
ORDINANCE NO. O-2223-29

ITEM NO. 5

STAFF REPORT

GENERAL INFORMATION

APPLICANT	CA McCarty Construction, L.L.C.
REQUESTED ACTION	Rezoning to SPUD, Simple Planned Unit Development District
EXISTING ZONING	R-1, Single Family Dwelling District
SURROUNDING ZONING	North: R-1, Single Family Dwelling District East: Flood Hazard Zone AE South: R-1, Single Family Dwelling District West: R-1, Single Family Dwelling District
LOCATION	1309 S. Berry Road
WARD	4
CORE AREA	Yes
AREA/SF	1.04 acres more or less
PURPOSE	Residential
EXISTING LAND USE	Low density residential
SURROUNDING LAND USE	North: Low density residential East: Floodway South: Low density residential West: Low density residential
LAND USE PLAN DESIGNATION	Low Density Residential
PROPOSED LAND USE DESIGNATION	Low Density Residential
GROWTH AREA DESIGNATION	Current Urban Service Area

PROJECT OVERVIEW: This Simple Planned Unit Development (the "SPUD") is submitted for the property located at 1309 S. Berry Road. It seeks to rezone the Property from the existing R-1, Single Family Dwelling designation to allow the applicant to split and develop the Property as two single family residential lots.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: N/A for this item.

PRE-DEVELOPMENT MEETING: PD 23-09, March 23, 2023

The neighbors attending were concerned with easements in the property, fencing, storm water runoff, size of dwellings, and setbacks.

In discussion with the applicant, the neighbors felt better knowing the details of the project. All concerns are addressed in the narrative of the SPUD application.

ZONING ORDINANCE CITATION:

CHAPTER 36-510 – SIMPLE PLANNED UNIT DEVELOPMENTS

1. 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.

2. 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.

STAFF ANALYSIS: The particulars of this SPUD include:

USE: This SPUD, Simple Planned Unit Development proposes certain residential uses for the property. A complete list of proposed uses is included as Exhibit C in the SPUD Narrative. The following are the general uses proposed as part of this SPUD:

- Detached one family dwelling.
- Family day care home.
- General purpose farm or garden.
- Home occupation.
- Municipal recreation or water supply.
- Accessory buildings.
- Commercial parking only on days when the University of Oklahoma football team plays at home, subject to restrictions and conditions.
- Model Home, subject to an annual permit.
- Short-term rentals.

OPEN SPACE/PARKLAND: Open space shall be utilized on the Property as shown on the Site Development Plan. The impervious area and building coverage for the Property shall not exceed 65% per lot.

SITE PLAN: The Property shall be developed as depicted on the Site Development Plan, attached hereto as Exhibit B, subject to final design development and the changes allowed by Section 36-510 (k) of the City of Norman's SPUD Ordinance, as may be amended from time to time.

The following shall be the required building setbacks:

- The Front Yard setback shall be a minimum of ten (10) feet.
- All other building setbacks shall be a minimum of five (5) feet, except in the areas where, as shown on the attached Site Development Plan, the setback shall be three (3) feet on the east side, between Lot One and Lot Two, and on the southeast, between Lot Two and the adjacent property to the South.

FENCING: The site may be fenced, but not required. Fencing may be brick, stone, wood, wrought iron or other material. The maximum fence height for the Property shall be eight (8) feet.

ACCESS: There will be one access point on Berry Road. Traffic circulation and access to the Property shall be allowed in the manner shown on the attached Site Development Plan.

LANDSCAPING: Landscaping shall be installed and maintained in order to meet or exceed the City of Norman's applicable landscaping requirements for single-family residential lots, as amended from time to time. The locations and types of landscaping are subject to modification during final site development.

SIGNAGE: All signs shall comply with the sign standards of the City of Norman Sign Code as applicable to Low Density Residential Zone Sign Standards.

LIGHTING: The Property shall comply with the City of Norman's applicable lighting requirements for single-family residential lots, as amended from time to time.

SANITATION: Sanitation services for the Property shall be consistent with the City of Norman's applicable sanitation standards and regulations applicable to single family residential lots, as amended from time to time, such as poly cart service for each lot.

UTILITIES: All necessary utilities for this project (including water, sewer, gas, telecommunications, and electric) are currently located within the necessary proximity to serve the Property, or they will be extended by the Applicant, as necessary.

PARKING: The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

SIDEWALKS: A five (5) foot sidewalk will be installed in the location shown on the Site Development Plan and will meet or exceed the City of Norman's applicable standards and ordinances for sidewalk design and construction, as amended from time to time.

EXTERIOR BUILDING MATERIALS: The exterior materials of the building to be constructed on the Property may be brick, glass, stone, synthetic stone, stucco, EIFS, masonry, metal accents, composition shingles, and any combination thereof.

EXISTING ZONING: The subject property is currently R-1, Single Family Residential District.

ALTERNATIVES/ISSUES:

IMPACTS: Surrounding properties are R-1 single-family homes. This SPUD will increase the density of this property. Other high-density dwelling options exist directly across S. Berry Road, such as RM-6, Medium Density Apartment District and R-2, Two Family Dwelling District.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: No comments.

TRAFFIC ENGINEER: No comments.

UTILITIES: No comments.

CONCLUSION: Staff forwards this request for rezoning from R-1, Single Family Dwelling District to SPUD, Simple Planned Unit Development, as Ordinance No. O-2223-29 for consideration by the Planning Commission and a recommendation to City Council.