

**Applicant** MSCD Properties LLC

**Location** Between E. Lindsey St and Highway 9 approx. on both sides of 36<sup>th</sup> Ave SE

**Case Number** PD 13-10

**Time** 6:00—7:00 PM

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Attendee	Stakeholder	Address	email	phone
Evan Nixon	applicant	1203 Brookhaven Blvd	<a href="mailto:evan@doncies.com">evan@doncies.com</a>	329-0256
David Hargis	Applicant's engineer	Clour Engineering 123 Tonhawa St Suite 105	<a href="mailto:david@clour-pes.com">david@clour-pes.com</a>	329-8500
Kevin and Heather Smith	Neighbors	3555 E. State Hwy 9		
Jack and Sharon Sullivan	Neighbors	3305 Valley Hollow	<a href="mailto:jsullivan@cox.net">jsullivan@cox.net</a>	801-4135
Mike and Mary McIlvoy	Neighbors	3308 Valley Meadow	<a href="mailto:mmcilvoy@cox.net">mmcilvoy@cox.net</a>	292-6279
Stan and Kellye West	Neighbors	3301 Valley Hollow	<a href="mailto:Kellye93@live.com">Kellye93@live.com</a>	659-8875
Robin Tanamachi	Neighbor	3300 Valley Brook		255-7198
DeZjai Eskridge	Neighbor	3312 Valley Hollow	<a href="mailto:dezjai@cox.net">dezjai@cox.net</a>	360-5652
J'Bob Phelps	Neighbor	2129 Valley Hollow		580-656-4460
Steve Woodin	Neighbor	3313 Wood Valley	<a href="mailto:Bsf40@att.net">Bsf40@att.net</a>	579-7860
Patrick Calhoun	Neighbor	3309 Wood Valley	<a href="mailto:Phineas42@gmail.net">Phineas42@gmail.net</a>	590-4919
Lynne Miller	Ward 5 City Council member-elect			
Susan Atkinson	City Facilitator			366-5392

**Application Summary.** The applicants are seeking to revise a Preliminary Plat for a 198-acre parcel in southeast Norman. They are also seeking to revise a portion of the parcel zoning to C-1. The current zoning is R-1. The *Norman 2025 Land Use Plan* designation for this parcel is Low Density Residential.

**Background.**

*Plat.* The original preliminary plat for Summit Valley Addition was approved in 2003 and reapproved in 2008 and again in 2011. The original plat included an area on both sides of 36<sup>th</sup> Avenue SE. Subsequently two final plats have been developed from the original preliminary plat with one addition that has been constructed and filed and the other pending construction and filing. This revised preliminary plat for Bellatona, one of two separate plats, includes an area east of 36<sup>th</sup> Avenue. The remaining area is being re-submitted as a separate preliminary plat titled Summit Valley.

*Zoning.* The original Summit Valley Addition included a 2-acre parcel that was zoned C-1 with a Special Use Permit for gas station. The replatted Bellatona Addition is proposed to include six 2-acre parcels zoned for commercial use. None of these commercial zones would include a Special Use Permit for a gas station.

**Applicant's Opportunity.** The owner is seeking to plat roughly 713 R-1 residential single family lots, 6 commercial lots, and 12 open space blocks. The residential lots are typically 60' x 110'. Commercial lots are each roughly 2 acres. The open space lots will be used for a combination of park land, stormwater detention and landscape amenities.

The rezoning of 6 lots for commercial use is proposed for lots that front along Highway 9. The commercial uses are envisioned to provide neighborhood convenience retail uses as well as serving to buffer adjacent housing from traffic along the highway.

Future improvements to Highway 9 will include a deceleration lane and a traffic signal installed at 36<sup>th</sup> and Highway 9. A secondary entrance is planned off Highway 9. Its placement will divide the commercial district into two halves.

**Neighbors' Comments.**

**Commercial development.** Neighbors expressed concern about the presence of commercial land use with this housing addition. Their primary concerns were additional traffic, noise and the neighborhood disruption that they believe would be associated with commercial development.

**Applicants' Response.** Developers perceive neighborhood commercial as a positive amenity to have nearby. They pointed out that there is no commercial anywhere in the area. They also noted that in Summit Valley I, the lots adjacent to Highway 9 were the last to sell. From that experience the developers have come to believe that, in addition to providing a convenience for residents, having neighborhood-scale retail will also provide a buffer to homes from the noise and traffic of Highway 9. They envision commercial uses would include things such as dry cleaner drop-off, movie rental, or a local pharmacy. Developer stated there were no plans to locate a liquor store in this area.

**Park Land.** Applicant is discussing options for park land with city now to ensure development provides sufficient park land to meet ordinance requirement. City chose original location for a park in center of previous plat. That option for location disappeared when the site for it was removed from the plat. Applicant imagines two smaller parks on both east side and west side to be convenient for all residents, but locations are as yet unknown.

**Pond Area in Summit Valley.** Applicants plan to raise pond's water level 2-3 feet to improve pond's appearance and level banks' grade a little to make them less steep. This will make pond easier to maintain and may eliminate need for the sidewalk fenced on both sides which was done due to safety concerns about the steep bank. The applicant said he can explore taking fence down if there is no liability in doing so. He prefers the open sidewalk. Or it can be left as is and HOA can decide when activated.

**Front retention area.** Applicant's engineer explained that there is 100-year flood plain located in a designated drainage easement. Applicants stated they have no control over it. It is Highway 9 ROW and the state's responsibility to maintain.

**Highway 9 Fences.** Neighbors commented the condition of fences along Highway 9 is poor. Applicant replied he was getting bids on repair now and expects the repairs to be made soon.

**Drainage.** The original preliminary plat was revised in accordance with FEMA flood plain revisions made in 2007. Consequently the development lost a number of lots. Drainage is channeled into existing streamways and the detention pond. Applicant is hoping to avoid future crossing of property with drainage but can't make specific plans until development actually occurs, which will also allow them to solve some existing drainage issues. Commented that this area's large drainage basin is now all being channeled to one point but that upcoming Highway 9 roadway improvements will also increase the size of the drainage structure under the road which should ease the current bottleneck.