



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 11/26/2024

**REQUESTER:** Highway 9 Jenkins M&J Investments, LLC

**PRESENTER:** Jane Hudson, Planning & Community Development Director

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION EIGHT (8), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTHEAST CORNER OF HIGHWAY 9 AND JENKINS AVENUE). **POSTPONED AT THE REQUEST OF THE APPLICANT UNTIL DECEMBER 10, 2024.**

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<b>APPLICANT/REPRESENTATIVE:</b>	Highway 9 Jenkins M&J Investments, LLC/Rieger Sadler Joyce LLC
<b>LOCATION:</b>	Southeast corner of East State Hwy 9 and Jenkins Ave
<b>WARD:</b>	7
<b>CORE AREA:</b>	No
<b>REQUESTED ACTION:</b>	Rezoning from I-1, Light Industrial District to PUD, Planned Unit Development District
<b>LAND USE PLAN DESIGNATION:</b>	Industrial
<b>PROPOSED LAND USE PLAN DESIGNATION:</b>	Mixed Use
<b>GROWTH AREA DESIGNATION:</b>	Future and Current Urban Service Area
<b>PROPOSED GROWTH AREA DESIGNATION:</b>	Current Urban Service Area

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**BACKGROUND:** The applicant requests rezoning from I-1, Light Industrial District, to a Planned Unit Development, PUD, District for approximately 56.54 acres. The PUD would allow for the development of a mixed-use community, featuring a variety of uses including, but not limited to, commercial, office, light-industrial, and a diversity of multi-family residential uses within the property. The requested rezoning will also require a NORMAN 2025 Land Use Plan amendment and a preliminary plat.

**PROCEDURAL REQUIREMENTS:**

**GREENBELT MEETING: GBC23-26, October 17, 2023**

There was no quorum for the October 17, 2023 Greenbelt Commission meeting.

**PRE-DEVELOPMENT: PD23-40, November 30, 2023**

The applicant explained the rezoning process and details of the project to attendees. A neighbor asked about the drainage plan of the project because he is worried the runoff will go to his property. The applicant explained the project would follow the city's standards. Another neighbor asked about protecting the creek from oil spills on parking lots. Again, the applicant explained that the project would follow the city's standards. An attendee asked about the trees and the reserve close by. The applicant explained the site was cleared a few years ago, and they are unaware of any reserve. There were other questions regarding the height of buildings, the width of the right of way, and who was paying for the road improvements. The applicant replied the buildings would be three stories, the right of way 50 feet, and the developer would pay for road improvements. The applicant's engineer arrived and explained the drainage plan in more detail.

**BOARD OF PARKS COMMISSIONERS:** This proposal went to the Board of Parks Commissioners in December 2023. It received a Private Park decision in a unanimous vote.

**ZONING ORDINANCE CITATION:**

SECTION 36-509, PUD, PLANNED UNIT DEVELOPMENT

1. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of the comprehensive plan of record. The "PUD" Planned Unit Development district herein established is intended to provide for greater flexibility in the design of buildings, yards, courts, circulation, and open space than would otherwise be possible through the strict application of other district regulations. In this way, applicants may be awarded certain premiums in return for assurances of overall planning and design quality, or which will be of exceptional community benefit and which are not now required by other regulations. By permitting and encouraging the use of such procedures, the Planning Commission and City Council will be able to make more informed land use decisions and thereby guide development more effectively in the best interest of the health, safety, and welfare of the City.

Specifically, the purposes of this section are to encourage:

- (a) A maximum choice in the types of environment and living units available to the public.

- (b) Provision of more usable and suitably located open space, recreation areas, or other common facilities than would otherwise be required under conventional land development regulations.
- (c) Maximum enhancement and minimal disruption of existing natural features and amenities.
- (d) Comprehensive and innovative planning and design of diversified developments which are consistent with the City's long range plan and remain compatible with surrounding developments.
- (e) More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
- (f) Preparation of more complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.

The PUD (Planned Unit Development) Regulations are designed to provide for small and large scale developments incorporating a single type or a variety of residential, commercial, industrial and related uses which are planned and developed as a unit. Such development may consist of individual lots, or it may have common building sites. Private or public common land and open space must be an essential, major element of the development which is related to, and affects, the long term value of the homes and other development. A Planned Unit Development shall be a separate entity with a distinct character that respects and harmonizes with surrounding development.

#### **STAFF ANALYSIS:**

**USE:** The allowable uses for this PUD are included in the PUD Narrative as Exhibit C, Allowable Uses. The uses are divided into Development Area. Area 1 contains the bulk of commercial uses with additional allowances for mixed-use multifamily residential. Development Area 2 contains office, warehouse, commercial, and light-industrial uses. Development Area 3 will contain medium density uses such as duplexes and is expected to contain approximately 20 dwelling units. Development Area 4 is comprised of approximately 135 dwelling units of medium to high density residential uses. A complete list of the allowable uses for each Development Area within the Property is shown within Exhibit C.

#### **SITE PLAN/ACCESS:**

The proposed Site Development plan shows five new access points off Jenkins Ave. Tracts five and six are only accessible from one dedicated access point. Sooner Ave. and Oklahoma Ave. are the two main access points for the proposed development. Tracts one, two, three, four, seven, eight, and nine can be accessed from either of these points of access. Detention will be provided in several areas throughout the development. Sidewalks are shown throughout all tracts except five and six. The Preliminary Site Development Plan details the proposed use for each tract.

**PARKING:** The PUD narrative states that parking for the Property may be developed in general compliance with the parking layout shown on the Conceptual Site Development Plan. The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

**LANDSCAPING:** As applicable, landscaping will be installed and maintained according to Section 36-551, Landscaping Requirements for Off-Street Parking Facilities.

**SIGNAGE:** Each lot may contain up to two (2) identification/directional ground signs. The identification ground signs for each lot may be a maximum of 100 square feet per side and shall generally be located at the entrance to each lot. Also, each lot may contain up to two (2) monument or pylon signs generally located near the entrances to each lot, and with each monument sign allowing for a maximum of 300 square feet per side. The identification ground and/or monument signs shall otherwise comply with the sign standards of the City of Norman Sign Code, as may be amended, as applicable to the underlying use for each lot. All other Signage will comply with the applicable commercial or residential signage regulations in Chapter 28.

**LIGHTING:** All exterior lighting shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards (Section 36-549), as amended from time to time.

**SANITATION/UTILITIES:** Dumpsters will be utilized for sanitation services in locations shown on the attached Preliminary Site Development Plan. All locations will be reviewed and approved by City Staff.

**EXTERIOR MATERIALS:** The exterior of the commercial, office, or apartment buildings constructed within the property may be constructed of brick, stone, synthetic stone, wood, glass, stucco, EIFS, masonry, metal accents, and any combination thereof. Industrial, warehouse, and storage buildings shall be allowed to be constructed of all of the above materials as well as metal exteriors with aggregate, sandblasted or textured coating finish. The applicant may file restrictive covenants against the property to more narrowly tailor architectural review within the development.

**HEIGHT:** There shall be no height limit for any building or structure in Development Areas 1 or 2. The maximum height for Development Area 3 shall be three (3) stories. The maximum height for Development Area 4 shall be five (5) stories.

**FENCING/WALLS:** Any fencing placement and height shall comply with Section 36-552, Fencing, Walls, and Screening, as amended from time to time.

**OPEN SPACE:** The PUD Narrative states approximately 20% of the subject property shall be used as open space. The areas initially planned as open space are depicted on Exhibit E, Open Space.

**PHASING:** It is anticipated that the property will be developed in multiple phases. The timing and number of future phases will be determined by market demand and absorption rates and shall comply with Norman City Code 36-509, Planned Unit Developments, as may be amended.

**EXISTING ZONING:** The property is currently zoned I-1, Light Industrial District. I-1 does not allow for the various residential and commercial uses being proposed.

**ALTERNATIVES/ISSUES:**

**IMPACTS:** The proposed use will be more intense than the existing undeveloped traffic patterns of the current zoning and land use designations. Five new access points to the property are proposed along Jenkins Ave. The City Traffic Engineer has determined future traffic capacities on Jenkins Ave. and State Hwy 9 will exceed the demand for existing and proposed trips of this development as a result of ODOT designing improvements to State Hwy 9 and the developer agreeing to widen Jenkins Ave south of State Hwy 9.

**OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Items regarding fire hydrants and fire/building codes will be considered at the building permit stage.

**PUBLIC WORKS/ENGINEERING:** Please see the attached report from Engineering regarding the Preliminary Plat.

**TRAFFIC ENGINEER:** Please see the attached traffic report from City Traffic Engineer.

**UTILITIES:** A 12-inch water main is required along Jenkins Avenue if the existing water main is confirmed to be an 8-inch water main. Proposed development is in close proximity to the existing City of Norman Water Reclamation Facility.

**CONCLUSION:** Staff forwards this request for rezoning to a PUD, Planned Unit Development and Ordinance O-2324-28 for consideration by City Council.

**PLANNING COMMISSION RESULTS:** At their meeting of October 10, 2024, Planning Commission recommended adoption of Ordinance No. O-2324-28 by a vote of 6-0.