



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 04/08/2025

**REQUESTER:** Apex Properties, LLC

**PRESENTER:** Jane Hudson, Planning and Community Development Director

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT ORDINANCE O-2425-27 UPON FIRST READING BY TITLE: 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 THE NORTHWEST QUARTER (NW/4) OF SECTION TWO (2), TOWNSHIP NINE NORTH (T9N), RANGE THREE WEST (R3W), OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF THE I-35 AND WEST INDIAN HILLS ROAD INTERSECTION)

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| <b>APPLICANT/REPRESENTATIVE</b>           | Apex Properties, LLC/Rieger Sadler Joyce LLC   |
| <b>LOCATION</b>                           | Near the SW corner of the I-35 and W Indian Hills Road Intersection                        |
| <b>WARD</b>                               | 3  |
| <b>CORE AREA</b>                          | No   |
| <b>REQUESTED ACTION</b>                   | Rezoning from A-2, Rural Agricultural District, to PUD, Planned Unit Development District. |
| <b>CURRENT LAND USE PLAN DESIGNATION</b>  | Park Land and Mixed Use  |
| <b>PROPOSED LAND USE PLAN DESIGNATION</b> | Mixed Use  |
| <b>CURRENT GROWTH AREA DESIGNATION</b>    | Future Urban Service Area  |
| <b>PROPOSED GROWTH AREA DESIGNATION</b>   | Current Urban Service Area   |

**BACKGROUND:** The applicant requests rezoning from A-2, Rural Agricultural District, to PUD, Planned Unit Development District, for approximately 130 acres. The PUD would allow for the development of a Mixed Use community, featuring a variety of uses including, but not limited to, residential, commercial, office, and the mixing of uses within the property. The requested rezoning is accompanied by an application for a NORMAN 2025 Land Use Plan amendment and a preliminary plat.

**PROCEDURAL REQUIREMENTS:**

**GREENBELT MEETING: GBC25-05, February 18, 2025**

This meeting was cancelled due to inclement weather.

**PRE-DEVELOPMENT: PD25-05, February 27, 2025**

After the applicant presentation, the first question from the attending neighbors was if they knew how many dwelling units this proposed project would include. The representative stated there would be around 1,500 apartment units and 170 single-family homes. The next question what were the lot sizes for these single-family homes. The representative responded that the size lot for single-family homes would be 3,600 sqft. The neighbors were concerned about this lot size because the lots of the existing single-family homes in the area are quite large in comparison. The next subject the neighbors were concerned about was screening. The neighbors were curious about what kind of screening would run along the west and south sides of the development. The representative said that they did not have a design for the screening at this stage of the project. The last subject the neighbors discussed with the representative was drainage. The project features a large detention pond that is designed to collect water and drain it to the southeast corner of the lot where existing stormwater drainage infrastructure exists.

**BOARD OF PARKS COMMISSIONERS:** This proposal went to the Board of Parks Commissioners on March 6, 2025. The Board voted unanimously to accept a public parkland decision of 7.571 acres.

**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 allowable uses for this PUD are included in the PUD Narrative as Exhibit C, Allowable Uses. The uses are divided into four Development Areas. Area 1 contains a large variety of commercial uses. Development Area 2 contains a mix of high-density housing with commercial uses on the first floor. Development Area 3 contains commercial uses, similar to Development Area 1. Development Area 4 contains a variety of low density dwelling types. These include but are not limited to, single-family homes, accessory dwelling units, and garage apartments. A complete list of the allowable uses for each Development Area within the Property is shown in Exhibit C.

**SITE PLAN/ACCESS:** The Site Development Plan shows five access points to the development site. There are three access points proposed off of 36th Ave NW, one access point off of W Indian Hills Road, and one access point of N Interstate Drive. The proposed development is broken into four Development Areas. Located at the center of the site is Development Area 2 where multiple apartment buildings with parking garages are located. These apartment buildings about Development Area 4 where single-family homes are to be located.

Development Area 4 allows for a 4' front yard setback, with a 20' setback for garage structures that face the street. For Lots that will be rear-loaded and take all vehicular access from the rear alleyway, the front yard building setback line shall be 2'.

Staff notes the applicant changed this section since the Planning Commission meeting on March 13, 2025, this includes a change to the front setback for lots taking vehicular access from the rear alleyway, in this case the front yard building setback line was amended from 4' to 2'..

**PARKING:** Parking for the Property may be developed in general compliance with the parking layout shown on the Site Development Plan. The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

**LANDSCAPING:** Landscaping shall be installed in order to meet or exceed the City of Norman's applicable landscaping regulations, as amended from time to time.

**SIGNAGE:** All other signs not discussed in Exhibit F of the PUD Narrative, shall comply with the sign standards of the City of Norman Sign Code, and as thereafter amended, as applicable to the underlying use for each lot. The Applicant may further restrict and control signage within the Property through the use of private design guidelines and restrictive covenants.

**LIGHTING:** All lighting over any common areas will be shielded from adjacent single-family homes with full-cut off lighting fixtures. Decorative streetlights will be allowed within the PUD, in the common areas, and along the streets of the PUD, with full-cut off light fixtures where light pollution into residential lots is possible. All exterior lighting in the Multifamily and Commercial portions of the Property shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards, contained in Section 36-549 of the City of Norman's Zoning Ordinance, as may be amended from time to time.

**SANITATION/UTILITIES:** Trash dumpsters may be located as depicted on the Site Development Plan or in locations as may be approved by the City. Dumpsters shall be kept within an enclosure that is primarily constructed of similar exterior materials as the primary façade of the commercial building(s) it is associated with. Dumpsters may be shared between multiple property occupants and users.

**FENCING/WALLS:** Fencing, is permissible but is not required within the Property. Fencing on the Property may be constructed of, by way of example and not limitation, decorative metal, 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. For any fencing that the developer may utilize within the Property, the placement and height of such fencing shall comply with applicable City ordinances, as amended from time to time.

**PHASING:** It is anticipated that the Property will be developed in multiple phases. The timing and number of future phases will be determined by market demand and absorption rates and shall comply with Section 36-509 PUD, Planned Unit Developments, as may be amended.

**OPEN SPACE:** A minimum of ten percent (10%) of the Property shall be preserved as open space. The areas initially planned as open space are depicted on the Site Development Plan. The submitted Greenspace Plan (Exhibit E) shows 20.07 acres (15.42%) of the development site as Greenspace.

**EXTERIOR MATERIALS:** The exterior of the commercial, office, retail, or multifamily buildings constructed within the Property may be constructed of masonry, brick, stone, synthetic stone, wood, glass, stucco, EIFS, metal accents, and any combination thereof. The applicant may file restrictive covenants against the Property to more narrowly tailor architectural review within the development.

**ALTERNATIVES/ISSUES:**

**IMPACTS:** The proposed use will be more intense than the existing undeveloped traffic patterns of the current zoning and land use designation. The three new access points off of 36<sup>th</sup> Ave NW will likely be used for the residential aspect of the proposed development. This residential component consists of single-family and multi-family dwelling units. According to the Traffic Impact Analysis reviewed by the City Transportation Engineer, traffic generated by the proposed development will exceed the capacity of the area.

**OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Additional information will be required to determine fire hydrant and fire lane requirements related to the proposed buildings. These items will be addressed during individual building permitting.

If the proposed development includes entry gates, all commercial gates that restrict response vehicle access will require Knox Single gate and Key Switch.

**PUBLIC WORKS/ENGINEERING:**

Please see attached report from Engineering.

**TRANSPORTATION ENGINEER:** Demand exceeds capacity in this area. As such, additional off-site improvements are recommended in addition to the completion of the 2012 Bond Project improvements to 36th Avenue NW. These include:

- Changes to the future phasing of the traffic signal at the 36th Avenue NW intersection with Indian Hills Road
- Construction of an eastbound right-turn lane on Franklin Road at N. Interstate Drive
- Construction of Drives #2, #3, and #4 to provide separate left- and right-turn lanes onto 36th Avenue NW
- Construction of Drive #6 to provide only right-in/right-out access from Indian Hills Road
- Installation of a traffic signal on Indian Hills Road at Drive #7 along with construction of westbound and northbound left-turn lanes

**UTILITIES:** Extend sewer at the correct elevations and sizes to serve upstream tracts of land which includes the existing Marlatt Subdivision located to the west of 36th Avenue NW.

**CONCLUSION:** Staff forwards this request for rezoning to a PUD, Planned Unit Development and Ordinance O-2425-27 for consideration by City Council.

**PLANNING COMMISSION RESULTS:** At their meeting of March 13, 2025, Planning Commission recommended approval of Ordinance O-2425-27 by a vote of 6-0 with the motion to amend the 4' setback to 2' setback for structures with alley access parking.

There has been a change to the application since the Planning Commission vote; that change is noted in the body of this staff report.