## MINUTES OF THE PLANNING COMMISSION MEETING February 8, 2022

The Planning Commission of the City of Moore, Oklahoma held a meeting on February 8, 2022 in the Council Chambers, Moore City Hall, 301 North Broadway, Moore, Oklahoma.

Agenda Item No. 1, being: ROLL CALL

Chairman Sherrard announced the time and called the Planning Commission Meeting to order. The following members reported present.

Kent Graham Gary Lunow Chad Burks Don Snow Kenneth Jarema

Chris Rickman Jack Joiner Ralph Sherrard

**Absent**: Brandon Laib

Staff: Elizabeth Weitman, Community Development Director, Sarah Copeland, Assistant Planner

Nora Kerbo, Administrative Assistant

Agenda Item No. 2, being: PLEDGE OF ALLEGIANCE

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

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

Ms. Weitman reported the following items were discussed and considered by City Council on the below listed dates:

December 6, 2021

## Approved:

- Final Plat Sendera Lakes, Section 4
- Final Plat Moore to Come, Section 1
- Final Plat Madison Gardens, Section 1

January 3, 2022

Approved:

- Rezoning Application RZ1014 from A1 to A2/PUD, Hairy Paw Inn
- Final Plat Broadmoore Heights, Section 2
- Rezoning Application RZ1016 from C-5/PU to C-3, Giau, LLC
- Rezoning Application RZ1017 from C-3/I-1 to C3/PUD, QuikTrip Corporation

Agenda Item No. 4 being: MINUTES

a) Approval of the Minutes of the December 21, 2021 Special Planning Commission Meeting.

Chairman Sherrard requested a motion.

Kent Graham motioned to approve the minutes of the December 21, 2021 Planning Commission Meeting, as written. Gary Lunow seconded the motion. Roll was called.

Ayes: Graham, Lunow, Burks, Snow, Rickman, Joiner, Sherrard

Nays:

**Abstained**: Jarema **Absent**: Laib

Agenda Item No. 5a, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1018**, located in the NE/4 of Section 26, T10N, R3W, being south of SW 19<sup>th</sup> Street and west of S. Broadway Avenue, 2101 S. Broadway Avenue, from I-2 Medium Industrial District to I-1 Light Industrial District. Application by Flash Group Services. **Ward 1**.

The subject site is located south of SW 19<sup>th</sup> St and west of S Broadway Ave at 2101 S Broadway Ave. The site consists of 1 lot totaling approximately 13 acres with an existing industrial building on the property being the previous location of Cameron Drilling. The previous tenant was Cameron Drilling. The applicant is seeking to rezone the property from I-2 Medium Industrial to I-1 Light Industrial. While the current zoning allows a medical marijuana grow and processing facility by right, the rezoning to I-1 is requested to allow for a medical marijuana dispensary in addition to the other allowed uses.

Public water and sewer utilities are available to serve the site. Access is provided by S Broadway Ave with a secondary access to Industrial Blvd.

The site does not contain a FEMA-regulated floodplain or floodway. Any new construction takes place in the future must comply with the City's current Stormwater Management Criteria.

This site is located in an industrial area of the Midway Place Industrial Park. There are existing industrial businesses surrounding this property to the north, south and east, and the BNSF Railway is located to the west of this property.

The Envision Moore 2040 Plan calls for this location to be a Light Industrial area. Light Industrial land uses include existing heavy commercial, office, warehouse, flex, light industrial, and existing medium industrial development. This application was reviewed as to its conformance with the Comprehensive Plan.

By downzoning this property to I-1, the potential for outdoor storage and operations will be greatly reduced from the previous use, therefore this application furthers the comp plan's goals of promoting quality appearance within the community.

Because no new development is proposed, sidewalk improvements not required at this time.

The existing access to the site is from two driveways via S Broadway Ave and Industrial Blvd. No additional driveways are being proposed.

The Plan calls for preserving natural resources as amenities while also accommodating development. The site does not contain floodplain or naturalized areas. As no new development over 1-acre in size is proposed, stormwater detention is not required.

The Envision Moore 2040 specifically states that rezoning requests to Light Industrial uses should be supported in areas designated for Light Industrial land uses (pg.66) due to these uses being more compatible with the city's suburban character. Because this application seeks to downzone the property from Medium Industrial to Light Industrial, this request is in compliance with the Envision Moore 2040.

The City passed medical marijuana regulations that allowed medical marijuana growing and processing in zoning districts A-1, A-2, and I-1 through I-3. Therefore, the subject site zoning as it sits today as I-2 Medium Industrial allows medical marijuana growing and processing by right, and this use is not under consideration with this application.

However, the only zoning district that allows a grow, processor and dispensary in the same building is I-1 Light Industrial. The applicant desires to create a storefront dispensary while growing and processing the marijuana that would be sold on-site. A rezoning action from I-2 to I-1 is required to allow the dispensary.

The comprehensive plan supports rezoning applications for Light Industrial when the parcel is designated as Light Industrial land use. Based on the compliance with the comprehensive plan, staff recommends approval of this application.

Kent Graham asked if a down zoning impacts the proposed grow portion of the operation in any way. Ms. Weitman answered, no. The grow operation is allowable today by right under any industrial zoning. The application for the down zoning is to accommodate the dispensary. If the applicant did not want the dispensary this application would not be necessary.

Chairman Sherrard asked, if the applicant was present. Kent Meek, 3555 NW 58th Street, Ste. 1000, Oklahoma City, OK, 73112, introduced himself as the attorney representing the applicant. Mr. Meek stated he would like to reiterate the point previously made by Ms. Weitman. This application does line up with the goal of moving this area south of 19th Street from medium industrial to light industrial as outlined in the Envision Moore Plan 2040. There are not large number of commercial properties in between 19th and 34th Street, based on those numbers, approval of this change in zoning would be a significant step toward that goal. Mr. Meek offered to answer any questions.

Commissioner Lunow asked the square footage of the buildings. Mr. Meek stated, under roof should be around 11,000 SF.

Mr. Lunow asked if there are plans for the gravel lot at the rear of the property. Mr. Meek answered to plan would be for separate buildings to be built in which to grown plants.

Although the property is currently unoccupied, there is already around the clock on-site security. The applicant plans to occupy the property sometime in June. Renovations to the buildings will begin at that time.

The applicant has been in communication with OG&E regarding their projected power needs. They have already ordered their own transformer and therefore, disruptions to their neighbors, are not anticipated to be an issue.

Mr. Meek added. As the business gets closer to opening part of that process will installation of security cameras as well as better LED lighting. The 24 hour on site security will be permanent. They will be there is person to monitor security cameras.

The size of this 12 acre property and by virtue of its distance from residential uses, as well as commercial neighbors, serve to create a secure location. This location does not generate high foot traffic.

Commissioner Lunow asked if the any part of the business operations create noxious odor. Mr. Meek answered no, it is very similar to any other crop that is grown outdoors.

Commissioner Burks, asked what type of truck traffic is projected to be generated from the business?

Mr. Meek stated, he does not know the answer to that question, however he would not expect it would be greater than what was generated by Schlumberger, Cameron, AOP or any of the drilling operations that were coming and going from there. Potentially, it potentially will be significantly less.

Ms. Weitman stated, as a matter of clarification. I-1 Light Industrial Zoning does not allow for odors or dust to escape the buildings. At the building permit stage for the remodel, the building official will be working closely with the applicant to implement the proper filtering system.

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

Kent Graham motioned to approve, **Rezoning Application No. RZ1018**, subject to Staff recommendations. Chad Burks seconded the motion. Roll was called.

Ayes: Graham, Lunow, Burks, Snow, Jarema, Rickman, Joiner, Sherrard

Nays:

Abstained:

**Absent**: Laib

## Agenda Item No. 5b, being: NEW BUSINESS

Discuss potential updates to Part 12, Chapter 5, Article F, Section 12-554 Public Areas and Open Space regulating open space requirements in residential subdivisions.

Ms. Weitman stated, it has been a few months since our last discussion centered on different types of amenities and what could be considered appropriate in residential subdivisions, along with the amount of open space and the densities for different land uses within the comprehensive plan.

Ms. Weitman went on to say, since that time she has worked to refine some of those ideas. Ms. Weitman gave a presentation of those potential updates and offered to address any questions or comments.

Chairman Sherrard asked about the 50 percent open space requirement under Open Space Residential for a density of more than 4 dwelling units per acre. Chairman Sherrard stated, that seems like a lot. Ms. Weitman answered, it does sound that way. However, as stated in the Comprehensive Plan, the goal is for higher open space and less density. A neighborhood of patio homes, for example, would be allowed with greater open space to compensate for those higher densities. Conversely, a development with ½ acre lots would require less open space, because the open space is provided within the larger lots. Open space maintains that feeling, on the East side of Moore, of being less urbanized.

Ms. Weitman went over the Open Space Amenity list and their corresponding Point Values. The idea is to set a minimum standard while providing flexibility. Developers may choose a combination of options that satisfy the goal of the Comprehensive Plan.

Commissioner Burks asked, who determines the point values and are you able to qualify for partial points. Ms. Weitman stated, partial points would not be allowed, however you can stack amenities. For example, if you provide a park and within that park you also provide a pavilion and a playground and picnic tables, all of those qualifying points can be added together.

Commissioner Graham stated he appreciates the pocket parks and picnic areas as options and the sizes seem appropriate.

Commissioner Rickman asked Ms. Weitman if she is concerned with developers choosing too many of the lower point value amenities within the same project. Ms. Weitman answered, no. Ms. Weitman stated, we can make it as restrictive as you like keeping in mind that flexibility for the developer is key.

Commission Lunow stated that he would like to see the 5000 SF of open space spread out into smaller areas of the development, as opposed to one large area. Mr. Lunow stated in his opinion the number of families that benefit from the open space increases when those areas are spread throughout the neighborhood.

Commissioner Burks asked if there are any amenities that would draw a negative point value. For example, higher maintenance items such as a neighborhood pool. Ms. Weitman answered, that is an interesting point. She went on to say, did not include some on those amenities that could require increased maintenance. Items such as a fishing dock or a swimming pool. However, there will be some

developers who have the ability and resources to construct and maintain those types of amenities. We would not want to exclude them. For that reason 6a states; other items not listed may be considered by Planning Commission and City Council. In that way, we leave the door open for creative or special amenities that may be offered. So the answer is no, as long as the amenity offered meets the criteria for the list provided there would be no negative point value.

Chairman Sherrard asked if anyone else had would like to address this item. After no response the meeting continued to the next item on the agenda. No vote was taken.

Agenda Item N	lo. 6 being:	CITIZENS - None
Agenda Item N	lo. 7 being:	ADJOURNMENT
Chairman Sherrard requested a motion to adjourn at 7:56 p.m.		
Motion:	Gary Lunow motioned for	or adjournment. Kent Graham seconded the motion. Roll was called.
Ayes: Nays: Abstained:	Graham, Lunow, Burks, Snow, Jarema, Rickman, Joiner, Sherrard	
Absent:	Laib	
RECORDED FROM NOTES & TRANSCRIBED BY		

Nora Kerbo, Administrative Assistant