

**MOORE PLANNING COMMISSION
AGENDA
April 14, 2009**

As required by Section 311, Title 25, of the Oklahoma Statutes, notice is hereby given that the Planning Commission of the City of Moore will hold a Planning Commission Meeting scheduled for **April 14, 2009 at 7:00 PM** in the City Council Chambers, 301 N. Broadway, Moore, Oklahoma.

AGENDA ITEM I: ROLL CALL

AGENDA ITEM II: MINUTES Approval of the Minutes of the February 10, 2009, Planning Commission Meeting.

AGENDA ITEM III: REPORTS Planning Commission Members
Community Development Staff

AGENDA ITEM IV: NEW BUSINESS

- a) Receive public input regarding the **Moore Vision 20/20 Comprehensive Plan Amendment #15**, located in the SW/4 of Section 11, T10N, R3W, being North of NW 12th Street and West of Broadway Avenue, from Medium Commercial to High Density Residential. Application by Empire Group, LLC/ Larry Brandon. **Ward 2.**
- b) Discuss and consider approval of the **Final Plat of Goodrich Daycare Addition**, located in the W/2 of Section 22, T10N, R3W, being North of SW 19th Street and East of Santa Fe Avenue. Application by Nancy Goodrich. **Ward 3.**

AGENDA ITEM V: CITIZENS

AGENDA ITEM VI: ADJOURNMENT

Agenda posted in compliance with Oklahoma Open Meeting Law on the 7th Day of April, 2009, by: _____, Nora Gilbert, Secretary

**MINUTES OF THE PLANNING
COMMISSION MEETING
February 10, 2009**

The Planning Commission of the City of Moore, Oklahoma held a regularly scheduled meeting on February 10, 2009 in the Council Chambers, Moore City Hall, 301 North Broadway, Moore, Oklahoma.

Agenda Item No. 1, being: ROLL CALL

After noting a quorum present, Chairman Stedman requested that roll be called. The following members reported present:

Kent Graham	Randy Tarlton	Gary Lunow	Robert McDonald
Don Snow	Ralph Sherrard	Sandy Elledge	Lynn Stedman

Absent: Louie Williams

Staff: Elizabeth Jones, Community Development Director & Nora Gilbert, Secretary

Agenda Item No. 2a being: APPROVAL OF THE MINUTES OF THE January 13, 2008
PLANNING COMMISSION MEETING

Chairman Stedman noted a mistake on Page 1 on the January 13, 2008 Planning Commission Minutes. Chairman Stedman asked if there were any additional changes to the Minutes. Hearing none, a motion was requested.

Motion: Commissioner Graham motioned for approval of the minutes as corrected. Commissioner Lunow seconded the motion. Roll was called.

Ayes: Graham, Tarlton, Lunow, Sherrard, McDonald, Snow, Stedman

Nays:

Abstained: Elledge

Absent: Williams

Agenda Item No. 3a being: REPORTS – PLANNING COMMISSION MEMBERS - None

Agenda Item No. 3b, being: REPORTS - PLANNING COMMISSION STAFF

The following items were discussed and considered by City Council on the below listed dates:

January 5, 2009

Approved:

- Rezoning Application No. RZ-833, from C-5 to C-5/PU for auto repair.

- Rezoning Application No. RZ-834, from C-2/PUD to C-2PUD with a Special Use Permit for cell tower.

February 2, 2009

Tabled:

- Rezoning Application No. RZ-832 and companion Comprehensive Plan Amendment No. 11, from R-1 to C-5.
- Rezoning Application No. RZ-837 and companion Comprehensive Plan Amendment No. 13, from R-1 to C-5/PU.

Both items were tabled to the February 17, City Council Meeting to allow time for City Council to visit the site.

Ms. Jones reported that the City has hired Katie Tyler, an intern from O.U. Katie will be assisting with PUD Administration, Pedestrian and Bike Trails, and the 2009 Bike to Work Day, which is scheduled for May 1st of this year.

Agenda Item No. 4a being: NEW BUSINESS

Receive public input regarding the **Moore Vision 20/20 Comprehensive Plan Amendment #14**, located in the SW/4 of Section 25, T10N, R3W, being North of SE 34th Street and East of Broadway Avenue, from Light Commercial to High Density Residential. Application by DMB Housing/ David Brown. **Ward 1.**

This lot is located approximately ½ mile north of SE 34th Street on the east side of Broadway Avenue. The applicant is requesting to rezone the property for a 26 unit multi-family apartment complex for seniors. In order to accommodate the densities that the applicant is proposing, the Land Use Plan must be amended to High Density Residential.

In considering the High Density Residential land use for this property, Chapter 4 of the Moore Vision 20/20 should be reviewed and considered. The Land Use Plan encourages multi-family land uses to be designed as a PUD, providing unique architectural treatments and design, parking areas that are buffered from the streets and surrounding residential properties, as well as general buffering techniques between the multi-family use and the surrounding properties.

The plan identifies High Density Residential impacts to be comparable to those of Medium Commercial land uses, in the form of light and noise trespass and traffic generation. It should be noted that although the zoning of the property is C-3 (considered Medium Commercial), the land use plan designates this property as Light Commercial.

Being located in a developed area of Moore, this parcel has access to existing water and sewer facilities. Adequate emergency services are present, with a new fire station being constructed on S. Sunnyslane, being approximately 3 miles from the subject property. Broadway is a rural 2-lane Roadway.

Environmental issues focus on protecting the surrounding residential neighborhoods from increased light and noise intrusion. The plan gives general guidelines for multi-family developments in close proximity to single-family residential uses, including increased set-backs, vegetative buffer, and decreasing the density of the project where it abuts single-family homes.

After preparing the preliminary review of the application, staff strongly encourages the applicant to consider

the following issues when finalizing the rezoning application:

- Provide increased setbacks and graduated densities where abutting single-family residential uses.
- Provide adequate amenities to off-set the higher densities requested. These may include unique architectural details, traffic calming devices within the development, and open spaces for residential use.

Chairman Stedman asked if anyone had questions of Ms. Jones. Hearing none, Chairman Stedman asked if the applicant was present. David Brown introduced himself as the applicant. Mr. Brown stated that his last project was a senior development at 3rd and Turner. Mr. Brown stated that facility has been a success. And because that facility is at capacity with seniors remaining on a waiting list, Mr. Brown stated he feels there is still a need for this type of development. The proposed project includes a one story building along the back property that abuts the current residential neighborhood. The two story building with 10 units is proposed on the side along Broadway which would not compromise the privacy of the neighboring homes. The lower level units would be targeted toward seniors 55 and above. The upper level units would be targeted toward seniors 50 and above. The plans calls for only 8 upper level units and a total of 18 lower level units. The plan has been designed to meet all ADA requirements. Mr. Brown stated the majority of tenants at the current facility, are made up of women. In addition most of the tenants do not do much traveling. Mr. Brown stated that his hope is to create a very similar living environment to accommodate more seniors in the area. Commissioner Graham asked about the unit floor plans. Mr. Brown answered all units will be one bedroom between 670-700 SF in size. Commissioner Elledge asked if the facility will be equipped with an elevator. Mr. Brown answered no.

Chairman Stedman asked if there were members of the audience who wished to address this item. The following residents spoke in opposition to the application.

- Steven Thompson, 205 SE 28th Street
- Jeanie Lee, 201 SE 28th Street
- Glenn Lewis, 2804 Angela Francis
- Sandra Jones, 2809 Angela Francis
- Tom Jackson, 213 SE 28th Street
- Linda Wilson, 217 SE 30th
- Johnny Jones, 2809 Angela Francis
- Sharon Reynolds, 208 SE 28th Street

The following concerns were raised:

- Inadequate infrastructure in place to support higher density housing
- Increased traffic to the area
- Parking issues
- Light Pollution
- Privacy compromised to neighboring residents
- Low income, subsidized housing
- Negative impact to residential property values.
- Lack of control over future use of facility when/if property changes hands
- Drainage issues
- Densities not appropriate for the area
- Frequent disruption by Emergency Vehicles

Commissioner Tarlton asked if the PUD insures that the facility would only be used for senior housing. Ms. Jones answered no. The PUD insures that the design of the complex meet ADA requirements. The City has no control over what type of residents the owner chooses as tenants. The current owner has targeted seniors as his market. The design of the units themselves would not be attractive to families. The units are limited in size and number of bedrooms. Some have been modified to accommodate wheelchairs, which reduces the already limited size even more. Those types of modifications reduce closet space as well as floor space and would be less attractive to many residents. Commissioner Tarlton reminded residents that the property is already zoned for commercial development. The property owner could pull a building permit and put up a two story commercial building without ever having to come before this board. Commissioner Tarlton stated he would like to gain a perspective as to whether residents in the area would prefer a commercial development over the proposed application.

Linda Wilson, 217 SE 30th, stated she is not opposed to the application. Her only objection is with the two-story design. Ms. Wilson stated that she realizes the property is already zoned for commercial and a single level facility, such as Chateau on the Green would be agreeable to her.

Keith Jacobs, 217 SE 28th Street, spoke in opposition to the application. Commissioner Graham asked Mr. Jacobs if given a choice; he would prefer this development over a commercial use. Mr. Jacobs stated, much would depend on the proposed business. However, without knowing the nature of the future commercial business; he would prefer a single-story senior residential development.

Commissioner Sherrard stated that the Planning Commission does consider the rights of neighboring residents and their quality of life, however, he explained that they must also take into consideration the property owner's right to the best use of their property as well.

Shanna Jones (address not given), stated she had concerns over the close proximity of future senior residents and that she may receive complaints from future neighbors who might consider her barking dogs a nuisance.

Sharon Reynolds, 208 SE 28th Street, asked what control the City would have over modifications to the layout that is being considered. For example; what if the owner decided to change the design to a three story structure? Chairman Stedman stated that there is a 35 foot height restriction in the area. Commissioner Tarlton stated that the PUD being approved would also prevent any modifications to the current design. Ms. Jones stated that is correct, once the final PUD Design Statement is approved any significant deviation would have to come before this board and citizens would be notified.

Mr. Brown stated he would like to address several of the concerns that have been raised. Mr. Brown stated although many of the residents here tonight have voiced their objection to the two-story design, he would like to mention, that there are many existing two story homes along the same side of the property where his design plan calls for second story units. With the two story building, only 4 units would face neighboring residents. The second story windows will be 13 feet from the ground, with a total height of 18 feet. Mr. Brown stated that his current facility on Turner began leasing units in July of 2008 and since that time has only been visited by an ambulance once. Commissioner Tarlton asked Mr. Brown to address the elevator requirement for senior housing. Ms. Jones explained that the definition of "Senior Housing" according to City Code, states that 60% of all units are built to ADA accessibility. The remaining percentage does not have to meet that requirement. The two story units would fall under the 40% not built to those requirements and would therefore not require an elevator. Mr. Brown stated that this project is not aimed for low income residents. The rent is not funded by social security. Rent is anticipated to be in the mid six hundred dollar range and is funded by the residents and often times, the resident's children. Commissioner Graham

asked about vegetative screening. Mr. Brown stated the plan calls for a wooden fence and landscaping material, such as trees to provide a buffer between the apartments and neighboring residents.

Claude West, 8301 S. Douglas, Oklahoma City, introduced himself as a partner of the proposed project. Mr. West stated he would like to address some of the other questions brought up by residents. Mr. West stated he would first like to address the question of who will maintain the property. He answered, he will be responsible to maintaining the property. He also mentioned that the original design for the project called for the entire facility to be two-story. In consideration, of the neighboring residents, modifications were made to have two-story only run along the side nearest to Broadway. The pitch of the roof was changed to make them lower. In those ways they have tried to address the concerns of neighborhood residents.

Eric Koslowski introduced himself as the architect for the project. Mr. Koslowski stated that designing the structure higher in the front also serves to make the development more noticeable from the street. He stated it is a significant feature and one that Mr. Brown would want to keep in the design. Mr. Koslowski also gave a brief history of the property and offered to answer any questions.

This item is to gather information and citizen input only, and will not be voted on at this meeting. No vote was taken. Ms. Jones reminded everyone that this item will come before the Planning Commission for a vote at a future date. At that time, neighboring property owners will again be notified. Chairman Stedman moved to the next item on the agenda.

(Agenda items 4b and 4c are companion items to be discussed together and voted on separately.)

Agenda Item No. 4b being: NEW BUSINESS

Discuss and consider approval of **Moore Vision 20/20 Comprehensive Plan Amendment #12**, located in the SE/4 of Section 14, T10N, R3W, being North of Main Street and West of Turner Avenue, from Low Density Residential to Medium Density Residential. Application by Tommy Lawrence. **Ward 2.**

Motion: Commissioner Graham motioned for approval of **Moore Vision 20/20 Comprehensive Plan Amendment #12**. Commissioner Tarlton seconded the motion. Roll was called.

Ayes: Graham, Tarlton, Lunow, Sherrard, McDonald, Snow, Stedman

Nays:

Abstained: Elledge

Absent: Williams

Agenda Item No. 4c being: NEW BUSINESS

The subject site consists of a vacant parcel of land located directly west of the Langley Village Apartments on the northwest corner of Turner Avenue and NE 3rd Street. The applicant has developed a 6-plex Senior Living apartment building to the east of this site that has proven to be successful, and he is seeking to take that housing plan and apply it to this lot.

There is existing water and sewer to the site. Access will be provided from both Turner Avenue with an off-street parking lot, and NE 3rd Street, with a residential-style driveway. On NE 3rd Street, the proposed site plan shows a driveway for 4 vehicles, which requires a 45' wide curb-cut. The 45' wide curb cut does not comply with current city code, which limits curb-cuts to 30' in width. Staff recommends narrowing the curb cut to 30' in width to accommodate 3 cars. If additional parking is needed, the off-street parking on the

south side of the units may be enlarged.

The concept of the Planned Unit Development is to offer housing that is designed to complement the existing housing in the area, offering efficiency apartments with the required accessibility for seniors. The PUD proposes 6 units on approximately ¼ acre (24 units per acre).

In review of a Planned Unit Development, the City is allowed to relax certain city codes in return for other amenities that off-set those deviations. In this case, the developer has requested a density of dwelling units that is above the R-3 regulations, and variances to the required building setbacks. In exchange, the developers have offered the following amenities:

- Prominent Front Porches
- Knee Walls
- Mixture of Materials and Colors (details to be provided through addendum)
- Extensive Landscaping Package (details to be provided through addendum)

This application is in general compliance with the MOORE VISION 20/20, and is specifically addressed in Chapters 3 and 6. These chapters deal with the overall goals of housing for the community, in particular providing affordable housing to special populations, which include the elderly. Additionally, desirable PUD amenities are outlined, and include some of the amenities provided with this PUD application, including architectural elements and light, noise, and visual buffers to surrounding uses.

This portion of the Old Town area has been developing in recent years to a higher density than what is considered typical within Moore. Many of the area's multi-family housing projects are dedicated to senior housing, taking advantage of the close proximity to the Seniors Citizens Center. This application generally conforms with the past development trends of offering higher density senior housing within the Old Town area.

With the submitted site plan, elevations, and landscaping plan, staff feels that this Design Statement is not only enforceable, but satisfies the intent of the PUD regulations.

Moore City Code requires sight-proof fencing to the west and south. The PUD eliminates most on-street parking, and protects Turner Avenue against turning movements that may cause pedestrian-auto conflicts. Staff feels that the integrity of the residential character of this portion of Old Town is protected by the proposed PUD. Because of the quantity and quality of the amenities provided to off-set the densities, staff recommends approval of this application.

Discuss and consider approval of **Rezoning Application No. RZ-836**, to rezone a part of the SE/4 of Section 14, T10N, R3W, being North of Main Street and West of Turner Avenue, from R-2 Two Family Dwelling District to R-3/PUD General Residential District as a Planned Unit Development. Application by Tommy Lawrence. **Ward 2.**

Chairman Stedman asked if the applicant was present. Tommy Lawrence introduced himself as the applicant. Mr. Lawrence stated had had reviewed and was in agreement with staff recommendations. Mr. Lawrence offered to answer any questions. Mr. Lawrence stated that he has been working closely with staff and understands the importance of preserving the "Old Town" character of the area.

Commissioner Graham asked Mr. Lawrence about the plumbing operation located to the south of this property. Mr. Lawrence answered, the name of the business is Triple S Plumbing. The plumbing company operates during regular business hours from 8:00am to 5:00pm. Typically they arrive early to pick up their

trucks for the day's work and return the trucks in the evening. Mr. Lawrence stated he does not anticipate any problems with the plumbing company. Their typical business activity should not be disruptive to the residents. Commissioner Graham explained that close proximity to some of the bedroom windows gives him some concern. Mr. Lawrence explained he had agreed to some concessions in the design of the windows to help address that issue. In addition, there is an alley way that runs along the south side of the property. The alley together with the drive, parking stalls, sidewalk and grassy area do create a significant amount of space between the residents and the commercial property.

Mr. Lawrence stated that based on his past development he would not anticipate any problems with parking on the street. Ms. Jones added that the plan does allow for 1.5 parking spaces per unit which takes into account additional parking for visitors. Commissioner Lunow asked if there is a plan to deal with drainage issues in the area. Ms. Jones answered that the developer has agreed to reestablish the bar ditches along Turner Avenue.

Chairman Stedman asked if there were any members of the audience who wished to address this item. Hearing none, a motion was requested.

Motion: Commissioner Graham motioned for approval of **Rezoning Application No. RZ-836**. Commissioner Elledge seconded the motion. Roll was called.

Ayes: Graham, Tarlton, Lunow, Sherrard, McDonald, Snow, Elledge, Stedman

Nays:

Abstained:

Absent: Williams

Agenda Item No. 5 being: CITIZENS - None

Agenda Item No. 6 being: ADJOURNMENT

Chairman Stedman requested a motion to adjourn.

Motion: Commissioner Elledge motioned for adjournment. Commissioner Lunow seconded the motion. Roll was called.

Ayes: Graham, Tarlton, Lunow, Sherrard, McDonald, Snow, Elledge, Stedman

Nays:

Abstained:

Absent: Williams

RECORDED FROM NOTES & TRANSCRIBED BY _____ Nora Gilbert, Secretary



CITY OF MOORE, OKLAHOMA

April 14, 2009

Moore Vision 20/20 Amendment

Application # 15

City Council Ward 2

**Applicant: Empire Group
LLC/ Larry Brandon
201 N. Broadway
Moore, OK 73160**

OVERVIEW

Location	Part of the SW/4 of Section 11, T10N, R3W North of NE 12 th Street and West of Broadway
Request	Amend the Moore Vision 20/20 from Medium Commercial to High Density Residential
Proposed Use	Apartment Complex
Size of Property	Approx. 3 acres
Surrounding Land Use	
North-	Medium Commercial/ Existing Home
South-	Medium Density Residential/ English Village Apartments
East-	Medium Commercial/ Camp Bow Wow
West-	Medium Commercial/ Super 8 Motel

DISCUSSION

This property consists of 4 separate lots and is located north of NE 12th Street, west of Broadway on Sutton Circle, and is currently vacant. The Moore Vision 20/20 identifies all lots as Medium Commercial. The applicant is seeking to develop the subject parcels into an apartment complex with a total of 69 units, which equals 24 units per acre. As part of the redevelopment plan, the applicant will be required to vacate a portion of Sutton Circle through district court. To develop this property as an apartment complex, amending the comprehensive plan to High Density Residential is necessary.

Land Use/Planning

Chapter 4 of the Moore Vision 20/20 describes the High Density Residential land use as one that should provide convenient access to commercial and institutional centers, and should be situated within the urbanized core of the City. The plan suggests that the impacts of High Density Residential uses are similar as those of Medium Commercial properties, in terms of parking and traffic.

The plan gives very specific site design guidelines for High Density Residential land uses. These include locating parking areas in the interior of the complex, providing durable building materials and residential rooflines, and designing superior landscaping and open space. These concepts are reinforced within the comprehensive plan in Chapter 6, Housing Plan, where PUD's are recommended for multi-family developments, and the type of acceptable amenities are outlined.

Another consideration for this application is its relationship with the I-35 Corridor. Being within the I-35 Corridor, the plan calls for additional buffering or screening for residential uses abutting the interstate to mitigate light and noise impacts. Also, the plan strongly discourages the rear of a building facing I-35, whereby blank walls and unattractive facades project Moore's image to the traveling public.

Public Services

Being located in a developed subdivision, this property has access to existing water and sewer facilities. Adequate emergency services are present.

Transportation

With the proposed land use as High Density Residential, the traffic anticipated to be generated is likely to be of higher volumes than a single-family residential use, comparable to that of a Medium Commercial business. Because of the higher traffic volumes, access to major roadways are a necessity. This project has access to the I-35 Service Road and Broadway Avenue, via Sutton Circle. This segment of Broadway Avenue is scheduled for reconstruction to include 4 full lanes of traffic and sidewalks, funded by the 2008 BO Bond Issue, with an anticipated start date of 2015.

Environmental

The environmental issues of the proposed land use primarily focuses on stormwater run-off and possible impacts to surrounding properties and infrastructure. Currently stormwater run-off in this area generally pools at a street stub to the east of the English Village Apartments. Special attention should be paid to site development plans in order to reduce any additional run-off from the subject site.

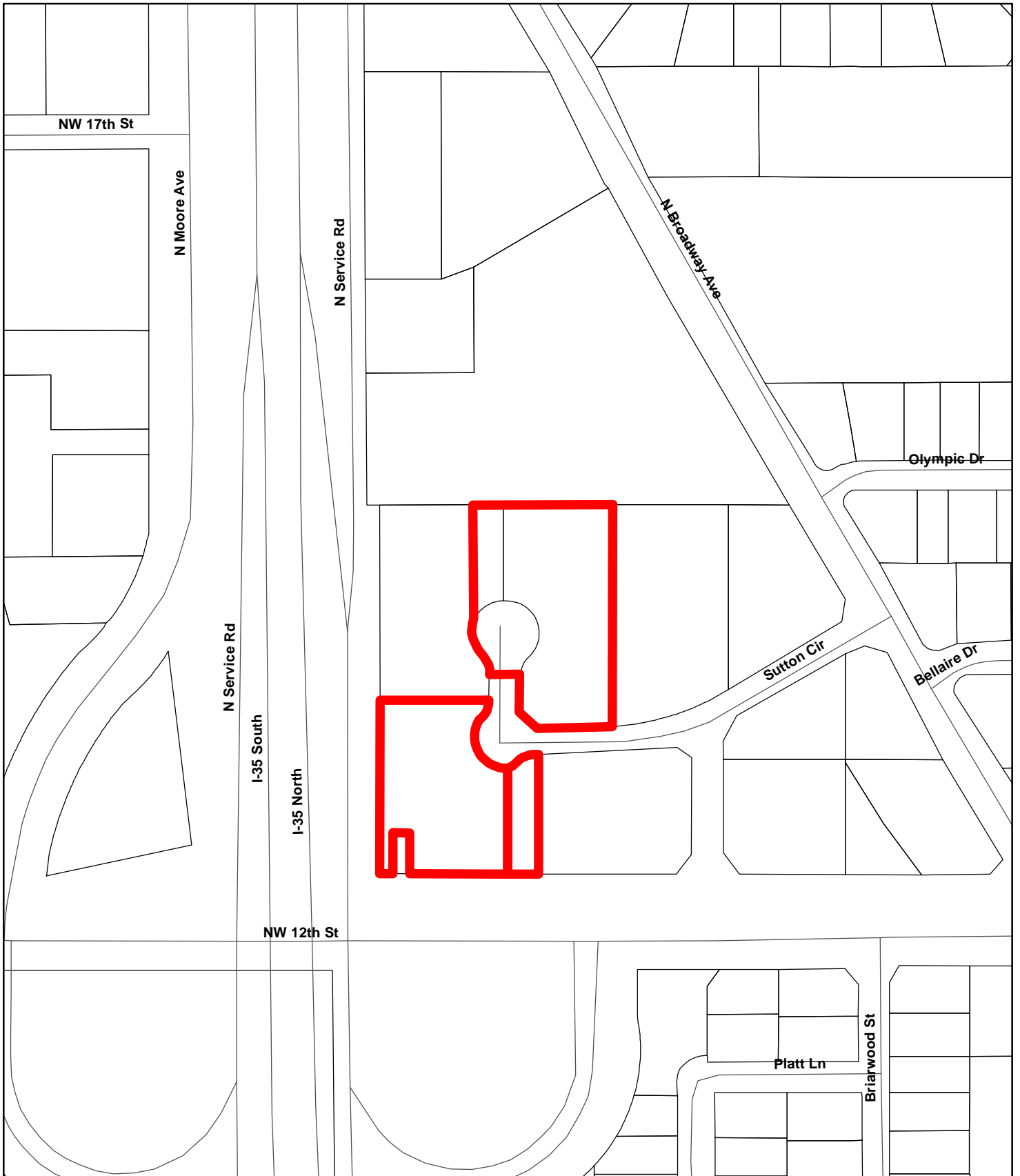
SUMMARY

The Planning Commission and City Council must consider the property owner's right to utilize the property to the highest and best use, while also working to maintain the integrity of the Comprehensive Plan. Staff strongly encourages the applicant to consider the following issues when finalizing the rezoning application:

- Provide adequate setbacks and buffering techniques where abutting the interstate and other commercial uses.
- Provide adequate amenities to off-set the higher densities requested. These may include unique architectural details, traffic calming devices within the development, and open spaces for residential use.
- Consider stormwater run-off in project preparation.

This item is to gather information and citizen input only, and will not be voted on at this meeting. When the rezoning comes before the Planning Commission and City Council, staff would recommend that the applicant take the comments contained in this staff report and those comments received at the meeting, and incorporate those items into the rezoning request.

Moore Vision 2020 Amendment No. 15



DISCUSSION

Planning

The Final Plat consists of 3 lots on 4.5 acres. The applicant is proposing to construct a child day care facility on Lot 3. As was indicated in RZ-828, the applicant will remain living on the property in the existing home located on Lot 2, until which time the home is sold for commercial development. At that time, the home will be removed for commercial redevelopment.

Public water and sewer are available to the property. Lot 3 has direct access to public water and sewer. It should be noted that when Lots 1 and 2 are developed, public water and sewer will be required to be extended through each lot. There is no floodplain located on the property.

Access is provided by Santa Fe Avenue, which is currently under construction to a 4-lane arterial roadway. A 30' access easement, which is located on Lot 3, will serve as access to all lots in order to reduce the amount of curb cuts onto Santa Fe Avenue.

Parks/Recreation

N/A

Emergency Management

N/A

Water/Wastewater

N/A

RECOMMENDATION

Staff recommends approval of the final plat subject to the following:

1. Staff approval of all building lines, easements and rights-of-way.
2. Fire Department approval of all fire hydrant locations.
3. Plat shall show a dedicated 50' ROW for Santa Fe Avenue.
4. Plat shall show 20' Utility Easements on the north side of the tract.
5. Sanitary sewer and public water shall be extended to each lot prior to a building permit being issued.
6. The existing home on Lot 2 shall be removed when developed as a commercial use.

Goodrich Daycare Final Plat Location Map

