

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

MAY 11, 2017

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 11th day of May, 2017. 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 Erin Williford called the meeting to order at 6:35 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Sandy Bahan
Nouman Jan
Neil Robinson
Erin Williford
Lark Zink
Dave Boeck
Tom Knotts

MEMBERS ABSENT

Chris Lewis
Andy Sherrer

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &
Community Development
Jane Hudson, Principal Planner
Anais Starr, Planner II
Roné Tromble, Recording Secretary
Larry Knapp, GIS Analyst II
Leah Messner, Asst. City Attorney
Kathryn Walker, Asst. City Attorney
Ken Danner, Subdivision Development
Manager
David Riesland, Traffic Engineer
Terry Floyd, Development Coordinator

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Item No. 4a, being:

R-1617-101 – TECUMSEH ROAD BUSINESS PARK, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE & TRANSPORTATION PLAN FROM INDUSTRIAL DESIGNATION TO MIXED USE DESIGNATION FOR APPROXIMATELY 20.3 ACRES OF PROPERTY GENERALLY LOCATED ALONG TECUMSEH DRIVE, NORTHEAST OF THE INTERSECTION OF TECUMSEH ROAD AND HIGHWAY 77 (FLOOD AVENUE).

ITEMS SUBMITTED FOR THE RECORD:

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

and

Item No. 4b, being:

O-1617-36 – TECUMSEH ROAD BUSINESS PARK, L.L.C. REQUESTS AMENDMENT OF THE EXISTING PUD ESTABLISHED BY ORDINANCE NO. O-9899-35 TO ALLOW FOR MIXED USE, COMMERCIAL, MULTI-FAMILY RESIDENTIAL, OFFICE, RETAIL, RESTAURANT AND HOTEL USES GENERALLY LOCATED ALONG TECUMSEH DRIVE, NORTHEAST OF THE INTERSECTION OF TECUMSEH ROAD AND HIGHWAY 77 (FLOOD AVENUE).

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. PUD Narrative with Exhibits A, B and C

and

Item No. 4c, being:

PP-1617-9 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY TECUMSEH ROAD BUSINESS PARK, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TECUMSEH POINTE, A PLANNED UNIT DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF TECUMSEH ROAD AND HIGHWAY 77 (FLOOD AVENUE).

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Request for Alley Waiver
6. Preliminary Site Development Plan
7. Greenbelt Commission Comments

PRESENTATION BY STAFF:

1. Jane Hudson reviewed the staff report, a copy of which is filed with the minutes. Staff supports and recommends approval of Resolution No. R-1617-101 and Ordinance No. O-1617-36. Staff recommends approval of the request to waive alley requirements and approval of the preliminary plat for Tecumseh Pointe, a Planned Unit Development.

2. Mr. Jan – This location is less than half a mile from Runway 18 from OU. Did anybody check with OU what's going to be the impact of this building with the airplanes approaching 18? This comes directly into the landing.

Ms. Hudson – I did not, but I think the applicant might be able to answer the question.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Drive, representing the applicant – To answer your question, Commissioner, we put in the height requirement to be the same that was approved under the existing PUD, which was approved by OU at that time. Walt Strong is the director of the University's airport. They also have runway – they call them flight path – I forget the term – I've seen the map many times and it basically is a little pie-shape that comes out from the runways.

This one, I believe, stops just short of – actually, you can see it. This one stops basically right over this building. What we've shown is, again, the same height that was approved previously with the previous PUD. By FAA regulations, even if we wrote this to say we could do something, FAA trumps – federal law trumps us, so we would not be allowed to build into their flight protective zone. It's sort of a pie-shape that moves up vertically from the ground from the end of the runway. We have no choice but to honor those protective paths.

2. Mr. Jan – And what is going to be the maximum height of anything that you're going to put – I see like an 80-room hotel. So what's going to be the maximum height?

3. Mr. Rieger – The PUD says up to 60 feet. That's in the existing PUD as well. So the existing PUD had that same height limitation.

4. Mr. Jan – Okay. The reason I'm saying – I mean, I'm a pilot myself. I land there. I can totally tell that planes come pretty low. Without the hotel, it's making more sense, but it's just the hotel. Sixty foot is kind of 6 story building and right in the flight path. I know it's pie-shaped, but pilots don't see a pie shape. They just simply come in. While students are practicing over here, it's just the safety of the airport and everybody. That's the biggest concern right now.

5. Mr. Rieger – I understand. Sixty feet would typically be a five-story building. I think, as architects, we tend to consider 12 feet per story is what I recall when we practiced. So it's about a five-story. Again, I trust the FAA. When they set the standard for height, I think they know what they're doing and I think very much they protect pilots, such as yourself. We will adhere to that. We have to adhere to that. So I have no doubt that what we do will be safe. Previously approved like that. I'm happy to go back to Walt Strong and ask him if that has changed or if he's seen any difference to that. I'm happy to do that before City Council to make sure that we're still within that parameter.

6. Mr. Jan – I would love to get that approved, because it's definitely half a mile, which is when the planes are coming literally at low speed, recovery chances are pretty difficult if an obstacle is there.

7. Mr. Rieger – I understand. We will check into that, and I will do that before we get to City Council.

I'm going to move through quickly. I know one Commissioner has already asked me do that quickly. Some of these slides are fairly repetitive. Again, it is currently a PUD. The PUD right now allows for office use, light industrial use. It specifically says ancillary retail uses within the office and light industrial, so this expands that into a mixed use concept. You've seen the aerial before. You've seen the GIS. I will notice, though, if you see this, this is straight off GID. WQPZ zones are over here to the left – you see the yellow – and over here to the right, but nothing within this area. So we have no floodplain, no WQPZ zone, nothing within the parameter of this site that we've had to worry about in that sense.

The preliminary plat – typically we don't spend a lot of time on these, but that is the legal preliminary plat that you're being asked to approve. It is just simply a different arrangement of lots. Before it was, I believe, about eleven lots; now we have multiple variations of lots to take it to smaller lots and to put them in a different location. I'll show you – this is the site plan. I have a better graphic that I'm going to show you instead, but that's the technically legal preliminary plat that you're recommending approval on tonight.

This is the green space – really quite extensive green space when you look at the numbers – 34% overall green space across that site. That's pretty extensive for any kind of a commercial development and this one is well done in that way.

This is really what I want to spend the five minutes or so I was asked to spend on is this site. This is sort of the rendering of the site plan in front of you. What this plan does is – previously, this development was basically office and light industrial uses that were just lined around that street.

So they were just lots that were just lined along this street and along this other street, a little bit like the lots over here. What this does is now break those up further and put in additional lots and actually you see some lot lines right here and right here that we have said could be additional lots in the future. What this does is just create a different experience for the buildings, but what the real focus is is this interior area right here. What this applicant wishes to do is to create really a pretty special place in the middle of this development, with water features and fountains and these are not detention ponds – these are not for the detention requirements – these are aesthetic. These are aesthetic water features in the middle of the development. They intend this to be commercial and restaurant all around it, commercial office and residential at the top and you see the "Res" is right there as residential, so that's where we're getting the mixed use concept. Office buildings on the outer sides, over here and over here, and it just kind of spreads out from that interior space. But the real intention is that that interior space be a very special place and really a special place of its own that's within this development. That's really the difference from the existing PUD.

Again, it's already platted; it's already a PUD. We're simply taking it to a mixed use concept, and we borrowed heavily from the Mixed Use ordinance. You do have a mixed use ordinance on the books; it's never really been used. But we have borrowed from it occasionally, and this one we borrowed from it directly. The uses that we put into this PUD are straight from that list of the mixed use development ordinance. Some of the other things we put in from it, and most notably is the parking. We put the parking in compliance with the mixed use ordinance. This is not something, I don't think, we've ever done here, that I recall, in a PUD. But here we adopted the shared parking concept; the shared parking concept is something that's in the MUD ordinance right now. If I can explain it simply enough, it basically describes the uses and has five columns and says morning, afternoon, early evening – I forget the time periods. It basically say that, for instance, retail is going to be, I think, 65% or something in the morning and then high in the afternoon and evening; restaurant high in the evening. So it allocates a percentage of what it thinks should be the maximum parking load at a time of day. So then we take the maximum number of each of those columns and come up with an overall composite parking amount by that. It's, in essence, a way that we can share parking between uses when they don't need them at their peak periods, and that way, from an overall development perspective, we can reduce the parking.

Just two nights ago I stood at this podium with a commercial center, and one of the Council members said how much parking is on that – it looks like a ton of parking. We said, well, it's per the parking count. They wished we could reduce it; we couldn't. It wasn't a mixed use plan. But here we can, because we can adopt those shared parking concepts. The plat says that it's shared parking across the site.

So, with that, that's really the essence of the plan. Again, a mixed use concept is the simple change in this PUD and lot layout is a simple change. Other than that, I think fairly straightforward, as one of you said to me earlier. I'm happy to answer any questions you have. Thank you very much.

8. Mr. Boeck – Office residential. Does that mean the first floor will be office and second and third floor ...
9. Mr. Rieger – That is the typical layout – yeah -- is that you put residential above.
10. Mr. Boeck – That's cool that they're doing that here. I wish they would have done that at University North Park.
11. Mr. Rieger – I don't know if there's an opportunity to do that at University North Park or not, come to think of it. Do they have that in the PUD at University North Park?
12. Mr. Robinson – Where are you getting the water from?

13. Tom McCaleb, SMC Consulting Engineers – We'll have to dig some wells to make sure there's supply. The water is not natural. We've recreated the pond there on the north – presently is the detention pond. We're going to take that out of the detention capability and make it an amenity to the restaurants, as we are that one right there. So the water is going to be taken in this direction and dumped into that detention pond and the detention pond to the south. That will have to be recreated with well water.

14. Mr. Robinson – I'm sure the City would be glad to sell you some treated water.

15. Mr. Boeck – Are those going to be stocked with goldfish?

16. Mr. Rieger – That was one change I should have mentioned. The detention pond originally was in that location. Again, that is not the detention pond; it has shifted over to these. There's another pretty sizable detention pond just off to the south, I believe, on the right side down by Tecumseh Road. So this puts the detention over near that one that's already.

17. Mr. Knotts – Counselor, I don't know if you've been around long enough to hear Harold Heiple talk about the other end of that runway that Nouman is talking about. This is closer to and the planes are lower and so just a cautionary that it's going to be loud.

18. Mr. Rieger – I can understand that. Yeah.

19. Mr. Knotts – Plan for it, and don't come and complain, like Harold does.

20. Mr. Rieger – I will not. But I can't commit for somebody else. I've heard his comment many times. That's something we could probably deal with in leases. We've done that before in leases. We've written leases on multi-family sites, for instance, where they're next to what could be arguably a nuisance – or coming to the nuisance is kind of the phrase in law that we talk about that. I recall a multi-family down on Hitachi area on Imhoff where we dealt with that by writing into the lease that – we said you are living next to a manufacturing plant that operates trucks at 3:00 in the morning. You're aware of that. Hitachi had us write that in and we did, and it worked.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to recommend adoption of Resolution No. R-1617-101, Ordinance No. O-1617-36, and PP-1617-9, the Preliminary Plat for TECUMSEH POINTE, A Planned Unit Development, with an alley waiver, to the City Council. Neil Robinson seconded the motion.

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

YEAS	Neil Robinson, Erin Williford, Lark Zink, Dave Boeck, Tom Knotts
NAYES	Sandy Bahan, Nouman Jan
MEMBERS ABSENT	Chris Lewis, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1617-101, Ordinance No. O-1617-36, and PP-1617-9 with an alley waiver to the City Council, passed by a vote of 5-2.

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