

1 Meeting of the City of Norman Planning Commission  
2 held on October 10, 2013, discussion pertaining to SE  
3 corner of East Lindsey Street and Classen Boulevard.  
4 Item 5A, R-1314-44, Parkgreen Living, LLC, requests  
5 amendment of the NORMAN 2025 Land Use and  
6 Transportation Plan from Parkland Designation and  
7 Commercial Designation to High Density Residential  
8 Designation for property generally located near the  
9 southeast corner of East Lindsey Street and Classen  
10 Boulevard.

11 Item 5B, O-1314018, Parkgreen LLC, requests rezoning  
12 from C-2, General Commercial District, RM-6, Medium  
13 Density Apartment District, and A-2, Rural  
14 Agricultural District, to PUD, Planned Unit  
15 Development, for property generally located near the  
16 southeast corner of East Lindsey Street and Classen  
17 Boulevard.

18 Item 5C, O-1314-19, Parkgreen Living, LLC, requests  
19 closure of all of the utility easements located in  
20 Lots 3, 4 and 5, Block 1 of University Plaza Addition,  
21 and all of Lot 3 and a 10-foot utility easement along  
22 the north 234.75 feet of the west line of Lot 2, Block  
23 2 of BOYD VIEW ADDITION NO. 2, generally located near  
24 the southeast corner of East Lindsey Street and  
25 Classen Boulevard.

1 Item 5D, PP-1314-7, Consideration of a Preliminary Plat  
2 submitted by Park green Living, LLC, (Cardinal  
3 Engineering) for Millenium Addition, a planned unit  
4 development, to City Council  
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6 Commissioners in attendance:

7 Chris Lewis, Chairman

8 Cindy Gordon

9 Jim Gasaway

10 Tom Knotts

11 Dave Boeck

12 Andy Sherrer

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1 BE IT REMEMBERED, that heretofore and on the 10th  
2 day of October, 2013, the aforementioned item was  
3 brought up before the Planning Commission, and the  
4 following occurred, to-wit:

5 BY MS. HUDSON: Good evening. As you stated,  
6 you do have four applications before you tonight  
7 for this project. I will be discussing the  
8 Norman 2025 Land Use and Transportation Plan  
9 Amendment, as well as the rezoning request. The  
10 existing land-use in this area for the subject  
11 tract is Commercial High Density residential and  
12 there's some park land. There's Low Density  
13 Residential to the south, additional High Density  
14 Residential to the east, Low Density Residential  
15 to the north, and then you have the Commercial on  
16 the west side. If proposed, it would bring this  
17 tract up to the High Density Residential  
18 designation, as well.

19 For the rezoning, you've got a combination of  
20 zonings on this tract. You've got A-2, C-2, and  
21 RM-6, with R-2 to the north and south, some R-1  
22 to the east and then, again, the Commercial to  
23 the west, the existing land-use Residential and  
24 Commercial.

25 This is a photo of the site looking to Lindsey

1 down on the other end of the site there. This is  
2 from the west looking east. This is just another  
3 shot there from the west to the east. This is  
4 the detention area there existing currently,  
5 which is the Parkland. And then this is the site  
6 looking south. This is looking west to Braum's.  
7 This is the single-family home that will be  
8 removed.

9 We did have some protest which reached 6.3%.  
10 Staff does recommend approval for this. It's  
11 Resolution 1314-44 and Ordinance 1314-18. I  
12 would be happy to answer any questions. The  
13 applicant's representative is here, as well.

14 BY MR. LEWIS: Are there any questions for the  
15 applicant?

16 Seeing none, would the applicant like to make  
17 a presentation?

18 BY MR. RIEGER: Thank you, Mr. Chairman. Sean  
19 Rieger, representing the applicant in this case.  
20 I do want to clarify one thing. I thank  
21 Ms. Hudson for that presentation. There is only  
22 one protester. They own all of those lots. So  
23 it is one letter of one protest that came in on  
24 this project.

25 This is the Millenium Addition. And I want

1 to, first, recognize we have a court reporter  
2 here tonight. We've done that before. It's  
3 merely for expediency. We have some contract  
4 deadlines we have to meet on this project for the  
5 purchase of land and other natures -- of that  
6 nature. So we've done it once before here. I've  
7 seen other communities do it actually quite a  
8 bit, where they have an outside transcriber that  
9 will do it quicker, and it get us through the  
10 pipeline quicker. So that is the purpose of that  
11 tonight. But I know that looks a little  
12 different, but that's why we're doing it.

13 I want to thank staff, first and foremost, on  
14 this project. This is a complex project that we  
15 have worked with staff for a number of months now  
16 in every department, Ms. Connors' department,  
17 Mr. O'Leary's department. Parks Department has  
18 had a heavy role in this project. Many of the  
19 departments, and we have been in many meetings  
20 for the past three months with staff doing this,  
21 and I want to thank them very much because  
22 they've helped us to make it a better project, as  
23 often happens when we work very well with staff.  
24 And it comes tonight with their full support and  
25 recommendation and approval. So I want to thank

1           them very much.

2           It is the Millenium Addition, and this is a  
3           project that we're very proud of. It's a project  
4           that has seen extensive development over recent  
5           months. I'll take you through multiple sides and  
6           to show you what it is. First, the location, as  
7           Jane said -- First, I want to point out it is on  
8           two urban arterials. We've had discussions  
9           before of multifamily projects that have been  
10          within neighborhoods or in smaller corridors.  
11          Not here. We are on two major corridors right on  
12          the southeastern area of town there. It is  
13          completely surrounded in zoning by multifamily.  
14          You see it here. This is the current zoning.  
15          The site, you see outlined in red, off to the  
16          northwest corner is C-2 Commercial. Basically,  
17          there's a Braum's. And, actually, I've just  
18          realized I did the wrong outline on that. There  
19          is actually a Braum's right here and a Conoco  
20          right there. So C-2 Commercial off the edge --  
21          C-2 Commercial and flood plain, a pretty  
22          extensive flood plain along the west edge across  
23          the street from us. R-2 duplexes are throughout  
24          the area to the south. RM-2 duplexes and  
25          multiplexes. RM-6 apartments over here. A

1 public park right here, the Faculty Heights Park.  
2 We're going to talk about that in just a moment.  
3 And R-2 duplexes to the north. The U-Haul  
4 facility is right over here. And the OU  
5 facilities facility is right there. So we are  
6 completely surrounded by multifamily on this  
7 project. It's really a great site to have  
8 continued multifamily.

9 The overall location, the aerial context, you  
10 see here in the aerial, we're off to the  
11 southeast side of Classen right here and Lindsay  
12 Street right here. And, from that interaction  
13 over to Jenkins and Lindsey, is .56 miles. And  
14 we're very proud of that location, in that we've  
15 all been down that stretch of Lindsay lately, and  
16 it's a beautiful corridor now, a boulevard with  
17 very wide walks and trails, and pedestrian and  
18 biking areas, and the duck pond just north of it.  
19 So we're very excited to be right next to that.  
20 I'm want to show you why, in just a moment, that  
21 we very much embrace that life style. That  
22 connects us right over to Legacy Trail, which has  
23 really been a rapidly progressing project  
24 throughout our community. So, from this site,  
25 you're going to be able to go right down this

1 road for a half a mile and get to Legacy Trail  
2 and go from the future Ruby Grant Park all the  
3 way down to Highway 9. So it's really a  
4 wonderful location.

5 As to the immediate surroundings, again, you  
6 see it here. It is basically, right now, a  
7 field. There is one older house, basically a  
8 1950 small, wood-structure house, not of any  
9 historical significance or notable in any way.  
10 That, of course, would come down. The Braum's is  
11 right here. The Conoco is right here. This is  
12 Classen right across the street here. This is  
13 the flood plain and U-Haul. To the south is all  
14 basically multifamily duplexes, this entire  
15 neighborhood, a long time ago. These are a  
16 number of decades ago that all of this was  
17 produced. You see here the RM-6 multifamily  
18 apartments. Again, duplexes to the north and the  
19 Lindsey arterial. So we have pretty significant  
20 buffering all around the facility.

21 This right here, what you're looking at, was a  
22 park. It used to be what's called Boyd View  
23 Park, and we're going to talk about that tonight  
24 quite a bit. It is no longer a park. This  
25 Commission and City Council removed it as a park

1 in a land swap with the owner and took title to  
2 other lands in return for giving this back to the  
3 owner. And so it became a part of this project  
4 with some conditions that we have fully met and  
5 exceeded, and I'll show you that tonight.

6 The Preliminary Plat, we rarely talk about  
7 this, but it's a one-plat, one-lot item. So all  
8 of the structure is within. We maintain it. We  
9 take care of it. We build it. The City doesn't  
10 have any responsibilities within that site.  
11 You're not building any streets. You're not  
12 maintaining any streets. It's all on us.

13 This is the site plan, and let's take a close  
14 look at it. This is, of course a  
15 looking-downward view on the site. We basically  
16 have Lindsey Street across the top. This is  
17 Braum's right here. This is Conoco right here.  
18 Here's the duplexes across the south. And here's  
19 Classen Boulevard right over here.

20 What you're being asked tonight to approve is  
21 a PUD. We're all familiar with PUDs, Planned  
22 Unit Developments. It's a PUD concept that would  
23 allow for 197 units of residential, 705 beds, on  
24 a 6.85 acre site. That equates to about 28 units  
25 per acre. The parking provided is one-to-one.

1 That's a ratio we've talked about before of one  
2 parking space per bedroom, and actually that  
3 greatly exceeds the typical multifamily parking  
4 requirement in Norman, which is more of a 1.8 per  
5 unit concept. This is one per bedroom. And,  
6 actually, some extra parking is provided up here  
7 on the upper right of the facility because this  
8 is where the leasing office is and where the  
9 public will primarily come to lease and see the  
10 facility. And so there's some extra parking  
11 right up on that edge.

12 What you're looking at here, the yellow areas  
13 are the residential areas. So the yellow is the  
14 residential buildings, and the darker yellow is  
15 the actual units. The lighter yellow is the  
16 corridors, internal corridor circulation. So  
17 internal circulation within these buildings to  
18 the residences, and it is five levels, five  
19 levels of living units stacked on top of each  
20 other. What I want you to, also, notice is the  
21 significant articulation around that facade. We  
22 kind of talk about that sometimes, as architects,  
23 and there's significant articulation and a great  
24 deal of interplay going in and out of that edge  
25 condition you see right there. So this is not

1 just one straight shot of an exterior elevation.  
2 It's a lot of articulation back and forth.

3 As to the circulation on site, you see an  
4 entry right here, and then you see an entry up  
5 here. So there are basically two primary entries  
6 into this development from Lindsey and Classen  
7 Street. They are gated, gated beyond this  
8 initial point for public up here. And, of  
9 course, we would meet the gating requirements and  
10 the turn-around requirements and the emergency  
11 vehicle requirements of the City of Norman in  
12 doing that. So then you come into the facility  
13 under either of those locations. And then there  
14 is a main circulation path right here and  
15 vehicular right down there. That, also, is  
16 service parking. The site is fenced along that  
17 edge right there. And then, as residents come  
18 into this facility, they, then can go into the  
19 parking garage, five levels of parking. Part of  
20 it is more or less subgrade as this site slopes.  
21 So it dives into the hillside or the slope -- not  
22 hillside, but into the fire-free zone. I'm going  
23 to show you an image in just a moment -- in a  
24 minute that will show you. It doesn't really  
25 look like five stories, but that is the primary

1 area of parking for the residents, five stories  
2 in height.

3 The apartments then, also, work around  
4 courtyards. You see them right here, right here,  
5 and the primary courtyard right here, which I'm  
6 going to show you a significant detail of. One  
7 of the main features of this project, as you're  
8 seeing it now, is on that south edge. On the  
9 south edge is the green space, the more -- the  
10 larger green space. Of course, within the areas,  
11 we have the courtyards, and then we have this  
12 main primary feature. But along the south is  
13 where it used to be Boyd View Park. And Boyd  
14 View Park was a drainage ditch, a poorly viewed  
15 one, at that. It was basically a meaningless  
16 park. It was really worthless, and it had no  
17 plans to ever be developed. It was not in the  
18 Master Park Plan or anything. So what happened  
19 in the swap of land is that, in essence, this  
20 strip was deemed to be continued as an open space  
21 for the residents to the south, for the Boyd View  
22 neighborhood to the south. And you can see the  
23 developer has done that. It's only fenced along  
24 the north side of it, so it's fully accessible  
25 from the south. I'm going to show you another

1 detail in just a minute. But that's a  
2 significant feature of that development. So,  
3 it's basically a development that is buffered  
4 along the south edge by all of that green space  
5 and the parking area and is buffered along this  
6 edge by the main entry, Lindsey across the north,  
7 Classen across the southwest. Really careful  
8 planning, I would say, has taken us to that  
9 point.

10 The green space along the south edge, this was  
11 a really key feature, and we've been working with  
12 staff on this feature for several months, going  
13 back with the Parks Department. And they're very  
14 happy with this. I was at a Parks Board the  
15 other night -- about a week or so ago -- on this  
16 feature right here. And we needed to go in front  
17 of Parks and discuss with them what we were  
18 doing, and they fully blessed it. They were very  
19 proud of it. They liked it. As one Parks  
20 Commissioner said, "This is a win-win." Well, I  
21 want to say it's a win-win-win. And I want to  
22 tell you why. Because what we're asking you to  
23 approve tonight is called a fee in lieu of. So  
24 while we're building that, we're, also, asking  
25 you to give us the right to pay you about \$30,000

1 in fees for a public park. And those fees would  
2 be used in Faculty Heights Park -- is the  
3 preliminary -- I don't make that call, but that's  
4 what staff has envisioned, is that they would  
5 take those fees and enhance Faculty Heights Park,  
6 which is across the street on Lindsey. And so  
7 the neighborhood is an enhanced Faculty Heights  
8 Park. The Boyd View neighborhood to the south  
9 gets access into this green space and all of  
10 these facilities. The residents get access into  
11 to this green space, and their spaces within the  
12 complex. The City pays nothing for that. The  
13 City gets \$30,000 for enhancement of other parks.  
14 The Millenium maintains and builds this entire  
15 green space. And the green space basically is  
16 the detention area. Again, this is a dry  
17 detention area. We've seen these around Norman.  
18 They become wet during the actual rain. They dry  
19 out within a few hours. And, by the next day,  
20 they're playable. That size of that detention  
21 area would probably accommodate two under-9-age  
22 soccer fields. So you could actually have youth  
23 soccer fields in that detention area. There are  
24 no improvements planned. It's basically flat,  
25 but it will be a flat and playable field.

1 To the other side of this, sand volley ball  
2 and then sort of a lawn area for croquet or Bocce  
3 ball, things of that nature. Then you see a  
4 basketball court over at the other end and a  
5 gazebo area out at that end, as well. Around the  
6 entire thing is a walking trail that goes  
7 throughout it. And one of the Parks  
8 Commissioners was very excited about that. As  
9 she looked at it, she said this neighborhood down  
10 here can just come up and walk and extend all the  
11 way around this park and walk back out. So  
12 there's accessibility. There's not a fence  
13 there. There's not a gate there. The fencing  
14 and gating happens on the north side of it, on  
15 our side of it. So it's really a tremendous  
16 feature and a very unique feature. I've never  
17 been able to show you one like that.

18 This is what it looks like. This is the entry  
19 area off of Lindsey. So we have that leasing  
20 office. If you remember, I showed you that off  
21 the corner of Lindsey. And we have five stories  
22 of residences. You can see the different  
23 textures, the different materials and the  
24 articulation along the facade, the heavy corner  
25 support to really give it a nice decorative cap

1 element at the top. And we're calling it the  
2 Millenium. So that's the exterior on Lindsey.

3 This is the view from in front of Braum's on  
4 Lindsey. And you can see, they've sketched in --  
5 This is the Braum's eave. So if you were  
6 standing out in front of Braum's and looking,  
7 this is what you would see.

8 So this is the frontage along Lindsey over  
9 here, and this is the parking garage that I  
10 showed you. The parking garage only one has face  
11 of it appearing to the public. The rest is  
12 wrapped by the residential units. But one face  
13 of it does appear on the exterior, and that's the  
14 face of it along the west side. But, as you can  
15 see, it really is only about four levels that you  
16 will see as it dives a little bit into the site  
17 down here. But they've used significant  
18 decorations and materials to tie it into the  
19 facility, and you don't really see the angular  
20 layering of the parking facility.

21 This is what it looks like from Classen.  
22 Again, the same motif, the same elements, the  
23 same texturing, and masonry. It is basically  
24 masonry and stucco, is, in essence, what those  
25 materials are. And, again, you see a lot of

1 interplay. That's always been discussed with  
2 projects like this: Do we have enough  
3 articulation? Do we have enough interplay, going  
4 back and forth, so that we're not just looking at  
5 one monolithic space. And we're certainly not.  
6 You can see it there. That's as much as I've  
7 seen in any other project that has been couched.

8 This is the materials board and color palette.  
9 It, really, is self-explanatory. The colors --  
10 there will be different colors, different  
11 textures, different masonries and stuccos that  
12 would be applied to the exterior.

13 Location. Let's talk a lot about that. I've  
14 often been asked, when I bring projects like  
15 this: Are you on the CART route? And I must  
16 admit that, oftentimes, we're not. This one is.  
17 This one is on the CART route. It is on the East  
18 Lindsey route. You see the location right there,  
19 and you see the East Lindsey route as it spans  
20 around this area. So, once you get right out of  
21 the front side of this building, you are walking  
22 right into the Lindsey route, getting on a CART,  
23 and then you're going all over town. And I would  
24 note that many of the other multifamily complexes  
25 down in Southeast Norman that we've looked at and

1 we've approved are not. You see CART has never  
2 gone down there. I remember one project in  
3 particular, it was the Cottage at Imhoff project  
4 where one Council member, challenged us and said,  
5 "I'll approve it if you'll bring CART down to  
6 that area." That was down on Imhoff. And we  
7 looked into it, and it was going to be \$300,000  
8 to extend the route down there, and we were not  
9 able to do it. That project got approved, but my  
10 point being that, while the Southeast area of  
11 Norman is not accessible to CART, this site is  
12 directly on it.

13 Bikes. This particular developer has a very  
14 strong affinity to a culture of bicycles. In  
15 fact, they provide a bike-sharing program within  
16 their facility. And you didn't probably see it  
17 or notice it on the site plan, but this is a  
18 sliver of the site plan, and they have what  
19 they've called a bicycle garden part that sits  
20 here, covered, secured storage, and they provide  
21 a bike-sharing program. So they want people out  
22 on their bikes, using a bicycle. If they're not  
23 using CART, they'll be using bicycles. And they  
24 are very confident in that, that they can enhance  
25 that culture. And, again, is this is a good

1 location for that? Well, absolutely. Norman has  
2 an adopted bike route. We never talk about it  
3 because I don't really ever have a project that  
4 uses that, but this one does. And we're actually  
5 directly on the bike route. That's the adopted  
6 Norman bike route plan right there. We're  
7 sitting right on it, right on what is called an  
8 advanced rider bike route. So we very much have  
9 accommodated that. And you can see right here  
10 why that is an advanced route because of what's  
11 happening on Lindsey and because of that  
12 corridor. We're right on top of it, again,  
13 connecting right over to Lindsey and right over  
14 to Legacy Trail.

15 This is one of the primary features of this  
16 community, and it really just is stunning, I  
17 think, when you look at what they're proposing  
18 here. This is the main feature right outside the  
19 clubhouse area. It's the main pool area. It has  
20 a 100-foot lap pool, water volley ball, spa,  
21 water basketball. It has, basically, light and  
22 water towers out on the end of the pool. It has  
23 a hammock lawn, multiple hammock areas. It has a  
24 two-sided outside fireplace feature, two  
25 different outdoor kitchens. I could go on and on

1 here, but you're getting the flavor of it. It  
2 really is a pretty immaculate and stunning  
3 facility that I think a lot of people would  
4 greatly appreciate it.

5 This is the club. Inside, right on the end of  
6 that pool area is inside a full fitness gym,  
7 tanning studio, Yoga, things of that nature, and  
8 a full kind of cafe club, where, of course, you  
9 would have the ability to meet and greet with  
10 your other fellow residents. Study areas and  
11 computer rooms. The main leasing office, again,  
12 off Lindsey over here. The mail room for all the  
13 residents. And all of this, again, goes out into  
14 the swimming pool area. All the corridors are  
15 internal, so the residents are circulating  
16 internally into these facilities. It's a very  
17 safe and secure environment for those residents.

18 I've shown you this slide before, but it comes  
19 up when we discuss multifamily projects. I'm  
20 going to keep preaching this, as often as we can,  
21 that multifamily is not to be demonized. It's  
22 something that the Urban Land Institute, the  
23 Sierra Club, the American Institute of Architects  
24 -- everybody has preached to us and studied to us  
25 that multifamily and higher density in terms of

1 residence is a very important key aspect of the  
2 community, and it's one that is continually  
3 sought after, especially with the newer  
4 generations.

5 And I've shown you this before, but I'm going  
6 to keep talking about it, as well. One of our  
7 adopted policies in the City of Norman is that  
8 we are to grow to a population of 137,000 people  
9 by the year 2025. The US census had us at  
10 110,000 in 2010. So, in fifteen years, we've got  
11 to add 26,000 residents. Where are you going to  
12 put them? If we did it by just single-family  
13 homes, then you're going to consume -- to do  
14 that, you're going to consume 2700 acres, which  
15 is about 4.2 square miles, and you see what that  
16 looks like on the City of Norman. It's not  
17 sustainable. And, by the way, I was just looking  
18 at this today: Our building permit most recent  
19 report, we're clicking off probably on track of  
20 3- to 500 homes a year, and it varies greatly.  
21 But we're nowhere near the 6- to 800 or so that  
22 we were clicking off before about 2002 or 2003.  
23 So let's just say you're doing 300 homes a year.  
24 Well, that's roughly two and a half residents per  
25 home. That's about 600 -- 700 residents. Well,

1 you've got to add about 1700 residents a year  
2 every year to meet that goal of our adopted  
3 policy. You have to add 1700 residents. We're  
4 not building enough single-family homes to do  
5 that at all, not even close. So what are we  
6 building to accommodate that? We should be  
7 building multifamily.

8 Traffic, I want to certainly highlight that.  
9 This was studied very carefully by the traffic  
10 engineers for the complexity of it. And that is  
11 the chart -- You're used to talking about levels  
12 of service. It was really quite striking when  
13 we've looked at this. The levels of service is  
14 the same, A and B across the board. No change.  
15 In fact, the staff report says there are no  
16 negative impacts on traffic. And, really, that  
17 is because we are right next to two different  
18 arterials. We can utilize two different entries  
19 from the complex, and we really can spread that  
20 traffic quite easily.

21 It's a big economic investment in Norman.  
22 It's really, I think, very welcoming, when I hear  
23 that somebody from outside of our state wants to  
24 come in and invest this kind of a project and  
25 money into our community. This is a

1 \$39,000,000 project. The estimated building  
2 permit fee just for the privilege to build in our  
3 community is going to be roughly \$580,000 just to  
4 break ground, just get the permit to say, "You  
5 can go start construction." The annual estimated  
6 County property taxes which go to our schools and  
7 go to our county are roughly \$496,000 every  
8 single year. So it is a very intense economic  
9 impact on our community.

10 2025, I've shown you this before. There is  
11 one I have not shown you before that I get to  
12 show you tonight. I've never been able to use  
13 this one, but I have tonight. And it's 2.14, and  
14 it says: "Explore and encourage opportunities  
15 for both on- and off-street bicycle and  
16 pedestrian facilities for the community to work,  
17 school, shopping, between neighborhoods, and/or  
18 other destinations." That's an adopted policy of  
19 our community, and, tonight, we have a project  
20 that we're bringing to you with a bike-sharing  
21 program on the bike route, next to a route that  
22 takes them to the Legacy Trail. We can fulfill  
23 that policy and goal, which I don't think I've  
24 ever been able to show you one that we could  
25 fulfill that.

1 Staff fully supports this project. Again, we  
2 thank them very much for their work on it. As  
3 they've said, they recommend approval. The Parks  
4 Board, unanimous approval, a win-win, a very  
5 significant element of this project was that.

6 We ask for your support tonight. We thank you  
7 very much for your consideration for it. We're  
8 glad to be here to talk about it. This is the  
9 Millenium. We call it the next generation. You  
10 know, the Chamber has the Norman Next Program,  
11 which I know Commissioner Sherrer is very proud  
12 of, and this is really sort of in that vein.  
13 This is the next generation for Norman, and it's  
14 one that I think we can appreciate and adopt.  
15 And, with that, I will open it up to questions.

16 I thank you very much.

17 BY MR. LEWIS: Thank you.

18 Do any Commissioners have questions for  
19 Mr. Rieger?

20 Seeing none, I do know we have audience  
21 comments.

22 Mr. Kinnard, if you could state your name and  
23 address for the record.

24 BY MR. KINNARD: Hi, I'm David Kinnard. I live  
25 at 942 Chautauqua, and I'm a landlord in the

1 neighborhood of the Millenium, or the proposed  
2 site for the Millenium. You know, the  
3 presentation was remarkable. You know, it's a  
4 beautiful building, but my only concern is that  
5 this is a by-the-bedroom student apartment  
6 complex, or as guys as bald and old as I am would  
7 call it, an osa roll [phonetically], a  
8 single-room occupancy sort of a plan, which is  
9 fine, but, in the last ten years, the OU student  
10 population has remained flat. There has been  
11 over 5,000 bedrooms built in the last ten years  
12 that would compete with this marketplace. And  
13 when I did a survey on the first day of classes,  
14 there were 500 vacant bedrooms that I could  
15 figure out among these complexes which cater to  
16 the by-the-bedroom student population.

17 The annual rent increase in Norman is about 2%  
18 per year. So there's not a lot -- Despite the  
19 fact that we do have our goals for population  
20 growth, there's not a lot of pressure in  
21 for-rents in Norman. So what I'm concerned about  
22 is: Are enough students to keep this thing  
23 running? Is there enough students to keep this  
24 one running plus the other umpty-ump number of  
25 these complexes that are in existence already in

1 Norman, which, you know, if you remember, I think  
2 it was back two years ago, one went bankrupt and  
3 went up for Sheriff's sale, the Crimson Park.  
4 And so perhaps this one will succeed, but will  
5 others fail because there just isn't enough to go  
6 around, as my survey on the first day of class  
7 which is, theoretically, the day that these  
8 complexes are at their highest occupancy rate.

9 And so that's sort of it. And you know, as  
10 someone who has owned property on the east side  
11 of Norman for the last twenty-five years, it's  
12 been refreshing to see things getting better and  
13 getting better over the last ten or fifteen  
14 years. But it's, also, a repository for very old  
15 complexes in very tough condition that, you know,  
16 if there's more pressure on the rents, will  
17 continue to, you know, take in people that, you  
18 know, are just seeking the cheapest place  
19 possibly to live or incurring greater vacancy and  
20 abandoned units. And, you know, as much as I  
21 would like to see something like this go up in  
22 Norman, I just don't know how we're going to be  
23 able to, you know, support any more of these  
24 rent-by-room student complexes. And, for some  
25 reason, you know, this seems like the new bubble.

1 You know, this is -- You know, everyone knows how  
2 cheap mortgage money is and how cheap the rates  
3 are. And, for some reason, you know, they've  
4 been fueling a lot of money for these  
5 rent-by-room complexes, including the new one  
6 they just put up called the Grove, right? Which  
7 is, also, struggling for occupancy. So that's  
8 sort of it.

9 You know, it's a beautiful presentation. I  
10 wish it were one- and two-bedroom apartments that  
11 were looking to not go chase after the student  
12 population because even OU is sort of at risk.  
13 You know, I've got -- Yesterday, I was reading a  
14 Wall Street Journal, and they were talking about  
15 these MOCs, which is massive online courses. So,  
16 you know, you can take a course at Harvard online  
17 and not have to go drive to -- you know, not have  
18 to rent an apartment by OU and get college credit  
19 for it. There's risks in education. There's  
20 risks in Norman. There's risks on the east side.  
21 There's risks on every complex they've been  
22 building the last ten years that ends up being  
23 one of these rent-by-bedroom apartment complexes.  
24 And that's my concern.

25 The location is super. You know, with the

1 current trends in development in Norman, somebody  
2 is going to take it. They're going to build  
3 something like that, and it's going to cater to a  
4 different population. And, you know, if I were  
5 King of Norman, I would wait for the next guy to  
6 come around. But, you know, that's my opinion,  
7 and I wanted to share it with you. Thank you  
8 very much.

9 BY MR. LEWIS: Thank you so much.

10 Are there any discussions from the Planning  
11 Commission?

12 BY MR. BOECK: So that was the one comment?

13 BY MR. LEWIS: That was the one comment.

14 Do we have any other comments in the audience?

15 No. There was not.

16 BY MR. BOECK: I guess he has voiced some of my  
17 concerns, is we've got lots of student-oriented  
18 apartment complexes, and everybody knows that my  
19 interest, as an aging in place, is in  
20 intergenerational housing. And we didn't see any  
21 unit layout, so all I heard was stuff about  
22 students. And I kind of agree with that guy.  
23 I'm ready to see complexes that will address the  
24 needs of Norman's future. So that's my concern.

25 BY MR. LEWIS: Mr. Rieger, would you like to

1 address that?

2 BY MR. RIEGER: I would. Let me talk about  
3 that. First and foremost, I'm going to be pretty  
4 stern. It is not the role of government to  
5 determine market share. We're here to talk about  
6 land-use. And I didn't hear anything said in  
7 Mr. Kinnard's discussion about land-use. In  
8 fact, he said it was a perfect site. No  
9 questions, no comments, no concerns about  
10 land-use. And let's go down the path. If you go  
11 down the path of determining market share and  
12 want some of this, but not some of that, where  
13 does that end and is it a good policy? One of  
14 the things he says in his letter is that, if you  
15 adopt this, then he says that he will be  
16 discouraged from improving his property. Really?  
17 I disagree with that completely. If you, as a  
18 policy board -- if our City says that we're going  
19 to cap a certain use -- and we'll talking about  
20 whether this is that certain use or not -- but,  
21 if we're going to cap a certain use, if we're  
22 going to be the supply-side dictator, if we're  
23 going to say we don't want any more in that, what  
24 have you done? Have you encouraged him to  
25 improve his property? Of course, not. Of

1 course, not. Why would I improve my property in  
2 East Norman if I knew that our community had  
3 said, "No more. I'm not going to allow any  
4 more." Well, that would be pretty stupid of me,  
5 then, to go spend thousands of dollars to improve  
6 my property if I have you protecting me from any  
7 competition. In fact, the whole philosophy of  
8 our government, of our country, is to encourage  
9 competition. We have something called the  
10 Sherman Act. It's a federal law. You know what  
11 the Sherman Act says? It says that you can do  
12 nothing to create a monopoly. That's when the  
13 Justice Department prosecutes Microsoft. And why  
14 do they do that? They do that because the  
15 philosophy of our country is that competition is  
16 good, and monopolies are bad. Not only is the  
17 government prohibited from trying to do anything  
18 to create monopolies or counter competition, but,  
19 you, as a private citizen can be prosecuted for  
20 it. But that's the argument. The argument of  
21 Mr. Kinnard and others is that, "Hey, we've had  
22 enough. Let's stop it because my rent rates are  
23 going to go down." Well, the Sherman Act says  
24 you can't do that. Our whole philosophy as a  
25 country says you can't do that. In fact, what

1 makes it better -- what makes Southeast Norman  
2 better and all of those complexes is not for you  
3 to shut down the supply side because that's sure  
4 not going to make it better. Why would it? Why  
5 would they do anything? No. What makes them  
6 better is make them compete with newer models.  
7 Put them in a position that they see this, and  
8 they say, "You know, I've got to do something  
9 different. I've got to actually improve my  
10 property to be competitive with that." It's  
11 competition, and it's not a dangerous word. It's  
12 a necessary word. It's necessary for everybody.

13 And let's go further with that. If our  
14 community says we're going to shut it down, we're  
15 not going to have any more multifamily projects  
16 that, boy, make it difficult for the neighborhood  
17 to compete and lower his rents, okay, then what  
18 does that mean? We're going to say our only  
19 choices in Norman are for the older products, for  
20 the older versions of housing. If you want  
21 something new, go to Bricktown. If you want  
22 something new, go to Edmond, go somewhere else.  
23 But you're not going to find it in Norman because  
24 we have shut down the supply. Is that a good  
25 policy to adopt? Of course, not. But that's the

1 argument that those would have you believe is  
2 good. Absolutely not. The argument that is good  
3 is accept the projects as they come. Believe me,  
4 these projects look incredibly closely at their  
5 analysis of winning. I guarantee you that. I'm  
6 closing one next week that the lenders are  
7 looking at every fine detail of whether they want  
8 to loan \$40,000,000. There's no flippant review  
9 of that. They know what they're doing. And the  
10 point with that is the market knows what it's  
11 doing. The government, with all due respect,  
12 does not, but the market does, and the market  
13 solves those problems and puts competition in the  
14 market and makes gentlemen like Mr. Kinnard react  
15 to it in a very positive, forward-moving way for  
16 our community.

17 Thank you very much.

18 BY MR. LEWIS: Thank you.

19 Mr. Sherrer, did you have a comment?

20 BY MR. SHERRER: No, but you talked me into it.

21 I do believe, you know, we all come with our --  
22 who we are and what we do on a daily basis. And  
23 I think it's no secret that I serve as a lender,  
24 as a banker. I do agree with Mr. Rieger's last  
25 comment there. There is truly a vetting process

1 that goes through certainly a project of this  
2 size. From a viability perspective, I don't  
3 think that really is probably the question,  
4 certainly not for some period of time into the  
5 future. Any lender is going to look at it from  
6 that perspective. And so I think, from a market  
7 respective, I don't think that there's that risk.

8 I'm really excited about this project because  
9 I've sat here and I've listened to the comments  
10 that we've made over the last few years. The  
11 ability to have bike storage, that close to  
12 campus, and an overlook of the commercial  
13 properties nearby that seem to be pretty happy,  
14 at least no protests as it relates to the overall  
15 project. One single protest, period. I don't  
16 remember the last time we had a large complex  
17 like this where it was so minimal. I think next  
18 to the CART path -- I think the masonry work that  
19 appears to be part of this project -- there's a  
20 lot of positives here that I think we need to  
21 make sure we take into consideration while we're  
22 thinking about what's the best thing to do going  
23 forward.

24 Certainly, I understand Mr. Boeck's concern  
25 and the people that spoke tonight, but I think,

1 really, from a general market perspective, and,  
2 obviously, probably -- I think we need to let the  
3 market bear what is the right -- what's the right  
4 number of these kinds of units. Certainly, some  
5 analysis or some study that the City could  
6 provide on some period of time, I certainly would  
7 think would be very -- I think that would be  
8 accepted and looked at very fondly from both a  
9 lender perspective or from a person that's  
10 looking at doing a new project, but I don't think  
11 looking at an individual project and making that  
12 decision is really fair. If we want to take a  
13 macroeconomic look at multifamily housing within  
14 our community, I might support that and certainly  
15 ask the Council to maybe consider something of  
16 that nature. But to look at an individual  
17 project and then try to make that -- penalize  
18 them or approve them based on that criteria, I  
19 think, is a little short-sided, and, frankly, I  
20 think a project like this that's done a lot of  
21 what we've asked for so many months and so many  
22 times, I think is certainly not something we  
23 would want to do.

24 So I support this project. I think it's a  
25 project that really makes a lot of sense,

1 especially in that part of Norman.

2 BY MR. LEWIS: Thank you.

3 Any other comments or discussions from the  
4 Commission?

5 Mr. Knotts.

6 BY MR. KNOTTS: Oh, okay. So Sean continues to  
7 bring this point up that we're trying to increase  
8 the population by so many, and he knows -- he  
9 knows that student population is not part of that  
10 population that we're trying to increase. This  
11 project is headed toward students, and I don't  
12 think it's our position to assess risk. So, you  
13 know, if that's the way it happens, but I would  
14 prefer that, in the future, we would have  
15 arguments that are based on real fact rather than  
16 trying to create some kind of need that we don't  
17 have.

18 BY MR. LEWIS: Are there any other comments or  
19 questions or discussion?

20 Mr. Boeck.

21 BY MR. BOECK: I will respond and say I'm not  
22 trying to limit or adjudicate development. What  
23 I'm looking at in terms of -- you know, the East  
24 Side already has a zillion apartment complexes.  
25 The west side has a zillion apartment complexes.

1 What I'm looking at is in terms of when I drive  
2 through Oklahoma City, all the apartment  
3 complexes that are fenced because they became  
4 Section 8 202 housing complexes because of the  
5 nature of our market where we can depreciate  
6 something out over seven years and then sell it  
7 off, and sell it off, and sell it off. That's my  
8 concern, is in terms of how we develop a holistic  
9 approach. You know, it is a nice looking  
10 project, but I don't think questioning whether,  
11 you know, a project -- Well, whether a project is  
12 in the best interest -- You know, you were  
13 talking about best land-use. Well, everybody  
14 wants to get the most money for their land and  
15 the most development for their land. I'm not  
16 sure that our markets are set up -- you were  
17 talking as a banker -- of actually, you know,  
18 looking at a hundred-year plan for something that  
19 will last. We look at fifty-year plans for  
20 something to last. So I just bring it up  
21 because, yes, student housing is -- there's a lot  
22 of student housing here. If the complex was  
23 designed to be a mixed use, a mixed generational  
24 kind of complex, where people would come into  
25 town and buy into it or rent it, I wouldn't have

1 a problem with it. It just seemed like it was  
2 presented as student housing, bicycles, great,  
3 bus, great, but I want to see housing that thinks  
4 about whether a family with two kids, or a senior  
5 couple, or a couple with four kids wants to live  
6 in a place, is encouraged to live in a place,  
7 likes the place. That's the type of housing that  
8 I want to see, and I just didn't see that  
9 presented. So that was my only comment.

10 BY MR. LEWIS: Throughout this entire process,  
11 I've been thinking of what truly describes this  
12 project, and the words that keep coming to mind,  
13 regardless of what aspect of the project it is,  
14 it is esthetically pleasing. Many of you know  
15 and many that are here on a regular basis know I  
16 travel quite a bit throughout the country and  
17 throughout the world. And when we talk about  
18 shutting down new building in a community, I can  
19 tell you, firsthand, when I go into a community  
20 where new building permits are shut down, I stay  
21 in hotels that are sixty years old that I would  
22 not even come close to staying in the City of  
23 Norman. So, to the point of, will this drive  
24 current development in the City of Norman to  
25 improve? Absolutely. Will it offer something

1 that is not being currently offered in the City  
2 of Norman, not only to students, but to single  
3 adults, to married families? Absolutely.

4 I go back to my initial comment in wrapping up  
5 my overall comment concerning this project. It  
6 offers almost every amenity one would want. If  
7 you want biking, it's there. If you want public  
8 transportation, it's there. If you want parking,  
9 it's there. When I, first, read the proposal, I  
10 was concerned about the parking, and then I saw a  
11 parking garage. That, in the City of Norman for  
12 any apartment complex, is almost unheard of. In  
13 fact, I don't know of one apartment complex in  
14 the City of Norman that has a parking garage.

15 So, again, I go back to saying this is an  
16 outstanding project for the City of Norman. From  
17 a marketplace, it is going to drive the economy  
18 forward, not only from the capital investment,  
19 but, also, from the investment of the residents  
20 that are going to live there. So I will  
21 definitely support this.

22 Roné, if we have a proposal.

23 BY MS. TROMBLE: Yes, sir.

24 BY MR. LEWIS: A motion? Do I have a motion  
25 for approval?

1 BY MR. SHERRER: Motion to approve.  
2 BY MR. LEWIS: Do we have a second?  
3 BY MR. BOECK: I will second.  
4 BY MR. LEWIS: Mr. Boeck.  
5 Roné, if you'll call the roll for us.  
6 BY MS. TROMBLE: Mr. Gasaway.  
7 BY MR. GASAWAY: Yes.  
8 BY MS. TROMBLE: Mr. Sherrer?  
9 BY MR. SHERRER: Yes.  
10 BY MS. TROMBLE: Ms. Gordon?  
11 BY MS. GORDON: No.  
12 BY MS. TROMBLE: Mr. Boeck?  
13 BY MR. BOECK: Yes.  
14 BY MS. TROMBLE: Mr. Knotts?  
15 BY MR. KNOTTS: Yes.  
16 BY MS. TROMBLE: Mr. Lewis?  
17 BY MR. LEWIS: Yes.  
18 BY MS. TROMBLE: The motion passed five to one,  
19 Mr. Chairman.  
20 BY MR. LEWIS: Thank you.  
21 [Excerpt of meeting concluded at  
7:25 p.m.]

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