

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**MARCH 14, 2013**

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 14<sup>th</sup> day of March 2013. 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 Chris Lewis called the meeting to order at 6:30 p.m.

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Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Curtis McCarty  
Jim Gasaway  
Roberta Pailes  
Sandy Bahan  
Tom Knotts  
Chris Lewis

MEMBERS ABSENT

Andy Sherrer  
Cindy Gordon  
Dave Boeck

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &  
Community Development  
Jane Hudson, Principal Planner  
Janay Greenlee, Planner II  
Ken Danner, Subdivision Development  
Manager  
Roné Tromble, Recording Secretary  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst II  
Terry Floyd, Development Coordinator

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Item No.12, being:

**SFP-1213-2 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY SBJ2012, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR LOT 3, BLOCK 1, RIVER OAKS ADDITION, SECTION 5 GENERALLY LOCATED AT THE NORTHWEST CORNER OF WEST MAIN STREET AND 36<sup>TH</sup> AVENUE N.W.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Short Form Plat
3. Staff Report
4. Site Plan
5. East Ingress/Egress Easement
6. Trash Access Easement
7. West Ingress/Egress Easement

**PRESENTATION BY THE APPLICANT:**

1. Tom McCaleb, engineer for the applicant – This is the northwest corner of 36<sup>th</sup> Avenue N.W. and Main Street. This is a piece of property that has been platted for 34 years and is presently where Arvest Bank is located. The area of the Short Form Plat is shown in black. The existing bank is red, the area of the Short Form Plat is the cross-hatch, and the area to the west of it is a piece of land that is owned by a different owner. The tract to the north is a shopping center where Wright's IGA and all that stuff is. This is a simple complex piece of property. That is correct; I did say that. This application is very simple, but the property has been, as I said, 34 years and nothing has happened. We were given a strenuous deadline to make something happen and we were running out of time. But, basically, the site is this. The bank is here. This piece of land here is nothing but grass, and this piece of land over here is the access from Main Street that goes in and gets you up to Wright's IGA and the rest of the facility in that area. This piece of land has been looked at in the past several years by several people wanting to put something there. In each case, the issue came down to a few things, primarily access. The other is it wasn't platted; it's one lot. Arvest Bank now has agreed to sell the land. But to get the land so the bank operates as it normally does and so they can operate without messing up the bank's traffic, we've had to go through a series of lawyers and consultation to make sure everything was kosher. It started with traffic, and we've met with City Traffic to work out how can we make this thing function. So the functionality of the site is no new curb cuts, use what you've got – and that's what we're doing. This is the existing curb cut right there and the dashed lines that you see represented here is an access easement that we're securing from Arvest Bank. In addition that, we've agreed to put the Arvest trash dumpster on our property so we only have one dumpster to operate both facilities; that is this dashed line that goes up like so. So we have a trash easement that we've incorporated on this document. And then we have a stipulation of how to get the cars from this driveway and out of this driveway, so we're having to work with a different property owner to get that done. But that property owner has agreed that we can have access through his property with a later document that you don't have tonight because we can't do it tonight. That will be done with a lot line adjustment subsequently after we get this platted. So we've worked out the issues so the bank now is satisfied. We have the lawyers of the bank satisfied. We have the applicants satisfied. We have the applicant's lawyers satisfied. And we've got the future guy satisfied. Unfortunately, it has taken a long time to do this and we were running out of time and smarts. We were ready to go forward and we determined not long ago that we had a procedural error that occurred and that, as simple as this project is, as I said, it's a little bit convoluted. The procedural error was made – not the fault of any staff – City employee – made by others, probably me. So getting that done, we've had to ask for help because we were out of time. Our deadline is April 1 and we could not make it happen without help. So we asked for help, and we asked for the City Manager, the Development Coordinator, the Director of Public Works, and Council members to help us out. That happened this week. The results of that meeting were stimulating. It was different. At the discovery of the problem, the applicant requested this help and we got assistance from those folks and the results gave us a direct solution to this problem and we didn't need to pass go to

collect \$200. It was a straight, direct solution to get there and get it done after the problem had been determined it was a killer. And that's what you've got before you tonight, is the solution that we have given to staff. They reviewed it. And if you read your staff report, they recommend approval. Did I forget the sewer line? We've got to get a sewer line to take care of the bank and we have put a bond and a cash surety to make sure that sewer line gets built and you have all that. This is not the Twilight Zone; this really happened this week. This personnel that we talked through found this direct solution, steered us in this direction, and I'm astounded. It works. Staff is okay. Everybody is okay with the procedures. We've got some people who can think out of the box and bring it tonight and ask for your approval. We had 96% chance this baby was dead – maybe 100 – but 96 is a better number. It's now alive, and with your approval tonight we can record this document tomorrow and make our deadline. So I'd like to compliment all those who helped us figure it out. A problem was discovered and we got it fixed. So with that, I'd be glad to respond to any of your questions. We ask for your approval.

2. Mr. Gasaway – I'm sure there's a legal number of parking places that it meets the size of the building, but somewhere in the neighborhood of 21-25 – is that enough to service that size restaurant? Mr. McCaleb – It is. That was pre-determined a long time ago. And, in doing so, when we go to the next level, we're going to make some modifications over here with this development. To answer your question, Mr. Gasaway, yes, it works.

3. Ms. Pailles – That's the world's worst stretch of street. I mean, it's confusing and there's closely spaced traffic lights, etc. Is the traffic engineer happy with this? Mr. McCaleb – That's where we started. There have been three businesses trying to get this site and the answer was no, no, and guess the third answer. And then they said no more curb cuts, and so his solution was exactly what you're seeing. So we had to talk to those folks because it has taken a while. But now everyone has concurred.

4. Mr. Lewis – Mr. McCaleb, I think this is another great example when everyone comes to the table and puts their thinking cap on and thinks outside the box. 96% chance of something failing and someone is thinking how can we make it happen in a city that historically has not been business friendly in putting many roadblocks in between a business opening up and from the starting point. So thank you for sharing that. I certainly, as you do, appreciate everyone – City staff, engineers, yourself – making a project that had sure failure associated with it to something that's going to be very successful in the City of Norman. So thank you.

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

*Curtis McCarty moved to approve SFP-1213-2, the Short Form Plat for Lot 3, Block 1, RIVER OAKS ADDITION, SECTION 5. Roberta Pailles seconded the motion.*

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

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Sandy Bahan, Tom Knotts, Chris Lewis
NAYES	None
MEMBERS ABSENT	Andy Sherrer, Cindy Gordon, Dave Boeck

Ms. Tromble announced that the motion, to approve SFP-1213-2, the Short Form Plat for Lot 3, Block 1, RIVER OAKS ADDITION, SECTION 5, passed by a vote of 6-0.

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