

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

JULY 8, 2021

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 8th day of July, 2021.

Notice and agenda of the meeting was posted at the Norman Municipal Building and online at <https://www.normanok.gov/your-government/public-information/agendas-and-minutes> at least twenty-four hours prior to the beginning of the meeting.

Chair Erica Bird called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Nouman Jan
Steven McDaniel
Erica Bird
Lark Zink
Dave Boeck
Sandy Bahan

MEMBERS ABSENT

Erin Williford
Mark Daniels
Michael Jablonski

A quorum was present.

STAFF MEMBERS PRESENT

Jane Hudson, Director, Planning &
Community Development
Lora Hoggatt, Planning Services Manager
Logan Hubble, Planner I
Ken Danner, Subdivision Development
Manager
Roné Tromble, Recording Secretary
Bryce Holland, Multimedia Specialist
Beth Muckala, Asst. City Attorney
David Riesland, Transportation Engineer
Jami Short, Traffic Engineer
Nathan Madenwald, Utilities Engineer

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CONSENT DOCKET

Item No. 2, being:

TMP-169 -- APPROVAL OF THE JUNE 10, 2021 PLANNING COMMISSION REGULAR SESSION MINUTES

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Item No. 3, being:

COS-2122-1 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY HEATH AND ANGIE HERJE (POLLARD & WHITED SURVEYING, INC.) FOR COTTONWOOD FLATS ESTATES FOR 19.931 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF EAST TECUMSEH ROAD APPROXIMATELY ONE-HALF MILE EAST OF 12TH AVENUE N.E.

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Item No. 4, being:

SFP-2122-1 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY G&G DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR LOTS 1A AND 1B, BEING A REPLAT OF LOT 1, BLOCK 2, TECUMSEH ROAD BUSINESS PARK SECTION 2, FOR APPROXIMATELY 1.2951 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF N. FLOOD AVENUE AND TECUMSEH DRIVE.

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Item No. 5, being:

PP-2122-1 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY THE UPLANDS DEVELOPMENT Co., L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UPLANDS ADDITION FOR APPROXIMATELY 129.90 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF INDIAN HILLS ROAD AND 36TH AVENUE N.W.

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DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chair Bird 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. Sandy Bahan seconded the motion.

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

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

The motion, to adopt the Consent Docket, passed by a vote of 6-0.

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Item No. 2, being:

TMP-169 -- APPROVAL OF THE JUNE 10, 2021 PLANNING COMMISSION REGULAR SESSION MINUTES

This item was adopted as part of the Consent Docket by a vote of 6-0.

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Item No. 3, being:

COS-2122-1 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY HEATH AND ANGIE HERJE (POLLARD & WHITED SURVEYING, INC.) FOR COTTONWOOD FLATS ESTATES FOR 19.931 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF EAST TECUMSEH ROAD APPROXIMATELY ONE-HALF MILE EAST OF 12TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Certificate of Survey
3. Staff Report
4. Request for Variances
5. Greenbelt Commission Comments

This item was recommended for approval by City Council as part of the Consent Docket, with a variance in the minimum width requirement for a private road, a variance to the minimum acreage requirements for Tracts 1 and 2, and a variance to the minimum width requirement measured at the front building line for Tract 1, by a vote of 6-0.

Item No. 4, being:

SFP-2122-1 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY G&G DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR LOTS 1A AND 1B, BEING A REPLAT OF LOT 1, BLOCK 2, TECUMSEH ROAD BUSINESS PARK SECTION 2, FOR APPROXIMATELY 1.2951 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF N. FLOOD AVENUE AND TECUMSEH DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Short Form Plat
3. Staff Report
4. Site Development Plan

This item was adopted as part of the Consent Docket by a vote of 6-0.

Item No. 5, being:

PP-2122-1 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY THE UPLANDS DEVELOPMENT CO., L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UPLANDS ADDITION FOR APPROXIMATELY 129.90 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF INDIAN HILLS ROAD AND 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Oil Well Site Plan
7. Pre-Development Summary
8. Greenbelt Commission Comments

This item was recommended for adoption by City Council as part of the Consent Docket by a vote of 6-0.

Item No. 6, being:

O-2122-1 – SGA DESIGN GROUP, ON BEHALF OF WALMART 2734, REQUESTS PARTIAL CLOSURE OF AN EXISTING SEVENTEEN FOOT (17') UTILITY EASEMENT WITHIN LOT 1, BLOCK 1, TSTB ADDITION, SECTION 1, FOR PROPERTY LOCATED AT 601 12TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Request to Close a Utility Easement with Exhibits

PRESENTATION BY STAFF:

1. Ken Danner reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

1. Sunday Bougher, SGA Design Group, representing the applicant – We are in the process of expanding our online grocery pick-up service to meet the current demand of the community. In an effort to do that, we do have to relocate some utilities.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Steven McDaniel moved to recommend adoption of Ordinance No. O-2121-1 to City Council. Dave Boeck seconded the motion.

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

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

The motion, to recommend adoption of Ordinance No. O-2122-1 to City Council, passed by a vote of 6-0.

Item No. 7, being:

O-2122-2 – CLUB CARWASH OPERATING, L.L.C. REQUESTS SPECIAL USE FOR AN AUTOMOBILE SERVICE STATION (CAR WASH) FOR APPROXIMATELY 1.7044 ACRES OF PROPERTY ZONED C-1, LOCAL COMMERCIAL DISTRICT, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Preliminary Site Development Map
4. Pre-Development Summary

PRESENTATION BY STAFF:

1. Lora Hoggatt reviewed the staff report, a copy of which is filed with the minutes. One protest letter was received on this item, which represented 1.1% of the notification area.

PRESENTATION BY THE APPLICANT:

1. Kurt Daniels, Cochran Engineering, representing the applicant – It is just a tunnel car wash, so everything is inside. There are free vacuum bays – there are 20 bays with 1 handicapped. I would be happy to answer any questions. They would enter the tunnel from the east side and exit on the west side toward 36th Avenue.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Nouman Jan moved to recommend adoption of Ordinance No. O-2122-2 to City Council. Dave Boeck seconded the motion.

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

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

The motion, to recommend adoption of Ordinance No. O-2122-2 to City Council, passed by a vote of 6-0.

Item No. 8, being:

O-2122-3 – COX BROTHERS HOLDINGS, L.L.C. REQUESTS SPECIAL USE FOR AN AGRI-WEDDING EVENT VENUE FOR APPROXIMATELY 68.8 ACRES OF PROPERTY ZONED A-2, RURAL AGRICULTURAL DISTRICT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 72ND AVENUE N.E. AND TECUMSEH ROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Postponement Memo
3. Request for Postponement

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Steven McDaniel moved to postpone Ordinance No. O-2122-3 to the August 12, 2021 Planning Commission meeting at the request of the applicant. Dave Boeck seconded the motion.

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

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

The motion, to postpone Ordinance No. O-2122-2 to the August 12, 2021 Planning Commission meeting, passed by a vote of 6-0.

Item No. 9, being:

O-2122-4 – CITY OF NORMAN – NORMAN UTILITIES AUTHORITY REQUESTS SPECIAL USE FOR MUNICIPAL USES, INCLUDING VERNON CAMPBELL WATER TREATMENT PLANT, FOR APPROXIMATELY 36 ACRES OF PROPERTY ZONED A-2, RURAL AGRICULTURAL DISTRICT, GENERALLY LOCATED AT 3000 E. ROBINSON STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Preliminary Site Development Map
4. Pre-Development Summary

PRESENTATION BY STAFF:

1. Logan Hubble reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

1. Nathan Madenwald, the applicant – The application is taking the existing property as it has been used and bringing into compliance with the current zoning requirements. The driver for that is the 600 kw solar array being installed at the northeast corner of the site. That will be used in a net metering concept to offset three large electric meters and to offset power requirements and reduce operating costs for the facility.
2. Mr. Boeck asked what percentage of the total electrical needs are going to be provided. Mr. Madenwald indicated he would have to get that information.
3. Mr. Jan asked the cost of the project. Mr. Madenwald responded the overall cost for the project is \$4.77 million for this site and also the site at the water reclamation facility. The break-even time is pretty close to the life of the facility – a 20-year life. But this also aligns with the Mayor's climate goals, where we're able to offset some of our electric usage and use sustainable sources. Mr. Jan asked if the City is going to be maintaining the solar array. Mr. Madenwald said they will be doing a performance contract with the supplier, so they will be maintaining it for us on an annual basis.
4. Mr. McDaniel asked if the \$4.77 million will be paid back over the 20-year period. Mr. Madenwald said there was capital funding available to do the project, but the return on investment will be in that 20-year period.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to recommend adoption of Ordinance No. O-2122-4 to City Council. Steven McDaniel seconded the motion.

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

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

The motion, to recommend adoption of Ordinance No. O-2122-4 to City Council, passed by a vote of 6-0.

Item No. 10, being:

O-2122-5 – CITY OF NORMAN – NORMAN UTILITIES AUTHORITY REQUESTS SPECIAL USE FOR MUNICIPAL USES, INCLUDING WATER RECLAMATION FACILITY, COMPOST FACILITY, AND POLICE FIRING RANGE, FOR APPROXIMATELY 115.22 ACRES OF PROPERTY ZONED A-2, RURAL AGRICULTURAL DISTRICT, GENERALLY LOCATED AT 3500 JENKINS AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Preliminary Site Development Map
4. Pre-Development Summary

PRESENTATION BY STAFF:

1. Logan Hubble reviewed the staff report, a copy of which is filed with the minutes. One protest letter was received, which represented 4.7% of the notification area.

PRESENTATION BY THE APPLICANT:

1. Nathan Madenwald, the applicant – This is a similar item to the past item, where we're bringing the zoning in-line with current requirements. The addition to this site is at the compost facility we would like to put a scale house there so we can better track what's coming in and out, similar to what's at our transfer station. The solar array would be where the green area is shown on the map.
2. Mr. Jan asked the capacity of the solar array here. Mr. Madenwald responded 1.67 kw.
3. Mr. McDaniel asked what is currently occupying that space. Mr. Madenwald said there's an oil well on the north end of the site, but generally it's an open field. We do have some sludge drying beds, which had been used in the past for bio-solids from the facility to let them dry out and then haul off. We also use that for our trucks. We're still going to retain some of that capacity.
4. Ms. Bird asked what the change to impervious area will be. Mr. Madenwald responded that they have not calculated that, but understand the protest that's been received and we'll be happy to make sure we mitigate that increase.

AUDIENCE PARTICIPATION:

1. Allyson Wilson, 1004 Elmwood Street – I own some land in the area and I am concerned – not about the solar panels being done – what I am concerned about is the impervious surface that will be there and the additional flooding that may occur in the area. Currently we have an issue with flooding in the area. There is standing water currently in the area on the west side of Jenkins that we are very concerned about. Adding another impervious surface will lead possibly to this. As mentioned just previously, they don't know what that impact will be. It does also say in the proposal that there is no negative impact. I would like to know how that was calculated, because I am very concerned that there will be a negative impact, not only to our farm, but also to the farm that's closer to that area on the east side of Jenkins.
2. Mr. Jan asked what negative impact they are expecting from this. Ms. Wilson responded the concern is water coming off the impervious surface and going further south and further east off the land. Currently, any time it rains even half an inch, the area floods and water runs across both sides of Jenkins, and it can be anywhere from 6" to 2' in flooding in that area.
3. Kevin Potts, 3620 Barwick Drive – I basically oppose it. First, I want to say I'm for anything that will save the City money, energy efficiency, and all that. I'm all for that. But my sister, Allyson, has already spoken on some of the impact we're having. They say in the description that there's no adverse impact. Well, there has been adverse impact before any construction

has been built in this special use request area. Currently, we've got stormwater standing on our northwest 80-acre hay field. We can't get in there; we can't produce hay. So any time we get that rain, it comes across Dugout Creek, flows through between the water reclamation plant and the trash transfer station. All that drainage comes through, passes on the west side of the Police pistol training range, runs south, crosses under Jenkins, ties into Bishop Creek, which drains 10 square miles of east/central Norman. Everybody knows that area is a flashpoint right now in the City of Norman and what's going on at Stormwater. So I just oppose any construction where there hasn't been a stormwater mitigation plan that's going to be in place and that's implemented. Because those solar panels are going to create impervious surfaces. Any construction, road access, service roads. We've already got problems, and when they do any more construction it's just going to be more and more water coming in on us. I would like to see a stormwater mitigation plan implemented for that area. Because it is impacting us.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Boeck – On the first one it said 56% coverage – I'm surprised that wasn't calculated for this. I feel like we don't have the information that we need.

Mr. Madenwald – The reason is the panels themselves – rainfall that hits them will fall on the ground, but the ground below it is still going to be natural vegetation, so we're really not adding impervious surface to that.

Mr. Boeck – Well, you pave a road, so it runs off to the sides. In my mind, it's still impervious surface that's collecting water and can come off. There should have been a calculation and there should have been some kind of mitigation plan. They were here last month, or two months ago, on Eaglecliff and the issues there with the drainage off of that residential, and that's a lot more serious. I know that we didn't pass the stormwater plan three or four years ago, which still needs work. We needed to have some information about that.

2. Mr. Jan – I think, technically, we're talking about where the runoff should go. Can we not divert the runoff to perhaps another area where it's not affecting their farm and the problem which is currently happening there?

Mr. Boeck – The whole Bishop Creek is a mess.

Mr. McDaniel – Does this water drain into Bishop Creek.

Mr. Madenwald – It drains through the drainage channel that runs through here on the west side of the property.

Ms. Bird – That does connect to Bishop Creek.

3. Ms. Bird – I think we've already covered it and Dave is pretty good about putting these things altogether. I think we really have seen a massive problem with Bishop Creek that needs to be addressed. I don't know that this is the project that's going to make or break it, but I do think that there's a major issue that needs to be resolved. The Potts family and those neighborhoods back there are having massive problems. The pictures that the HOA showed us previously were very enlightening as to some of those water problems. Maybe even something to do with this former landfill – something that could be a little bit more effectively done with some of that land to help with the Bishop Creek problem. I'd really like to see the City make a plan to help these people in this area of town, because I'd also like to see some of those residential houses be able to be built responsibly without causing some of these water problems for neighboring property owners. I don't know that this particular project is going to really make a huge impact, but I do think City Council will need to know those impervious surface factors, and would like to see some drainage reports – even historic ones on there when this goes to City Council for final approval.

4. Mr. Danner – The only thing I'd like to point out is that there is floodplain on this property. This will have to go through the Floodplain Permit Committee and we will address the drainage in relation to the runoff. Typically we require compensatory storage, so they will have to account for that with any project that they do.

Nouman Jan moved to recommend adoption of Ordinance No. O-2122-2 to City Council. Sandy Bahan seconded the motion.

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

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

The motion, to recommend adoption of Ordinance No. O-2122-2 to City Council, passed by a vote of 6-0.

Item No. 11, being:

MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF

1. Dave Boeck – I just want to thank the City Council for passing the visitability ordinance that's going to go into effect August 1, which means builders/developers will have the ability and incentives (although small) to build houses that are visitable, at least, or maybe accessible. I want to thank Landmark Homes and Ideal Homes, because they are already working on doing just that kind of thing. But I want to thank everybody that participated in that process, because I think that's – along with our energy ordinance – we're getting houses now that are much more energy efficient, and now we'll get houses that are visitable and accessible and we'll be known as an inclusive community.

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Item No. 12, being:

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 7:07 p.m.



Norman Planning Commission