

**MINUTES OF THE
PLANNING COMMISSION MEETING
August 9, 2022**

The Planning Commission of the City of Moore, Oklahoma held a meeting on August 9, 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	Brandon Laib	Jack Joiner	Ralph Sherrard

Absent: Chris Rickman

Staff: Elizabeth Weitman, Community Development Director, Nora Kerbo, Administrative Assistant

Agenda Item No. 2 being: SWEARING IN OF MEMBERS

Reappointments:

- Ralph Sherrard
- Gary Lunow
- Brandon Laib

Vanessa Kemp, City Clerk. Administered the Oath.

Agenda Item No. 3 being: ROLL CALL

Chairman Sherrard requested that roll be called.

Kent Graham	Gary Lunow	Chad Burks	Don Snow
Kenneth Jarema	Brandon Laib	Jack Joiner	Ralph Sherrard

Absent: Chris Rickman

Staff: Elizabeth Weitman, Community Development Director, Nora Kerbo, Administrative Assistant

Agenda Item No. 4 being: ELECTION OF OFFICERS

- Chairman
- Vice-Chairman
- Secretary

Chairman Sherrard opened the floor to nominations for Chairman. Kent Graham motioned to retain Ralph Sherrard as Chairman. Gary Lunow seconded the motion. Roll was called.

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

Chairman Sherrard opened the floor to nominations for Vice-Chairman. Gary Lunow motioned to retain Kent Graham as Vice-Chairman. Chad Burks seconded the motion. Roll was called.

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

Chairman Sherrard opened the floor to nominations for Secretary. Kent Graham motioned to retain Gary Lunow as Secretary. Chad Burks seconded the motion. Roll was called.

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

Agenda Item No. 5 being: PLEDGE OF ALLEGIANCE

Agenda Item No. 6 being: MINUTES

- a) Approval of the **Minutes of the July 12, 2022 Planning Commission Meeting.**

Chairman Sherrard requested a motion.

Kent Graham motioned to recommend approval of the **Minutes of the July 12, 2022 Planning Commission Meeting**, as written. Kenneth Jarema seconded the motion. Roll was called.

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

Abstained:

Absent: Rickman

Agenda Item No. 7a being: REPORTS – PLANNING COMMISSION MEMBERS – None

Agenda Item No. 7b, being: REPORTS - PLANNING COMMISSION STAFF

Ms. Weitman reported the Assistant Planner, Sarah Copeland has decided not to return from maternity leave. The City will be searching for a new candidate to fill the vacant position.

Agenda Item No. 8a, being: NEW BUSINESS

Discuss and consider the **Final Plat of Harle Addition**, located in the NE/4 of Section 23, T10N, R3W, being south of SE 4th Street and west of Eastern Avenue. Application by Samuel Harle. **Ward 1.**

The subject site is located south of SE 4th St and west of S Eastern Ave. The property is currently zoned C-3 with a permissive use for mini-storage. The applicant is proposing to develop the property with 2 lots with the eastern lot fronting Eastern Avenue being proposed as a commercial retail site and the western back lot being proposed for mini-storage.

Public water and sewer are available to serve the site.

Access is provided by Eastern Ave. The 2 proposed lots will utilize a shared access off of Eastern Avenue, which is the only new approach proposed on this plat.

The site does contain a FEMA-regulated floodplain. All FEMA requirements must be met for development within a floodplain. On-site stormwater detention is required. To be compliant with the 2021 Stormwater Management Criteria, the plat must include a 50' buffer from top of bank from the drainage channel to the west and all building structures must be constructed with the finished floor 2' above the BFE.

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.

The proposed development includes on-site detention and open space around the FEMA floodplain area. All future development will be reviewed against the comprehensive plan goals and recommendations for compliance.

This proposed development is not located within ¼ mile of a school, however the site is shown as part of the greenway multi-use trail corridor. A pedestrian easement will be required for future trail construction as shown in the Comprehensive Plan and a sidewalk is required along S. Eastern Avenue.

One new access point is being proposed off S Eastern Avenue and will provide shared access to the Dollar Tree and the second lot shown on the plat.

This site does contain a FEMA-regulated floodplain. On-site stormwater detention is proposed. For compliance with the plan, a 50' riparian buffer is required from the top of bank of the drainage channel to the west.

Due to the proposed land use and site development, staff believes that this application is in compliance with the intent of the Envision Moore 2040 Plan. The specific development requirements will be reviewed at the building permit stage to determine compliance with the policies and goals outlined in the plan.

This site is located in an existing commercial area near SE 4th St and Eastern Avenue and is zoned for commercial retail use. Due to this application's conformity with the Moore City Code and the goals and policies of the comprehensive plan, staff recommends approval of this application.

Kent Graham asked Ms. Weitman for clarification of BFE (Base Flood Elevation) and how that is determined.

FEMA determines what the Base Flood Elevation is for a Flood Plain and that information is updated to their Flood Maps. Those elevations are referenced for each property as part of the Building Permit approval process. The pad elevation must be 2 feet above BFE.

Chairman Sherrard asked if the applicant was present. Stephen Landes with Landes Engineering introduced himself as representing the applicant, Samuel Harle who is the developer. Mr. Harle is primarily interested in developing the front parcel a Dollar Tree store. The back portion is under consideration by a gentleman named Billie Frasier out of Tulsa for future mini-storage.

Commissioner Lunow asked if either will have outdoor storage. Mr. Landes answered, no. As far as the mini-storage they will be proposing conventional self-storage with some climate control units toward the center of the development.

Commissioner Graham asked about the staff recommendation for a dedicated pedestrian easement and how that will be addressed. Mr. Landes stated he was not clear if that will be located in the riparian zone. Ms. Weitman answered, yes that is correct, so the developer will not be losing any additional property.

Chairman Sherrard asked if there were any members of the audience who wished to address this issue. After no response a motion was requested.

Kent Graham motioned to recommend approval of the **Final Plat of Harle Addition**, subject to staff recommendations. Chad Burks seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Rickman

Agenda Item No. 8b, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1023**, located in the SW/4 of Section 28, T10N, R2W, being north of SE 34th Street and east of Sooner Road, from A-1 Rural Agricultural District to A-2 Suburban Agricultural District. Application by Jack and Keesty Forney. **Ward 1.**

This property is located north of SE 34th Street and east of Sooner Rd. The property is currently zoned A-1 Rural Agricultural, consisting of two legal non-conforming lots of under 5-acres each, and has one outbuilding on the site. The applicant is proposing reconfigure the two lots and construct a home on one lot and sell the other lot in the future. To split the property as desired, the property must be rezoned from A-1 to A-2 Suburban Agricultural District in order to meet the 2-acre per lot minimum required by the zoning ordinance.

The property currently lies outside of the city's utility service boundary. Each homesite is required to have private water and sewer until city utilities are available. Access to each lot is provided from SE 34th Street.

There is no FEMA designated floodplain located on the property. With the construction of a single-family home on a lot of approximately 3-acres, stormwater detention is not required.

The site lies in an emerging area for large-lot residential growth, limited only by the lack of public utility services. The site is surrounded by RE-zoning on the north and west. To the south is the planned Hills at Timber Creek development.

The Envision Moore 2040 Plan calls for this location to be Open Space Residential. The Plan describes Urban Residential as 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.

This site does not contain FEMA-designated floodplain. Being agricultural property, no open space reserve is required.

This proposed development is not located within ¼ mile of a park. Being agricultural property, a sidewalk is not required along SE 34th St.

Being located along SE 34th Street, it is important to reduce the number of driveways in this location to prevent traffic congestion. Each lot will be granted 1-driveway, limiting multiple accesses per lot to SE 34th St. This site does not contain FEMA-designated floodplain. Stormwater Detention is not required.

This rezoning application seeks to rezone a property to A-2 for acreage residential home development. Because A-2 uses are considered compliant with the Open Space Residential land use designation, an amendment to the plan is not necessary.

This application seeks rezone two legal non-conforming lots to A-2 to accommodate two lots under 5-acres into more attractive and functional acreage homesites. Based on the existing surrounding uses north of SE 34th Street and the planned residential subdivision south of SE 34th Street of the Hills at Timbercreek, the proposed zoning and use of the subject site is compatible with the surrounding area. Staff recommends approval of this application.

Commission Graham asked Ms. Weitman when she would expect to see city services available to this area. Ms. Weitman answered, she does not anticipate city sewer to become available in this area because it is beyond a ridge line. City water should become available with the development of Hills at Timber Creek to the south. Probably not at the first stage of development, however by the time it is built-out then water should become available.

Chairman Sherrard asked if the applicant was present.

Jack Forney, 5009 SE 34th Street, introduced himself as the applicant. Mr. Forney explained that the current layout of the property is pretty confusing, however, the intent is to separate the property into two lots and build a home on the farthest east side at the top of the hill. Mr. Forney went on to explain, the second parcel will be sold to his mother and a second home will then be built for her.

Chairman Sherrard asked if there were any members of the audience who wish to address this item.

Amy Whitson, 4800 Southcreek Road. Ms. Whitson explained she just has concerns regarding an easement road that crosses her property. She explained a portion of that road also crosses the applicant's property. The access road is on ongoing issue as it is shared with other property owners. Ms. Whitson explained, her primary concern is that the access road not be used by anyone for access to run a business, as they would be crossing her property as well. Amy Whitson went on to say, she has met the applicant tonight and he has assured her there is no longer any type of business operating from that location and there are no plans for future business. The plan is to build two single family homes, which has satisfied her concern.

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

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

Agenda Item No. 9 being: CITIZENS - None

Agenda Item No. 10 being: ADJOURNMENT

Chairman Sherrard requested a motion to adjourn at 7:22 p.m.

Motion: Kent Graham motioned for adjournment. Chad Burks seconded the motion. Roll was called.

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

Abstained:

Absent: Rickman

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