

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

OCTOBER 12, 2017

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 12th day of October, 2017. 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.

Vice Chair Neil Robinson called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Chris Lewis
Neil Robinson
Lark Zink
Dave Boeck
Tom Knotts

MEMBERS ABSENT

Sandy Bahan
Nouman Jan
Erin Williford
Andy Sherrer

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
Larry Knapp, GIS Analyst II
Ken Danner, Subdivision Development
Manager
David Riesland, Traffic Engineer
Leah Messner, Asst. City Attorney

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Item No. 10a, being:

R-1718-45 – HERITAGE FINE HOMES INVESTMENTS, L.L.C. AND WINDSOR, L.L.C. REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL AND FLOODPLAIN DESIGNATIONS TO OFFICE AND COMMERCIAL DESIGNATIONS FOR APPROXIMATELY 9 ACRES OF PROPERTY LOCATED 1/8 MILE NORTH OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD ON THE WEST SIDE OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

1. 2025 Map
2. Staff Report

and

Item No. 10b, being:

O-1718-12 – HERITAGE FINE HOMES INVESTMENTS, L.L.C. AND WINDSOR, L.L.C. REQUEST REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, AND C-1, LOCAL COMMERCIAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR APPROXIMATELY 9 ACRES OF PROPERTY LOCATED 1/8 MILE NORTH OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD ON THE WEST SIDE OF 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Rezoning Parcel
4. PUD Narrative with Exhibits A-C

and

Item No. 10c, being:

PP-1718-1 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY HERITAGE FINE HOMES INVESTMENTS, L.L.C. (CRAFTON TULL) FOR WARWICK ADDITION FOR 26.45 ACRES OF PROPERTY LOCATED NORTH AND WEST OF THE INTERSECTION OF ROCK CREEK ROAD AND 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

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

PRESENTATION BY STAFF:

1. Janay Greenlee reviewed the staff report, a copy of which is filed with the minutes. There was a 0.5% protest within the notification area. Staff recommends approval of Resolution No. R-1718-45, Ordinance No. O-1718-12, and PP-1718-1.

2. Ken Danner – I just want to clarify one thing. It is a public street instead of a private drive where the signal will be located.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, representing the applicants – I think Janay has really covered this pretty well. I just want to highlight a couple of things. The only reason we're really in front of you for any kind of zoning request is because right now it is leftover A-2 zoning. You see that green there. And, obviously, this is not a farm anymore, so the A-2 is not appropriate anymore and that's the only change. The rest of the development is already, as Janay said, zoned C-1 and R-1. We're really just completing Warwick on the R-1, and preliminary plat for the C-1 and then just putting in what is a lesser use – the CO – for office instead of the C-1 and then C-1 only in the

front. The one protest letter, by the way, was this site right here protesting that she'd be backed up to CO office, and when you think about it, her neighbors are all backed up to C-1 down the way, which is a more intense zoning, so this developer actually really, I think, gave her a benefit by putting CO in the back of this A-2 instead of C-1, which they probably could have asked you to do. But, instead, they kept C-1 only at the front of it.

Let me show you a couple of other things here real quick. The Greenbelt Commission credited this developer with – what is happening here is there's a little sliver of land about 17' right up here – you can't really see it there, but it was basically one of those gap pieces in surveying, if you're familiar with those, that pop up occasionally. This developer has voluntarily agreed to deed that over to the City to be an extension of the Berkeley park and they got high credit from Greenbelt Commission for doing that – really just a nice gesture of this developer.

I would note one other thing, too. There was some question, I think, early on were they doing smaller lots with the continuation of Warwick than what's already there, because they could have. It's already zoned R-1, so they can come with any size lots they want within R-1, but they are not – they're bringing the same size lots – the same character – the same everything that's already there with Warwick, again, to their credit, so they're completing the addition that was really started long ago, but now will be finished with the same character that it's been.

With that, I don't think I have anything else to add that Janay didn't already cover. There is the distinction – CO in the back, which is Suburban Commercial Office, and C-1 in the front, which is Local Neighborhood Commercial. So I think with that I can probably just answer any questions you have and appreciate again your time very much.

2. Mr. Knotts – I have a little problem with the captured detention pond. Does it have an outfall anyplace? Does it have an overflow? Because if it all flows that way and you're putting more in it, we've got a problem.

3. Mr. Rieger – I anticipated you would ask us a stormwater question, so I told Kendall to be ready.

4. Kendall Dillon, Crafton Tull, 300 Pointe Parkway, Yukon – To answer your question, yes, the existing pond currently was constructed with previous phases of Warwick and does provide detention. It does have a designed outlet structure to it. But it provides detention for the residential as well as the south commercial. What our plan is, and what we've submitted in the preliminary drainage report that's been reviewed by your staff as well, is that we do plan on making some modifications to the pond to expand it to increase the storage capacity and probably also kind of modifying the outlet as well. So it will be designed in accordance with the drainage regulations and all the engineered calculations and everything like that. So we've already run those calculations and, like I say, they've been part of the preliminary drainage report that your staff has already reviewed. But, again, with the final, so that when we start to see exactly how the buildings, the parking really end up, we'll obviously resubmit those again at that time and go through the same process. But, to answer your question, it does have a designed outlet.

5. Mr. Robinson – Does this discharge into the storm sewer system there on 36th Street?

6. Mr. Dillon – Yes, it does.

7. Mr. Knotts – What is the capacity of the outflow? The engineering solution is always – it works by numbers but there's a huge maintenance factor that never gets done and they're always right at the edge of feasibility, and I just have a little worry about – because it is centered. It's captive inside the development and you're adding – I'm assuming that this northern area is going to drain to it also, or are you going out to the street.

8. Mr. Dillon – Well, the northern area will drain to it. One of the things, as well, that we're in the process of trying to do is we do feel like that there may be a little bit of an issue coming out of the Berkeley pond in regards to that outlet structure. So we're trying to work with staff and to try to hopefully remedy some of that. But, yes, the north detention, in part – a little piece of it will potentially bypass, which is accounted for in the calculations, but it will go to the pond. But, again, we're going to expand the pond to increase the capacity. In regards to maintenance and those sorts of things, obviously what we typically see – I think it's been maintained pretty well already, but as development occurs then obviously you have more people and will even have better maintenance around it. So it's a tough deal as an engineer to sit here, because I understand numbers sometimes are numbers. But we're pretty conservative as well as your engineering staff and it goes through a pretty tedious review. We'll make certain that it functions properly.

9. Mr. Knotts – So will there be a bond on this or something like that? It will work or ...

10. Mr. Dillon – I think it's just like every other development or every other pond in town. It has the same oversight as any other detention pond would in town. As engineers, trust me, one of the things that I get worried about – I don't like calls from attorneys, so we do a pretty good job of covering our bases on those sort of.

11. Mr. Rieger – First of all, he really doesn't like calls from attorneys, because he doesn't like it when I call him. But he stamps everything with his license, just as architects do, and he faces that liability. I don't want to remind him of that in a public hearing, but he does.

Secondly, though, I would remind that the City has continually now put on the plat a stamp that says the neighborhood is responsible for the detention ponds. And that stamp actually says if you don't maintain it the City can come and maintain and will assess you. That is put on every preliminary plat now – every final plat now and filed of record. So you do have the power to come in and do that. Whether you do that or not is your choice, and there's been a lot of discussion about that in various neighborhoods around the City. Don't worry – your staff realizes that you have that power. In fact, when the stormwater utility has come up, the discussion has been about that plat stamp, and the City staff has been very reluctant to take that stamp off.

12. Mr. Knotts – I understand. I like engineers, also. But I do say that, you know, when things are engineered to the maximum capacity, it usually means that there's no room for error, and there is always error.

13. Mr. Rieger – I would challenge you a little bit on that. Let me just tell you my experience as an architect when I practiced architecture. With all due respect to the two engineers sitting up here, I can remember many times when we would have drawings when you would have, say, a building and structural engineer puts a three or four times factor on the structures on that building, and you would, as an architect, sit there and say really? Three to four times the safety factor. It's no different on civil. They do the same thing. They put a safety factor in of a substantial magnitude. And, again, with all due respect to the engineers, they're protecting themselves and their liability. The owner, then, has to pay for it – the engineer doesn't have to pay for that material, but they put it in. They put it into the project. I've seen it many times. So I think there's many factors that deal with it.

14. Mr. Lewis – It's rare that Mr. Knotts and I actually agree on something. But I do have the same reservation to make sure that this pond has adequate storage capacity, because there's way too many examples throughout the City of Norman where ponds of this nature have been designed and has the stamp of approval by both the City and the engineer, and yet homeowners or property owners have to come back and invest hundreds of thousands of dollars

to correct it. So I would ask that it be made certain, as Mr. Knotts had suggested, that the capacity is certainly there plus some.

15. Mr. Rieger – We will do that. And I appreciate that and I know Summit Lakes and that area had those issues. But I would also say that those were done a long time ago. At the Pre-Development hearing, I would tell you this – we did have a neighbor that lives right behind this pond and they were questioning us about the pond. They like the pond as it is right now. They didn't really have a big problem. They asked us how much closer it's going to come to their back yard, but they're already kind of mowing out toward that pond and utilizing it and they enjoy it. It wasn't a negative to them in that Pre-Development hearing. I think this one has been well-maintained. Thank you.

16. Mr. Robinson – I would like to point out that maintenance of this kind of item is exactly why we need a stormwater utility, and then this kind of problem might not arise.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Chris Lewis moved to recommend adoption of Resolution No. R-1718-45, Ordinance No. O-1718-12, and PP-1718-1, the Preliminary Plat for WARWICK ADDITION, to City Council. Dave Boeck seconded the motion.

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

YEAS	Chris Lewis, Neil Robinson, Lark Zink, Dave Boeck, Tom Knotts
NAYES	None
MEMBERS ABSENT	Sandy Bahan, Nouman Jan, Erin Williford, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1718-45, Ordinance No. O-1718-12, and PP-1718-1 to City Council, passed by a vote of 5-0.

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