
ORDINANCE NO. O-2122-15

ITEM NO. 3

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Sooner Traditions, L.L.C. and Hunter Miller Family, L.L.C.
REQUESTED ACTION	Rezoning to SPUD, Simple Planned Unit Development
EXISTING ZONING	R-1, Single Family Dwelling District, and CO, Suburban Office Commercial District
SURROUNDING ZONING	North: R-1, Single Family Dwelling District East: R-1, Single Family Dwelling District South: C-2, General Commercial District and R-1, Single Family Dwelling District West: O-1, Office Institutional District and C-1, Local Commercial District
LOCATION	1027 & 1035 South Berry Road
SIZE	1.33 acres, more or less
PURPOSE	Commercial Retail Center
EXISTING LAND USE	Vacant Residential and Office
SURROUNDING LAND USE	North: Residential East: Vacant South: Commercial and Residential West: Commercial

SYNOPSIS: The applicant, Sooner Traditions, L.L.C. is requesting to rezone the subject tract from R-1, Single Family Dwelling District (1027 S. Berry Rd.), and CO, Suburban Office Commercial District (1035 S. Berry Rd.), to SPUD, Simple Planned Unit Development District to allow for a commercial shopping center. The site consists of one lot on 1.33 acres. The proposed development will follow a site plan and a SPUD Narrative; see attached. The applicant is requesting a SPUD; the SPUD will establish limitations on building height and

requirements for tree replacement. The applicant is limiting the building height to no more than one story and establishing replacement guidelines for removal of mature trees.

HISTORY: This site was subdivided by warranty deed many years ago; legally this area is one lot with two zonings. The north portion, 1027 S. Berry Rd., has been zoned R-1, Single-Family Dwelling District, since February 22, 1955. The south portion, 1035 S. Berry Rd. was rezoned to CO, Suburban Office Commercial, on July 7, 1981. The City has received applications to rezone/redevelopment this property previously, however, nothing has been approved to date.

ZONING ORDINANCE CITATION: SEC 420.05 – SIMPLE PLANNED UNIT DEVELOPMENTS

General Description. The Simple Planned Unit Development referred to as SPUD, is a special zoning district that provides an alternate approach to the conventional land use controls and to a PUD, Planned Unit Development to maximize the unique physical features of a particular site and produce unique, creative, progressive, or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed, according to a SPUD Narrative and a Development Plan Map and contains less than five (5) acres.

The SPUD is subject to review procedures by Planning Commission and adoption by City Council.

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 comprehensive plan of record. In addition the SPUD provides for the following:

Encourage efficient, innovative use of land in the placement and/or clustering of buildings in a development and protect the health, safety and welfare of the community.

Contribute to the revitalization and/or redevelopment of areas where decline of any type has occurred. Promote infill development that is compatible and harmonious with adjacent uses and would otherwise not be an area that could physically be redeveloped under conventional zoning.

Maintain consistency with the City's Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

Approval of a zone change to a SPUD adopts the Master Plan prepared by the applicant and reviewed as a part of the application. The SPUD establishes new and specific requirements for the amount and type of land use, residential densities, if appropriate, development regulations and location of specific elements of the development, such as open space and screening.

EXISTING ZONING: The subject property currently has two zoning designations. The north portion, 1027 S. Berry Rd. is zoned R-1, Single Family Dwelling District. This district allows mainly for single family dwelling units with some accessory uses. The south portion, 1035 S. Berry Rd., is zoned CO, Suburban Office Commercial District. This district allows for institutional and commercial activities that require separate buildings surrounded by landscaped yards and

open area near residential neighborhoods. Neither of these zoning districts allow for retail sales or restaurant uses.

ANALYSIS: The particulars of this SPUD include:

USE: The property may be utilized for any of the uses listed in Exhibit B. The applicant intends to build a commercial retail center on the property.

OPEN SPACE/LANDSCAPING: The SPUD Narrative states the impervious area for the property will not exceed 65% of the lot, which is the maximum allowed for residential developments. The City's commercial zoning districts do not have maximum coverage allowance. The applicant is proposing a 10' landscape buffer along the south, east, and west property lines and a 20' landscape buffer along the north property line. The applicant is also proposing to use low impact development techniques (LIDs) and best management practices (BMPs) to development the site. These are shown on the Stormwater Enhancement Diagram, Exhibit D. The SPUD Narrative discusses tree preservation and states the applicant will plant two trees, minimum two-inch caliper, should any one mature tree need to be removed.

PARKING: The submitted site plan shows 55 parking spaces. With the recently proposed change in the parking requirements from "Required" to "Recommended," there may be no parking requirements for this site. If the proposed change is adopted by City Council, the site should provide adequate parking for the proposed facility.

SITE PLAN/ACCESS: The applicant is proposing a building to be situated on the southwest corner of the property. The building is proposed at a 25' setback from the west and south property lines and a 90' setback from the north property line. The east side of the building will follow a 45' setback. The parking for the development is along the north and east sides of the property. The dumpster is located on the southeast side of the property, just west of the proposed access point off W. Lindsey St. There are two proposed access points – one off W. Lindsey St. on the southeast side of the property and one off S. Berry Rd. on the northwest side of the property. The W. Lindsey St. access point will be a right-in, right-out, as shown on the site plan. A 5' sidewalk is required along S. Berry Rd. There is an existing sidewalk along W. Lindsey St.

SIGNAGE: The SPUD Narrative states that all signage will be in conformance with the City's Sign Code as is applicable for district regulations of commercial zoning.

FENCING: The SPUD Narrative states there will be a 6' wood privacy fence along the northern and eastern boundaries of the property.

HEIGHT: The SPUD Narrative states the height of the proposed building is restricted to one story.

LIGHTING: All exterior lighting will conform to the City of Norman Commercial Outdoor Lighting Standards, which require full cut-off fixtures and any light poles installed within 25' of a residential property line or public right-of-way may not exceed 20' in height. The Commercial Outdoor Lighting Standards state, all applications for building permits subject to this section which exceed 7,500 square feet of new construction in an Office category, or 5,000 square feet of new construction for all other categories of use within this section, and involve the installation of new outdoor lighting shall include a photometric plan with estimated footcandles at ten feet beyond all property boundaries that are adjacent or across the street from single or two-family residential zones or uses.

OTHER AGENCY COMMENTS:

PREDEVELOPMENT: PD21-23, June 24, 2021

Neighbors fear this development will create commercial creep into the existing neighborhoods. They are also concerned about increased traffic. Please see the attached Predevelopment summary for all concerns and comments.

PUBLIC WORKS: The property is platted and all rights-of-way and easements have been dedicated. All public improvements are installed and accepted. Stormwater will continue to sheet flow to the south and west across the site as it has historically. Low Impact Development Techniques such as bioretention swales, rain gardens, flow through planters, and tree wells will be utilized to increase storm water infiltration and water quality.

TRAFFIC: Please see the Traffic Engineer's analysis of this proposal in the agenda packet.

CONCLUSION: Staff forwards this request and Ordinance No. O-2122-15 for the Planning Commission's consideration.