

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 intersection
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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25

**** C E R T I F I C A T E ****

2 STATE OF OKLAHOMA)

) SS:

3 COUNTY OF CLEVELAND)

4 BE IT KNOWN THAT, I reported the Planning
5 Commission Meeting on the 10th day of October, 2013,
6 in Norman, Oklahoma; THAT I am a Certified Shorthand
7 Reporter in and for said State; THAT the foregoing
8 excerpt of said Planning Commission Meeting was
9 transcribed by me and is a true and accurate record of
10 my stenograph notes so taken at said Meeting; THAT I
11 am neither attorney for or counsel for, nor related to
12 or employed by, any of the participants; and, FURTHER,
13 THAT I am not a relative or employee of any
14 participant hereto, or financially interested in the
15 business of said meeting. WITNESS MY HAND AND SEAL,
16 this the 18th day of October, 2013.

JOYCE H. JONES, CSR #737