

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**FEBRUARY 13, 2020**

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 13<sup>th</sup> day of February, 2020. 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.

Chair Lark Zink called the meeting to order at 6:30 p.m.

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Item No. 1, being:  
**ROLL CALL**

**MEMBERS PRESENT**

Matthew Peacock  
Erin Williford  
Nouman Jan  
Tom Knotts  
Lark Zink  
Erica Bird  
Sandy Bahan  
Steven McDaniel

**MEMBERS ABSENT**

Dave Boeck

A quorum was present.

**STAFF MEMBERS PRESENT**

Jane Hudson, Director, Planning &  
Community Development  
Roné Tromble, Recording Secretary  
Lora Hoggatt, Planner II  
Janay Greenlee, Planner II  
Ken Danner, Subdivision Development  
Manager  
David Riesland, Traffic Engineer  
Beth Muckala, Asst. City Attorney  
Bryce Holland, Multimedia Specialist

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Item No. 5, being:

**O-1920-35 – DAVID BOX, ON BEHALF OF CHICK-FIL-A, INC., REQUESTS CLOSURE AND VACATION OF THE PLATTED 15' WATER LINE EASEMENT ALONG THE EAST PROPERTY LINE FOR PROPERTY LOCATED AT 2437 W. MAIN STREET (LOT 1, BLOCK 1, NORMAN CENTER NORTH ADDITION).**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Request to Close/Vacate Public Easement

**PRESENTATION BY STAFF:**

1. Ken Danner reviewed the staff report, a copy of which is filed with the minutes. Staff recommends approval of the request to close a portion of a fifteen-foot water line easement located within Lot 1, Block 1, Norman Center North Addition subject to water line plans being submitted and approved and the water line modifications being completed in accordance with the approved plans.

**PRESENTATION BY THE APPLICANT:**

1. Ms. Bird asked how far the fire hydrant will move.  
Josh Malwick, engineer for the project – The fire hydrant moved approximately 100 feet. It is now going to be set back around 30 feet from the property line.

Ms. Bird – Do you anticipate that improving the Fire Department's access in any way, if they need to access that fire hydrant.

Mr. Malwick – I don't know that it would improve it from what it was already, but it's going to remove a lot of line that the City was already responsible for that now they won't be. Now that section that is not included will be maintained by Chick-fil-A and it serves their fire suppression system.

Ms. Bird – Do you anticipate it to be pretty comparable – the access for fire trucks?

Mr. Malwick – Yes.

2. Mason Schwartz, representing the applicant – This is for the second part of the canopy. The first part of it was approved back in December by this Commission, and ultimately by City Council. As we were originally going through the application process for this, the east part of the canopy, which is what we're here on tonight, posed a little bit more of a problem because of this water line easement, so we spent some time with the City and staff trying to work out a Consent to Encroach, which is the normal procedure for this type of situation. Just because of the way that the canopy structure would have to be put into the ground and where it would be in terms of the water line easement, the City was less comfortable with the Consent to Encroach and more comfortable saying, well, why don't you guys move the fire hydrant south, assume responsibility of the line north of the fire hydrant and then do what you want to do with it? We said that works with us. So we're obviously doing that at our own cost and we will assume responsibility of the water line and everything north of where the relocated fire hydrant will be. If you will recall, the canopy structure – what we were here on last time and going through a bit of why we think it's necessary and important and how it fits into this – those of you who have driven by this Chick-fil-A location are familiar with the volume of traffic that goes through here and the volume of business – unique, certainly, for this type of business. The entire canopy structure allows Chick-fil-A to deploy its employees out during busy hours and take face-to-face orders and whatnot. This is just kind of the last piece of it that wraps around the east. I think there was concerns from Commissioner Bahan last time on whether it was going to be built in the front or the back. This piece that we're here on today is actually the side, so it's not in the front. I would submit that it's not quite the same concern as what we talked about last time. And then, Commissioner Zink, I think you were talking about the safety last time as well. Again, this is over the window portion of it, so we're not really dealing with the employees being out there at the ordering station doing the face-to-face. So I think that's mitigated as well. Just a little bit of the differences between the two applications. We worked well with staff. Staff has been very

accommodating through this, and we think this is the best way to go forward and make everybody happy and allow Chick-fil-A to complete this project. We agree with the condition that staff has put in their recommendation for approval. We are unaware of any protests. Happy to answer any questions, and would ask for this Commission's approval as well.

**AUDIENCE PARTICIPATION:**

None

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

*Steven McDaniel moved to recommend adoption of Ordinance No. O-1920-35 to City Council. Nouman Jan seconded the motion.*

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

YEAS	Matthew Peacock, Erin Williford, Nouman Jan, Tom Knotts, Lark Zink, Erica Bird, Sandy Bahan, Steven McDaniel
NAYES	None
MEMBERS ABSENT	Dave Boeck

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1920-35 to City Council, passed by a vote of 8-0.

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