

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

DECEMBER 12, 2019

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 12th day of December, 2019. 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 Sandy Bahan called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Matthew Peacock
Erin Williford
Erica Bird
Sandy Bahan
Tom Knotts
Dave Boeck
Lark Zink
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
Janay Greenlee, Planner II
Ken Danner, Subdivision Development
Manager
Todd McLellan, Development Engineer
Jason Spencer, Capital Projects Engineer
David Riesland, Traffic Engineer
James Briggs, Parks Planner
Beth Muckala, Asst. City Attorney
Bryce Holland, Multimedia Specialist

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Chair Bahan welcomed Erica Bird to her first meeting as a member of the Planning Commission.

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Item No. 7, being:

O-1920-26 – DAVID BOX, ON BEHALF OF CHICK-FIL-A, INC., REQUESTS CLOSURE AND VACATION OF THE PLATTED 50' FRONT BUILDING LINE FOR PROPERTY LOCATED AT 2437 W. MAIN STREET (LOT 1, BLOCK 1, NORMAN CENTER NORTH ADDITION).

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Request to Partially Vacate with Attachments

PRESENTATION BY STAFF:

1. Ken Danner reviewed the staff report, a copy of which is filed with the minutes. Staff supports this request and recommends approval of Ordinance No. O-1920-26.

PRESENTATION BY THE APPLICANT:

1. Mason Schwartz, 522 Colcord Drive, representing the applicant – I just passed out a few exhibits similar to what you've already seen in the packets that we submitted. A few extra annotations for our purposes today. Try to be brief and won't regurgitate what was already said. I do have here with me Senior Project Manager for Chick-fil-A, Mr. Tony D'Sanza. He's able to answer any questions, as well as I am, after we go through this. Again, this is a request to reduce the platted building line setback from 50' to 10'. Chick-fil-A has no intention of building a building, so to speak, inside of the 50' building line, however, the way the zoning code is set up in Norman, this type of canopy is considered a building, so to speak, from a setback standpoint. So what we're trying to do is reduce it to 10' which would bring it into conformance with the zoning requirements for 10' and it would also bring it into conformance with the surrounding properties, which are all at 10' zoning setback. Thinking about Chick-fil-A and this piece of property in particular, for those of you who are familiar that have gone through the Chick-fil-A drive-thru at this property, Chick-fil-A deals with a very unique volume in terms of their drive-thru. It has been something that they've been working to combat in terms of traffic and ingress and egress and flow for the last few years. One of the ways that they manage that volume is to deploy their employees, especially in peak hours at the drive-thru, along the sides of drive-thru and to take orders and manage the system out there on a face-to-face level, instead of working everything through the intercom system. They've found it to be extremely effective at this location and others. But the problem with that, as you can imagine, for the employees is they're exposed to the elements. So inclement weather or heat in the summer – it creates a real problem for them to be out there without any kind of overhang, so this is where the canopy comes in. Chick-fil-A has been doing this at multiple locations throughout the country and in Oklahoma. If you travel I-35 at all and go through the Ardmore location, they've got it up. There's other ones in the Oklahoma City area. But the idea is, again, to provide protection for the employees as they're out there taking those orders, especially in peak hours.

A couple more things. We don't think there's any adverse impact; there's no sensitive uses around it – residential uses around it. We think, again, it's in compliance with the setbacks in terms of the east and the west. There actually is a mix of non-platted properties to the east and west or platted properties that don't have the setback, and so this would really, just from a platting standpoint, bring it into conformance with the way that the other properties around it are platted. Staff did recommend approval; we would ask you to do the same. Be happy to answer any questions.

2. Ms. Zink – How safe is it to have your employees out there walking around with the vehicles?

Mr. Schwartz – I didn't catch the first part of that.

Ms. Zink – Can you speak to the safety of having your employees out there walking around with the cars, just surrounded by the vehicles?

Mr. Schwartz – If you want to get into details about how that system works, Mr. D'Sanza can, if you'd like.

Ms. Zink – Thank you.

Mr. Boeck – That's what they're doing now, right, pretty much everywhere?

Tony D'Sanza, representing Chick-fil-A, Atlanta, Georgia – Currently the team members do walk out and take orders with I-pads, so they are conducting currently. As Mr. Schwartz alluded to, we're wanting to build the canopy in order to protect them from the elements.

3. Ms. Bahan -- This will be built in the back, is that right?

Mr. Schwartz – No, ma'am. It would be in the front.

Ms. Bahan – In the front?

Mr. Schwartz – Correct, which is where the setback line comes in. It's a 50' front setback line that would be reduced to 10'.

Mr. Boeck – It's over the existing drive-thru.

Mr. Schwartz – Correct. Yes. So the south end of where the canopy would be right where the south end of the drive-thru is. There would be a little over 50' still between where the canopy is and where the actual curb is to Main Street there. So it's not as though we're pressing right up on the curb. One more note, the other piece of this project for the canopy – the intention is to extend the canopy along the east to have it over the actual drive-thru window. That's how all the systems is. In terms of a legal and technicality standpoint, that had a little bit more issues – that piece of the canopy – because it would be going over an easement the City had in terms of utilities, so we've been working with the City to get that piece of it hammered out. If this gets approved and it goes forward, in a few months from now you'll see something similar and you'll think didn't we already do this, and you only did half of it.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Steven McDaniel moved to recommend adoption of Ordinance No. O-1920-26 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	Matthew Peacock, Erin Williford, Erica Bird, Dave Boeck, Steven McDaniel
NAYES	Sandy Bahan, Tom Knotts, Lark Zink
MEMBERS ABSENT	Nouman Jan

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1920-26 to City Council, passed by a vote of 5-3.

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