NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

DECEMBER 8, 2016

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 8th day of December, 2016. 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 Andy Sherrer called the meeting to order at 6:30 p.m.

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Item No. 1, being:
ROLL CALL

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

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 Larry Knapp, GIS Analyst II Leah Messner, Asst. City Attorney David Riesland, Traffic Engineer Drew Norlin, Asst. Development Coordinator Ken Danner, Subdivision Development Manager Terry Floyd, Development Coordinator

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Item No. 6, being:
R-1617-56 – CEDAR LANE, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM INDUSTRIAL DESIGNATION TO COMMERCIAL DESIGNATION AND HIGH DENSITY RESIDENTIAL DESIGNATION, AND FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA, FOR APPROXIMATELY 20 ACRES OF PROPERTY GENERALLY LOCATED WEST OF THE INTERSECTION OF CLASSEN BOULEVARD AND 24TH AVENUE S.E. ON THE EAST SIDE OF THE RAILROAD TRACKS.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

O-1617-18 – CEDAR LANE, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT, AND RM-6, MEDIUM DENSITY APARTMENT DISTRICT, FOR APPROXIMATELY 20 ACRES OF PROPERTY GENERALLY LOCATED WEST OF THE INTERSECTION OF CLASSEN BOULEVARD AND 24TH AVENUE S.E. ON THE EAST SIDE OF THE RAILROAD TRACKS.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

PP-1617-3 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY CEDAR LANE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR CLASSEN BUSINESS PARK FOR PROPERTY GENERALLY LOCATED WEST OF THE INTERSECTION OF CLASSEN BOULEVARD AND 24TH AVENUE S.E. ON THE EAST SIDE OF THE RAILROAD TRACKS.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Preliminary Site Plan
5. Oil Well Site Plan
6. Pre-Development Summary
7. Greenbelt Commission Comments

PRESENTATION BY STAFF:
1. Jane Hudson reviewed the staff report, a copy of which is filed with the minutes. The Parks Board, at their December 1 meeting, recommended fee in lieu of land for the multi-family portion of this development.

2. Mr. Boeck – One of the questions I have is you said the Parks Board recommended payment in lieu of parks. I guess I'd be curious as to – all residential areas need to have places for people to go play and stuff like that. Why are we accepting that there, as opposed to asking for dedicated park land?

3. Ms. Hudson – If you will allow me, I will try to summarize the staff recommendation from the Park Board. This development will yield $7,650 in neighborhood park development fees and the same amount in community park development fees once all building permits have been issued. The small amount of public park land required for this development is not the most desirable scenario for Parks and Recreation Department. We typically do not take on small sites in areas where other park land is nearby. The majority of the land between Classen and the railroad corridor is commercial development, including a large part of this proposed addition. The developer requested fee in lieu of land decision for this project. Staff agrees this proposal with the fees collected being used to further develop the nearest park. The Links park site is close to the addition, however, it's across Classen and there's no access for people crossing Classen Boulevard. There's no traffic light at Post Oak. So the next closest park site is Cedar Lane, which has not yet been developed. Although this is on the west side of the railroad tracks,

there is a new track crossing with striped bike lanes on Cedar Lane which leads to that neighborhood. So the fees collected in lieu of land for this development can be used at Cedar Lane Park as it develops over the coming years and, once the City has surveyed the residents of the development over there on the west side.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, representing the applicant – Let me answer your question, Commissioner Boeck, on the parks. I was there that night. The Parks Commission debated this pretty lengthy, actually. They don't usually debate very long. I'm not criticizing them at all, but that one took some debate, quite a bit, and they voted unanimously to do fee in lieu of. And if I recall the debate that night, it centered largely over the nearby parks – the Links, Cedar Lane – whether they could use those funds to improve those parks. And particularly what Parks staff said with the size of this park – this is only a 102 unit apartment complex. The size of the park – I don't remember exactly and it may be in their report, but I think it was 0.4 acres or something – it was tiny. It was going to be a tiny park and Parks staff typically does not like what they call pocket parks – tiny little parks that can't accommodate a field. They can't accommodate significant use. Another part of the discussion that night was apartment complexes tend to have their own pools and fitness centers and things of those natures, so they kind of already provide their own sort of amenities that are park-like. So you don't really necessarily need something. This one will have that as well. So I think the decision of the Parks Board, again unanimous after pretty lengthy debate, was they would rather have the funds to put into the Links or Cedar Lane and let this apartment complex basically have its own amenities – a small apartment complex at that. That was the decision of the Parks Board.

Now to move on. This one is not controversial that I'm aware of at all. It's kind of nice to come at the end of the night with one that is not. This one is really self-explanatory. I just want to highlight a couple of things. This area – we have seen over the years tremendous transition from Industrial to Commercial. This used to be an industrial area, and if you go back and look at the early community plans – 2020 – the recent early. Does that make sense? Recent early – 2020 – back in the late 90s, there was a pretty significant debate in about 2006, 2008 about whether this goes industrial or not and that was back before the NEDC had acquired the University North Park industrial sites and before there had been kind of a movement. And what I think they have found, and I remember in those debates – I remember it was not long after Susan came here we debated pretty extensively and I remember at the time Don Wood in those debates made some points that actually what they have found over the years is that southeast Norman for industrial hasn't worked real well because the industrial people want to get to Oklahoma City quickly, and what they were finding was that southeast Norman was not allowing that to happen very well. So the industrial lookers – the quality jobs folks – were starting to look to north Norman, and that's why the move to the University North Park where now they have 60 acres for an industrial, quality jobs, park. And there's some other industrial up Flood Avenue, where the jail is, and those kinds of areas. So the result of that was this area, then, started shifting to multi-family and commercial, and those areas up on Classen right up here where my pointer is – most of that was almost all industrial previously and then it just started shifting item by item to commercial and then the big pop was that large blob of red right there which was the Walmart Super Center. And that just accelerated the shift to commercial for this corridor. And also what has accelerated it is the multi-family in this area. As Jane said, Destin Landing, the 760-acre PUD that you see on the right side of the screen, the Links, which was a large multi-family complex which is the PUD in the center of the screen, and then what accelerated it as well was the sewer. When the Links got put in right here, a sanitary sewer line got brought down right through this area to drain this entire basin, basically, and so now it has sewer and that sewer has proliferated to allow all of these different uses. So that's why you see this.

This site is zoned A-2. I think everybody can agree it's not a rural agricultural site anymore. It was back in its day; it is not now. So then you think as a policy maker what do you want to shift it to? Our proposal is commercial and multi-family. I think the only other would be

industrial but, again, that is all changing away from industrial. There hasn't been a significant industrial user down there in a long time.

So that's where I am, and I'll show you the plans. If you wish to discuss anything in particular about them. That is the preliminary site plan. 20 acres, 7 different lots. RM-6 is in the back of it. This RM-6 plan actually mimics one that was approved previously up at Classen/Constitution area. Very similar arrangement, same developer. Approved about a year and a half ago. So same kind of project. South of Constitution area. So pretty similar layout to what that was. That one was unanimously approved at that time. So multiple lots for flexibility in the future. There's the preliminary plat. Again, not a lot of questions on that. Fully supported by staff. Nobody appeared at Pre-Development; there were no protests of any kind filed. Greenbelt Commission was unanimous without comment. Parks Board was unanimous after significant debate, but they approved as well.

As staff mentioned, we are in the process of dealing with two oil and gas sites on there – oil well sites. The operator is one that we have dealt with repeatedly in this area. He owns all the wells to the west in the Cedar Lane area, so we actually have the benefit of the same applicant and the same operator now dealing again on how to do this site. We've been very successful with that operator on multiple other projects, so I have no doubt we'll be successful on this one as well.

With that, I will not belabor the night any further. We appreciate your support for this one, and I'm happy to answer any questions.

2. Ms. Zink – I would just request a little bit of a discussion about the access points to the residential component. I know that one of the reasons for supporting this plan is that the character of the surrounding neighborhood has changed, but in my experience what I've seen come with that change is a significant increase in traffic, which the staff report did mention necessitated an expansion to Cedar Lane of $3.6 million to widen the road, and there's a lot more traffic through that area. I'd just like to have a little bit of a discussion about the potential impacts to traffic for this proposal.

3. Mr. Rieger – Thank you, Commissioner. Let me address – the access points was something that came up in staff review. We actually had another access point shown down in this area right here. Staff very assertively said we were not going to get that. They said we were going to get one access point on Classen and that was all they would support and all they would approve. So that access point – it doesn't really show up there – but that access point – it came to a point where it was put at a location farthest away as it could be originally, so from 24th Avenue right here. This is where 24th Avenue comes in down here, so we wanted it away from that and pushed it up to where it kind of became a center point coming into the multi-family in the back. So, if you can imagine, in effect, this kind of becomes an entry – boulevard is probably a poor term, but an access point with only one access point allowed on Classen.

4. Mr. Boeck – So all the commercial also accesses off that ...

5. Mr. Rieger – Correct. It's all we were going to be given, and we tried pretty hard to actually get a second, and I think Mr. Danner would confirm we were not going to get that one. So we left it at the one. And that's become very common on Classen, actually. I can remember some pretty significant battles going back to the Buffalo Wild Wings development was actually restricted down to two. We were lucky to get two access points on that site, and it's been that way ever since on Classen.

6. Mr. Boeck – Now that includes a light. The Buffalo Wild Wings – didn't that access include a light?

7. Mr. Rieger – It does. It was at two points where there were lights.

8. Mr. Boeck – Is that going to require a light?

9. Mr. Rieger – Well, there's not enough warrants, as they call it, at this point to have a light, but likely in the future you would likely see – and I don't remember specifically from the report if it talked about specifics, but I believe they're anticipating at 24th Avenue down in this area would be the future light at some point when it meets the warrants. Warrants are the traffic load – the count – at such point that it meets that. It does not meet that right now, and it could at some point in the future, and that's when Traffic would look at traffic lights at that point.

10. Mr. Robinson – I believe this is an ODOT highway. Has this been through ODOT in terms of access?

11. Mr. Rieger – This is State Highway 77. I don't know if – have we addressed ODOT yet? We don't typically yet at this point. Have you connected with ODOT yet on access points?

12. Tom McCaleb – We did do a traffic impact analysis and it was reviewed by the staff. And the access point, as Sean said, we had another access coming to those other lots. And since it was ODOT, and we've got to get a permit from ODOT, staff said they would not support but one access. So we do have to deal with ODOT and we'll do that at the final plat.

13. Mr. Knotts – Tom, where does this storm water drain?

14. Mr. McCaleb – Great question. I wondered the same thing until I surveyed it. It drains down the railroad track bar ditch on the east side. You would think – there's a pond on the west side of the railroad track. There's no structure underneath the railroad track. So it drains down the bar ditch. The adjacent property owner to the south has got a pristine yard and no water gets on him, so it all goes down the bar ditch. So that's why you see that detention pond – it's a circular system and it goes through one pond, to another pond, to another pond, and to another pond and then discharges.

15. Mr. Knotts – Pardon me for saying this, but this looks highly engineered, which means that there's not much tolerance for siltation or anything like that?

16. Mr. McCaleb – It's highly engineered. That's correct. It was tough to do, because the discharge point into the right-of-way – I've walked it out and it's pretty thick. So we've got to do some cleaning out. But there is no – water all has to be detained and so we've got this detention so it will work. But I don't want it to have but one discharge point.

17. Mr. Knotts – So you're not discharging on the north pond and the south pond?

18. Mr. McCaleb – It only discharges off the property at the south pond. The north pond goes from here to here to here to here to here and then discharges. Clockwise.

19. Mr. Knotts – The pond is earth?

20. Mr. McCaleb – Yes.

21. Mr. Knotts – Mowable?

22. Mr. McCaleb – It may be wet. It may be a wet pond because the hydraulic component we've got to have there – we want to make it kind of an amenity, also, with the apartments and the housing. It was going to be dry – but I couldn't make it dry very good, so I'm going to make it wet real good.

AUDIENCE PARTICIPATION:

1. Sereta Wilson, 10400 East State Highway 9 – I did not intend to speak tonight, but here it goes. I understand this area is changing and it's not rural anymore and the A-2 zoning is probably not – is worthless at this point. But I have a couple of concerns and I think Mr. Knotts kind of addressed my thought process, which was we are in Bishop and Dave Blue watersheds, so I would hope that we are very carefully engineering our stormwater – handling of stormwater. That was my first thing. Traffic. Stormwater. Over-built apartment complexes in this area. I guess my main point is – I know this isn't just an apartment complex, but it does have that element to it and it backs up to a track, so I'm looking at 20 years down the road. We've built in our watershed and we have a probably – excuse me, I'm not trying to ditch the aesthetics here, but we have an apartment backing up to a train track. So what's the economic value there 10 – 15 years down the road when it's not new and shiny anymore – it's just noisy and it's on our watershed. So I'm actually just here to put my money where my mouth is of being sort of a watchdog to the smart building in the area that is my ward. So I would just hope that we watch our traffic, our economic concerns, and most importantly our watershed. Thanks.

2. Mr. Rieger – I just want to correct that. This does not drain to Lake Thunderbird. This watershed actually goes south. This does not go to Dave Blue Creek. One other thing, too, the highest density – in Center City, if you look, actually the highest density corridor for multi-family high density is the railroad track on Jenkins. So actually our most current studied plan would have highest density residential next to a railroad track.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to recommend approval of Resolution No. R-1617-56, Ordinance No. O-1617-18, and PP-1617-3, the Preliminary Plat for CLASSEN BUSINESS PARK, 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	Chris Lewis, Andy Sherrer, Dave Boeck, Tom Knotts, Neil Robinson
NAYES	Sandy Bahan, Lark Zink
MEMBERS ABSENT	Nouman Jan, Erin Williford

Ms. Tromble announced that the motion, to recommend approval of Resolution No. R-1617-56, Ordinance No. O-1617-18, and PP-1617-3, to City Council, passed by a vote of 5-2.

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