

Agenda Item No. 5a, being: NEW BUSINESS

Discuss and consider the **Final Plat of Oakridge Crossing North**, located in the SW/4 of Section 27, T10N, R3W, being north of SW 34th Street and east of Santa Fe Avenue. Application by TWD Oklahoma Properties, LLC/Tom Turner. **Ward 3.**

The subject site is located north of SW 34th Street on the east side of S. Santa Fe Avenue and is currently zoned C-3 and vacant. The applicant is proposing to develop the property with 3 commercial lots. This subject site preliminary plat was approved by Planning Commission in May of 2021.

Public utilities are available to serve the site. The property will be accessed from S. Santa Fe Avenue and SW 34th Street, both being 4-lane arterial roads. Access to S. Santa Fe and SW 34th St. will be limited to shared access drives; curb cuts to arterials will be minimized and reviewed in the permitting phase of development.

There is no FEMA floodplain located on the site. The developer is proposing a common detention pond for the site at the northeast corner to discharge into existing storm sewer for Bluestem Ridge Addition. There have been past flooding problems located in the Oak Ridge Addition, which connects to the Bluestem Ridge storm sewer. To help ensure no adverse impacts to the Oak Ridge Addition, the drainage plan must compensate for the known storm sewer restrictions. City staff is working with the developer's engineer on a preferred solution.

The Envision Moore 2040 Plan calls for this location to be Neighborhood Commercial. This application was reviewed as to its conformance with the intent of the Plan.

All future development shall conform to the Plan's recommendations for aesthetics. Building permit applications will be reviewed against current codes and the goals and recommendations set forth in the comprehensive plan.

This proposed development is located within ¼ mile of the Oak Ridge Elementary School and the Southmoore High School. Offering pedestrians safe passage to the interior of the development is desired for pedestrian access; sidewalks should be provided on the shared access drives.

Access to individual lots should be provided from shared access drives and driveways to the arterial roadways should be minimized to prevent traffic congestion. All drive and cross-access proposals are subject to staff review.

This site does not contain a floodplain on the site.

Due to the proposed commercial nature of this application, staff believes that it is in compliance with the intent of the Envision Moore 2040 Plan and meets the goals and policies as outlined in the plan.

The subject property is located in a growing area of Moore. With the completion of the SW 34th Street Widening, the area has become more attractive to developers and businesses. Staff recommends approval of the Final Plat.

Chairman Sherrard asked if the applicant was present. Derrick Harris, 11912 Pennsylvania Avenue, Oklahoma City, OK, with Cedar Creek Consulting, introduced himself as representing the applicant. Mr. Harris offered to answer any questions. Hearing none, 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 Oakridge Crossing North** subject to staff recommendations. Kenneth Jarema seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Burks, Rickman, Laib

Agenda items 5b and 5c are companion items to be discussed together and voted on separately.

Agenda Item No. 5b, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1008**, located in the NW/4 of Section 30, T10N, R2W, being south of SE 19th Street and east of Bryant Avenue, from A-1 Rural Agricultural District to R-1/PUD Single-Family Residential District as a Planned Unit Development and C-2/PUD Neighborhood Commercial District as a Planned Unit Development. Application by Landmark Land Company, LLC. **Ward 1.**

The subject site is located south of SE 19th St and east of S Bryant Ave. The property is currently zoned A-1 with a house, outbuildings and 2 oil well sites. The applicant is proposing to develop the property with a single-family neighborhood of 492 homes on 155.44 acres, resulting in an overall density of 3.16 living units per acre. Additionally, the hard corner of SE 19th and Bryant is proposed as C-2 for neighborhood convenience businesses to serve the surrounding area. The applicant desires a neighborhood community with abundant communal open space and recreational amenities, but with narrower lots and smaller building setbacks to maximize lot coverage requirements. To achieve the desired development, the property must be rezoned to R-1 Single-Family Dwelling District and C-2 Neighborhood Commercial District as a Planned Unit Development (PUD).

The proposed residential development is split into two 'parts'- one being the larger residential development located north of the southern creek and the other smaller part being located south of the southern creek. These parts have no proposed road access to connect each other, but a pedestrian walking trail is proposed across the creek to connect the southern part with the large northern part and it's amenities. Public water and sewer is available to serve the site.

Stormwater detention for this development is required. The proposed development includes a series of detention ponds along the east and south property boundaries, as well as a retention pond in the interior of the addition.

Access is provided by two entryways for the northern part of the neighborhood along SE 19th St. along S Bryant Ave., both the southern part of the neighborhood and the northern part of the neighborhood are accessed by one entryway each. The commercial tract will have access from both SE 19th and Bryant, with the exact locations of the driveways to be determined with final platting of the commercial lots.

The subject site has two major creeks (tributaries of the Northfork River) that run on the eastern and southern edges of the property, with 52.70 acres of the site being in an existing 100-year floodplain/floodway. The applicant is proposing to reclaim a small portion of the floodplain, being 13.50 acres or just over 10%. All FEMA requirements for development in a floodplain must be met.

The applicant is proposing several variances from the R-1 and C-2 zoning regulations. For the R-1 tract, the applicant is proposing 50' wide lots with 14' front yard and 20' garage setbacks. For the C-2 tract, the applicant is proposing the use unit classifications of Gasoline Sales: Restricted and Personal Storage to be added to the list of allowed uses; if approved, this would allow a gas station/convenience store on the corner of SE 19th and Bryant and mini-storage on the remainder of the C-2 tract, although these uses are only optional - any other uses in C-2 zoning would be also be allowed with market demand driving the ultimate use of the site.

Pursuant to the Envision Moore 2040 Plan, the applicant is utilizing a Planned Unit Development (PUD) to reduce building lines and lot widths in the R-1 tract and increase development options for the C-2 tract. By utilizing a PUD the city may relax certain requirements in exchange for amenities that would not otherwise be required. This PUD proposal includes the following amenities:

- Walking trails along the east and southern creeks with a connection between the north and south neighborhood. A walking trail around a retention pond;
- Greenbelts surround the creeks, detention pond areas, and a gas pipeline running east-west through the site;
- Multiple Common Areas, with a pool and clubhouse at the northeast side of the development and a neighborhood park at the southeast side of the development; the south part of the neighborhood has one dedicated open space for a park.
- Detention areas designed with Low-Impact Development practices that include naturalized soaking bays and bio-filtration systems;
- Residential exterior aesthetics with minimum of 55% Brick, Rock or Stone;
- If personal storage (mini-storage) is constructed on the C-2 lot, the following shall apply:
 - 80% of the exterior façade facing arterial roadways shall be of 80% brick, rock, or stone.
 - The architecture of the buildings facing arterials shall consist of a 4:12 bronze metal roof and brick veneer with faux windows and shutters accented with coach lights.
 - Buildings will be one-story
 - No outside storage will be permitted.
- For residential lots, 2 trees shall be required for each interior lot and 3 trees required for corner lots. Trees shall be allowed to be planted between the sidewalk and street.
- For the commercial lots, a 30% increase in trees and shrubs from the minimum required by city code at the time of development shall be required.

The Envision Moore 2040 Plan calls for this location to be Open Space Residential with Neighborhood Commercial at the hard corner of SE 19th St. and Bryant Ave. Land uses in Open Space Residential include existing neighborhoods with large lots, or new neighborhoods with smaller lots featuring significant open space, up to 3 lots per acre and 30% open space. 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 with significant open space with both passive and active uses, with the open space totaling 53.34 acres of open space or 35% open space. Of that open space, 14.76 acres lies outside the floodplain. The open space consists of very large drainage areas, greenbelts with walking trails, common areas for a clubhouse, pool, and playground. The PUD includes increased landscaping with 2 -3 trees per lot. The proposed homes have a minimum of 55% bricking requirements for R-1 and 80% bricking requirement for buildings facing arterial streets for C-2 if used as mini-storage.

The Plan places a large emphasis on connecting residential and commercial developments with sidewalks and/or trail connections. This proposed development is located within ¼ mile of a school and contains integral links for the city-wide multi-use trail plan. A sidewalk along SE 19th Street is required. A 10'-wide multi-use trail along S. Bryant is required. Additionally, the floodplains in this development are shown on the Bikeway and Greenway Network Map (pg. 105) as multi-use trail corridors. As such, a pedestrian easement will be required for future trail construction as shown in the Comprehensive Plan.

The Plan calls for preserving natural resources as amenities for future residents while also accommodating development. A significant portion of this site contains FEMA-designated floodplains and floodways. As part of the PUD, the required stormwater detention is being developed with Low-Impact Development techniques with soaking bays and bio-filtration systems for stormwater quality benefits.

With the land being designated as Open Space Residential and Neighborhood Commercial, the PUD application seeks to preserve the natural drainage features of the property along with providing an essential connection along the trails system with 35% open space and a density of 3.16 lots per acre, which meets the intent of the Comprehensive Plan. The Neighborhood Commercial land use is preserved with opportunities for service and retail businesses, along with personal storage. Due to the provision of open space and the increased aesthetics within the PUD application, this application is in compliance with the comprehensive plan.

Designated as Residential Open Space within the city's comprehensive plan, the intent of this land use designation is not to stifle growth, but to ensure quality developments with open space as neighborhood amenities and natural feature preservation. With the inclusion of 30% open space, quality recreational amenities, and the LID techniques as PUD amenities, staff believes that this application conforms to the Open Space Residential land use requirements. If Planning Commission and City Council believe that the 20' garage setback is appropriate, staff recommends approval of this application and the companion Preliminary Plat.

Commissioner Graham commented that a lot of the open space for this plat is located away from where people are living. The open-space is located at the perimeter. Unfortunately the houses are quite compressed and the location of the open-space provided, does not give any relief. The center of the development, in particular,

seems very dense. Mr. Graham stated, although he can see the numbers, he does not see how the development generally benefits from the open-space that is proposed. Mr. Graham stated, this example leads him to wonder if this will be what happens every time open-space is restricted to only the areas that are not suitable for building. Mr. Graham, asked if he is misinterpreting how open-space is to serve the residents of a neighborhood. Ms. Weitman responded, the Comprehensive Plan places a large priority on preserving the flood plain and natural features. Although you can't actually walk in the areas of the detention pond, this application in particular, uses those natural elements to their best advantage, by including some additional walking trails and what they describe as green windows, which creates visual interest and scenic views to these areas. Ms. Weitman stated, the biggest concern with this development, was how to keep the both sides integrated into one addition. The applicant has done a good job with that, by adding a playground on the southern portion while connecting the two sides with a walking trail over a creek, resulting in everyone having reasonable access to the outdoors. Having access to open-space right outside your door, may not be an achievable goal when you are looking at 160 acres.

Chairman Sherrard stated, during discussions on open-space, the term 'usable open-space' was referenced. Mr. Sherrard asked if there is a percentage of the proposed open-space here that meets that definition. Ms. Weitman stated, she does not have an exact calculation available, however, because they have walking trails along the creeks, a lot of this property is usable. Two playgrounds, a clubhouse, a walking trail around a detention pond, along with walking trails near the creeks, results in a lot of usable open-space.

Commissioner Lunow asked Ms. Weitman if she is in favor of the proposed 14 foot front building line setback with the 20 foot setback for the garage portion. Ms. Weitman stated there are definitely plus and minuses associated with the 20 foot setback on the garage. This allows for one vehicle only in the driveway without blocking the sidewalk which promotes parking on the street. This results in slowing down traffic and also increased citizen complaints so that will be up to this commission and ultimately City Council to decide.

Commissioner Lunow reported he did visit the applicant's development in Norman and that is the one thing that he noticed, a lot of on-street parking. Commissioner Graham, stated in his experience, he finds on-street parking to be hazardous to those entering and existing vehicles as well as obstructing the flow of vehicle traffic. Obstruction to trash trucks and emergency vehicles is also a concern and that is in a regular neighborhood with normal setbacks and two-car garages. Mr. Graham stated, he strongly discourages the view that on-street parking somehow serves as a traffic calming mechanism.

Commissioner Graham asked if the Fire Department had any comments. The Fire Department has not expressed any concerns, probably because the problems do not exist at that location at the present time. However, should problems arise, one option that has been used in the past, is signage that limits parking to one side of the street. That could be an option if access for emergency vehicles becomes affected by parking in the street. Those situations will be evaluated as they develop.

Chairman Sherrard asked if the applicant was present. David Box, 522 Colcord Drive, introduced himself as representing the applicant, along with Zach Roach and Richard McGowan with Ideal Homes, and Chris Anderson, the Civil Engineer for the project, who are all present and available to answer questions.

David Box stated he would like to point out some of the features offered, in what they call, a very heavily amenitized neighborhood. Mr. Box, explained although the pond itself may not be considered usable open

space, in an Ideal Home Development, it actually is. Although not walkable, it does provide a benefit to residents as an area that brings them to nature. Families will experience fish and frogs and various wildlife, in addition to walking trails, which create an outdoor experience. The lots that back up to these common areas will be fenced using split rail fencing and not a traditional privacy fence, which enhances the visual enjoyment not only for those neighboring lots but also for anyone utilizing those open areas. There are walking trails throughout the neighborhood and all lots will have a sidewalk. The entirety of the neighborhood is connected, which is important. There will be two separate playgrounds, in addition to, the pool and the clubhouse.

The developer believes the entirety of these amenities together, the quality of the development and the benefits enjoyed by Moore residents, more than, compensate for the reduced building line setbacks. 14 acres within this development will be usable open space in the form of common area. That comes out to about 35 percent exceeding the goal as stated in the comprehensive plan. Mr. Box stated they are in agreement with all staff recommendations as outlined in the staff report for the Rezoning Application.

Mr. Box went on to say, with regard to Staff recommendations for the Preliminary Plat, the applicant does not agree to construct the 10 foot multi-use trail. Instead, the applicant has provided additional right-of-way as requested by the City, for future construction of the trail by the City of Moore should they choose to do so. The applicant is in agreement with all other staff recommendation for the Preliminary Plat. Mr. Box offered to answer any questions.

Commissioner Jarema, stated he also made a point to visit the existing Ideal Homes neighborhood in Norman, Greenleaf Trails. Mr. Jarema explained after turning into the neighborhood he was unable to make it through, due to the resident's vehicles parked in the street, along with the lawn service people. Mr. Jarema stated, he was forced to back up to the main entrance and he believes the parking in the street will prove to be an issue for this proposed addition, as well.

Zach Roach introduced himself as part of the development team for Ideal Homes. Greenleaf Trails in Norman is a beautiful subdivision in Norman that is very similar to the one being discussed tonight. Mr. Roach stated he also currently lives in an Ideal Home neighborhood with this exact template. He stated, there is a small fraction of time when landscaping traffic will be present, however they have no trouble navigating around that. Those times are occasional and they have never been considered a nuisance or a hindrance to their quality of life.

Commissioner Joiner stated although he understand the concerns of the other commissioners, he does believe the 20 foot driveways will serve to strongly deter double stacking of vehicles, leaving the sidewalks unblocked. Generally a person will park in the street over taking the risk of being hit by a car by hanging out into the street.

Richard McGowan, 4409 Cannon Drive, Norman, OK, with Ideal Homes introduced himself. Mr. McGowan, talked about walkability of a neighborhood and the reason behind why Ideal Homes has made it such a strong focus for all of their neighborhood models. Creating legacy neighborhoods that get better with age is important to Ideal Homes. The number one amenity that Americans are looking for is walking trails. It is far and away the number one amenity on any survey, it's greater than 30% and it is what drives people to seek better neighborhoods. Walking trails are used by everyone. All of our neighborhoods are filled with walking trails and open space.

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

Jack Joiner motioned to approve, **Rezoning Application No. RZ1008** subject to staff recommendations. Gary Lunow seconded the motion. Roll was called.

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

Agenda Item No. 5c, being: NEW BUSINESS

Discuss and consider the **Preliminary Plat of Cardinal Landing**, located in the NW/4 of Section 30, T10N, R2W, being south of SE 19th Street and east of S Bryant Avenue. Application by Landmark Land Company, LLC. **Ward 1.**

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

Jack Joiner motioned to approve, **Preliminary Plat of Cardinal Landing**, subject to staff recommendations. Gary Lunow seconded the motion. Roll was called.

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

Assistant Planner, Sarah Copeland gave the following presentation.

Agenda Item No. 5d, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1009**, located in the NE/4 of Section 30, T10N, R2W, being south of SE 19th Street and west of Sunnyslane Road, from C-5 Automotive and Commercial Recreation District to C-3 General Commercial District. Application by 19th Street Plaza, LLC/Lynn Medford. **Ward 1.**

The subject site is located south of SE 19th St and west of S Sunnyslane Rd at 2990 SE 19th St. the site consists of 1 lot totaling 0.9 acres with an existing retail center on the property. 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.

The site does not contain a FEMA-regulated floodplain or floodway. Because there is no redevelopment occurring, on-site stormwater detention will not be required.

This site is a retail center that is 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. This application was reviewed as to its conformance with the intent of the Plan.

The Plan's recommendations for aesthetics focuses on new and re-development projects. It should be noted that under C-3 zoning, the potential for outdoor storage will be eliminated which will further the aesthetics in this area.

The Plan places a large emphasis on connecting residential and commercial developments with sidewalks and/or trail connections. Because no new development is proposed, sidewalk improvements not required at this time.

The existing access to the site is from two driveways via SE 19th St and S Sunnyside Rd. No additional driveways are being proposed.

As no new development over 1-acre in size is proposed, stormwater detention is not required.

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 on the hard corner of SE 19th Street and Sunnyside. 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. Staff recommends approval of this application.

Chairman Sherrard asked if the applicant was present. Lynn Medford, 6800 SE 164th Street, Oklahoma City, OK, introduced himself as the applicant. Chairman Sherrard asked Mr. Medford if he believes the change to General Commercial District will be more attractive to retail tenants. Mr. Medford answered, yes that is correct.

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. RZ1009**, subject to staff recommendations. Kenneth Jarema seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Burks, Rickman, Laib

Assistant Planner, Sarah Copeland gave the following presentation.

Agenda Item No. 5e, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1010**, located in the NE/4 of Section 34, T10N, R3W, being south of SW 34th Street and west of Telephone Rd, from A-2 Suburban Agricultural District to RE Residential Estates. Application by Dean Harrington. **Ward 3.**

The subject site is located south of SW 34th St and west of S Telephone Rd at 4205 S Telephone Rd. The site consists of 1 lot totaling 2.0 acres with an existing home on the property fronting Telephone Road and a creek bisecting the property into two halves. The applicant desires to split the lot and deed the west half of the property (west of the creek) to the property owner to the north, 4201 S Telephone Rd. The resulting half lot east of the creek would not meet the A-2 minimum lot size of 2 acres, therefore a rezoning for the east half of the original lot is being requested. The applicant is seeking to rezone the east half of the property from A-2 Suburban Agricultural to RE Residential Estates in order to execute the desired lot line adjustment.

Public water and sewer utilities are available to serve the site. Access is provided by S Telephone Rd.

The site does contain a FEMA-regulated floodplain and floodway. There are no anticipated changes to the floodplain.

The Envision Moore 2040 Plan calls for this location to be Open Space Residential. This application was reviewed as to its conformance with the intent of the Plan.

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

The existing access to the site is from a driveway located off of S Telephone Rd. No new curb cuts to Telephone Rd are being requested.

The Plan calls for preserving natural resources as amenities while also accommodating development. There are no anticipated changes to the FEMA floodplain on this property.

This application is in compliance with the intent of the Envision Moore 2040.

This site is located in the Kylie Acres Addition, a large-lot residential area off of S. Telephone Rd. Being in a platted neighborhood, the indiscriminate rezoning and splitting of lots must be avoided to maintain the integrity of the area. However, unusual factors brought about by the natural terrain and layout of the properties should be taken into consideration.

This applicant currently has no access to the approximate 1 acre of his lot that lies west of the creek. The only access to that property is from an existing bridge culvert on the property to the north. By approving this

rezoning and subsequent lot line adjustment, the area west of the creek can be better maintained by the property owner to the north. Staff recommends approval of this application.

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.

Kent Graham motioned to approve, **Rezoning Application No. RZ1010**, subject to staff recommendations. Gary Lunow seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Burks, Rickman, Laib

Agenda Item No. 5f, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1011**, located in the NW/4 of Section 22, T10N, R3W, being south of SW 4th Street and east of Santa Fe Avenue, from A-2 Suburban Agricultural District to A-2/PU Suburban Agricultural District with a Permissive Use for Communication Towers. Application by Tyler Media, LLC. **Ward 3.**

The subject site is located south of SW 4th St. and east of S Santa Fe Ave. The property is currently zoned A-2 and was the site of 3 communication towers that were destroyed in the 2015 tornado. The applicant is proposing to reconstruct the 3 towers, relocating the western-most tower approximately 486' feet to the east away from the Plaza Towers neighborhood. This will make the closest tower to the Plaza Towers neighborhood at over 600'. To reconstruct the towers, a rezoning is required to A-2/PU Suburban Agricultural District with a Permissive Use for Communication Services: Towers.

Public water and sewer are available to the site. There is no floodplain on the site.

The subject site is located on a large parcel of undeveloped property within an urbanized area. To the north is 4-acres of C-2 property owned by the applicant. To the south, east and west is undeveloped property owned by the City of Moore. The new towers will be 192' tall and the subject parcel is not adjacent to any residentially used property.

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.

The application for communication towers on this parcel meets the buffering recommendations as set out in the plan for potentially conflicting land uses.

Because this application does not seek to construct habitable buildings or neighborhoods and has no street frontage, pedestrian-oriented design techniques are not applicable.

This site does not contain FEMA-designated floodplains. Stormwater Detention is not required.

This site is designated as Urban Residential land use. This application does not seek to develop a neighborhood or other habitable buildings on the site. Because of the quasi-utility nature of this application, it was not deemed necessary to change the land use.

Permissive Uses by definition are uses that may not be appropriate in all areas within the underlying zoning due to potentially undesirable characteristics. Each Permissive Use application should be viewed as unique and evaluated on their individual merits.

This property has been the site of radio or communication towers for decades. Prior to the 2015 tornado, the 'KOMA' radio towers were viewed by some surrounding property owners as a nuisance due to a host of issues stemming from strong radio waves. The proposed towers are not only shorter than the original towers at 192' (old towers were 320' tall), but produce less radio waves than the old towers. Furthermore, the FCC has issued a permit for the reconstruction of the towers as noted on this application.

Considering the 600' buffer from residential homes and the compliance with the FCC requirements, staff recommends approval of this application.

Chairman Sherrard asked if the applicant was present. David Box, 522 Colcord Drive, introduced himself and the applicant Tony Tyler as present and available to answer any questions. Mr. Box stated, because the plan calls for reducing the radio tower by 100 feet and moving the that tower, which is the nearest tower, further away from the neighborhood, this results in a net benefit the residents.

Tony Tyler, 2211 Rolling Meadows Place, introduced himself. Commissioner Jarema asked, what is the fall radius for the cemetery property. Mr. Tyler answered there is over 200 feet of fall distance from the tower to the cemetery, the tower is 192 feet tall. Additionally the towers are designed to snake down to the ground in the event of a failure. There is no fall threat at this site.

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. RZ1011**, subject to staff recommendations. Kenneth Jarema seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Burks, Rickman, Laib

Assistant Planner, Sarah Copeland gave the following presentation.

Agenda Item No. 5g, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1012**, located in the SW/4 of Section 22, T10N, R3W, being north of SW 19th Street and east of S Santa Fe Avenue, from C-2 Neighborhood Commercial District to C-2/PUD Neighborhood Commercial District as a Planned Unit Development. Application by JC Homes, LLC/James Scott. **Ward 3.**

The subject site is located north of SW 19th St and east of S Santa Fe Ave. The property is zoned C-2 and is currently vacant. The applicant is proposing to develop a mixed-use office space approximately .85 acres in total size allowing for a tenant mix that could include spaces for building related uses such as a plumbing showroom or home and commercial flooring sales and more. To achieve the desired development, the property must be rezoned to R-2 Two-Family District as a Planned Unit Development (PUD).

Public water is available along the west side of Eric Cir. Sanitary sewer is available along the south side of Eric Cir.

Stormwater detention for this development is not required. The development abuts a property with a detention pond along the east side. Access is provided by SW 19th St.

The 2013 FEMA maps show a 100-year floodplain across a small portion of the northeast corner of the site. The applicant does not propose any significant changes to the floodplain and a FEMA submittal will not be required.

The PUD proposes to reduce the required setbacks for the north property line from 20' to 12' and reduce the bricking requirements to 30% on the front façade, 10% on the east and west facades and 0% on the north façade. Additionally the PUD proposes more uses with higher intensity commercial characteristics, but on a smaller scale with no outdoor storage.

Pursuant to the Envision Moore 2040 Plan, the applicant is utilizing a Planned Unit Development (PUD) to allow uses and setbacks that are different than what is allowed by code. By utilizing a PUD the city may relax certain requirements in exchange for amenities that would not otherwise be required.

It should be noted that the approved plat for this addition includes a 20' 'Screening Easement' that was intended to provide buffering to the Foxglove neighborhood to the north; approving this application would supersede the easement and reduce the setback to 12', but in exchange offer a continuous row of landscaping as a buffer. Additionally, any trees required to meet the adjacent shopping center's landscaping requirements must be preserved or replaced in addition to the landscaping amounts required with this PUD.

The Envision Moore 2040 Plan calls for this location to be Neighborhood Commercial. This application was reviewed as to its conformance with the intent of the Plan.

This PUD includes increased landscaping of 17 trees and 12 shrubs. The proposed buildings are metal with the south façade featuring 30% brick or masonry, 10% on the east/west facades, and 0% bricking or masonry on the north façade. Increased landscaping will be provided to offset the lack of brick/masonry.

This proposed development is not located within ½ mile of a school or park. No sidewalks or trails are

proposed with this development.

This site does contain a FEMA-designated floodplain. The applicant will be required to submit a drainage report to ensure that City of Moore and FEMA requirements are met.

Due to the provision of the significant increase in landscaping within the PUD application and the small lease spaces and provision for no outdoor storage/display, this application is in compliance with the comprehensive plan.

With this site being significantly set back from an arterial roadway, it is unlikely that it will develop with traditional retail and service businesses. The applicant seeks to tailor the allowed uses for this site to focus on those not dependent on street frontage; furthermore the small nature of the lease spaces are not intended to support large intensive uses and there is no outdoor storage allowed. The PUD amenities focus on increased landscaping as a buffer to the residential properties to the north and west.

The provided landscaping amenity within the PUD work to buffer the existing Foxglove neighborhood from the commercial space and provide quality aesthetics for the tenants and customers. Staff recommends approval of this application.

Chairman Sherrard asked if the applicant was present. Mark Zitzow, 1 East Sheridan Avenue, Ste. 200, Oklahoma City, OK, with Johnson and Associates, introduced himself as the civil engineer for the project.

Mr. Zitzow stated the subject site is a challenging one and commended city staff for the collaborative effort in getting them to this stage of the development process. Mr. Zitzow explained the property is part of a plat and is situated behind a large strip center with absolutely no visibility from the street and resulting in difficulties attracting retail tenants. The goal then became finding compatible uses that would be compatible next to a neighborhood and still be leasable. Since the time of changes in statutes allowing for marijuana, any type of industrial zoned or warehouse properties are being swallowed up by grow houses, creating a squeeze on very light industrial users to try and find space. This application seeks to provide space to businesses such as plumbers, electricians and various other trades who may require some storage for materials and/or equipment such as vehicles. Those type of users do not require frontage on an arterial roadway.

Built into the PUD Design Statement, are what the developer considers to be a significant amount of restrictions to these uses, including square footage. While the developer is targeting some light industrial uses, they are limited to 5000 sf and two bays within the building, thereby, preventing warehouse users from acquiring all 18000 SF. which is not the intent of this application.

The 14 feet landscape buffer will be adequate to plant trees leaving enough space between landscaping and the rear side of the building for landscape maintenance.

Finally the developer is not proposing any type of street connection between the residential neighborhood and the proposed commercial.

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. RZ1012**, subject to staff recommendations. Kenneth Jarema seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Burks, Rickman, Laib

Agenda Item No. 5h, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1013**, located in the NW/4 of Section 13, T10N, R3W, being south of NE 12th Street and east of Eastern Avenue, from C-3 General Commercial District to R-1/PUD Single-Family Dwelling District as a Planned Unit Development. Application by Noble REF, LLC/Jake Schoeffler. **Ward 1.**

The subject site is located south of NW 12th St and east of N Eastern Ave. The property is zoned C-3 and is currently vacant. The applicant is proposing to develop an addition with single family homes on lots ranging from 40-50 feet in width. The property is approximately .77 acres in total size and the applicant is proposing a total of 7 lots with a density of 7 dwelling units per acre. To achieve the desired development, the property must be rezoned to R-1 Single Family District as a Planned Unit Development (PUD).

Public water is available along the west side of N Silverleaf Dr. Sanitary sewer is available along the north side of NE 9th St and the west side of N Silverleaf Dr.

Stormwater detention for this development is not required. Access is provided by N Silverleaf Dr.

The 2013 FEMA maps do not identify any floodplain or floodway on this property. However, there is offsite drainage that may affect this property coming from the Silverleaf Shopping Center to the west. A drainage report will be required prior to development.

The proposed development seeks to deviate from the City Code by reducing the size of the residential lots. Whereas City Code requires a 55' wide lot and 6,000 sf per lot for single-family homes, this application is proposing smaller lots at 40-50' wide and a minimum of 4,520 sf.

Pursuant to the Envision Moore 2040 Plan, the applicant is utilizing a Planned Unit Development (PUD) to allow lot widths that are different than what is allowed by code. By utilizing a PUD the city may relax certain requirements in exchange for amenities that would not otherwise be required.

The only eligible PUD amenity is the landscaping, however because a landscaping plan was not submitted, it is unclear as to what the intent of the landscaping amenity is. As submitted, the landscaping in the PUD Design Statement is not quantifiable or enforceable.

The Envision Moore 2040 Plan calls for this location to be Community Commercial. This application was

reviewed as to its conformance with the intent of the Plan.

Being a PUD, this application should conform to many of the Plan's recommendations for aesthetics, including landscape mix, and buffering of higher density land uses. However, this application lacked details for the qualifying amenity, which is the landscaping.

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

This site does not contain a FEMA-designated floodplain. A drainage report will be required to ensure off-site drainage from the Silverleaf Shopping Center is accommodated.

In considering this application as a land use issue, being located on a residential collector street behind an existing shopping center seems appropriate for residential land use. Furthermore, the smaller lots and higher density is supported by the Community Commercial land use designation. Therefore this application is in general compliance with the comprehensive plan, with full compliance dependent on the approved amenity package for the PUD.

The applicant is proposing 7 residential units on smaller lots on a commercial lot located in a residential area. Developing this tract with single-family homes seems appropriate given the close proximity to other single-family homes to the east and south. Because this site is located on a collector street adjacent to an existing shopping center, the homes themselves could be considered a buffer to the single family residential uses to the east.

Proposed as a PUD due to the requested variance to City Code reducing the width of residential lots from the required 55' to 40-50 feet in width, the applicant is required to offer an amenity package to off-set the increase in density. The applicant's proposed amenity package does not meet the letter or intent of the PUD ordinance. With the landscaping unquantifiable, it is unenforceable as proposed.

However, due to the location of the application being adjacent to the existing Silverleaf Shopping Center and the comprehensive's plan designation as Community Commercial, the higher density lots do act as a buffer to the existing neighborhood to the east. Therefore staff recommends approval.

Chairman Sherrard asked if the applicant was present. Jake Schoeffler, introduced himself as the applicant. Mr. Schoeffler stated, regular R1 zoning allows for 5 lots per acre. Mr. Schoeffler stated although the application shows 7 lots, in reality there is a drainage culvert for water runoff coming from the Silverleaf shopping center that may end up costing them 1 or even 2 of those lots. In addition, there are 2 existing OG&E easements that also will need to be vacated prior to development. Mr. Schoeffler stated, it's been his experience with developing these small infill lots, you always lose lots, for that reason, he is just trying to build in some flexibility.

Mr. Schoeffler, went on to say, each house will have a single car garage and these homes will meet the regular R-1 building line set-back. The homes will also have varying elevations. Vinyl siding is not proposed. James Hardy siding will be used. The homes will be for sale units and will not be rentals.

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

The following citizens spoke in opposition to the application:

Ira Frame, 1025 NE 10th Street
Jessica Garland, 1013 NE 10th Street
Lindsay Taylor, 925 NE 9th Street
Diana Bowling, 1018 NE 18th Street
Nick Choate, 1001 NE 10th
919 NE 9th Street
Mike Bowling, 1018 NE 10th Street
Malone 912 NE 9th Street
Ulmer, 1001 NE 9th Street
Katya Wallace, 913 NE 9th Street
Peggy Choate, 1001 NE 10th Street
Kyle Tompkins, 919 NE 9th Street
Chris Wade, 925 NW 9th Street
Tim Lawson, 1006 N. Lincoln

The below listed concerns were cited:

- Loss of privacy (proposed 2 story)
- Densities are not in keeping with the surrounding neighborhood
- Single car garage perpetuates parking in the street creating safety hazards to children and pets in the area
- Lack of sidewalks in the area
- Design elements are not in keeping with surrounding neighborhood
- Negative impact to property values
- Ongoing storm water issues in the area
- Commercial traffic (deliveries to the Silverleaf Shopping Center)

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

Mr. Schoeffler requested for the item to be tabled to give him additional time to address the concerns that were voiced here tonight.

Kent Graham motioned to table, **Rezoning Application No. RZ1013**, to allow for time for the applicant to address some of the concerns that were raised tonight. Gary Lunow seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Burks, Rickman, Laib

Agenda Item No. 6 being: CITIZENS – None

Agenda Item No. 7 being: ADJOURNMENT

Commissioner Sherrard requested a motion to adjourn at 9:44 p.m.

Motion: Gary Lunow motioned for adjournment. Kenneth Jarema seconded the motion. Roll was called.

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

Nays:

Abstained:

Absent: Burks, Rickman, Laib

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