

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**JUNE 11, 2015**

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 11<sup>th</sup> day of June, 2015. 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.

Vice Chair Tom Knotts called the meeting to order at 6:30 p.m.

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Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Roberta Pailes  
Erin Williford  
Tom Knotts  
Jim Gasaway  
Dave Boeck  
Chris Lewis  
Cindy Gordon

MEMBERS ABSENT

Andy Sherrer  
Sandy Bahan

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &  
Community Development  
Jane Hudson, Principal Planner  
Janay Greenlee, Planner II  
Roné Tromble, Recording Secretary  
Kathryn Walker, Asst. City Attorney  
Larry Knapp, GIS Analyst II  
Terry Floyd, Development Coordinator  
David Riesland, Traffic Engineer  
Todd McLellan, Development Engineer

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Item No. 13, being:

**O-1415-45 – UNIVERSITY NORTH PARK BUSINESS CENTER, L.L.C. REQUESTS AMENDMENT OF THE PUD, PLANNED UNIT DEVELOPMENT, ESTABLISHED IN O-0203-2, AS AMENDED BY O-0506-9 AND O-0607-13, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 24<sup>TH</sup> AVENUE N.W. AND TECUMSEH ROAD TO AMEND THE REQUIREMENTS FOR SETBACKS AND LANDSCAPING FOR AN OFFICE COMPLEX.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Site Plan
4. PUD Narrative with Exhibits G and G-1
5. Pre-Development Summary

**PRESENTATION BY STAFF:**

1. Janay Greenlee – As you stated, this is a PUD amendment to amend the building setback and landscaping requirements only for this section of land. This is the subject tract right here. It's the most northern piece of the UNP PUD. Across the street you have I-1 and some C-2. To the south, of course, the PUD. And then to the east is Max Westheimer Airport, which is I-1. Existing land use right now – vacant to the south and there are plans to develop this commercial piece here. This is I-1; plans to develop this as well. And further south, proposals haven't come forward, but this is the first one in this special planning area for this PUD. Just an aerial overview to give you kind of an idea of what's going around this area right here. We have Tecumseh here and, of course, 24<sup>th</sup>. The airport and this is all vacant. This is the site itself. It's a very narrow portion; it's the panhandle of this PUD. It's the only piece in this that is this narrow. That's the reason they're requesting the amendment only for this area is from a 50 foot setback for the build line to 25, and for the landscaping easement to go from 15 to 5. The reason is to accommodate the development to allow for emergency vehicle access and also parking requirements. This is the site looking to the north; and across the street to the west. And this is the site itself. This is the proposal. In the PUD it asks for three access points only off of 24<sup>th</sup>. They have done that. The access off of Tecumseh has not been submitted yet by the applicant for approval from our Traffic Engineering Department, and so this access off Tecumseh is still not being approved at this point. We have a one-story building here, a two-story building, a three-story, and two more two-story buildings. If the three-story building doesn't comply with the FAA regulations, then that will go to a two-story building and possibly one more building will be added. This area cannot have any more than six lots on it, so it still would stay within that PUD narrative regulation for this area. Like I said, it's very narrow. It's about 400 feet wide. To be able to allow emergency vehicle access and parking, they're just requesting the setback from 50 to 25 feet for the build line on 24<sup>th</sup>, and from a 15' to a 5' landscape easement. Staff does support this and recommends Ordinance No. O-1415-45. I'd be happy to answer any questions.

2. Mr. Lewis – I'm thinking of the three-story building in the middle that we mentioned if it didn't meet FAA guidelines it would be reduced to two stories. Will that be a building, because it's somewhat in line with the runway, that will be signaled? I know that some of the fences there that border 77 have those.

Ms. Greenlee – I'm not sure.

Mr. Knotts – If it doesn't break the plane, it won't.

Ms. Greenlee – The height plane, not the plane itself.

Mr. Knotts – Not the aeroplane.

**PRESENTATION BY THE APPLICANT:**

1. Ben Graves, 1030 Joe Keeley Drive – I am the developer on this project. The item regarding the FAA approval has been submitted by Garver Engineering and their report shows that all the buildings comply. So that specific building as a three-story was developed for a potential client for that particular site. It hasn't closed. To go back to the width of the site, which has created the reason to appear this evening. The south end of the site is approximately

400' to the centerline of the street. The net area is somewhat less than 300. The north end is 223.5'. So when we take a 25' setback and an additional 25', that's in excess of 10% of the land. Slightly it becomes non-buildable. That was the big reason. When we first started working on this piece of property, and I've been working with the University Foundation for approximately maybe 8 or 10 months trying to see what this would work for and started talking to some medical practices about the location adjacency to the hospital – convenience to both hospitals. And did some preliminary work for one of our clients who is a large 10,000 square foot user of a medical building. And realizing that when we started doing speculative office buildings the square ones work much better than long narrow ones – like a school corridor, a hospital corridor, where you can penetrate to the center of the building and have all the entries very convenient to the vertical circulation and so forth. So our first potential client was 106 square foot minimum dimension, which did not work with this particular setback and we had done quite a bit of work on that particular layout. I met with the Planning Department and we had a long list of issues that we needed to resolve before we advanced this to the point that Tom McCaleb's firm could submit the final plat. And I'll go through some of those. One was, in working with FAA on two issues. I'm sure that you remember that most of the floodwater detention has taken place on the airport property. So in getting it approved, this particular piece, which is referred to as the panhandle, that wasn't approved to drain onto the airport for detention. I think that Tom recently got the approval from FAA for that. We submitted about ten days ago the application for the vertical interference with flight paths, which Garver tells us there's no problem with. We met with the University North Park Review Committee a week ago today and discussed primarily we couldn't advance a lot of things very far without resolution of this, but we talked to them about these setbacks. They did endorse the setbacks. They asked us to come back with the signage, which the signage is relevant to what the setbacks are, and to come back with a landscape plan that's relevant to what that particular setback would be. We've got some preliminary, but they're very preliminary and they weren't done by professionals. We jumped that hurdle and they did approve – I have some renderings here. This is the building that I'm building for my own office. And we have a medical practice in a little less than 10,000 feet – about 6,000 feet interested in a piece of that. That's a 26,000 square foot building roughly, and that occurs on Lot 2. I might backtrack just a little and explain how it really became pressured when we started talking about parking lots, because I contacted Rick McKinney – we're in Bible study class together – and I met with him and talked to him about how much parking we needed for medical buildings. He told me that they provided 4 to 4-1/2 for medical buildings. So we laid this entire area out actually with a little bit more than 4-1/2. Our first client that we tried to work into this building too, and they're buying Lot 5 and building a single story building, and there's a reason. It's because they require almost 8-1/2 parking spaces per 1,000 square feet. There's eight providers in that building and it's pediatricians and they see a lot of patients. So it didn't work in Building 2. And when we took it to tract 5, we actually had to cut the second floor off. We have 85 parking spaces and 10,000 square feet of medical space. So that additional 10 feet of parking, which truthfully only results in 30 parking spaces. But I know that Mr. Boeck can tell you that 30 parking spaces become very critical when you're trying to provide parking for doctors. So that's when we realized again that we had some pressure on that. We did ask from University Foundation a letter of endorsement for the planning that we've done and the architecture that we've done, and we have received that. So we have two lots pending sale – or pending approval of this that will close probably in August or September, and those two projects will start very rapidly after that. I think, in looking at some of the things that we need to finish and meet with Tom McCaleb, that perhaps we have the final plat submitted by the 29<sup>th</sup> of June, three weeks from this past Monday. If not, it certainly wouldn't be any later than a week from that, but there's things we just had to stop on until we got this done. I'd be glad to answer any questions. It's been 15 years since I've met with the Planning Commission, and I used to do it at every meeting for many, many years. I'll come back on my own projects, but I'm retired. And Sean is doing a great job and Harold does a great job.

2. Ms. Gordon – I have a quick question. So the access off of Tecumseh – has there been a study – maybe there has and I didn't read it. Is there going to be a back-up of traffic there ...

Mr. Graves – Our traffic engineer gave us five names of traffic consultants to hire and we hired these consultants. We hired a firm out of Denver who has an Oklahoma City office, and the reason we did is they were just hired as a consultant for Oklahoma City. To study that and the access here, he came back and I've got a draft of his final report which will go to Angelo. Tom was putting a turn lane here at this entry, which comes in and ties into an easement for cross-traffic and cross-parking through all of these spaces. The traffic engineer came back and said currently at 5:00 right now traffic stacks up beyond this access in the center. And his suggestion is going to be to move it to this location, which will require us to do some adjustments to get the boulevard that Angelo asked for. We're going to have to adjust these two lots, which also makes that eligible for a traffic light in the future. It's not something required at this point, but it gets it to the point where it's basically halfway between the two traffic lights.

Ms. Gordon – So what does that have to do with the one that's coming off Tecumseh? Is that still going to be there?

Mr. Graves – He is analyzing that based on the questions that were prepared by Angelo, the traffic engineer, as to how it relieves folks exiting. And we can think about this. It's pretty simple when you look at it. If you're coming down Tecumseh heading east, right now your solution is to come to here, turn in here to go to a building. Now it would be to come to here and turn in and go to a building. If you're leaving, going home at 5:00, you have to come back to here, turn into this lane, go down, make a U-turn – unless we leave this one open, which hasn't been discussed – but, still, make a U-turn, where with this right in and right out only you come down and make a right turn. There are 900 left turns today at Tecumseh and 24<sup>th</sup>. According to the traffic engineer, there's TIF funds that were set up to relieve 24<sup>th</sup> and Tecumseh, and Tom probably knows more about that than I do. We are putting in the turn lane and the median here and we were paying for the turn lane here if it stayed there. But in anticipation of future growth, there was to be a left turn lane here. There was to be a left turn lane onto 77 and a left turn lane onto 24<sup>th</sup>. So there were three turn lanes to be installed at that intersection.

Ms. Gordon – Even if it's a right in/right out you still have – that's going to be a busy light. And so to have to slow just as you get to the light to wait for people to turn right and then you still have to slow which is still going to kind of ...

Mr. Graves – It takes a lot of pressure off that intersection. And that's the traffic engineer's report. We looked at it as an option. You will have that report to review.

3. Ms. Gordon – My other question is more for Susan. So this 50 foot setback and 15 foot buffer – was that just for prettiness?

Ms. Connors – No. When the preliminary plat was done on UNP, it was primarily done for the south half, but they did the whole thing. So they just put a 50 foot build line on the whole thing, without even considering what was going to the north. So when Ben came in to discuss this with us, we realized that that was just something, without thought, that they put on the whole preliminary plat, and it just doesn't work on this property.

Ms. Gordon – So it's not necessarily for any reason, other than that's just what they chose for the ...

Ms. Connors – No. The 50 foot build line makes it unbuildable. And, in addition to putting a building and parking that works and that meet all the requirements of the Fire Department, et cetera, then the landscaping also needed to be narrowed and we felt that this land was so different than other properties within UNP that we needed to look at some solution so that it could be developed.

Ms. Gordon – Okay. The only reason I asked was because if you make an exception here to be able to add more parking and more space, then what would keep other people in the UNP from saying, hey, what about me? Let me reduce mine, too.

Ms. Connors – Well, I think once this development takes place and we have one other development that's moving through, the PUD is then going to be amended for the entire north half before any other development comes through.

Tom McCaleb – I did the UNP 100 years ago. This piece of land that we're looking at today, as the Chairman said, was not thought of. It's pretty narrow. And so the 50 foot building line was an agreement that we made with UNP for the development and we stuck to it. But, at that time, we had no access across I-35 – Rock Creek really didn't exist. We had some traffic issues. And so this piece of land actually drains differently than we anticipated. And, as Mr. Graves said, we've resolved the drainage situation. We had to go to FAA; we got approval to put the water on the Foundation property with their agreement. That took a while. But this piece of land is really, really narrow. And I talked to Susan Connors some time ago about that and she said a 25 foot setback is supportable. We're now trying to fix that. Now I give credit to Mr. Graves for figuring out something that will fit in this narrow piece of stuff that I've got to figure out now, but he's done a good job. Walt Strong with the FAA – we've met with him a lot. He's in charge of Westheimer. And we've had to go through him to get these permits, so he is involved with the whole process. He keeps looking over my shoulder. It's a good design. I want to echo what she just said was true. We didn't think too much about this area.

**AUDIENCE PARTICIPATION:**

None

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

*Chris Lewis moved to recommend adoption of Ordinance No. O-1415-45 to the City Council.  
Dave Boeck seconded the motion.*

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

YEAS	Roberta Pailles, Erin Williford, Tom Knotts, Jim Gasaway, Dave Boeck, Chris Lewis, Cindy Gordon
NAYES	None
MEMBERS ABSENT	Andy Sherrer, Sandy Bahan

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1415-45, to the City Council, passed by a vote of 7-0.

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