



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 05/09/2024

**REQUESTER:** Carroll Farm, L.L.C.

**PRESENTER:** Lora Hoggatt, Planning Services Manager

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE NO. O-2324-42: 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 ELEVEN (11), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (EAST OF 36<sup>TH</sup> AVENUE N.W., NORTH OF W. TECUMSEH ROAD, AND WEST OF I-35)

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**APPLICANT/REPRESENTATIVE:** Carroll Farm, LLC / Rieger Law Group, PLLC

**WARD:** 8

**CORE AREA:** No

**BACKGROUND:** The applicant is requesting rezoning from PUD, Planned Unit Development, Ordinance O-1415-39, to a new PUD for approximately 44.7 acres. The property is currently vacant. This new proposal involves rezoning from PUD Ordinance O-1415-39, to amended PUD Ordinance O-2324-42 to allow for the development of multifamily dwellings, a proposed senior living facility, and commercial and office buildings. This application is accompanied by requests for a NORMAN 2025 Land Use Plan amendment for a portion of the property and a preliminary plat.

This project was previously zoned and platted in 1999; the zoning and plat was revised in 2006 and again in 2015. The preliminary plat has since expired. The applicant would like to move forward with the development and has brought forth the current application.

## **PROCEDURAL REQUIREMENTS:**

### **GREENBELT MEETING: GBC 24-03, February 20, 2024**

The Greenbelt Commission recommended the City Parks Department install a continual sidewalk between Tecumseh Road and Ruby Grant Park, along the retention pond, and the City of Norman to follow up with a connector sidewalk along N. Interstate Drive to connect to Ruby Grant Park.

The Parks Department is aware of this request and will consider possible options, keeping in mind the annual maintenance for this request.

### **PRE-DEVELOPMENT: PD24-02, February 22, 2024**

The applicant explained this was an older PUD and with the change in the economic climate, the owner feels creating this new PUD will have more opportunities to be successful with multifamily dwellings, a potential senior living facility, which has not been confirmed, and commercial office buildings. The neighbors had concerns about which land uses would be permitted by right in the commercial areas due to the proximity of All Saints School. The neighbors do not want children to be subjected to adult novelty stores, liquor stores, bars, taverns, nightclubs or marijuana dispensaries. The applicant explained under the currently proposed version of the PUD those uses were allowed by right but they will consider the neighbors' requests. The final concerns were about wildlife in the area, the WQPZ and the potential looping of private water lines in the future for more potential developments.

### **BOARD OF PARKS COMMISSIONERS:**

The current application for this development was not required to go back to the Board of Parks Commissioners. The previous plat of Carroll Addition from 1999 went to the Board and received a private parkland decision. Staff reviewed the current Carroll Farm Addition and determined the private parkland decision to still be valid for the revised plat.

### **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 proposed mixed use development includes retail, office, commercial and, multifamily residential uses. The proposed uses are included in the PUD Narrative as Exhibit E.

**SITE PLAN/ACCESS:** The proposed development will have two access points along 36<sup>th</sup> Avenue N.W. and six access points along Journey Parkway. A new public street is proposed to connect Journey Parkway and 36<sup>th</sup> Avenue N.W. The proposed development is expected to have 154,000 square feet of retail spaces, 12,000 square feet of office, 42 town home units and a 27,800 square foot senior living facility. There is one detention pond on the northeast corner of the property and a ONEOK gas pipeline easement that runs northeast across the property as shown on the site plan. No development is permitted within this easement.

**PARKING:** The proposed development parking will meet or exceed Section 36-548, Off Street Parking Requirements of the City Zoning Ordinance.

**LANDSCAPING:** The proposed development will have open space and green space areas throughout with landscaping buffers. There will be a minimum of 10% open space; the development will also allow landscaping to be placed in utility easements.

**SIGNAGE:** The commercial, office, or retail uses shall comply with the applicable commercial signage restrictions in the City's Sign Ordinance, Chapter 28, as amended from time to time. The proposed development will also allow development entrance signs and directional signs with a maximum of 100 square feet per side, having no more than two sides. The maximum height on directional signs shall be 8 feet and pole signs shall be permitted.

**LIGHTING:** All exterior lighting shall be installed in conformance with applicable City of Norman Commercial Outdoor Lighting Standards per Section 36-549, of the City of Norman Zoning Ordinance, as such may be amended from time to time.

**SANITATION:** Dumpsters will be utilized for sanitation services in locations shown on the attached Site Development Plan.

**FENCING/WALLS:** The proposal will have optional fencing including wrought iron, stockade wood, composite, and other fencing types. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review of fencing within the development.

**EXISTING ZONING:** The Property is currently zoned PUD, which allows for multifamily, commercial, and office uses. The properties along the northern border of the Property are zoned A-2, Rural Agricultural, and Parkland. The developments to the east of the Property are zoned PUD. The properties to the south are zoned PUD. The properties to the west of the Property are zoned C-1, Local Commercial, R-1, Single-Family Dwelling, and PUD.

**ALTERNATIVES/ISSUES:**

**IMPACTS:** The surrounding area currently has access to City water, sewer, and stormwater drainage. The City Traffic Engineer has determined there are no negative traffic impacts anticipated with this project.

**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 report from the City Traffic Engineer.

**UTILITIES:** City Utilities are available in this area.

**CONCLUSION:** Staff forwards this request for rezoning to a new PUD, Planned Unit Development, for approximately 44.7 acres, and Ordinance O-2324-42 to the Planning Commission for consideration and recommendation to City Council.