

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

SEPTEMBER 10, 2020

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session via Video Conference and in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 10th day of September, 2020.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://www.normanok.gov/sites/default/files/documents> at least twenty-four hours prior to the beginning of the meeting.

Chair Lark Zink called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT
via Video Conference

Dave Boeck
Sandy Bahan
Nouman Jan
Erica Bird
Mark Daniels
Steven McDaniel
Tom Knotts
Lark Zink

MEMBERS ABSENT

Erin Williford

A quorum was present.

STAFF MEMBERS PRESENT
(in person, unless otherwise noted)

Jane Hudson, Director, Planning &
Community Development
Lora Hoggatt, Planning Services Manager
Roné Tromble, Recording Secretary
Ken Danner, Subdivision Development
Manager
Bryce Holland, Multimedia Specialist
Beth Muckala, Asst. City Attorney (video)
David Riesland, Traffic Engineer (video)
Todd McLellan, Development Engineer
(video)

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Ms. Zink welcomed new Commissioner Mark Daniels to the Planning Commission.

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CONSENT DOCKET

Item No. 2, being:

TMP-156 -- APPROVAL OF THE AUGUST 13, 2020 PLANNING COMMISSION REGULAR SESSION MINUTES

Item No. 3, being:

COS-2021-3 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY HARRY AND BEVERLY FRITZLER (PATHFINDER SURVEYING) FOR PRAIRIE CREEK RANCH FOR APPROXIMATELY 60.4 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF IMHOFF ROAD (PARTIALLY CLOSED) EAST OF 144TH AVENUE S.E.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chair Zink asked if any member of the Commission wished to remove any item from the Consent Docket. There being none, she asked if any member of the public wished to remove any item. There being none, she asked for a motion.

Dave Boeck moved to approve the Consent Docket as presented. Steven McDaniel seconded the motion.

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

YEAS	Dave Boeck, Sandy Bahan, Nouman Jan, Erica Bird, Mark Daniels, Steven McDaniel, Tom Knotts, Lark Zink
NAYES	None
MEMBERS ABSENT	Erin Williford

Ms. Tromble announced that the motion, to adopt the Consent Docket, passed by a vote of 8-0.

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Item No. 3, being:

COS-2021-3 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY HARRY AND BEVERLY FRITZLER (PATHFINDER SURVEYING) FOR PRAIRIE CREEK RANCH FOR APPROXIMATELY 60.4 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF IMHOFF ROAD (PARTIALLY CLOSED) EAST OF 144TH AVENUE S.E.

ITEMS SUBMITTED FOR THE RECORD:

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

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

Item No. 4a, being:

R-2021-34 – LANDMARK LAND COMPANY AND KENT CONNALLY REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, COMMERCIAL, OFFICE, INDUSTRIAL, AND OPEN SPACE DESIGNATION TO MIXED USE DESIGNATION FOR APPROXIMATELY 139.43 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF TECUMSEH ROAD AND 12TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

1. 2025 Map
2. Staff Report

Item No. 4b, being:

O-2021-9 – LANDMARK LAND COMPANY AND KENT CONNALLY REQUEST REZONING FROM PUD, PLANNED UNIT DEVELOPMENT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR APPROXIMATELY 139.43 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF TECUMSEH ROAD AND 12TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. PUD Narrative with Exhibits A-E

Item No. 4c, being:

PP-2021-2 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY KENT CONNALLY (SMC CONSULTING ENGINEERS, P.C.) FOR FLINT HILLS ADDITION, A PLANNED UNIT DEVELOPMENT FOR APPROXIMATELY 139.43 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF TECUMSEH ROAD AND 12TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Plat (without contours)
6. Preliminary Site Development Plan
7. Pre-Development Summary
8. Greenbelt Commission Comments

PRESENTATION BY STAFF:

1. Lora Hoggatt reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, representing the applicant – I just want to highlight a few things for you. Lora showed you the location here, and she mentioned Tecumseh Pointe. Vintage Creek is right here and this is what Lora was talking about off the edge, and there are far more houses built out here than what you see now. That's just the most recent Google Earth map. Most importantly what I want to show you is a comparison to what was adopted in 2010. In 2010, we were in front of you with this development on the left, and I remember that distinctly. It was, some of you recall, Bob Goins, who is a legendary planner in Norman, was the planner behind this project, and was approved in 2010. On the right is what you're being asked to approve tonight, and it really is strikingly similar. You see the residential up here is very, very similar to the residential over here – basically a little bit smaller lots, but the footprint of the residential area is very, very similar to what was approved in 2010. Industrial, light industrial, and office down here – virtually exactly the same as was approved in 2010. This little orange strip of townhomes approved in 2010 is still there pretty much the same as is proposed tonight. Lora mentioned this brown area right here, as was approved in 2010, is an apartment complex that is under construction right now, so it's not part of the project. In 2010, this was the commercial corner,

and it is exactly the same proposed tonight as well. Probably the most significant difference from tonight and last time is this section of the neighborhood. You see it had three cul-de-sacs right here; this time it doesn't. It's more of a complete pass-through road. This is a gated community this time right here. And you see these little orange pieces right here were little townhome development; that has now reverted back to R-1, Single Family. I'll show you some other differences of WQPZ and floodplain areas, which are significant as well. But, very generally, it is almost exactly the same in layout as what was approved in 2010 and what is still the binding PUD on this property, but with improvements. Lora mentioned those, but the staff report mentions it as well. The current PUD, on the right, proposed tonight, as compared to the existing PUD, really has just a lot more detail in the PUD than we used to do 10 years ago. This one has significant more detail. This one takes out a mining operation, and I think you might have seen it. Right there, that was actually a mining operation of dirt and some other materials; that is now gone, so that won't be the case in this PUD. And significantly, you see these homes – in 2010 you see these residential lots; that black line is the floodplain, and now we have pulled those residential homes back – it's kind of hard to see the difference, but you can kind of see the sewer line right there and the separation. Well, these homes are pulled back quite a bit further now and they are not in the floodplain. They weren't in the floodplain before, but the lots were in the floodplain; now these lots are not in the floodplain anymore. The WQPZ zone last time – in 2010 this was proposed when the WQPZ was really just coming into existence, but it was proposed without really recognizing the WQPZ. This time we have really a much more substantial green and WQPZ zone running up through the property as compared to what is currently approved. You can see the narrowness of that right there, as compared to what's approved now. So pretty significant improvements. The actual uses are very similar to what was approved last time. This is in your staff report, but single-family residential the existing PUD is 70 acres; we've reduced that to 65 acres. The multi-family is a little bit skewed here, because this just simply doesn't include this apartment complex that is not a part of this application. So we haven't really proposed 3 acres as compared to 18; it's just in this PUD there's only 3 acres because the bulk of it has already been built. But commercial almost identical. Industrial/office a little bit less than what was in the existing PUD. And open space more than what's in the existing PUD. So that's really the difference, is a few more acres of WQPZ and open space than what was approved in 2010. Just to show you exactly how the floodplain works and WQPZ – you can see that's the staff comment, and there is the line of the floodplain that now is completely outside of these lots. Before, it encroached into the lots; now it does not. So that's a change from the 2010 PUD. That's the site plan as well. Green space – similar, but more than it was in the 2010 PUD, and in important areas such as down through the WQPZ. That's in context – you can see and just kind of highlight this corner right here by Greenleaf Trails – that is a commercial corner. That's Sysco, so the commercial will be across from that. What was very important in 2010, we have basically some high-intensity uses across here and we kept that with commercial, multi-family, and light industrial. So the single family uses that are a little more sensitive, as compared to these high-intensities, are put back by the floodplain and buffered completely by those zones out front. So that's kind of it. That's the summary of it. I think the summary points I've taken you through. Staff has suggested there are no anticipated negative traffic impacts. It has adequate ingress/egress. WQPZ we talked about. The PUD much more detailed than it was in 2010. There are no protests; nobody even came to the Pre-Development meeting, which was on Zoom, but we had nobody attend it. And Parks Board has recommended private parkland approval for the back area back in the floodplain. So, with that, we'd be happy to answer any questions. We have the whole team onboard tonight with us. They're happy to answer any questions you have. With that, I appreciate your consideration. Thank you.

2. Mr. Boeck – Can you put that map back up there, Sean?

Mr. Rieger – Yeah. I just wanted to take it off so they could see everybody. Is that the one you want on?

Mr. Boeck – Well, I just wanted to compare the old map with the new map in terms of visibility and readability. This is a negative comment. Look at how much nicer this one reads over here than the new one reads.

Mr. Rieger – Thank you, Commissioner Boeck. This is Bob Goins work on the left. I see what you're saying, Commissioner Boeck. You're right. The computer has taken away a little bit of our approach that we had.

Mr. Boeck – I'm sorry. I just couldn't resist. I teach architecture and so I teach how to do readable drawings. But it is what it is. Let me ask you this. You know my take, Sean, on accessibility. Is there – and I don't even know if this is the right question to ask at this time. Any new housing that I see being done anyplace in town, my first request is was there any interest, is there any discussion about creating some accessible homes in this development?

Mr. Rieger – I would answer by saying what you first started by saying. I think it is premature at this level of design when you're doing a whole 140 acres. I don't know that I can even really answer that question, honestly, at this level.

Mr. Boeck – Okay. Well, I didn't know if the developer is here so that I could put a bug in his ear.

Mr. Rieger – They are here. They're listening. I will certainly make sure they hear that. Certainly they're leaders – Landmark Homes, a great leader in housing in Norman and well-renowned. I know they will hear your comment and take it to heed.

3. Mr. Jan – The mixed use housing on Tecumseh Road – do you know the maximum height or the number of floors that will be constructed?

Mr. Rieger – Are you talking, Commissioner, about – this apartment complex right here is built.

Mr. Jan – Yes.

Mr. Rieger – So are you speaking of the orange? Well, it's orange on the left. To Commissioner Boeck's point, it's not colored on the right. But the townhomes right here. Is that what you're talking about, Commissioner?

Mr. Jan – Yes.

Mr. Rieger – I believe those can go to – I believe it's three stories.

Mr. Joyce – That's right, Sean. Maximum height is three stories on those.

Mr. Jan – So that will be close to – like under 60'?

Mr. Rieger – It's listed as three stories. Let me get to it here.

Mr. Joyce – What we did there for height is we just referred back to the City's ordinance that addresses stories. So I don't have an exact number for you, but the ordinance in the City Zoning Code that addresses how tall an actual story can be, and we capped it at three stories.

Mr. Rieger – And we referenced the Ordinance. That's why I don't know the number off-hand. I can try to find it quickly in the Zoning Code, but it's 22:431.3 is what we reference, as Gunner said, and it goes to a dimension but it's in the code.

Mr. Jan – And, Sean, the reason I'm asking is that this particular property is actually close to the two runways of Norman Westheimer, so any time the planes are making – either they're coming on downwind they will be flying over this property, so I just wanted to make sure that the heights are – they have a safe buffer, because that's where the planes are in a very critical phase. The second question, Sean, I have is, again, can I request you to please bring that old comparison map that you were showing. The old map shows some kind of retention pond or a small lake. Is that going to be in the new proposed site as well?

Mr. Rieger – Let me respond, first, to the airport – make sure I make a comment on that. The airport does have runway protection zones that are very defined locations – trapezoidal location. This does not fall within that. We understand your point, and I appreciate it, but I just want to make sure we're clear we're not within the runway protection zone. As to the stormwater, this is planned as detention. Muhammad Khan is on the call with us tonight for SMC, and I'm going to ask him to actually describe what is proposed up through this area of stormwater. Muhammad?

Mr. Khan – In the new plan, the limits where floodplain is located – we are not encroaching that floodplain by any means of using it as detention. So what Sean has indicated, we are proposing two detention systems – upper pond and lower pond – and those are located outside the floodplain. Sean is correctly pointing to that area. The delineation that you see in floodplain is only for water quality protection improvement and proposed use of certain planting type which will improve the water quality, such as removal of nitrogen, phosphorous, and then capturing the total suspended solids. So we're not using floodplain for any detention purposes. That's usually always a no-no, and that's what we are proposing here. All of our detention is proposed outside the floodplain and not the stream side of the floodplain area. We are almost providing 800,000 cubic feet of storage for this overall development with an approximately 300+ acres of off-site area drains into successive or continuous path of the detention system. So as part of our proposed improvements and water quality protection, mitigation improvement plan, we are comfortable to say that the routed flow from the site will be improved in terms of water quality standard and meeting the City of Norman water quality protection zone requirements and other standards.

Mr. Jan – Thank you, Muhammad. Just a point of caution. Again, this is not like something that must stop this thing, but caution is that we are constructing these retention ponds and as we know that it's very close to the airport – the birds will come, so that may increase the chances of bird strikes. Just a caution.

Mr. Khan – That's a good point. Most of these ponds will be dry ponds. There will be a smaller water body at the lower reach of these ponds. You're right.

4. Mr. Daniels – Just two minor question. One, it talks about a clubhouse, and I couldn't tell where the clubhouse was on the drawing. A clubhouse and a playground.

Mr. Rieger – I don't think we have that located yet. Typically, as we get deeper into planning they'll locate that as they determine phasing and sometimes that gets into sales offices close to it. So I don't think they've finally determined what particular location that would be.

Mr. Daniels – I had one other question that I brought up when I was still a City employee, that the rural estates that are to the northwest – it's not shown on that map, but it's kind of landlocked by the Little River, and the thought occurred to me that it would be nice if there was access to that through this subdivision. I know you don't have to do that, I'm just trying to think ahead here.

Mr. Rieger – Yeah. We're aware of that, Commissioner. That's always been a concern. This addition up there, they do probably have access down through this – concrete plant eventually maybe goes away and they access down through that would be a location as well. This plat – it is a platted subdivision up there of RE, has had significant problems over the years and it never got off the ground and, as the Commissioner said, the Little River goes right up through – you can see Little River right here and so it cuts it off. It does have a proposed plat connection up through there. It's more of a monetary issue.

Mr. Daniels – It would require a bridge that would be very expensive.

Mr. Rieger – Exactly.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Knotts – I'm a little concerned about this development with only one exit in the northwest part. I'm sure that the Fire Department has approved this, but it just seems that there should be an opportunity to get out of there, rather than just have one entrance/one exit point. That's just a discussion point. I do want to say that I'm afraid of the consequences to our youth that they think that the Flint Hills are here in Norman, and I think maybe this should be the headwaters development rather than the Flint Hills, because you have to go to Pawhuska to get to the Flint Hills. They may be dislocated in their geographic location.

Dave Boeck moved to recommend adoption of Resolution No. R-2021-34, Ordinance No. O-2021-9, and PP-2021-2, the Preliminary Plat for FLINT HILLS ADDITION, a Planned Unit Development to City Council. Nouman Jan seconded the motion.

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

YEAS	Dave Boeck, Sandy Bahan, Nouman Jan, Erica Bird, Mark Daniels, Steven McDaniel, Tom Knotts, Lark Zink
NAYES	None
MEMBERS ABSENT	Erin Williford

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-2021-34, Ordinance No. O-2021-9, and PP-2021-2 to City Council, passed by a vote of 8-0.

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Item No. 5, being:

MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF

1. Mr. Boeck – Moving forward, the idea of accessibility – I was on a committee that looked at, with Bill Hickman, the visitability ordinance that was taken back to the City staff to look at. It's been lost; I don't know where it is, what's happened to it. But as we develop more housing in Norman, I'd like to see that brought forward and done something with, because it was a really good idea, encouraging builders to build visitable houses, because obviously there's a need and builders just don't do it on their own.


Ms. Hudson – That is actually going to be a discussion at the Council Retreat in October. I'll be able to give you some more information after that.

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Item No. 6, being:

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 7:04 p.m.


Norman Planning Commission