



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/09/2021

REQUESTER: Nathan Madenwald, Utilities Engineer

PRESENTER: Nathan Madenwald, Utilities Engineer

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, POSTPONEMENT OR AMENDMENT OF ORDINANCE O-2122-5 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR MUNICIPAL USES IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR PART OF SECTION EIGHTEEN (18), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3500 JENKINS AVENUE)

SYNOPSIS:

The City of Norman – Norman Utilities Authority is requesting Special Use for Municipal Uses; the base zoning of A-2, Rural Agricultural District will remain. The existing facilities will remain. The applicant would like to bring this subject property into compliance with zoning in order to obtain building permits for future structures, including a solar array. The property contains approximately 36 acres.

HISTORY:

In April of 2017, the Planning staff was directed to update/amend the existing Zoning Ordinance to establish a policy for all municipal projects and public utilities to properly zone such development with a Special Use request. In order for the City to have the greatest flexibility to locate municipal projects and other public facilities in appropriate locations throughout the City, staff prepared a Zoning Code amendment that allows “municipal uses, public buildings and public utilities” in all zoning districts as a Special Use.

The Special Use designation provides Planning Commission and City Council the opportunity to ensure that municipal uses, public buildings and public utilities are in the proper location and enables the approval of special conditions that provide protection for surrounding property owners. At the same time, this review process allows approval of variances to specific regulations that best promote the health, safety and general welfare for the community and still meet the needs of the community to provide adequate services to the citizens. This policy to

have all public utilities projects presented to Planning Commission and City Council gives staff the opportunity to present the project for approval as well as public notice of such future development.

ZONING ORDINANCE CITATION:

SEC. 434.1 - SPECIAL USES

Any use designated as a "Special Use" under any zoning district is not appropriate for each and every parcel of land which is included in the pertinent zoning district. However, upon review, the City Council may determine that one or more "Special Uses" should be approved for a specific parcel of land. Such approval, by ordinance duly adopted by the City Council, may come after a public notice and a hearing by the Planning Commission. Any such approval may be made conditional on the subject parcel of land meeting and maintaining specific requirements and/or conditions.

- (b) Review and Evaluation Criteria: The Planning Commission shall review and evaluate any "Special Use" proposal and recommend to the City Council using the following criteria:
 - (1) Conformance with applicable regulations and standards established by the Zoning Regulations.
 - (2) Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
 - (3) Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
 - (4) Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
 - (5) Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
 - (6) That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.
- (c) Planning Commission Hearing and Recommendation: The Planning Commission shall hold a public hearing on each application for a "Special Use". Public notification requirements shall be the same as a rezoning procedure. At the public hearing, the

Commission shall review the application and shall receive public comments concerning the proposed use and the proposed conditions under which it would be operated or maintained. The Planning Commission may recommend that the City Council establish conditions of approval. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation, regulation of signs; regulation of hours or other characteristics of operation; and such other conditions as the Commission may deem necessary to insure compatibility with surrounding uses, and to preserve the public health, safety, and welfare.

EXISTING ZONING: The existing zoning for the subject property is A-2, Rural Agricultural District. This would remain the base zoning for the property.

ANALYSIS:

- **SITE PLAN** The majority of traffic on the site will use the Main Access Gate on East Robinson Street near the West side of the property. Some traffic will use the Maintenance/Construction Gate on East Robinson Street near the East side of the property. The site plan shows existing and proposed Utilities buildings and services, including:
 - Vernon Campbell Water Treatment Plant, and
 - Solar Array (proposed).
- **IMPACTS** This property has historically been used as a City of Norman Utilities location. There is no indication of negative impacts on the surrounding area. All future structures will meet zoning ordinance requirements for setbacks and coverage. While the applicant is cleaning up the zoning of the site and planning for the addition of a solar array at this time, it is possible with future growth there will be the need for additional municipal services and uses to be added to the site. Since Planning Commission, the solar array contractor has engaged with consultant Park Hill to assess potential drainage issues from the project. At this time, no additional improvements are needed; however, drainage improvements have been identified in conjunction with the future compost facility. Any new additional uses will comply with the adopted regulations, including those related to drainage and detention.

OTHER AGENCY COMMENTS:

- **PREDEVELOPMENT** No neighbors attended this meeting.
- **PUBLIC WORKS** No comment provided.

CONCLUSION: Staff forwards this request for Special Use, Ordinance O-2122-4 for City Council's consideration.

At their July 8, 2021 meeting, Planning Commission unanimously recommended adoption of Ordinance O-2122-5, by a vote of 6-0.