

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**MAY 14, 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 14<sup>th</sup> day of May, 2020. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <http://www.normanok.gov/content/boards-commissions> at least twenty-four hours prior to the beginning of the meeting.

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

\* \* \*

Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT  
via Video Conference

Matthew Peacock  
Erin Williford  
Tom Knotts  
Lark Zink  
Erica Bird  
Dave Boeck  
Sandy Bahan  
Steven McDaniel

MEMBERS ABSENT

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A quorum was present.

STAFF MEMBERS PRESENT

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

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Chair Zink outlined the procedures that will be followed during this video conference meeting. Staff will read any comments received through media into the record. The time limit for public comments will be three (3) minutes; please begin by stating your name and address. If an attorney is representing a group of individuals that exceeds two (2) individuals, the time limit will be ten (10) minutes. We will strictly enforce the time limits. Commissioners will also need to state their name each time they make comments. Voting will be done by an oral roll call. There should be no communication between Commissioners that are not oral and being recorded (i.e., no texting, or chatting through Zoom).

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Item No. 10a, being:

**R-1920-104 – BATTISON PROPERTIES, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM MEDIUM DENSITY RESIDENTIAL DESIGNATION AND SPECIAL PLANNING AREA 5 TO COMMERCIAL DESIGNATION AND FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR 5.504 ACRES OF PROPERTY GENERALLY LOCATED NORTH AND WEST OF THE INTERSECTION OF FRANKLIN ROAD AND NORTH INTERSTATE DRIVE.**

**ITEMS SUBMITTED FOR THE RECORD:**

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

Item No. 10b, being:

**O-1920-48 – BATTISON PROPERTIES, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR APPROXIMATELY 5.504 ACRES OF PROPERTY GENERALLY LOCATED NORTH AND WEST OF THE INTERSECTION OF FRANKLIN ROAD AND NORTH INTERSTATE DRIVE.**

**ITEMS SUBMITTED FOR THE RECORD:**

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

Item No. 10c, being:

**PP-1920-13 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY BATTISON PROPERTIES, L.L.C. (CRAFTON TULL) FOR BATTISON AUTOMOTIVE FOR APPROXIMATELY 16.87 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF FRANKLIN ROAD AND NORTH INTERSTATE DRIVE.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Pre-Development Summary

**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 (via video conference) – Gunner Joyce, also with my firm, is on the call. We represent the Battison Auto Group in this request, and thank you for – I do also want to thank staff. I think a lot of folks don't know how hard staff has worked through this new process and distance process. We've had a lot of meetings with them on many zonings, and it's really to their credit that we're able to do this tonight. So I do want to thank them for that very much. What you see on the screen is the subject property. Lora has already showed that. I just wanted to highlight a couple of points so you understand the distinction here. It is a two-part zoning and plat process. We've faced this many times over the years, in that the applicant is going to develop the yellow site – right there – the zoning site. But in front of you tonight is a full preliminary plat for the remainder of the ownership. We are required to do that as sort of a technical requirement when we come through. I would locate, also, across the street from I-35 is the OEC solar farm; Johnson Control is over here, Christian Community School is right above this, and a large body [of water] is right there. One of the uniqueness things I want to point out to you tonight is this is really a very unique site on I-35 that is buffered – and the staff report talks about this, but heavily buffered with floodplain. This is all floodplain right here – what you see on the screen. Then this large pond of water right here. So

it is this little pocket that is just sitting on I-35 that has buffers around it, and these are the structures that will be removed as part of that process. So it's a unique piece of land. Works very well to isolate as its own piece.

The request is to go to C-1 uses through a PUD. It does eliminate medical marijuana uses and it adds the auto dealership use within the yellow site only. That's the only zoning request. Here is the site plan – basically a fairly simple site plan. Site drains to the south, so it would all drain into a large detention basin right here – auto dealership building right here – and right on I-35. One curb cut, and staff has found that to be of no issue. That's the preliminary plat, just so you'll see it. It's the remainder of the land right here. Most of this is all floodplain and we're not touching any of the floodplain, none of the WQPZ. So it would all reside as it is.

I do want to note that we did receive one protest letter in the last few days, and I wanted to talk about it. It is the house right here, just off the screen to the north. Their request – they actually protested, but they have a request that we're able to satisfy tonight, and happy to do so. They asked that we put a line of trees right across the north property line right here. We will submit edits to the PUD to do so; again, we just got this. So we will put a line of trees right across the north side of the property line so that they are shielded from seeing the building as they look across. So with that, we're happy to do that and satisfy that.

Staff reports noted no adverse land use impacts, traffic impacts, and they noted the large buffer of the floodplain and stream planning corridors as a good buffer for this site. With that, I'm happy to answer any questions you have, and I thank you for your time.

2. Ms. Hoggatt – I'm sorry. I did forget to mention we did have one official protest letter and here's the map.

**AUDIENCE PARTICIPATION:**

1. Martin Biggs, 3200 Crystal Spring Drive (via video conference) – I am the author of the protest letter. I hated to call it a protest letter, because we really have no problem with the construction of the dealership, other than that view line. My only comment – one comment and one question. Thank you for recognizing that and for agreeing to place that line of trees. That was our only request. Does this meeting constitute some kind of binding agreement in that way? It's not that I don't trust anybody, but we just want to make sure that that is somehow definitely going to be followed through with, rather than just a comment at the meeting. Is there a way to ensure that that's done? That's my only concern.

2. Gunner Joyce, Rieger Law Group (via video conference) – Just like Sean said, we're going to supplement the PUD document that we submitted for this item. We'll send it to City staff. That new revised PUD document will have the commitment for the tree line, and that will move forward to City Council. That will be the binding document that's passed, if ultimately approved by City Council, as the zoning ordinance.

Mr. Biggs – Alright. That's certainly satisfactory, and we thank you very much.

3. Beth Muckala, Assistant City Attorney (via video conference) – I just want to add, as Gunner had said, this is a recommendory body; the binding vote will be at City Council. However, this record is documented. This record is sent forward, and the Planning Commission, if they are to adopt it subject to that change, then their actual vote would be based on that. It depends on how the vote is worded.

4. Sean Rieger – And, again, we're happy to stipulate to that requirement. We thank Mr. Biggs for working with us on this.

5. Cynthia Rogers, 633 Reed Avenue (YouTube Comment) – Where does it drain after detention?

6. Sean Rieger – If it's okay, I'll answer that. I'm going to actually recognize Douglas Hartwig who is with Craffton Tull Engineering. Madam Chairman, do you want me to share the drawing again that he can refer to?

Ms. Zink – Yes, please.

7. Doug Hartwig, Craffton Tull (via video conference) – The drainage from the detention pond will actually drain toward I-35 into the bar ditch. It will stay in the ditch about 325 feet before it gets to the water quality zone, and then after the WQPZ, it will travel another 600 or so feet to the creek, so it will be natural channel from when it leaves our detention pond to the creek.

Mr. Knotts – That creek is on Ruby Grant?

Mr. Rieger – That creek actually – if you can see on the screen – barely crosses the northern edge of Ruby Grant and then it comes up in this direction up to the northwest, and then extends across I-35.

Mr. Knotts – So does it drain to the northwest or toward – is that Little River?

Mr. Rieger – I believe it drains to the southeast.

Mr. Hartwig – That is correct.

Mr. Knotts – It drains across Franklin to the streambed on Ruby Grant. Correct?

Mr. Rieger – It drains basically that way. Yeah.

Mr. Boeck – Your engineer said it's draining out to the channel along I-35 and south. So it's not draining into Ruby Grant Park. It's actually getting drained into the creek past Ruby Grant Park. Right? Or not?

Mr. Rieger – Douglas, if you want to add to that, but that's the drainage basin that takes it under I-35.

Mr. Hartwig – You are correct.

#### **DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

1. Mr. Boeck – My only comment is – the ideals that we have for Ruby Grant Park and for the residential area around there, I'm just really disappointed that of all the things we could have gotten on that land we're getting a car dealership. I understand we have to have car dealerships, but to me that's not a very sustainable or environmental place to put one, especially with people and kids around that park for activities and stuff like that. They said no increased traffic, but the access road is going to be where traffic is coming from the north off of whatever that street is and south from Tecumseh. You're going to have traffic going back and forth and it's going to increase. I know it's not going to use parking lots, but the idea of a car dealership in that area is not something I really like. It doesn't seem like it blends in well.

2. Mr. Peacock – I'm just going to second Commissioner Boeck's statements. I think with the proximity of this to Ruby Grant Park – I don't feel like this is in the spirit of our Land Use Plan, and it's certainly not the highest and best use of this property.

*Tom Knotts moved to recommend adoption of Resolution No. R-1920-104, Ordinance No. O-1920-48, and PP-1920-13, the preliminary plat for BATISON AUTOMOTIVE, to City Council. Erin Williford seconded the motion. Erica Bird proposed a friendly amendment to require the addition of a tree line along the northern property line. Mr. Knotts accepted the friendly amendment; Ms. Bird seconded.*

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

YEAS

Erin Williford, Tom Knotts, Lark Zink, Erica Bird, Sandy Bahan,  
Steven McDaniel

NAYES

Matthew Peacock, Dave Boeck

MEMBERS ABSENT

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Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1920-104, Ordinance No. O-1920-48 with the addition of a tree line along the north property line, and PP-1920-13 to City Council, passed by a vote of 6-2.

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