



# 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

## **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 Yarbrow, 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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