

**MINUTES OF THE
SPECIAL PLANNING COMMISSION MEETING
December 21, 2021**

The Planning Commission of the City of Moore, Oklahoma held a special meeting on December 21, 2021 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.

Gary Lunow	Chad Burks	Don Snow	Chris Rickman
Brandon Laib	Jack Joiner	Ralph Sherrard	

Absent: Kent Graham, Kenneth Jarema

Staff: Elizabeth Weitman, Community Development Director

Agenda Item No. 2, being: PLEDGE OF ALLEGIANCE

Agenda Item No. 3, being: MINUTES

a) Approval of the **Minutes of the November 9, 2021 Planning Commission Meeting**

Chairman Sherrard requested a motion.

Motion: Gary Lunow motioned to recommend approval of the Minutes as written. Chris Rickman seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Graham, Jarema

Agenda Item No. 4a being: REPORTS – PLANNING COMMISSION MEMBERS – None

Agenda Item No. 4b, being: REPORTS - PLANNING COMMISSION STAFF- None

Agenda Item No. 5a, being: NEW BUSINESS

Discuss and consider the **Final Plat of Broadmoore Heights, Section 2**, located in the SE/4 of Section 25, T10N, R3W, being north of SE 34th Street and east of Bryant Avenue. Application by Premium Land, LLC/Taber LeBlanc. **Ward 1.**

The subject site is located south of SW 19th Street and West of S Bryant Avenue. This property is currently zoned R-1 Single-Family residential. The Final Plat consists of 117 residential lots and approximately 8.5 acres of Common Area on 39.5 acres. This results in an overall density of 3.0 residential lots per acre.

Public water and sewer are available to the site and must be extended from the Broadmoore Heights Sec 1. There is no FEMA regulated floodplain located on the subject site. The plat includes two common areas with dedicated drainage easements.

Access is proposed by Hazel Hollow and Heather Haven which were installed with Broadmoore Heights Section 1. Although no connection to Willow Pine Boulevard is proposed with this phase of development, a gated emergency access point will be established via Willow Pine for emergency use only. A permanent connection to Willow Pine will be required with the next phase of development.

There are 4 Common Areas identified on the final plat. Common Areas B and C are intended for drainage infrastructure, being retention ponds. Common Area D is an existing pipeline. Common Area E acts as a buffer to the existing homes along Fairway Drive, allowing for historical encroachments on the subject site.

Although the amount of land reserved in common areas is significant and works to enhance the neighborhood, serious consideration should be given to the safety concerns of open space being largely hidden from street view. Such hidden areas invite potentially nefarious activities, creating code enforcement and policing burdens. Allowing for good views from the street should be of high importance.

The Envision Moore 2040 Plan calls for this location to be Urban Residential. Land uses allowed in the Urban Residential land use designation include a mix of single-family detached units up to 7 dwelling units per acre. This application was reviewed as to its conformance with the intent of the Plan.

Based on the proposed densities, stormwater amenities and open spaces, staff believes that this application meets the intent of the Urban Residential land use and the overall goals of the Plan. An amendment to the Plan is not required.

Due to the compliance with the Preliminary Plat and the Comprehensive Plan, Staff recommends approval of the final plat. Ms. Weitman offered to answer questions.

Chairman Sherrard asked if any of the Planning Commissioners had questions. After no response, Chairman Sherrard asked if the applicant was present.

Anthony Hanley with Crafton Tull and Associates, 300 Pointe Parkway Blvd, Yukon, OK, introduced himself as the engineer for the project. Mr. Hanley stated the applicant is in agreement with all of staff's recommendations and offered to answer any questions. Chairman Sherrard asked if any of the

Commissioners had questions. After no response Chairman Sherrard asked if there were any members of the audience who wished to address this item. Hearing none, a motion was requested.

Gary Lunow motioned to recommend approval of the **Final Plat for Broadmoore Heights Section 2**, subject to staff recommendations. Chad Burks seconded the motion. Roll was called.

Ayes: Lunow, Burks, Snow, Rickman, Laib, Joiner, Sherrard
Nays:
Abstained:
Absent: Graham, Jarema

Agenda Item No. 5b, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1016**, located in the NW/4 of Section 22, T10N, R3W, being south of SW 4th Street and east of Santa Fe Avenue, from C-5/PU Automotive and Commercial Recreation District with a Permissive Use to C-3 General Commercial District. Application by Giau, LLC/Crystal Nguyen. **Ward 3.**

The subject site is located south of SW 4th St and east of S Santa Fe Ave at 1008 SW 4th St. The site consists of 1 lot totaling 1.92 acres and was platted in 2019 for the construction of a retail center. The applicant is seeking to rezone the property from C-5 Automotive and Commercial Recreation to C-3 General Commercial for future general commercial leasing opportunities.

Public water and sewer utilities are available to serve the site. Access is provided by SW 4th St.

The site does contain a FEMA-regulated floodplain and the existing building complies with the city's floodplain and drainage regulations.

This site is a retail center that is currently zoned C-5. Being developed as a retail center, the property is not conducive to many of the uses allowed in C-5 zoning, as it does not have warehouse space or opportunities for outdoor storage. Instead, the property characteristics support retail and commercial uses. However, many retail uses are not allowed in the C-5 zoning district, which restricts the leasing potential of this property.

The Envision Moore 2040 Plan calls for this location to be Neighborhood Commercial. Land uses allowed in Neighborhood Commercial include office, retail and service uses. This application was reviewed as to its conformance with the intent of the Plan.

This rezoning application seeks to 'downzone' a property from C-5 to C-3. Because C-3 uses and developments are neighborhood commercial in nature with no outdoor storage, this application is in compliance with the intent of the Envision Moore 2040.

The subject site is located in a largely commercial area just south of SW 4th St. the site is developed with an existing retail center that is conducive to typical C-3 uses. Due to the 'downzoning' request to include more traditional retail businesses at this location, staff believes that this is in keeping with the goals and

recommendations of the comprehensive plan.

Chairman Sherrard asked if the applicant was present. After no response. Chairman Sherrard asked if there were any members of the audience who wished to address this item. Hearing none, a motion was requested.

Chad Burks motioned to recommend approval of **Rezoning Application No. RZ1016**. Don Snow seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Graham, Jarema

At 6:15 p.m. Kent Graham took his place among the Planning Commissioners and Chairman Sherrard requested that Roll be called to show Mr. Graham in attendance.

The following members reported present.

Kent Graham	Gary Lunow	Chad Burks	Don Snow	Chris Rickman
Brandon Laib	Jack Joiner	Ralph Sherrard		

Absent: Kenneth Jarema

Staff: Elizabeth Weitman, Community Development Director

Agenda Item No. 5c, being: NEW BUSINESS

Discuss and consider the **Rezoning Application No. RZ1017**, located in the NE/4 of Section 10, T10N, R3W, being south of NW 27th Street and west of I-35 Service Road, from C-3PU/I-1/PU General Commercial District with a Permissive Use/Light Industrial District with a Permissive use to C-3/PUD General Commercial District as a Planned Unit Development. Application by QuikTrip Corporation. **Ward 2.**

This property is located west of I-35 and south of NW 27th Street. The proposed development consists of approximately 5.25 acres and is currently occupied by light industrial, vacant commercial and restaurant businesses. The applicant is proposing to rezone the site to C-3 General Commercial District as a Planned Unit Development (PUD) to develop as a Travel Center and Convenience Store with 6 diesel pumps and a truck scale.

Public water and sewer are available to serve the site. There is no identified FEMA floodplain located on this property. Upon development, a north/south waterline through the site must be relocated to the perimeter of the site along NE 27th Street and I-35 Service Road to N. Moore Avenue.

Access is provided from NW 27th St. and the I-35 Service Rd. The applicant has completed a Traffic Impact Analysis (TIA). The TIA notes that the two intersections of concern are the NW 27th St/NB I-35 Service Road

(Broadway) which currently operates at a LOS E during peak pm and the Shields/N Moore Ave intersection which currently operates at a LOS F on the eastbound approach during the peak am and pm and a LOS E on the northbound approach during peak pm. At the total build-out year of 2023 (taking into consideration all previously approved projects such as the E Express and BNSF Logistics Center), all intersections operate at the same LOS, except for these two intersections which will experience longer delays and degraded LOS. To mitigate the increased congestion, the following actions should be taken:

- Installation of a flashing warning beacon and reduced speed limits on Shields Blvd. at North Moore Ave. as a minimum, with a fully signaled intersection as the preferred option.
- Signal timing and phasing adjustments at the I-35 and NW 27th Street intersections.
- Re-stripe NW 27th Street from I-35 to western-most driveway to include a turn-lane. This will help alleviate congestion along NW 27th Street and provide a 2-stage left turn movement for Poplar Avenue.

The applicant is utilizing a Planned Unit Development (PUD) to help offset any negative impacts of the proposed development while requesting certain variances from city code. The requested variances to City Code are as follows:

- Pole Sign Height of 80-feet vs. 65-feet allowed by City Code.
- Curb Cut width of 40' vs. 35' allowed by City Code.

The applicant is proposing to provide the following amenities as described in the PUD:

- 25% Open Space with an approximate 50% increase in landscaping above city code requirements- 60 trees with minimum 3" caliper and 200 shrubs.
- 80% masonry façade, excluding doors and windows.
- Decorative wrought-iron style fencing around semi-truck parking on the west and south boundary.
- Scale moved to the south of the truck canopy reducing visibility from 27th Street
- No overnight truck parking, truck/trailer repair, laundry facilities, or overnight rest accommodations.
- Naturalized stormwater management practices including an approximately 3600 sq. ft. rain garden.
- A 10' trail along NW 27th Street, compliant with the Trails plan as outlined in the Envision Moore 2040 Plan.

The Envision Moore 2040 Plan calls for this location to be Transitional Commerce. Land uses that are typical in Transitional Commerce include uses that rely on access and visibility from interstates and major roadways. These uses are typically seen as a buffer between residential uses and busy streets. This application was reviewed as to its conformance with the intent of the Plan.

With the designation of this area as Transitional Commerce, the comprehensive plan supports heavy commercial and light industrial uses while stressing the importance of quality appearance since the location is near major highways and neighborhoods. Staff believes that with the amenities provided in the PUD, the proposed land use is conformant with the comprehensive plan and an amendment to the comprehensive plan is not required.

The amenities offered through the PUD help to mitigate the impacts of a travel center, including significant increases to the landscaping and open space requirements, as well as stormwater quality controls. Staff believes that these amenities will work to increase the consumer appeal of the NW 27th Street corridor.

A neighborhood meeting was held on December 2, 2021 where residents spoke out against the rezoning application due to the potential for increased semi-truck traffic that may cause congestion and safety concerns in the area. City Staff recognizes these concerns. The applicant's TIA acknowledges some localized traffic impacts while proposing mitigations measures. The City's consulting traffic engineer has accepted and concurs with the TIA and recommendations.

Based on the compliance with the City's comprehensive plan and the amenities package included with the proposed PUD, staff recommends approval of this application.

Commissioner Rickman asked Ms. Weitman for clarification of the different levels of service as outlined in the Traffic Impact Analysis.

Ms. Weitman explained; level of service has to do with the "grade" a street is given based on its level of congestion. The lower the grade the more congested the street. Most streets will operate at a level of service of B and C, however, even D is an operating level, although congested it is not gridlock. Once you get below D you begin to have issues. As indicated on the Traffic Impact Analysis, most major intersections are already designated at the lower level of service.

Commissioner Burks asked, of the 3 mitigation measures recommended by staff, which ones are controlled by the City of Moore.

Ms. Weitman answered, the signal timing and phasing at I-35 and NW 27th Street, as well as, the restriping of 27th Street are within the City's control. Although, Shields Boulevard falls under ODOT, the City of Moore is able to strongly recommend improvements and even partner with ODOT to share in the cost and expedience of those improvements.

Don Snow stated, during previous discussions when considering a similar application at this same intersection the primary concern focused on the south bound I-35 traffic. Ms. Weitman responded, this application takes a different approach to the south bound access. The applicant intends to direct south bound traffic onto N. Moore Avenue leading it out to Shields Boulevard. Truck traffic could then turn left onto Shields to gain access onto south bound I-35.

Commissioner Snow stated he is familiar with that route and it is, in his opinion, extremely dangerous. Ms. Weitman stated, that is why it is noted in the TIA report as an intersection of concern. There would definitely need to be some mitigation efforts taken there, such as a flashing beacon, or lower speed limit, however, ideally the intersection would be signalized. Commissioner Snow stated, it is a life and death situation at that location and he views that as a major concern. Commissioner Snow, went on to say; in fact, it would need to be signalized prior to the business operation in order to gain his support.

Commissioner Burks asked if there are any improvements already in the planning stages for the south bound access ramp at NW 12th Street. He stated, he agrees with Commissioner Snow about that access ramp also

being one of concern. Ms. Weitman answered, we are not aware of any plans for improvements or adjustments to that ramp, at this time. That ramp will likely be an issue well into the future and it is one that the City of Moore does not have control over.

Commissioner Graham asked Ms. Weitman to clarify how the restriping of 27th Street will serve to mitigate traffic congestion at the intersection.

Ms. Weitman answered, there will be a dual turn lane added through the restriping of NW 27th Street. The turn lane will extend west to the end of the subject property and will serve to move traffic out of the main lines of traffic allowing drivers to make a left or right hand turn.

Jacob Aaron, 4705 S. 129th East Avenue, Tulsa, OK, introduced himself as a Real Estate Manager for QuikTrip Corporation and offered to answer questions.

Kent Graham asked Mr. Aaron what about this location is appealing to QuikTrip in spite of the existing traffic challenges. Mr. Aaron stated, the location meets all of the criteria.

Mr. Aaron explained, QuickTrip Corporation is a gas convenience company. This location is what we refer to as a remote store network that we are building outside of our home markets and this site meets the criteria for us.

When they look at access, demographics, day-populations, household densities, traffic-counts, and all of those things, they are meeting the mark. They need traffic to flow and they believe, based on the Traffic Impact Analysis, that it will flow.

Mr. Aaron stated, this is an area where we can be profitable as a business. This intersection has a history of issues that QuickTrip does not believe will be significantly worsened by the proposed business. If people cannot access this site both safely and conveniently, then we will fail as a business. They operate close to a thousand stores throughout the country and we are not looking to make a bad investment.

Commissioner Graham asked why the increase of the pole sign height to 80 feet is needed and why are they not able to work within the City ordinance maximum pole sign height of 65 feet?

Mr. Aaron explained, when they look at sign heights they are trying to maximize visibility. The company has determined 10 seconds of visibility, while you are traveling at interstate speeds, is needed in order to make it safely to the exit lane and then to exit the highway.

Commissioner Burks asked about the "no overnight parking" policy as outlined in the PUD Design Statement. Mr. Burks pointed out, there are 17 spaces for trucks to park, what will prevent a driver from staying over-night and what is the plan for enforcing that policy?

Mr. Aaron explained those parking stalls are there for various reasons, however, the store is not designed to be attractive to overnight truck drivers or even RV drivers. The plan does not include any type of pet facilities, truckers lounge, a smoking lounge, showers or laundry facilities. Those type of facilities are what attract drivers to stay for extended periods of time. Having said that, this is a 24/7 operation. By law, truckers are not

allowed to drive around the clock without a break. Once a driver refuels, the stalls provide a place to take a break to get caught up on their logs, eat a meal, or simply rest. If drivers remain in the truck bays long term, it brings business to a standstill. Should a driver exceed the amount of time allowed, staff is prepared to ask them to move along. Occasionally, you may have a truck driver who is not willing to leave and at that point, they would contact the local police.

Chairman Sherrard asked if there were any more questions for the applicant. After no response, Chairman Sherrard asked if there were any members of the audience who wished to address this item.

Steve Wells (American Sign and Logo) introduced himself. Mr. Wells stated as a business owner in the area he is not opposed to the proposed application. Mr. Wells stated he does have concerns regarding traffic flow and traffic safety. He stated in his opinion, approval of the business ahead of signalization would be a safety hazard.

Leiah Harris 2945 Hillcrest Avenue introduced herself and also expressed the same concerns regarding traffic flow and safety.

Jonell Lunow, 2936 Hillcrest, introduced herself as a property owner in the area and spoke in opposition to the application, citing the following concerns:

- Traffic Congestion
- Traffic Safety
- High incidents of vehicle accidents at the 27th and Shields intersection

Jerry Ihler, Assistant City Manager stated that he would like give an update regarding the City's communication with ODOT. Mr. Ihler went on to say, this afternoon, he had a conversation with Ron Brown over at ODOT specifically addressing the improvements needed at the Shields Boulevard intersection with N. Moore Avenue. Mr. Brown stated he would be doing some research of the area and would follow up with the City of Moore in the very near future.

Chairman Sherrard asked Mr. Aaron, if the application is approved by City Council, what the projected target date for opening would be? Mr. Aaron stated, if approved, they would anticipate a January closing on the property. It takes approximately 52 weeks to build a store, so they would expect to begin construction in 2022 with a projected completion mid-2023.

Commissioner Snow stated he wished to reiterate that the Shields Boulevard improvements are beyond the City's control and ODOT has historically been un-reliable. For that reason, he would not be able to get behind this project.

Chairman Sherrard asked if anyone else in the audience would like to address this item. Hearing none, a motion was requested.

Kent Graham motioned to recommend denial of **Rezoning Application No. RZ1017**. Gary Lunow seconded the motion. Roll was called.

Ayes: Graham, Lunow, Burks, Snow, Rickman, Laib, Joiner
Nays: Sherrard
Abstained:
Absent: Jarema

Agenda Item No. 6 being: CITIZENS - None

Agenda Item No. 7 being: ADJOURNMENT

Chairman Sherrard requested a motion to adjourn at 7:07 p.m.

Motion: Don Snow motioned for adjournment. Chris Rickman seconded the motion. Roll was called.

Ayes: Graham, Lunow, Burks, Snow, Rickman, Laib, Joiner, Sherrard
Nays:
Abstained:
Absent: Jarema

RECORDED FROM NOTES & TRANSCRIBED BY _____
Nora Kerbo, Administrative Assistant