

**MINUTES OF THE  
PLANNING COMMISSION MEETING  
November 9, 2021**

The Planning Commission of the City of Moore, Oklahoma held a meeting on November 9, 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	Gary Lunow	Don Snow	Kenneth Jarema
Chris Rickman	Brandon Laib	Jack Joiner	Ralph Sherrard

**Absent:** Chad Burks

**Staff:** Elizabeth Weitman, Community Development Director, Sarah Copeland, Assistant Planner

**Agenda Item No. 2, being:** PLEDGE OF ALLEGIANCE

**Agenda Item No. 3, being:** MINUTES

a) Approval of the **Minutes of the October 12, 2021 Planning Commission Meeting**

Chairman Sherrard requested a motion.

**Motion:** Kent Graham motioned to recommend approval of the Minutes as written. Don Snow seconded the motion. Roll was called.

**Ayes:** Graham, Lunow, Snow, Jarema, Rickman, Laib, Joiner, Sherrard

**Nays:**

**Abstained:**

**Absent:** Burks

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

**Agenda Item No. 4b, being:** REPORTS - PLANNING COMMISSION STAFF

Ms. Weitman reported the following items were discussed and considered by City Council on the below listed dates:

**August 2, 2021**

**Approved:**

**Rezoning Application No. RZ1013**, located at N. Silverleaf Drive, from C-3 General Commercial District to R-1/PUD Single-Family Dwelling District as a Planned Unit Development by Noble REF, LLC.

**September 7, 2021**

**Approved:**

**Preliminary Plat of Moore to Come**, located north of NW 27th Street on Janeway Avenue. Application by Something Funny, LLC.

**Tabled:**

**Rezoning Application No. RZ1015**, located at NW 27<sup>th</sup> Street and N Shields Blvd., from C-5/PU Automotive and Commercial Recreation District/with a Permissive Use for Automotive Sales to C-5/PU Automotive and Commercial Recreation District/with a Permissive Use for Automotive and Equipment Storage as a Wrecker Service by Justin McBride. The application has since been voided due to inactivity on the part of the applicant.

**November 1, 2021**

**Approved:**

**Preliminary Plat of Silver Leaf Courts**, located at Silver Leaf Drive. Application by Noble REF, LLC.

**Final Plat of Grace Pointe 1, a re-plat of the Grace Point Addition**, located at NW 12th Street and Santa Fe Avenue. Application by Grace Point 1, LLC.

**Comprehensive Plan Amendment #5** from Regional Center to Transitional Commerce, and the companion **Final Plat of Broadway Commercial East**, located at SE 19th Street and Broadway Avenue Application by New Site Construction, LLC/Josan Gurmeet. **Ward 1.**

**Tabled:**

**Rezoning Application No. RZ1014**, located north of NE 12<sup>th</sup> Street on Bryant Avenue, from A-1 Rural Agricultural District to A-2/PU Suburban Agricultural District with a Permissive Use for Indoor Dog Kennels was tabled to the December 6<sup>th</sup> City Council Meeting.

**Agenda Item No. 5a, being: NEW BUSINESS**

Discuss and consider the, **Final Plat of Sendera Lakes, Section 4** located in the NW/4 of Section 34, T10N, R3W, being south of SW 34th Street and east of Santa Fe Avenue. Application by Odom Northwest, LLC. **Ward 3.**

The Final Plat consists of 67 residential lots on approximately 19.44 acres, which results in a density of 3.45 units per acre.

There is no identified FEMA floodplain in this section of the addition. Detention for the development was provided in previous phases; however this phase is being reviewed against the June 2021 Drainage Criteria to determine areas of compliance. Where possible, this phase will be required to be in compliance with the new criteria.

Access is proposed from SW 40<sup>th</sup> St, SW 41<sup>st</sup> Terrace, and Durango Lakes Dr as platted in Sendera Lakes Addition, Sections 2 & 3.

The Envision Moore 2040 Plan calls for this location to be Urban Residential. Land uses allowed in Urban Residential allow a mix of single family detached units up to 7 dwelling units per acre. Although the Preliminary Plat for Sendera Lakes was approved prior to the adoption of the Envision Moore 2040 Plan, this application was reviewed as to its general conformance with the intent of the Plan for informational purposes only.

For Urban Density Residential land use, the plan calls for 10% area for open space and amenities such as accessible open space, community greens, pocket parks, and playgrounds within each neighborhood. Overall this addition proposes approximately 20% open space and amenities (retention pond and clubhouse), which satisfies this requirement.

This proposed development is located within ¼ mile of the Oak Ridge Elementary School. Internal sidewalks will be provided with each home to enhance walkability.

A network of internal streets and drives reduces local traffic using arterial roadways and promote shorter internal connections. Being at the south City Limit line, this application does not provide an internal street connection to the property to the south for future connections.

The Sendera Lakes Addition has developed the drainage channel to the north as a retention pond that is an amenity to the development.

Based on the compliance with the approved preliminary plat, staff recommends approval of the proposed Final Plat.

Chairman Sherrard asked if the applicant was present. Tyler Muzny with Johnson and Associates, 1 East Sheridan, introduced himself as representing the applicant and offered to answer any questions.

Chairman Sherrard stated, this phase gives the neighborhood access to Santa Fe Avenue. Chairman Sherrard

asked if the commissioners had questions for the applicant. After no response, Chairman Sherrard asked if anyone in the audience wished to address this item. Hearing none, a motion was requested.

Kent Graham motioned to recommend approval of the **Final Plat for Sendera Lakes, Section 4**, subject to staff recommendations. Gary Lunow seconded the motion. Roll was called.

**Ayes:** Graham, Lunow, Snow, Jarema, Rickman, Laib, Joiner, Sherrard

**Nays:**

**Abstained:**

**Absent:** Burks

**Agenda Item No. 5b, being: NEW BUSINESS**

Discuss and consider the **Final Plat of Moore to Come, Section 1**, located in the SW/4 of Section 10, T10N, R3W, being south of NW 27th Street and west of Janeway Avenue. Application by Moore to Come, LLC/Bob Labar. **Ward 2.**

The applicant is proposing to develop the property for 8 commercial buildings (including the existing building) with shared access drives and parking. The Final Plat consists of 2 lots on .75 acres, resulting in a density of approximately 2.6 lots per acre.

Public Water is available along Janeway Avenue and NW 24<sup>th</sup> Street to the west of the site. Sewer is available along NW 24<sup>th</sup> Street to the west of the site. Both water and sewer must be extended from NW 24<sup>th</sup> Street to provide service to the site.

Stormwater Detention is required for the site. It is provided in the southeast corner of the property. There is no FEMA designated Floodplain located on this property.

The property will be accessed from Janeway Avenue, a 4-lane collector road, and NW 24<sup>th</sup> Street, a 2-lane roadway. Individual buildings will be accessed through a private access drive. The building at the SE corner of the property will keep the existing parking and access configuration.

This property has C-3 zoning on the west side and C-3 with a permissive use for Construction Sales and Services: Heavy, on the east side fronting Janeway. The intent for the permissive use was for a landscaping business, however no outdoor storage of materials was proposed or approved.

Water service to this phase of development will be extended through the site from an 8" water main along NW 24<sup>th</sup> Street. To achieve dual-source flow and eliminate a dead-end line, the water line must be extended with the next phase to connect to a 12" water main on N. Janeway.

The Envision Moore 2040 Plan calls for this location to be Employment Mixed Use. Developments within the Employment Mixed-Use land use category should be designed to mimic a campus or office park setting compatible with surrounding uses. Principal uses are office and flex uses with supporting service and retail uses. This application was reviewed as to its conformance with the intent of the Plan.

At the building permit stage the application will be reviewed against current codes and the goals and recommendations set forth in the comprehensive plan.

Sidewalks are required along Janeway Ave and NW 24<sup>th</sup> Street to increase connectivity.

The proposed access for the site is from two shared drives along N. Janeway Ave and 1 shared drive from NW 24<sup>th</sup> St. Staff does not anticipate any adverse impacts to traffic flow along N. Janeway Ave. or NW 24<sup>th</sup> St. as a result of this application.

This site does not contain a floodplain on the site. The applicant has proposed on-site detention along the south boundary to control stormwater runoff as a result from the proposed development.

With the proposed use of the property being a business park, Staff believes that the application is in conformance with the Comprehensive Plan and an amendment is not required.

Due to this application's conformance with the approved preliminary plat, staff recommends approval of the application.

Commissioner Graham asked what level of aesthetics should we expect to see for this property that would elevate them to a level that would be in keeping with what is outlined within the Envision Moore Plan.

Ms. Copeland stated, we have not seen any elevations with design details. Ms. Weitman stated, those items are not required to be submitted with the Rezoning Application and will be reviewed at the building permit stage.

Commissioner Graham stated, since we are trying to implement these aspects of the 2040 Plan, he would like to see any plans that would show us the proposed layout of the buildings and the elevations along with the Final Plat. Ms. Weitman stated, those items are not available at this time.

Chairman Sherrard reminded planning commission, with the C-3 zoning there is no outside storage allowed so any activity associated with the proposed business will be contained indoors.

Commissioner Lunow asked, if we know what type of material will be used for the proposed new buildings? For example; concrete block, metal building or framed building. Ms. Weitman stated that would be a question for the applicant.

Chairman Sherrard asked if the applicant was present. Grey Massey, Red-Plains Professional 2933 S. Bryant, Edmond, OK, introduced himself as representing the applicant.

Mr. Massey stated, regarding aesthetics the developer will comply with code requirements to install sidewalks along both NW 24<sup>th</sup> Street and along Janeway Avenue and has provided a landscape plan that meets current C3 requirements. The landscaping plan calls for street trees along the perimeter of the property, as well as, additional landscaping on the interior.

Phase one of the development calls for the existing building located on the corner to remain the same, however they will be adding additional parking and landscaping adjacent. The applicant is proposing the addition of a new prefabricated metal building but will comply with city code on the required masonry materials for exterior facades.

Commissioner Graham asked for clarification that the office park will consist of only two buildings. Mr. Massey answered, yes, for the first phase that is correct. The applicant has applied for, a remodel permit for the existing building to serve as their main office with plans for one additional building. As the applicant sells additional lots, they will come back before this board for approval of a second phase, with the possibility of a third and final phase.

Commissioner Graham asked if all 8 buildings should be expected. Mr. Massey stated 8 is the maximum, but the actual number will depend on the market and how many lots are sold. Commissioner Graham asked, will the existing building be remodeled to be consistent with the overall design of the office park. Mr. Massey answered, to the extent possible. Commissioner Graham, asked if the exterior would at least be consistent with the proposed buildings. Mr. Massey answered, to the extent possible. The first phase will include, additional landscaping, parking improvements and stormwater detention and sidewalks.

Mr. Massey stated, in the case of the proposed buildings, at the building permitting stage, obviously if the exterior shell doesn't comply with code, the builder, or in this case, the developer will have to make those upgrades.

Chairman Sherrard, asked Mr. Massey if the applicant is aware of staff recommendations including the private drive agreement. Mr. Massey answered yes, those agreements have been completed, however he stated he was not aware if they had been executed and filed with the County. However, pending approval of the plat, those agreements will be filed of record ahead of the filing of the Final Plat.

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 recommend approval of the **Final Plat of Moore to Come, Section 1**, subject to staff recommendations. Don Snow seconded the motion. Roll was called.

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

**Nays:**

**Abstained:**

**Absent:** Lunow

**Agenda Item No. 5c, being:** NEW BUSINESS

Discuss and consider the **Final Plat of Madison Gardens Addition**, located in the NE/4 of Section 12, T10N, R3W, being south of NE 27th Street and west of Bryant Avenue. Application by The MSG Living Trust/Mike Galier. **Ward 2.**

The subject site is located south of NE 27th Street and west of N Bryant Ave. The property was rezoned to R-1

in April 2021. The applicant is proposing to develop a single-family residential development approximately 16.29 acres in total size. The final plat for the first phase of the development includes 2.8 acres with 7 residential lots and 1 common area lot.

Public utilities are available to this site.

Stormwater detention for this development is required. The overall development includes a detention pond located on the west side of the property. The applicant intends to make improvements to the detention pond with the second phase of the development. A temporary detention pond for the 2.8 acres is required with this phase of construction.

There is a FEMA floodplain and floodway located to the east of the first phase of the development. No part of the first phase of development lies within the FEMA floodplain. A flood study and Corps of Engineers 404 Determination must be provided with the second phase of the development.

Access for the proposed addition is provided by NE 27<sup>th</sup> Street. The addition will be gated with private streets. A temporary turn-around for fire and emergency service access is required.

The Comprehensive Plan shows a greenway trail through the FEMA floodplain located on this property. When fully developed, this trail is intended to give access from NE 27<sup>th</sup> Street to Buck Thomas Park. The applicant is requesting that the greenway trail not be extended through his property, as it will be a private gated subdivision. The final plat currently shows the greenway trail as a 10' pedestrian easement located between the Signal Ridge Addition and the subject site. Staff recommends that this pedestrian easement be removed as it is unclear how the easement would be utilized if contained in the backyards of individual lots. Planning Commission and City Council must make a determination on whether a future greenway trail connection is required for this site, and if so, what is the appropriate location for the future trail.

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.

The Preliminary Plat was approved with approximately 4.3 acres of common area, or 26.7% open space. Much of the open space is dedicated to storm water detention and FEMA floodplain that will contain walking trails. A HOA Clubhouse is proposed for Common Area B.

The floodplains in this development are shown on the Bikeway and Greenway Network Map as multi-use trail corridors. However, the location of the provided pedestrian easement is located in the backyards of individual lots. Consideration should be given to the functionality of the future trail and whether the provided easements sufficiently meet the intent of the comprehensive plan.

This application provides one gated residential street with a divided entryway from NE 27<sup>th</sup> Street. The proposal ends in a cul-de-sac, providing no further connections to the undeveloped property to the south. No individual lot access will be allowed to NE 27<sup>th</sup> Street.

This site contains a significant amount of un-studied FEMA floodplains and a floodway, estimated at being 29%

of the site. The Plan recommends preserving the floodplain. The proposed development will modify the floodplain to reclaim approximately 34% of the total floodplain area within the site.

This application meets the density and open space requirements of the Envision Moore 2040 Plan. Planning Commission and City Council must consider whether the proposed multi-use trail through this property is desirable, and if so, whether the location of the trail is sufficient to meet the plan recommendations.

Because this plat is in conformance with the approved Preliminary Plat, staff recommends approval of this application. However, Planning Commission and City Council must determine if a multi-use trail easement is required for this property. If so, the proposed pedestrian easement size and location are not functional and must be revised to provide adequate room and visibility. Ms. Weitman offered to answer any questions.

Chairman Sherrard asked for clarification on the staging area for gated entrances. The entrance will need enough room for stacking of 3 vehicles or no less than 70' feet from the arterial roadway. Chairman Sherrard asked if that is the way it is shown on the plat. Ms. Weitman answered yes, however a more detailed sketch of the area has been requested from the engineer. Chairman Sherrard stated that is a concern he has. Due to the traffic on 27<sup>th</sup> Street in the am hours, Chairman Sherrard stated he would like to insure there will be adequate stacking and turn-around area.

Chairman Sherrard asked for clarification on the size of Lot 46. Chairman Sherrard stated he is concerned with the size once you subtract the building line setback and the utility easements on the rear of the lot that results in limited buildable area. Chairman Sherrard asked how that will work. Ms. Weitman stated, the lot was marked as questionable on the Preliminary Plat. Ms. Weitman stated, since that time she has done a little research and discovered some house plans that will work. It will be up to the applicant as to what plan he chooses, but yes it can work.

Chairman Sherrard commented that it appears the required turn-around area will be situated to the east of Section 1, of this development. Ms. Weitman stated, yes that is correct and it will be constructed to meet the Fire Marshalls approval.

Commissioner Graham stated he would like to discuss the proposed trail as it relates to the goals outlined in the Envision Moore Plan. Commissioner Graham stated that an easement through property owner's back yards to accommodate a walking trail is neither practical nor desirable and should not be how a trail is implemented.

Commissioner Graham asked, from the City's perspective how do we move forward on implementing this trail and any future trails that may be proposed. Ms. Weitman stated, for past developments in the SE portion of the City, those developers have been very open to providing the City with adequate easements to accommodate future trails. The City then holds onto the easements until such time that funding becomes available and enough easements are obtained to provide a trail segment.

This developer desires a gated community which does not lend itself well to a public trail. How to implement both features has become the challenge. Additionally, it is not within my authority to waive the required easement.

Commissioner Graham stated, without the easement there cannot be a trail for obvious reasons. Chairman Sherrard stated, one option could be for the developer to dedicate to the City a strip of property that abuts the property line and is not owned by the individual lot owners. This would allow the City access to the trail without being on private property.

Ms. Weitman stated the trail must be visible and open. You would not want a trail that runs between two fences. Ms. Weitman stated she has visited with the developer at length to discuss all options and has come to the realization that if the City wants to continue with the trail through this property that extends to NE 27<sup>th</sup> Street, as outlined in the trails plan, then both Planning Commission and City Council need to be directing that.

Don Snow commented, most trails outlined in the Trails Plan end up at a City Park. Commissioner Snow asked about the portion of the trail that will extend to NE 27<sup>th</sup> and what is its purpose. Ms. Weitman answered, the Transportation Plan shows NE 27<sup>th</sup> Street as a bikeway. This means sometime in the future NE 27<sup>th</sup> Street will have a dedicated bike lane or a bike path along 27<sup>th</sup> Street.

Commissioner Lunow asked, what does the City consider an adequate size for an easement to construct and maintain a trail? Ms. Weitman, answered probably a minimum of 20 feet wide, depending on the location.

Chairman Sherrard asked if the applicant was present.

Ross Morris with Morris Engineering introduced himself as the engineer for the project, along with Mike Galier the developer, who is also available to answer questions.

Mr. Morris stated he would like to firstly address the questions regarding the proposed trail. Mr. Morris clarified that the subject site does not abut Siena Ridge on the East and therefore they do not tie into that existing neighborhood. There does exist a 30' wide strip of land separating the two properties for its entire length. The strip of land is owned by Gene Methvin. That strip of land was originally used as the access road for the old radio tower. It is not developable and will likely remain the way that you see it today. The applicant tried to purchase the property at the Preliminary Plat stage and was unsuccessful. However, it is wide enough to provide roadway access or a drive to the park if the City is interested in pursuing that as an alternative solution.

The way the proposed development is laid out, by the time the detention pond is installed, there is not enough remaining space to accommodate the trail. The size of the pond has more than doubled in size, due to the new drainage regulations. Again, that 30 foot strip of land exists and is not likely to ever be developed. The developer views that as an available alternative to running the trail through the middle of his property. The Preliminary Plat was approved with a 10 foot pedestrian easement and the applicant is still willing to stay with that, however, the applicant will need all available open space to accommodate the large detention pond.

Chairman Sherrard asked if the applicant feels like lot 46 is buildable. Mr. Morris answered, yes he has found some floor plans that will work for that lot. Chairman Sherrard asked Mr. Galier if he has a minimum SF in mind for the homes. Mr. Galier, answered 2000 SF.

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

Commissioner Snow stated he is not opposed to recommending approval of the first phase of this development, however he would need to have the access easement resolved by the time the second phase comes before this board. Access needs to be in place before the development is finalized.

Mr. Galier stated, he would like to go on record as being a fan of the walking trail. Mr. Galier stated, he is an avid walker himself and will continue pursuing a solution, including trying to acquire the undeveloped strip of land. Mr. Galier explained it is important for both Planning Commission and City Council not to leave with the perception that he is against the trail. However due to the amount of flood plain and the detention pond area it has become quite challenging to find enough space.

Kent Graham motioned to recommend approval of the **Final Plat of Madison Gardens Addition**, subject to staff recommendations with a provision for the location of the trail to be finalized prior to Phase 2 of the development. Brandon Laib seconded the motion. Roll was called.

**Ayes:** Graham, Lunow, Snow, Jarema, Rickman, Laib, Joiner, Sherrard

**Nays:**

**Abstained:**

**Absent:** Burks

**Agenda Item No. 6 being:** CITIZENS - None

**Agenda Item No. 7 being:** ADJOURNMENT

Chairman Sherrard requested a motion to adjourn at 8:20 p.m.

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

**Ayes:** Graham, Lunow, Snow, Jarema, Rickman, Laib, Joiner, Sherrard

**Nays:**

**Abstained:**

**Absent:** Burks

RECORDED FROM NOTES & TRANSCRIBED BY \_\_\_\_\_  
Nora Kerbo, Administrative Assistant