times my two acres will fill up in just less than an hour. And that's quite a bit. It makes my two acres of property unsaleable – I can't get a note and I can't sell the property because now they're in the floodplain. But I like that. I like the greenbelt idea that it's going to have. I just don't think, as Mr. Ball just said, that unless it's really considered what to do with this water that there's going to be a major problem. And have you all noticed? There's gutters – street gutters in Moore where they're building all these new buildings for the doctors offices. There's street gutters in the street. Moore seems to be willing to handle this problem, but here in Norman all they do is put out mosquito ponds and these retention ponds – and how many – I can count, I guess – one, two, three, four, five, six in this area. I'm afraid, unless they're fenced and guarded and they keep the BT dunks in them – you know what those are – to help keep the mosquitoes down, or stock them with fish – that these are going to become problems. Week before last I found a copperhead in my garage. Now, I expected that, because I live across the street from a pond. But when you add that into a densely populated neighborhood where there's going to be lots of kids – well, who knows what problems. And my time, I'm sure, is almost up. I just want you to remember that these developers who come up with these real clever ideas that look wonderful on paper very rarely end up living in these neighborhoods. And they leave the problems and the situations – all the extra people, the cars – there's only three outlets onto Indian Hills, and with all those people coming in and out, going up to Walmart and over to Heyday, that will make that a very high-traffic neighborhood, and I feel for your children, Mr. Ball. I wouldn't want anybody out running on the streets out here because it's going to be quite a high-traffic neighborhood. But, again, these people that design all this – they never have to live there. They don't care. They've got their money and they've left. They leave the problems to poor unsuspecting people like me, who move into a neighborhood and then have to pay the taxes for it. Thank you.

3. Robert Ashton, 3812 NW Sterling – I've lived in Marlatt for 41 years. I didn't know that living in the internal portion of Marlatt I wouldn't get a notice and be counted as a person that was objecting to what was going on around me. I can certainly tell you it will impact me, because I would say probably for the next half a dozen years the amount of dirt movement and vehicles, construction traffic, and general tie-ups on the small road that we have will really impact me. The other thing I'm worried about is the City of Norman just went through a long period of talking about how we have to take care of the lake where our drinking water comes from. Well, you are taking out of the filtration project that Mother Nature supposedly takes care of, I was told, a lot of acreage here that flows directly into the Little River. Some of you may remember many

years ago we fought a long battle against the City of Moore to keep about 40 of these acres from being de-annexed from Norman and into Moore. And, in fact, the City Council did de-annex it, but we got a petition up, got an election, and got it back, and the Council had to eat what they done. Now you're going to take that acreage, with all that filtration that the dirt and grass can supposedly do, and cover it with concrete and blacktop. Now somebody down here has got the wrong message. Either they were right when they were worried about the lake and all the stuff that was flowing into it, or they're wrong because you're taking all of this out of the system. So I think you really need to consider what you're doing here. Thank you.

4. Jeff Zehr, 3707 NW Pioneer – A lot of my questions have already been asked, but there are a couple that I do have. The park addition – who is going to maintain that? Are the residents going to be responsible for maintaining that? The City of Moore going to be responsible for maintaining that? Is it going to become a dump station for everybody's trash? Is it going to grow up to be not the nice park that we want it to be? The other was – Milt brought it up. The school issue. I have four young boys that are going to school in the Moore district right now. They attend the new elementary. When this is built, where are they going to go? Are they going to be in classrooms – I understand that there's a limited number of students that can go in a classroom. But if we don't have another school – a junior high, a grade school, eventually another high school, are my kids going to be going to school in a trailer house that's parked behind their present school that they have right now? In this plan right here, I don't see a school being developed or being planned. And who's going to pay for that school if we do decide to build one? The other issue was they said there was four houses to the acre – when we did our meeting and calculations, we calculated close to 5 houses per acre, so I'd like to have that clarified and get that understood. Mrs. Gordon brought up a good point about the buffer on the north side of this addition. The south side of the addition there's not a buffer. You have a retention pond. There's nothing there but apartments. One thing that struck me odd in this discussion was the developers kept talking about hopefully and probably. Hopefully we get the right kind of neighborhood that we want. And it's probably going to be masonry and look nice. That kind of bothers me. I'd rather see something concrete, something set – this is what it's going to look like, this is what Lou is going to look at out his front door. Haven't seen that yet. So those are some of my concerns. And, again, the other issues were brought up. The traffic was another concern of mine. My four boys right now can go outside and play. Traffic gets a little bit fast up and down our neighborhood, I'm able to control that – I sit in my front yard and I'm able to control that. With what's going to go on here, there is no way we're going to be able to control what kind of traffic is coming in. Thank you.

5. Brian Beddo, 3823 NW Pioneer – My concern is I don't know whether the water that comes from this addition is going to increase or decrease through this neighborhood. We own a creek that runs to the west of our house and a couple of years ago the City decided to file criminal charges against me because I refused to clean out the creek. The creek never has had a problem – it was the City's culverts that were too small. Currently there is development going on in this creek and, if the water increases, then it's going to cause more erosion and it's going to impact the houses that are in this creek. And if the water decreases, it's going to impact the pond that is in this neighborhood and it will not have any water in it. So those are my

concerns. If you change the water flow either way, it's going to impact this neighborhood. Thank you.

6. Jerry Meek, 4213 Hidden Lake Circle – I'm a resident of Moore, Oklahoma and hopefully that doesn't give me two strikes. I come tonight wearing two hats, one as the President of Hidden Lake Property Owners Association, and one as a resident who falls within the 350 notification. When Mr. McCaleb had the plan up that showed the notification residents and then it showed those that were outside who had filed protests, I think it's important for the Planning Commission to understand that a number of that percentage that Mr. McCaleb spoke to were initially because of the fact that, just by accident, the residents of Hidden Lake happened to find out about the June agenda. What you had was a number of residents who, at the midnight hour, responded by filing a protest. So hopefully you will understand how that came about. I have to, in good conscience, tell you that I first made a call to your Planning Commission and the response I got regarding the notification and why we weren't notified – the response I got was less than a courteous one. I don't know if that's because I was a resident of Moore, or if that's just typical for staff in Norman. I brought the protests down – a stack of them – personally and filed those. I had an opportunity to visit with the City Clerk. I told her that I was given a response that was less than courteous by staff and that I was told essentially that the City of Norman did not have to notify me because I was a Moore resident and the second reason that I was not notified was because of something here in Norman called home rule. Still not sure what that is. But that was the response I was given. I mentioned that to the City Clerk and she was very nice in responding, Mr. Meek, I'll check into that. Soon after that, I had an opportunity to meet with Mr. Bates. He was kind enough to give me the time, as well as another resident, to explain to us what his plan was. First and foremost, we didn't have that opportunity prior to the June agenda because we weren't notified. He brought this plan that you see there. If you look to the far left corner on the north side of the greenbelt, you see a little pond. To the right of that is a house. That's my house. When I straddle my south fence, I can put one foot in Norman and I can put one foot in Moore. In the explanation that Mr. Bates gave me regarding the development, I probably am less affected, yet I am the probably one resident that has the closest proximity to the development of 50 feet – not the three or four times that. I'm here to tell you today that I took exception to, and I want to voice that tonight, that I believe that the City of Norman – you people – my request would be that you look into how your staff does notification. It concerns me that maybe notification hasn't been given to other people in the past, because there is a – regardless of where you live, if I own that property and I lived in Durango, Colorado you still are obligated to notify me. We all have, as citizens of this state, by law we are allowed due process. That, I believe, was not afforded to every one of those houses that you see that line that buffer – not one house was given notification. Mr. Bates and I visited. Subsequent to that, I was walking in this door to file those protests and he called me and said that he had counseled with others and it was his decision to pull that from the June meeting. His concern – and I won't speak for him – I'll just tell you that, as I took it, his concern was that we were given due process and given opportunity to be notified. I commend him for that. His concern was real. His explanation to me – his vision to me was one that I personally don't have a problem with. I think that anyone who sits on this Commission behind that circle would have the same concerns if someone by chance told you that in a few days was going to be a rezoning and there was going to

be apartments out your front door. I don't believe that you would have acted any less responsibly in filing a protest. I want to put on the hat as a resident and tell you that I personally am not opposed to Mr. Bates and his development. I believe that he has truthfully told me that he will make a determined effort to build a development wherein that, contrary to certain statements that were made – I live in Moore. I live in Hidden Lake Addition, which is executive homes. Probably the least priced house in that addition would be $300,000 up to in excess of a million. So they're not little, small homes and they are large tracts. So we have a valid concern that our property values would be diminished by something that wasn't acceptable. What Mr. Bates has showed me – it's less than what I would want, but it's not anything that I can't live with given he would follow through with what he said he would do to try to enhance his development somewhat off of the quality of homes that he will be adjacent to, which is the Hidden Lake Addition. So, in conclusion, please look into how your staff directs the general public when they are notified in the future. And, as far as the residents go, if I speak on behalf of Hidden Lake and those that are represented within that 350 feet notification, it would be our desire that the Commission would look at that development, the density levels to be something that would be reasonable for those things that would parallel or be adjacent to it. Thank you very much.

7. Dick Manley, 3619 NW Della Street – You guys are all professionals. These guys are professionals. What they presented to you – my heart just jumps out when I look at that and I think look at all that beautiful development that we've been wanting to have. I've been there 45 years. Look at that beautiful development that's there. What I'm going to try to tell you is those are all houses all the way from where this development started at the bottom that they tied together clear up to the Moore property line. This Uplands has in it what nothing else has in it that's been developed. It has one ten-acre – almost ten-acre spot across from the church that's gonna be suburban office space. That's the only thing that's been approved that's not residential, other than the corners where it's commercial. What I would like to see is this beautiful thing that they've got all these trails and everything that they want to put in there – all of this handling of the water – everything that they've talked about and tied together is totally professional and would be an absolute boon to us, who have lived out there with nothing around us for half a century and here all this is coming. All we're asking is don't make this new addition multiple use. None of that other stuff is multiple use, to the extent that they want to make multiple use here. Apartments. Office space. Out in the country as it is right now. It'll be non-commensurate with everything else that's gone on all the way up to the Moore property line. Now, right across the street from our addition on the east is a Planned Unit Development area – but that's not the proper term for it. It's a Special Unit Area that has been designated by this thing right here – designated as Special Planning Area 4. Special Planning Area 4 is situated between 36th Avenue NW and I-35, from Indian Hills Road south one-half mile. Now I'm not as eloquent as some of these other people, so I'm going to have to read this. But you all people – I don't know if you're familiar with it, because you can't – you're on the Planning Commission, but you can't be familiar with everything that's in this book. So what I'm going to try to read you is Multiple Use Area for a half mile right east of us has already been established as a Special Planning Unit Area by this book. That means it can't be anything else, unless you people say it can. It's designated to be multi-use. A half a mile. That covers every bit of the Marlatt Addition. There's another slide that shows that area and it's cross-hatched, and that's the one that – it's this thing right

here. That's that multiple use area. It's already designated as a Special Planning Area 4. Proposed land uses. This area is designated for mixed use development. The primary emphasis is to allow for a mix of employment uses – office, light industrial – with some supporting commercial and medium or high density residential housing as part of an overall, unified planned development. It is envisioned that employment and commercial uses would be oriented toward Indian Hill Road and I-35 to the north and east – and so on, and so on, and so on. What I'm going to tell you is, if you look on page 21 of this book – page 22, you'll see there's another planned area just below that. Area 5 – 36th Avenue NW and I-35 from Franklin Road north one-half mile. Same kind of deal. That's to the east of us. Look at here. This thing shows you a park – it shows you a park right there where that multiple use is. There's going to be a park right there. Ruby Grant is just past the road down there. All of this surrounding us – the only place that multiple use is is on the east. Right after this was written – 2004 – they established multiple use as an introductory way to develop. That's what this 2025 plan did. It also talked about planned urban development processes and planned urban development processes – can I read the definition of that? Planned urban development process – a land development project comprehensively planned as an entity utilizing a site development plan which permits flexibility in building site, mixtures of all types, attached and detached housing, usable open spaces, and the preservation of significant natural features. In 2005, right after this was written and established the multiple use idea that the Planning Commission would promote, this area right here – which is to the east of Uplands – they own it – put in a PUD 0506-3 and guess what that PUD did? Established that area on the east as multiple use. Now we're surrounded by everything here and my heart goes out when I look at that and I think everything they've done is beautiful, if they would just take out the apartments, the office, and the apartments, and even the commercial on the end that's already established – they want to make it bigger. If they would take that out, every bit of this whole thing is residential. That's all we're asking. Do not approve Uplands for multiple use when right across the street the same owner has got multiple use. Why doesn't he put that stuff across the street? The City has established right across from us multiple use. I have no animosity toward these guys. They've got to make money. All we're asking is we've been out there for all these years and it's all been residential – everything that's come from Norman up to us from Main basically have been residential. As we got out here at the bottom of this, look at the size of those lots. Big beautiful lots with J&J. They get a little bit smaller, but they get all the way up to Indian Hills Road. That's commensurate with everything we've got in our addition. We jump across the road and it get's smaller.

8. Lindle Coleman, 3604 Sterling Street – Thanks for listening to our concerns. I live in the Marlatt Addition, corner of 36th and Sterling Street. I grew up there since I was about 2. I left, came back, built a house in '93 and have been there ever since. I love the area, and I want to clarify that I believe, from my perspective, the protest was not necessarily just development in general, but the rezoning and the rezoning to the medium to high density. I believe that development is going to happen in this area. I'm actually excited about some of this. I appreciate Mr. Bates and the other developers taking time to visit with us and explain a lot to us. And I do believe that they try to put in the greenbelt and try to make this really nice. I believe growth will happen. But I guess the concerns and the protest for me is specifically around the unintended consequences of that development, and particularly the medium to high-density. The

medium and high-density – the entrances to those areas are very limited. I haven't seen any plans for four-laning any of the roads, so my question is around traffic. Are we going to have four lanes of roads on all four legs of that intersection? Another question is around the interchange and overpass. Is that going to be a four-lane and widened, because that is a main hub off the interstate that will be used to access this area. And, in my opinion, right now it's already becoming overcrowded because a lot of times we can't get out of our neighborhood as it is with the two-lane. And then on the water flow – the unintended consequences of that change in that water flow – how that's going to affect the ponds that are around there and how those buffer zones are going to be maintained. I'd hate to see those grow up in weeds, become dry – just that concern of how that's going to look in the end. And then the sewer costs – will there be a cost incurred on the Marlatt residents to tie into the main line? We've already spent $6,000 and above per resident to have a septic system. And what would be the cost of that? That's another question. And so overall, it's really – I think the main concern for me is the medium to high density. When you pack all those people into those smaller areas with limited entry and exit, what's that going to do to the overall area. Thank you.

9. Sadie Willmon-Haque, 3920 West Indian Hills Road – I live in the Marlatt Addition. I am here to speak concerning the Uplands Addition to the north of our home. I live right next to the radio towers. I am here to speak on behalf of my husband – he couldn't be here, he's in class – and my daughter, Dora – my adorable daughter Dora, who is seven weeks old today. I'm from Oklahoma City and I just thought I'd throw this in, but my dad actually paid $2,000 for our home in Oklahoma City, so that's the complete cost of the home I grew up with in 1979. Now, I've been lucky, through education and different things, and now I pay about $2,000 to live where I live now, and have worked really hard. I have my Ph.D. in Psychology, graduated from OU, and it's been really nice to move to a nice area. We have lived there about four years. Actually, we've bought two homes in the area. We used to live at 3908 West Indian Hills Road, but when our neighbor put up the for sale sign – it was a bigger house – we sold that and moved to our current home, so we just moved our stuff next door over the fence. We just love the area so much. When we moved there, our understanding was that there would just be some development in our area, and like the gentleman right here said I'm really excited over multi-use development. I'm concerned about traffic. Right now I can't even hardly go out and check my mail without getting hit by a car. I don't like that. I don't like having a lot of people. I feel like it might lead to more crime. I've been concerned about water flow since I've lived there. We have two acres and our one acre floods when it rains heavily. And like someone said, the water rises really quickly and so it floods pretty quickly, so I just worry about that. I love my home. I told my husband – he doesn't like for me to brag, but my home is my dream home. It's quiet. It's like the country but I can access Moore and just different shopping centers. I like the people. I love the location. I had a dog – unfortunately she got hit by a car – so I got to know a lot of my neighbors from walking her. It's just a wonderful place to live and I would like it to – if there is development, that it would be I guess single-family homes. Thank you.

10. Ron Ashley, 3608 West Indian Hills Road – I live on the corner of Indian Hills and 36th Avenue. We live in the Marlatt Addition. I'm here to speak concerning Uplands Addition to the north of our home. We've lived there for seven years. We like our

location. We like our home, and we like our neighbors. We moved there because we like it. We purchased our home because it's a little bit country – that would be me – and then my wife, she's a little bit city. There are single-family homes west of 36th Avenue from 164th Street to Carrington Lakes development. We have the Harvest Church north of our home on Telephone Road and Bridgeview United Methodist Church will build their home on West Indian Hills Road. All land east of 36th Avenue is mixed-use or commercial up through Interstate 35. The new commercial development would continue along the I-35 access road as it has since we've been there. As you know, from the Walmart store south it's really coming this way, and we anticipated it would go along there. I understand that from 36th Avenue to I-35, I assume probably half of that would go right on down to Norman and would be commercial. I assumed also that Crystal Lakes development would come north. I look for that to be single-family dwellings. We live within two miles of any retail business I need. I do not want to see commercial property across the street from us. I want to see homes comparable to our homes. If you go north on Telephone Road, you see the Hidden Lake development and the Park Glen development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us is Crystal Lakes development. There are no small homes in these areas. The Uplands Addition developers have been understanding of our concerns. I appreciate that very much. They've all spent time with me. I'm asking you to review and revise the commercial and mixed-use portion of the Uplands Addition to single-family dwelling. Thank you.

RECESS
8:08 to 8:22 p.m.

11. Mr. McCaleb – Some of the concerns that were expressed by some of the people concerned drainage. We have accommodated the drainage and we had that in the drawings a while ago. There were two concerns expressed by citizens. Some said we want to make sure we keep getting the water we're getting, and one says we don't want to be flooded. And that's exactly what we tried to put together. There's a 36" diameter pipe going underneath Indian Hills today. That's the only pipe that crosses the road. If you equate that number, the structure that would be required would be an enormous box if you traversed it all the way through Marlatt. We don't want to do that. We want to make sure they keep getting the water that they want, but we're going to deter the rest of the water so they don't get flooded. This intersection right here – Mr. Manley said several Council meetings ago that he had a drainage problem there. We heard him and we acknowledged that, and so we're going to take that water from this quadrant of property that's hitting there and it will no longer be hitting there. We will pick it up and run it back to here. So that will be eliminated. So there's significant impact on water that's presently flooding the Marlatt area – and I say flooding – it's getting it wet pretty good. But we're going to remove a considerable amount of the problem, at the same time making sure that the drainage area that they are getting presently is allowed. Mr. Bates is going to address this detention pond right there. I might say that one of the comments was raised – we neglected to try to figure out a school for the area. Not true at all. That piece right there is zoned for a school in the Moore School District; we did that with J&J. Yeah, we thought about it. It's planned. We know it's going to happen. That's what that is. The density of the single-family houses – we've got 257 homes in uplands that goes over 65.57 acres. That's 3.9 density lots per acre.

12. Trey Bates – There was a question about whether it would be a wet or dry detention pond, and when Mr. McCaleb was talking about the other detention areas and we were talking about regenerating that. As currently in Mr. McCaleb's design, that's set up to be a dry detention pond. However, as we develop it, we may end up making it an amenity that could contain water. I'd like to point out that we've had a lot of experience in doing developments, and if there is a wet detention pond or, in fact, if it stays dry there will be a property owners association or some sort of property owners method of collecting money to maintain and keep that as a positive amenity. I had mentioned this to a number of residents who had brought this up before that our interests are absolutely aligned. In order to make this a great project that people will want to live in, this has to be an amenity to the project and that's why we put it right there on Indian Hills Road. One other thing I'd like to address is the general recurring theme in terms of the overall development scheme, and whether it's just straight single-family or mixed-use. And the important thing that I'd like to point out is that we have to provide the services to our residents who are going to live out there. There are potentially, obviously, thousands of homes that will happen out here. And recall that as east Norman developed, those residents out there didn't have services – they didn't have the commercial opportunities, they didn't have the opportunities to work and they started traveling over to west Norman. And so then you started creating that problem where the services weren't adequate to supply the residents that lived out there. You also heard over and over again various people talking about already traveling to Moore to shop. The opportunity here, as we fast forward ten, fifteen, twenty years into the future is we see this as an opportunity for a multi-faceted residential, commercial and office development, and the services that are designed, as you'll see in your staff recommendation, support the oncoming potential housing that's out there. So it all fits together, and I'd like to just close again by pointing out the concept that historically we used to look at certain areas as this was just residential and this was just commercial and this was just office. But I think the general consensus now is that you want to create neighborhoods – walkable, liveable neighborhoods with various income opportunities, various types of housing, places where you can work, places where you can live, places where you can shop, places where you can recreate, and that's what the concept is behind the project, as opposed to just a straight R-1 type development.

13. Chairman Gasaway asked who maintains the park area, once it's established. Mr. Bates responded that the Gateway Park has been reviewed and accepted by the Parks Department and will be a City park. Now, all of the common spaces in between – the detention facilities and that sort of thing -- would be maintained by a property owners association.

14. Ms. Pailes asked about the comment that the density was about 4 houses per acre. Mr. Bates responded that, in the residential area, that is correct.

15. Chairman Gasaway asked about the right-of-way dedication on the north side of Indian Hills and 36th and whether those would be two or four-lane roads. Mr. Bates said it will be a full four-lane – I think there's actually turn lanes at the intersections, so at those points there would actually be a fifth lane. Mr. McCaleb clarified that the Marlatt area only has 33' platted, and the normal right-of-way is 50'. So our half would be two

lanes and then the third lane – the turn lane at the intersection. From there west, where you have both sides, that will be four lanes.

16. Mr. Trachtenberg asked the density of the apartment components. Mr. Bates explained that the concept on the RM-2 area is a townhome concept, similar to what you see adjacent to Sooner Mall. The RM-6 would be more of a brownstone concept – 4 to 6 units on a two-level building – all masonry type brick building. Mr. Trachtenberg asked how many units altogether. Mr. Bates said there will be 180 in the north part.

17. Chairman Gasaway noted that somebody had commented that the buffer on the north was a good idea and asked why there wasn't something like that on the south. Mr. Bates said that along the south side along Indian Hills Road we will have a multi-lane road separating the existing housing, plus the addition of the buffer strip through that detention area. The conception of that was to create an additional buffer. Now, the trail system was to tie Gateway Park along the north to the rest of the six or so miles of projects that have been approved in the prior few months.

18. Ms. Connors explained that there are two special planning areas that were noted in the Norman 2025 Plan that are near this property. One is Special Planning Area 4 and one is Special Planning Area 5. These were identified in the comprehensive plan to have special characteristics that needed to be looked at before they could be developed, and they would be developed through a planned unit development process. There are criteria in the Norman 2025 Plan that list what types of land uses and what characteristics need to be preserved as those areas develop. So those need to be brought in as planned unit development areas specifically by the property owners. So, just like the other areas of the Norman 2025 Plan, they have land use designations. They've created these possibilities for mixed-use areas. Neither of those areas have come in and requested any development to date.

Another issue was about our notification process. We notify within 350 feet of the property in question. What happens is the applicant actually gets the list from an abstract company or the county assessor's office and they develop the list and they bring that list to the City of Norman and we notice those people. I know that in the first round of notice the list that was brought to us did not include the City of Moore residents and that was brought to the applicant's attention and, based on consideration from their attorney, they chose to postpone the hearing of that case and redevelop a list and notice again. The City notices the list that is brought to us. And it is, in the City of Norman, 350 feet from that property boundary. I'm going to ask that Leah Messner, one of our assistant City attorneys, come and speak about home rule.

19. Mr. Knotts asked if the special planning area means that those areas necessarily have to be mixed-use. Ms. Connors responded that these areas will have to be developed under the criteria that were developed in the Norman 2025 Plan, unless they're amended. They could come and request amendment from what is designated in the Norman 2025 Plan, just as other developments have requested change. It was a planning exercise and it didn't zone the property.

20. Ms. Messner explained that home rule is a concept we talk about at the City a lot, and without some explanation, it may not be easily understood or understood right off the bat. The City of Norman is a charter city. It means we are governed initially by

our City Charter and we have ordinances underneath that. By becoming a charter city, we are allowed to be different than state law, and that's where you get the home rule concept. We're a home rule city, and so we get to set some of our own laws and our own ordinances that might differ from state law, but we're allowed to do that as a charter city. Other cities that are not governed by a charter are called statutory towns, and they're required to follow whatever the state law is. So if the state law for notice on an issue like this might be different than our city ordinance, the statutory town would have to follow the state law, but because we are a charter city, we are allowed to follow our ordinance, which is a 350 foot notice area.

Mr. Trachtenberg asked if that means there is no requirement under state law that we notice people outside the City limits. Ms. Messner responded that we follow our city ordinance in regards to notice for zoning issues, because they're issues of home rule and issues unique to Norman and not other places in the state. They're matters of local concern.

21. Ms. Connors addressed the earlier comment about what the office and commercial developments would look like. There is a masonry requirement in the City of Norman. Eighty percent of the façade needs to be masonry, so that would be a requirement for either of those land uses to develop with that masonry requirement.

There was also a question about who builds the schools. When property is turned over to the school district it is through the school district that the schools get built and they do that through the mechanisms they have available for constructing new schools.

22. Chairman Gasaway asked about the costs for the Marlatt residents to tie into the water and sewer. Mr. Danner said if the sewer line comes up 36th Avenue, adjacent to Marlatt, it would be the responsible party of the Marlatt Addition to bring the sewer to them. If they're adjacent to 36th, we have a requirement within 500 feet that you're supposed to tie into a public sewer. They currently have water through an assessment district that they did.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Ms. Pailes –First, just to clarify for the audience, the Planning Commission is advisory. So our mission is to clarify issues, bring up problems for the attention of the Council. We will vote and recommend to the Council. Our vote is not binding. What is binding is the Council action, and so you all need to be advised of when this will come before the Council. The detention ponds are not a worry. Every construction event involves a detention pond and their maintenance is always provided for and they work well. The general drainage issues, I have no way to judge if that's going to be a problem or if it's entirely adequate – I simply don't know. I was going to say there's distrust of the commercial and apartment areas, which, upon consideration, the neighbors might consider it's not an entirely bad idea. The third that's commercial removes population. It means fewer people; it means less density, in essence. It means fewer kids in the schools. So it may, in some ways, be something that you would appreciate. It also may actually be more attractive. If you consider that it was solidly single-family residence, what you're likely to get is stockade fences along Indian Hills Road, and probably the commercial and townhouses are basically more attractive fronting Indian Hills than the back yards and stockade fences would be. So it's possible if you consider it, you might not object to that kind of mixed-use element. I personally

take the neighbors' concerns very seriously, and I like to be able to assist people in their bid for democracy as they approach us. And I admit myself to be a little bit mystified on how to bring this to kind of a friendly resolution. One of the things we didn't consider tonight – the Tecumseh Project – also had some neighborhood protests, and the developers there made some very specific accommodations. For one thing, they gave you a very specific plan of what the commercial areas would look like and specified that they would be residential in style and gave a suggested drawing. And the neighbors have a right to sort of bargain for that. They can be very attractive, and they can be perfectly attractive commercial residential style buildings. They also bargained for low lighting on the commercial areas, and also low architectural signage so that they would not be intrusive, so you would drive down the street and actually the commercial areas would be an enhancement. And it is within the neighbors' rights to ask for things like that to enhance the entire area. there is a comment by the staff that recommends that until such a time as the interceptor line is near completion, final plats should not be submitted to the Planning Commission. In other words, this is not going to go forward immediately. I would personally suggest tabling this and getting the neighborhood and the developers together and seeing if they couldn't kind of work things out better so that when this comes before the Council there is general agreement on the style and the system and the general appearance of the neighborhood.

2. Mr. Lewis – Certainly it's an item that there's a great amount of empathy with. Certainly if we looked out of our doors for 50 years and saw a field, that certainly is something that we're accustomed to. But there are several things that I heard that really stood out, and one was the concern of Marlatt regarding storm water, and I think Tom addressed that very well, that the majority of storm water will be directed into tributary G in order to protect Marlatt from flooding. So I think from this development standpoint that is a very good thing in the design. In regards to the school, certainly I remembered, as you reiterated, in the J&J development that came through that land was specifically set aside for a school, so that will be taken care of in the Moore School District. But a couple of the things that I get the impression that maybe is uncomfortable is some of the commercial development. One of the things that the City of Norman is challenged with is that 65% of our overall income comes from sales tax revenue, and when we have a development that far up into northwest Norman, many people will just drive over to Moore and Moore will reap the benefit of a very large development and many, many people that live up in that area. One of the things that I think Mr. Bates has provided for us is a sales tax revenue stream that will allow the City to be provided with the revenue to provide City services to that area, such as fire, police, those types of things, which is commendable in such a development. That way we retain the sales tax revenue within our city, as opposed to people driving to Moore to spend their dollars. Who wouldn't want the dollars spent in Norman so that Norman can benefit and provide those services? Lastly, the thing that really concerns me, and I believe the gentleman has left – I believe his name was Mr. Meeks – was his overall impression with his interaction of our city. I will ask the City Manager to look into that further. I would commend Brenda Hall, our City Clerk, on answering his questions and his characterization of that interaction, but I will ask our City Manager to look into this video streaming and take his comments to heart and his overall impression of his interaction with our Planning Department. I would hope that anyone that comes to the City, whether they're from Oklahoma City, whether they're

from Austin, Texas, would always, without exception, have a good and positive experience and good remarks to make about our city instead of something I had to listen to from Mr. Meeks. So, other than that, I will be voting for this. Certainly it is a very difficult and challenging development to vote on, but I do think overall, long term, and that's what I must look proactively long term it will benefit the City of Norman and I think it will be a beautiful development that everyone can be proud of.

3. Ms. Gordon – I really want to like this plan. I really do. But I have some problems with it and some I've already addressed. I have a real problem with that one street cutting through the residential neighborhood and then cutting through commercial. I think that's problematic. From what I heard, I thought City staff recommended that and I don't get it, quite frankly. I have a problem with the gateway park. I love the park – love the connectivity of it in the grand scheme of all this area, but I think we are really kidding ourselves if we think that 50 feet of a stretch of parkland is going to be a buffer from single-family residential houses next to a dense apartment complex. So I'm having trouble kind of wrapping my head around that. I tend to kind of disagree with Commissioner Lewis in that the vibe that I'm getting from everyone tonight is not necessarily having a big issue with the commercial part of this, but with the density of the residential part – the density of the houses in the neighborhood, the density of these apartments going up in the area. And that's kind of the overall feel I have, that I think in general this is a good idea, and I like looking down the road and I don't have too much of a problem with the commercial part of it, but I just get an overall sense that it's a bit too much for the space. I like the mixed use and wanting to do different types of residential for different income levels and such, but I don't necessarily think this is the best area for that given the general surrounding vibe of all of the other neighborhoods. So, for that reason, I think it can be tweaked. I think it can be improved upon. And I think it needs work. So I won't be able to support it tonight.

4. Mr. Knotts asked to clarify the three items before the Commission. Ms. Connors indicated that we have a Norman 2025 Land Use Plan change, we have a zone change, and the preliminary plat. Mr. Knotts commented that this is not the final plat. This kind of the beginning of the negotiation between the designers and the neighborhoods surrounding that. Preliminary plat is just that – preliminary and it really doesn't say that we're going to build it exactly like this. Ms. Connors clarified that the preliminary plat really defines the parameters of the development and the final plat needs to be consistent with the preliminary plat when it comes through. They could make small changes, but if we moved major roadways or did major changes to this, it would have to come back with a preliminary plat amendment.

Andy Sherrer moved to recommend adoption of Resolution No. R-1011-115, Ordinance No. O-1011-55, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for UPLANDS ADDITION to the City Council. Chris Lewis seconded the motion.

5. Mr. Trachtenberg – I'm going to support this development and I want to explain why to the folks who oppose it. I do so in full sympathy with the idea that a part of town that has been a certain way for a long, long time is going to change. That is always tremendously disappointing and discomforting, whether you've lived there for 41 years, as one of the citizens who spoke has, or if you just bought in expecting to have it a

certain way. But I think anyone, whether you're a long-time resident of Norman or a relative newcomer, has got to notice what is going on in central Oklahoma and in this part of town in particular. These changes are not coming from last week. As we've heard, this very project has been in the works, or sort of publicly discussed for a number of months, and it's in the context of a whole wave of development in this area. When you find out about it, it's shocking, for sure. But it's not brand new. This is what's been going on for a while around here. One of the things that I value about this project and one of the reasons I'm supporting it is precisely because it is part of a comprehensive, systematic approach to development in this area. I think one of the features of a lot of residential developments that we see all over the country, but we certainly see here, is it's one little island next to one little island next to one little island, and never the twain or three of them or four of them really talk to each other or meet in any way. I think that's really bad in all kinds of ways. I think one of the things that's valuable about this development as part of this larger set is it's integrated – it's connected. And, as such, I'm afraid I have to very respectfully disagree with the gentleman who spoke against the idea of mixed-use. Mixed-use is a kind of a technical term for some of us here. We spent a lot of hours working on what's called a mixed-use ordinance, so when I hear that word, I think, wait a minute – this isn't mixed use because there's a special designation for mixed use. But I take your point. This is a mixture of uses. And, to be sure, that's not how we've done things in this country for a long time. I think we've really made a big mistake over the years in the United States, and even right here in central Oklahoma, just saying we're going to have one use for miles and miles and miles. I think a number of people have explained why it's advantageous not to do this. Let me just propose an environmental reason. You don't have to drive as much. Right? I mean the way we've got things set up -- and somebody referred to east Norman before. You live way over here – to get to where you need to go you've got to drive for miles and miles. I think that's not a good way to live, frankly, in my view. I think one of the things that a development such as this does is provides the opportunity to walk or bike or be near to the things that you need in order to live. It doesn't isolate homes away from the other activities of life, and I think that's a really good thing about this project. So I'm in the happy position of agreeing with my colleague, Mr. Lewis, in my support of this development and so I will be voting for it.

6. Ms. Hartley – I just wanted to clarify something. The gentleman said something, referring to the developers and the engineers as professionals, and saying that we were all professionals. We are public servants, serving on this Planning Commission, and I am not a professional engineer or developer. I work with non-profit organizations. I happen to have served on the Park Board for eight years in Norman, and I also was part of the 2025 planning group that looked at land use within Norman. One of the things that I think is really important, that I think Mr. McCaleb pointed out very early on, is that this project does address one of the major goals that the 2025 Plan team, that consisted of 300 individuals in our community, where we went through this process I think almost 9 years ago now – that it does encourage and support diversified types of housing and densities in order to better serve different income levels and family types. That's exactly what this project is all about. Change is coming between the area of Moore and Norman, and I really feel like this is a good project that addresses that. It also disappoints me that people paint developers in a very negative light. I know Mr. Bates. I know Mr. Clagg. I know Mr. McCaleb. They don't do shoddy work. They do good work in this community and they do live here and their kids go to school here and

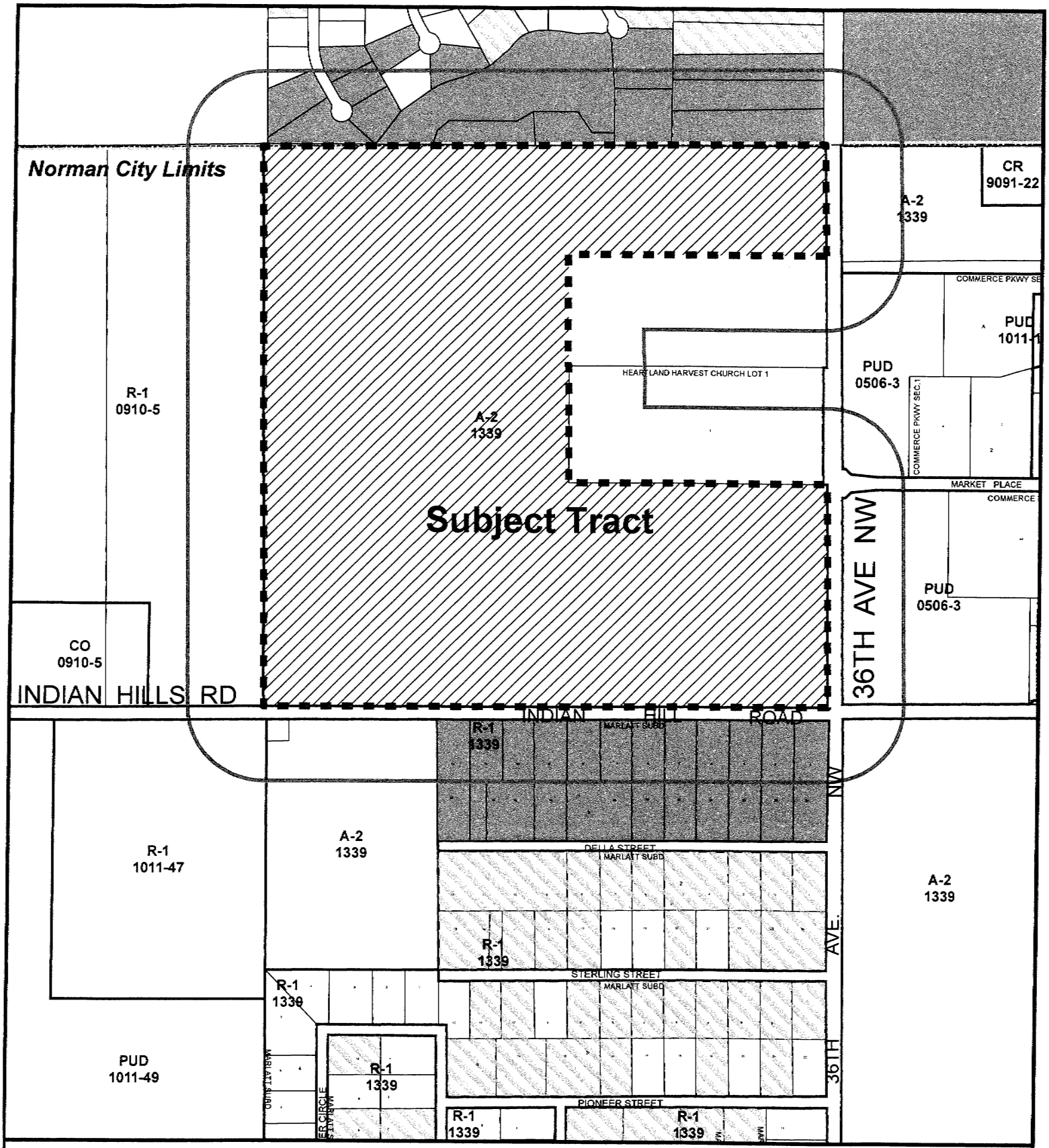
they pay taxes here. And to the woman in the audience who, after Commissioner Lewis said that he was going to vote for this, made this symbol – like we take bribes – we don't. We make difficult decisions sitting on this horseshoe and I'm offended that someone in my community would make that gesture toward Commissioner Lewis. So I ask you, as we vote tonight, like we've all said – we have empathy for you, but we also have tough decisions to make about the future of our community, and that's why we're here.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1011-115, Ordinance No. O-1011-55, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for UPLANDS ADDITION, to the City Council, passed by a vote of 6-2.

* * *



Protest Map

33.0% Protest Within Notification Area

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

N
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S

Scale: 1" = 600'
September 20, 2011

Subject Tract
Protest
Notification Area
Protest Outside Notification Area

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

I, the undersigned, would like to register a protest to the request by Hallbrooke Development Group One, L.L.C., for Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, as stated in Department Notice Of Request, dated April 20, 2011, to Marlatt Addition residents as noted within 350 feet of designated property. As a resident in a residential only neighborhood featuring spacious lots for the freedom of country type living as a defining characteristic for over 50 years, I protest changing that residential status because of the obvious detriment to the plans and lifestyle of the majority who are long term residents, as well as to those of new residents who have also invested on a residential neighborhood basis

Dot Wells

3705 Della N.W

Norman, Ok. 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-17-11

32-35

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

I, the undersigned resident of the Marlatt Addition, would like to register a protest to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property. As a resident in the Marlatt Addition as a whole, a residential only neighborhood featuring spacious lots for the freedom of country type living as a defining characteristic for over 50 years, I protest changing that residential status for all Marlatt Addition residents, because of the obvious detriment to the plans and lifestyle of the majority who are long term residents, and as well to those of new residents who have also invested on a residential neighborhood basis.

We are very concerned about neighborhood character and home value impact issues, traffic issues, noise issues. There are severe drainage issues, and sewer solution issues. If they are addressed in combination with area development plans taken as a whole, at this time, it will enhance property value and significantly reduce future costs that then isolated Marlatt Addition residents would face in obtaining a solution for the whole Addition. A sewer solution now for the Marlatt Additon, with lot option for future connection, provided in conjunction with the overall area development, will be much less expensive than one contemplated in the future for the Marlatt Addition having to act alone.

Walt Wells

3705 Della N.W.

Norman, Ok 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5/23/11

Dear Sir

We want to protest against Tract 2-RM-2 Low Density Apartment Distract. And Tract 4-RM-6 Medium Apartment Dristrict It will lower our value of are house.

Charles R Phillips

Teresa A. Phillips

Teresa Phillips
5405 NW Pioneer Cir.
Norman, OK 73072

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-1-11 7PM

May 31, 2011

To Whom It May Concern:
This letter is to express my concerns regarding the proposed development of the 125 acres north and west of the corner of Indian Hills road and 36th NW in Norman. My interest in this matter is as a resident of the Marlatt Addition, which is located across Indian Hills road from the proposed development.

1) The flatness of the land in this area prevents rain from draining; water pools whenever a heavy rain, such as the four inches in 8 hours that occurred on May 20 of this year. The proposed 125-acre development can reasonably be expected to further worsen the drainage problem. I note as this is being written that the City of Norman is currently deepening the drainage ditch on the east side of 36th NW; while this will help with the water that drains on the east side of 36th NW, it does not appear to help with the water that drains on the west side of 36th NW. There are reports that the drainage problem becomes worse when land north of Indian Hills road is developed.

It is reasonable to request that development north of Indian Hills road, west of I-35 and east of 48th NW should be suspended until an effective, long-term solution to the drainage problem is built.

2) The proposed development is surrounded by 2-lane roads. Although these are section lines, their only improvement since being built were their being paved. Traffic in this area has already become a serious problem; there is too much traffic and too many reckless drivers on Indian Hills road and 36th NW.

It is reasonable to request that development in this area be suspended until
Indian Hills road is upgraded to four lanes from I-35 to at least 48th NW,
36th NW be upgraded to four lanes from NW 34th in Moore to Tecumseh Road, and
NW 34th be upgraded to two lanes on the Norman side.

3) This area is not serviced by the Norman wastewater system. My understanding is that Norman sewage pipes do not extend north of Franklin road. Will the proposed development be on the Norman sewage system? If not, how will the wastewater be handled? If so, will the Marlatt residents be given an opportunity to connect to the Norman wastewater system at a reasonable cost?

4) 'Tract 3' is shown as 'General Commercial'; what types of businesses will be built in this area? My concern is the noise and traffic that these businesses may bring. One reason that I live in the Marlatt addition is the quietness of this area, although occasionally, the music at the fun parks north of here is loud enough to be an annoyance.

If the 21.64 acres on the corner of Indian Hills road and 36th NW will be bringing in significant traffic and noise, the quality of life in the Marlatt addition will be significantly degraded.

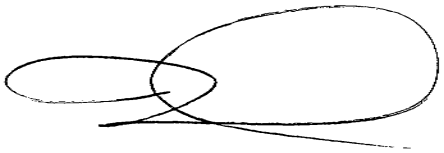
FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/2/11

JN

5) 'Tract 5' is shown as 65.57 acres of 'single family housing'. Will this single-family housing be houses or duplexes? I note that the 16.59 acre Tract 2 and the 11.02 acre Tract 4 are planned to be, respectively, 'Low density apartments' and 'Medium density apartments'.

The concerns with Tracts 2, 4 and 5 are that they do not degrade the quality of life and the property values in the Marlatt addition.

While it is reasonable for a property owner to be able to develop his/her land, the development needs to occur in a responsible manner. Roads, sewage systems and other infrastructure should be in place or upgraded during the development. It is not reasonable to allow 125 acres of land to be developed before the infrastructure required to properly support it is in place. It is also reasonable that the development be compatible with the preexisting neighborhood and the very high end houses that are being built less than one mile away.



John Nail
3607 Della Street
Norman, OK 73072
jnail@cox.net
447-0719

June 3, 2011

To Whom It May Concern:
I am writing to comment on the 'Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment and Rezoning' by Halibrooke Development Group One, L.L.C., dated March 23, 2011. The property in the rezoning request the SW 1/4, Section 35, T10N, R3W of the Indian Meridian, Norman; also known as the quarter section on the northeast corner of Indian Hill road and 36th AVE NW. My interest in this matter is as a homeowner in the Marlatt addition, which is located on the southwest corner of Indian Hill road and 36th AVE NW.

The proposed use for the 20.96-acre tract is 'commercial office or high density apartments'. One concern involves the roads in this area. The tract is bounded by a creek on its north side, I-35 on its east side, Indian Hill road on its south side and 36th AVE NW on its west side. Indian Hill road, 36th AVE NW and the I-35 service road are narrow, two lane country black top roads that are insufficient for the current traffic on them; the addition of 'high density apartments can reasonably be expected to add additional congestion to roads that have not been improved for decades.

Additionally, 36th AVE NW has a low water crossing bridge over a creek; this creek and bridge are located immediately north of the proposed development. This bridge is marginally sufficient for current traffic.

Drainage is another issue. The flatness of this area prevents water from draining well. Work is currently being performed to deepen and widen the drainage ditch on the east side of 36th AVE NW, between Indian Hill road and Franklin road. While this work is greatly appreciated, this improved drainage ditch will only be useful once storm runoff reaches it. The properties in this area typically have water standing in a variety of areas, including on the north side if Indian Hill road, between I-35 and 36th AVE NW, whenever a heavy rainfall occurs.

I ask that development in this area be delayed until an effective drainage solution for this area can be constructed and the roads (I-35 west service road, Indian Hill road, Telephone road/36th AVE NW) are improved.

John Nail
3607 Della Street NW
Norman, OK 73072
jnail@cox.net

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-6-11

already have

John Nail
3607 Della Street
Norman, Oklahoma 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

July 19, 2011

Dear Norman City Council,
This letter is to protest the Uplands Addition; I am a homeowner in the adjacent Marlatt Addition.

My wife and I both work near downtown Oklahoma City. Our reasons for living in Marlatt include the quietness and relative lack of congestion in the Marlatt section of Norman.

We realize that it is unrealistic to expect the undeveloped land that surrounds Marlatt to stay undeveloped. With the exception of a small number of recently built businesses, a recently built church, another church that is planned and a field that contains radio broadcast antennas, the developed land near Marlatt are upscale, single family houses; these houses are consistent with the character of the decades-old Marlatt neighborhood.

My concerns about the proposed Uplands Addition involve the commercial and mixed use portions, both of which can reasonably be expected to degrade the quality of life for residents in and near Marlatt. The apartments and businesses can be expected to increase the amount of traffic and noise in this area. The existing roads (Indian Hills Road and 36th Street NW) often are insufficient for the current amounts of traffic.

Marlatt is located between I-35 and the Canadian River in an area often referred to as 'ten mile flat'. The relative flatness in this area produces issues with standing water during heavy rains. The current project of improving the drainage ditches along 36th Street NW will help with drainage and we commend the city for dong this work. On the other hand, the recently announced Bob Moore Cadillac dealership, to be built next to the Marlatt Addition is expected to worsen the drainage issue. The commercial and mixed use proposed as part of the Uplands Addition can also expected to worsen the drainage problem as soil absorbs water; pavement doesn't.

Marlatt contains a significant number of retirees, some of whom are founding members of the Marlatt addition. They have seen Marlatt change from 'out in the country' to 'almost in town'. The older Marlatt residents know that they will not be able to escape the noise and congestion that can be expected from overdevelopment as is proposed for parts of the Uplands Addition.

My wife and I often discuss moving closer to our work locations, particularly while making our 15 – 20 mile (in each direction) commutes. Currently, living in Marlatt is worth the time and and expense of making our commutes. We are concerned that the Uplands Addition will make the Marlatt area of Norman more like the parts of Oklahoma City in which we work.

Frankly, if this part of Norman is going to become similar to Oklahoma City, my wife and I should save ourselves a considerable amount of time and money each week by moving to Oklahoma City.

I request that you review and revise the commercial and mixed use portions of the Uplands Addition with the consideration of these being single family dwellings. I thank you for your time and attention.

John Nail

TRACT 25 BLK 1 LOT 24

32-41

Ron Ashley
3608 W Indian Hills Road
Norman, OK 73072

Douglas J. Koscinski, AICP
City of Norman
Planning and Community Development Department
Manager Current Planning Division
201 West Gray, Bldg. A, P.O. Box 370
Norman, OK 73069 73070

Dear Sir,
I, the undersigned resident of the Marlatt Addition, would like to register a protest to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property. As a resident in the Marlatt Addition as a whole, a residential only neighborhood featuring spacious lots for the freedom of country type living as a defining characteristic for over 50 years, I protest changing that residential status for all Marlatt Addition residents, because of the obvious detriment to the plans and lifestyle of the majority who are long term residents, and new residents who have also invested on a residential neighborhood basis.
We are very concerned about neighborhood character and home value impact issues, traffic issues, noise issues. There are severe drainage issues, and sewer solution issues. Norman replaced the south side Indian Hills driveway whistles in 2004. We continue to have the same flooding problem. It is known the new whistles are undersized. I asked at the time if the ditch would be deepened and still be able to be mowed. The ditch north of our home is too steep for me to mow and I have spent several hundred dollars on repairs due to damage to our mower in the north ditch. Our ditches on the south side of Indian Hills Road run full without rain water crossing from the north side of Indian Hills Road. Having brought in over 15 truck loads of dirt and seeing it wash off our property to the south I believe the solution is to increase the size of the last five whistles on the south side of Indian Hills Road. The water run off east of our home on 36th Ave leaves trash and debris every time we have a moderate rain. I think the solution on our corner is to put the water drainage under ground east of our driveway whistle (approx. 70 feet). If they are addressed in combination with area development plans taken as a whole, at this time, it will enhance property value and significantly reduce future costs that then isolated Marlatt Addition residents would face in obtaining a solution for the whole Addition. A sewer solution now for the Marlatt Additon, with lot option for future connection, provided in conjunction with the overall area development, will be much less expensive than one contemplated in the future for the Marlatt Addition having to act alone.

Ron Ashley

Ron Ashley

CC: Shawn O'Leary Director of Public Works
201 West Gray, Bldg. A • RO. Box 370 Norman Oklahoma 73069 • 73070

IN, already have

FILED IN THE OFFICE
OF THE CITY CLERK
ON June 3, 2011

32-42

6/2/2011

Ron Ashley
3608 West Indian Hills Road
Norman, Oklahoma 73072

July 19, 2011

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

All land east of 36th Ave is mixed use or commercial to Interstate 35. We were not informed of these changes. We knew commercial development would continue along the I35 access road. We expected and want single family dwellings in the Uplands Development.

We live within two miles of any retail business I need. I do not want to see commercial property or apartments. I want to see homes and town homes comparable to our homes. If you go north on telephone Road you see the **Hidden Lake development and the Park Glenn development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us the Crystal Lakes development. There are no small homes in these areas.**

The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

I realize Indian Hills Road will have to be widened as well as 36th Ave. There are existing homes on the south side of Indian Hills and existing homes on the west side of 36th Ave. Why not put the other lane for Indian Hills on the north because it is a field and undeveloped. The same goes with 36th Ave. The land east of 36th Ave is undeveloped. Common sense tells me it is a lot cheaper to rework on undeveloped land than residential property. We have an automated gate and we will need room to pull off Indian Hills outside the gate. This will put our gate next to our home and no way to get in to our 2 car garage. We will lose our beautiful trees located on the knoll in our front yard on the north. We will lose our existing leach field that was recently reworked on the west side of our home.

Thank you for your time.

Ron Ashley

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-21-11

Ron Ashley
cc: Dick Manley

405-323-9365 Ron Cell #

IN, already have

Name Ron Ashley

Address 3608 W Indian Hills

Norman, Oklahoma 73072

July 19, 2011

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

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The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

Thank you for your time.

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

Name M R Ashley (sign)

Marcia Ashley (print name)

Ron Ashley

TRACT 3 BLK 1 LOT 1 MARLATT ADDITION

cc: Dick Manley

EDMONDS
COLE
LAW FIRM

7 S. Mickey Mantle Drive, Second Floor
Oklahoma City, OK 73104-2458
Phone: 405.272.0322
Fax: 405.235.4654
www.edmondscole.com

David W. Edmonds
David H. Cole
Greg D. Givens
Michael Woodson
Clinton D. Whitworth
Sheila R. Benson*
Nevin R. Kirkland
*Also Licensed in Texas

Brandon P. Wilson
Christopher T. Combs
John L. Walkup
Stephanie L. Khoury

Writer's Direct E-mail: sbenson@edmondscole.com

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment

Dear Mr. Koscinski:

I, Sheila Benson, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein. If you have any questions, please do not hesitate to contact me at 405-641-0839.

Sincerely,

Sheila R. Benson
4101 SW 40th Place
Moore, Oklahoma 73160

ont

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

32-45

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, OK 73030

Re: Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment

Dear Mr. Koscinski,

I, the undersigned resident of 4209 S. Telephone Road (36th Street in Norman and property immediately North of subject property), by this letter hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, LLC, as stated in the City of Norman "Notice" dated May 18, 2011, as sent to Limited residents within 350ft of the designed subject property. I was not notified by the City of Norman, which I am quite confused about, since my property Immediately abuts subject property on the North.

As the closest residential property owner to this development, which is an almost 3 acre residential property, and currently has a value of over $350,000, I do believe that having Apartments built right next door to my property will be an extreme detriment to my lifestyle and also the value of my home and property.

Understandably so, I feel that our property will greatly suffer due to reduced property values, increased traffic issues, and increased noise from the higher density of a population within an apartment complex.

I would greatly appreciate your consideration in Denying this application for the reasons stated above.

Sincerely,

Christel Van Tuyle
4209 S. Telephone Rd
Moore, OK 73160
405-740-3788 cell

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-6-11

June 6, 2011

TO: Norman Planning Commission
201-A West Gray Street
PO Box 370
Norman, OK 73070

From: Bob Stoops

RE: Protest of Rezoning – Indian Hill and NW 36th

Please consider this my written protest of rezoning the parcels of land at Indian Hill and NW 36th.

I purchased my 20 acres of land at 5400 36th Ave. NW with the idea that the zoning principles would remain the same – that's why I bought it. It was a chance to enjoy more space than many parts of Norman. Had I known that the land would be developed for high density apartments and commercial office space I would have most likely chosen another place to build my home. One of my greatest concerns is the guaranteed increase in traffic in the area that development will bring.

Thank you for receiving my protest. I can be reached at 325-8246 to discuss if necessary.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

5 June 2011

Doug Koscinski

Planning and Community Development
City of Norman
201 West Gray, Bldg A
Norman OK 73069

Dear Sir:

As a Marlatt Addition resident I would like to register a protest to the requested Amendment and Rezoning change of the Norman 2025 Land Use Plan, by Hallbrooke Development Group One LLC dated April 20, 2011 and then further amended dated May 18, 2011. As a home and property owner in this 50 year old spacious country-like community, I protest changing zoning status in Hallbrooke's proposal to the detriment of our living and lifestyle of the majority of long-term homeowners and to the plans of new residents who are investing in our neighborhood.

My neighbors and I are very concerned about the proposals' change of the neighborhood, the impact of home values, additional lighting and noise issues, and increased traffic concerns. In this area of town there are major storm drainage issues and only private sewer solutions. Before any further developments are approved by the commission, I think solutions for the whole entire area surrounding the Marlatt Addition should be decided. Developments to the South, the West, the Northwest, and the Northeast have already been approved, yet sewage and rainwater are not totally addressed. Before any road developments are started, this should all be decided.

I would appreciate notice of any further decisions concerning this part of North Norman.

Thank you,

Donald Milton Davis

Donald Milton Davis
5532 Steed Drive
Norman OK 73072-1227
(405) 329-6145

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-6-11 TM

Justin Beddo

3823 NW Pioneer Street• Norman, OK 73072• Phone: 405.217.9198

Date: June 5, 2011

Planning and Community Development Department
210 West Grey, Bldg. A
P.O. Box 370
Norman, OK 73069 73070

Dear Sir or Madam:

I, the undersigned resident of Marlatt Addition (Lot 15, Block 3) and investment owner (Lot 2 Block 7) do certify and enter a written protest against the Amendment and Rezoning by Hallbrooke Development Group One, LLC. As a property owner and Investor in an established neighborhood with country living atmosphere I protest on the basis of increased traffic, noise, pollution and potential crime would severely impact property value and living condition. NW 36th Street is almost impossible to access from the neighborhood. We have already noticed an increase in traffic due to the multi-million dollar residence being built South of Marlatt even though the streets have no through access. Our neighborhood will no longer have any advantage of suburban living and will eventually be an oddly developed addition in an urban environment. Our Plat restrictions were drawn to protect the spacious and open freedom of neighbor interaction without the need for fences and security cameras.

The planning commission should decide and define a cohesive living environment for this area. Crystal Springs and Marlatt are compatible acreage living. Land values and property taxes for this type of zoning will provide the city with ample revenue. We are constantly being told one thing about re-zoning ideas and then given something completely different. High-end retail with apartment living above was replaced with Hey Day and Andy Alligators. Now comes another re-zoning to add High Density Housing. When residents have no real investment in the property there is no incentive for concern of community.

The City of Norman constantly interjects with piecemeal solutions to our needs, IE drainage and water, not to mention some residents bordering the Marlatt Addition now have access to Oklahoma Natural Gas utilities and city sewer utilities. After 25 years of relying on a well to provide water, the city came with an offer to place a substantially large payment and or attachment on the property in exchange of water lines to be installed in the easement. We ask now for a consideration of a sewer solution before we are isolated with High Density Housing, apartments, senior citizen center and a school and any other re-zoning you see in the future. This would avoid the costly and intrusive burden of approving a bond issue the Marlatt Addition residents, investors and property owners would shoulder in the aftermath.

Sincerely,

Justin Beddo
Resident and Investment Owner

ent

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

32-49

Justin Beddo

3823 NW Pioneer Street• Norman, OK 73072• Phone: 405.217.9198

Date: June 5, 2011

Planning and Community Development Department
210 West Grey, Bldg. A
P.O. Box 370
Norman, OK 73069 73070

Dear Sir or Madam:

I was never given an opportunity to express myself concerning the Planning Commission's approval for Re-zoning the property generally located on the north side of Indian Hill Rd. and East of 36th Avenue NW. An area located within 350' of the Marlatt Addition. Please report this protest to the City Council as I have missed the April 11th deadline

I, the undersigned resident of Marlatt Addition (Lot 15, Block 3) and investment owner (Lot 2 Block 7) do certify and enter a written protest against the Amendment and Rezoning by Hallbrooke Development Group One, LLC. For commercial office or high-density apartments. As a property owner and Investor in an established neighborhood with country living atmosphere I protest on the basis of increased traffic, noise, pollution and potential crime would severely impact property value and living condition. NW 36th Street is almost impossible to access from the neighborhood. We have already noticed an increase in traffic due to the multi-million dollar residence being built south of Marlatt even though the streets have no through access. Our neighborhood will no longer have any advantage of suburban living and will eventually be an oddly developed addition in an urban environment. Our Plat restrictions were drawn to protect the spacious and open freedom of neighbor interaction without the need for fences and security cameras.

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Sincerely,

Justin Beddo
Resident and Investment Owner

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-6-11
32-50

4 June 2011

Douglas J Koscinski, AICP
City of Norman
P O Box 370
Norman OK 73069

Sir:

We the undersigned residents of the Marlatt Addition, are registering a protest to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning dated 20 Apr 2011, and further amended in Notice dated 18 May 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property. As residents of the Marlatt Addition as a whole, a residential only neighborhood featuring spacious lots for the freedom-of-country type living as a defining characteristic for oer 50 years, we protest changing that residential status for all Marlatt Addition residents, because of the obvious detriment to the plans and lifestyle of the majority who are long-term residents, as well as those new residents who have also invested heavily in a residential neighborhood.

Which brings up the recently received Water Quality Protection Zoning Overlay District aka SWMP:

I don't understand, perhaps YOU can explain - if the city is SO concerned about protecting the Little River watershed after 40 years, why is it allowing acres and acres of the currently open fields in northwest Norman to be taken up with acres and acres of houses with concrete driveways and lawns to fertilize, plus acres and acres of apartments with asphalt parking lots holding too numerous residents who will strain our utilities that are already in short supply. I can remember during de-annexation days when old Russell Bates threatened us with putting a cattle feed-lot on that property. That is what was preferred then and it would be preferred today.

Robert Ashton
Sharron Ashton
3812 NW Sterling Street
Norman OK 73072

cnt

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-7-11

32-51

John Hamlin, M.D., J.D.
P.O. Box 722520
Norman, OK 73070
405-834-7172
July 8, 2011

City of Norman
201 West Gray, Bldg. A
P.O. Box 370
Norman, OK 73070

Hand Delivered and Filed with City Clerk on July 8, 2011

Re: Protest to the Request for Norman 2005 Land Use and Transportation Plan Amendment and Rezoning

The undersigned received notice that Hallbrooke Development Group One, L.L.C has requested an amendment to the Norman 2005 Land Use and Transportation Plan. The undersigned who lives at 1603 Mark Circle adjacent to the property under consideration protests the proposed amendment as presently written. This protest is based on the fact that the adjacent property is R-1 single family residence property.

While the proposed Tract 5 is R-1 single family residence property, the proposed Tract 4 is RM-6 Medium Density Apartment District. The proposal attempts to place apartment buildings adjacent to single family residences which will include the properties in the Hidden Lake subdivision and the proposed Tract 5 properties.

If the proposed Tract 4 was R-1 single family residence property there would be no objection. The developer could move the proposed RM-6 Medium Density Apartment District into the south portion of Tract 5. That would place the RM-6 Medium Density Apartment District near Tract 2 RM-2 Low Density Apartment District and Tract 1 CO Suburban Office Commercial District.

In addition, the proposed parkland tract is insufficiently narrow to be used as a buffer between the Hidden Lake property and Tract 4. It starts out being only 2.33 feet wide and based on the location map is probably only 5 feet wide in front of 1603 Mark Circle. If the parkland buffer was at least 50 feet wide, the size of a road, there might be less opposition to the proposal.

Sincerely,

John Hamlin

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/8/11

HILLSDALE
Established in 1959

August 16, 2011

City of Norman
City Clerk
201 West Gray, Building A
P.O. Box 370
Norman, Oklahoma 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

RE: Uplands Division Rezoning (North of Indian Hills Road and West of N.W. 36th Street)

To Whom It Concern,

I am writing in opposition to the rezoning of the area in the Uplands Development to commercial and apartment complexes. This development sets north of Indian Hills Road and west of N.W. 36th Street in Norman.

The northeast corner of this property is across the street from the Hillsdale College property that runs across the northern border of the Commerce Parkway Addition. My concerns are three fold:

1. The tract map shows a major surface water drainage field to the north and east corner of the development which actually empties into the stream bed that runs across the south section of the Hillsdale College property.
2. The heavy concentration of the population in this area will create traffic congestion and overwhelm the infrastructure of this area in the city.
3. As a citizen of Norman I am personally opposed to the water use requirements this will add to the city and the costs of the infrastructure improvements. My personal opinion is that Norman will bear the cost of these changes and the residents will spend their money in the growing retail district just north of this development in Moore. This will make Moore the Sale Tax Collector for our Norman city improvements and Norman will not effectively recover the costs effectively.

I am convinced that a residential development would be more consistent with the housing areas west of N.W. 36th Street, cost less for infrastructure, and provide family housing on the Norman west side. There is more than enough room for commercial development from the east of N.W. 36th to the Interstate 35 corridor.

You are welcome to contact me at my direct office phone 405-912-9456.

Respectfully,

Timothy W. Eaton

Timothy W. Eaton, Ph.D.
Hillsdale President/Norman Citizen

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/19/11

Dear Sir,

I, the undersigned resident of the Marlatt Addition, would like to register a protest to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property. As a resident in the Marlatt Addition as a whole, a residential only neighborhood featuring spacious lots for the freedom of country type living as a defining characteristic for over 50 years, I protest changing that residential status for all Marlatt Addition residents, because of the obvious detriment to the plans and lifestyle of the majority who are long term residents, and as well to those of new residents who have also invested on a residential neighborhood basis.

We are very concerned about neighborhood character and home value impact issues, traffic issues, noise issues. There are severe drainage issues, and sewer solution issues. If they are addressed in combination with area development plans taken as a whole, at this time, it will enhance property value and significantly reduce future costs that then isolated Marlatt Addition residents would face in obtaining a solution for the whole Addition. A sewer solution now for the Marlatt Additon, with lot option for future connection, provided in conjunction with the overall area development, will be much less expensive than one contemplated in the future for the Marlatt Addition having to act alone.

Bobbie Smallwood 3433 w Indian Hills Rd Norman OK 73072

MARLATT BLOCK 1 LOT 4

UPLANDS PROTEST LETTER

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department
att: city Clerk
Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

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Bobbie Smallwood

3632 NW Indian Hill Rd, Norman OK 73072

Block one
Lots 3 + 4 of Marlatt Sub-division

FILED IN THE OFFICE
OF THE CITY CLERK
5/26/11

32-55

Name Bobbie Smallwood

Address 3632 NW Indian Hill Rd
Block 1, lot 3 TRACT 3
Norman, Oklahoma 73072

July 19, 2011

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

All land east of 36th Ave is mixed use or commercial to Interstate 35. We were not informed of these changes. We knew commercial development would continue along the I35 access road. We expected and want single family dwellings in the Uplands Development.

We live within two miles of any retail business I need. I do not want to see commercial property or apartments. I want to see homes and town homes comparable to our homes. If you go north on telephone Road you see the **Hidden Lake development and the Park Glenn development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us the Crystal Lakes development. There are no small homes in these areas.**

The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

Thank you for your time.

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

Name Bobbie Smallwood (sign)

Bobbie Smallwood (print name)

cc: Dick Manley
MS Works

Untitled

08/01/2011
Bobbie Smallwood
3632 N.W. Indian Hills Rd.
Norman, Ok. 73072

block 1 lot 4 Marlott addition

In 1960, we bought 2 lots, 1 acre each, to build on. We were told in the future there would be building across the road on N. side of Indian Hill Rd. We assumed it would be acre lots like acreage in Marlott addition. We would welcome that, we like the country atmosphere but not all activity that goes with in town living.

This is my formal protest .

08/01/2011
Bobbie Smallwood
Bobbie Smallwood

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/24/11

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

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We are very concerned about neighborhood character and home value impact issues, traffic issues, noise issues. There are severe drainage issues, and sewer solution issues. If they are addressed in combination with area development plans taken as a whole, at this time, it will enhance property value and significantly reduce future costs that then isolated Marlatt Addition residents would face in obtaining a solution for the whole Addition. A sewer solution now for the Marlatt Additon, with lot option for future connection, provided in conjunction with the overall area development, will be much less expensive than one contemplated in the future for the Marlatt Addition having to act alone.

Marcia Ashley MARCIA.Ashley@yahoo.Com

Account # R0052708

Ncc2 MARLT. 1-1.001

MAY 27, 2011.

Marcia

3608 W. Indian Hills Road
Norman, OK 73072
405-691-2345

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5/31/11

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

Dear Sir,

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Brenda Tamas Ryan

3908 west Indian Hills Road

TRACT 12 BLK 1 LOT 10
MARLATT

32-59

Name Barrett Toms Husted

Address 3908 West Indian Hills Road

Norman, Oklahoma 73072

July 19, 2011

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

All land east of 36th Ave is mixed use or commercial to Interstate 35. We were not informed of these changes. We knew commercial development would continue along the I35 access road. We expected and want single family dwellings in the Uplands Development.

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The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

Thank you for your time.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/15/11

Name _____ (sign)

Barrett Toms Husted (print name)

TRACT 12 BLK 1 LOT 10

cc: Dick Manley MARLATT
MS Word

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Richard H Marley BLK 1 LOT 23

June 2, 2011

Dorothy L Marley

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/2/11

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

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Richard A Manley Blk 1 Lot 2

June 2, 2011

Dorothy L. Manley

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/2/11

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Charles W Simonds Jr

Trustee, Charles W Simonds Trust

3631 Della NW

Norman, Ok 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/8/11

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

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Alexis Stinnett 3804 W. Indian Hills Rd Block 1 Lot 7
MARLATT

UPHOLDS PROTEST

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

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3907 DeTAR T. DR.

Block#1 EAST/2 Lot 14

MARLATT

U PLANOS PROTEST

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/19/11

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3907 DEL/AS T. N.W.

Block 1 Lot # 15

MARLATT

Name Louis W. Ball III

Address 3730 W. Indian Hills Rd.

Norman, Oklahoma 73072

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

July 19, 2011

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

All land east of 36th Ave is mixed use or commercial to Interstate 35. We were not informed of these changes. We knew commercial development would continue along the I35 access road. We expected and want single family dwellings in the Uplands Development.

We live within two miles of any retail business I need. I do not want to see commercial property or apartments. I want to see homes and town homes comparable to our homes. If you go north on telephone Road you see the **Hidden Lake development and the Park Glenn development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us the Crystal Lakes development. There are no small homes in these areas.**

The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

Thank you for your time.

Name L. W. Ball (sign)

Louis W. Ball (print name)

TRACT 8 BLK 1 LOT 6

cc: Dick Manley

UPLANDS PROTEST

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

Dear Sir,

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Name _____ (sign)

Louis W. Ball (print name)

3730 W INDIAN HILLS RD MARLATT ADDITION

cc: Dick Manley

TRACT 8 BLK 1 LOT 6

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

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3931 DELLA ST.

JUSTIN KAMMERER

MARLATT ADDITION

TRACT 15 BLK 1 LOT 13

UPLANDS PROTEST

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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OF THE CITY CLERK
ON 8/19/11

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3931 DELLA ST.

JUSTIN KAMMERER

MARLATT ADDITION

TRACT 16 BLK 1 W/2 LOT 14
UPLANDS PROTEST

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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3816 W INDIAN HILLS ROAD

Darlene L. Auburn

Carl Auburn

TRACT 10 BLK 1 LOT 8

MARLATT

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Darlene R. Anderson

3828 W INDIAN HILLS ROAD

Carl Jamison

TRACT 11 BLK 1 LOT 9

MARLATT

Carl Amburn

3828 W Indian Hills Rd 3828 W INDIAN HILLS ROAD ADDITIONAL LOT BLK 1 LOT 9

Norman, Oklahoma 73072

July 20, 2011

I am writing this letter of Protest concerning the Uplands Addition.

I like our location, our home and our neighbors. There are single family homes West of 36th Ave from 164th Street south to Carrington Lakes development. Immediately North, is the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build further West on Indian Hills Road.

All land east of 36th Ave is mixed use or commercial to Interstate 35. I was not informed of these changes. I knew commercial development would continue along the I35 access road. I expected and want single family dwellings in the Uplands Development.

I live within two miles of any retail business we need. I do not want to see commercial property or apartments. I want to see homes and town homes comparable to our homes. To the North on telephone Road you see the **Hidden Lake development and the Park Glenn development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us the Crystal Lakes development. There are no small homes in these areas.**

The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

Thank you for your time.

Carl Amburn

Carl Amburn

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

Darlene Amburn

BLK 1
3816 W Indian Hills Rd LOT 8

Norman, Oklahoma 73072

July 20, 2011

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Darlene L. Amburn

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

Darlene Amburn

UPLANDS PROTEST

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Maggie Robbs Row 1 lot 4

4m Robbs

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11
32-75

Robbs

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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5/30/11

5/30/11

IN

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-2-11 32-76

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Henry T Winebrenner 6-28-2011
3709 NW Della St.
Norman, OK. 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/1/11

32-77

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

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Rick Davenport 448-56-2081

Teresa Davenport 446-58-8366

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-13-11 78 DM

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Block 7 lot 9 + 10 6/4/11

Block 7 lot 9 + 10 6/4/11

6209 & DANA RUSHING

5430 36th NW

FILED IN THE OFFICE OF THE CITY CLERK 32-79 ON 6/6/11

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Block 2, Lot 8

Dear Sir,

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Regards,

Louis Bertoletti
3814 NW Della St
Norman, Ok 73072
405-217-9679

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/3/11

32-80

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Block 2, Lot 8

Dear Sir,

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Regards

Trina Bertoletti

Trina Bertoletti

405-217-9679

3814 NW Della

Norman, Ok

73072

FILED IN THE OFFICE OF THE CITY CLERK

32-81

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

Dear Sir,

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Mayon Ray Morrow

Linda Morrow

Lot 17 Blk 1 Marlatt add.

Norman OK 73072

UPLANDS PROTEST

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

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Mayor Ivy Morrow

Loreta Morrow

Lot 16 Blk 1 Marlatt Add

Norman, OK 73072

32-83 Street

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

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Mayor Jay Marrow

Loreta Marrow

Lot 18 Blk 1 Marlatt add.

Norman OK 73072

COMMERCE PARKWAY ← out already here

32-84

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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(MARLATT LT 13 BLK 2)

3929 NW STERLING ST 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11 32-85

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Martha Jones

BLK2 Lot 15

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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_____

_____

_____

David Krueger

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

DAVID KRUEGER
3917 NW STERLING
NORMAN OK 73072

32-87

RECEIVED
JUN 06 2011
Development Services
Division

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Wayne A. Bentley

Laura J. Bentley

3825 NW Sterling St.

Norman, OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-6-11 32-88

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

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Troy Davis
3911 NE Pioneer, Norman, OK
Blk 3 Lot 14

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

RECEIVED
JUN 06 2011
Development Services
Division

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Kevin B. Castleman, Kevin B. Castleman

5604 NW. Pioneer Cir., Norman, OK. 73072

BLK. # 5, LOT # 10, Marlatt SUBD.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11, 32-90

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Dale Smallwood BLK 2 LOT 22 5-28-11

Wanda Smallwood BLK 2 LOT 22 5-28-11

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/8/11 32-91

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

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Carolyn Reynolds

Block 2, Lot 11

FILED IN THE OFFICE OF THE CITY CLERK ON 6/11/11

6/6/11-92

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Renee Lues (Heldenbrand Trust)
3929 West Pioneer, Norman, OK
Marlatt Subdivision, W 9 of Lot 11
all of 12, block 3 and
all of Lot 13 - block 3

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

32-93

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Velma J. Wells
3715 N. 24th Sterling
Norman Okla. 73072
Marlatt Addition
Blk. 2 Lot 20

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

32-94

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Eugene Deal

3813 N.W. Sterling St.

Norman, OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-7-11

32-95

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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CHAD WILLIAMSON 405-823-1880

HOME OWNER LOT 10 - BLK 3

THIS PROJECT WILL SUBSTANTIALLY AFFECT MY LOT AS I HAVE A BLUE LINE CREEK ON MY LOT. I AM VERY CONCERNED ABOUT THE STORM WATER DESIGN OF THIS PROJECT

FILED IN THE OFFICE OF THE CITY CLERK

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Joseph Randel Nelson (Janis R. Nelson-Sharp)

3616 NW Sterling St.

Norman, OK 73072

405.761.7061

Janis R. Nelson-Sharp

Joseph Randel Nelson

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5/31/11

32-97

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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James E Polk and Sybil L Polk
3738 NW Pioneer. Norman OK 73072
owner and Resident of Property Block 7 Lot 3
Marlatt Adition for over 50 yrs.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-31-11

32-98

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

I, the undersigned resident of the Marlatt Addition, would like to register a protest to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property. As a resident in the Marlatt Addition as a whole, a residential only neighborhood featuring spacious lots for the freedom of country type living as a defining characteristic for over 50 years, I protest changing that residential status for all Marlatt Addition residents, because of the obvious detriment to the plans and lifestyle of the majority who are long term residents, and as well to those of new residents who have also invested on a residential neighborhood basis.

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Sincerely Debra Mauterer and Alvin Mauterer

3805 N.W. Pioneer

Norman, OK 73160

Block 3 lot 16 of the Marlatt Addition.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-31-11

out

32-99

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Jerry Mac Kirk
5444 NW Pioneer Circle
Norman, OK 73072

Sue Kirk
5444 NW Pioneer Cir
Norman, OK 73072

FILED IN THE OFFICE OF THE CITY CLERK ON 5/31/11

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

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Reba M. Schweizerhof Block 2 Lot 10

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-23-11 32-101

Mailed: 18 May 2011

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

Dear Sir,

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Mrs. Opal L. Followwill

3710 N.W. Della

Norman, Ok. 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-20-11

32-102

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Robert A. Hendrick

3802 NW Della.

Block 2 Lot 7

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5/27/11

out

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Don & Kathy Rose

3621 N.W. Pioneer ST.

Norman OK 73072 Lot 21 BLK 3

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-2-11 32-104

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Jeff & Shawnda Zehr
3707 NW Pioneer
Norman, Ok. 73072
Blk 3
Lot 19

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-2-11 TM
32-105

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Peggy A. Ritchie 5555 N.W. Pioneer Circle Blk 5 Lot 8

Ken Ritchie 5555 NW Pioneer Cir. Bl. 5 Lot 8

out

FILED IN THE OFFICE
OF THE CITY 32-106
ON 6-2-11 PM

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Linda Coleman 5/28/11

3604 Sterling St. N.W.

Norman Ok 73072 405-301-9045

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-2-11 7M

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Ron & Terri Wofford
3726 NW Sterling Street
Norman, OK 73072

cut

FILED IN THE OFFICE
OF THE CITY 32-108
ON 6-2-11 TM

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Nael D. Sudduth
Lots 1-2 an 23-24 4 Lots -
Marlatt Addition

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-1-11 PM
32-1097

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Dwight Shropshire

Block 5 lot 3

5-31-11

SHROPSHIRE

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-1-11 at

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Melvin Thomas Melvin Thomas

3728 Della N.W. Clot 6, Blk 2, Marlatt Addition,

Norman, OKla 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/1/11

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Paul E Traugh

Katherine A Traugh

ok t

3816 N W Pioneer

Norman, Ok 73072

360-5340

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-1-11 7M

32-112

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Randolph R Phillips

Teresa A. Phillips

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-1-11 9:11

32-113

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Virgil R. & Hilde M. Votaw Virgil R. Votaw Hilde M. Votaw

3702 N.W. STERLING

NORMAN, OK. 73072

May 31, 2011

FILED IN THE OFFICE
OF THE CITY 32-114
ON 6-1-11 PM

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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Mr Mrs Jerald Kleeman
3714 NW Sterling St Norman
OK 73072 Block 3 Lot 5

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5/31/11

out

32-115

Douglas J. Koscinski, AICP

City of Norman

Planning and Community Development Department

Manager Current Planning Division

201 West Gray, Bldg. A

P.O. Box 370

Norman, OK 73069 73070

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I, the undersigned resident of the Marlatt Addition, would like to register a protest to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property. As a resident in the Marlatt Addition as a whole, a residential only neighborhood featuring spacious lots for the freedom of country type living as a defining characteristic for over 50 years, I protest changing that residential status for all Marlatt Addition residents, because of the obvious detriment to the plans and lifestyle of the majority who are long term residents, and as well to those of new residents who have also invested on a residential neighborhood basis.

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Willis Long

Dorris Long ADDRESS: 3916 N.W. Sterling PHONE: 329-4154

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5/27/11

Name Thomas Parker

Address 4109 S. Telephone Rd.
Moore 73160
~~Norman~~, Oklahoma ~~73072~~

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

All land east of 36th Ave is mixed use or commercial to Interstate 35. We were not informed of these changes. We knew commercial development would continue along the I35 access road. We expected and want single family dwellings in the Uplands Development.

We live within two miles of any retail business I need. I do not want to see commercial property or apartments. I want to see homes and town homes comparable to our homes. If you go north on telephone Road you see the **Hidden Lake development and the Park Glenn development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us the Crystal Lakes development. There are no small homes in these areas.**

The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

Thank you for your time.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

Name Thomas Parker (sign)

Thomas Parker (print name)

TRACT 32
HIDDEN LAKE/KYLIE ACRES

cc: Dick Manley
MS Works

Name Thomas Parker

Address 4201 S. Telephone Rd.
Moore 73160
~~Norman~~, Oklahoma ~~73072~~

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

All land east of 36th Ave is mixed use or commercial to Interstate 35. We were not informed of these changes. We knew commercial development would continue along the I35 access road. We expected and want single family dwellings in the Uplands Development.

We live within two miles of any retail business I need. I do not want to see commercial property or apartments. I want to see homes and town homes comparable to our homes. If you go north on telephone Road you see the **Hidden Lake development and the Park Glenn development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us the Crystal Lakes development. There are no small homes in these areas.**

The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

Thank you for your time.

Name Thomas Parker (sign)

Thomas Parker (print name)

TRACT 33 LT 4 BLK 1
KYLIE ACRES

cc: Dick Manley
MS Works

Douglas J. Koscinski, AICP
City of Norman
Planning and Community Development Department
Manager Current Planning Division
201 West Gray, Bldg. A
P.O. Box 370

Norman, OK 73069 73070

Dear Sir,
I would like to register a protest to the requested Amendment and Rezoning by Halibrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property.

As a resident of Hidden Lake, a residential only neighborhood featuring spacious lots for the freedom of country type living, I protest changing our residential status to the south of us (Uplands Development) because of the obvious detriment to the plans and lifestyle we are accustom. New home owners as well as existing owners have invested because of what Hidden Lake has to offer.

We are very concerned about neighborhood character, home value impact, traffic and noise issues. We expected single family dwellings to be built to the south of us, to the Marlatt addition, Carrington Lakes and the Crystal Lakes Development. We have the Talavera addition to the west of us and the Park Glenn addition to the north. Consider this my protest letter to the rezoning of anything but single family dwellings.

Thomas Parker
Name

Thomas Parker
Printed name

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

Address 4109 S. Telephone Rd
Moore, OK ~~73072~~ 73160

TRACT 32
HIDDEN LAKE / KYLIE ACRES

Douglas J. Koscinski, AICP
City of Norman
Planning and Community Development Department
Manager Current Planning Division
201 West Gray, Bldg. A
P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

Dear Sir,
I would like to register a protest to the requested Amendment and Rezoning by Halibrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property.

As a resident of Hidden Lake, a residential only neighborhood featuring spacious lots for the freedom of country type living, I protest changing our residential status to the south of us (Uplands Development) because of the obvious detriment to the plans and lifestyle we are accustom. New home owners as well as existing owners have invested because of what Hidden Lake has to offer.

We are very concerned about neighborhood character, home value impact, traffic and noise issues. We expected single family dwellings to be built to the south of us, to the Marlatt addition, Carrington Lakes and the Crystal Lakes Development. We have the Talavera addition to the west of us and the Park Glenn addition to the north. Consider this my protest letter to the rezoning of anything but single family dwellings.

Thomas Parker
Name

THOMAS PARKER
Printed name

Address 4201 S. Telephone Rd
Moore, OK ~~73072~~ 73160

TRACT 33 LOT 4 BLK 1
HIDDEN LAKE / KYLIE ACRES

32-120

I, Jerry W. Meek, the undersigned President of the Hidden Lake Homeowner's Association, a gated community homeowner's association, acting in the best interest of the association membership, do hereby "Protest" the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the Rezoning, dated April 20, 2011 and the further amended Notice dated May 18, 2011, as sent to a limited number of area residents who were and are within the 350' required notice distance. These Notices describe the property as generally located on the North side of Indian Hills Road and West of 36th Avenue N.W.. The property Tracts are diagramed and named as the UPLANDS ADDITION in the Preliminary Site Plan.

As a Homeowner's Association, we are very concerned about addressing neighborhood character, maintaining home values, traffic impact issues, extraordinary light issues, and noise issues that may be a detriment to our right to a peaceful environment throughout our area. Within this planned development there are isolated unresolved drainage issues and sewer solution issues. If they are cooperatively and responsibly addressed in combination with area development plans taken as a whole, it very well could enhance property values and significantly reduce future costs that a peculiar unresolved issue might force on a then isolated Addition's residents. Traffic issues especially are significant with increased commercial development along the interstate. Without significant Interstate Drive improvements, 36th Ave becomes the only direct viable outlet for relief of the increased bypassing of non-interstate traffic both from Norman and Moore. Our present limited and restricted access drives regularly are being blocked on typical busy times creating hazardous driving environments. The idea of introducing significant additional traffic from a number of potential Apartment Complex's is dangerous, reflects poor planning on the part of Leadership and is diametrically opposed to our neighborhood character. It is undesirable and contrary to the long established and sought after nature of our rural area. The potential transient environment of "Apartment Complexes" with its well documented disruptive issues would create an environment that is totally foreign, detrimental and potentially destructive to our long established way of life. Previously by Norman leadership there have been no Apartments proposed or approved anywhere in our area. We believe this planned Development to be contrary to the 2025 Land Plan.

Legal Description: Hidden Lake 2 PRT LT A Common Lake Area Less BEG 57.04'W NE/C LT 6 N98.44' W120.86' S 34D E119.92' E52.05' POB

HIDDEN LAKE SEC 2 HOMEOWNERS ASSOCIATION

Date: 8/11/11

Jerry W. Meek - President

P.O. BOX 7572 - MOORE OK 73153

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-15-11

32-121

I, Jerry W. Meek, the undersigned resident of the Hidden Lake Addition, gated community, hereby Protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the UPLANDS Addition in the Preliminary Site Plan.

As a resident in the Hidden Lakes gated community, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area with one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to our addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

Jerry W. Meek Date: 8/4/11

4213 Hidden Lake Circle – Moore, Oklahoma 73160

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-19-11

Jerry W. & Debbie L. Meek
4213 Hidden Lake Circle
Moore, Oklahoma 73160
Phone: 405-799-3796

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

Sincerely,

Jerry W. Meek

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Kenny Ritchie
Print KENNY RITCHIE

Address: 4212 HIDDEN LAKE CIRCLE
MOORE OK 73160
Phone: 202-2800

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

32-124

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Tiffani Ritchie

Print Tiffani Ritchie

Address: 4212 Hidden Lake Cr.
Moore OK 73160

Phone: 202-2800

FILED IN THE OFFICE OF THE CITY CLERK ON 6/6/11

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Kyle Muse

Print Kyle Muse

Address: 4209 Hiddenlake Circle
Moore, OK 73160

Phone: 692-7949

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

I, Kyle D. Muse DC, the undersigned resident of the Hidden Lake Addition, gated community, hereby Protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the UPLANDS Addition in the Preliminary Site Plan.

As a resident in the Hidden Lakes gated community, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area with one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to our addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

FILED IN THE OFFICE OF THE CITY CLERK ON 8-19-11

K & Muse

Date: 8/12/11

Address: 4209 Hidden Lake Circle

Moore OK 73160

HIDDEN LAKE

TRACT 37 SEC 2 LT 17 BLK 1

I, Rachelle D. Muse, the undersigned resident of the Hidden Lake Addition, gated community, hereby Protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the UPLANDS Addition in the Preliminary Site Plan.

As a resident in the Hidden Lakes gated community, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area with one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to our addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

Rachelle Muse Date: 8/12/11

Address: 4709 Hidden Lake Circle

Moore OK 73160

HIDDEN LAKE

TRACT 37 SEC 2 LT 17 BLK 1

FILED IN THE OFFICE OF THE CITY CLERK ON 8-19-11

32-128

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Kathryn Ashleigh Muse
Print

Address: 1609 Mark Circle
Moore OK 73160
Phone: 2240905

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

Sincerely.

Sign _____

Print Laura Kumo

Address: 1605 Mark Circle
Moore OK 73160

Phone: 405-703-0552

FILED IN THE OFFICE OF THE CITY CLERK ON 6/6/11

32-130

I, Ron A. Frempton, the undersigned resident of the Hidden Lake Addition, gated community, hereby Protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the UPLANDS Addition in the Preliminary Site Plan.

As a resident in the Hidden Lakes gated community, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area with one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to our addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

x Ron A Frempton Date: 8-12-11

Address: 4112 SW 40th PL
Moore OK 73160
HIDDEN LAKE
TRACT 44 SEC 2 LT 4 BLK 2

FILED IN THE OFFICE OF THE CITY CLERK ON 8-19-11

I, Debra K. Frempton, the undersigned resident of the Hidden Lake Addition, gated community, hereby Protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the UPLANDS Addition in the Preliminary Site Plan.

As a resident in the Hidden Lakes gated community, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area with one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to our addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

dkfrempton Date: 8/11/11

Address: 4112 SW 40th PL
Moore OK 73160

HIDDEN LAKE
TRACT 44 SEC 2 LT 4 BLK 2

FILED IN THE OFFICE OF THE CITY CLERK ON 8-19-11

32-132

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Debra Frampton
Print Debra K Frampton

Address: 4112 SW 40th Place
Moore OK 73160
Phone: 405-799-1891

FILED IN THE OFFICE OF THE CITY CLERK ON 6/6/11

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

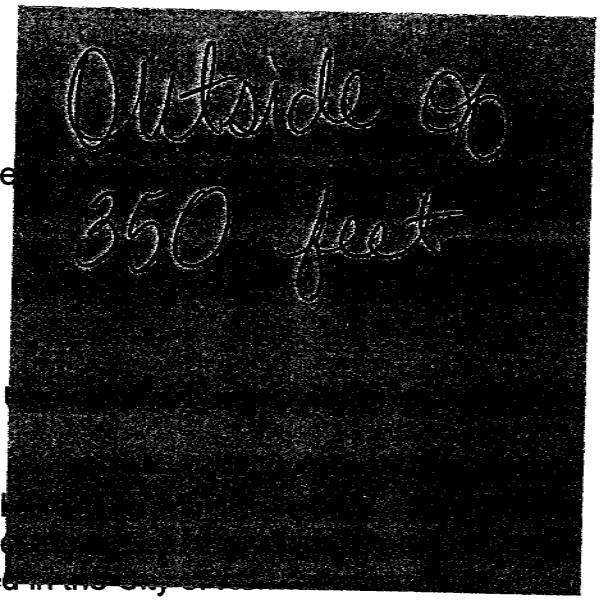
Sincerely.

Sign Richard F. Sigal
Print Richard F. Sigal

Address: 4113 Hidden Lake Circle
Moore OK 73160
Phone: 259-2555

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

June 6, 2011



City of Norman
Planning and Community Development De
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden La register my "Protest" to the requested Am Development Group One, L.L.C., as state May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

As a resident of Hidden Lake Addition, a single family residential neighborhood with large lots and homes ranging in price from $250,000 to $1,000,000, do believe that having Apartments adjacent to our Addition and valuable homes will be an obvious detriment, not only to our lifestyle but also to the value of our property.

It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Mary Sigal

Print Mary Sigal

Address: 4113 Hidden Lake Circle
Moore OK 73160

Phone: 759-2555

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

I, the undersigned resident of Hidden Lake Addition, by this letter do hereby register my "Protest" to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in the City of Norman "Notice" dated May 18, 2011 as sent to limited residents within 350 feet of the designated subject property.

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Please consider denying this application for the reasons stated herein.

Sincerely,

Sign Talisha Fogel

Print Talisha Fogel

Address: 4108 Hidden Lake CR
Moore, OK 73160

Phone: 405-703-2321

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign _____

Print Tony Jones

Address: 1605 SW 40th ST
Moore Ok 73160

Phone: 405 834 6126

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

out

32-137

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign _____

Print William B. Mock

Address: 4100 Old Ranch Ct
Moore ok 73160

Phone: 405-794-1341

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

out

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Nanci Ramos

Print Nanci Ramos

Address: 4108 SW 40th Pl.
Moore, OK 73160

Phone: (405) 735-3096

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

32-139

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

Dear Mr. Koscinski:

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It goes without saying that our neighborhood will suffer greatly due to reduced property values, traffic issues, and increased noise from the higher density of a collective population within an Apartment complex.

Please consider denying this application for the reasons stated herein.

Sincerely,

Sign _____

Print Dan Ramos

Address: 4108 SW 40th Pl.
Moore, OK 73160

Phone: (405) 735-3096

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

32-140

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign _____

Print Kim Masters

Address: 1709 SW 40th
Moore, OK 73160

Phone: 703-1541

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Debbie Combs
Print

Address: 1601 SW 40th Street
Moore OK 73160
Phone: 408 2623

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

out

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Adrian E. Savage

Print Adrian Savage

Address: 4113 Old Pond Ct.
Moore, OK 73160

Phone: 410-4922

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Kelley Thomas

Print Kelley Thomas

Address: 4113 Old Pond Ct.
Moore, OK 73160

Phone: 410-2159

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

6 of 7

32-144

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign David J. Saffer Eva Saffer
David and Eva Saffer

Address: 1713 S. W. 40th
Moore, OK 73160
Phone: (405) 664-3715

FILED IN THE OFFICE OF THE CITY CLERK
6/6/11

32-145

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign _____

Print DAVE SHANNON

Address: 1501 SW 40TH ST.
MOORE, OK. 73160

Phone: 405-620-6720

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

out

sent by email
to submit to HOA

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign John W. Bowland

Print John W. Bowland

Address: 4105 Old Pond Ct
Moore, OK 73160

Phone: 468-687-5171

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

32-147

June 6, 2011

City of Norman
Planning and Community Development Department
Mr. Douglas J. Koscinski, AICP
Manager Current Planning Division
201 West Gray, Bldg "A"
Norman, Oklahoma 73070

Re: **Notice of Request for Norman 2025 Land Use and Transportation Plan Amendment**

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Please consider denying this application for the reasons stated herein.

Sincerely.

Sign Sheila Clifton
Print Sheila Clifton

Address: 4109 Hidden Lake Cir.
Moore, OK 73160
Phone: 405-537-2256

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/6/11

Name Kathie Jo Kindler

Address 3730 W. Indian Hills Rd

Norman, Oklahoma 73072

July 19, 2011

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

All land east of 36th Ave is mixed use or commercial to Interstate 35. We were not informed of these changes. We knew commercial development would continue along the I35 access road. We expected and want single family dwellings in the Uplands Development.

We live within two miles of any retail business I need. I do not want to see commercial property or apartments. I want to see homes and town homes comparable to our homes. If you go north on telephone Road you see the **Hidden Lake development and the Park Glenn development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us the Crystal Lakes development. There are no small homes in these areas.**

The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

Thank you for your time.

Name _____ (sign)

_____ (print name)

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

TRACT 8 BLK 1 LOT 6

cc: Dick Manley

MARLATT

Name Chris Womack

Address 1601 mack circle

~~Norman, Oklahoma~~ 73072 Moore, OK. 73160

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

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Thank you for your time.

Name _____ (sign)

Chris Womack (print name)

TRACT 45 SEC 2 LT 5 BLK 2

cc: Dick Manley
MS Works

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-19-71

Douglas J. Koscinski, AICP
City of Norman
Planning and Community Development Department
Manager Current Planning Division
201 West Gray, Bldg. A
P.O. Box 370

Norman, OK 73069 73070

Dear Sir,
I would like to register a protest to the requested Amendment and Rezoning by Halibrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property.

As a resident of Hidden Lake, a residential only neighborhood featuring spacious lots for the freedom of country type living, I protest changing our residential status to the south of us (Uplands Development) because of the obvious detriment to the plans and lifestyle we are accustom. New home owners as well as existing owners have invested because of what Hidden Lake has to offer.

We are very concerned about neighborhood character, home value impact, traffic and noise issues. We expected single family dwellings to be built to the south of us, to the Marlatt addition, Carrington Lakes and the Crystal Lakes Development. We have the Talavera addition to the west of us and the Park Glenn addition to the north. Consider this my protest letter to the rezoning of anything but single family dwellings.

Name _____

Printed name Chris Womack

Address 1601 Mark Circle
Moore, OK 73072

TRACT 45 SEC 2 LT 5 BLK 2
HIDDEN LAKE

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-19-11

32-151

should have

Name Albert Lane

Address 4105 S Telephone Rd.
Moore, 73160
~~Norman, Oklahoma~~ 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

I am writing this letter of Protest concerning the Uplands Addition.

We moved here and like our location, our home and our neighbors. We purchased our home because it is a little bit country and a little bit city. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

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Thank you for your time.

Name Albert Lane (sign)

ALBERT LANE (print name)

cc: Dick Manley
MS Works

HIDDEN LAKE/KYLIE ACRES

Douglas J. Koscinski, AICP
City of Norman
Planning and Community Development Department
Manager Current Planning Division
201 West Gray, Bldg. A
P.O. Box 370

Norman, OK 73069 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

Dear Sir,
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Albert Lane
Name

ALBERT LANE
Printed name

Address 4105 S. TELEPHONE RD.
Moore, OK ~~73072~~ 73160

HIDDEN LAKE / KYLIE ACRES

I, MOHAMMED ISLAM, the undersigned resident of Kylie Acres, hereby Protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in Kylie Acres, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area with one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community addition on one side and to a large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

Md. Atiqul Islam

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/19/11

4205 S TELEPHONE RD – Moore, Oklahoma 73160

KYLIE ACRES LT 5A BLK 1 AKA LTS 5 AND 6 BEG 180' N LT 6 W225' S6' W465' N133.26' E690' S127.26' POB

I, Stephanie Percival Puckett, the undersigned resident of Kylie Acres, hereby Protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in Kylie Acres, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area with one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community addition on one side and to a large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

Stephanie Percival Puckett

4305 S. Telephone Rd – Moore, Oklahoma 73160

FILED IN THE OFFICE OF THE CITY CLERK ON 8/19/11

KYLIE ACRES LT 5A BLK 1

AKA Lt 5A Blk 1 AKA Lt 5 and Beg 180 N Lt 6 W 225 SLY W 465 N 133.26 E 690 S 127.26 POB

HIDDEN LAKE / KYLIE ACRES

Douglas J. Koscinski, AICP
City of Norman
Planning and Community Development Department
Manager Current Planning Division
201 West Gray, Bldg. A
P.O. Box 370

Norman, OK 73069 73070

Dear Sir,
I would like to register a protest to the requested Amendment and Rezoning by Halibrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property.

As a resident of Hidden Lake, a residential only neighborhood featuring spacious lots for the freedom of country type living, I protest changing our residential status to the south of us (Uplands Development) because of the obvious detriment to the plans and lifestyle we are accustom. New home owners as well as existing owners have invested because of what Hidden Lake has to offer.

We are very concerned about neighborhood character, home value impact, traffic and noise issues. We expected single family dwellings to be built to the south of us, to the Marlatt addition, Carrington Lakes and the Crystal Lakes Development. We have the Talavera addition to the west of us and the Park Glenn addition to the north. Consider this my protest letter to the rezoning of anything but single family dwellings.

Larry Don Fowler
Name

LARRY DON FOWLER
Printed name

Address 4204 Hidden Lake Cir
Moore, OK 73072
73160

Hidden Lake
Sect 2 Lot 21 Block 1 Moore

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5/24/11

32-156

I, Paul J Fischer, the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, to the requested Amendment and associated Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Park Glenn Addition, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features a center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

Paul J Fischer

1508 SW 38th – Moore, Oklahoma 73160

PARK GLENN ADDITION

LOT____BLK____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-6-11

I, Sherry Davis, the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, to the requested Amendment and associated Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Park Glenn Addition, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features a center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Mariatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

Sherry Davis

1517 S.W. 35th St. – Moore, Oklahoma 73160

PARK GLENN ADDITION

LOT____BLK____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 2pm

I, Carolina A Herron, the undersigned, a long term resident neighbor in the large rural Cleveland County Community to be affected, acting in the best interest and in concert with the community at large, do hereby "Protest" the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated Rezoning, dated April 20, 2011 and the further amended Notice dated May 18, 2011, as sent to a limited number of area residents within the 350' required notice distance. These Notices describe the property as generally located on the North side of Indian Hills Road and West of 36th Avenue N.W.. The property Tracts are diagramed and named as the **UPLANDS Addition** in the Preliminary Site Plan.

As a member of a rural community with over a half century of history as a broad, residential, single family neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors into an approximate quarter mile of our rural character area. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community addition on one side and to a large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments, and we are already adequately and more appropriately served externally.

Carolina A Herron 5200 36th Ave NW

Norman Ok. 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-9-11 TM

I am writing this letter of Protest concerning the Uplands Addition.

We are currently building our home on 36th Ave between Indian Hills and Franklin in Norman. We chose to build here because of the area. We like our location, our home and our neighbors. We purchased this land because we have country and city living combined. There are single family homes west of 36th Ave from 164th Street south to Carrington Lakes development. We have the Harvest Church Surrounded by the Uplands Development on Telephone Road and Bridgeview United Methodist Church will build west on Indian Hills Road.

All land east of 36th Ave is mixed use or commercial to Interstate 35. We were not informed of these changes. We knew commercial development would continue along the 135 access road. We expected and want single family dwellings in the Uplands Development.

We live within minutes of many retail businesses. I do not want to see commercial property or apartments. I want to see homes comparable to homes in this area. If you go north on telephone Road you see the Mariott, Hidden Lake and the Park Glenn development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us the Crystal Lakes development. There are no small homes in these areas.

The Uplands Addition developers have been understanding of our concerns. I am asking you to review and revise the commercial and mixed use portion of the Uplands Addition to single family dwellings. This is my formal protest.

Thank you for your time.

Robert Stoops

Carol Stoops

Address 4301 Berry Farms Rd.
Norman, Oklahoma 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-6
32-160

I, William H Campbell the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, to the requested Amendment and associated Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Park Glenn Addition, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features a center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

1320 SW 38th ST – Moore, Oklahoma 73160

PARK GLENN ADDITION

LOT_____BLK____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 7M

UPLANDS

I, _____, the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, to the requested Amendment and associated Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Park Glenn Addition, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features a center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

Gordon Bean (by Shawn Bean)

1512 SW 38th St – Moore, Oklahoma 73160

PARK GLENN ADDITION

LOT____BLK____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-16-11 11 AM

FAX 366-5445
9/7/11

Douglas J. Koscinski, AICP
City of Norman
Planning and Community Development Department
Manager Current Planning Division
201 West Gray, Bldg. A
P.O. Box 370

Norman, OK 73069 73070

UPLANDS PROTEST

Dear Sir,
I would like to register a protest to the requested Amendment and Rezoning by Halibrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property.

As a resident of Hidden Lake, a residential only neighborhood featuring spacious lots for the freedom of country type living, I protest changing our residential status to the south of us (Uplands Development) because of the obvious detriment to the plans and lifestyle we are accustom. New home owners as well as existing owners have invested because of what Hidden Lake has to offer.

We are very concerned about neighborhood character, home value impact, traffic and noise issues. We expected single family dwellings to be built to the south of us, to the Marlatt addition, Carrington Lakes and the Crystal Lakes Development. We have the Talavera addition to the west of us and the Park Glenn addition to the north. Consider this my protest letter to the rezoning of anything but single family dwellings.

Lori J Naught 9/7/2011
Name

Lori J Naught
Printed name

Address 4208 Hidden Lake Circle
Moore, OK 73160

SEC 2 LOT 20 BLK 1

WITHIN 350' OF UPLANDS

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 32-163

I, Deborah Younger the undersigned resident of the Crystal Springs Addition, would like to register a protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Crystal Springs addition within our broad rural area, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community on one side and to a large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

NAME Deborah Younger ADDRESS 3451 Crystal Spring Dr.

Lot _____ Blk _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-8-11 @ 4pm

I, Rick Nagel the undersigned resident of the Crystal Springs Addition, would like to register a protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Crystal Springs addition within our broad rural area, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community on one side and to a large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

NAME Rick Nagel ADDRESS 5230 Crystal Spring Ct. Norman, OK 73072

Lot _____ Blk _____

FILED IN THE OFFICE OF THE CITY CLERK ON 9-22-11 6:15PM

I, Tiffany Johnston the undersigned resident of the Crystal Springs Addition, would like to register a protest, as discussed below, to the requested Amendment and Rezoning by Halibrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Crystal Springs addition within our broad rural area, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community on one side and to a large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

NAME Tiffany Johnston ADDRESS 3233 Crystal Springs Dr.

Lot _____ Blk _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 PM

Douglas J. Koscinski, AICP
City of Norman
Planning and Community Development Department
Manager Current Planning Division
201 West Gray, Bldg. A
P.O. Box 370

Norman, OK 73069 73070

UPLANDS PROTEST

Dear Sir,
I would like to register a protest to the requested Amendment and Rezoning by Halibrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property.

As a resident of Hidden Lake, a residential only neighborhood featuring spacious lots for the freedom of country type living, I protest changing our residential status to the south of us (Uplands Development) because of the obvious detriment to the plans and lifestyle we are accustom. New home owners as well as existing owners have invested because of what Hidden Lake has to offer.

We are very concerned about neighborhood character, home value impact, traffic and noise issues. We expected single family dwellings to be built to the south of us, to the Marlatt addition, Carrington Lakes and the Crystal Lakes Development. We have the Talavera addition to the west of us and the Park Glenn addition to the north. Consider this my protest letter to the rezoning of anything but single family dwellings.

Don + LaRue Stephens
Name

Don + LaRue Stephens
Printed name

Address 4116 Korie Cr.
Moore, OK 73160

HIDDEN LAKE SEC 2 LT 33 BLK 1

WITHIN 350'

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-11 JM

UPLANDS

Douglas J. Koscinski, AICP
City of Norman
Planning and Community Development Department
Manager Current Planning Division
201 West Gray, Bldg. A
P.O. Box 370

Norman, OK 73069 73070

Dear Sir,
I would like to register a protest to the requested Amendment and Rezoning by Halibrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited Marlatt Addition residents within 350 feet of designated property.

As a resident of Hidden Lake, a residential only neighborhood featuring spacious lots for the freedom of country type living, I protest changing our residential status to the south of us (Uplands Development) because of the obvious detriment to the plans and lifestyle we are accustom. New home owners as well as existing owners have invested because of what Hidden Lake has to offer.

We are very concerned about neighborhood character, home value impact, traffic and noise issues. We expected single family dwellings to be built to the south of us, to the Marlatt addition, Carrington Lakes and the Crystal Lakes Development. We have the Talavera addition to the west of us and the Park Glenn addition to the north. Consider this my protest letter to the rezoning of anything but single family dwellings.

Earl E. Tillery
Name

EARL E. TILLERY
Printed name

Address 4117 Kasie Drive
Moore, OK 73160

HIDDEN LAKE SEC 2 LT 31 BLK 1

WITHIN 350'

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-8-11 DK

I, Gary Armbruster the undersigned resident of the Crystal Springs Addition, would like to register a protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Crystal Springs addition within our broad rural area, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community on one side and to a large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

NAME GARY ARMBRUSTER ADDRESS 3500 CRYSTAL SPRINGS DR.

Lot _____ Blk _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-8-32-169

I, EDDIE TANG the undersigned resident of the Crystal Springs Addition, would like to register a protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Crystal Springs addition within our broad rural area, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community on one side and to a large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

NAME Eddie Tang ADDRESS 3330 Crystal Spring Dr. Norman, OK 73072

Lot _____ Blk _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-6-11

I, Melissa Long the undersigned resident of the Crystal Springs Addition, would like to register a protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Crystal Springs addition within our broad rural area, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features one center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community on one side and to a large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

NAME M Long ADDRESS 3551 Crystal Spring Dr.
Norman, OK 73072

Lot _____ Blk _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-6-11

I, Chad Eddings the undersigned resident of the Crystal Springs Addition, would like to register a protest, as discussed below, to the requested Amendment and Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

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NAME [signature] ADDRESS 3365 Crystal Spring

Lot _____ Blk _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-6-11

I, MARK JEFFREYS the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, to the requested Amendment and associated Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Park Glenn Addition, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features a center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

_____

_____ – Moore, Oklahoma 73160

PARK GLENN ADDITION

LOT____BLK____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/22/11

I, MARK JEFFREYS, the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

Park Glenn Addition is a residential community within a broad rural area; an area of established rural character for over half a century; an area containing both old and new private homes on spacious lots in four, limited or restricted access housing additions. One addition is small and separate with limited access. One is large and centrally located with limited access to single and multiple acre lots with limited livestock allowed. A third is a residential only, gated community addition. The fourth is our addition, adjacent and similar to the gated community addition but with limited access without gating. The only non-residential components in this rural area are a bible college; a church; a radio broadcast station; and recent, isolated, peripheral, small scale, commercial business along Interstate 35.
No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development. The multiple, undesirable, neighborhood disruptive and destructive problems attributable to Apartment environments are totally rejected as an addition to our rural area.

Sincerely,

_____

_____ – Moore, Oklahoma 73160

PARK GLENN ADDITION

BLK _____ LOT _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/22/11

I, Kevin McGehee, the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, to the requested Amendment and associated Rezoning by Hallbrooke Development Group One, L.L.C., as stated in Department Notice of Request for the Norman 2025 Land Use and Transportation Plan Amendment and Rezoning, dated April 20, 2011 and further amended in Notice dated May 18, 2011, as sent to limited area residents within 350 feet of designated property. These Notices describe the property as generally located on the north side of Indian Hills Road and west of 36th Avenue N.W. The property Tracts are diagramed and named as the **UPLANDS** Addition in the Preliminary Site Plan.

As a resident in the long established Park Glenn Addition, a residential only neighborhood featuring spacious lots for the freedom of privacy and security in a rural setting in close proximity to city neighborhoods, extensive commercial centers, and major highways access, I protest the jamming of Apartments and protracted commercial endeavors in an approximate quarter mile of rural character area developed as such over a half century. This area is in a string of approximately 6+ miles of historically progressively developed residential area. It extends from just north of main street Norman to approximately SW 34th street plus in Moore. It features a center of commercial and business activity located within, others at both ends, very sparse business activity at property non-suited for homes at creeks along the way, and a few corner businesses at intervening intersections. The current business centers are extensive in their provision of services and items. This effort to jam business and interim activity into such a small area that is already more than adequately served, just to compete for business, whereby creating significant interim activity in our historically developed rural character area, is unnecessarily destructive and therefore totally ill-conceived. Apartments are proposed at two locations. The highest density ones are adjacent to a gated community addition on one side and to the large church on the other side. Extensive commercial, Apartment, and business development is protracted from the other side of the church, all the way down 36th, around and down Indian Hills Road, all along the Marlatt addition and the WWLS radio station to the new Bridgeview church. Our area is of opposite character to this plan for multiple Apartments and commercial and business establishments.

To allow a plan of such expansive nature and irreversible change for proposed business that will not develop to such an exaggerated extent and to allow the interim activity associated with Apartments that will destroy our long cherished security is counter to the developmental ideals of this community. We foster high ideals and have experienced them so far to a great degree. No APARTMENTS have been proposed, much less approved, anywhere in our area.

Sincerely,

K. McGehee

1501 SW 35th St – Moore, Oklahoma 73160

PARK GLENN ADDITION

LOT____BLK____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/22/11

32-175

I, KEVIN J. MEEHAN, the undersigned resident of the Park Glenn Addition, hereby "Protest", as discussed below, the requested Amendment of the Norman 2025 Land Use and Transportation Plan and the associated rezoning for a designated portion of our rural area. The request is by Hallbrooke Development Group One, L.L.C. to build APARTMENTS, as recorded in the Notice of Request dated March 23, 2011 which describes the property as generally located on the north side of Indian Hills Road and east of 36th Avenue N.W. The Tract is located in the property referred to as the **Commerce Parkway Addition** for planned unit development under PUD 0-5063.

Park Glenn Addition is a residential community within a broad rural area; an area of established rural character for over half a century; an area containing both old and new private homes on spacious lots in four, limited or restricted access housing additions. One addition is small and separate with limited access. One is large and centrally located with limited access to single and multiple acre lots with limited livestock allowed. A third is a residential only, gated community addition. The fourth is our addition, adjacent and similar to the gated community addition but with limited access without gating. The only non-residential components in this rural area are a bible college; a church; a radio broadcast station; and recent, isolated, peripheral, small scale, commercial business along Interstate 35.
No APARTMENTS have been proposed, much less approved, anywhere in our area, as they are ill-conceived and detrimental to existing development as well as to newly approved development. The multiple, undesirable, neighborhood disruptive and destructive problems attributable to Apartment environments are totally rejected as an addition to our rural area.

Sincerely,

1501 SW 35th ST – Moore, Oklahoma 73160

PARK GLENN ADDITION

BLK _____ LOT _____

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/22/11

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: PP-1011-23

File ID: PP-1011-23 **Type:** Preliminary Plat **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 33 **In Control:** City Council

Department: Public Works Department **Cost:** **File Created:** 04/14/2011

File Name: Uplands PP **Final Action:**

Title:

CONSIDERATION OF A PRELIMINARY PLAT FOR UPLANDS ADDITION, AND WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL PROPERTY.

ACTION NEEDED: Motion to approve or reject the preliminary plat for Uplands Addition and waiver of alley requirements for the commercial property.

ACTION TAKEN _____

Notes:

Agenda Date: 09/27/2011

Agenda Number: 33

Attachments: Attachment A-Uplands, Attachment B-Uplands, Location Map-Uplands, Uplands Prelim Plat, Uplands Prelim Site Plan, Uplands Oil Well Site Plan, Uplands Prelim Plat Staff Report, Uplands Traffic Impacts, Uplands Predevelopment Summary, GBC Checklist and Comments Uplands, Uplands GES, Uplands Alley Waiver, 7-14-11 PC Minutes - Uplands, Park Board Mts-Uplands

Project Manager: Ken Danner, Development Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	06/09/2011					
1	Planning Commission	07/14/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass

Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council

Text of Legislative File PP-1011-23

body

BACKGROUND: This item is a preliminary plat for Uplands Addition and is located at the northwest corner of 36th Avenue NW and West Indian Hills Road. This property consists of approximately 129.9 acres, 257 residential lots, 3 commercial lots, and 2 multifamily lots.

The Norman Board of Parks Commissioners, at its meeting of June 2, 2011, recommended a parkland dedication for Uplands Addition.

Planning Commission, at its meeting of July 14, 2011, recommended to City Council that this property be placed in the Current Urban Service Area from Future Urban Service Area and removal of the Proposed Outer Loop Designation, expansion of the Commercial Designation from approximately 9.3 acres to 21.64 acres, and amending 9.79 acres from Low Density Residential Designation to office Designation, 16.56 acres from Low Density Residential Designation to medium Density Residential Designation, and 11.02 acres from Low Density Residential Designation to High Density Residential Designation. Also, Planning Commission recommended to City Council that this property be placed in C-2, General Commercial District (21.64 acres), CO, Suburban Office Commercial District (9.79 acres), RH-2, Low Density Apartment District (16.56 acres) RM6, Medium Density Apartment District (11.02 acres), R-1 Single Family Dwelling District (65.57 acres), and PL, Park Land (5.27 acres). At its same meeting, Planning Commission recommended that the preliminary plat for Uplands Addition be approved.

DISCUSSION: The mixed use office, commercial, and residential developments in this preliminary plat are expected to generate approximately 12,845 trips per day and 1,298 trips during the PM peak hour. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on these facilities as indicated in Attachment "A".

Because of the development's size and traffic generation potential, the applicant was required to conduct a comprehensive traffic impact analysis. The study was completed by Traffic Engineering Consultants, Inc., and was submitted in May, 2011.

Improvement costs, excluding any costs of half-street widening to be paid by other developments, are expected to be $500,000 at the intersection of Indian Hills Road with 48th Avenue NW, $210,000 at the intersection of Indian Hills Road with 36th Avenue NW, $210,000 at the intersection of Franklin Road with 48th Avenue NW, $210,000 at the intersection of Franklin Road with 36th Avenue NW, and $135,000 at the intersection of Tecumseh Road with 48th Avenue NW. The Uplands Addition proportionate share of the intersection improvement costs are summarized in Attachment "B".

Total costs per intersection is as follows:
1. $11,618 for the intersection of Indian Hills Road with 48th Avenue NW
2. $21,111 for the intersection of Indian Hills Road with 36th Avenue NW
3. $3,668 for the intersection of Franklin Road with 48th Avenue NW
4. $13,301 for the intersection of Franklin Road with 36th Avenue NW
5. $3,508 for the intersection of Tecumseh Road with 48th Avenue NW.

Total to be paid for for all five intersections is $53,206. This equates to $41.00 per PM peak hour trip to be collected in traffic impact fees with the filing of the final plat.

Collector roadways will be provided as part of this development. On the site plan accompanying this development, Street C traverses the site from east to west. It connects with 36th Avenue NW and eventually with 48th Avenue NW (through three adjacent developments to the west). Drive A connects Street C to Indian Hills Road. Discussion on the collector street criteria is found in Chapter 19 of the Subdivision Regulations. In Item E of Section 19-410 it states, "Collector streets shall be used in the subdivision wherever traffic is being collected from minor streets to provide access to a major street or community facility. Any street shall be deemed a collector street when it serves more than seventy-five (75) dwelling units." This equates to approximately 800 vehicles per day. The traffic impact analysis submitted for this project concluded that Street C will carry more than 2,600 vehicles per day and that Drive A will carry more than 1,300 vehicles per day between Street C and Indian Hills Road. As such, 60 feet of right-of-way is being provided along with appropriate collector street width for both roadways.

The development of the Uplands Addition site will help to define the ultimate cross-section for Indian Hills Road. The roadway is currently planned as a four-lane roadway. However, the increased number of driveways and intersections in proximity to the Uplands Addition site suggest that a five-lane road may be required. Staff feels that the mile of Indian Hills Road between 36th and 48th Avenues NW will be constructed by the City in the future as a five-lane road utilizing federal funding. However, current policies restrict the City's ability to require the developer to pay for more than their half of a four-lane roadway. The costs associated with widening one half of Indian Hills Road to a four-lane roadway, along the development frontage, are recommended to be deferred.

Public improvements for this property consist of the following:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department. Additional fire hydrants may be required within the multi-family projects and commercial projects as they are final platted.

2. Sanitary Sewers. There is a proposal to extend a sanitary sewer main from the south to serve this property. This owner may be required to obtain off-plat easements in order to

connect to the proposed sanitary sewer main interceptor. Sanitary sewer mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

3. Sidewalks. Sidewalks will be constructed on each lot prior to occupancy. Sidewalks will be constructed adjacent to Indian Hills Road and 36th Avenue NW.

4. Drainage. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately maintained detention facilities will be constructed for the conveyance of storm water. A property owners association will be established for the maintenance of the detention facilities.

5. Streets. Streets will be constructed in accordance with approved plans and City paving standards. Indian Hills Road will be built half-width of an arterial street. Thirty-sixth Avenue NW will be built half width of an arterial street. A determination for deferral of Indian Hills Road and 36th Avenue NW will be made with final platting. Interior streets will be installed to City standards.

6. Traffic Signal and Intersection Improvements. The applicant will be required to fund a portion of the cost of improvements at the intersections of Indian Hills Road with 48th Avenue NW ($11,618), Franklin Road with 48th Avenue NW ($3,668), and Franklin Road with 36th Avenue NW ($13,301) (for roadway widening and new traffic signals) and at the intersections of Indian Hills Road with 36th Avenue NW ($21,111) and Tecumseh Road with 48th Avenue NW ($3,508) (for new traffic signals). Their proportional share, estimated on the basis of the development's contribution to the increased traffic, will be established during the approval of final plats and collected through a traffic impact fee. Total fees to be collected equate to $41.00 per PM peak hour trip.

7. Water Mains. Water mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards. There is an existing 24" water main adjacent to 36th Avenue NW. A 12" water main will be required to be installed adjacent to Indian Hills Road. Interior water lines will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

8. Park Land. With the cooperation of this developer, a proposed Gateway Park and Trails is planned and will connect to the Redlands Parkland and continue east into the Commerce Parkway properties.

STAFF RECOMMENDATIONS: Based on the information above, Staff recommends approval of the preliminary plat for Uplands Addition.

ATTACHMENT "A"

Preliminary Plat
for
Uplands Addition

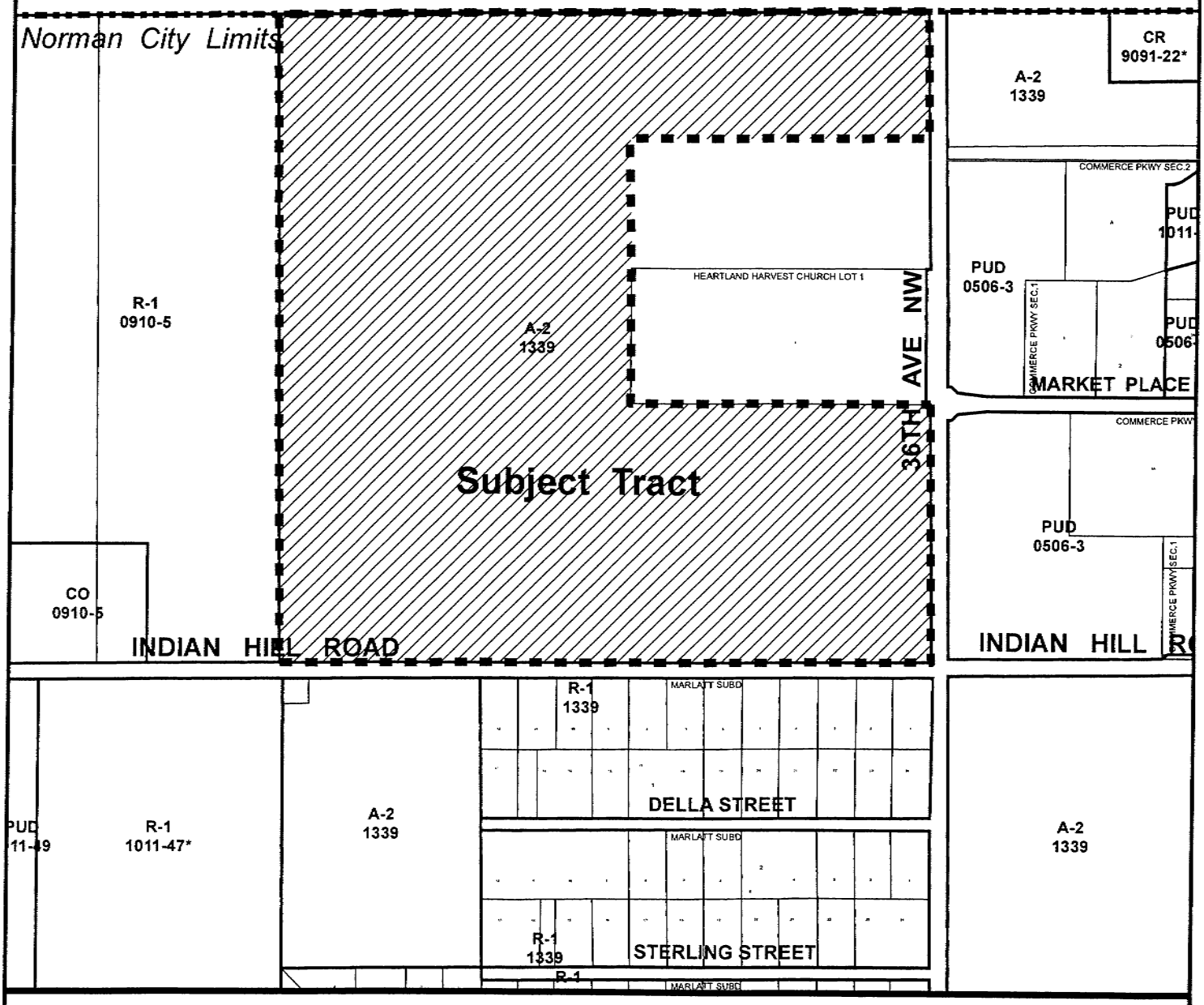
STREET	NO. OF LANES	PROPOSED DEVELOPMENT (Veh/day)	EXISTING TRAFFIC * (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
36th Ave NW	4	2,469	22,090	24,559	34,200	64.59	71.81
48th Ave NW	3	985	9,837	10,822	18,900	52.05	57.26
Indian Hills Rd	5	9,390	17,015	26,405	34,200	49.75	77.21

* Includes projected traffic from seven unnamed developments surrounding the J&J Properties site.

ATTACHMENT "B"

Preliminary Plat
for
Uplands Addition

Intersection	Total PM Entering Traffic	Improvement Cost	Upland's Addition Traffic Volume	Cost Share (%)
Indian Hills at 48th Avenue	3,927	$500,000	365	9.295
Indian Hills at 36th Avenue	4,577	$210,000	773	16.889
Franklin at 48th Avenue	2,488	$210,000	73	2.934
Franklin at 36th Avenue	2,669	$210,000	284	10.641
Tecumseh at 48th Avenue	2,601	$135,000	73	2.807



Location Map

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

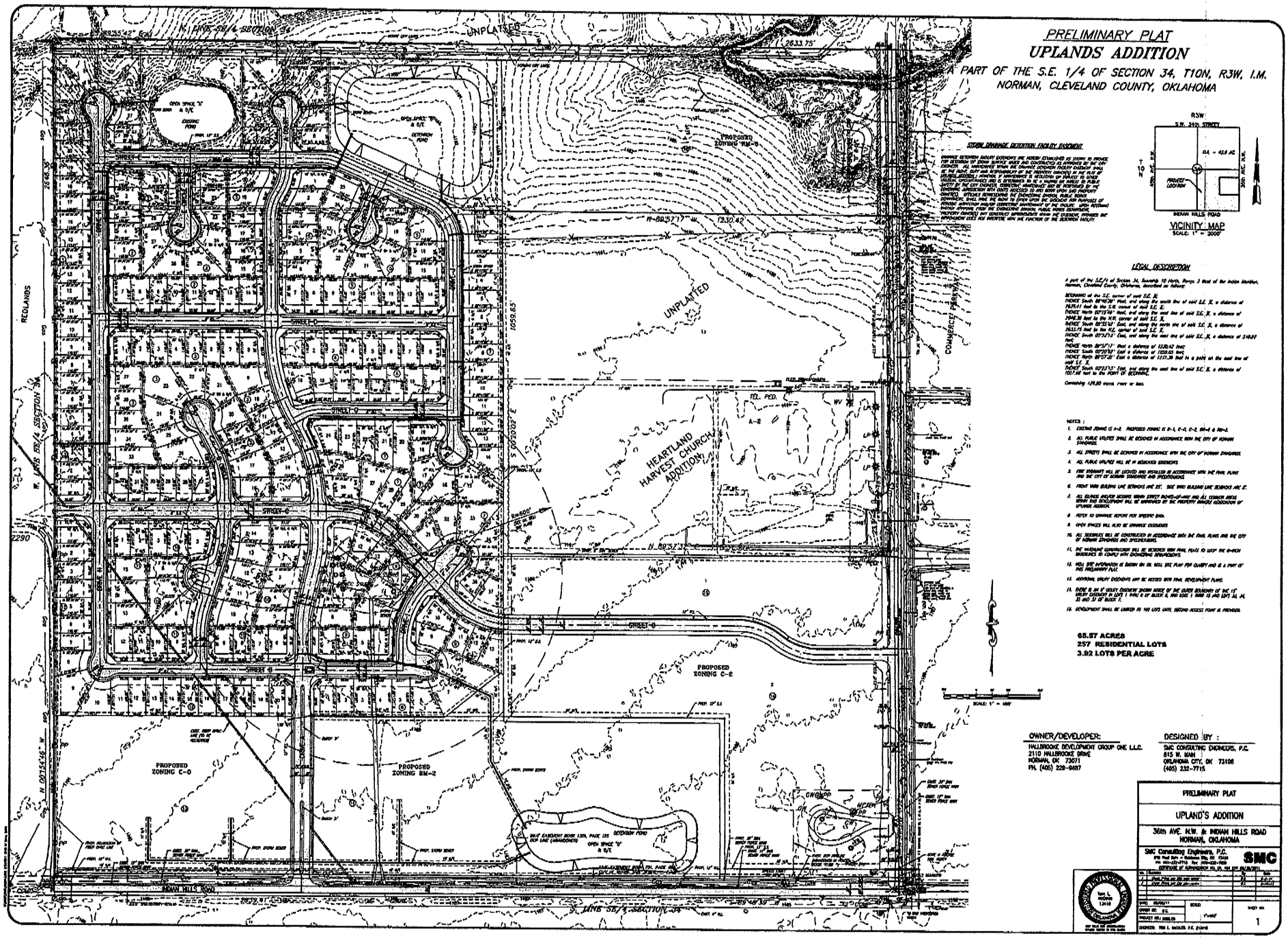
N W E S

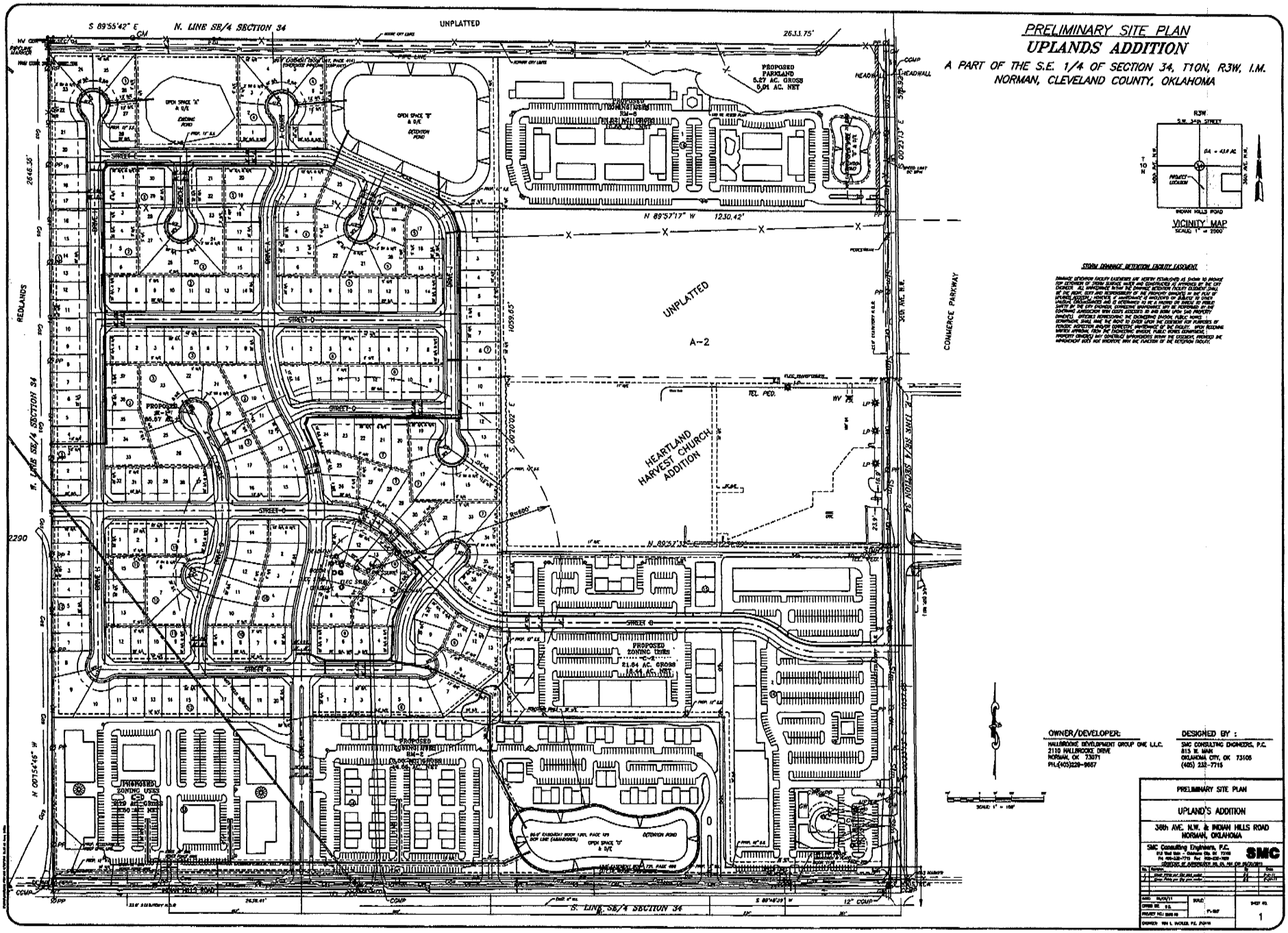
September 13, 2011

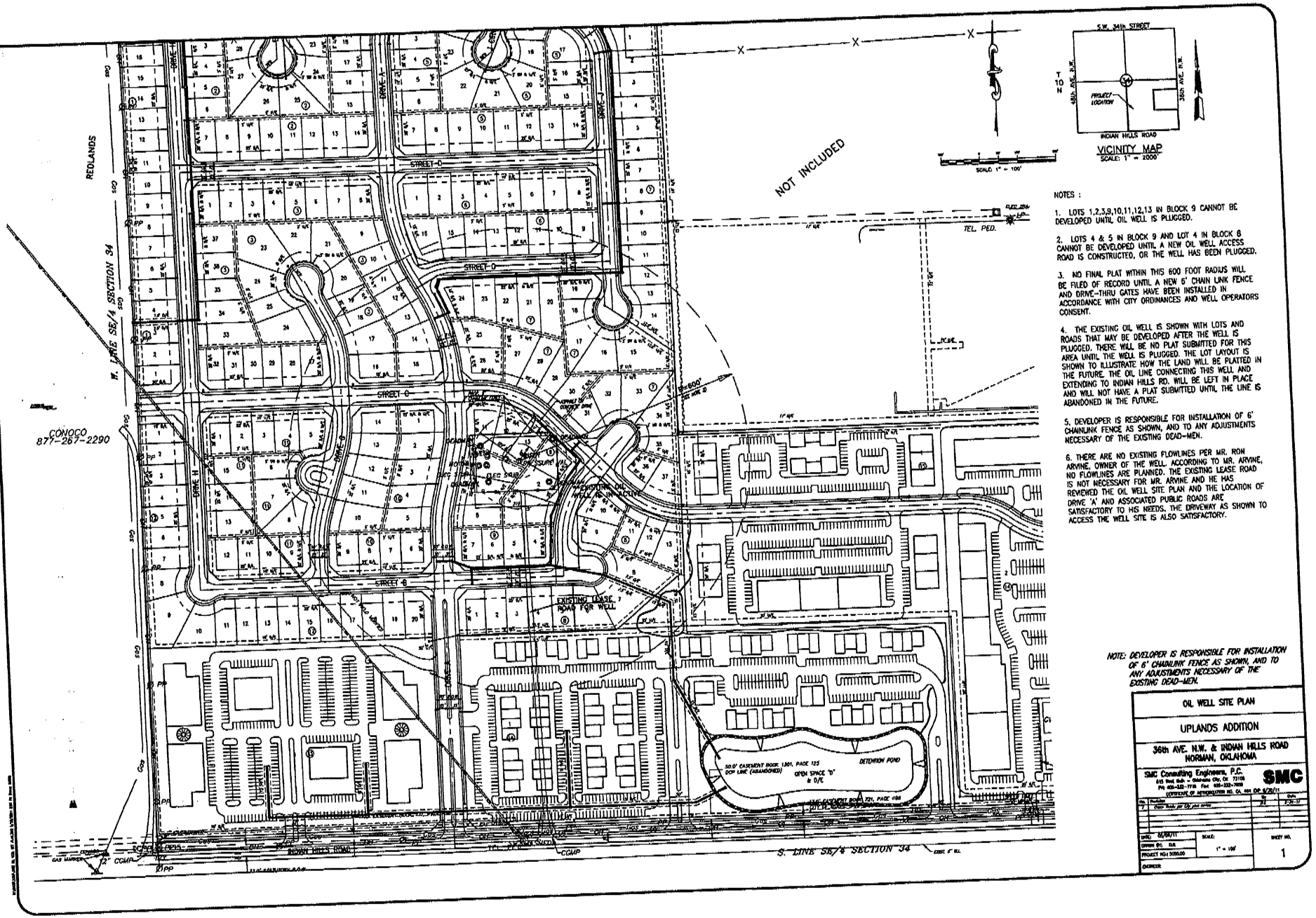
0 300 600 Ft.

Subject Tract

Zoning


PRELIMINARY PLAT
UPLANDS ADDITION
A PART OF THE S.E. 1/4 OF SECTION 34, T10N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
R3W
S.W. 36th STREET
T10N
INDIAN HILLS ROAD
VICINITY MAP
SCALE: 1" = 2000'
STORM DRAINAGE DETENTION FACILITY EASEMENT
LEGAL DESCRIPTION
NOTES :
65.57 ACRES
257 RESIDENTIAL LOTS
3.92 LOTS PER ACRE
OWNER/DEVELOPER:
HALLBROOKE DEVELOPMENT GROUP ONE L.L.C.
2110 HALLBROOKE DRIVE
NORMAN, OK 73071
PH. (405) 329-9887
DESIGNED BY :
SMC CONSULTING ENGINEERS, P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
(405) 232-7715
PRELIMINARY PLAT
UPLAND'S ADDITION
36th AVE. N.W. & INDIAN HILLS ROAD
NORMAN, OKLAHOMA
SMC Consulting Engineers, P.C.
SMC
1
UNPLATTED
PROPOSED ZONING RM-6
PROPOSED ZONING C-2
PROPOSED ZONING C-0
PROPOSED ZONING RM-2
HEARTLAND HARVEST CHURCH ADDITION
REDLANDS
COMMERCE PARKWAY
STREET-C
STREET-D
INDIAN HILLS ROAD
N. LINE SE/4 SECTION 34
S. LINE SE/4 SECTION 34


PRELIMINARY SITE PLAN
UPLANDS ADDITION
A PART OF THE S.E. 1/4 OF SECTION 34, T10N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
VICINITY MAP
SCALE: 1" = 2000
STORM DRAINAGE DETENTION FACILITY EASEMENT
OWNER/DEVELOPER:
HALLBROOKE DEVELOPMENT GROUP ONE L.L.C.
2110 HALLBROOKE DRIVE
NORMAN, OK 73071
PH.:(405)229-9667
DESIGNED BY :
SMC CONSULTING ENGINEERS, P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
(405) 232-7715
PRELIMINARY SITE PLAN
UPLAND'S ADDITION
36th AVE. N.W. & INDIAN HILLS ROAD
NORMAN, OKLAHOMA
SMC Consulting Engineers, P.C.
SMC
N. LINE SE/4 SECTION 34
S. LINE SE/4 SECTION 34
UNPLATTED
A-2
HEARTLAND HARVEST CHURCH ADDITION
COMMERCE PARKWAY
REDLANDS
PROPOSED PARKLAND 5.27 AC. GROSS 5.01 AC. NET
PROPOSED ZONING USES
PROPOSED ZONING USES
PROPOSED ZONING USES
OPEN SPACE "A" & D/E
OPEN SPACE "B" & D/E
OPEN SPACE "D" & D/E
DETENTION POND
STREET-D
STREET-E
STREET-H
N 89°57'17" W 1230.42'
S 89°55'42" E
N 89°57'32" E
S 00°20'02" E
N 00°54'46" W
S 89°48'39" W
2633.75'
2646.36'
1059.65'
2290
1 MILE SE/4 SECTION 34
36th AVE. N.W.
INDIAN HILLS ROAD
SCALE: 1" = 100'



NOTES :

1. LOTS 1,2,3,9,10,11,12,13 IN BLOCK 9 CANNOT BE DEVELOPED UNTIL OIL WELL IS PLUGGED.

2. LOTS 4 & 5 IN BLOCK 9 AND LOT 4 IN BLOCK 8 CANNOT BE DEVELOPED UNTIL A NEW OIL WELL ACCESS ROAD IS CONSTRUCTED, OR THE WELL HAS BEEN PLUGGED.

3. NO FINAL PLAT WITHIN THIS 600 FOOT RADIUS WILL BE FILED OF RECORD UNTIL A NEW 6' CHAIN LINK FENCE AND DRIVE-THRU GATES HAVE BEEN INSTALLED IN ACCORDANCE WITH CITY ORDINANCES AND WELL OPERATORS CONSENT.

4. THE EXISTING OIL WELL IS SHOWN WITH LOTS AND ROADS THAT MAY BE DEVELOPED AFTER THE WELL IS PLUGGED. THERE WILL BE NO PLAT SUBMITTED FOR THIS AREA UNTIL THE WELL IS PLUGGED. THE LOT LAYOUT IS SHOWN TO ILLUSTRATE HOW THE LAND WILL BE PLATTED IN THE FUTURE. THE OIL LINE CONNECTING THIS WELL AND EXTENDING TO INDIAN HILLS RD. WILL BE LEFT IN PLACE AND WILL NOT HAVE A PLAT SUBMITTED UNTIL THE LINE IS ABANDONED IN THE FUTURE.

5. DEVELOPER IS RESPONSIBLE FOR INSTALLATION OF 6' CHAINLINK FENCE AS SHOWN, AND TO ANY ADJUSTMENTS NECESSARY OF THE EXISTING DEAD-MEN.

6. THERE ARE NO EXISTING FLOWLINES PER MR. RON ARVINE, OWNER OF THE WELL. ACCORDING TO MR. ARVINE, NO FLOWLINES ARE PLANNED. THE EXISTING LEASE ROAD IS NOT NECESSARY FOR MR. ARVINE AND HE HAS REVIEWED THE OIL WELL SITE PLAN AND THE LOCATION OF DRIVE 'A' AND ASSOCIATED PUBLIC ROADS ARE SATISFACTORY TO HIS NEEDS. THE DRIVEWAY AS SHOWN TO ACCESS THE WELL SITE IS ALSO SATISFACTORY.

NOTE: DEVELOPER IS RESPONSIBLE FOR INSTALLATION OF 6' CHAINLINK FENCE AS SHOWN, AND TO ANY ADJUSTMENTS NECESSARY OF THE EXISTING DEAD-MEN.

OIL WELL SITE PLAN

UPLANDS ADDITION

36th AVE. N.W. & INDIAN HILLS ROAD
NORMAN, OKLAHOMA

SMC Consulting Engineers, P.C.
115 Park Ave. - Oklahoma City, OK 73102
PH. 405-232-7715 Fax 405-232-7699

SMC

CERTIFICATE OF AUTHORIZATION NO. CA 1414 EXP. 6/30/11

No.	Revision	By	Date
	Owner Name per City plat review	JH	7-26-11

DATE: 05/09/11
DRAWN BY: CLR
PROJECT NO.: 2010.00
CHECKED:
SCALE: 1" = 100'
SHEET NO. 1

33-6

PRELIMINARY PLAT ITEM NO. 7c

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for UPLANDS ADDITION.

LOCATION: Located at the northwest corner of the intersection of 36th Avenue NW and West Indian Hills Road.

INFORMATION:

1. Owner. Hallbrooke Development Group-One, LLC
2. Developer. Hallbrooke Development Group-One, LLC
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. November 17, 1961. City Council adopted Ordinance No. 1323 annexing this property into the city limits.
2. December 19, 1961. Planning Commission recommended that this property be placed in the A-2 zoning classification.
3. January 23, 1962. City Council adopted Ordinance No. 1339 placing this property in the A-2, rural agriculture zoning classification.
4. June 2, 2011. The Norman Board of Parks Commissioners, on a vote of 9-0, recommended park land dedication for Uplands Addition.
5. June 9, 2011. The applicant requested postponement of the amendment to the NORMAN 2025 Land Use and Transportation Plan, Ordinance No. O-1011-55 and the preliminary plat for Uplands Addition. The Planning Commission, on a vote of 8-0, postponed R-1011-115, Ordinance No. O-1011-55 and the preliminary plat for Uplands Addition.
6. July 14, 2011. The owners have requested an amendment of the NORMAN 2025 Land Use and Transportation Plan from Future Urban Service Area to Current Urban Service Area, removal of the Proposed Outer Loop Designation, expansion of the Commercial Designation from approximately 9.3 acres to 21.64 acres, and amending 9.79 acres from Low Density Residential Designation to Office Designation, 16.56 acres from Low Density Residential Designation to Medium Density Residential Designation, and 11.02 acres from Low Density Residential Designation to High Density Residential Designation

7. July 14, 2011. The owners have requested rezoning from A-2, Rural Agricultural District, to C-2, General Commercial District (21.64 acres), CO, Suburban Office Commercial District (9.79 acres), RM-2, Low Density Apartment District (16.56 acres), RM-6, Medium Density Apartment District (11.02), R-1, Single Family Dwelling District (65.57 acres), and PL, Parkland (5.27 acres).

IMPROVEMENT PROGRAM:

1. Alleys. The engineer for the developer has made a request to waive alley requirements for the commercial property.

2. Fire Protection. Fire hydrants will be installed in accordance with approved plans. Their locations will be reviewed by the Norman Fire Department. Additional fire hydrants may be required for the larger commercial tracts.

3. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

4. Sanitary Sewers. A major interceptor line to the south of this property will be installed. This interceptor line will open up the service area which will include this property. Multiple owners/developers are installing a major interceptor line to serve multiple properties. This owner may have to obtain offplat easements in order to connect to the proposed sanitary sewer main interceptor. Until such time as the interceptor line is near completion, staff recommends that final plats should not be submitted to the Planning Commission. Sanitary sewer mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

5. Sidewalks. Sidewalks will be constructed adjacent to 36th Avenue NW and Indian Hills Road. Sidewalks will be constructed adjacent to all interior streets.

6. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Several privately maintained detention facilities will be constructed for the conveyance of storm water. A property owners association will be established for the maintenance of the detention facilities. This property contains USGS "blue lines." These channels or ponds are regulated and controlled by the U.S. Army Corps of Engineers. The owners will be responsible to obtain any permits as needed from the U.S. Army Corps of Engineers before disturbing these areas.

7. Streets. Streets will be constructed in accordance with approved plans and City paving standards. Thirty-sixth Avenue NW and Indian Hills Road will be built as arterial streets. Interior streets will be installed to City paving standards.

IMPROVEMENT PROGRAM, con't:

The outer loop has been reviewed by Oklahoma City Area Regional Transportation (OCART) ENCOMPASS 2035 study. The outer loop designation has been removed from the 2035 maps. It does not necessarily remove the need to address congestion in the metropolitan area. A study is being conducted by ACOG to determine if other facets of transit implementation can be utilized to relieve the existing and future congestion rather than use the outer loop.

8. Water Mains. Water mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards. A twelve-inch (12") water main will be installed adjacent to Indian Hills Road. Interior water lines will be installed and looped, where possible, to provide domestic water and fire protection. Depending on the phasing, twelve-inch (12") water mains may need to be utilized within the development. There is an existing 24 inch water main adjacent to 36th Avenue N.W.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat.

2. Rights-of-Way. All street rights-of-way will be dedicated to the City on the final plat. It should be noted the City of Moore has two major sanitary force mains within the right of way on Indian Hills Road. As a result an additional easement outside of the proposed right-of-way will be needed to install a 12-inch (12") water main.

SUPPLEMENTAL MATERIAL: Copies of a location map, site plans, preliminary plat, and letter of request to waive alley are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: The owners are proposing residential, commercial, commercial offices and apartments for this property. The commercial property has been shown with adequate circulation. Staff can support a request to waive alley requirements and approval of the preliminary plat for Uplands Addition.

ACTION NEEDED: Recommend approval or disapproval of the request to waive alley requirements for the commercial property and approval or disapproval of the preliminary plat for Uplands Addition to City Council.

ACTION TAKEN: _____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: June 3, 2011

STAFF REVIEW BY: David R. Riesland, P.E.
Assistant City Traffic Engineer

PROJECT NAME: Upland's Addition

PROJECT TYPE: Office/Commercial/Residential

Owner: Hallbrooke Development Group
Developer's Engineer: SMC
Developer's Traffic Engineer: TEC

SURROUNDING ENVIRONMENT (Streets, Developments)
Residential developments surround the project location with some floodplain land to the west. There are some commercial and institutional uses to the east. Indian Hills Road is the main east/west roadway, and the site is between 36th and 48th Avenues NW.

ALLOWABLE ACCESS:
Proposed access is in accordance with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Indian Hills Road: 2 lanes (existing) / 5 lanes (future). Speed Limit - 50 mph. No sight distance problems. No medians.
36th Avenue NW: 2 lanes (existing) / 4 lanes (future). Speed Limit - 50 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: YES ■ NO ☐

Proposed number of access points for the development is in compliance with what is allowed in the subdivision regulations.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	12,845	6,422	6,423
A.M. Peak Hour	627	286	341
P.M. Peak Hour	1,298	656	642

TRANSPORTATION IMPACT STUDY REQUIRED? YES ■ NO ☐

Traffic Impact Study prepared by Traffic Engineering Consultants, Inc. of Oklahoma City, Oklahoma.

RECOMMENDATION: APPROVAL ■ DENIAL ☐ N/A ☐ STIPULATIONS ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

Because of the development's size and traffic generation potential, the applicant was required to conduct a comprehensive traffic impact analysis. The study was completed by Traffic Engineering Consultants, Inc., and was submitted in May, 2011.

Improvement costs, excluding any costs of half-street widening to be paid by other developments, are expected to be $500,000 at the intersection of Indian Hills Road with 48th Avenue NW, $210,000 at the intersection of Indian Hills Road with 36th Avenue NW, $210,000 at the intersection of Franklin Road with 48th Avenue NW, $210,000 at the intersection of Franklin Road with 36th Avenue NW, and $135,000 at the intersection of Tecumseh Road with 48th Avenue NW. The Upland's Addition proportionate share of the intersection improvement costs are summarized in the following table:

Intersection	Total PM Entering Traffic	Improvement Cost	Upland's Addition Traffic Volume	Cost Share (%)
Indian Hills at 48th Avenue	3,927	$500,000	365	9.295
Indian Hills at 36th Avenue	4,577	$210,000	773	16.889
Franklin at 48th Avenue	2,488	$210,000	73	2.934
Franklin at 36th Avenue	2,669	$210,000	284	10.641
Tecumseh at 48th Avenue	2,601	$135,000	73	2.807

Total cost to be spent per intersection is as follows: $11,618 for the intersection of Indian Hills Road with 48th Avenue NW, $21,111 for the intersection of Indian Hills Road with 36th Avenue NW, $3,668 for the intersection of Franklin Road with 48th Avenue NW, $13,301 for the intersection of Franklin Road with 36th Avenue NW, and $3,508 for the intersection of Tecumseh Road with 48th Avenue NW. The total to be paid for all five intersections is $53,206. This equates to $41.00 per PM peak hour trip to be collected in traffic impact fees with the filing of the final plat.

Collector roadways will be provided as part of this development. On the site plan accompanying this development, Street C traverses the site from east to west. It connects with 36th Avenue NW and eventually with 48th Avenue NW (through three adjacent developments to the west). Drive A connects Street C to Indian Hills Road. Discussion on the collector street criteria is found in Chapter 19 of the Subdivision Regulations. In Item E of Section 19-410 it states, "Collector streets shall be used in the subdivision wherever traffic is being collected from minor streets to provide access to a major street or community facility. Any street shall be deemed a collector street when it serves more than seventy-five (75) dwelling units." This equates to approximately 800 vehicles per day. The traffic impact analysis submitted for this project concluded that Street C will carry more than 2,600 vehicles per day and that Drive A will carry more than 1,300 vehicles per day between Street C and Indian Hills Road. As such, 60 feet of right-of-way should be provided along with appropriate collector street width for both roadways.

The development of the Upland's Addition site will help to define the ultimate cross-section for Indian Hills Road. The roadway is currently planned as a four-lane roadway. However, the increased number of driveways and intersections in proximity to the Upland's Addition site suggest that a five-lane cross-section may be required. Staff feels that the mile of Indian Hills Road between 36th and 48th Avenues NW will be constructed, utilized leveraged federal funding, as a five-lane roadway. However, current policies restrict our ability to require the developer to pay for more than his/her half of a four-lane roadway. The costs associated with widening one half of Indian Hills Road to a four-lane roadway, along the development frontage, will be deferred.

City of Norman Predevelopment **March 24, 2011**

Applicant(s)	Uplands Development Company, LLC
Location	North side of Indian Hills Road, west of 36th Avenue NW
Case Number	PD11-14
Time	6:30—7:30 PM

Attendee	Stakeholder	Address	Phone
Tom McCaleb	Applicant's Engineer	SMC Engineers 815 W Main OKC	232-7715
Bobbie Smallwood	Neighbor	3632 Indian Hill NW	321-9619
Justin & Brandi Kammerer	Neighbor	3931 Della St.	206-4167
Trey Bates	Owner	3720 Timberridge Dr.	229-9687
Ben Newcomer	Owner	3750 W. Main St.	329-5033
Mickey Clagg	Owner	4700 Harrogate	364-9020
Sassan Moghadam	Owner	221 48th Avenue	329-9634
Richard McKown	Designer	4409 Cannon Dr.	637-8742
Doug Koscinski	City Staff		366-5433
Ken Danner	City Staff		366-5458
Blaine Nice	City Staff		366-5472
Jane Hudson	City Staff		366-5344

Application Summary. Uplands Development Company, LLC is proposing a preliminary plat for the area located north of Indian Hills Road, west 36th Avenue NW. This proposal consists of single family, multi-family, office and commercial uses. The current zoning is A-2. The *Norman 2025 Land Use Plan* designation is Low Density Residential, Institutional and Future Urban Service Area.

Applicant's Opportunity. Applicant's representative, Tom McCaleb, presented an outline for the preliminary plat, stating he has never before been involved with a project where so many developers are working together to improve an area for development. The

applicant, Uplands Development Group, is proposing a preliminary plat for Uplands Property Tract 10 Addition located on the north side of Indian Hills Road, on the west side of 36th Avenue NW. The proposed plat consists of 150 acres containing approximately 259 single family lots, as well as two other areas designated for commercial/office use to the south along Indian Hills Road and multi-family use on the north edge abutting the proposed public park.

This area is in line with the several other preliminary plats in the area and will be able to move forward with the installation of public improvements.

Neighbors' Comments. A few neighbors from the Marlatt Addition attended the meeting concerned with how the future development will impact their property values, how the additional runoff would impact their property and when the development would start.

> **Answer.** The areas will be better equipped to drain, pulling additional runoff away from the Marlatt Addition. The developments are not expected to impact property value negatively. The developments won't begin construction for some time as they are not done with the pubic improvements. Typically residential will be established before commercial developments are set in motion.

Pre-Development Case No. PD11-14

NORMAN GREENBELT ENHANCEMENT STATEMENT DATE: 3-7-11

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement form was developed to aid in assessing proposed new developments to insure that green space and trail opportunities are being included in new development designs, whenever possible.

As part of your application and submittal of information for a Pre-Development Meeting, this form should be utilized to address the Greenbelt Commission's review. ***The City of Norman ordinances require that you complete this Greenbelt Enhancement Statement and leave it with City of Norman staff at the same time as you submit the required information for a Pre-Development Meeting.***

Review: At the time you submit the application and information for a Pre-Development Meeting, you will be provided with both the date of the Pre-Development Meeting and the date of the next Greenbelt Commission meeting. You are urged to attend that Greenbelt Commission meeting where you will be provided an opportunity to present information, to explain and discuss your proposed development, and to answer questions the Greenbelt Commission might have about your submittal. Based upon the review and discussion at the Greenbelt Commission meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will then be recorded and provided to you. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application for consideration of your proposed development.

Should you have any questions about this process or any of the questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5435. (Attached is the adopted Greenbelt Ordinance which includes guidelines.)

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: The Uplands Development Co., LLC Date: March 8, 2011

Contact Person: Tom L. McCaleb, P.E. Telephone/Fax/Email: (405) 232-7715

1. List development name, location, number of acres, and type of development, including types of buildings and their proposed uses.

   This is a 150 acre parcel. The location is on the north side of Indian Hills Road at 36th Ave. N.W. The design will be for a variety of zoning request that include retail, professional offices, apartment and single family detached homes.

2. How does your proposed development or project incorporate open space(s)? Are those open spaces accessible to the general public, only to the future owners of property within the proposed development, or some other arrangement? Please explain.

   This property is creating the new North Norman Parkway that has been reviewed by the Greenbelt Committee. Design of the single family homes and apartments will be projected to the park.

3. Does (do) the open space(s) for this development include some kind of trail or path? Indicate all that are applicable.

   The Parkland will be public. The apartments will be private. Access from the apartments will be sidewalk and non-paved trails. The City of Norman Park Department will design the project.

	For access only	Within open space
Sidewalks		
Other paved surface trail		
Unpaved Trail		
Direct Access from lots		

4. Identify the public open space(s), such as a parks or trails, within ½ mile of your proposed development. Explain how the proposed development will connect to that area via a trail, sidewalk, or other means.

   This is the Parkland for this area.

5. Please provide a short description for each type of proposed trail, if any. The description should include information about anticipated users, connectivity, accessibility to area residents, accessibility by the general public, and other information which you believe would be helpful for the Commission to understand your development's compliance with the Guidelines for Evaluating Greenbelt Enhancement Statements in Sec. 4-2028 of the Greenbelt Commission Ordinance.

   The City of Norman Parks Department will be in charge of specific components.

6. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking.

   The apartment area is being designed to allow parking to allow all visitors to use and then walk to the park. Sidewalk will be constructed in street right of way and along section line roads.

7. Please circle, from the following (or make a list) of geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails. These may include: **storm water channels, floodplains, stream bank/ riparian corridors.** How will your development incorporate those elements into greenbelts and trails?

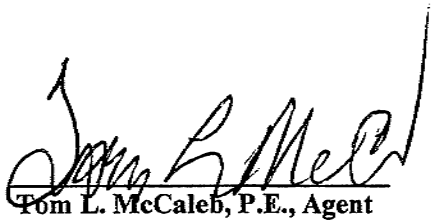
   Attached drawing illustrates the concept design.

8. If after answering the above questions you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly.

   This is a Greenbelt design.

9. Other comments:

   None

Signature of Applicant or Contact Person: 
Tom L. McCaleb, P.E., Agent

GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS SEPARATE SHEET):

VOTE BY COMMISSION

Greenbelt Commission Regular Meeting **Greenbelt Case No. 11-12**

Monday – March 21, 2011- 6:30 p.m.

Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements

In performing its duties, the Greenbelt Commission shall take into account the considerations listed below and how they apply to each proposed development

Please check the areas that will apply to your development.

(*Not all considerations will be applicable or feasible for each application.*)

Yes (a) Portions of the Greenbelt System are accessible to the general public.

Yes (b) Greenways are established and provide connections to other existing and future components of the Greenbelt System.

Yes (c) Existing easements (e.g. utility, pipeline, oil lease right of way, etc) may be used for Greenways where appropriate and where expressly approved by the easement grantor and grantee.

Yes (d) Greenways connect neighborhoods to each other and to industrial and commercial areas.

Yes (e) Greenways provide alternative routes to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking.

Yes (f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized.

N/A (g) Developments between urbanized Norman and Lake Thunderbird include pedestrian and bike connectivity to adjacent parcels to allow for future connections to Lake Thunderbird.

N/A (h) Landscaping required by the City has been planted in conformance with Norman Zoning regulations, including with local drought-resistant low maintenance plants, shrubs and trees.

N/A (i) Vegetative buffers between neighborhoods and railway lines have been provided to enhance safety and reduce the effects of noise and air pollution.

Yes (j) Permeable ground surfaces have been preserved to the extent possible.

Yes (k) Ingress and egress to and from a development is designed to permit safe use by non-motorized traffic in and out of the development and across the ingress and egress provisions of the development.

Yes (l) Fences abutting components of the Greenbelt System, and particularly those abutting green spaces, are of designs and materials that minimize their visual impact to the extent such fences are allowable under Norman City Code and not in conflict with applicable national standards for utility facilities. Examples of acceptable open fences include such types as wrought iron, split rail, low picket fence with every other picket removed, and metal pickets.

Yes (m) Water retention and detention storage facilities are designed in accordance with bioengineering principles and built with bioengineering materials.

Yes (n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.

Yes (o) Storm water management design considers the potential for trail and green space preservation, enhancement and/or creation.

N/A (p) The development layout is designed to preserve the health and diversity of wildlife affected by development in natural drainage corridor areas.

Yes (q) The development layout is designed to minimize the intrusions of noise, trash and other things into the Greenbelt System that would negatively affect visitors' and users' experience of any impacted components of the Greenbelt System.

N/A (r) To the extent possible, the development layout, as designed, does not impair the ability of riparian buffers from serving as corridors for wildlife movement.

N/A (s) Riparian buffers are incorporated into the Greenbelt System.

Yes (t) The commercial developments have provided for pedestrian access.

Yes (u) Pavement is minimized when possible by, among other things, using shared parking areas and/or permeable parking surfaces where feasible and allowed under the Zoning Ordinance of the City of Norman and the City Engineering Design Criteria.

N/A (v) Cluster development has been utilized as a means to develop the Greenbelt System.

Yes (w) Structures, other than utility transmission poles or substations, were located to maximize greenbelt and trail opportunities.

Greenbelt Case No. 11-12

Greenbelt Commission comments and suggestions regarding proposed development submitted for Planning Commission and City Council consideration are as follows:

> *Guidelines "k" and "t"; applicant will look for ways to making connections to the southeast corner of his development creating alternative routes for residents to the future commercial area.*
>
> *Guideline "l"; Applicant agreed there will be no stockade fencing for lots on the north boundary of the property, areas abutting the future park.*
>
> *Commission notes the need for safe connections to the future commercial area in addition to permeable walking trails around the detention ponds for residents to access the park.*

Vote by Commission: Move to approve; 6-0, 1 abstain

SMC
Your Civil Engineering Solution

Consulting Engineers, P.C.
815 West Main
Oklahoma City, OK 73106
405-232-7715
FAX 405-232-7859
www.smcokc.com

Civil Engineering
Land Development
Storm Water Management

Tom L. McCaleb
Terence L. Haynes
Christopher D. Anderson
Ole M. Marcussen

May 6, 2011

Mr. Jim Gassaway, Chairman
Planning Commission
City of Norman
P.O. Box 370
Norman, Oklahoma 73070

RE: Preliminary Plat
Uplands Addition
SMC No. 5055.00

Dear Mr. Gassaway:

As agent for the applicant, we respectfully request a waiver of the alley requirements for the above referenced addition for all commercial, industrial, and office areas in accordance with Section 19-402 of the City of Norman. The plat has large tracts that can be designed adequately without the use of an alley. All utilities, sanitation access, emergency access, and fire protection will be provided and identified without the use of an alley.

Please accept this request and grant the alley waiver.

Sincerely,

SMC Consulting Engineers, P.C.

Tom L. McCaleb, P.E.

cc: Trey Bates
SMC file

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JULY 14, 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 14th day of July 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 Roberta Pailes Andy Sherrer Zev Trachtenberg Jim Gasaway
MEMBERS ABSENT	Curtis McCarty

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

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Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C. FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W.

7A. RESOLUTION NO. R-1011-115
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1011-13) FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR 129.90 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W., REMOVAL OF THE PROPOSED OUTER LOOP DESIGNATION, EXPANSION OF THE COMMERCIAL DESIGNATION FROM APPROXIMATELY 9.3 ACRES TO 21.64 ACRES, AND AMENDING 9.79 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO OFFICE DESIGNATION, 16.56 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION, AND 11.02 ACRES FROM LOW DENSITY RESIDENTIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION.

ITEMS SUBMITTED FOR THE RECORD:
1. NORMAN 2025 Map
2. Staff Report

7B. ORDINANCE NO. O-1011-55
HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT (21.64 ACRES), CO, SUBURBAN OFFICE COMMERCIAL DISTRICT (9.79 ACRES), RM-2, LOW DENSITY APARTMENT DISTRICT (16.56 ACRES), RM-6, MEDIUM DENSITY APARTMENT DISTRICT (11.02 ACRES), R-1, SINGLE FAMILY DWELLING DISTRICT (65.57 ACRES), AND PL, PARKLAND (5.27 ACRES), FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Preliminary Site Plan

7C. PP-1011-23
CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UPLANDS ADDITION, GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND WEST OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Traffic Impacts
5. Preliminary Site Plan
6. Oil Well Site Plan
7. Alley Waiver
8. Pre-Development Summary
9. Greenbelt Commission Checklist and Comments
10. Greenbelt Enhancement Statement

PRESENTATION BY STAFF:

1. Mr. Koscinski reported that this is a complicated application in the sense that there are a lot of pieces. The entire tract is currently designated for future residential use. All of the developments in this area have been coming in one-by-one and getting approved for different types of zoning. Sewer lines are being laid to service this area, and that is the main driver for this whole area to become developed. Water lines will come later. The entire tract will become Current Urban Service Area based on the imminent availability of utilities. It was originally designated for low density use with a little spot of commercial on the corner. Tract 3 would be a larger tract of commercial. Tract 2 encompasses a large detention pond and some low-density apartments. Tract 1 is an office designation similar to the one that was approved for the property next door. There is a higher density multi-family area in Tract 4 at the north, which is buffered by what will become a public park in that area. The rest of the property (Tract 5) retains its residential designation. There is a property surrounded on the north, west, and south by this project that is owned by the church. The rezoning reflects the proposed 2025 changes. The property is vacant. To the north of this property is the City of Moore and there are some homes along 36th and in a gated community to the west. To the east of this tract is the Commerce Parkway area, which is largely commercial, industrial, and a little multi-family. South of the subject property is the Marlatt Addition, which is the only current residential use, with large homes on approximately 2-acre lots. The property to the west is still vacant and development there has not yet started. Protests were filed that constituted approximately 16.7% of the notification area, largely from residents of Marlatt Addition and the residents of Moore to the north of the project site. There were also protests from outside of the notification area. The same engineer is developing all of the tracts in this area, so there has been quite a bit of coordination and integration of the design, the utilities, and drainage. Staff supports the plan change; it is consistent with what has been going on west of this site. The plan supports multiple densities to try to provide different housing opportunities for different clients in the community. Staff also recommends approval of the rezoning and preliminary plat.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, engineer for the applicant – This is not terribly complicated, but there are some moving parts. We submitted this application March 8 of this year and went to the Pre-Development meeting on March 22. We also met with the Greenbelt Commission on March 21, and we recently submitted the application you have before you for the 2025 Plan Amendment, the traffic study, the rezoning application, the drainage report, and the preliminary plat on April 8. It was scheduled for the May 12 Planning Commission meeting. We met with staff after they reviewed the tract and they had some geometrics and some zoning changes that they wanted us to consider. We agreed to continue that application for a month to try to accommodate the questions and the modifications that staff suggested for the June 9 meeting. A few days before that meeting we were notified that citizens in Moore had not been notified. So at that meeting we agreed again to continue it and make proper notification to those folks in the Moore area. That has been done. That gets us to tonight. We think we've done all the correct things. The application's request for land use change has been justified, as per the staff report that you've got in front of you. Staff has reported on page 7a-2: "The 2025 Land Use Plan identifies two criteria that should be addressed in order to change the approved land use designations. First, there must have been a change in circumstances resulting from development of

properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest. Like all the recent subdivisions which have been reviewed and approved in this area, the principal change is the extension of water and sewer" that Doug just eluded to. The one sewer line that we've laid to sewer the tract that you've seen and approved called J&J, Whispering Trails, Foxworth, Redlands, and the new church, has been accommodated with a sewer line that we laid from Franklin Road west through J&J and up to Indian Hills Road. That line is built. We completed the as-builts today and we're submitting it for the walk-through for final. That line is now in place. That's one line. Now we're going to do another line. The other goal that we need to accommodate is the 2025 Plan does encourage and support diversified types of housing and densities in order to better serve different income levels of folks. Tract 5 will abut the future gateway park that has been presented to this board and provide a buffer between the apartment area and the lower density areas in Moore. Lower density apartments that we're proposing – duplex, triplex, four-plex – are proposed in an area that abuts Indian Hills. There is also a large detention pond. This is a good example of the drawing that we put together that shows the diversification of all the areas I'm mentioning to you. The area below is J&J. This area is Glenridge. This is the church. This is Foxworth, Whispering Trails, and Redlands. Those all have been designed, with the assistance of staff, to give what we have called good planning. It also shows diversification of all the different housing types and how connectivity can be employed. What this drawing also shows is connectivity of green areas. This is the green area that represents all of the areas that will be green or detention or active waters. That's all open space. This open space generates through J&J, flows through this tract, through the church, on forward into this tract, on forward into this piece right there that is a proposed and approved parkland site. Then it will traverse through the linear park that is being recommended and suggested by this application. That has also been shown to this board. We brought that to you a few months ago, suggesting a gateway park. Gateway park attaches to the north of this tract before you tonight. This is Commerce Parkway tract that you've already approved. This is part of that process. This is the Gateway Park. It's illustrative, showing what could be done. We made great strides trying to put all of this together so it all connects and interconnects with transportation, utilities, and open space.

This is the utility drawing. It shows how the comprehensive drainage will work and how all the water will be directed to the betterment of everybody, including some of the folks in the Marlatt Addition, who have gone on record with the Council that they have some drainage problems. We've heard that. We acknowledge that. We're trying to mitigate those problems as much as possible. There is a large detention pond we're putting right there that will buffer this tract and the townhomes tract right there. And the water will be picked up, detained, and discharged so an enormous amount of water does not damage the Marlatt Addition. A separate utility is being considered, and that is the other sewer line. The other sewer line would go through this area. If you're familiar with the Community Christian School, we have an agreement with the school that brings a sewer line that will be west of their football field and west of their new concession stand that sticks out a little bit too far. But we're going to lay the sewer line so that tract will have sewer. Then we'll bring that sewer line to connect to this tract that this party has not seen yet – it's called the Apex Property. Presently we have a sewer line that serves Uplands. City staff has asked us to reconsider and see if we could realign that sewer line and maybe serve the Marlatt Addition, which is this tract. So we are considering if we can take the sewer line and go like this and come up with

this and provide a connection for the Marlatt Addition. They have expressed interest in a sewer connection – they have no sewer; it's all septic. So we've looked at that. The Uplands people have asked me to look at the feasibility of making that connection and the cost and how it's going to work. So we have a preliminary design that will work. That would impose Marlatt to come up with a solution for their tract. We've also looked at how that can work. We're comfortable now. We've met with the Director of Utilities and utilities engineer and have that information.

In addition, there is the requirement to put in a 12" water line one mile from 36th Avenue to 48th Avenue that will serve all these properties. We now have a group together, like we do the sewer group, to pay for that. So we have started the design of a water line for that one mile that will be paid for by these property owners – not Marlatt. Marlatt also has an existing 6" water line that was installed with the cooperative effort of the City a few years ago. It's a dead-end 6" line that goes from 36th Street and out to about right there and dies. We have been asked if that line can be connected with the 12". That line is on the south side of Indian Hills Road. So we have agreed to do that. We're going to take the 12", connect to the 6" and loop it. That will enhance their water capability and fire protection for the whole Marlatt Addition. So right now on the table this 12" water line is to be built that serves all the tracts. It will connect to the big line here in 36th Street. And the sewer line design is underway to fulfill the obligation to make Uplands work, and it will also be designed so that the Marlatt Addition could also work. That all has taken place here in the last several weeks.

When we had the Pre-Development meeting we only had about four people show up and there was really no adverse situation in that meeting. We explained to them what it was going to be and they seemed to be fine. But now, as you know, there have been a few protest letters turned in. The client has met with the Marlatt folks on two occasions to try to mitigate and respond and try to take care of some of their concerns. We think we've done quite a bit. We probably haven't alleviated all the concerns, but certainly the major ones we have. The densities that we're proposing are less than the allowable in every zoning category. Our single family zoning comes out to less than 4 to the acre. The lots are comparable sized to the Redlands tract and they're larger than two other tracts. So they're pretty good sized; they meet all the City requirements. Staff has reviewed all these criteria and the geometrics.

One of the issues we've got that has been a problem is the Outer Loop. It is the gray area. The Outer Loop was a mystical area that has been determined to be the new bypass through Norman. That was a location on the ACOG plan. It was proposed to be a highway – four to six lanes – that would connect to I-35, extend all the way to here and keep extending all the way to Oklahoma City. That project now is not dead, but is wounded badly. ACOG has taken it out of their 2035 plan. So it is going to be terminated in the 2025 plan. In talking with Susan Connors and Shawn O'Leary, that is happening. We thought it would be happening last October, but it hasn't happened yet, but it is dying. This will have to be taken to the City Council for final death. So what we're suggesting to do here is we're going to swap this gray potential four to six lane road for a park which will look like the Gateway Park. That's what we're swapping with the folks in Moore. Now how big is this park. The developer of Uplands is providing a park site – a linear park that accommodates the park requirement for the Foxworth and Whispering Trails, and his tract, and all this as extra. There is no requirement for that; that is just a bonus park – 13 acres is the totality of parkland, linear and on the east side of 36th Street. So that's what we're offering with this mitigation here between the two

pieces of land. We think we've solved about all the utility problems, or at least we have a bona fide solution that will accommodate everybody out there. The plan has been reviewed, and reviewed, and reviewed by staff and we have staff support tonight. We have a very diverse plan and we've had a cooperative effort for quite a while with several people who own land – major pieces of land. They have cooperatively agreed and we have put together a master plan that we think is for the betterment of everybody. It all connects. It moves. It has traffic requirements that have been solved and utility problems that have been solved. The applicant is here tonight – Trey Bates, Mickey Clagg and Ben Newcomer – that is Uplands.

2. Trey Bates, 3720 Timberridge, one of the partners in the development – Over the last few months, we have gone through a lengthy process to try to make sure that everybody was notified and everybody had an opportunity to be heard, and that we took into account as many of the concerns as we could. I want to express my appreciation for the president of the Hidden Lakes POA who is here. He'll probably say a few words, as well as all of the folks from the Marlatt Addition that, over a period of multiple days and many hours, we've sat and listened to and tried to work through the various misinformation as well as information related to the project. Just briefly, this is an incredible mixed use opportunity for the City of Norman. It's principally a low density subdivision with supporting townhomes and multi-family, tied together with commercial along the urban arterial and across from 36th Street. I'd like to note that in the existing Land Use and Transportation Plan the commercial piece of this that abuts the residential is already in the Land Use and Transportation Plan as commercial. As you go west along Indian Hills Road, we tie it together with some townhome type, little bit higher density housing, and then further to the west, directly across from the radio station, we add some office space, again trying to buffer the existing houses from the change. This crown jewel of the project – and Tom has already given away part of my speech – but there's about six to seven square miles of projects that have been approved. Well, the crown jewel of this allows us to tie a park system and trail system where all of these projects have the ability to walk, bike, and move from shopping to the various residential uses to the office space without necessarily having to drive. This epitomizes the concept of development where you can raise a family, where you can start a family, where you can retire, where you can work, where you can shop, and where you can play. And this doesn't happen very often. This is kind of one of those – everybody says this is the last one, this is the great one – but it's not very often that you have as clean a slate as we were able to start with here and then so many projects all kind of come together at the same time. So what that provided was an unprecedented opportunity – not that everybody was working together so much, but the fact is, as all of these projects came together within a relatively short period of time, we could take advantages of what each individual project had and put together something that truly is magnificent. And I'm really proud of it. I know that this is a lot of change for people. The Marlatt people we've heard a lot of frustration about issues they've dealt with over the years and I understand it. It's hard to envision. But Western is being improved all the way to Oklahoma City. You've got an incredible explosion of commercial in Moore, up 36th Street and Telephone Road. You have the additional improvements of I-35 all the way through Norman now nearing completion. At some point, the Indian Hills interchange is going to have to be upgraded; it's coming. So you've got an amazing opportunity for Norman to take advantage of all of this confluence of all of these events and build a great development. I know that for the

people, again, that live out there, it's been the edge of town forever – it's been the open field where they saw horses grazing or the crops growing. But the reality is, regardless of this project, the development is coming and this is an opportunity to tie together an incredible project for the neighborhoods. I feel comfortable when I lay my head down at night that these people one day will wake up and be really happy with the fact that they have quality projects happening all around them that will ultimately improve property values. So I would hope that you all would approve this project tonight.

3. Mr. Knotts asked whether the drainage has enough surge south of Indian Hills to accommodate all of that if something goes wrong down here so that it won't flood. Mr. McCaleb responded affirmatively. Right now there is an existing 36" corrugated metal pipe that carries the water across Indian Hills and it goes in a couple of areas and it drains down to a pond. We need to release some water that is presently going down there to make sure that they have water. We don't want to intercept all of that, but we're going to intercept a huge chunk of it. Mr. Knotts asked if this is all surface flow. Mr. McCaleb replied that there will be some surface, but primarily it will be underground. Mr. Knotts asked whether the west side of the lower area will intercept some of the water. Mr. McCaleb said those are going to be live waters. It's water that's just going to be at a static level. We will have wells in there that will make sure they have a static level. It will be a retention pond that will have water at a certain level at all times, and also will have capability of rising during the floods to take that water off. So the whole thing is a combination of those facilities.

4. Mr. Trachtenberg commented that one of the things that he admires about the whole system is the inter-connectivity and the trails. He asked if they had considered the possibility of connectivity to the Ruby Grant property. Mr. McCaleb indicated that the intervening piece of property is owned by a different entity. He has been in a lot of communication with them, because they needed an easement for the sewer line. He has done some master planning for him that does that, but that is not being presented at this time.

5. Ms. Pailes asked the height of the apartments at both the north and the south ends. Mr. McCaleb replied that on the south side are townhomes, and they're two story max. They will be similar to the tract of land north of Sooner Fashion Mall – Brookhaven Square. The one on the north would be apartments – probably two story again. I think it will be 16 units. There are no immediate plans. Ms. Pailes asked about the commercial areas. Mr. McCaleb said they will probably be one story. Mr. Bates added that, with regard to the RM-6 area at the north end, the concept is for an all masonry type structure that would be two-story structures. Mr. Trachtenberg asked what the office component is going to look like. Mr. Bates indicated those haven't really been designed, but the concept for the entire project is substantial masonry type construction – not the low end kind of starter home concept that I think you see in a lot of areas. The idea is that we'd build this toward an upscale neighborhood and hopefully coordinate this in such a way that it attracts that kind of market. I think the advantage of the huge amenity package with the trails and that sort of thing will hopefully attract the kind of clientele that will support those kinds of markets. The concept is a professional office park type setting. So I can envision surgical centers, doctors' offices, other professional offices. Mr. Trachtenberg asked if it will be like the

Quorum area. Mr. Bates responded that he and his partners were involved in building Quorum, and it will be similar.

6. Mr. Gasaway asked about the road access to the development. Mr. McCaleb stated that one of the modifications that staff suggested was that there be one road off Indian Hills and then one connecting the residential area through the commercial area to 36th.

7. Mr. Gasaway asked if Mr. McCaleb believes the drainage solution can handle the water from the north side of Indian Hills in addition to the additional runoff from the impervious surface. Mr. McCaleb said that's correct. We prepared the drainage report. We've met with Mr. O'Leary and the drainage engineers on multiple occasions to make sure that he agreed and he does.

8. Ms. Gordon commented that Street C goes through the residential area and actually cuts through the commercial all the way over to 36th. That's quite a bit of commercial from Tract 3 and quite a lot of traffic going through that residential neighborhood. If I was a driver, I would sure take that instead of Indian Hills Road and skip that intersection. Mr. McCaleb indicated that this road is a collector all the way to 48th. Staff suggested that we take this point right here and continue it to 36th Street. We had suggested that not be a collector, but they wanted it to be a collector road.

9. Ms. Gordon asked the width of the gateway park in the narrow area. Mr. McCaleb said it is 50 feet at the narrowest. Ms. Gordon asked the width near where the apartments are going to be. Mr. Bates said it will be 200 to 300 feet.

PARTICIPATION BY THE AUDIENCE:

1. Lou Ball, 3730 West Indian Hills Road – In the Marlatt Addition, mine is about the fifth tract of land in off of 36th. This addition is going to affect me and my family directly, being as we're property lined right on the discussed development. I've only lived there for five years, so I don't have as much emotional tie that some of the people behind me probably have to what's going on here. And when we moved here, we fully thought that that land would be developed. We talked to our realtor – we talked to people that advised us and helped us with our move down to Norman from the Iowa area. We come from a very country background and the one thing that we were going to get out of this was going to get a country feel to it, still be out away from a lot of the traffic, be able to raise our family. I talked to Trey at the meetings and he provided a lot of detail. I love the idea of the community and the parks and such, but my greatest concern is two things – with the addition of the extra commercial, and a couple of people have made reference to the fact that the increased traffic and the flow of the traffic and how it's going to work relative to where I'm going to be pulling in and out of my home – I have great concern about that. I also have concern, and I spoke to Trey about this, too – with the drainage pond which is directly across from my property – dealing with the idea – I think they spoke earlier about some of these other ponds over here and I'm not sure what the terminology is, but I won't say maintained because I don't think that's what was used, but they would have a fill system and they would have a constant level and have a certain appearance, and it sounds as if the pond that's across the street from my property will not have that same appearance, based on what they just said – that it could be low, could be high. So I have a concern

with that. Also with the traffic and, not having been from Norman, I'm not familiar with the property that was discussed as far as the office buildings go and the appearance of those office buildings. You made reference to a certain office building – I'm not sure where that is. So I have great concern about the appearance of it and having it fit the look of the neighborhood and looking as much like homes as possible, because when we bought the land it was zoned R-1 for homes to be there and we thought we were going to be moving into a neighborhood that was 100% homes – no office buildings -- looking out your front door to look at office buildings, not looking at duplexes or any other kind of buildings of that nature. That's what's being changed right before our eyes, and not really having a feel for how that works and there's no guarantee how it's going to look ten years down the road; once it's approved, they can put in whatever they want. My greatest concern is what's going on on the very first portion of Trey's development there right along Indian Hills. If it was all residential and they had this great plan of doing the parks and everything, I think it would be great. But in its current state with the additional traffic that's going to be going in there – we're already going to be dealing with a lot more traffic if it goes to four lane and I understood that when I bought the property. But then to throw businesses and medium density living in there and then a lot more commercial right along that path, you're looking at a totally different living situation than what I purchased my house under. And that's my greatest concern, is that it's not going to be what we thought we were going to do for the 15 – 20 years – whatever we ended up living here. And we looked at 12-15 pieces of property and we bought that piece of property knowing that it was zoned for residential homes. That's all I have to say. Thank you.

2. Donald Davis, 5532 Steed Drive – There are only two apartment buildings west of 36th Street here in Norman. They're off Main Street. They're surrounded by duplexes and creeks. Going north from Main Street, where they're located, you go through nice neighborhoods which are full of townhomes and multi-million dollar mansions. Further north there's all the Brookhavens. They're all on nice lots. The Polo Club, Ashton Grove with million dollar houses, and Cambridge, plus the Grandview Estates and on to Crystal Springs, which are multi-acre estates. Likewise, there are lovely homes and neighborhoods and acreaged estates in the south part of Moore. Even the apartments around the Moore Country Club are very spacious and parklike in design. I'm very much against this densely compressed proposed neighborhood that's north of Indian Hills with over 500 homes and hundreds of apartments. Potentially, there could be over 3,000 new residents in less than 3/8 of a section. I don't know of any plots here in Norman that are that densely populated with four or five houses per acre. Our neighborhood is one house on one acre and that seems kind of tight to me, but seeing those little bitty, teeny, tiny lots up there – it will ruin the character of the rural idea of homes in our neighborhood that go all the way from Main Street out these five miles, past the coach's house and then to be deadlocked – it honestly is going to turn Norman into – pardon me, but Moore. Little tiny houses – cheap houses. Now we're in the Moore School District, and although Moore has built a new south high school and a new elementary school up on 34th, they're still, when you add in the potential – maybe 2,000-3,000 people here and likewise the same number to the west of our Marlatt area, you're going to have to put in a new elementary school probably. I don't know if the people here in Norman even care about that. But the thing I worry about is that with all the guttering, the curbing, and the street runoff of rain water and these retention ponds, which will not hold the overflow – even now with the open farmland soil that

soaks up the rain when it does rain, two of my three acres are flooded usually six or seven times through the year. But that was planned in the Marlatt area. That was used as the upwaters for Little River to help hold and retain, but with this neighborhood going in north of Indian Hills, unless that water is taken and taken someplace north, it will come back over the road and it will come through the Marlatt area and it will come through our neighborhood and it will go over Steed Drive like it has several times in just the last few months. Now there is a retention pond at the end of Jaronek's yard, which holds water, which then goes into coach's little pond, which will hold water. Those things help. They help keep our neighborhood – the aquifer down. They help keep all of our wells nice and sweet and help hold water into our neighborhood. But when you have an influx of water, and the one thing I don't think they've counted on is the speed of the water. And lots of times my two acres will fill up in just less than an hour. And that's quite a bit. It makes my two acres of property unsaleable – I can't get a note and I can't sell the property because now they're in the floodplain. But I like that. I like the greenbelt idea that it's going to have. I just don't think, as Mr. Ball just said, that unless it's really considered what to do with this water that there's going to be a major problem. And have you all noticed? There's gutters – street gutters in Moore where they're building all these new buildings for the doctors offices. There's street gutters in the street. Moore seems to be willing to handle this problem, but here in Norman all they do is put out mosquito ponds and these retention ponds – and how many – I can count, I guess – one, two, three, four, five, six in this area. I'm afraid, unless they're fenced and guarded and they keep the BT dunks in them – you know what those are – to help keep the mosquitoes down, or stock them with fish – that these are going to become problems. Week before last I found a copperhead in my garage. Now, I expected that, because I live across the street from a pond. But when you add that into a densely populated neighborhood where there's going to be lots of kids – well, who knows what problems. And my time, I'm sure, is almost up. I just want you to remember that these developers who come up with these real clever ideas that look wonderful on paper very rarely end up living in these neighborhoods. And they leave the problems and the situations – all the extra people, the cars – there's only three outlets onto Indian Hills, and with all those people coming in and out, going up to Walmart and over to Heyday, that will make that a very high-traffic neighborhood, and I feel for your children, Mr. Ball. I wouldn't want anybody out running on the streets out here because it's going to be quite a high-traffic neighborhood. But, again, these people that design all this – they never have to live there. They don't care. They've got their money and they've left. They leave the problems to poor unsuspecting people like me, who move into a neighborhood and then have to pay the taxes for it. Thank you.

3. Robert Ashton, 3812 NW Sterling – I've lived in Marlatt for 41 years. I didn't know that living in the internal portion of Marlatt I wouldn't get a notice and be counted as a person that was objecting to what was going on around me. I can certainly tell you it will impact me, because I would say probably for the next half a dozen years the amount of dirt movement and vehicles, construction traffic, and general tie-ups on the small road that we have will really impact me. The other thing I'm worried about is the City of Norman just went through a long period of talking about how we have to take care of the lake where our drinking water comes from. Well, you are taking out of the filtration project that Mother Nature supposedly takes care of, I was told, a lot of acreage here that flows directly into the Little River. Some of you may remember many

years ago we fought a long battle against the City of Moore to keep about 40 of these acres from being de-annexed from Norman and into Moore. And, in fact, the City Council did de-annex it, but we got a petition up, got an election, and got it back, and the Council had to eat what they done. Now you're going to take that acreage, with all that filtration that the dirt and grass can supposedly do, and cover it with concrete and blacktop. Now somebody down here has got the wrong message. Either they were right when they were worried about the lake and all the stuff that was flowing into it, or they're wrong because you're taking all of this out of the system. So I think you really need to consider what you're doing here. Thank you.

4. Jeff Zehr, 3707 NW Pioneer – A lot of my questions have already been asked, but there are a couple that I do have. The park addition – who is going to maintain that? Are the residents going to be responsible for maintaining that? The City of Moore going to be responsible for maintaining that? Is it going to become a dump station for everybody's trash? Is it going to grow up to be not the nice park that we want it to be? The other was – Milt brought it up. The school issue. I have four young boys that are going to school in the Moore district right now. They attend the new elementary. When this is built, where are they going to go? Are they going to be in classrooms – I understand that there's a limited number of students that can go in a classroom. But if we don't have another school – a junior high, a grade school, eventually another high school, are my kids going to be going to school in a trailer house that's parked behind their present school that they have right now? In this plan right here, I don't see a school being developed or being planned. And who's going to pay for that school if we do decide to build one? The other issue was they said there was four houses to the acre – when we did our meeting and calculations, we calculated close to 5 houses per acre, so I'd like to have that clarified and get that understood. Mrs. Gordon brought up a good point about the buffer on the north side of this addition. The south side of the addition there's not a buffer. You have a retention pond. There's nothing there but apartments. One thing that struck me odd in this discussion was the developers kept talking about hopefully and probably. Hopefully we get the right kind of neighborhood that we want. And it's probably going to be masonry and look nice. That kind of bothers me. I'd rather see something concrete, something set – this is what it's going to look like, this is what Lou is going to look at out his front door. Haven't seen that yet. So those are some of my concerns. And, again, the other issues were brought up. The traffic was another concern of mine. My four boys right now can go outside and play. Traffic gets a little bit fast up and down our neighborhood, I'm able to control that – I sit in my front yard and I'm able to control that. With what's going to go on here, there is no way we're going to be able to control what kind of traffic is coming in. Thank you.

5. Brian Beddo, 3823 NW Pioneer – My concern is I don't know whether the water that comes from this addition is going to increase or decrease through this neighborhood. We own a creek that runs to the west of our house and a couple of years ago the City decided to file criminal charges against me because I refused to clean out the creek. The creek never has had a problem – it was the City's culverts that were too small. Currently there is development going on in this creek and, if the water increases, then it's going to cause more erosion and it's going to impact the houses that are in this creek. And if the water decreases, it's going to impact the pond that is in this neighborhood and it will not have any water in it. So those are my

concerns. If you change the water flow either way, it's going to impact this neighborhood. Thank you.

6. Jerry Meek, 4213 Hidden Lake Circle – I'm a resident of Moore, Oklahoma and hopefully that doesn't give me two strikes. I come tonight wearing two hats, one as the President of Hidden Lake Property Owners Association, and one as a resident who falls within the 350 notification. When Mr. McCaleb had the plan up that showed the notification residents and then it showed those that were outside who had filed protests, I think it's important for the Planning Commission to understand that a number of that percentage that Mr. McCaleb spoke to were initially because of the fact that, just by accident, the residents of Hidden Lake happened to find out about the June agenda. What you had was a number of residents who, at the midnight hour, responded by filing a protest. So hopefully you will understand how that came about. I have to, in good conscience, tell you that I first made a call to your Planning Commission and the response I got regarding the notification and why we weren't notified – the response I got was less than a courteous one. I don't know if that's because I was a resident of Moore, or if that's just typical for staff in Norman. I brought the protests down – a stack of them – personally and filed those. I had an opportunity to visit with the City Clerk. I told her that I was given a response that was less than courteous by staff and that I was told essentially that the City of Norman did not have to notify me because I was a Moore resident and the second reason that I was not notified was because of something here in Norman called home rule. Still not sure what that is. But that was the response I was given. I mentioned that to the City Clerk and she was very nice in responding, Mr. Meek, I'll check into that. Soon after that, I had an opportunity to meet with Mr. Bates. He was kind enough to give me the time, as well as another resident, to explain to us what his plan was. First and foremost, we didn't have that opportunity prior to the June agenda because we weren't notified. He brought this plan that you see there. If you look to the far left corner on the north side of the greenbelt, you see a little pond. To the right of that is a house. That's my house. When I straddle my south fence, I can put one foot in Norman and I can put one foot in Moore. In the explanation that Mr. Bates gave me regarding the development, I probably am less affected, yet I am the probably one resident that has the closest proximity to the development of 50 feet – not the three or four times that. I'm here to tell you today that I took exception to, and I want to voice that tonight, that I believe that the City of Norman – you people – my request would be that you look into how your staff does notification. It concerns me that maybe notification hasn't been given to other people in the past, because there is a – regardless of where you live, if I own that property and I lived in Durango, Colorado you still are obligated to notify me. We all have, as citizens of this state, by law we are allowed due process. That, I believe, was not afforded to every one of those houses that you see that line that buffer – not one house was given notification. Mr. Bates and I visited. Subsequent to that, I was walking in this door to file those protests and he called me and said that he had counseled with others and it was his decision to pull that from the June meeting. His concern – and I won't speak for him – I'll just tell you that, as I took it, his concern was that we were given due process and given opportunity to be notified. I commend him for that. His concern was real. His explanation to me – his vision to me was one that I personally don't have a problem with. I think that anyone who sits on this Commission behind that circle would have the same concerns if someone by chance told you that in a few days was going to be a rezoning and there was going to

be apartments out your front door. I don't believe that you would have acted any less responsibly in filing a protest. I want to put on the hat as a resident and tell you that I personally am not opposed to Mr. Bates and his development. I believe that he has truthfully told me that he will make a determined effort to build a development wherein that, contrary to certain statements that were made – I live in Moore. I live in Hidden Lake Addition, which is executive homes. Probably the least priced house in that addition would be $300,000 up to in excess of a million. So they're not little, small homes and they are large tracts. So we have a valid concern that our property values would be diminished by something that wasn't acceptable. What Mr. Bates has showed me – it's less than what I would want, but it's not anything that I can't live with given he would follow through with what he said he would do to try to enhance his development somewhat off of the quality of homes that he will be adjacent to, which is the Hidden Lake Addition. So, in conclusion, please look into how your staff directs the general public when they are notified in the future. And, as far as the residents go, if I speak on behalf of Hidden Lake and those that are represented within that 350 feet notification, it would be our desire that the Commission would look at that development, the density levels to be something that would be reasonable for those things that would parallel or be adjacent to it. Thank you very much.

7. Dick Manley, 3619 NW Della Street – You guys are all professionals. These guys are professionals. What they presented to you – my heart just jumps out when I look at that and I think look at all that beautiful development that we've been wanting to have. I've been there 45 years. Look at that beautiful development that's there. What I'm going to try to tell you is those are all houses all the way from where this development started at the bottom that they tied together clear up to the Moore property line. This Uplands has in it what nothing else has in it that's been developed. It has one ten-acre – almost ten-acre spot across from the church that's gonna be suburban office space. That's the only thing that's been approved that's not residential, other than the corners where it's commercial. What I would like to see is this beautiful thing that they've got all these trails and everything that they want to put in there – all of this handling of the water – everything that they've talked about and tied together is totally professional and would be an absolute boon to us, who have lived out there with nothing around us for half a century and here all this is coming. All we're asking is don't make this new addition multiple use. None of that other stuff is multiple use, to the extent that they want to make multiple use here. Apartments. Office space. Out in the country as it is right now. It'll be non-commensurate with everything else that's gone on all the way up to the Moore property line. Now, right across the street from our addition on the east is a Planned Unit Development area – but that's not the proper term for it. It's a Special Unit Area that has been designated by this thing right here – designated as Special Planning Area 4. Special Planning Area 4 is situated between 36th Avenue NW and I-35, from Indian Hills Road south one-half mile. Now I'm not as eloquent as some of these other people, so I'm going to have to read this. But you all people – I don't know if you're familiar with it, because you can't – you're on the Planning Commission, but you can't be familiar with everything that's in this book. So what I'm going to try to read you is Multiple Use Area for a half mile right east of us has already been established as a Special Planning Unit Area by this book. That means it can't be anything else, unless you people say it can. It's designated to be multi-use. A half a mile. That covers every bit of the Marlatt Addition. There's another slide that shows that area and it's cross-hatched, and that's the one that – it's this thing right

here. That's that multiple use area. It's already designated as a Special Planning Area 4. Proposed land uses. This area is designated for mixed use development. The primary emphasis is to allow for a mix of employment uses – office, light industrial – with some supporting commercial and medium or high density residential housing as part of an overall, unified planned development. It is envisioned that employment and commercial uses would be oriented toward Indian Hill Road and I-35 to the north and east – and so on, and so on, and so on. What I'm going to tell you is, if you look on page 21 of this book – page 22, you'll see there's another planned area just below that. Area 5 – 36th Avenue NW and I-35 from Franklin Road north one-half mile. Same kind of deal. That's to the east of us. Look at here. This thing shows you a park – it shows you a park right there where that multiple use is. There's going to be a park right there. Ruby Grant is just past the road down there. All of this surrounding us – the only place that multiple use is is on the east. Right after this was written – 2004 – they established multiple use as an introductory way to develop. That's what this 2025 plan did. It also talked about planned urban development processes and planned urban development processes – can I read the definition of that? Planned urban development process – a land development project comprehensively planned as an entity utilizing a site development plan which permits flexibility in building site, mixtures of all types, attached and detached housing, usable open spaces, and the preservation of significant natural features. In 2005, right after this was written and established the multiple use idea that the Planning Commission would promote, this area right here – which is to the east of Uplands – they own it – put in a PUD 0506-3 and guess what that PUD did? Established that area on the east as multiple use. Now we're surrounded by everything here and my heart goes out when I look at that and I think everything they've done is beautiful, if they would just take out the apartments, the office, and the apartments, and even the commercial on the end that's already established – they want to make it bigger. If they would take that out, every bit of this whole thing is residential. That's all we're asking. Do not approve Uplands for multiple use when right across the street the same owner has got multiple use. Why doesn't he put that stuff across the street? The City has established right across from us multiple use. I have no animosity toward these guys. They've got to make money. All we're asking is we've been out there for all these years and it's all been residential – everything that's come from Norman up to us from Main basically have been residential. As we got out here at the bottom of this, look at the size of those lots. Big beautiful lots with J&J. They get a little bit smaller, but they get all the way up to Indian Hills Road. That's commensurate with everything we've got in our addition. We jump across the road and it get's smaller.

8. Lindle Coleman, 3604 Sterling Street – Thanks for listening to our concerns. I live in the Marlatt Addition, corner of 36th and Sterling Street. I grew up there since I was about 2. I left, came back, built a house in '93 and have been there ever since. I love the area, and I want to clarify that I believe, from my perspective, the protest was not necessarily just development in general, but the rezoning and the rezoning to the medium to high density. I believe that development is going to happen in this area. I'm actually excited about some of this. I appreciate Mr. Bates and the other developers taking time to visit with us and explain a lot to us. And I do believe that they try to put in the greenbelt and try to make this really nice. I believe growth will happen. But I guess the concerns and the protest for me is specifically around the unintended consequences of that development, and particularly the medium to high-density. The

medium and high-density – the entrances to those areas are very limited. I haven't seen any plans for four-laning any of the roads, so my question is around traffic. Are we going to have four lanes of roads on all four legs of that intersection? Another question is around the interchange and overpass. Is that going to be a four-lane and widened, because that is a main hub off the interstate that will be used to access this area. And, in my opinion, right now it's already becoming overcrowded because a lot of times we can't get out of our neighborhood as it is with the two-lane. And then on the water flow – the unintended consequences of that change in that water flow – how that's going to affect the ponds that are around there and how those buffer zones are going to be maintained. I'd hate to see those grow up in weeds, become dry – just that concern of how that's going to look in the end. And then the sewer costs – will there be a cost incurred on the Marlatt residents to tie into the main line? We've already spent $6,000 and above per resident to have a septic system. And what would be the cost of that? That's another question. And so overall, it's really – I think the main concern for me is the medium to high density. When you pack all those people into those smaller areas with limited entry and exit, what's that going to do to the overall area. Thank you.

9. Sadie Willmon-Haque, 3920 West Indian Hills Road – I live in the Marlatt Addition. I am here to speak concerning the Uplands Addition to the north of our home. I live right next to the radio towers. I am here to speak on behalf of my husband – he couldn't be here, he's in class – and my daughter, Dora – my adorable daughter Dora, who is seven weeks old today. I'm from Oklahoma City and I just thought I'd throw this in, but my dad actually paid $2,000 for our home in Oklahoma City, so that's the complete cost of the home I grew up with in 1979. Now, I've been lucky, through education and different things, and now I pay about $2,000 to live where I live now, and have worked really hard. I have my Ph.D. in Psychology, graduated from OU, and it's been really nice to move to a nice area. We have lived there about four years. Actually, we've bought two homes in the area. We used to live at 3908 West Indian Hills Road, but when our neighbor put up the for sale sign – it was a bigger house – we sold that and moved to our current home, so we just moved our stuff next door over the fence. We just love the area so much. When we moved there, our understanding was that there would just be some development in our area, and like the gentleman right here said I'm really excited over multi-use development. I'm concerned about traffic. Right now I can't even hardly go out and check my mail without getting hit by a car. I don't like that. I don't like having a lot of people. I feel like it might lead to more crime. I've been concerned about water flow since I've lived there. We have two acres and our one acre floods when it rains heavily. And like someone said, the water rises really quickly and so it floods pretty quickly, so I just worry about that. I love my home. I told my husband – he doesn't like for me to brag, but my home is my dream home. It's quiet. It's like the country but I can access Moore and just different shopping centers. I like the people. I love the location. I had a dog – unfortunately she got hit by a car – so I got to know a lot of my neighbors from walking her. It's just a wonderful place to live and I would like it to – if there is development, that it would be I guess single-family homes. Thank you.

10. Ron Ashley, 3608 West Indian Hills Road – I live on the corner of Indian Hills and 36th Avenue. We live in the Marlatt Addition. I'm here to speak concerning Uplands Addition to the north of our home. We've lived there for seven years. We like our

location. We like our home, and we like our neighbors. We moved there because we like it. We purchased our home because it's a little bit country – that would be me – and then my wife, she's a little bit city. There are single-family homes west of 36th Avenue from 164th Street to Carrington Lakes development. We have the Harvest Church north of our home on Telephone Road and Bridgeview United Methodist Church will build their home on West Indian Hills Road. All land east of 36th Avenue is mixed-use or commercial up through Interstate 35. The new commercial development would continue along the I-35 access road as it has since we've been there. As you know, from the Walmart store south it's really coming this way, and we anticipated it would go along there. I understand that from 36th Avenue to I-35, I assume probably half of that would go right on down to Norman and would be commercial. I assumed also that Crystal Lakes development would come north. I look for that to be single-family dwellings. We live within two miles of any retail business I need. I do not want to see commercial property across the street from us. I want to see homes comparable to our homes. If you go north on Telephone Road, you see the Hidden Lake development and the Park Glen development. Currently west of us is Talavera. To the south we have the Carrington Lakes development and east of us is Crystal Lakes development. There are no small homes in these areas. The Uplands Addition developers have been understanding of our concerns. I appreciate that very much. They've all spent time with me. I'm asking you to review and revise the commercial and mixed-use portion of the Uplands Addition to single-family dwelling. Thank you.

RECESS
8:08 to 8:22 p.m.

11. Mr. McCaleb – Some of the concerns that were expressed by some of the people concerned drainage. We have accommodated the drainage and we had that in the drawings a while ago. There were two concerns expressed by citizens. Some said we want to make sure we keep getting the water we're getting, and one says we don't want to be flooded. And that's exactly what we tried to put together. There's a 36" diameter pipe going underneath Indian Hills today. That's the only pipe that crosses the road. If you equate that number, the structure that would be required would be an enormous box if you traversed it all the way through Marlatt. We don't want to do that. We want to make sure they keep getting the water that they want, but we're going to deter the rest of the water so they don't get flooded. This intersection right here – Mr. Manley said several Council meetings ago that he had a drainage problem there. We heard him and we acknowledged that, and so we're going to take that water from this quadrant of property that's hitting there and it will no longer be hitting there. We will pick it up and run it back to here. So that will be eliminated. So there's significant impact on water that's presently flooding the Marlatt area – and I say flooding – it's getting it wet pretty good. But we're going to remove a considerable amount of the problem, at the same time making sure that the drainage area that they are getting presently is allowed. Mr. Bates is going to address this detention pond right there. I might say that one of the comments was raised – we neglected to try to figure out a school for the area. Not true at all. That piece right there is zoned for a school in the Moore School District; we did that with J&J. Yeah, we thought about it. It's planned. We know it's going to happen. That's what that is. The density of the single-family houses – we've got 257 homes in uplands that goes over 65.57 acres. That's 3.9 density lots per acre.

12. Trey Bates – There was a question about whether it would be a wet or dry detention pond, and when Mr. McCaleb was talking about the other detention areas and we were talking about regenerating that. As currently in Mr. McCaleb's design, that's set up to be a dry detention pond. However, as we develop it, we may end up making it an amenity that could contain water. I'd like to point out that we've had a lot of experience in doing developments, and if there is a wet detention pond or, in fact, if it stays dry there will be a property owners association or some sort of property owners method of collecting money to maintain and keep that as a positive amenity. I had mentioned this to a number of residents who had brought this up before that our interests are absolutely aligned. In order to make this a great project that people will want to live in, this has to be an amenity to the project and that's why we put it right there on Indian Hills Road. One other thing I'd like to address is the general recurring theme in terms of the overall development scheme, and whether it's just straight single-family or mixed-use. And the important thing that I'd like to point out is that we have to provide the services to our residents who are going to live out there. There are potentially, obviously, thousands of homes that will happen out here. And recall that as east Norman developed, those residents out there didn't have services – they didn't have the commercial opportunities, they didn't have the opportunities to work and they started traveling over to west Norman. And so then you started creating that problem where the services weren't adequate to supply the residents that lived out there. You also heard over and over again various people talking about already traveling to Moore to shop. The opportunity here, as we fast forward ten, fifteen, twenty years into the future is we see this as an opportunity for a multi-faceted residential, commercial and office development, and the services that are designed, as you'll see in your staff recommendation, support the oncoming potential housing that's out there. So it all fits together, and I'd like to just close again by pointing out the concept that historically we used to look at certain areas as this was just residential and this was just commercial and this was just office. But I think the general consensus now is that you want to create neighborhoods – walkable, liveable neighborhoods with various income opportunities, various types of housing, places where you can work, places where you can live, places where you can shop, places where you can recreate, and that's what the concept is behind the project, as opposed to just a straight R-1 type development.

13. Chairman Gasaway asked who maintains the park area, once it's established. Mr. Bates responded that the Gateway Park has been reviewed and accepted by the Parks Department and will be a City park. Now, all of the common spaces in between – the detention facilities and that sort of thing -- would be maintained by a property owners association.

14. Ms. Pailes asked about the comment that the density was about 4 houses per acre. Mr. Bates responded that, in the residential area, that is correct.

15. Chairman Gasaway asked about the right-of-way dedication on the north side of Indian Hills and 36th and whether those would be two or four-lane roads. Mr. Bates said it will be a full four-lane – I think there's actually turn lanes at the intersections, so at those points there would actually be a fifth lane. Mr. McCaleb clarified that the Marlatt area only has 33' platted, and the normal right-of-way is 50'. So our half would be two

lanes and then the third lane – the turn lane at the intersection. From there west, where you have both sides, that will be four lanes.

16. Mr. Trachtenberg asked the density of the apartment components. Mr. Bates explained that the concept on the RM-2 area is a townhome concept, similar to what you see adjacent to Sooner Mall. The RM-6 would be more of a brownstone concept – 4 to 6 units on a two-level building – all masonry type brick building. Mr. Trachtenberg asked how many units altogether. Mr. Bates said there will be 180 in the north part.

17. Chairman Gasaway noted that somebody had commented that the buffer on the north was a good idea and asked why there wasn't something like that on the south. Mr. Bates said that along the south side along Indian Hills Road we will have a multi-lane road separating the existing housing, plus the addition of the buffer strip through that detention area. The conception of that was to create an additional buffer. Now, the trail system was to tie Gateway Park along the north to the rest of the six or so miles of projects that have been approved in the prior few months.

18. Ms. Connors explained that there are two special planning areas that were noted in the Norman 2025 Plan that are near this property. One is Special Planning Area 4 and one is Special Planning Area 5. These were identified in the comprehensive plan to have special characteristics that needed to be looked at before they could be developed, and they would be developed through a planned unit development process. There are criteria in the Norman 2025 Plan that list what types of land uses and what characteristics need to be preserved as those areas develop. So those need to be brought in as planned unit development areas specifically by the property owners. So, just like the other areas of the Norman 2025 Plan, they have land use designations. They've created these possibilities for mixed-use areas. Neither of those areas have come in and requested any development to date.

Another issue was about our notification process. We notify within 350 feet of the property in question. What happens is the applicant actually gets the list from an abstract company or the county assessor's office and they develop the list and they bring that list to the City of Norman and we notice those people. I know that in the first round of notice the list that was brought to us did not include the City of Moore residents and that was brought to the applicant's attention and, based on consideration from their attorney, they chose to postpone the hearing of that case and redevelop a list and notice again. The City notices the list that is brought to us. And it is, in the City of Norman, 350 feet from that property boundary. I'm going to ask that Leah Messner, one of our assistant City attorneys, come and speak about home rule.

19. Mr. Knotts asked if the special planning area means that those areas necessarily have to be mixed-use. Ms. Connors responded that these areas will have to be developed under the criteria that were developed in the Norman 2025 Plan, unless they're amended. They could come and request amendment from what is designated in the Norman 2025 Plan, just as other developments have requested change. It was a planning exercise and it didn't zone the property.

20. Ms. Messner explained that home rule is a concept we talk about at the City a lot, and without some explanation, it may not be easily understood or understood right off the bat. The City of Norman is a charter city. It means we are governed initially by

our City Charter and we have ordinances underneath that. By becoming a charter city, we are allowed to be different than state law, and that's where you get the home rule concept. We're a home rule city, and so we get to set some of our own laws and our own ordinances that might differ from state law, but we're allowed to do that as a charter city. Other cities that are not governed by a charter are called statutory towns, and they're required to follow whatever the state law is. So if the state law for notice on an issue like this might be different than our city ordinance, the statutory town would have to follow the state law, but because we are a charter city, we are allowed to follow our ordinance, which is a 350 foot notice area.

Mr. Trachtenberg asked if that means there is no requirement under state law that we notice people outside the City limits. Ms. Messner responded that we follow our city ordinance in regards to notice for zoning issues, because they're issues of home rule and issues unique to Norman and not other places in the state. They're matters of local concern.

21. Ms. Connors addressed the earlier comment about what the office and commercial developments would look like. There is a masonry requirement in the City of Norman. Eighty percent of the façade needs to be masonry, so that would be a requirement for either of those land uses to develop with that masonry requirement.

There was also a question about who builds the schools. When property is turned over to the school district it is through the school district that the schools get built and they do that through the mechanisms they have available for constructing new schools.

22. Chairman Gasaway asked about the costs for the Marlatt residents to tie into the water and sewer. Mr. Danner said if the sewer line comes up 36th Avenue, adjacent to Marlatt, it would be the responsible party of the Marlatt Addition to bring the sewer to them. If they're adjacent to 36th, we have a requirement within 500 feet that you're supposed to tie into a public sewer. They currently have water through an assessment district that they did.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Ms. Pailes –First, just to clarify for the audience, the Planning Commission is advisory. So our mission is to clarify issues, bring up problems for the attention of the Council. We will vote and recommend to the Council. Our vote is not binding. What is binding is the Council action, and so you all need to be advised of when this will come before the Council. The detention ponds are not a worry. Every construction event involves a detention pond and their maintenance is always provided for and they work well. The general drainage issues, I have no way to judge if that's going to be a problem or if it's entirely adequate – I simply don't know. I was going to say there's distrust of the commercial and apartment areas, which, upon consideration, the neighbors might consider it's not an entirely bad idea. The third that's commercial removes population. It means fewer people; it means less density, in essence. It means fewer kids in the schools. So it may, in some ways, be something that you would appreciate. It also may actually be more attractive. If you consider that it was solidly single-family residence, what you're likely to get is stockade fences along Indian Hills Road, and probably the commercial and townhouses are basically more attractive fronting Indian Hills than the back yards and stockade fences would be. So it's possible if you consider it, you might not object to that kind of mixed-use element. I personally

take the neighbors' concerns very seriously, and I like to be able to assist people in their bid for democracy as they approach us. And I admit myself to be a little bit mystified on how to bring this to kind of a friendly resolution. One of the things we didn't consider tonight – the Tecumseh Project – also had some neighborhood protests, and the developers there made some very specific accommodations. For one thing, they gave you a very specific plan of what the commercial areas would look like and specified that they would be residential in style and gave a suggested drawing. And the neighbors have a right to sort of bargain for that. They can be very attractive, and they can be perfectly attractive commercial residential style buildings. They also bargained for low lighting on the commercial areas, and also low architectural signage so that they would not be intrusive, so you would drive down the street and actually the commercial areas would be an enhancement. And it is within the neighbors' rights to ask for things like that to enhance the entire area. there is a comment by the staff that recommends that until such a time as the interceptor line is near completion, final plats should not be submitted to the Planning Commission. In other words, this is not going to go forward immediately. I would personally suggest tabling this and getting the neighborhood and the developers together and seeing if they couldn't kind of work things out better so that when this comes before the Council there is general agreement on the style and the system and the general appearance of the neighborhood.

2. Mr. Lewis – Certainly it's an item that there's a great amount of empathy with. Certainly if we looked out of our doors for 50 years and saw a field, that certainly is something that we're accustomed to. But there are several things that I heard that really stood out, and one was the concern of Marlatt regarding storm water, and I think Tom addressed that very well, that the majority of storm water will be directed into tributary G in order to protect Marlatt from flooding. So I think from this development standpoint that is a very good thing in the design. In regards to the school, certainly I remembered, as you reiterated, in the J&J development that came through that land was specifically set aside for a school, so that will be taken care of in the Moore School District. But a couple of the things that I get the impression that maybe is uncomfortable is some of the commercial development. One of the things that the City of Norman is challenged with is that 65% of our overall income comes from sales tax revenue, and when we have a development that far up into northwest Norman, many people will just drive over to Moore and Moore will reap the benefit of a very large development and many, many people that live up in that area. One of the things that I think Mr. Bates has provided for us is a sales tax revenue stream that will allow the City to be provided with the revenue to provide City services to that area, such as fire, police, those types of things, which is commendable in such a development. That way we retain the sales tax revenue within our city, as opposed to people driving to Moore to spend their dollars. Who wouldn't want the dollars spent in Norman so that Norman can benefit and provide those services? Lastly, the thing that really concerns me, and I believe the gentleman has left – I believe his name was Mr. Meeks – was his overall impression with his interaction of our city. I will ask the City Manager to look into that further. I would commend Brenda Hall, our City Clerk, on answering his questions and his characterization of that interaction, but I will ask our City Manager to look into this video streaming and take his comments to heart and his overall impression of his interaction with our Planning Department. I would hope that anyone that comes to the City, whether they're from Oklahoma City, whether they're

from Austin, Texas, would always, without exception, have a good and positive experience and good remarks to make about our city instead of something I had to listen to from Mr. Meeks. So, other than that, I will be voting for this. Certainly it is a very difficult and challenging development to vote on, but I do think overall, long term, and that's what I must look proactively long term it will benefit the City of Norman and I think it will be a beautiful development that everyone can be proud of.

3. Ms. Gordon – I really want to like this plan. I really do. But I have some problems with it and some I've already addressed. I have a real problem with that one street cutting through the residential neighborhood and then cutting through commercial. I think that's problematic. From what I heard, I thought City staff recommended that and I don't get it, quite frankly. I have a problem with the gateway park. I love the park – love the connectivity of it in the grand scheme of all this area, but I think we are really kidding ourselves if we think that 50 feet of a stretch of parkland is going to be a buffer from single-family residential houses next to a dense apartment complex. So I'm having trouble kind of wrapping my head around that. I tend to kind of disagree with Commissioner Lewis in that the vibe that I'm getting from everyone tonight is not necessarily having a big issue with the commercial part of this, but with the density of the residential part – the density of the houses in the neighborhood, the density of these apartments going up in the area. And that's kind of the overall feel I have, that I think in general this is a good idea, and I like looking down the road and I don't have too much of a problem with the commercial part of it, but I just get an overall sense that it's a bit too much for the space. I like the mixed use and wanting to do different types of residential for different income levels and such, but I don't necessarily think this is the best area for that given the general surrounding vibe of all of the other neighborhoods. So, for that reason, I think it can be tweaked. I think it can be improved upon. And I think it needs work. So I won't be able to support it tonight.

4. Mr. Knotts asked to clarify the three items before the Commission. Ms. Connors indicated that we have a Norman 2025 Land Use Plan change, we have a zone change, and the preliminary plat. Mr. Knotts commented that this is not the final plat. This kind of the beginning of the negotiation between the designers and the neighborhoods surrounding that. Preliminary plat is just that – preliminary and it really doesn't say that we're going to build it exactly like this. Ms. Connors clarified that the preliminary plat really defines the parameters of the development and the final plat needs to be consistent with the preliminary plat when it comes through. They could make small changes, but if we moved major roadways or did major changes to this, it would have to come back with a preliminary plat amendment.

Andy Sherrer moved to recommend adoption of Resolution No. R-1011-115, Ordinance No. O-1011-55, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for <u>UPLANDS ADDITION</u> to the City Council. Chris Lewis seconded the motion.

5. Mr. Trachtenberg – I'm going to support this development and I want to explain why to the folks who oppose it. I do so in full sympathy with the idea that a part of town that has been a certain way for a long, long time is going to change. That is always tremendously disappointing and discomforting, whether you've lived there for 41 years, as one of the citizens who spoke has, or if you just bought in expecting to have it a

certain way. But I think anyone, whether you're a long-time resident of Norman or a relative newcomer, has got to notice what is going on in central Oklahoma and in this part of town in particular. These changes are not coming from last week. As we've heard, this very project has been in the works, or sort of publicly discussed for a number of months, and it's in the context of a whole wave of development in this area. When you find out about it, it's shocking, for sure. But it's not brand new. This is what's been going on for a while around here. One of the things that I value about this project and one of the reasons I'm supporting it is precisely because it is part of a comprehensive, systematic approach to development in this area. I think one of the features of a lot of residential developments that we see all over the country, but we certainly see here, is it's one little island next to one little island next to one little island, and never the twain or three of them or four of them really talk to each other or meet in any way. I think that's really bad in all kinds of ways. I think one of the things that's valuable about this development as part of this larger set is it's integrated – it's connected. And, as such, I'm afraid I have to very respectfully disagree with the gentleman who spoke against the idea of mixed-use. Mixed-use is a kind of a technical term for some of us here. We spent a lot of hours working on what's called a mixed-use ordinance, so when I hear that word, I think, wait a minute – this isn't mixed use because there's a special designation for mixed use. But I take your point. This is a mixture of uses. And, to be sure, that's not how we've done things in this country for a long time. I think we've really made a big mistake over the years in the United States, and even right here in central Oklahoma, just saying we're going to have one use for miles and miles and miles. I think a number of people have explained why it's advantageous not to do this. Let me just propose an environmental reason. You don't have to drive as much. Right? I mean the way we've got things set up -- and somebody referred to east Norman before. You live way over here – to get to where you need to go you've got to drive for miles and miles. I think that's not a good way to live, frankly, in my view. I think one of the things that a development such as this does is provides the opportunity to walk or bike or be near to the things that you need in order to live. It doesn't isolate homes away from the other activities of life, and I think that's a really good thing about this project. So I'm in the happy position of agreeing with my colleague, Mr. Lewis, in my support of this development and so I will be voting for it.

6. Ms. Hartley – I just wanted to clarify something. The gentleman said something, referring to the developers and the engineers as professionals, and saying that we were all professionals. We are public servants, serving on this Planning Commission, and I am not a professional engineer or developer. I work with non-profit organizations. I happen to have served on the Park Board for eight years in Norman, and I also was part of the 2025 planning group that looked at land use within Norman. One of the things that I think is really important, that I think Mr. McCaleb pointed out very early on, is that this project does address one of the major goals that the 2025 Plan team, that consisted of 300 individuals in our community, where we went through this process I think almost 9 years ago now – that it does encourage and support diversified types of housing and densities in order to better serve different income levels and family types. That's exactly what this project is all about. Change is coming between the area of Moore and Norman, and I really feel like this is a good project that addresses that. It also disappoints me that people paint developers in a very negative light. I know Mr. Bates. I know Mr. Clagg. I know Mr. McCaleb. They don't do shoddy work. They do good work in this community and they do live here and their kids go to school here and

they pay taxes here. And to the woman in the audience who, after Commissioner Lewis said that he was going to vote for this, made this symbol – like we take bribes – we don't. We make difficult decisions sitting on this horseshoe and I'm offended that someone in my community would make that gesture toward Commissioner Lewis. So I ask you, as we vote tonight, like we've all said – we have empathy for you, but we also have tough decisions to make about the future of our community, and that's why we're here.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1011-115, Ordinance No. O-1011-55, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for UPLANDS ADDITION, to the City Council, passed by a vote of 6-2.

* * *

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: O-1112-10

File ID: O-1112-10 **Type:** Ordinance **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 34 **In Control:** City Council

Department: Planning and Community Development Department **Cost:** **File Created:** 08/30/2011

File Name: Reapportionment O-1111-10 **Final Action:**

Title: ORDINANCE NO. O-1112-10: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION NOS. 2-112, 2-113, 2-114, 2-115, 2-116, 2-117, 2-118 AND 2-119 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN SO AS TO REVISE THE DESCRIPTION OF WARD BOUNDARY LINES FOR WARDS ONE, TWO, THREE, FOUR, FIVE, SIX, SEVEN AND EIGHT OF THE CITY OF NORMAN; SO AS TO PROVIDE FOR THE REPEALING OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-10 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-10 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes:

Agenda Date: 09/27/2011

Agenda Number: 34

Attachments: O-1112-10 Reapportionment, Exhibit A O-1112-10, O-1112-10 Reapportionment Annotated, RCR-1112-1, RCR-1112-1 Map Attachment, RCR-1112-1 and O-1112-10 statistics, 8-17-11 Public Hearing Minutes, 8-29-11 Minutes

Project Manager: Joyce Green, GIS Services Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	09/13/2011	Introduced and adopted on First Reading by title only				
	Action Text:	Introduced and adopted on First Reading by title only					
1	City Council	09/13/2011					

Text of Legislative File O-1112-10

Body

BACKGROUND. Article XX, Section 3 of the City Charter requires that the Reapportionment Commission pass and refer to the City Council a resolution equalizing the city's population among the City Council wards subsequent to the issuance of the Federal Decennial Census. The Federal Decennial Census was conducted in 2010 and the data was issued in 2011.

DISCUSSION. The Reapportionment Commission held their annual meeting on July 11, 2011. At that time, they were presented with a report informing them that the difference in population between the largest and smallest ward is 3,860 persons, which is 27.44% of the mean ward population of 14,048. Because the overall range from the mean ward population among the City Council Wards is over 25% and to comply with the requirements of the City Charter, the Commission proposed modifications to the ward boundaries to equalize the number of residents in each ward. The commission presented the plan to the public for comment on August 17, 2011.

The proposed plan reduces the overall range from the mean ward population to 1,025 persons, which is 7.3% of the mean ward population. All wards are modified by the proposal. This proposal could potentially affect ward-specific appointments to the Greenbelt Commission, the Reapportionment Commission, and the Public Safety Sales Tax Citizen Oversight Committee. Therefore, the ordinance implementing the plan provides that existing ward-specific appointees will be allowed to finish their term before the new boundaries will be applied.

The August 17, 2011 public hearing was very lightly attended with only one person offering public comment. On August 29, 2011, the Reapportionment Commission held a regular meeting, at which time the Commissioners voted to forward Resolution No. RCR-1112-1 to the City Council for consideration. In order to adhere to the requirements in Article XX, Section 5 of the City Charter, which mandates the City Council adopt the resolution as an ordinance with such modification as they deem necessary within 30 days of the Commission's referral, Ordinance No. O-1112-10 is presented to the City Council for their action. First Reading will take place September 13, 2011, which will allow a public hearing to be conducted on September 27, 2011, which is within the timeframe mandated by the City Charter.

RECOMMENDATION. By unanimous vote, the Reapportionment Commission recommends that the City's Ward system be reapportioned at this time. The above referenced Ordinance, and attached Ward map (Exhibit A), is submitted for First Reading on September 13, 2011 followed by a Second and Final Reading on September 27, 2011.

O-1112-10

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION NOS. 2-112, 2-113, 2-114, 2-115, 2-116, 2-117, 2-118 AND 2-119 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN SO AS TO REVISE THE DESCRIPTION OF WARD BOUNDARY LINES FOR WARDS ONE, TWO, THREE, FOUR, FIVE, SIX, SEVEN AND EIGHT OF THE CITY OF NORMAN; SO AS TO PROVIDE FOR THE REPEALING OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. The City of Norman is hereby reapportioned into eight (8) wards, one (1) through eight (8) respectively.

§ 2. That Section 2-112 is hereby amended as follows:

Ward One (1) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

> Beginning at the intersection of Alameda Street and 12th Avenue N.E; thence East on Alameda Street to 48th Avenue N.E.; thence South on 48th Avenue N.E. to Lindsey Street; thence West on Lindsey Street to 24th Avenue S.E.; thence South on 24th Avenue S.E. to State Highway 9; thence West on State Highway 9 to Classen Boulevard; thence Northwesterly on Classen Boulevard to 12th Avenue S.E.; thence North on 12th Avenue S.E. to Alameda Street.

§ 3. That Section 2-113 is hereby amended as follows:

Ward Two (2) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

> Beginning at a the point where Interstate Highway 35 intersects the Southern boundary of the City; thence North on Interstate Highway 35 to Robinson Street; thence East on Robinson Street to 24th Avenue N.W.; thence Southerly on 24th Avenue N.W. to Dakota Street; thence East on Dakota Street to Rosewood Drive; thence South on Rosewood Drive to Iowa Street; thence East on Iowa Street to Sherry Avenue; thence North on Sherry Avenue to Denison Drive; thence East on Denison Drive to Berry Road; thence South on Berry Road to

Imhoff Road; thence East on Imhoff Road to Chautauqua Avenue; thence south on Chautauqua Avenue to the Southern City limits; thence Northwest along the Southern boundary of the City to that point which intersects Interstate Highway 35.

§ 4. That Section 2-114 is hereby amended as follows:

Ward Three (3) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

That portion of the City West of a line beginning at a point where the South boundary of the City intersects with Interstate Highway 35; thence North on Interstate Highway 35 to Robinson Street; thence West on Robinson Street to 36th Avenue N.W.; thence North on 36th Avenue N.W. to Rock Creek Road; thence West on Rock Creek Road to 48th Avenue N.W.; thence North on 48th Avenue N.W. to the Northern City limits (Indian Hills Road).

§ 5. That Section 2-115 is hereby amended as follows:

Ward Four (4) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Imhoff Road and Berry Road; thence North on Berry Road to Acres Street; thence East on Acres Street to Flood Avenue; thence North on Flood Avenue to Robinson Street; thence East on Robinson Street to 12th Avenue N.E.; thence south on 12th Avenue N.E. to Lindsey Street; thence West on Lindsey Street to the BNSF railroad track; thence northwesterly along the BNSF railroad track to Brooks Street; thence West on Brooks Street to Elm Avenue; thence North on Elm Avenue to Boyd Street; thence West on Boyd Street to Chautauqua Avenue; thence South on Chautauqua Avenue to Imhoff Road; thence West on Imhoff Road to Berry Road.

§ 6. That Section 2-116 is hereby amended as follows:

Ward Five (5) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

That portion of the City East of a line beginning at a point where the South boundary of the City intersects with Classen Boulevard (Post Oak Road); thence Northwest along Classen Boulevard to State Highway 9; thence East on State Highway 9 to 24th Avenue S.E.; thence North on 24th Avenue S.E. to Lindsey Street; thence East on Lindsey Street to 48th Avenue S.E.; thence North on 48th Avenue S.E.

to Alameda Street; thence West on Alameda Street to 36th Avenue N.E.; thence North on 36th Avenue N.E. to the intersection with the Northern boundary of the City (Indian Hills Road).

§ 7. That Section 2-117 is hereby amended as follows:

Ward Six (6) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Rock Creek Road and 12th Avenue N.W.; thence North on 12th Avenue N.W. to Indian Hills Road; thence East on Indian Hills Road to 36th Avenue N.E.; thence South on 36th Avenue N.E. to Alameda Street; thence West on Alameda Street to 12th Avenue N.E.; thence North on 12th Avenue N.E. to Rock Creek Road; thence West on Rock Creek Road to 12th Avenue N.W.

§ 8. That Section 2-118 is hereby amended as follows:

Ward Seven (7) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Chautauqua Avenue and the Southern City limits; thence North on Chautauqua Avenue to Boyd Street; thence East on Boyd Street to Elm Avenue; thence South on Elm Avenue to Brooks Street; thence East on Brooks Street to the BNSF railroad tracks; thence Southeast along the BNSF railroad tracks to Lindsey Street; thence East on Lindsey Street to 12th Avenue S.E.; thence South along 12th Avenue S.E. to Classen Boulevard; thence Southeast along Classen Boulevard to the Southern City limits (Post Oak Road); thence West on Post Oak Road to the point of beginning.

§ 9. That Section 2-119 is hereby amended as follows:

Ward Eight (8) shall embrace and be limited to all of the area which is now embraced within the corporate city limits and bounded as follows:

Beginning at the intersection of Robinson Street and 36th Avenue N.W.; thence North on 36th Avenue N.W. to Rock Creek Road; thence West on Rock Creek Road to 48th Avenue N.W.; thence North on 48th Avenue, N.W. to the Northern City limits, said point being one-half mile North of Indian Hills Road; thence East along the Northern City limits to 12th Avenue N.W.; thence South on 12th Avenue N.W. to Rock Creek Road; thence East on Rock Creek Road to 12th Avenue N.E.; thence South on 12th Avenue N.E. to Robinson

Street; thence West on Robinson Street to Flood Avenue; thence South on Flood Avenue to Acres Street; thence West on Acres Street to Berry Road; thence North on Berry Road to Denison Drive; thence West on Denison Drive to Sherry Avenue; thence South on Sherry Avenue to Iowa Street; thence West on Iowa Street to Rosewood Drive; thence North on Rosewood Drive to Dakota Street; thence West on Dakota Street to 24th Avenue N.W.; thence Northerly on 24th Avenue N.W. to Robinson Street; thence West on Robinson Street to 36th Avenue N.W.

§ 10. That a map has been drawn reflecting the boundaries set forth in Secs. 2 through 9 herein, and that said map is attached hereto as Exhibit A and made a part hereof.

§ 11. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

§ 12. Existing Committee Appointments. Should this ordinance affect any existing ward-specific appointments, those serving in such capacity shall be allowed to complete service of their current term.

§ 13. Severability. If any section, sub-section, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of

_____, 2011.

_____
(Mayor)

ATTEST:

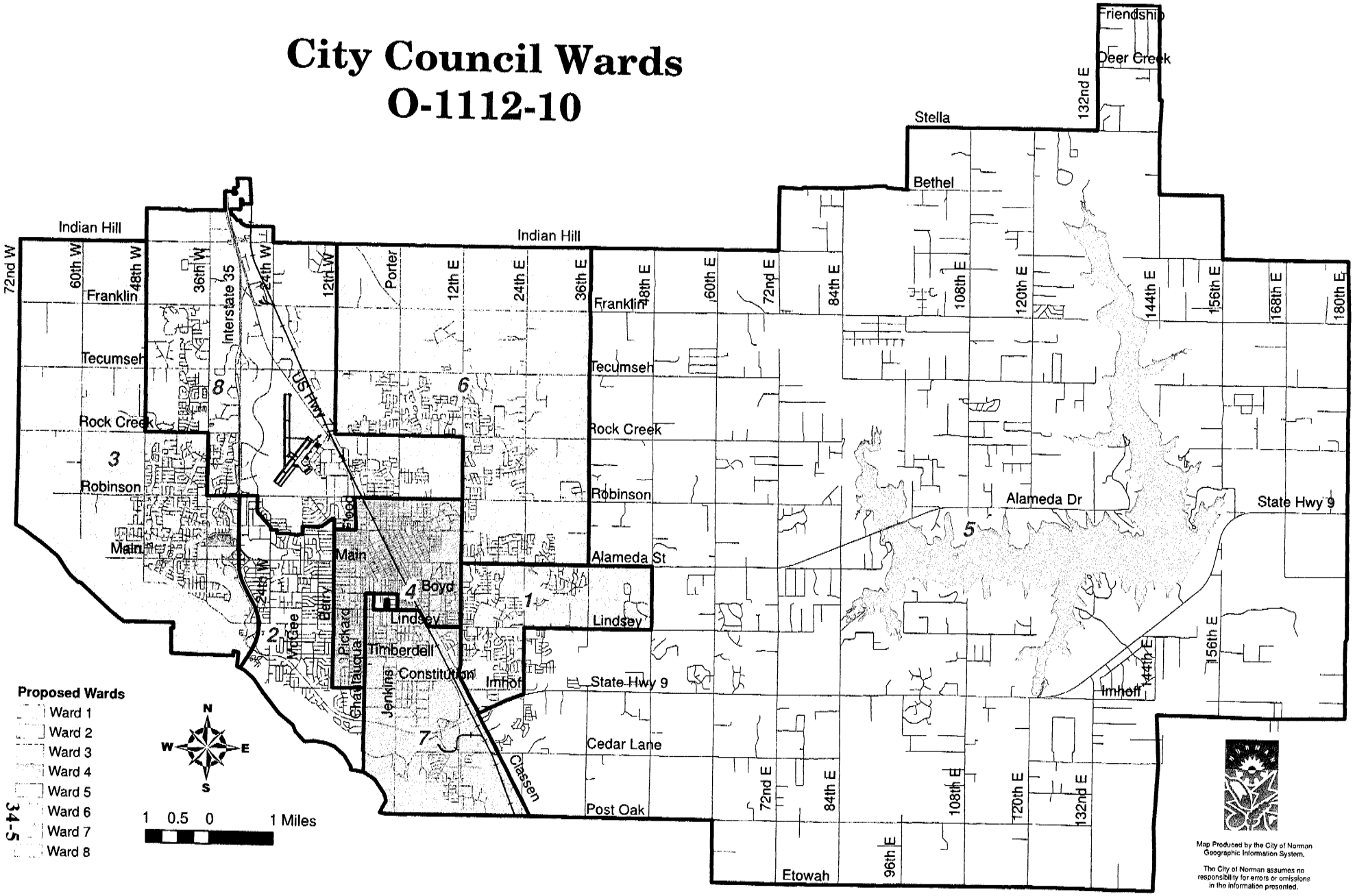
_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2011.

_____
(Mayor)

City Council Wards
O-1112-10



34-5

O-1112-10

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION NOS. 2-112, 2-113, 2-114, 2-115, 2-116, 2-117, 2-118 AND 2-119 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN SO AS TO REVISE THE DESCRIPTION OF WARD BOUNDARY LINES FOR WARDS ONE, TWO, THREE, FOUR, FIVE, SIX, SEVEN AND EIGHT OF THE CITY OF NORMAN; SO AS TO PROVIDE FOR THE REPEALING OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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§ 1. The City of Norman is hereby reapportioned into eight (8) wards, one (1) through eight (8) respectively.

§ 2. That Section 2-112 is hereby amended as follows:

Ward One (1) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

~~Beginning at the intersection of Robinson Street and 24th Avenue, N.E.; thence East on Robinson Street one (1) mile; thence South on 36th Avenue, N.E. to Lindsey Street; thence West on Lindsey Street to 24th Avenue, S.E.; thence South on 24th Avenue, S.E. to Imhoff Road; thence East on Imhoff Road to State Highway 9; thence West on State Highway 9 to Classen Boulevard to Lindsey Street; thence East on Lindsey Street to 12th Avenue, S.E.; thence North on 12th Avenue, S.E. to Alameda Street; thence East on Alameda Street to 24th Avenue, N.E.; thence North on 24th Avenue, N.E. to Robinson Street.~~

Beginning at the intersection of Alameda Street and 12th Avenue N.E; thence East on Alameda Street to 48th Avenue N.E.; thence South on 48th Avenue N.E. to Lindsey Street; thence West on Lindsey Street to 24th Avenue S.E.; thence South on 24th Avenue S.E. to State Highway 9; thence West on State Highway 9 to Classen Boulevard; thence Northwesterly on Classen Boulevard to 12th Avenue S.E.; thence North on 12th Avenue S.E. to Alameda Street.

§ 3. That Section 2-113 is hereby amended as follows:

Ward Two (2) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

~~Beginning at a the point where Interstate Highway 35 intersects the southern boundary of the City; thence north on Interstate Highway 35 to Main Street; thence East on Main Street to Berry Road; thence south on Berry Road to Imhoff Road; thence east on Imhoff Road to Chautauqua Avenue; thence south on Chautauqua Avenue to the southern City limits; thence northwest along the southern boundary of the City to that point which intersects Interstate Highway 35.~~

Beginning at a the point where Interstate Highway 35 intersects the Southern boundary of the City; thence North on Interstate Highway 35 to Robinson Street; thence East on Robinson Street to 24th Avenue N.W.; thence Southerly on 24th Avenue N.W. to Dakota Street; thence East on Dakota Street to Rosewood Drive; thence South on Rosewood Drive to Iowa Street; thence East on Iowa Street to Sherry Avenue; thence North on Sherry Avenue to Denison Drive; thence East on Denison Drive to Berry Road; thence South on Berry Road to Imhoff Road; thence East on Imhoff Road to Chautauqua Avenue; thence south on Chautauqua Avenue to the Southern City limits; thence Northwest along the Southern boundary of the City to that point which intersects Interstate Highway 35.

§ 4. That Section 2-114 is hereby amended as follows:

Ward Three (3) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

~~That portion of the City west of a line beginning at a point where the south boundary of the City intersects with Interstate Highway 35; thence north on Interstate Highway 35 to Main Street; thence west on Main Street to 36th Avenue, N.W.; thence north on 36th Avenue, N.W. to Rock Creek Road; thence west on Rock Creek Road to 48th Avenue, N.W.; thence north on 48th Avenue, N.W. to the northern City limits (Indian Hills Road).~~

That portion of the City West of a line beginning at a point where the South boundary of the City intersects with Interstate Highway 35; thence North on Interstate Highway 35 to Robinson Street; thence West on Robinson Street to 36th Avenue N.W.; thence North on 36th Avenue N.W. to Rock Creek Road; thence West on Rock Creek

Road to 48th Avenue N.W.; thence North on 48th Avenue N.W. to the Northern City limits (Indian Hills Road).

§ 5. That Section 2-115 is hereby amended as follows:

Ward Four (4) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

~~Beginning at the intersection of Imhoff Road and Berry Road; thence North on Berry Road to Main Street; thence West on Main Street to Foreman Avenue; thence North on Foreman Avenue to Holiday Drive; thence West on Holiday Drive to Sherry Avenue; thence North on Sherry Avenue to Iowa Street; thence East on Iowa Street to Utah Avenue; thence North on Utah Avenue to Acres Street; thence East on Acres Street to the Burlington Northern and Santa Fe Railroad tracks; Thence North along the Burlington Northern and Santa Fe Railroad tracks to Robinson Street; thence East on Robinson Street to 12th Avenue, N.E.; thence south on 12th Avenue, N.E. to Lindsey Street; thence West on Lindsey Street to Barkley Street; thence North on Barkley Street to Boyd Street; thence West on Boyd Street to Chautauqua Avenue; thence South on Chautauqua Avenue to Imhoff Road; thence West on Imhoff Road to Berry Road.~~

Beginning at the intersection of Imhoff Road and Berry Road; thence North on Berry Road to Acres Street; thence East on Acres Street to Flood Avenue; thence North on Flood Avenue to Robinson Street; thence East on Robinson Street to 12th Avenue N.E.; thence south on 12th Avenue N.E. to Lindsey Street; thence West on Lindsey Street to the BNSF railroad track; thence northwesterly along the BNSF railroad track to Brooks Street; thence West on Brooks Street to Elm Avenue; thence North on Elm Avenue to Boyd Street; thence West on Boyd Street to Chautauqua Avenue; thence South on Chautauqua Avenue to Imhoff Road; thence West on Imhoff Road to Berry Road.

§ 6. That Section 2-116 is hereby amended as follows:

Ward Five (5) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

~~That portion of the City east of a line beginning at a point where the south boundary of the City intersects with the Burlington Northern and Santa Fe Railroad tracks; thence northwest on the railroad tracks to State Highway 9; thence east on State Highway 9 to 24th Avenue, S.E.; thence north on 24th Avenue, S.E. to Lindsey Street; thence east~~

~~on Lindsey Street to 36th Avenue, S.E.; thence north on 36th Avenue. S.E. to Franklin Road; thence east on Franklin Road to 48th Avenue, N.E.; thence north on 48th Avenue, N.E. to the intersection with the northern boundary of the City.~~

That portion of the City East of a line beginning at a point where the South boundary of the City intersects with Classen Boulevard (Post Oak Road); thence Northwest along Classen Boulevard to State Highway 9; thence East on State Highway 9 to 24th Avenue S.E.; thence North on 24th Avenue S.E. to Lindsey Street; thence East on Lindsey Street to 48th Avenue S.E.; thence North on 48th Avenue S.E. to Alameda Street; thence West on Alameda Street to 36th Avenue N.E.; thence North on 36th Avenue N.E. to the intersection with the Northern boundary of the City (Indian Hills Road).

§ 7. That Section 2-117 is hereby amended as follows:

Ward Six (6) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

~~Beginning at a point where Robinson Street intersects the Burlington Northern and Santa Fe Railroad tracks; thence Northwest on the Railroad tracks to Rock Creek Road; thence East on Rock Creek Road to 12th Avenue, N.W.; thence North on 12th Avenue, N.W. to Franklin Road; thence East on Franklin Road to 36th Avenue, N.E.; thence South on 36th Avenue, N.E. to Robinson Street; thence West on Robinson Street to 24th Avenue, N.E.; thence South on 24th Avenue, N.E. to Alameda Street; thence West on Alameda Street to 12th Avenue, N.E.; thence North on 12th Avenue, N.E. to Robinson Street; thence West on Robinson Street to its intersection with the Burlington Northern and Santa Fe Railroad tracks.~~

Beginning at the intersection of Rock Creek Road and 12th Avenue N.W.; thence North on 12th Avenue N.W. to Indian Hills Road; thence East on Indian Hills Road to 36th Avenue N.E.; thence South on 36th Avenue N.E. to Alameda Street; thence West on Alameda Street to 12th Avenue N.E.; thence North on 12th Avenue N.E. to Rock Creek Road; thence West on Rock Creek Road to 12th Avenue N.W.

§ 8. That Section 2-118 is hereby amended as follows:

Ward Seven (7) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

~~Beginning at the intersection of Chautauqua Avenue and the southern City limits; thence north on Chautauqua Avenue to Boyd Street; thence east on Boyd Street to Barkley Street; thence south on Barkley Street to Lindsey Street; thence west on Lindsey Street to Classen Boulevard; thence southeast on Classen Boulevard to State Highway 9; thence west on State Highway 9 to the Burlington Northern and Santa Fe Railroad tracks; thence southeast on the Burlington Northern and Santa Fe Railroad tracks to the southern City limits (Post Oak Road); thence west on Post Oak Road to the point of beginning.~~

Beginning at the intersection of Chautauqua Avenue and the Southern City limits; thence North on Chautauqua Avenue to Boyd Street; thence East on Boyd Street to Elm Avenue; thence South on Elm Avenue to Brooks Street; thence East on Brooks Street to the BNSF railroad tracks; thence Southeast along the BNSF railroad tracks to Lindsey Street; thence East on Lindsey Street to 12th Avenue S.E.; thence South along 12th Avenue S.E. to Classen Boulevard; thence Southeast along Classen Boulevard to the Southern City limits (Post Oak Road); thence West on Post Oak Road to the point of beginning.

§ 9. That Section 2-119 is hereby amended as follows:

Ward Eight (8) shall embrace and be limited to all of the area which is now embraced within the corporate city limits and bounded as follows:

~~Beginning at the intersection of Main Street and 36th Avenue, N.W.; thence north on 36th Avenue, N.W. to Rock Creek Road; thence west on Rock Creek Road to 48th Avenue, N.W.; thence north on 48th Avenue, N.W. to the northern City limits, said point being one half (1/2) mile north of Indian Hills Road; thence east along the northern City limits to 48th Avenue, N.E.; thence south on 48th Avenue, N.E. to Franklin Road; thence west on Franklin Road to 12th Avenue, N.W.; thence south on 12th Avenue, N.W. to Rock Creek Road; thence west on Rock Creek Road to the Burlington Northern and Santa Fe Railroad tracks; thence southeast on the railroad tracks to Acres Street; thence west on Acres Street to Utah Avenue; thence south on Utah Avenue to Iowa Street; thence west on Iowa Street to Sherry Avenue; thence south on Sherry Avenue to Holiday Drive; thence east on Holiday Drive to Foreman Avenue; thence south on Foreman Avenue to Main Street; thence west on Main Street to 36th Avenue, N.W.~~

Beginning at the intersection of Robinson Street and 36th Avenue N.W.; thence North on 36th Avenue N.W. to Rock Creek Road; thence West on Rock Creek Road to 48th Avenue N.W.; thence North

on 48th Avenue, N.W. to the Northern City limits, said point being one-half mile North of Indian Hills Road; thence East along the Northern City limits to 12th Avenue N.W.; thence South on 12th Avenue N.W. to Rock Creek Road; thence East on Rock Creek Road to 12th Avenue N.E.; thence South on 12th Avenue N.E. to Robinson Street; thence West on Robinson Street to Flood Avenue; thence South on Flood Avenue to Acres Street; thence West on Acres Street to Berry Road; thence North on Berry Road to Denison Drive; thence West on Denison Drive to Sherry Avenue; thence South on Sherry Avenue to Iowa Street; thence West on Iowa Street to Rosewood Drive; thence North on Rosewood Drive to Dakota Street; thence West on Dakota Street to 24th Avenue N.W.; thence Northerly on 24th Avenue N.W. to Robinson Street; thence West on Robinson Street to 36th Avenue N.W.

§ 10. That a map has been drawn reflecting the boundaries set forth in Secs. 2 through 9 herein, and that said map is attached hereto as Exhibit A and made a part hereof.

§ 11. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

§ 12. Existing Committee Appointments. Should this ordinance affect any existing ward-specific appointments, those serving in such capacity shall be allowed to complete service of their current term.

§ 13. Severability. If any section, sub-section, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of

_____, 2011.

_____
(Mayor)

ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2011.

_____
(Mayor)

Resolution

RCR-1112-1

A RESOLUTION OF THE REAPPORTIONMENT COMMISSION OF THE CITY OF NORMAN, OKLAHOMA, RECOMMENDING THE READJUSTMENT OF THE WARDS AND THEIR BOUNDARIES.

§ 1. WHEREAS, the Reapportionment Commission of the City of Norman has met and recommended that the wards and their boundaries be formed so as to equalize as nearly as practicable the population of the several wards, to conform with the requirements of the Charter; and

§ 2. WHEREAS, a public hearing was held by the Reapportionment Commission on August 17, 2011 at the Norman Municipal Building for the purpose of eliciting public discussion on the proposed boundaries.

NOW, THEREFORE, BE IT RESOLVED BY THE REAPPORTIONMENT COMMISSION OF THE CITY OF NORMAN, OKLAHOMA:

§ 3. That the City of Norman be reapportioned into eight (8) wards, one (1) through (8) respectively. The boundary lines are hereby described as follows and attached hereto is a map which is made a part of this resolution showing the wards and their boundaries.

§ 4. Ward One (1) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Alameda Street and 12th Avenue N.E; thence East on Alameda Street to 48th Avenue N.E.; thence South on 48th Avenue N.E. to Lindsey Street; thence West on Lindsey Street to 24th Avenue S.E.; thence South on 24th Avenue S.E. to State Highway 9; thence West on State Highway 9 to Classen Boulevard; thence Northwesterly on Classen Boulevard to 12th Avenue S.E.; thence North on 12th Avenue S.E. to Alameda Street.

§ 5. Ward Two (2) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at a the point where Interstate Highway 35 intersects the Southern boundary of the City; thence North on Interstate Highway 35 to Robinson Street; thence East on Robinson Street to 24th Avenue N.W.; thence Southerly on 24th Avenue N.W. to Dakota Street; thence East on Dakota Street to Rosewood Drive; thence South on Rosewood Drive to Iowa Street; thence East on

RECREATION EDUCATION THE CITY OF NORMAN OKLAHOMA RESEARCH HEALTH INDUSTRY

Iowa Street to Sherry Avenue; thence North on Sherry Avenue to Denison Drive; thence East on Denison Drive to Berry Road; thence South on Berry Road to Imhoff Road; thence East on Imhoff Road to Chautauqua Avenue; thence south on Chautauqua Avenue to the Southern City limits; thence Northwest along the Southern boundary of the City to that point which intersects Interstate Highway 35.

§ 6. Ward Three (3) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

That portion of the City West of a line beginning at a point where the South boundary of the City intersects with Interstate Highway 35; thence North on Interstate Highway 35 to Robinson Street; thence West on Robinson Street to 36th Avenue N.W.; thence North on 36th Avenue N.W. to Rock Creek Road; thence West on Rock Creek Road to 48th Avenue N.W.; thence North on 48th Avenue N.W. to the Northern City limits (Indian Hills Road).

§ 7. Ward Four (4) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Imhoff Road and Berry Road; thence North on Berry Road to Acres Street; thence East on Acres Street to Flood Avenue; thence North on Flood Avenue to Robinson Street; thence East on Robinson Street to 12th Avenue N.E.; thence south on 12th Avenue N.E. to Lindsey Street; thence West on Lindsey Street to the BNSF railroad track; thence northwesterly along the BNSF railroad track to Brooks Street; thence West on Brooks Street to Elm Avenue; thence North on Elm Avenue to Boyd Street; thence West on Boyd Street to Chautauqua Avenue; thence South on Chautauqua Avenue to Imhoff Road; thence West on Imhoff Road to Berry Road.

§ 8. Ward Five (5) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

That portion of the City East of a line beginning at a point where the South boundary of the City intersects with Classen Boulevard (Post Oak Road); thence Northwest along Classen Boulevard to State Highway 9; thence East on State Highway 9 to 24th Avenue S.E.; thence North on 24th Avenue S.E. to Lindsey Street; thence East on Lindsey Street to 48th Avenue S.E.; thence North on 48th Avenue S.E. to Alameda Street; thence West on Alameda Street to 36th Avenue N.E.; thence North on 36th Avenue N.E. to the

intersection with the Northern boundary of the City (Indian Hills Road).

§ 9. Ward Six (6) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Rock Creek Road and 12th Avenue N.W.; thence North on 12th Avenue N.W. to Indian Hills Road; thence East on Indian Hills Road to 36th Avenue N.E.; thence South on 36th Avenue N.E. to Alameda Street; thence West on Alameda Street to 12th Avenue N.E.; thence North on 12th Avenue N.E. to Rock Creek Road; thence West on Rock Creek Road to 12th Avenue N.W.

§ 10. Ward Seven (7) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Chautauqua Avenue and the Southern City limits; thence North on Chautauqua Avenue to Boyd Street; thence East on Boyd Street to Elm Avenue; thence South on Elm Avenue to Brooks Street; thence East on Brooks Street to the BNSF railroad tracks; thence Southeast along the BNSF railroad tracks to Lindsey Street; thence East on Lindsey Street to 12th Avenue S.E.; thence South along 12th Avenue S.E. to Classen Boulevard; thence Southeast along Classen Boulevard to the Southern City limits (Post Oak Road); thence West on Post Oak Road to the point of beginning.

§ 11. Ward Eight (8) shall embrace and be limited to all of the area which is now embraced within the corporate City limits and bounded as follows:

Beginning at the intersection of Robinson Street and 36th Avenue N.W.; thence North on 36th Avenue N.W. to Rock Creek Road; thence West on Rock Creek Road to 48th Avenue N.W.; thence North on 48th Avenue, N.W. to the Northern City limits, said point being one-half mile North of Indian Hills Road; thence East along the Northern City limits to 12th Avenue N.W.; thence South on 12th Avenue N.W. to Rock Creek Road; thence East on Rock Creek Road to 12th Avenue N.E.; thence South on 12th Avenue N.E. to Robinson Street; thence West on Robinson Street to Flood Avenue; thence South on Flood Avenue to Acres Street; thence West on Acres Street to Berry Road; thence North on Berry Road to Denison Drive; thence West on Denison Drive to Sherry Avenue; thence South on Sherry Avenue to Iowa Street; thence West on Iowa Street to Rosewood Drive; thence North on Rosewood Drive to Dakota Street; thence West on Dakota Street to

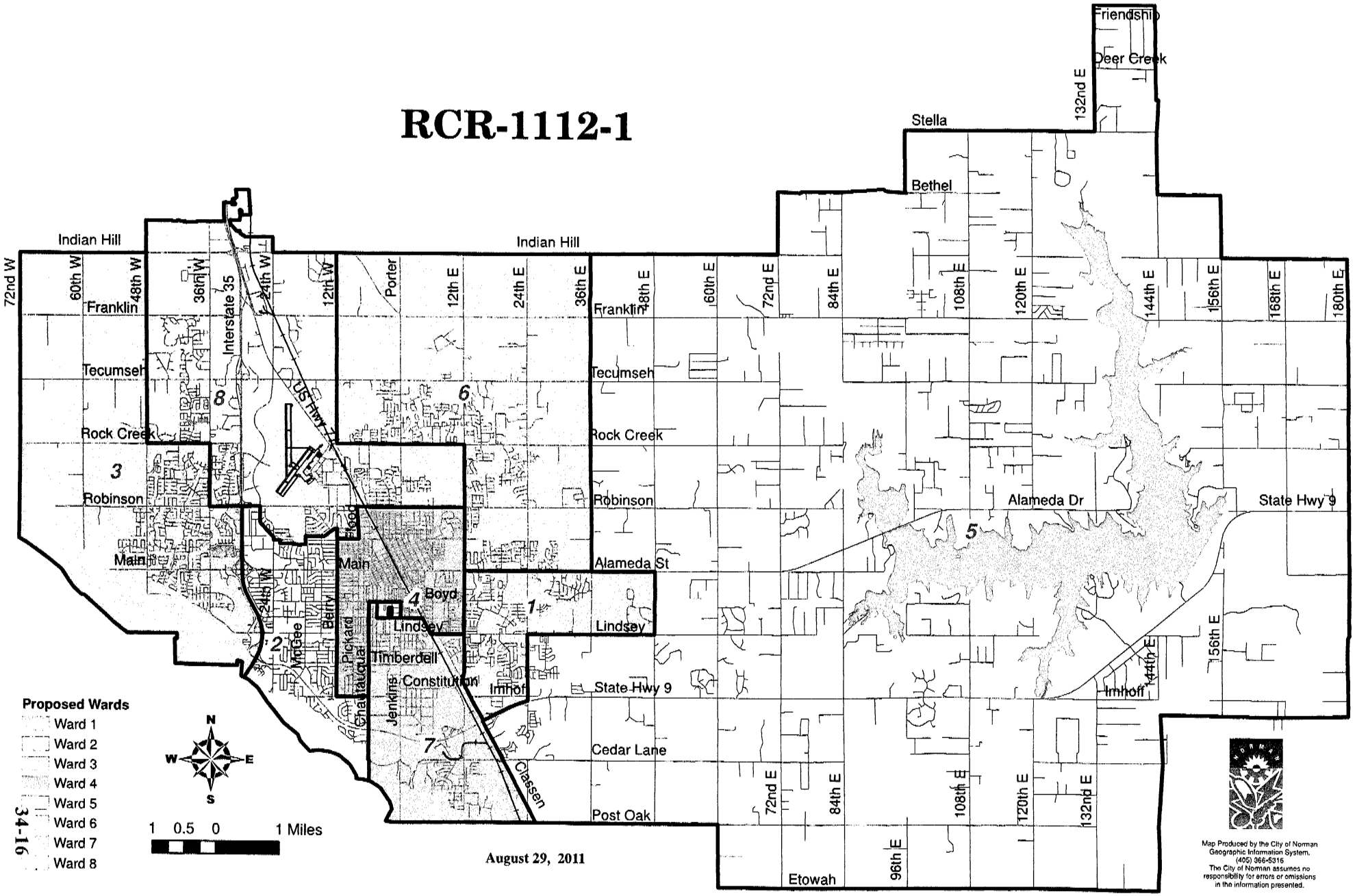
24th Avenue N.W.; thence Northerly on 24th Avenue N.W. to Robinson Street; thence West on Robinson Street to 36th Avenue N.W.

§ 12. That a map has been drawn reflecting the boundaries set forth in Sections 4 through 11 herein, and that said map is attached hereto and made a part hereof.

PASSED AND ADOPTED this 29th day of August, 2011.

Chairman, Norman Reapportionment Commission

RCR-1112-1


Indian Hill
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34-16
August 29, 2011
Map Produced by the City of Norman Geographic Information System. (405) 366-5316 The City of Norman assumes no responsibility for errors or omissions in the information presented.

Proposed Wards - RCR-1112-1 and 0-1112-10									
Ward	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*Total*
Population on December 31, 2010	**13,765**	**14,288**	**14,093**	**14,523**	**14,425**	**14,082**	**13,498**	**13,710**	**112,384**
Deviation from Mean	-283	240	45	475	377	34	-550	-338	
Percent Deviation from Mean	**-2.01%**	**1.71%**	**0.32%**	**3.38%**	**2.68%**	**0.24%**	**-3.92%**	**-2.41%**	
Mean Ward Population : 14,048					**Total range from mean as percentage:**				**7.30%**
Ward	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**Total**
Census 2010 Population (April 1, 2010)	**13,730**	**14,288**	**14,066**	**14,499**	**13,540**	**13,727**	**13,454**	**13,621**	**110,925**
Deviation from Mean	-136	422	200	633	-326	-139	-412	-245	
Percent Deviation from Mean	**-0.98%**	**3.04%**	**1.44%**	**4.57%**	**-2.35%**	**-1.00%**	**-2.97%**	**-1.77%**	
Mean Ward Population : 13,866					**Total range from mean as percentage:**				**7.54%**

NORMAN REAPPORTIONMENT COMMISSION MINUTES

August 17, 2011

The Reapportionment Commission of the City of Norman, Cleveland County, State of Oklahoma met in the City Council Chambers of the Norman Municipal Building at 201 West Gray Street on Wednesday, August 17, 2011, at 6:30 p.m., and notice and agenda of the meeting were posted at the Norman Municipal Building at least 24 hours prior to the beginning of the meeting.

Item No. 1, being:
CALL TO ORDER
Chair Cheryl Clayton called the meeting to order at 6:30 p.m.

* * *

Item No. 2, being:
ROLL CALL

MEMBERS PRESENT	David Morgan James Sheffield Phoebe Schmitz Jonathan Leavey Lea Greenleaf Ted Metscher Chadwick Cox Cheryl Clayton Karl Jahnke
MEMBERS ABSENT	None

A quorum was present.

CITY STAFF PRESENT	Doug Koscinski, Manager of Current Planning Joyce Green, GIS Services Manager Wayne Stenis, Planner II Roné Tromble, Administrative Technician

* * *

Item No. 3, being:
PRESENTATION OF THE PROPOSED REDISTRICTING PLAN
Chair Clayton announced that every ten years, when the census comes out, the Reapportionment Commission is required to adjust the ward boundaries so that they are as equal as possible in population. The goal, by Charter, is to form compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. She went through the PowerPoint presentation. The first slide showed the proposed ward boundaries. The next slide showed the ward population and the deviation from the mean with the current ward boundaries and with the proposed boundaries; the current deviation is 27.44% and the proposed boundaries would result in a deviation of 7.3%. The next slide was a map of the existing wards. The following eight slides illustrated the changes to each ward, with areas added and subtracted from each.

* * *

Item No. 4, being:
CALL FOR A PUBLIC HEARING REGARDING PROPOSED REDISTRICTING OF CITY WARDS

Lea Greenleaf moved to hold a public hearing on the proposed redistricting of City Wards. Ted Metscher seconded the motion. There being no discussion or objection, the motion passed by a unanimous vote.

* * *

Item No. 5, being:
PUBLIC HEARING ON THE PROPOSED REDISTRICTING PLAN

1. Leonard Youngblood – I live in Ward 8. I missed the opening. What is the onus for this? Now, is this something that you're going to forge this ahead, because, if so, I have other things to do, or is this something that you really will consider?

Ms. Clayton explained that the Commission is a recommending body and makes a recommendation to the City Council. After this public hearing, the Commission will meet again to consider comments that were received at this hearing.

Mr. Youngblood – My biggest concern is that area that is just south of Robinson and 36th down to the mall area. You're removing it from Ward 8 and giving it to 3. You're basically putting that section, which is very well-matched economically with the rest of the ward, with basically the Brookhaven Bunch. I think that is a disconnection. The folks that live there don't really match up well with the people across the street. It's my recommendation you leave that part alone. That's the mall area. I would really like for that one to stay. If you want to move this other stuff around, I suppose. But that one I really think it would not serve that Precinct 71 well to move it to 3.

Mr. Sheffield asked Mr. Youngblood to explain his reasoning.

Mr. Youngblood – I have no problem explaining it. How many of you all live in Ward 8? It is my opinion that the lifestyle of that particular area matches well to the rest of the ward. That area, I think, fits very well with the economic match of families there in that area. If you put that into 3, you basically bunch them into the Brookhaven Bunch and I don't really think that they spend a lot of time with each other. I ran for City Council a year ago and I went into that area and this is something I discussed about this. The size of the homes and the value of the homes match much better to the Dove Crossing area than it would the town homes across the street.

Mr. Greenleaf commented that each of the members of the Commission represents one of the wards. He asked if Mr. Youngblood feels that the representation of the Council member would not serve the interests of this area.

Mr. Youngblood – We have no representation. I live in Precinct 76. I've been there for 27 years. I think that is a very critical area for Ward 8.

Chair Clayton asked if anyone else wanted to address the Commission. There was no indication from anyone in the audience that they wished to speak.

Lea Greenleaf moved to close the public hearing. Chadwick Cox seconded the motion. There being no discussion or objection, the motion passed by a unanimous vote.

* * *

Chair Clayton announced that the next meeting of the Reapportionment Commission will be on Monday, August 29, 2011 at 6:00 p.m. in the South Conference Room of Building A to consider the comments from this public hearing.

Item No. 6, being:
ADJOURNMENT.
There being no further discussion and no objection, the meeting adjourned at 6:48 p.m.

Passed and approved this 29 day of August, 2011.

Norman Reapportionment Commission

NORMAN REAPPORTIONMENT COMMISSION MINUTES

August 29, 2011

The Reapportionment Commission of the City of Norman, Cleveland County, State of Oklahoma met in the South Conference Room of the Norman Municipal Building at 201-A West Gray Street on Monday, August 29, 2011, at 6:00 p.m., and notice and agenda of the meeting were posted at the Norman Municipal Building at 201-A West Gray at least 24 hours prior to the beginning of the meeting.

Item No. 1, being:
CALL TO ORDER

Chair Cheryl Clayton called the meeting to order at 6:00 p.m.

* * *

Item No. 2, being:
ROLL CALL

MEMBERS PRESENT	David Morgan James Sheffield Phoebe Schmitz Jonathan Leavey Lea Greenleaf Ted Metscher Chadwick Cox Cheryl Clayton Karl Jahnke (arrived at 6:08 p.m.)
MEMBERS ABSENT	None

A quorum was present.

CITY STAFF PRESENT	Doug Koscinski, Manager of Current Planning Joyce Green, GIS Services Manager Wayne Stenis, Planner II Roné Tromble, Administrative Technician

* * *

Item No. 3, being:
APPROVAL OF THE MINUTES OF THE JULY 28, 2011 MEETING AND THE AUGUST 17, 2011 PUBLIC HEARING

Lea Greenleaf moved to approve the minutes of the July 28, 2011 Meeting and the August 17, 2011 Public Hearing, as submitted. Ted Metscher seconded the motion. There being no further discussion, the motion was adopted by a unanimous vote.

* * *

Item No. 4, being:
DISCUSSION OF THE PUBLIC HEARING TESTIMONY

ITEMS SUBMITTED FOR THE RECORD
1. Ward Populations/Deviations Moving Precinct 71 from Ward 3 to Ward 8

STAFF REPORT
1. Mr. Koscinski reported that Ms. Green prepared the result of what would happen if the Commission followed the one comment from the public hearing. It would make the percentage range 17.30% rather than 7.3% as it would be with the current proposed configuration.

DISCUSSION BY THE COMMISSION
1. Mr. Leavey commented that he visited with several folks in Precinct 71 and they didn't seem to have any problem with the change. They thought they would have as good of representation between the two Council members as they currently have. When I was Councilman I never really understood why Precinct 71 wasn't a part of Ward 3.

2. Mr. Greenleaf commented that Mr. Youngblood's suggestion was to move Precinct 71, but he later stated that he lives in Precinct 76. He said that they have no representation. Making the suggested change won't affect his representation. I wanted to take a look at it, because Mr. Youngblood did come and state his case. At the same time, his statements were contradictory.

3. Mr. Sheffield said he did a windshield tour of Precinct 71. The northern part of the precinct is more like Precinct 76 in appearance, but the southern half is not like Precinct 76. No one in Precinct 71 has made a case for moving them. He prefers to stay with the current proposal.

4. Ms. Clayton indicated her agreement with those statements. We have a good proposal and it doesn't make sense to change it with only one person making that recommendation.

5. Mr. Metscher commented that Precinct 19 is torn up by the current plan. Mr. Greenleaf also looked at Precinct 19. He wondered whether the Election Board might

do something different with that precinct. Mr. Koscinski explained that it is an awkward line that was chosen somewhat arbitrarily to make the numbers work. Staff thought that, because Ward 2 doesn't have growth potential, it will eventually need more people and could move up to Robinson, and reunify Precinct 19 in the next few years. Mr. Greenleaf commented that, looking at the plats that have been approved, Ward 3 has potential to grow. Mr. Koscinski added that the only other option to increase the population of Ward 2 was to expand it west of I-35 or east into Ward 4.

6. Mr. Cox commented that he felt Mr. Youngblood's comments were political in nature. He said that he had run for Council. He didn't like the representation he has; it wasn't that he doesn't have it.

7. Mr. Metscher said he noticed Mr. Spaulding had spoken with Ms. Clayton after the public hearing and wondered if he expressed a problem with the plan. Ms. Clayton indicated he did not.

Jonathan Leavey moved to adopt Resolution No. RCR-1112-1. Phoebe Schmitz seconded the motion.

8. Mr. Greenleaf was concerned that Section 1 of the Resolution speaks about "communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible." That language is in the Charter, but we looked at numbers strictly. The reason I am bringing this up is I'm wondering if Council needs to amend the language of the Charter. With that language in there, someone could claim some type of profiling one way or another. The way we have done it is strictly based on the number of residents, and that is the most fair way it can be done.

Mr. Jahnke asked about the wording of the Charter. Mr. Koscinski quoted the Charter language: "Wards shall be formed so as to equalize, as nearly as practicable, the population of the several wards." That is the first criterion. "In addition, each ward shall be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible." That's the secondary group of criteria.

Mr. Jahnke said he was thinking about Mr. Youngblood's concerns about the composition of the neighborhood and that Precinct 71 is different than Ward 3. That is probably true with the value of homes on the two sides of the street, but the same is probably true within that precinct. So it is dissimilar within itself. So what is practical and reasonable enough to overrule the lowest number, which is the first consideration?

9. Ms. Clayton commented that in the past the Commission has had some pretty heated discussion over communities of common interest. The language could be changed to say: "in accordance with the requirements of the Charter." She spoke with a gentleman after the public hearing who said reapportionment should be done strictly on a population basis.

Lea Greenleaf moved to adopt Resolution No. RCR-1112-1, and amend Section 1 to read: "WHEREAS, the Reapportionment Commission of the City of Norman has met and

recommended that the wards and their boundaries be formed so as to equalize as nearly as practicable the population of the several wards, to conform with the requirements of the Charter;". Ted Metscher seconded the motion. There being no further discussion, the motion was adopted by a unanimous vote.

* * *

Item No. 5, being:
MISCELLANEOUS DISCUSSION.
1. Ms. Clayton asked about the future schedule. Ms. Tromble indicated that this will be scheduled for first reading at the Council meeting of September 13, with a public hearing on September 27, 2011. Ms. Clayton requested that staff notify the Commission with the actual dates for subsequent meetings.

* * *

Item No. 6, being:
ADJOURNMENT.
There being no further discussion and no objection, the meeting adjourned at 6:17 p.m.

Passed and approved this _____ day of _____, 2012.

_____
Norman Reapportionment Commission

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: O-1112-14

File ID: O-1112-14 **Type:** Ordinance **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 35 **In Control:** City Council

Department: Public Works Department **Cost:** **File Created:** 09/06/2011

File Name: O-1112-14 CNG **Final Action:**

Title: ORDINANCE NO. O-1112-14: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADDING ARTICLE V. COMPRESSED NATURAL GAS, SECTION 2-501 TO CHAPTER 2, OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR THE PRICING OF COMPRESSED NATURAL GAS OFFERED TO OTHER GOVERNMENTAL ENTITIES AND THE GENERAL PUBLIC; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-14 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-14 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes:

Agenda Date: 09/27/2011

Agenda Number: 35

Attachments: O-1112-14 CNG, O-1112-14 CNG Annotated

Project Leah Messner, Assistant City Attorney

Entered by: jayme.rowe@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	09/13/2011	Introduced and adopted on First Reading by title only				

Action Text: Introduced and adopted on First Reading by title only

Text of Legislative File O-1112-14

Body

BACKGROUND: In March 2010, the Association of Central Oklahoma Governments (ACOG) notified the City of Norman that its application for funding under the 2010 ACOG Public Fleet Conversion Grant Program had been approved in the amount of $200,000. The grant is to be used for the installation of Phase 1 of the City's first compressed natural gas (CNG) fueling station at the City of Norman North Base facility. Phase 1 involves the "slow-fill" element of the station.

In July, 2010, the Oklahoma Department of Commerce (ODOC) notified the City of Norman that its application for financial assistance under the State Energy Program (SEP) of the American Recovery and Reinvestment Act (ARRA) had been approved in the amount of $945,000. The grant is to be used for the installation of Phase 2 of the City's first compressed natural gas (CNG) fueling station. Phase 2 involves the "fast-fill" element of the station.

On Monday, August 15, 2011, construction began on the City's first Compressed Natural Gas Fueling Facility located at 2351 Goddard Avenue adjacent to the City's North Base facility. The prime contractor for the project is Nationwide Construction Group of Chesterfield, Michigan. The total cost of the project is approximately $1.65 million. Funding is provided by the Association of Central Oklahoma Governments (ACOG) in the amount of $200,000 and stimulus funding from the American Recovery and Reinvestment Act (ARRA) in the amount of $945,000. The City's share of the project cost is estimated to be 32% or $530,600 of the total cost. Five year projections show a fuel savings to the City of Norman fleet of $850,000 to $1,285,000 depending on the volatility of the fuel market. Completion of the facility is expected in October, 2011.

DISCUSSION: Norman seeks to contribute to a reduction of the dependency on foreign oil while providing for a cleaner environment and a "greener" Norman. In addition, it is the hope that this project will act as a catalyst among other fleets across the United States to adopt natural gas engines to cut foreign imports to zero and reduce emissions dramatically over conventional petroleum vehicles. In addition, it is also the hope this project successfully showcases a program that will encourage every home owner to want to switch to natural gas cars themselves. It will be a win/win situation for both our City and citizens that we reduce our dependency on oil and at the same time reduce our fuel costs in the long run.

This CNG Fueling Facility will serve the City's compressed natural gas fleet, and, because of excess capacity available at the new station, is available for use by other governmental entities, including potentially the University of Oklahoma, the Norman Public Schools, and the Cleveland County Board of Commissioners, as well as being available to the general public. The station is designed to allow twenty-four Norman fleet vehicles to fuel at one time overnight. The public fast fill station will make available one million gallons per year with an

80% availability to the public beyond our city fleet. In order to offer compressed natural gas to other public and private entities and the general public, a price per gallon must be established in order to cover the City of Norman's cost of providing the compressed natural gas as well as the costs of operating and maintaining the station.

The Oklahoma Legislature, in 74 O.S. § 78f, has declared that it is in the "public interest to promote public access to compressed natural gas fueling stations in the state." In addition, the Legislature intends to increase the number of public access compressed natural gas fueling stations along the Oklahoma interstate highway system and has set a goal of having at least one public compressed natural gas fueling station located every one hundred miles along the interstate system by 2015 and one public compressed natural gas fueling station located every fifty miles along the interstate system by 2025. *Id.* Establishing a station in Norman that is open to the general public fits in with these statewide goals. The station will also be the first public compressed natural gas fueling station in the south Oklahoma City metro area.

The proposed ordinance, to be located within Chapter 2 of the City of Norman Code of Ordinances, establishes a pricing method for sales of compressed natural gas to other governmental entities and the general public. The proposed new standards will allow the City Manager, in consultation with the City of Norman Public Works Department and the City of Norman Finance Director, to establish a price per gallon. The City Manager shall also consider, among others, the following factors: market conditions, ongoing and future operational and maintenance needs, and the cost to the City of Norman in acquiring the compressed natural gas. The City Manager, under the proposed language, may also adjust the price per gallon daily, weekly, monthly, or quarterly, as necessary to satisfy the factors listed above. This proposed ordinance allows for prompt price adjustments necessary to compensate for unexpected operation and maintenance needs as well as market fluctuations in the cost of compressed natural gas.

RECOMMENDATION: Based upon the above and foregoing discussion, it is the staff recommendation that Ordinance O-1112-14 be adopted.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADDING ARTICLE V. COMPRESSED NATURAL GAS, SECTION 2-501 TO CHAPTER 2 TO THE CODE OF THE CITY OF NORMAN PROVIDING FOR THE PRICING OF COMPRESSED NATURAL GAS OFFERED TO OTHER GOVERNMENTAL ENTITIES AND THE GENERAL PUBLIC; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Article V. Compressed Natural Gas, Section 2-501 of Chapter 2 of the Code of the City of Norman shall be added to read as follows:

ARTICLE V. COMPRESSED NATURAL GAS

Sec. 2-501. Compressed Natural Gas Pricing.

(a) Use of CNG Fueling Station. The City of Norman owns and operates a Compressed Natural Gas fueling station at 2351 Goddard Avenue primarily for fueling of City vehicles, but that also can be available as a regional fueling station for the University of Oklahoma, for natural gas powered vehicles operated by other governmental entities, and for natural gas powered vehicles owned and operated by members of the general public. It is recognized that costs of operating and maintaining the Compressed Natural Gas fueling station should be incorporated into the pricing structure when making the facility available for use by other governmental entities or by the general public.

(b) Standards for Pricing. Compressed Natural Gas may be offered for sale to other governmental entities and to the general public at a price per gallon established by the City Manager in consultation with the City of Norman Public Works Department and the City of Norman Finance Director. In establishing the price per gallon, the City Manager shall consider, among others, the following factors: market conditions, ongoing and future operational and maintenance needs at the station, and the cost to the City of Norman in acquiring the compressed natural gas. The City Manager may adjust the price per gallon daily, weekly, monthly, or quarterly, as necessary to satisfy the above factors.

§ 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day

of _____, 2011.

_____
Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2011.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

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of _____, 2011.

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Cindy Rosenthal, Mayor

ATTEST:

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Brenda Hall, City Clerk