

**MINUTES OF THE
PLANNING COMMISSION MEETING
October 12, 2021**

The Planning Commission of the City of Moore, Oklahoma held a meeting on October 12, 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.

Kent Graham	Chad Burks	Don Snow	Kenneth Jarema
Chris Rickman	Brandon Laib	Jack Joiner	Ralph Sherrard

Absent: Gary Lunow

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 - None

Agenda Item No. 4a, being: NEW BUSINESS

Discuss and consider the **Preliminary Plat of Silver Leaf Courts**, located in the NW/4 of Section 13, T10N, R3W, being south of NE 12th Street and west of Silver Leaf Drive. Application by Noble REF, LLC.

Ward 1.

The subject site is located south of NE 12th Street and west of Silver Leaf Dr. The property is currently zoned R-1/PUD Single Family Residential as a Planned Unit Development. The applicant is proposing to develop a single-family residential development approximately 0.77 acres in total size with 5 dwelling units, resulting in an overall density of 6.5 dwelling units per acre. Public water and sewer are available to the site.

Because the site is under 1-acre in size, stormwater detention for this development is not required. There is no identified FEMA Floodplain located on this property. However, there is offsite drainage that may affect this

property coming from the Silverleaf Shopping Center to the west. Drainage plans will be required to be submitted with the final plat that complies with the 2021 Drainage Criteria.

Access for the proposed addition is provided by N Silverleaf Dr.

This site was rezoned to R-1 as a Planned Unit Development (PUD) on August 2, 2021. In order to compliment the surrounding neighborhood, the PUD included the following amenities:

- 70% masonry on exterior facade;
- 2-car garages;
- Personalized landscaping plan for each lot to include 1-2 trees per lot and 4-7 shrubs per lot.

The Envision Moore 2040 Plan calls for this location to be Community Commercial. Land uses allowed in Community Commercial include a mix of commercial and residential uses. This application was reviewed as to its conformance with the intent of the Plan.

Being a PUD, this application conforms to many of the Plan's recommendations for aesthetics, including landscape mix, and buffering of higher density land uses. This applicant has provided The homes will be similar in nature to the surrounding homes in the neighborhood and include 70% masonry façade and two-car garages.

This proposed development is not located within ¼ mile of a school or park. Sidewalks along N Silver Leaf Drive are required with the parcel development.

This site does not contain a FEMA-designated floodplain. A drainage report has been provided and will be reviewed by the city's engineer to ensure off-site drainage from the Silverleaf Shopping Center is accommodated.

Due to the overall densities of 6.5 dwelling units per acre and the attributes of the proposed development, staff believes that this site conforms with the requirements of the 'Community Commercial' land use designation and the overall goals and recommendations of the Plan.

Due to the proposed preliminary plat's compliance with the Envision Moore 2040 Plan and the Moore Land Development Code, Staff recommends approval of the preliminary plat.

Chairman Sherrard asked if any of the Planning Commissioners had questions for Ms. Copeland. After no response, Chairman Sherrard stated, this item has been thoroughly discussed at previous meetings. Chairman Sherrard stated it appears the applicant has done a good job of addressing concerns, evidenced by the lack of citizens in attendance tonight.

Chairman Sherrard asked if the applicant was present. Jake Schoeffler with Noble REH, 2414 NW 178th Street, Edmond, OK, 73012, introduced himself as the applicant and offered to answer any questions.

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 the **Preliminary Plat of Silver Leaf Courts**, subject to staff recommendations. Chad Burks seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Lunow

Agenda Item No. 4b, being: NEW BUSINESS

Discuss and consider the **Final Plat of Grace Pointe 1, a re-plat of the Grace Point Addition**, located in the NE/4 of Section 16, T10N, R3W, being south of NW 12th Street and west of Santa Fe Avenue. Application by Grace Point 1, LLC/Ron Walters. **Ward 2.**

The subject site is located south of NW 12th Street and west of Santa Fe Avenue. The property is currently developed as the Grace Point senior community. The applicant is proposing to replat 2 sections of the addition as 1 lot and block. No additional living units are being proposed.

Public water and sewer are available to the site. There is FEMA designated Floodplain located on this property; all appropriate studies and documentation are in place from the original development. There are no modifications to the floodplain being proposed with the Replat.

The property has three access points to NW 12th Street. No new driveways are being requested, however additional ROW at Grace Point Drive is proposed to be dedicated to the public to encompass the northbound lane. The City is willing to accept the additional ROW if the drive aisle meets city roadway standards, which must be documented through core sampling. If approved, this dedication would be through separate right-of-way documentation at Cleveland County.

Stormwater detention is provided for this site in the existing detention ponds located on site.

There are various car port structures constructed over platted utility easements. While city staff will not take adverse action against these encroachments, appropriate documentation will be required to allow free access to the utility easements, such as a hold-harmless agreement or revocable permit. Such documentation will be required prior to filing the plat at Cleveland County.

The Envision Moore 2040 Plan calls for this location to be Community Commercial. Land uses allowed in Community Commercial can include a mix of uses with up to 50% residential development. This application was reviewed as to its conformance with the intent of the Plan.

As this application is not proposing any new living units, Staff believes that the application is in conformance with the Comprehensive Plan and an amendment is not required.

The applicant is seeking to replat these lots and blocks as one lot and block. Staff recommends approval of the application.

Kent Graham asked about City standards for the composition of a public roadway. Ms. Weitman answered, the City looks at how the road is constructed through core samples. Mr. Graham asked about the minimum width of the road. Ms. Weitman answered, the proposed roadway exceeds our minimum width requirement. The City has no concern regarding the width.

Kent Graham asked about the existing carports encroaching on the utility easement. Ms. Weitman stated, when this development was first under construction, the carports were originally proposed as an amenity. Although the carports are encroaching into the utility easement, the City did grant permission due to the tight nature of the site.

Chairman Sherrard asked if the applicant was present. Amy Camarada with Grace Point Living, 1501 Grace Point Drive, Moore, OK, introduced herself as representing the applicant. Ms. Camarada gave a brief overview of the development and offered to answer any questions.

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 the **Final Plat of Grace Pointe 1, a re-plat of the Grace Point Addition**, subject to staff recommendations. Kenneth Jarema seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Lunow

Agenda Items 4C and 4d are companion items to be discussed together and voted on separately.

Agenda Item No. 4c, being: NEW BUSINESS

Discuss and consider **Comprehensive Plan Amendment #5**, located in the SE/4 of Section 23, T10N, R3W, being north of SE 19th Street and east of Broadway Avenue from Regional Center to Transitional Commerce. Application by New Site Construction, LLC/Josan Gurmeet. **Ward 1.**

To achieve the desired development, a rezoning is not required; however, the subject site is shown in the Envision Moore 2040 Plan as Regional Center. In order to maintain the integrity of the Comprehensive Plan, an amendment must be made to align with the development taking place on the property.

The Moore City Council adopted the Envision Moore 2040 in May of 2017 following an extensive community engagement process. At the time of adoption the Plan carefully designated the future land uses within the City based on the identified community goals and policies. When considering amendments to the Plan, it is important to relate applicable goals and policies to the amendment request in order to fully understand the consequences of such a request. After a review of the comprehensive plan, the following goals and policies have been identified as being related to the amendment application:

Accommodate Large-Scale Office and Light Industrial Uses in Appropriate Areas.

Large-scale office and light industrial areas should be located in areas that are accessible but do not preclude opportunities for additional retail development and the city's ability to maximize potential sales tax generation.

The subject site has little arterial road visibility, no direct access to an arterial roadway and is adjacent to the railroad tracts. The designation of this site as Regional Center assumed that the property would be developed with the redevelopment of the surrounding lots that would take advantage of the prime location at S 19th and Broadway intersection. However, with the parcel being developed by itself, it may no longer be viable for a retail or commerce use.

Increase Mobility for All Users. To preserve traffic flow, access management techniques should be implemented.

This site is located on SE 19th Street just west of the railroad underpass. Due to the geometry of the underpass, there are significant sight-distance issues for access to this lot. The owner has agreed to eliminate any additional driveways to SE 19th Street at this location in exchange for an access point to Broadway Avenue via the south end of Central Park. This arrangement is not anticipated to impact the Broadway corridor while preserving the traffic flow along SE 19th Street to its present level of service.

The Future Land Use Map included in the Plan is a visual representation of where development is best to occur as an enactment of the policies to achieve the goals. The subject site is currently identified in the Land Use Plan as Regional Center.

The applicant is requesting that the City amend the Land Use Designation of the subject property from Regional Center to Transitional Commerce designation for the development of a mini storage.

The applicant is requesting a mini-storage development which is heavy commercial in nature. The property is set apart from residential areas which works to reduce land use conflicts.

Due to the property's unique characteristics of no access to SE 19th Street and very limited visibility from arterial roadways, it is not likely that this property would develop as a commercial use. The proposed use meets the goals of the comprehensive plan by siting a heavy-commercial use in an area not conducive to shopping or dining. Staff recommends approval of this application.

Ms. Weitman gave an overview of the project and offered to answer any questions. Chairman Sherrard asked if there were any questions of staff.

Kent Graham asked Ms. Weitman if Transitional Commerce uses are considered heavier in nature than uses found in Light Industrial. Ms. Weitman answered, both could mean similar uses. However, Transitional Commerce does include somewhat heavier commercial uses that could include some outdoor storage. Light Industrial as outlined within the Comprehensive Plan is intended to for all activity to occur indoors and no outdoor storage.

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 **Comprehensive Plan Amendment #5**, subject to staff recommendations. Jack Joiner seconded the motion. Roll was called.

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

Agenda Item No. 4d, being: NEW BUSINESS

Discuss and consider the **Final Plat of Broadway Commercial East**, located in the SE/4 of Section 23, T10N, R3W, being north of SE 19th Street and east of Broadway Avenue. Application by New Site Construction, LLC/Josan Gurmeet. **Ward 1.**

The subject site is located north of SW 19th Street and east of Broadway Avenue and adjacent to the BNSF railroad. The property is currently vacant. The applicant is proposing to develop the property for a commercial mini-storage facility with access from Broadway Avenue through an approved access easement along the south end of Central Park. The Preliminary Plat consists of 1 lot on 8 acres.

Public Water is available along SW 19th Street and Broadway Avenue to the west of the site. Sewer is available along the west property line of the site. Water must be extended from Broadway to provide adequate water service to the site. There is no FEMA designated Floodplain located on this property.

Although the property fronts SW 19th Street, access at SW 19th Street at this location is considered dangerous and is not advised by the City's consulting traffic engineer. Instead the site will be accessed through an approved access easement and drive along the south end of Central Park.

Stormwater detention is required for this site.

The Envision Moore 2040 Plan calls for this location to be Regional Center. Developments within the Regional Center land use category cater to large scale commercial uses that thrive on a high level of visual and vehicular access, with housing as a secondary use. The applicant is requesting a change to the Envision Moore 2040 Future Land Use Plan to Transitional Commerce. This application was reviewed as to its conformance with the intent of the Plan.

With the proposed use of the property being a mini-storage and its unique locational situation with no access to SW 19th Street and no visibility from Broadway Avenue, Staff believes that the Transitional Commerce land use and the proposed use meets the intent of the plan. Should Planning Commission and City Council approve the companion application for change of Land Use Designation to Urban Residential, this application is in compliance with the Plan

This plat meets most City Code and Envision Moore 2040 standards, goals, and policies. Staff recommends approval of the plat.

Chairman Sherrard asked if the applicant was present. Mili Algier with Wallace Design Collective, 410 N. Walnut Avenue, Ste. 200, Oklahoma City, OK, introduced herself as representing the applicant.

Mr. Graham asked about the location of the detention pond. Ms. Algier answered, the detention pond will be positioned at the south end of the property and will discharge into an existing swell that is just north of 19th Street.

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 the **Final Plat of Broadway Commercial East**, subject to staff recommendations. Jack Joiner seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Lunow

Agenda Item No. 4e, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1014**, located in the NE/4 of Section 12, T10N, R3W, being north of NE 12th Street and west of Bryant Avenue, from A-1 Rural Agricultural District to A-2/PU Suburban Agricultural District with a Permissive Use for Indoor Dog Kennels. Application by Hairy Paw Inn/David Box. **Ward 2.**

The subject site is located north of NE 12th St. and west of N Bryant Ave. The property is zoned A-1 and is the location of the currently operating Hairy Paw Inn, a pet boarding facility. The applicant is proposing to expand their business by constructing a new building to the east of the existing building to house additional indoor dog kennels and establish an outdoor play area with limited hours. Because the current dog kennel operation is 'grandfathered in', a rezoning is required prior to the approval of any substantial improvements. The applicant is proposing a PUD to allow for indoor overnight boarding with an outdoor yard for periodic play time between the hours of 7:00 am to 9:00 pm.

Public water is available to the site from N Bryant Ave. Private septic system is utilized. Access is provided by N Bryant Ave. through existing drives. There is no floodplain on the site.

The subject site is located in a largely agricultural area. To the north of the subject site is a single-family home owned by the applicant and an undeveloped portion of Buck Thomas Park. To the south is a single-family home that is owned by the applicant. To the east is the Lost Creek Addition, and to the west is Buck Thomas Park.

Pursuant to the Envision Moore 2040 Plan, the applicant is utilizing a Planned Unit Development (PUD) to allow for an outdoor play area. By utilizing a PUD the city may relax certain requirements in exchange for amenities that would not otherwise be required. The revised PUD proposal featured the following amenities:

The play yard will be located at a minimum of 100' to the west of Bryant Avenue, and expand behind the lot of 1705 N. Bryant.

- 70% brick or masonry requirement on all buildings to reduce sound reverberation.
- Landscaping requirement of 10 trees and 20 shrubs on the developed portion of the property.
- Limited outdoor play time between hours of 7 am and 9 pm.

The Envision Moore 2040 Plan calls for this location to be Urban Residential. Land uses allowed in Urban Residential allow for 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.

Being a PUD, this application conforms to many of the Plan's recommendations for aesthetics, including new structures that mimic the look of a residential home, landscape mix for the developed portion of the lot with 10 trees and 20 shrubs, and buffering of higher intensity land uses. The buffering of the land uses to the east will be provided by a significant setback from the outdoor play yard of over 100' from Bryant Avenue and almost 200' from the nearest residential property line in the Lost Creek neighborhood, and by sound-proofing the structures with masonry walls and sound-absorption materials.

Additionally, the existing and planned structures will act as a buffer to the outdoor play-yards, further dampening sound.

This site is designated as Urban Residential land use, anticipating further residential development in the general area in the future. Because this application is agricultural in nature, an amendment to the land use plan is not necessary.

The applicant is proposing to upgrade a 'grandfathered-in' agricultural business to modernize the buildings and locate an outdoor play yard a minimum of 100' from Bryant Avenue. In order to help alleviate noise concerns of nearby residents, the applicant has agreed to utilize a PUD to formalize all mitigation measures being proposed. The mitigation measures include:

- Location of a play yard a minimum of 100' to the west of Bryant Avenue, with majority of play area being 198' west of Bryant Avenue.
- 70% brick or masonry requirement on all buildings to reduce sound reverberation.
- Limited outdoor play time between hours of 7 am and 9 pm.

Because this application seeks to improve the site to offer more protections for the Lost Creek neighborhood than what is currently in place, staff recommends approval of this application.

Ms. Weitman stated, the applicant has provided letters of support. Also included in the PUD Design Statement, is a sound report provided by a professional engineer.

Ms. Weitman stated approximately 7 years ago, the applicant brought a similar application that was considered and denied by City Council. That application was for 1705 N. Bryant and had a setback of about 80 feet from Bryant Avenue for the outdoor play yards. The current application proposes the new location for the outdoor play yard with a minimum of 100 feet from Bryant Avenue and the majority of the play area to be situated approximately 180 feet west of Bryant. Resulting in, approximately an additional 100 feet of separation as a buffer to the existing Lost Creek Neighborhood.

Chairman Sherrard stated, with regard to the letters of support received by the City. Two of the letters are from current and former residents of the Lost Creek neighborhood, along with a letter of support from the Moore Chamber. Chairman Sherrard stated, it is worth mentioning that the noise report provided by the engineer concluded that the noise level generated by the proposed play area would not be enough to cause concern.

Chairman Sherrard asked if the applicant was present. David Box, 522 Colcord Drive, introduced himself as representing the applicant. The purpose of the application is to improve upon the current business operation by offering an improved layout for daily operations. All of the dogs would now be located at the rear of the property with the proposed buildings serving as additional buffer, in addition to the significant setback that the play area will have from Bryant Avenue. Mr. Box offered to answer any questions.

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

The following citizens spoke in favor of the application:

- Deborah Robbins, 4709 Southcreek Road, Moore, OK
- Lowell Bynum, 5708 SE 83rd Street, OKC, OK
- Pamela Carol, 2112 NE 15th Street, Moore, OK
- Noreen Veladez, 1204 Easthills Drive, Moore, OK

Chairman Sherrard asked if anyone else in the audience wished to address this item. After no response, a motion was requested.

Kent Graham motioned to approve **Rezoning Application No. RZ1014**, subject to staff recommendations. Brandon Laib seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Lunow

Agenda Item No. 5 being: CITIZENS - None

Agenda Item No. 6 being: ADJOURNMENT

Chairman Sherrard requested a motion to adjourn at 7:44 p.m.

Motion: Kent Graham motioned for adjournment. Chris Rickman seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Lunow

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