

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**AUGUST 14, 2014**

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The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Complex, 201 West Gray Street, on the 14<sup>th</sup> day of August 2014. 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.

Chairman Dave Boeck called the meeting to order at 6:30 p.m.

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Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Curtis McCarty  
Sandy Bahan  
Dave Boeck  
Jim Gasaway  
Tom Knotts  
Cindy Gordon

MEMBERS ABSENT

Andy Sherrer  
Roberta Pailes  
Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &  
Community Development  
Jane Hudson, Principal Planner  
Roné Tromble, Recording Secretary  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst II  
Ken Danner, Subdivision Development  
Manager

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Item No. 6, being: **LEGACY BUSINESS PARK, L.L.C.**

**6A. O-1415-5 – LEGACY BUSINESS PARK, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT, FOR PROPERTY LOCATED AT 3219 W. ROCK CREEK ROAD.**

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**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Site Plan

**6B. PP-1415-2 – CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY LEGACY BUSINESS PARK, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR LEGACY BUSINESS PARK (FORMERLY KNOWN AS S&S FAMILY PROPERTIES ADDITION) FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD 560' EAST OF 36<sup>TH</sup> AVENUE N.W.**

**ITEMS SUBMITTED FOR THE RECORD:**

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

**PRESENTATION BY STAFF:**

1. Jane Hudson – This is a rezoning from A-2 to C-2, General Commercial District, as well as the preliminary plat. There will be approximately 18 buildings on this site. The existing zoning around the site is I-1 to the north; C-1 and O-1 to the east; RM-6, C-1, and R-1 to the south; C-2 and RM-6 to the northwest. The existing NORMAN 2025 Land Use and Transportation Plan designation is that of Commercial. That was actually done in 2009 at the same time that the realignment for Rock Creek Road and the Rock Creek Overpass were also approved, so that land use designation is in place. The existing land use is industrial to the north; commercial and residential to the east; multi-family, commercial and single-family to the south; and then commercial and multi-family to the west. This is a slide for the preliminary plat. This is Pendleton Drive, which will be the actual main access for the site itself. This is Pendleton Drive continuing south into the residential neighborhood. This is looking back west on Rock Creek, and that is a portion of Legacy Trail that runs adjacent to this proposed development. This is looking back toward the Rock Creek overpass with Legacy Trail continuing up over the overpass. This is a shot of the multi-family that is actually at the northwest corner of this proposed development. At this time, this rezoning request does not actually touch that multi-family, but it is in the vicinity. This is looking from the industrial area back south to the entire acreage. This was taken from the detention pond which is on the east side of the development, looking back to the west. This is the plat. As stated, the development is proposing 18 buildings, a combination of office and retail uses, with the main access being Pendleton Drive. The realignment of West Rock Creek Road, the overpass itself, the additional commercial uses around the west, and the industrial to the north, have created a site that is suitable for this rezoning request. We received no filed protests for this proposal. Staff does support the rezoning request and recommends approval of Ordinance No. O-1415-5 as well as the preliminary plat, PP-1415-2. The applicant's representative is here with a presentation.

2. Mr. Knotts – I noticed on 6b-1 you have the subject tract as the entire north and south part, and on 6a-1 it's only the south part.

3. Ms. Hudson – For the preliminary plat, it's the entire ownership for the subject tract, but the rezoning is actually for this area designated – the southern portion.

**PRESENTATION BY THE APPLICANT:**

1. Sean Rieger, 136 Thompson Drive, representing the applicant – Let me expand on that question a little bit, Commissioner Knotts. By law in the City of Norman, when you preliminary plat a property that is raw land, such as this, the ordinances do not allow us to just preliminary plat part of it. We're required by ordinance to preliminary plat the whole thing. That's not true of zoning, though. We can just rezone part of it. But, because of sewer lines, water lines, streets: we're not allowed to just partly plat it; we have to preliminary plat it. That's why the whole thing is in front of you tonight as a preliminary plat and only part of it for zoning.

I'm just going to make a few highlights because Ms. Hudson really covered most of it. It is an important issue, though, that Rock Creek Road was the impetus of changing this zoning. When Rock Creek Road was done in 2009, there was a very specific agreement entered into between the property owner and the City as to many particulars, but one of them was that that land would be changed in 2025 to Commercial. The roadway was shifted away from this residential neighborhood to the south, and you have a large overpass right here. You have industrial zoning up here. This is now a Wal-Mart over here, so it became natural that this become a pretty intensive use zoned tract, instead of the formerly planned low-density residential, which really didn't make sense anymore once Rock Creek Road shifted up. So that's why that got changed. First, let me just take you through some of these slides. At the time that happened, though, it was, of course, unknown what the particular usage of the property would be, so they didn't change the zoning; they only changed 2025 to commercial. The zoning is now coming online because now we have a particular user for it.

Just to show you a few other things, there's the Broce Industrial Park to the north of it. Existing Wal-Mart here. To the east is University North Park, of course. Rock Creek Road and the overpass right here. We have a little park and trail extension right here which we are not affecting at all. And we have Legacy Trail that goes across the north side and the south side. It is now 275 feet from the edge of our property to the single family to the south, so really a pretty significant separation. That's the actual document that changed it all and had a number of issues in it germane to tonight. Of course, it was intended to go to a higher intensity of zoning for the commercial. One other point in that document, though, was that we could use the area off-site for some storm water capacity. That was also entered into in that agreement.

You've seen the preliminary plat. Again, we have to plat the entire thing. We're not allowed to just preliminary plat part of it. We do, though, within this preliminary plat show a public road that Pendleton Drive will just continue straight north as a public road to serve that back part of the site, as well as there's a public road right over here that, as part of the 2009 realignment, also got put into place, so this parcel in the back has ample connectivity from Interstate Drive and from Rock Creek Road.

That's the actual site plan. Really this is intended to be a professional office park. We've seen that model do really very well, especially in northwest Norman. I think the last one we brought was on Tecumseh not far from the hospital. And that, I understand, is I think sold out. There may be one left, and that was the one by Cascade. So this type of development has done very, very well. That's what they anticipate here. They do anticipate one part of it being retail right here, which will be complimentary to the Wal-Mart right here, and which will have a connection through the drive right there. Legacy Trail goes along the south side of this – a large, 10-foot wide sidewalk. And this applicant, I'm proud to announce for them, they're excited about that. They plan for some public art. I'm not sure I've been able to announce that on behalf of a platting or zoning applicant very often, but this one is excited about it. It's very premature – they don't know yet what that will be, but they want to highlight Legacy Trail. They're calling this Legacy Business Park and they intend some public art along that trail artery.

So that is really it. No protests filed. We had one person come to Pre-Development hearing. It was a nice lady who came and said she was very upset that when Rock Creek Road got done, she lived right here, that some construction materials were put up against her fence and damaged her fence and some kids were playing. That was the only thing we heard through this whole process. Otherwise she seemed to have no comments on the use and was

not concerned about it. Greenbelt was fine and staff comments were all positive and they support it. With that, I'm happy to answer any questions you have and I thank you for your time.

2. Ms. Gordon – The only part of this that you are anticipating be retail you said is that southwest corner that's near the Wal-Mart, and everything else you're anticipating being the business development?

3. Mr. Rieger – That's correct. Professional office park.

4. Mr. Boeck – The other part of that property. That's future business park? There's nothing shown there. It's the same owner, right?

5. Mr. Rieger – We don't know as yet. It's the same owner – not this applicant. This applicant is buying the south part. That other one, though, I think is – I would not anticipate it being very long at all before another use comes. But this particular applicant is not tied to that. This has no effect on that.

**AUDIENCE PARTICIPATION:**

None

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

*Curtis McCarty moved to recommend adoption of Ordinance No. O-1415-5 and PP-1415-2 to City Council. Jim Gasaway seconded the motion.*

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

YEAS

Curtis McCarty, Sandy Bahan, Dave Boeck, Jim Gasaway,  
Tom Knotts, Cindy Gordon

NAYES

None

ABSENT

Andy Sherrer, Roberta Pailles, Chris Lewis

Ms. Tromble announced that the motion to recommend adoption Ordinance No. O-1415-5 and PP-1415-2 to City Council, passed by a vote of 6-0.

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