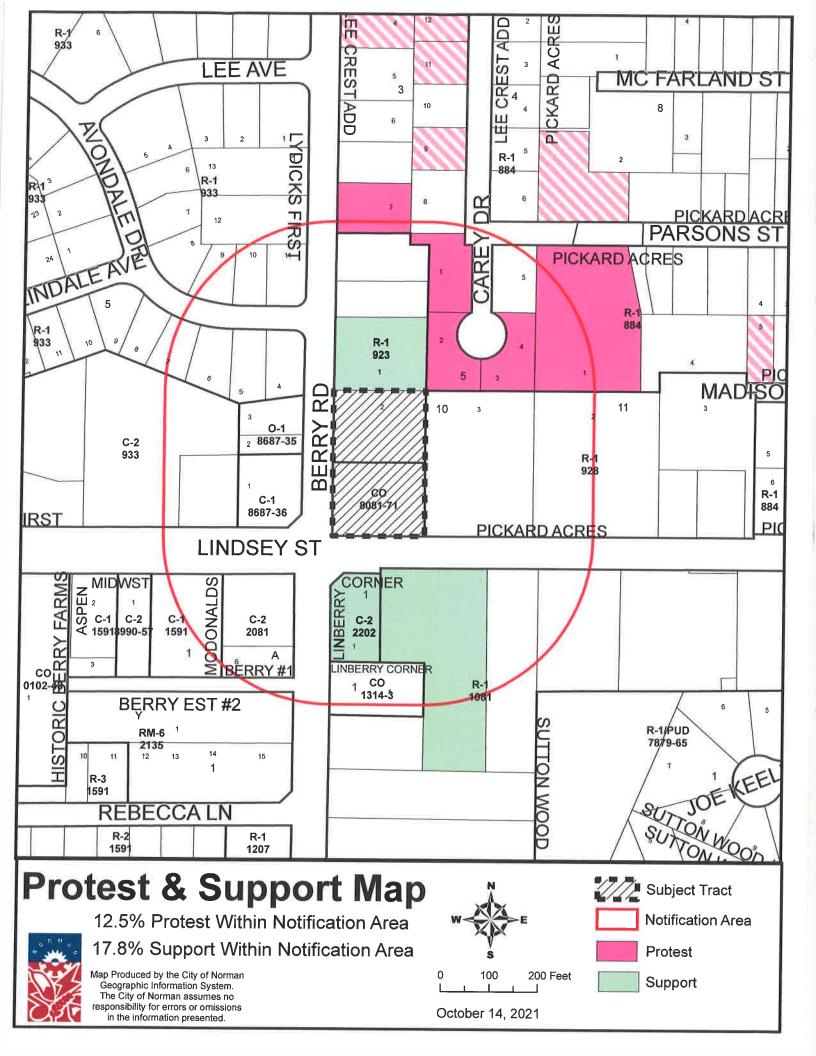
UPDATED PROTESTS & SUPPORTS As of October 14, 2021 Map & Letters

Sooner Traditions, L.L.C. & Hunter Miller Family, L.L.C. 2025 Amendment & Rezoning from R-1 and CO to SPUD 1027 & 1035 S. Berry Road



To: The City of Norman
Planning and Community Development
201 West Gray, Bldg A
Norman, OK, 73069

From: Nathalie Rocher and Solon Clinton 903 Carey Drive, Norman, OK 73069 October 12rd, 2021

Dear Planning Commission,

My husband and I own a home at 903 Carey Drive, which is located within the 350 feet radius of the two properties that are being considered for re-zoning at the corner of Berry Road and Lindsey Street.

We **oppose the proposed re-zoning of these two properties** because we believe that the proposed changes would impact our neighborhood and Norman in the following negative ways:

- Norman is already full of half-empty strip malls that do not cater to the local residents. This project misses an opportunity for a locally owned business to create a carefully and thoughtfully designed plan that nearby residents would cherish.
- An increase in light and noise pollution due to a busy commercial property adjacent to multiple residential lots.
- An impact from the water run-off as the property would become mostly paved.
- A large increase in the vehicular traffic coming and going from this property will cause an already chaotic intersection to become far less safe for cars, bikes, and pedestrians. This intersection regularly backs up in all directions and the small size of the parcel will not allow the entrances to the property to be far enough from the Berry/Lindsey corner to avoid causing major issues.
- A decrease in pedestrian safety along both Lindsey St and Berry Rd due to the number of vehicles entering a congested traffic zone.

While the list of negative impacts is significant, the proposed rezoning project does not seem to bring any benefits to the community as a whole, and especially not to the neighborhood. The City of Norman website states that "the Department of Planning & Community Development at the City of Norman nurtures the growth of the City and aims to improve the health, safety, and welfare of the citizens." In our judgement, the proposed zoning changes would in no way improve the health, safety or welfare of the citizens of Norman, and would have serious negative impacts on the neighborhood.

We hope that you will take our concerns into consideration, and we thank you for your time.

Kind regards, Nathalie Rocher, PhD and Solon Clinton

SolnQ

ON 10 13 21 - XW

City of Norman
Planning and Community Development
P.O. Box 370
Norman, OK 73070

10/5/2021

Dear Planning Commission,

I am opposed to the rezoning which would allow for the building of a new strip mall on the North East Corner of Berry Road and Lindsey Street.

There are already too many vacant commercial structures in this area, and I want to support Norman's existing business owners in their efforts to rebuild Lindsey Street after the City of Norman installed restrictive traffic medians.

This development will add almost an acre of impervious surface that will increase the intensity of stormwater runoff directly into Imhoff Creek.

Berry and Lindsey are EMS Safety Corridors and should not be restricted.

My Name is:	Kon Laspisa	
I live at:	2811 Walnut Rd	
,	Norman 73072	
Signed:	RJ Raspisa	

FILED IN THE OFFICE OF THE CITY CLERK ON 10 1 21 - V Sept 30, 2021

Dear Planning Commissioners,

I am AGAINST the rezoning of the property located a 1027 South Berry Road. I live at 808 Carey Drive (Carey Drive is a cul-de-sac within the impacted area.) Please realize the developer bought property in this area with full knowledge at time of purchase it could only be used for R1 and CO.

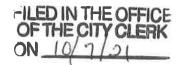
Zoning is a contractual agreement between a city and its residents. We homeowners, bought and maintain our houses in this stable high-end R-1 neighborhood, next to other R-1 families. I am asking the Planning Commission to continue to honor their part in Norman's R-1 zoning agreement.

You are being asked to vote for? What business? I'm sure you will be shown some pretty architectural drawings; however, I would like you to picture those pretty plans on the vacant property catty corner across the street - property which is already zoned commercial. Linsey Street has many vacant commercially zoned properties within this market area; and if the developer has development money then why isn't it being used in an already commercially zoned area? Your vote comes down to simply being asked to add another vacant commercial building because this is a speculative developer. This development will only add to the commercial vacancy problem in Norman.

There are several other important reasons to vote No.

Emergency Services: Consider the direct impact it would have to emergency services. Berry Road in this area is only a two-lane road. This traffic safety corridor serves a very large residential area in Norman. This development would slow and constrict emergency services along the Berry Road safety corridor; and restrict traffic along Lindsey while cars are waiting to turn left.

Support of Existing Businesses: Lindsey Street, is an area which has been clearly defined as commercial with traffic controlled turning medians. The developer wants to <u>circumvent these traffic controls</u> that the City placed on existing businesses. Lindsey Street needs all the help it can get. Lindsey Street is one of four OU "first impression" streets from I-35, and Norman should put it's best foot forward with a vibrant first view when people exit on Lindsey Street.



Stormwater: Please learn from Penny Hill with the Imhoff bridge washout and the adjoining home auctioned off. This development will add almost an acre of impervious surface, increasing the intensity of stormwater runoff directly into Imhoff Creek. (By the way, Imhoff bridge is being repaired using Covid relief funds because the City of Norman lacked local repair funding)

Back to my plea to <u>please keep this R-1 Neighborhood stable.</u> People do not remodel their homes nor plant gardens near commercial dumpsters.

I'm trusting you as a Planning Commissioner to carefully consider the harmful consequences of this speculative vacant structure for some unknown commercial business in my healthy R-1 neighborhood.

Susan Meyer

808 Carey Drive

Norman, OK 73069

TO: City of Norman Planning Commission

RE: Proposed rezoning of lots on NE Corner of Lindsey and Berry

FROM:

Dennis Yarbro 803 S Berry Rd Norman, OK 73069

Planning Commission Members:

I am emphatically AGAINST the re-zoning of property for merely greedy purposes. Not just here, but anywhere. Re-zoning of well established neighborhood properties should be reserved for the best interests of the whole community. Not for speculation and profiteering. Not to the detriment of the existing residents and the livability of this area.

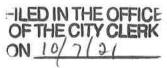
When I retired in 2016, my wife and I were discussing where to move and she wanted to return her birth city of Norman, OK to be near her aging family members and her "home town".

We looked around and invested our retirement dollars in property in a well established, stable neighborhood, near her families' homes. We invested more of our retirement savings to make the property more suitable for our needs. We could have bought in a new neighborhood on the fringes of Norman, but chose to rehabilitate a structure in an older neighborhood, thinking we would be insulated from radical changes in land use. We followed Norman's processes, obtained permits, used local contractors, got inspections, etc. We did not ask for special favors or try to circumvent the established zoning and stability of any neighborhood. We now ask that Norman honor its long term commitment to the neighborhood into which we placed our life savings.

This developer chose to purchase a property which had been changed from R-1 to CO for a residential style office. CO use has a low amount of traffic, noise or light pollution, not much different from a normal residence. That change from R-1 to CO was most likely approved because it presented a use fundamentally very little different from just a normal residence. Re-zoning to SPUD radically changes that use: higher traffic; more noise; more intense lighting; extended operational hours. All adjacent to the backyards of long term residents who want a quiet, peaceful neighborhood in which to raise their families and enjoy retirement and quiet evenings.

The developer also purchased an adjacent property zoned R-1, knowing full well how both these were zoned and intended to be used. They <u>speculated</u> that if they hired the right attorney, the properties could be shoved through, re-zoned and they could make a huge profit on their speculation and greed. There is no telling which of the numerous possible uses of a SPUD will go into these spaces, now or in the future, as business ventures come and go and indeed, traditional businesses are shuttered and new previously unimagined of uses emerge in a neighborhood where they previously were not allowed.

The developer did not want to re-invest in the numerous already commercially zoned, vacant properties which line both sides of Lindsey, west of Berry. They want to impose



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their greed-based development into a long established residential neighborhood and disregard both the neighborhood residents and previous Planning Commission votes. They continue to bring this back time and time again with the hopes that the members of the Planning Commission will one day change and then support the re-zoning.

The Planning Commission serves as part of a check and balance system for the benefit of all residents of the City of Norman. Building standards, permitting, licensing, other rules are all part of that same system. It presents a method for a planned, consistent and thoughtful process for bringing Norman and it residents toward a bright future which is inviting for people and businesses alike. Un-checked development is not the way to make people want to move into and stay in Norman. That is a well known fact in all modern cities.

In contrast, actions like this proposed re-zoning, and the accompanying uncertainty it presents, make people want to move out of the core city, which increases traffic and increases the amount of vacant and run-down properties to a point which is detrimental to the citizens and to established businesses. Or, move even father away into some of the bedroom communities which are near, but not too near. We need to encourage reinvestment in established, properly zoned areas, in a planned and consistent method, not shoehorn commercial zones into neighborhoods.

This proposed development will increase traffic in an already congested intersection. The proposal ADDS a left turn entrance off East Lindsey in very close proximity to the traffic control signal which at times will back up traffic into the Lindsey/Berry intersection: Result - Gridlock. It also increases the likelihood of impeding traffic along Berry, making it even more difficult for residents to exit and enter their homes.

Further traffic congestion slows Emergency Response and adds precious minutes to life and property saving efforts on the staff of the Fire Department, the Police Department and Emergency Services.

I implore the Commission to continue to hold to the core values which have long guided Norman as a people-friendly, neighborhood focused community, not give in to Wild West developers and speculators, which can only drive residents away from Norman.

Re-zoning of these properties is WRONG.

It is WRONG for the established neighborhood.

It is WRONG minded to rezone when there are so many vacant commercial properties.

It is WRONG for Norman and the future of this city.

The RIGHT thing would be to re-establish the R-1 designation for the CO property, to protect residents investments and to provide a neighborhood where people want to live, they know their neighbors, raise their families by building attractive, well-maintained, enticing homes which encourage generations to stay and help Norman grow.

June 8, 2020 Oct 10, 202

Planning Commission
Planning and Community Development
201 West Gray Street - Building A
Norman, OK 73069

Dear Planning Commission,

I am opposed to the PD20-10 zoning request for the property located at 1035 and 1027 South Berry Road.

I live near the corner of Berry and Brooks Street and often travel through that congested intersection.

I also own commercial rental property on Main Street and the City should not destabilize R1 residential area and Suburban Office Commercial. This SPUD request hinders the filling of the vacant commercial properties directly across the street and all along Lindsey where there are appropriate traffic controls.

Please deny the PD20-10 request on the corner of Berry and Lindsey.

Thank you,

Roxana Leonard 1202 West Brooks Street Norman, OK 73069

OF THE CITY CLERK

TO: City of Norman Planning Commission

RE: Proposed rezoning of lots on NE Corner of Lindsay and Berry

FROM: Konstantinos Karathanasis and Ekaterini Akarepi 804 Carey Dr. Norman, OK, 73069

10-08-2021

Dear Planning Commission Members:

We are strongly opposed to the rezoning of the said property from CO/R1 to SPUD.

The quiet, family-oriented character of the little cul-de-sac neighborhood at Carey Drive was the primary reason that attracted us to buy our property on the street. Colleagues and friends at the University of Oklahoma were commenting that this neighborhood is one of the most well kept and charming streets in Central Norman. We are one of six families in Carey with elementary aged children who meet and play in the street with no worries about traffic and strangers coming and going.

We are deeply concerned that the proposed rezoning will drastically alter the residential character of our neighborhood and have a dramatically negative impact on the quality of our lives. Should the proposed rezoning is approved, the value of our property will get a direct hit. In matter of fact, the applicant has already caused harm to the neighborhood by cutting large trees that filtered traffic noise from Lindsey.

Why would we want another strip mall in Norman, in such a close proximity to historic and long-established family neighborhoods, while there are vacant commercial lots on Lindsey and Main? There are no other reasons apart from profiteering. We firmly believe that the Norman Planning Commission should protect the residents of Carey Drive and their quality of life instead of rewarding the blind corporate greed of the applicant.



put /

Thank you for your consideration and support,

Konstantinos Karathanasis, Ph.D.

Professor of Music Technology & Composition

School of Music, The University of Oklahoma

Ekaterini Akarepi, Ph.D.

Lecturer of World Music

The University of Oklahoma

816 Carey Drive Norman, OK 73069 October 8, 2021

The City of Norman Planning and Community Development 201 W. Gray, Bldg. A Norman, OK 73069

> Re: O-2122-15 and R-2122-31 Rezoning from R-1 and CO to SPUD

To whom it may concern:

Six years ago, our neighborhood, just northeast of South Berry Road and Lindsey Street, thwarted an attempt to rezone some residential lots for a strip mall. Before it was all over, most of the big trees on the lots along Lindsey Street were cut down. These trees blocked the view of traffic on Lindsey Street from our neighborhood. Two of the four lots were recently sold to Sooner Traditions who has again applied to rezone these two lots for a strip mall. Our neighborhood is working to stop this rezoning. On Monday, September 14th, 2020 ten large Oak, Pecan and Sweetgum trees on one of the lots subject to the rezoning application were cut down. A few months ago, all the trees on the lot just north of those subject to the rezoning application were removed.

So, I guess this is a form of punishment that is taken out on trees! I think those involved in the rezoning will continue the effort to build a strip mall in a residential area as it seems that money can do whatever it wants. We need to protect our neighborhoods and our TREES!

I have lived on Carey Drive for 33 years. When I moved here I was a young adult with three children and now I am one of the seniors on the block. It is a great place to live because we all know and care about each other. We have block parties in our quiet street and talk to each other outside frequently. I can't imagine how much this would change our street to have a strip mall that close to us. The strip mall would be within 300 feet of our block party site!

The closeness of the commercial development and the increased traffic are major concerns to me. Therefore, I oppose the rezoning.

Leslio Cornwell

Sincerely,

Leslie Cornwell

FILED IN THE OFFICE OF THE CITY CLERK ON 10/8/21- PW

818 Carey Drive Norman, OK 73069 October 8, 2021

City or Norman Planning Department 201 West Gray, Building A Norman, OK 73069

Re: R-2122-31 and O-2122-15 (Rezoning of properties located at 1027 and 1035 South Berry Road)

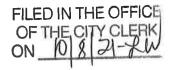
Dear Planning Commission:

I am writing this letter of protest to highlight several issues for your consideration during the planning commission meeting of October 14, 2021. Unfortunately, I will be out of town during the meeting and unable to attend.

- 1. The "traffic study" that was presented in the agenda meeting packet is
 - a. not a true traffic study since it did not address the issues that will arise if the strip mall is in place, and
 - b. is in violation of current City of Norman rules/guidelines for the distance between a commercial driveway and an intersection.

There are other issues with the traffic study as presented. The most notable is that there is not another intersection in Norman designed or operated as the one at the intersection of South Berry Road and West Lindsey Street. The generic traffic counts are meaningless.

- 2. The letters of "support" for the proposed rezoning are indeed self-serving. Mr. Miller has an interest (direct as in owing the commercial property or indirect through employment of persons owning property) in the support letters. As there are only three in the packet and Mr. Miller has an interest in all three, they deserve careful scrutiny.
- 3. I moved to Norman in 1981. The neighborhood of which Carey Drive is a part has always been and was initially designated as residential. The subdivision of the lot in question from 100 % R-1 to a 50/50 mix of R-1 and CO was done in 1981 according to the agenda packet. A CO designation is a far cry from a C-1 designation. The driveways at 1027 and 1035 South Berry Road are appropriately spaced by City of Norman standards since they were developed as residential properties.





- 4. As you already know, if the two subject properties are rezoned to C-1 the owner can sell them instantly with the C-1 zoning intact. Only the SPUD restrictions will need to be followed. A strip mall by any other name is still a strip mall.
- 5. The current SPUD is identical to the one presented last year with the exception that the building is now turned around. There is really nothing new. In fact, the "new" layout could be considered worse than the one presented last year (voted down by a 6-1 vote of the planning commission). A summary of a few reasons are as follows.
 - a. The back of the building now faces South Berry Road. The aesthetics of this are obvious. The back of the building will now be located beside the sidewalk and just on the other side of the sidewalk is South Berry Road. How would the Hollywood Shopping Center look if it were turned around and moved up to West Lindsey Street?
 - b. The lighting will now more easily infiltrate the residential area.
 - c. The noise will now more easily infiltrate the residential area.
 - d. The odors will infiltrate the residential area.
 - e. The parking will now be in the front (East) of the building and the noise, odor, lights, and pollution will now be closer to the residential area.
- 6. The six feet of wooden fence on the North and East side of the proposed strip mall will not make any difference when the issues above are considered.

There are a host of other issues (traffic, pedestrian safety, corporate creep into a neighborhood, etc.) that can be raised and may be raised by others.

In summary, I urge you to vote not to allow the proposed development of this strip mall in a long-standing residential neighborhood.

Thank you for reading.

Sincerely,

John B. Cornwell

City of Norman
Planning and Community Development
P.O. Box 370
Norman, OK 73070

FILED IN THE OFFICE OF THE CITY CLERK ON 10/8/21-2W

OF THE CITY CLERK

Dear Planning Commission,

I am opposed to the rezoning which would allow for the building of a new strip mall on the North East Corner of Berry Road and Lindsey Street.

There are already too many vacant commercial structures in this area, and I want to support Norman's existing business owners in their efforts to rebuild Lindsey Street after the City of Norman installed restrictive traffic medians.

This development will add almost an acre of impervious surface that will increase the intensity of stormwater runoff directly into Imhoff Creek.

Berry and Lindsey are EMS Safety Corridors and should not be restricted.

My Name is:	Elm	Olever	/	
I live at://8	Hom	eland	Qv-	

Signed: Jolan Oliver

We do not need another

empty strip mall near

or on Lindsay St.

ore

City of Norman
Planning and Community Development
P.O. Box 370
Norman, OK 73070

Dear Planning Commission,

I am opposed to the rezoning which would allow for the building of a new strip mall on the North East Corner of Berry Road and Lindsey Street.

There are already too many vacant commercial structures in this area, and I want to support Norman's existing business owners in their efforts to rebuild Lindsey Street after the City of Norman installed restrictive traffic medians.

This development will add almost an acre of impervious surface that will increase the intensity of stormwater runoff directly into Imhoff Creek.

Berry and Lindsey are EMS Safety Corridors and should not be restricted.

> FILED IN THE OFFICE OF THE CITY CLERK ON 10/12/21-XW

The City of Norman
Planning and Community Development
City Clerk
201 W. Gray, Bldg. A
Norman, OK 73069

August 30, 2021

Re: Case PD20-10 / O-1920-58 & R-1920-115

Re-zoning from R-1 to SPUD

I protest the re-zoning and development proceedings for the proposed building and parking lot at the Berry and Lindsey intersection.

I am advocating for my neighborhood to remain peaceful and safe for families to flourish. The proposed development is not a good fit for our neighborhood and the last thing Lindsey Street needs is another strip mall.

Thank you for your dedication to the City of Norman, it's a great place.

Name and address:

WILLIAM FAMEL & LAKA SU 873 Caray Arive Norman OK

73069



City of Norman
Planning and Community Development
P.O. Box 370
Norman, OK 73070

Dear Planning Commission,

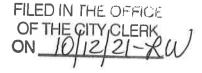
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Berry and Lindsey are EMS Safety Corridors and should not be restricted.

My Name is: William LockSett
I live at: 1720 Chenry Stone
Norman 73072
Signed: Zilliam Kodself



X July

City of Norman Planning and Community Development P.O. Box 370 Norman, OK 73070

Dear Planning Commission,

I am opposed to the rezoning which would allow for the building of a new strip mall on the North East Corner of Berry Road and Lindsey Street.

There are already too many vacant commercial structures in this area, and I want to support Norman's existing business owners in their efforts to rebuild Lindsey Street after the City of Norman installed restrictive traffic medians.

This development will add almost an acre of impervious surface that will increase the intensity of stormwater runoff directly into Imhoff Creek.

Berry and Lindsey are EMS Safety Corridors and should not be restricted.

My Name is: Kevin & Kvicket Conny mercle

Hive at: 1132 W. Brooks, Norman OK 73069

Signed:

fre 11/2

FILED IN THE OFFICE OF THE CITY CLERK ON 10/12/21

out

City of Norman
Planning and Community Development
P.O. Box 370
Norman, OK 73070

Dear Planning Commission,

I am opposed to the rezoning which would allow for the building of a new strip mall on the North East Corner of Berry Road and Lindsey Street.

There are already too many vacant commercial structures in this area, and I want to support Norman's existing business owners in their efforts to rebuild Lindsey Street after the City of Norman installed restrictive traffic medians.

This development will add almost an acre of impervious surface that will increase the intensity of stormwater runoff directly into Imhoff Creek.

Berry and Lindsey are EMS Safety Corridors and should not be restricted.

My Name is: Carolyn and Frany Kouley

I live at: 1628 Rosemont Drive

Norman OK 73072
Signed: Carolyn Haway Day Kauley

OF THE CITY CLERK

put /

OF THE CITY CLERK ON 10/12/21

City of Norman Planning Department 201 West Gray, Building A Norman, OK 73069

Re: R-2122-31 and O-2122-15 (Rezoning of properties located at 1027 and 1035 South Berry Road)

Dear Planning Commission,

I am writing this letter in protest to the rezoning of the properties at 1027 and 1035 South Berry Road. I have lived in Norman since 1979. My husband and I moved into our home in Pickard Acres on Madison Street 16 years ago so that our daughter would be in a diverse school setting and neighborhood. Since that time, we have adopted 2 more children who are enjoying the diversity of our neighborhood and school and the wonderful things that living close to the university has to offer.



Our property is on the East side of Imhoff Creek, just to the Northeast of the property at Lindsey and Berry.



My concerns with the residential property becoming a strip mall are rooted in safety and environmental issues and are as follows:

- 1) Many of the properties in our neighborhood are along Imhoff Creek. My back drive, which runs along Imhoff Creek from Madison Street to Parsons, along with my detached garage are in a flood plain which was created by the concreting of Imhoff Creek. The concrete ditch is shallow on the North side of the Lindsey Street bridge and deeper and box shaped on the South side of Lindsey causing major flooding at times of torrential downpours in Central Norman. This is already an issue that residents along the creek face with our properties flooding (including basements and garages). Adding more concrete along a poorly developed drainage system for Central Norman will only add to the flood issues that current residents experience.
- 2) Another concern is increased traffic in the creek, especially if the strip mall is East facing and visible to the creek. With increased traffic in the creek comes increased littering and other crimes such as graffiti.
- 3) Increased traffic at the Berry and Lindsey intersection is another big concern for our family and neighbors.

 Traffic is already congested in the mornings before school and after school at this intersection. My children use the bike path on Lindsey street and my son has almost been hit twice since the beginning of this school year by drivers who are not paying attention when he has the right of way.
- 4) There are public bus stops on both the NE and SE corners of Lindsey and Berry adding to the congestion in this area with buses picking up passengers every 30 minutes. Adding another driveway/entrance to this busy corner will likely cause more issues with auto/pedestrian/biker accidents.



I urge you to vote against the proposed development of this strip mall in our wonderful neighborhood.

Thank you,

Nolita C. Morgan

SWIFT Cº

Dear Mayor & City Council,

As a resident of Ward 4 and a developer of projects throughout Norman's Core, I am in support of the proposed rezoning and development for the corner of Berry Road and Lindsey Street. This intersection is the gateway to our city to those visiting The University of Oklahoma. This project will bring new life to this corner that is desperately needed. I also believe the proposed site plan allows for a gentle transition from the busy commercial nature west of the site with the calmer residential aspect to the east of the site.

Sincerely,

Brent Swift

FILED IN THE OFFICE OF THE CITY CLERK ON 10/14/21 - LW