

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**NOVEMBER 13, 2014**

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 13<sup>th</sup> day of November 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

Roberta Pailes  
Curtis McCarty  
Sandy Bahan  
Dave Boeck  
Jim Gasaway  
Tom Knotts

MEMBERS ABSENT

Andy Sherrer  
Chris Lewis  
Cindy Gordon

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  
Ken Danner, Subdivision Development  
Manager  
Drew Norlin, Asst. Development Coordinator  
David Riesland, Traffic Engineer  
Todd McLellan, Development Engineer  
Terry Floyd, Development Coordinator

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Item No. 10, being: **LANDSTAR DEVELOPING, L.L.C.**

**10A. O-1415-22 – LANDSTAR DEVELOPING, L.L.C. REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR 3.44 ACRES OF PROPERTY GENERALLY LOCATED EAST OF 24<sup>TH</sup> AVENUE S.E. AND SOUTH OF LINDSEY STREET.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. PUD Narrative
4. Green Space Exhibit
5. Preliminary Site Development Plan
6. PUD Phasing Plan
7. Renderings

**10B. PP-1415-11 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY LANDSTAR DEVELOPING, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR EAST RIDGE PLACE ADDITION, LOTS 1, 2 & 3, BLOCK 1, AND A PLANNED UNIT DEVELOPMENT FOR LOT 4, BLOCK 1, GENERALLY LOCATED EAST OF 24<sup>TH</sup> AVENUE S.E. AND SOUTH OF LINDSEY STREET.**

**ITEMS SUBMITTED FOR THE RECORD:**

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

**PRESENTATION BY STAFF:**

1. Jane Hudson – This application is for the partial rezoning as well as the preliminary plat for this vacant tract of land at the southeast corner of 24<sup>th</sup> Avenue S.E. and Lindsey Street. The entire ownership is actually approximately 6.4 acres; however, they're only requesting to rezone approximately 3.44 acres, which is noted here in this subject tract. They will be taking this portion of the C-1 zoning to a Planned Unit Development to allow for the development of a mini-storage facility. The existing zoning in this area: to the north of this tract you have C-1 and A-2, as well as the Mission Norman Planned Unit Development along the north side of Lindsey; you have C-1 to the east; R-1 to the south; across 24<sup>th</sup> Avenue you have RM-6 as well as A-2; and at the northwest corner of Lindsey and 24<sup>th</sup> you have additional C-1 zoning. The existing land use in the area consists of single-family to the north and, again, like I said, you've got the Mission Norman Planned Unit Development across the street. You've got a church to the east, single family to the south, some additional multi-family across 24<sup>th</sup> to the west and the commercial use at the corner. This is the location for the preliminary plat. Again, that does incorporate the entire ownership of approximately 6 acres for this site. This is the site itself. This is the single-family that's to the south of the proposal on the east side of 24<sup>th</sup>. This is looking to the south from Lindsey. This is across Lindsey, again some vacant land. The church to the east. This is on the west side of 24<sup>th</sup>, the multi-family development there. And the commercial development at the northwest corner of the area. Like I said, this is going forward as a Planned Unit Development so we'll have a preliminary site development plan for this development itself. These are the buildings that they're proposing, with the office fronting 24<sup>th</sup>. This is the open space area for this development. On the south side they do have an open space strip which will be a buffer between the single-family development to the south of this proposal.

Staff does support this rezoning request, and recommends approval of Ordinance No. O-1415-22 as well as the preliminary plat PP-1415-11. The applicant's representative is here with a brief presentation and is available for any questions, as well as staff.

2. Mr. Boeck – What is facing 24<sup>th</sup> Street? Is that some commercial?
3. Ms. Hudson – This area in the front will be additional commercial. That is the area that's retaining the C-1 zoning; they're not rezoning any portion of that. And this corner is already zoned and it's not part of this ownership.
4. Mr. Boeck – And what about drainage? I mean, obviously, these are all concrete. How are we handling drainage?

**PRESENTATION BY THE APPLICANT:**

1. Tom McCaleb, engineer for the applicant – In answer to your question, yes, there is drainage. If I may use this illustration, this whole tract is zoned commercial already today. So the only piece that's going to be not commercial is the area identified by this dashed line. That's the PUD. The existing church over here has an existing pond right there. And when the church was platted in East Ridge Section 16, I believe it was, they had an option to put the church in this location and they opted to put a detention pond on the tract of land west of it, which they now own. That water dumps onto my client's tract. So I'm receiving their flow. And we will receive the flow right here and we will take the flow and put it into a pipe that will go over in this direction and into a system right there that's in 24<sup>th</sup> Street today. This tract of land, Mr. Boeck, was platted with East Ridge Section 6 thirty years ago. I did that 30 years ago. 30 years ago. East Ridge has been developing for longer than 30 years. So this whole tract of land has been a series of plats and plats and plats for a long, long time. This corner was projected to be something that never happened. So that is platted and in that plat, you'll see right there, an existing drainage easement right there that's already platted in that tract to take care of water. That water goes from there into a system that's now in 24<sup>th</sup> Street that wasn't there 30 years ago. But it's there now. And so the water discharges into that pipe. So the pipe in 24<sup>th</sup> Street handles the water. We are putting a detention pond right here for this piece of land. The water will be picked up and taken to this pond and then released and go back to the system in 24<sup>th</sup> Street. So we're going to be handling the church's water that's discharging onto us right now. We didn't realize, and staff pointed out, that this tract of land here has not been platted, but the church does own it; they've got a deed showing that they own that land. So before they can do anything with this piece of land they first will have to come in and plat this land subsequently. It doesn't affect this application. This was East Ridge 6. This was East Ridge 16 or 18. So it's been a while to develop. As a result, this piece of land is an infill area. So it's set that way for a long time. Presently, you saw the pictures, it's agricultural in nature. Nothing is there. The property has not had anything built on it and so now my client, Landstar, wants to come and develop it. They want to preserve the commercial on 24<sup>th</sup> Street to put in a center that's not on the focus today. The mini-storage is. That will happen immediately. With that, we anticipate the commercial to develop subsequently.

When we had the preliminary development meeting, we had neighbors show up from the single-family area down here who had concerns. In that meeting, they gave us their concerns and asked for some privacy and asked for a privacy fence. At that time, we had a 6' privacy fence, and they said would you make it an 8'? After that meeting, the client has agreed to do so. So we will build an 8' fence. This lady right here asked for a tree and we will gladly try to plant her some trees to give her an additional buffer. So she was happy to receive that. The fence – the wall will look something like this. The mini-storage itself – this is a rendering. These folks have a mini-storage that they have in Moore right now on 4<sup>th</sup> and Eastern. It looks something like this. This is the idea of the way this mini-storage is planned to be looking. That's a view looking down on the tract. This is what the facility would look like. The building for the office will look like a house – all brick – 80% masonry brick on it. The wall will be sitting behind it is a privacy fence to allow the privacy that we told the ladies we would do.

Anyway, this tract of land, Mr. Boeck, had drainage issues. They were significant. They had some traffic issues. We planned to be on your Commission last month, but we were delayed

because they asked us to do a traffic impact analysis. We did that. We turned the TIA in to the staff; we met with them. We had a driveway that we had to relinquish, but we got that worked out. We had some fire issues with the Fire Department. We met with those folks; we got those satisfied. We had some trash pick-up issues we had to work out; we got those rectified. So sewer was available. The City had an existing water line right here that runs right almost on our property line – close, real close – so we've given an additional easement – landscape and utility easement – to take care of that issue when this water line was put in place. As most infill projects are, they have problems with them – that's one of their infill issues. We've addressed those issues and heard some issues that we didn't know were issues, met with staff significantly many times and have resolved all of those. The plat tonight we would like to get this thing going. They have an immediate plan for it. They want to be a good neighbor to the south. The idea is to put the mini-storage in and then have the commercial come in right behind it. Thirty years this has been sitting like this and we're ready to fix it. If you have any questions, I'd be glad to respond to them.

2. Mr. Knotts – I'm worried about this little engineered solution here – this vertical wall pond right on Lindsey and the church across the street that has families living there. How is that going to be secured and also maintained? Is it a vertical wall detention pond?

Mr. McCaleb – Pretty well. To get the volume we had to get in there.

Mr. Knotts – So it's concrete walls?

Mr. McCaleb – Yes, masonry.

Mr. Knotts – And is it pumped out?

Mr. McCaleb – No, it will drain out.

Mr. Knotts – How deep is it?

Mr. McCaleb – About 6 feet deep.

Mr. Knotts – So it's not too significant. Still drown some people if it was full.

Mr. McCaleb – If they were in there when it was raining and it was full. It's a 6 foot area that we had to make sure we get all the water taken care of. It's a vertical wall. And so this area right here we're also putting in a water line right there, tying into the water system right here. That's what that black line is. This is the pond area to take care of the detention requirements. So we went vertical around the perimeter to get the volume. It will discharge into this system right here on 24<sup>th</sup> Street.

3. Mr. Boeck – I was going to ask about that because I've seen some of these vertical wall detention ponds around town. They don't look very good and they're not kept up very well.

Mr. McCaleb – Well, this will be the responsibility of the client.

Mr. Boeck – That's the problem. It's the responsibility of the client and wherever I've seen them, how do you enforce that after the fact, after the City has approved it and we've approved it and City Council has approved it and they just go along their way and it fills up with weeds and trees and everything else and it's just got a little wrought iron fence around it so you can see how trashy it is.

Mr. McCaleb – This is the client right here. If they will respond to that.

John McHughes, 2222 W. Chestnut, Goldsby, representing Landstar – It's our intention, obviously, with the commercial and everything that it looks nice. McClain Bank owns the corner and we'll be sharing detention and stuff with them and we've already discussed maintenance. We want it to look nice. Obviously, I can't speak for anyone else that has their detention and not keep things clean. You can go by our other locations and see that we take pride in what we do. If you looked at the renderings, I feel that we take pride and want to keep it all nice and be a good neighbor. I believe the City also has ordinances to maintain lawn care and stuff like that, and if you don't, don't they fine you?

Mr. Boeck – I'm thinking of an apartment complex, in particular, on 77 that has been there for a long time. I thought, at first, it was a swimming pool, but it was vertical detention, and they put a nice metal wrought iron fence around it, but you can see and it's just full of weeds and trees and all kinds of stuff.

Mr. McHughes – Being a business that's going to have customers coming in and out, we want our site to stay clean and be free of debris. That's our intention.

Mr. Knotts – Will there be a ramp down into it so that equipment can actually go in?

Mr. McHughes – Yes.

Mr. Knotts – I don't see that in the drawing, Tom. Can you come pencil that in for me?

Mr. McCaleb – It will be there. This is a PUD, so you can make that a qualification if you want to.

Mr. Knotts – Six foot deep. I basically know how deep that is. If there's no planned access route, it will never be maintained.

Mr. McCaleb – I agree with that.

Mr. Knotts – So I think that needs to be a part of the process.

Mr. McCaleb – I'm okay with that, Sir.

4. Mr. Knotts – Just a timing question. On the off chance that this is approved, what's your planned construction time?

Mr. McHughes – We're planning, as soon as approval, to break ground.

Mr. Knotts – So you're going to save all those pear trees that are out there?

Mr. McHughes – Well, I don't think we'll be able to save everything. There are a couple neighbors that wanted some stuff. We've had expressed concerns from the church. When we bought the property, sent a company out to brush hog it, because we did receive a letter from the City and I guess nobody had mowed it. So we sent somebody out to brush hog and I met the guy on his tractor out there and I parked in the church parking lot, because there wasn't anywhere else to park. The pastor came out and he said, "you all are mowing it?" And I said yeah. He said, "When are you going to knock all these trees down?" I said, "Give us a minute. We've got to get some stuff going." I said, "What's your concern?" He goes, "Well, there's a lot of vagrants that live in there." So he has had concerns for quite some time about the people that are staying in the woods there. So he was excited.

#### **AUDIENCE PARTICIPATION:**

1. Daniel Owens, 2401 Glen Oaks Drive – It is the neighborhood just south of the area – first house into the addition. My concern is the privacy wall they're speaking off – if that is actually going around the storage unit or on the neighborhood line wall where we currently have 6' privacy fences. One of the pictures it looked like it just kind of went around the storage unit and not around the new office building. The office will be directly behind my house and I'm curious about how large that buffer zone is from the office and where the entrance is going to be to that office. It's going to be really close to the neighborhood entrance compared – if there's going to be two entrances right there – people battling in and out – it's going to be a traffic concern if they're going to be turning left or right. Are they coming into my neighborhood or are they coming into the office? Also, just a concern about him saying that there's a pond just west of the church. I've never seen a pond there. I know when it rains there's about 4 inches maybe sometimes of standing water just along east 24<sup>th</sup>. Speaking of mowing, the neighborhood is constantly calling about that sidewalk being cleared out. Right now I push my daughter in a stroller to that gas station across the street on Lindsey and 24<sup>th</sup>. I have to cross the street to the apartments to walk clearly to that gas station. I can't walk down 24<sup>th</sup> Street because the grass is so high. The weeds grow over the sidewalk. Every once in a while they come and mow it when they do get a letter. It's just a concern about the upkeep of the property, because it hasn't been upkeep before, even on the sidewalk. That's pretty much all of my concerns.

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

1. Mr. McCarty – Tom, is that block wall actually the south wall of the storage, or is that a free-standing wall?

Mr. McCaleb – It will go all across in front.

Mr. Boeck – You had another rendering that showed the wall.

Mr. McCaleb – It will continue all the way down to the property line.

Mr. McCarty – So that's a free-standing wall. It's not the back.

Mr. McCaleb – Yes, it is.

Mr. McCarty – And how far off the property line is it?

Mr. McCaleb – Hopefully, it's going to be right on the property line. We're putting it right on this common line.

Mr. Boeck – I thought you were talking about a green strip also with some trees. A buffer. You were talking about.

Mr. McCaleb – Yes.

Mr. Boeck – So how can that wall be on the property line?

Mr. McCarty – So the block wall is going to be in place of the wood fence that's there?

Mr. McCaleb – We're going to try to go one-by-one and hopefully it will be continuous to replace the fence with this fence.

Mr. McCarty – And how tall is that wall? 6 foot?

Mr. McCaleb – We asked for 6 and then we were asked at the PDM to make it 8 feet and we've agreed to do that.

Mr. McCarty – And it's going to go all the way to the building line to the west?

Mr. McCaleb – Yes. All the way. Yes.

2. Mr. Gasaway – So then where is the buffer line that you were talking about?

Mr. McCarty – Between the block wall and the buildings.

Mr. Gasaway – Okay. So it's inside the wall. Okay.

Mr. McCarty – What is the approximate distance?

Mr. McCaleb – I think it's about 10 feet.

Mr. Knotts – The buffer is inside the wall and there's no buffer between the wall and the property. The wall is on the property line.

Mr. McCaleb – Yes.

Mr. Knotts – And it appears that there is a 10' utility easement.

Mr. McCaleb – There is an easement there. We're going to be right on the property line where you normally put a fence.

Mr. Boeck – Is there a reason why you couldn't put the fence on the other side of the buffer? To the north.

Mr. McCarty – If you do that, it leaves a wood stockade fence, a buffer, and a wall.

Mr. Boeck – Okay. I see what you're saying. Never mind.

*Tom Knotts moved to recommend adoption of Ordinance No. O-1415-22 and PP-1415-11, the Preliminary Plat for EAST RIDGE PLACE ADDITION, Lots 1, 2 & 3, Block 1, and A Planned Unit Development for Lot 4, Block 1, to City Council with the condition that there be a ramp into the vertical wall detention pond. Curtis McCarty seconded the motion.*

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

YEAS

Roberta Pailles, Curtis McCarty, Sandy Bahan, Dave Boeck,  
Jim Gasaway, Tom Knotts

NAYES

None

ABSENT

Andy Sherrer, Chris Lewis, Cindy Gordon

Ms. Tromble announced that the motion to recommend adoption of Ordinance No. O-1415-22 and PP-1415-11 to City Council, passed by a vote of 6-0.

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