

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

MARCH 14, 2013

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 14th day of March 2013. 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 Chris Lewis called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Curtis McCarty
Jim Gasaway
Roberta Pailes
Sandy Bahan
Tom Knotts
Chris Lewis

MEMBERS ABSENT

Andy Sherrer
Cindy Gordon
Dave Boeck

A quorum was present.

STAFF MEMBERS PRESENT

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

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Item No. 8, being:

ORDINANCE NO. O-1213-36 – CHRIS WOMACK, DBA HOT WHEELS OF OKLAHOMA MOTORS, REQUESTS REZONING FROM C-3, INTENSIVE COMMERCIAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT, FOR PROPERTY LOCATED AT 420 SOUTH PORTER AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Aerial Photo

PRESENTATION BY STAFF:

1. Jane Hudson – This is an application for rezoning from C-3 to C-2, General Commercial District, at 420 South Porter Avenue. The existing zoning is C-3 and C-2 along the Porter Avenue area. The existing land use consists of commercial and some office use, with the residential down the side streets. The previous use of the site was a gas station. The owner leased this property to Chris Womack, who has the Hot Wheels of Oklahoma car lot. He is already on site. There is a laundromat to the north. Across the street to the east there is a mobile food service unit with some used cars in the lot for sale as well. There is an office use and a tire shop on the east side as well. To the south is where Bill's Used Furniture was located; that building is now vacant. To the west is the residential area along Apache Street. At the time the owner leased this property to this current tenant, he did not realize that the existing zoning did not accommodate the used car lot. He has requested the rezoning. We did not realize that until he asked us to do a zoning verification letter for the State; that's how it came to our attention. Historically, staff has supported rezoning these areas from C-3 down to C-2 along Porter Avenue and we've had a couple over the last few years that have gone through.

I believe you have a copy of the protest letter. The person that wrote the letter did not put an address on the letter. We went through our files and we believe that this parcel is the one that is attached to that ownership. If that is the case, it has a protest of 8.7%. I'd be happy to answer any questions that you might have. The applicant is here now and he can answer any questions that you might have of him as well.

2. Mr. Knotts – Can you address this protest – the facts that were brought up in this? Ms. Hudson – I went back and I pulled the file from that rezoning. I believe it was 1989. In 1984 the Central Core Plan was fairly new and, at that time, one of the goals was to eliminate a lot of the access points along Porter Avenue. It's not an ordinance; it was a policy recommendation. In the staff report, it appeared from what I read, that the applicants were okay with eliminating those access points along Porter Avenue. They had an access off of the alley and they also have an access off Symmes. But in 2005, when the property adjacent to this one across Porter rezoned from C-3 down to C-2 for the tire shop, they were not requested to do that. Other than that, I really can't address much more.

3. Chairman Lewis – So, Jane, let me clarify that. In regards to the property that is being referenced in our protest letter, that was just a recommendation, not a mandate? Ms. Hudson – It was a recommendation. Correct. In the staff report, it just said that they had submitted ready to close those access points, so I don't know if they had come in and discussed it with staff and staff expressed the goal of the policy to eliminate those access points. Chairman Lewis – So help me clarify this. Then, if it's just a recommendation, then that property owner would have the right to open up their access back to Porter Avenue if they so choose. Ms. Connors – No. That probably wouldn't occur, Mr. Chairman. But another distinction between that property and this is that they did do new construction on that property, and there is no new construction on this property. He is leasing the property as is. Ms. Hudson – They just went in and painted. With the property that had the protest on it, they built an awning and put up a barrier around the parking lot area, and some other things; I don't have the building permit to outline everything. Ms. Connors – I would just say it certainly is, long term, a desire by the City to close some of the

access points on Porter, and that was certainly clear in the Porter Corridor plan also, but, again, we don't have any ordinance requirement and part of the reason we're doing the Comprehensive Transportation Study is because there was no consensus about how to deal with Porter. So after that plan is done, we may have a better idea of how we're going to proceed to improve Porter Corridor – the actual transportation part of it.

4. Ms. Hudson – Also, if I could just make one more point. The applicant's garage doors face Porter, so for the cars to come in and access those area, they would have to come in off of Porter. The same thing with the one across the street; the garage doors face Porter. The one on the north, their access points are from Symmes and the alley.

PRESENTATION BY THE APPLICANT:

Chris Womack, the applicant, was present but did not make any comments.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Roberta Pailles moved to recommend adoption of Ordinance No. O-1213-36 to the City Council. Sandy Bahan seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1213-36 to City Council, passed by a vote of 6-0.

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