

**MINUTES OF THE
PLANNING COMMISSION MEETING
March 12, 2024**

The Planning Commission of the City of Moore, Oklahoma held a meeting on March 12, 2024, in the Council Chambers, Moore City Hall, 301 North Broadway, Moore, Oklahoma.

Chairman Sherrard was absent. Secretary Gary Lunow chaired the Planning Commission Meeting.

Agenda Item No. 1, being: ROLL CALL

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

Gary Lunow	Chad Burks	Don Snow	Kenneth Jarema
Jack Joiner	Brandon Laib	Emily Richey	

Absent: Ralph Sherrard, Kent Graham

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

Agenda Item No. 2, being: PLEDGE OF ALLEGIANCE

Agenda Item No. 3 being: MINUTES

- a) Approval of the Minutes of the January 9, 2024, Planning Commission Meeting.**

Secretary Lunow requested a motion.

Kenneth Jarema motioned to recommend approval of the **Minutes of the January 9, 2024, Planning Commission Meeting**, as written. Chad Burks seconded the motion. Roll was called.

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

- b) Approval of the Minutes of the February 13, 2024, Planning Commission Meeting.**

Secretary Lunow requested a motion.

Kenneth Jarema motioned to recommend approval of the **Minutes of the February 13, 2024, Planning Commission Meeting**, as written. Chad Burks seconded the motion. Roll was called.

Ayes: Lunow, Burks, Snow, Jarema Joiner, Laib, Richey

Nays:

Abstained:

Absent: Sherrard, Graham

Agenda Item No. 4 being: REPORTS Planning Commission Members - None
Community Development Staff

Ms. Weitman reported staff has received clarification of the "Term Limits" from the City Attorney, as previously discussed at the February Planning Commission Meeting.

The limits for each Board Member have been determined and those dates have been provided to both the Planning Commission and the Board of Adjustment members. Members are encouraged to contact Ms. Weitman with any questions or concerns.

Agenda Item No. 5a, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1043**, located in the SW/4 of Section 14, T10N, R3W, being South of NW 5th Street and West of I-35 Service Road, from C-5 Automotive and Commercial Recreation District to C-3 General Commercial District. Application by John Chambers, III. **Ward 3.**

Ms. Purcell gave the following presentation:

The subject site is located south of NW 5th St and east of N Telephone Rd. The property is currently zoned C-5 Automotive and Commercial Recreation District and holds an existing building. The applicant is proposing to remodel a commercial building into a dental laboratory which does not fit into the current C-5 zoning. To achieve the desired redevelopment, the applicant is requesting a rezoning to C-3 General Commercial District.

Currently public water is available with a 12" waterline located along N Telephone Rd. A public sewer is currently available along N. Telephone Rd.

This is a developed site, and the applicant is only proposing a remodel; therefore, if no additional impervious surface is added, stormwater detention is not required. There is no FEMA floodplain located on the site. Access is provided by N Telephone Road and the property has two existing driveways.

This site lies in one of the oldest commercial areas in Moore, but inside of the I-35 Corridor. Although the surrounding commercial properties are zoned C-5, the businesses in this area generally do not have outdoor storage, excepting the City of Moore Recycling Center. This application seeks to rezone the property to a lower commercial use which also calls for all activities and storage to be indoors.

The Envision Moore 2040 Plan calls for this location to be Transitional Commerce. Transitional Commerce is intended to create a buffer between arterial roads and neighborhoods. This application was reviewed as to its

conformance with the intent of the Plan.

This application will meet all aesthetic, landscaping and parking requirements set forth in the Moore Land Development Code.

This application is located within ¼ mile of the Fairmoore Park. A 5' sidewalk is currently available along Telephone Rd and will be maintained.

This redevelopment already has 2 driveways along Telephone Rd that will be maintained.

This site has no natural features of significance. This is only a remodel of an existing building; stormwater detention is not required.

This application seeks to change zoning districts to a lighter land use than the surrounding uses in the C-5 zoning district. Due to the proposed use staff believe that this application is in compliance with the comprehensive plan and an amendment to the plan is not necessary.

This application seeks to rezone a developed lot to support lighter commercial uses while maintaining the character of the area. This application seeks to rezone the lot to C3 for a dental laboratory. Being in a commercial area, with limited traffic due to the type of business and typical office hours, staff believe it is compatible with the surrounding development. Staff recommend approval of this application. Ms. Purcell offered to answer any questions.

Secretary Lunow asked if any members had questions of Ms. Purcell. Hearing none, Secretary Lunow asked if the applicant was present.

John Chambers, III, 1912 Danville Drive, Norman, OK, introduced himself as the applicant. Mr. Chambers stated they are very excited for the opportunity to move their current business from Norman up to Moore. Logistically it is an improvement for the business. In addition, we will gain significantly more square footage for a production facility. We serve a lot of dentists, and this will be a more centralized location for our staff as well. Mr. Chambers offered to answer any questions. Secretary Lunow asked if the business would have patients coming to the facility. Mr. Chambers answered, "No we do not see patients at our facility. Mr. Chambers stated he does plan to have an open house and invite the public to come and check it out. In addition, occasionally they will probably offer some educational opportunities for dental professionals at this location.

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

Emily Richey made a motion to recommend approval of **Rezoning Application No. RZ1043**. Chad Burks seconded the motion. Roll was called.

Ayes: Lunow, Burks, Snow, Jarema, Joiner, Laib, Richey

Nays:

Abstained:

Absent: Sherrard, Graham

Agenda Item No. 5b, being: NEW BUSINESS

Discuss and Consider the **Fina Plat of DM Estates**, located in the SE/4 of Section 18, T10N, R2W, being North of SE 4th Street and West of Sunnyslane Road. Application by Sanjay Mirchia. **Ward 2.**

The subject site is located north of SE 4th Street and east of Bryant Ave. The property is currently zoned R-1 Single-Family Dwelling District and is vacant. The applicant is proposing to develop a single-family residential development approximately 3.62 acres in size with 1 formalized common area for detention and 10 residential lots, resulting in an overall density of 2.7 living units per acre. The Preliminary Plat was approved in November of 2023. The Final Plat is now under consideration.

Public water is available along SE 4th St. Sanitary sewer is available to south by an 8" gravity line in the Rock Creek Addition.

Stormwater detention for this development is required. The development includes a proposed detention pond. An un-studied FEMA floodplain is located along the west side of the property. The applicant will be required to establish the Base Flood Elevation and comply with the 2021 Drainage Criteria, including a 30' channel maintenance access easement from the top of bank, and a drainage easement that includes the regulatory floodplain.

Access for the proposed addition is provided by SE 4th Street, a four-lane urbanized roadway. No lot shall be allowed direct access to SE 4th Street in an effort to prevent traffic congestion.

This final plat differs from the approved Preliminary Plat through the deletion of 1 lot due to increased arterial ROW width and the inclusion of a 30' channel maintenance access easement from the top of bank and a drainage easement that includes the regulatory floodplain. It should be noted that the easement requirements result in limited buildable area for lots 4-7. In particular, lot 4 only has 25' of buildable depth at the narrowest point. To provide for more buildable lots, the developer has agreed to move the detention pond from Lot 5 to Lot 4; this results in reserving the smallest lot for drainage and detention, allowing the bigger Lot 5 to be used for a homesite.

Additionally, Lots 1-3 do not meet the required 55' lot width at the Front Building Line, but range anywhere from 40-50'. Because these lots do not meet the minimum requirements set forth in the Moore City Code, staff recommend deleting one lot and re-distributing the remaining lots to allow for lots of adequate width.

Due to the property's close proximity to Veteran's Park, a fee-in-lieu of parkland will be required.

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

This proposed development is not located within a ¼ mile from a school or park. Sidewalks will be required to meet the City Code, including 6' sidewalks along SE 4th Street.

This application provides one residential street from SE 4th Street. The proposal ends in a cul-de-sac, providing no further connections to the undeveloped property to the east. No individual lot access will be allowed to SE 4th Street.

This site contains a significant amount of un-studied FEMA floodplain, estimated at being 10% of the site. The Plan recommends preserving the floodplain. The proposed development will not modify the floodplain boundaries.

Because this application meets the density and open space requirements of the Envision Moore 2040 Plan, an amendment to the plan is not required.

This application is for the consideration of the final plat only of the DM Estates Addition. There has been some concern raised about the residential density of the addition, however the density was decided with the R-1 zoning designation of the property approved many years ago. Being that the property is currently zoned R-1, then the plat must conform with the minimum requirements laid out by the Zoning Regulations and Subdivision Regulations.

Upon completion of a review of the final plat and construction plans, staff believes that the developer is proposing too many lots in a limited space. Due to the constrictions of the floodplain and open channel on the property, the buildable area on lots 4-6 is constricted, and lots 1-3 are not in compliance with the minimum lot width of 55' at the Front Building Line. Considering these factors, staff recommends approval of this application contingent upon the deletion of 1 lot to allow a 55' lot width at the front building line. Ms. Weitman offered to answer any questions.

Secretary Lunow asked if any Planning Commission members had questions for Ms. Weitman. Commissioner Richey asked the lot width of Lot 8. Ms. Weitman answered, at the Front Building Line, lot 8 is 55' wide.

Commissioner Burks asked Ms. Weitman to verify the area noted as "Common Area A" on the west side of the entrance, is not part of the proposed development. Ms. Weitman answered, no it is not, that area is part of the Olde Stonebridge Addition. Commissioner Burks asked if the City has any plans to signalize this intersection. Ms. Weitman answered, currently not, noting 4th Street is a State Highway therefore, the City does not have that authority and is something that would require some investigating. That is a decision that would be based on accident data and traffic counts.

Secretary Lunow asked if the applicant was present. Kaitlin Turner, Williams, Box, Forshee & Bullard, 522 Colcord Drive, Oklahoma City, introduced herself as representing the applicant along with the Civil Engineer who is also in attendance and available to answer questions. Ms. Turner stated, in compliance with the revision to the staff report, the developer will be eliminating one lot in order to ensure all R-1 requirements are met. Ms. Turner stated the applicant is not requesting any sort of zoning change and will be meeting or exceeding all R-1 requirements. The development will consist of 9 lots, the detention pond will be moved from lot 5 to lot 4. Ms. Turner stated she would like to emphasize; on-site detention is a requirement, and the developer is complying with that. Ms. Turner stated she is aware there are a number of members of the audience who will be voicing drainage concerns. Ms. Turner, with regard to those drainage concerns, would like to emphasize it is illegal to create an increase in the drainage that is historically there and that is not something they will be doing. The applicant has reviewed and is in compliance with staff recommendations and respectfully requests approval of the Final Plat.

The following citizens spoke in opposition to the application:

John Knickenbrink, 401 Riverside Drive
Dan Jackson, 212 Alyssa Lane, HOA President

Barbara Johnson, 205 S. Old Mill Road
Maggie Rex, 208 S. Old Mill Road
Jeff Arms, 205 S. Riverside Drive
Cassandra Riggs, 204 S. Olde Bridge Road
Marcy Eason, 201 Alyssa Lane
Chris Fletcher, 213 N. Old Stonebridge Road

The following concerns were cited:

- Density not in keeping with the Olde Stonebridge Neighborhood
- Lot sizes not in keeping with the lot sizes in the Olde Stonebridge Neighborhood
- Square footage of homes not in keeping with the size of homes in the Olde Stonebridge Neighborhood
- Negative Impact to home values in the Olde Stonebridge Neighborhood
- Current FEMA flood plain maps do not reflect updated FEMA data
- Increased water runoff to the area
- Potential for damage to the decorative bridge in the Olde Stonebridge Neighborhood due to increased water runoff
- Maintenance of the common area
- Maintenance of the fence between the proposed development and the Olde Stonebridge neighborhood
- Lack of a retaining wall
- No assurance of an HOA for the proposed neighborhood

Secretary Lunow asked if there was anyone else in the audience who wished to address this item. After no response, Ms. Turner returned to the podium to address some of the concerns that were raised.

Ms. Turner stated that she would like to remind everyone that the proposed density and lot sizes are in compliance with R-1 requirements and meet the City Code. She went on to say, compatibility is an appropriate consideration for a zoning application. It is not, however, appropriate for a plat and particularly since the Preliminary Plat has already been approved.

Ms. Turner stated the concern voiced regarding these homes becoming rental property and not individually owned is speculative. Ms. Turner reminded everyone that a housing shortage still exists, and these homes are needed.

Secretary Lunow asked if there was anyone else who wished to address this issue. Hearing none, a motion was requested.

Chad Burks made a motion to recommend Denial of the **Final Plat of DM Estates**. Secretary Lunow requested a second. Ms. Richey stated, she is not comfortable voting on this application, as she considers the Plat to be incomplete. Ms. Richey stated, a motion to table the item, would seem to be more appropriate to give the applicant time needed to complete the revisions as outlined in the staff report and also gives us the opportunity to revisit this item once those changes are completed.

Secretary Lunow asked if he had a second for the Motion to Deny. The motion to Deny failed due to lack of a second. No vote was taken.

Ayes:
Nays:
Abstained:
Absent:

Secretary Lunow requested a different motion.

Chad Burks made a motion to recommend to Table the **Final Plat of DM Estates** to the April 9th Planning Commission Meeting. Emily Richey seconded the motion. Roll was called. The motion failed 3-4.

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

Secretary Lunow requested a different motion.

Jack Joiner made a motion to recommend Approval of the **Final Plat of DM Estates**. Brandon Laib seconded the motion. Roll was called. The motion failed 2-5.

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

Commissioner Snow stated, if this was a Zoning Application he would not be in favor of the application. However, that is not the case. This property has been zoned R-1 since the 80's and for that reason the recommendation should be based on what is legal in accordance with City Code.

Secretary Lunow requested a different motion.

Emily Richey made a motion to recommend **Denial** of the **Final Plat of DM Estates**. Brandon Laib seconded the motion. Roll was called. The motion carried 5-2.

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

Agenda Item No. 6 being: CITIZENS - None

Agenda Item No. 7 being: ADJOURNMENT

Secretary Lunow requested a motion to adjourn at 8:15 p.m.

Motion: Brandon Laib motioned for adjournment. Chad Burks seconded the motion. Roll was called.

Ayes: Lunow, Burks, Snow, Jarema, Joiner, Laib, Richey

Nays:

Abstained:

Absent: Sherrard, Graham

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