

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**JUNE 13, 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 13<sup>th</sup> day of June 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.

Vice Chairman Tom Knotts called the meeting to order at 6:30 p.m.

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Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Curtis McCarty  
Cindy Gordon  
Dave Boeck  
Sandy Bahan  
Tom Knotts

MEMBERS ABSENT

Jim Gasaway  
Roberta Pailes  
Andy Sherrer  
Chris Lewis

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  
Jeff Bryant, City Attorney  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst II  
Terry Floyd, Development Coordinator  
David Riesland, Traffic Engineer

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Item No. 12, being:

**RESOLUTION NO. R-1213-136 – AB & ASSOCIATES, L.L.C. REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1213-13) FROM OFFICE DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY LOCATED AT 109 EAST TONHAWA STREET.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. 2025 Map
2. Staff Report
3. Pre-Development Summary

and

**ORDINANCE NO. O-1213-55 – AB & ASSOCIATES, L.L.C. REQUEST REZONING FROM I-1, LIGHT INDUSTRIAL DISTRICT, TO C-3, INTENSIVE COMMERCIAL DISTRICT, FOR PROPERTY LOCATED AT 109 EAST TONHAWA STREET.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Zoning Map
4. Artist's Rendering of Proposed Restaurant
5. Site Plan

**PRESENTATION BY STAFF:**

1. Janay Greenlee – AB & Associates are requesting a Land Use Plan amendment from Office to Commercial, and rezoning from I-1 to C-3, located at 109 East Tonhawa. Here's the existing Land Use and Transportation Plan, with the office designation. Here it is proposed commercial. As you can see, to the south, much commercial and to the east, with institutional and parkland to the north and high density residential to the north. We're going to go from I-1 to C-3. This is the existing zoning. This originally was part of the Original Township site and industrial maybe at that time fit. Right now, you can see that there's much commercial on Gray and on Main Street and within the vicinity. This is the existing land use. This is the existing site. Probably many are familiar. This was an old retail paint store; it was damaged in the tornado last year and has been vacant. Renovation is being proposed for this site for a European bistro, downtown, outdoor dining. We're looking to the north – high density residential – R-3 to the north. This is just on the north side of the structure, the alley way that separates the high density residential. Looking to the south, the Crucible is across the street and much commercial down the street on Main and Gray. To the east there is commercial and office use. Directly to the east the Crucible is keeping two lots that they use for some of their products and storage, so it will still stay I-1 directly to the east. Looking to the west, Legacy Park Trail and the City of Norman Municipal Complex, so it's institutional and parkland, zoned I-1. Looking to the south again, C-2 and C-3. This is a rendering of what is being proposed for the Noon Restaurant, and an interior design layout of the floor plan. Staff is recommending both the land use change amendment and the zoning from the I-1 to the C-3. I'd be happy to answer any questions.

2. Ms. Gordon – Can you go back to the picture of the floor plan for me? Ms. Greenlee – The structure is basically going to stay the same footprint is what they're proposing. So the outdoor patio would face Legacy Trail. Ms. Gordon – So the residential that's just north of that – those are single-family homes essentially. Yes? Ms. Greenlee – It's a mix. There's some single-family but it is high density – it's R-2 and the land use is high density residential. Ms. Gordon – But many of those are single family residences. Ms. Greenlee – Some of them are. Two people, I believe, showed up to the Pre-Development meeting and were actually in favor of the restaurant. Ms. Gordon – Well, I was just curious about the outside patio and hours and having a restaurant patio backing up right to somebody's back yard that's open late. I don't know what kind of hours they plan on keeping. Ms. Greenlee – Well, the hours, I'm not for sure, but I think it's going to be more of an evening dining type thing, not – the proposal is more of a European

bistro, outdoor bar. I don't want to use the word "upscale" but they're not going to have outdoor parties. It wouldn't be something like, I don't believe, with music and a venue for that.

3. Ms. Gordon – I had another question. The parking for this – based on the report here, I was not quite sure where the parking was going to be. Some of it was talking about lots of parking within a block of that area, and then others were talking about plenty of parking down on Main. I mean, that's a few blocks away, and I was just curious if you could give me an idea where the parking would be for this site. Ms. Greenlee – Right to the east there's several parking lots that are an office use, so there's some open parking lots there. There is the public parking on Gray Street. Right across the street, the Legacy Trail has parking and that's maybe a half a block. Right to the south there's another public parking lot across from the Sooner Theater. The whole idea is that this is on Legacy Trail, that it can be walkable on Main Street so it's within that vicinity. Ms. Gordon – And the office parking people have no problem with bistro people parking in their parking lots? Ms. Greenlee – I doubt that will happen. I think there's going to be some agreements made.

4. Ms. Connors – I just wanted to be clear, the request is for C-3 zoning and there is no parking requirement for C-3 zoning.

#### **PRESENTATION BY THE APPLICANT:**

1. Mark Krittenbrink, 428 West Eufaula, representing the applicant – This is the old paint store. The tornado did come and take out the middle section. We are not planning on expanding the building footprint; it will stay exactly the way it is. Some of the building that was taken out in the middle we will use for outdoor dining, but it will be governed by noise ordinances and everything else that you have to do within the City of Norman. You make a good point, Cynthia, about the neighborhood to the north. In fact, two neighbors came to the Pre-Development meeting concerned, not so much about noise, but about parking. What we are doing is we're extending a wall to the north of our property along the alley to separate the commercial use from the residential use. Their real concern was not so much now, but in the future, as Legacy Trail develops, will there be parking in their neighborhood and what can they do to prevent parking on two sides of the street. A staff member pointed out that they can go to the City and have one side of the street parking located there. It is geared toward a European concept. We are adding 18 parking spaces on our own property, and between Gray and Tonhawa, which is a block, there are another 70 parking spaces, so we felt comfortable with that. There is a parking lot that parks 50 that is one block east, and the owner thought they would create a relationship with them in terms of using after hours parking and whatnot. It's a great use. You know, we're trying to extend Legacy Trail down to the north along the tracks and this kind of extends it. You've got the Crucible, which extended it one block, and then this facility will extend it about another half block. The owner plans a very upscale – I will use the term upscale – European restaurant. "Noon" is Persian for bread. Kind of an open kitchen concept; you sit at the counter and you watch the food being prepared. I feel like it's a really good project, a repurposing of that space. There were a lot of questions asked. We met with Susan and staff and they guided us in a way that they thought we should go, and we felt comfortable with that direction. I'd be happy to answer any other questions that anybody might have.

#### **AUDIENCE PARTICIPATION:**

1. Ellen Frank, 211 E. Daws – I'm one of the two people that showed up at the Pre-Development meeting. I think the idea is very nice. First, let me clarify. I wouldn't call the neighborhood high density. I wish high density was what the neighborhood is, and it's R-2 and R-3, and it's really a few multi-family units like maybe duplexes and single-family units, so I definitely, in our current lingo, would not call it high density neighborhood north of there. I also would also like to ask for a correction in the staff report, because present, as Mr. Krittenbrink had said, was an assistant city attorney, because we had a lot of questions about the parking and the spillover into the neighborhood. I don't remember her name; I think she's present tonight.

And she said, when we asked, that if the neighbors ask, the City will post signs to make one side of the street only parking. Because if you park on both sides of our street, you can't get through very easily and, certainly, emergency vehicles could not. My question is, though, two things. First of all, if this is an evening event, who is going to pay to monitor that? Do we have parking people on duty in the evening? No. That's a concern for me. I don't know, but as we begin our development – not just this project, but other projects – the question is, is our infrastructure supporting what we're building? I think the restaurant will be wonderful. But I think it might be incumbent on builders who are doing these things to – maybe we need to raise the impact fee or something, because what good is it to have one side of the street parking and nobody enforce it? This is my big concern. Also, why should we have to have a petition go around to all the neighbors and say is this a problem? It's kind of incumbent upon us to deal with the parking situation. The other question is, after the Pre-Development meeting, I did go to see what west Legacy Trail parking meant, and that means where the Police Department is, I believe, which is often full with the people that work in the Police Department. So that – I think the project is wonderful and I welcome it in our neighborhood, but I do think that – I don't know but maybe there are some creative ways to deal with this parking issue. Because I still think, as I think about it now, that could still be a question that we need to deal with, and maybe not just this project, but throughout the city. Thank you.

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

1. Mr. McCarty – C-3 doesn't require parking. I presume that there's going to be some existing parking on-site. Correct? I guess my question would be what is the occupancy load of this restaurant going to be, and how many actual parking spots are going to be there. Mr. Krittenbrink – Preliminary counts put our required parking, if we were to provide parking, at around 70-74. We are providing 18 spaces on-site. In the half block to the north are 42 spaces, and then there is an additional, I think, 18 along Tonhawa going to the east, and that's not counting the parking lot that's across the street from the Sooner Theater to the west.

*Cindy Gordon moved to recommend adoption of Resolution No. R-1213-136 and Ordinance No. O-1213-55 to City Council. Sandy Bahan seconded the motion.*

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

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

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1213-136 and Ordinance No. O-1213-55 to City Council, passed by a vote of 5-0.

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