



# CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069  
Thursday, September 14, 2023 at 7:00 PM

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## MINUTES

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 14<sup>th</sup> day of September, 2023.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> at least twenty-four hours prior to the beginning of the meeting.

Chair Erica Bird called the meeting to order at 7:00 p.m.

### ROLL CALL

#### PRESENT

Cameron Brewer  
Steven McDaniel  
Liz McKown  
Erica Bird  
Douglas McClure  
Jim Griffith  
Maria Kindel

#### ABSENT

Kevan Parker  
Michael Jablonski

A quorum was present.

#### STAFF PRESENT

Jane Hudson, Planning Director  
Lora Hoggatt, Planning Services Manager  
Melissa Navarro, Planner II  
Roné Tromble, Admin. Tech. IV  
Beth Muckala, Assistant City Attorney  
David Riesland, Transportation Engineer  
Todd McLellan, Development Engineer  
Bryce Holland, Multimedia Specialist

## CONSENT ITEMS

Chair Bird announced there has been a request to remove Item 3 from the Consent Docket. She asked if any Commissioners or public wished to remove any other items. There being none, she asked for a motion.

Motion made by McDaniel, seconded by McKown, to approve the Consent Docket, consisting of Items 1 and 2, as presented.

Voting Yea: Brewer, McDaniel, McKown, Bird, McClure, Griffith, Kindel

The motion to approve Items 1 and 2 of the Consent Docket as presented passed by a vote of 7-0.

### Minutes

1. Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the August 10, 2023 Regular Planning Commission meeting.

The August 10, 2023 Regular Planning Commission Minutes were approved on the Consent Docket by a vote of 7-0.

### Short Form Plats

2. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Short Form Plat SFP-2324-3: Consideration of a Short Form Plat submitted by Tammy McCown (Cornerstone Surveying) for JENKINS PLACE for 0.42 acres of property located at 1727 S. Jenkins Avenue.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Short Form Plat – Jenkins Place
3. Staff Report

Short Form Plat SFP-2324-3 for JENKINS PLACE was approved on the Consent Docket by a vote of 7-0.

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Chair Bird announced that there is a request for recusal.

Motion made by McDaniel, seconded by Kindel, to allow Liz McKown to recuse on Items 3, 8, 9, 10, 11, 12, and 13.

Voting Yea: Brewer, McDaniel, Bird, McClure, Griffith, Kindel

The motion to allow Ms. McKown to recuse on Items 3, 8, 9, 10, 11, 12, and 13 passed by a vote of 6-0.

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Ms. McKown vacated her seat.

3. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Short Form Plat SFP-2324-4: Consideration of a Short Form Plat submitted by Our Lady of Lebanon (Pixis, L.L.C.) for LADY OF MERCY for 1.43 acres of property located at 500 Alameda Street.

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Short Form Plat – LADY OF MERCY
3. Staff Report
4. Site Plan

**PRESENTATION BY STAFF:** None

**AUDIENCE PARTICIPATION:** None

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

Motion made by McDaniel, seconded by Kindel, to approve SFP-2324-4, Lady of Mercy Short Form Plat.

Voting Yea: Brewer, McDaniel, Bird, McClure, Griffith, Kindel

The motion to approve SFP-2324-4 was adopted by a vote of 6-0.

Ms. McKown returned to her seat.

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## NON-CONSENT ITEMS

### Holiday Heights 2025 & SPUD

4. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Resolution No. R-2324-41: Holiday Heights Real Estate, L.L.C. requests amendment of the NORMAN 2025 Land Use & Transportation Plan from Low Density Residential Designation to Office Designation for 0.22 acres of property located at 1413 N. Crawford Avenue.

#### **ITEMS SUBMITTED FOR THE RECORD:**

1. NORMAN 2025 Map
2. Staff Report

5. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2324-11: Holiday Heights Real Estate, L.L.C. requests rezoning from R-1, Single Family Dwelling District, to SPUD, Simple Planned Unit Development, for 0.22 acres of property located at 1413 N. Crawford Avenue.

#### **ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. SPUD Narrative with Exhibits A-C
4. Pre-Development Summary

**PRESENTATION BY STAFF:** Ms. Navarro reviewed the staff report, a copy of which is filed with the minutes.

**PRESENTATION BY THE APPLICANT:** None

**AUDIENCE PARTICIPATION:** None

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

Motion made by Griffith, seconded by Brewer, to recommend adoption of Resolution No. R-2324-41 and Ordinance No. O-2324-11 to City Council.

Voting Yea: Brewer, McDaniel, McKown, Bird, McClure, Griffith, Kindel

The motion to recommend adoption of Resolution No. R-2324-41 and Ordinance No. O-2324-11 to City Council passed by a vote of 7-0.

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## **Sooner Traditions 2025 & SPUD**

6. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Resolution No. R-2324-42: Sooner Traditions, L.L.C. requests amendment of the NORMAN 2025 Land Use & Transportation Plan from Office Designation and Low Density Residential Designation to Commercial Designation for 1.33 acres of property generally located at the Northeast corner of Lindsey Street and Berry Road.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. NORMAN 2025 Map
2. Staff Report

7. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2324-12: Sooner Traditions, L.L.C. requests rezoning from CO, Suburban Office Commercial, and R-1, Single Family Dwelling District, to SPUD, Simple Planned Unit Development, for 1.33 acres of property generally located at the Northeast corner of Lindsey Street and Berry Road.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. SPUD Narrative with Exhibits A-C
4. Pre-Development Summary
5. Transportation Impacts
6. TEC Memorandum

**PRESENTATION BY STAFF:** Lora Hoggatt reviewed the staff report, a copy of which is filed with the minutes. There is 9.5% protest within the notification area.

Ms. Bird asked the building line on the north; there was a discrepancy between the language in the PUD and the site plan. Ms. Hoggatt said they would have to go off the site plan (Exhibit A) at 190', and they would have to do a site plan amendment if they were going to change the building layout on the property. Ms. Hudson added that the site plan attached to the traffic report was not correct, and will be updated before it goes to City Council. The Open Space Diagram (Exhibit C) also shows an incorrect building setback line.

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

Gunner Joyce, Rieger Law Group, representing the applicant, introduced the remainder of the development team: Rick McKinney, Steve Rollins, B.J. Hawkins, and Hunter Miller. He presented the project.

Rick McKinney, McKinney Partnership, provided additional detail on the project.

Mr. Joyce discussed the stormwater drainage plan and traffic memo for the project.

Mr. Brewer asked about the seating in the central landscaping area. Mr. McKinney said there will be some seating there, and it can be a waiting area. Mr. Joyce added that there will be benches.

## **AUDIENCE PARTICIPATION:**

Dennis Yarbro, 803 S. Berry Road, spoke in opposition, citing inaccuracies, the curb cuts, mention of a commercial shopping center in the staff report, drainage changes with the masonry wall, and the way protests are tracked.

David Nehrenz, 902 Carey Drive, spoke in opposition, citing the residential nature of Berry Road, and traffic impacts.

Susan Meyer, 808 Carey Drive, spoke in opposition, questioning whether the right-in/right-out access would work, stating Berry Road is an emergency services corridor, and that the traffic study didn't consider the 150,000 cars that go through Starbucks.

James Akey, 819 and 815 Carey Drive, said they had a wonderful meeting with Mr. Miller, but need to get all of the stuff on paper so they have time to really look at it. He asked that this item be postponed.

Kristine Akey, 819 Carey Drive, spoke regarding the traffic on Berry Road and the difficulty getting out of Brooks Street because of traffic backing up.

Patrick Schrank, 1309 Rebecca Lane, spoke in support, but suggested some mixed uses.

Kristi Morgan, 2601 Smoking Oak Road, spoke in support. Dining options in the area are limited beyond fast food chains. We need to encourage space for visitors.

Dana Drury, 951 S. Berry Road, appreciates the applicant's efforts. She enjoys being in walking distance to great restaurants. She is concerned with the traffic on Berry Road.

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

Mr. Brewer said this is a much-improved site plan with the siting of the building, the deck and the trees. You can't count on a certain restaurant being there in perpetuity, but the operator is a known entity. Concerns are the number of parking spaces and this corridor is not highly walkable. He asked about the inconsistencies in the report.

Ms. Hudson stated that Exhibit A in the SPUD document is the site development plan, which shows the building 194'; the applicant is correct there are some variances where the building could be moved a few feet. Exhibit B states the allowable uses: restaurant with outdoor patio, parking, and ancillary uses; detached one-family dwelling; and office. The staff report say a commercial shopping center; that is not correct and that will be fixed before it goes forward to City Council. Exhibit C, Open Space Diagram, in the SPUD is not the controlling document for the SPUD, but is there to show the open space. The building setback line on that exhibit will be fixed before it goes to City Council, as well as Figure 2 in the TEC report.

Mr. McDaniel commented he has seen this site come to the Planning Commission with various types of buildings. On this proposal the building is pulled to the very front, away from the residential area. The changes indicate the developer has been listening to what has been said. The other three corners of the intersection are all commercial. This corner should be commercial.

Mr. Brewer heard that additional concessions were made to the neighborhood residents. He recommended those be included as part of the plan before going to City Council.

Mr. Joyce responded that those concessions have already been drafted into the document: LED lighting, masonry wall. The setback line is the only discrepancy that has not been cleaned up. It is only on the drainage plan, which shouldn't even show the setback lines.

Mr. McClure asked whether the 83 parking spaces are based on the seating capacity. Mr. Joyce responded that the number came from Hal Smith, and is the minimum possible to make the site work.

Mr. McClure asked about an additional entry on Berry Road. Mr. Joyce responded that any more entries will reduce parking. Previously, staff did not want a left-turn from Lindsey into the site, especially so close to the signalized intersection.

Ms. Bird asked if there was any consideration for adding a right-turn lane on Berry Road. B.J. Hawkins responded that the right-in/right-out is too close to the intersection to allow any left turns because of the potential to back up into the intersection. The volume of traffic on Lindsey is 2.5-3 times the traffic on Berry Road. There is not adequate right-of-way in that area to add a left-turn lane into the site. The number of vehicles to require of right-turn lane usually is around 100 vehicles/hour. The entire site generates about 40 for peak hours, both entering and exiting.

Ms. Bird commented that this is the third time she has reviewed a project for this property as a member of the Planning Commission. Each time the applicant took the feedback and incorporated that. One of the concerns that was raised when the proposal was for a strip center was vacancies in retail space. There is a 5,000 sq. ft. maximum on the building size, and the building they are proposing is only 4,200 sq. ft.

Motion made by Brewer, seconded by McKown, to recommend adoption of Resolution No. R-2324-42 and Ordinance No. O-2324-12 to City Council.

Voting Yea: Brewer, McDaniel, McKown, Bird, McClure, Griffith, Kindel

The motion to recommend adoption of Resolution No. R-2324-42 and Ordinance No. O-2324-12 to City Council passed by a vote of 7-0.

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## **G2SOK Investments 2025, PUD & Preliminary Plat**

Ms. McKown vacated her seat.

8. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Resolution No. R-2324-43: G2SOK Investments, L.L.C. requests amendment of the NORMAN 2025 Land Use & Transportation Plan from Low Density Residential Designation to Commercial Designation for approximately 5 acres of property located at 3800 36th Avenue N.W.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. NORMAN 2025 Map
2. Staff Report

9. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2324-13: G2SOK Investments, L.L.C. requests rezoning from A-2, Rural Agricultural District, to PUD, Planned Unit Development, for approximately 5 acres of property located at 3800 36th Avenue N.W.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. PUD Narrative with Exhibits A-E
4. Pre-Development Summary

10. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Preliminary Plat PP-2324-4: Consideration of a Preliminary Plat submitted by G2SOK Investments, L.L.C. (Crafton Tull) for 3800 36th Avenue NW for approximately 5 acres of property located at 3800 36th Avenue N.W.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Preliminary Site Development Plan
5. Transportation Impacts
6. Traffic Impact Memorandum

**PRESENTATION BY STAFF:** Melissa Navarro reviewed the staff report, a copy of which is filed with the minutes.

Mr. Griffith asked if any storage will be allowed outside. Ms. Navarro responded that all the storage will be indoors.

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

Gunner Joyce, Rieger Law Group, representing the applicant, introduced the project team: Jason Spencer, Bryan Stambeck, and Dean Anderson. He reviewed the request for Commercial Designation in the NORMAN 2025 Plan, and PUD zoning, as well as a preliminary plat for one lot.



Mr. Griffith asked if the landscaping will be irrigated. Mr. Joyce responded affirmatively. Mr. Griffith suggested that the building on the north of the entry should also have brick façade on the front because it will be visible from the south.

**AUDIENCE PARTICIPATION:**

Peggy Cook, 4005 Stonehurst Street, representing the Board of Castlerock Homeowners Association, spoke in opposition.

Daphne Summers, 3701 Buckingham Drive, spoke in support.

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

Ms. Bird appreciated the comment about the façade being visible. She met with the applicant's before the meeting to ask questions, including the feasibility for residential use. She appreciated the sight line diagram being included.

Mr. McClure thinks the idea is great, but he agrees that any buildings that are visible from the street should have brick façade. Mr. Joyce responded that they would be happy to have the brick façade included in the motion as a recommendation.

Motion made by Kindel, seconded by McClure, to recommend adoption of Resolution No. R-2324-43, Ordinance No. O-2324-13, and PP-2324-4 to City Council, with the recommendation that the building to the north of the office also have masonry frontage because it is partially visible from the street.

Voting Yea: Brewer, McDaniel, Bird, McClure, Griffith, Kindel

The motion to recommend adoption of Resolution No. R-2324-43, Ordinance No. O-2324-13, and PP-2324-4 to City Council passed by a vote of 6-0.

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## Franklin Woods 2025, PUD & Preliminary Plat

11. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Resolution No. R-2324-11: Alliance Development Group, L.L.C. requests amendment of the NORMAN 2025 Land Use & Transportation Plan from Future Urban Service Area to Current Urban Service Area and from Medium Density Residential Designation to Mixed Use Designation and removal of Special Planning Area 5 for 60.4801 acres of property generally located at the Northeast corner of 36th Avenue N.W. and Franklin Road.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. NORMAN 2025 Map
2. Staff Report

12. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2324-1: Alliance Development Group, L.L.C. requests rezoning from A-2, Rural Agricultural District, to PUD, Planned Unit Development, for 60.4801 acres of property generally located at the Northeast corner of 36th Avenue N.W. and Franklin Road.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. PUD Narrative with Exhibits A-E
4. Pre-Development Summary

13. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Preliminary Plat PP-2324-5: Consideration of a Preliminary Plat submitted by Raven Investments, L.L.C. (SMC Consulting Engineers, P.C.) for FRANKLIN WOODS, A Planned Unit Development for 60.4801 acres of property generally located at the Northeast corner of 36th Avenue N.W. and Franklin Road.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Development Plan
6. Request for Variance in Cul-de-sac Length

**PRESENTATION BY STAFF:** Ms. Hoggatt reviewed the staff report, a copy of which is filed with the minutes. There is 17.4% protest within the notification area.

Ms. Bird asked the speed limit on 36<sup>th</sup> Avenue N.W. and Franklin Road in this area. Ms. Hoggatt responded it is 40 mph.

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

Gunner Joyce, Rieger Law Group, representing the applicant, introduced the development team: Richard McKown, Alliance Development Group; Chris Anderson, SMC Consulting Engineers; and B.J. Hawkins, TEC. He presented the project.

Richard McKown, 4409 Cannon Drive, provided additional information on the apartment portion of the project.

Mr. Joyce reported on the meetings with Greenbelt Commission and Parks Board. This project requires a full TIA, which was done.

Mr. Brewer noted the protest letters had discussion about flooding concerns. Mr. Joyce responded and noted that 45% of the area will remain open space. They went through the Floodplain Permit Committee and got approval for the roadway that crosses through the floodplain. Chris Anderson explained how the plans address water concerns.

Mr. Brewer asked about safe pedestrian connectivity. Mr. McKown responded.

#### **AUDIENCE PARTICIPATION:**

Patrick Schrank, 1309 Rebecca Lane, spoke in support.

Wes Hubert, 3300 Crystal Spring Drive, expressed concerns, including his property value, use of Ruby Grant Park, flooding of the road, and concern that the park will be used for overflow parking.

Ramona Blue, 5201 Crystal Spring Court, spoke in opposition, with concerns about the size of the lots, the size of the homes, duplexes, the number of apartments in a 2 mile stretch on 36<sup>th</sup> Avenue N.E. and the impact on home values.

James Arms, 5200 Crystal Spring Court, showed a photo of the flooding behind his house. He was concerned the development will result in additional flooding issues.

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

Ms. Bird asked about duplexes. Mr. Joyce responded the proposal does not contain duplexes, but they would have been allowed under the current NORMAN 2025 designation.

Ms. Bird asked about lot sizes and home sizes. Mr. McKown responded the lots will be 7,200 sq. ft. and larger, and the homes will cost \$450,000 to \$500,000. The entire primary street is a divided boulevard.

Ms. Bird commented that she would like to see the developer have a meeting with the neighbors. Mr. McKown said they would be happy to meet with them.

Mr. Brewer commented that this project is a reduction in density from what is called for in the NORMAN 2025. The project has lower density on the north side, adjacent to Crystal Springs, and higher density on the south side, which encourages park use. He likes the ADUs that provide for aging in place. He encouraged the developer to meet with the neighbors to the north, and also to look at the flooding issues.

Ms. Bird commented that City Council might also benefit from a report on the status of 36<sup>th</sup> Avenue N.W. widening.

Ms. Kindel commented that she likes how much green space is included in the project. She is concerned with traffic and flooding.

Motion made by Griffith, seconded by McClure, to recommend adoption of Resolution No. R-2324-11, Ordinance No. O-2324-1, and PP-2324-5 to City Council.

Voting Yea: Brewer, McDaniel, Bird, McClure, Griffith, Kindel

The motion to recommend adoption of Resolution No. R-2324-11, Ordinance No. O-2324-1, and PP-2324-5 to City Council passed by a vote of 6-0.

Ms. McKown resumed her seat.

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## Zoning Code Amendment

14. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of Ordinance No. O-2324-7: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-552, FENCING, WALLS AND SCREENING, OF CHAPTER 36, ZONING, OF THE CODE OF THE CITY OF NORMAN, TO ALLOW FOR ADMINISTRATIVE REVIEW AND APPROVAL OF REQUESTS FOR VARIATIONS IN FENCE HEIGHT FORWARD OF THE FRONT SETBACK LINE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

This item has been withdrawn. No action was required.

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**MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF - None**

## **ADJOURNMENT**

There being no further business and no objection, the meeting adjourned at 9:45 p.m.

  
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Planning Commission