



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 12/13/2022

REQUESTER: Premium Land, L.L.C.

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-16 UPON FIRST READING BY TITLE: 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 REMOVE THE EAST HALF (E/2) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP TEN NORTH (T-10-N), RANGE THREE WEST (R-3-W) OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTH OF INDIAN HILLS ROAD AND ONE-FOURTH MILE EAST OF 48TH AVENUE N.W.)

PROJECT OVERVIEW:

Premium Land, LLC is requesting a rezoning to PUD, Planned Unit Development, at property located at W. Indian Hills Road between 48th Avenue N.W. and 36th Avenue N.W. The site is currently vacant. The subject property was rezoned R-1, Single-Family Dwelling District, and CO, Suburban Office Commercial District, from A-2, Rural Agricultural District, with Ordinance No. ZO-0910-5. The applicant requests a rezoning to PUD, Planned Unit Development, to allow for a mixed-use development with office, commercial and residential uses. The proposed residential development includes multifamily, duplex, and single-family housing products.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GB 22-17, October 18, 2022

There is a proposed trail (by developer) in the Greenway Master Plan along W. Indian Hills Road in addition to the subject parcel's east property line, and through the center of the subject parcel. The applicant stated that the proposed development will meet all recommendations outlined in the Greenway Master Plan for this property.

Greenbelt Commission discussion consisted of:

- Commissioner Dotson stated that this was way up on the north side of the City limits.
- Commissioner Wyatt-Swanson brought up that OTA is proposing a turnpike that may take a portion of the property.
- Sean Rieger presented to the commissioners that the lower part of the area is commercial so if OTA comes in with the Turnpike it would not interfere with the residential areas.
- Sean Rieger stated that sidewalks were accepted as trails. The sidewalks will follow along the streets and lead up to a park on the east side of the neighborhood. There is also sidewalks that go through the middle of the property in between the apartments, which has stub streets that will all connect.
- Sean Rieger also stated that they have satisfied all Greenway Master Plan recommendations in that area.
- Commissioner DuFran stated he commended the applicant's efforts for meeting/accommodating the Greenways Master Plan to follow the planned trails in this development.

Motion by Rachel Wyatt-Swanson and seconded by Kristina Wyckoff to vote on both consent and non-consent items together and to pass all items.

PRE-DEVELOPMENT MEETING: PD 22-23, September 22, 2022

A neighbor asked what uses would be allowed in Tract 1. The applicant's representative replied that commercial uses would be allowed.

A neighbor stated that Indian Hills Road is too small for increased traffic.

A neighbor showed concern for contaminants entering the watershed as a result of the development.

ZONING ORDINANCE CITATION:

SEC. 420 – 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:

The particulars of this PUD include:

USE: This PUD, Planned Unit Development proposes certain uses per tract. A complete list of proposed uses is included as Exhibit C in the PUD narrative. The following are the general uses proposed as part of this PUD, as further elaborated within the PUD use list found in Exhibit C:

- Tract 1 – Commercial
 - Uses permitted in the C-2, General Commercial District
 - Bar/Lounge/Tavern
- Tract 2 – Multi-Family Dwelling
 - Uses permitted in the R-3, Multi-Family Dwelling District
- Tract 3 – Two-Family Dwelling
 - Uses permitted in the R-2, Two-Family Dwelling District
- Tract 4 – Single Family Dwelling
 - Uses permitted in the R-1, Single-Family Dwelling District

Some of the uses proposed in Exhibit C, in the PUD Narrative, are general in nature, such as “commercial uses/shops or services” and “uses customarily incidental to any of the above uses”. The City of Norman’s PUD Ordinance, found at 22:420 of the Zoning Ordinance, requires that PUD applicants provide “a specific written list of uses to be ‘permitted by right[.]’” Staff expressed

to applicant that the general and categorical nature of these uses appeared to be at odds with the PUD ordinance requirements in this regard because, as worded, these uses appear to allow for the later creation of permitted uses other than those presently listed in Exhibit C. Applicant has opted to urge its request for these uses to City Council.

OPEN SPACE/PARKLAND: The PUD Ordinance, 22:420, 3. Standards of Development requires 10% open space for non-residential portions and residential portions of developments.

The applicant's PUD Narrative states open space may be provided as shown on the Open Space Exhibit; this comes out to approximately 21% of the site.

If the open space drops below 10% for the non-residential or residential portions of development, the development will not be compliant with the Standards of Development in the Zoning Ordinance.

Approximately 2.66 acres of dedicated parkland will exist in the northeast corner of the property. This will satisfy the proposed Gateway Park and Trails Plan (see attached copy).

SITE PLAN/ACCESS: This PUD proposes four tracts for the property of varying intensities and uses:

- Tract 1: Directly adjacent to W. Indian Hills Road, Tract 1 is approximately 28.6 acres and proposes a large strip center with big box retail in addition to three standalone commercial buildings. Large parking lots are proposed to accommodate patrons.
- Tract 2: Directly north and adjacent to Tract 1, Tract 2 is approximately 19.0 acres and proposes twenty-one garden apartment buildings and one leasing building with a total of 400 units. Parkland is also proposed in the western and eastern portions of the tract. Large parking lots are proposed to accommodate residents.
- Tract 3: Directly north and adjacent to Tract 2, Tract 3 is approximately 6.4 acres and proposes 28 lots for duplexes with a total of 56 units. A driveway per unit is proposed for each lot.
- Tract 4: Surrounding Tract 3, Tract 4 is approximately 25.8 acres and proposes 95 single-family lots. In the northeastern portion of the tract, approximately 2.66 acres of parkland is proposed as a terminus for the proposed Gateway Park and Trails. A driveway is proposed for each lot.

The site is proposed to be accessed from W. Indian Hills Road with two collectors near the western and eastern lot lines of the property. Sidewalks are proposed throughout the development and along W. Indian Hills Road.

LANDSCAPING: Landscaping shall comply with the applicable provisions of the City of Norman's Landscaping Requirements.

SIGNAGE: All signs will comply with the sign standards of the City of Norman Sign Code.

LIGHTING: Lighting throughout the development will comply with all City of Norman standards and requirements.

SANITATION/UTILITIES: Trash dumpster will be located as depicted on the Preliminary Site Development Plan or in locations as may be approved by City sanitation services.

PARKING: Parking for the property will be developed in general compliance with the parking layout shown on the Preliminary Site Development Plan. Tract 1 of the Preliminary Site Development Plan contains large parking lots to accommodate commercial activity. Tract 2 also contains large parking lots to accommodate residents for the proposed garden apartments. Tracts 3 and 4 will contain duplex and single-family housing products, and units in these tracts will have their own driveways. All parking for the site shall comply with Norman's applicable parking ordinances, as amended from time to time.

SIDEWALKS: All sidewalks will be installed in accordance with the final development plans and the City of Norman's applicable standards and specifications. A 10' sidewalk will be constructed adjacent to Indian Hills Road.

EXTERIOR BUILDING MATERIALS: The following exterior materials shall be used for buildings constructed on the property:

- Brick
- Stone
- Synthetic stone
- High impact quality stucco or EIFS
- Masonry
- Metal accents

PHASING: It is anticipated that Tract 4 will be the initial phase in the development; however, the actual timing, sequence, and number of future phases will be determined by market demand and absorption rates. A conceptual Preliminary Phasing Plan is attached as an exhibit.

EXISTING ZONING: The subject property is currently zoned R-1, Single-Family Dwelling District, and CO, Suburban Office Commercial District.

ALTERNATIVES/ISSUES:

IMPACTS: Surrounding properties include single-family homes, a church, and vacant land. Adjacent properties are zoned R-1, Single-Family Dwelling District, PUD, Planned Unit Development, CO, Suburban Office Commercial District, and A-2 Rural Agricultural District. Properties adjacent to the site to the north are located in the City of Moore. The subject property, which is currently vacant, proposes a mixed used development through this PUD. The site is approximately 4,000 to 4,500 feet from Interstate 35. Directly east and west of the site are large vacant parcels.

The site plan identifies four tracts of varying uses/intensities.

- Tract 1 proposes three standalone buildings and a retail strip center, allowing for uses permitted in the C-2, General Commercial District in addition to Bars/Lounges/Taverns. This totals to approximately 180,470 square feet of commercial space.
- Tract 2 proposes twenty-one apartment buildings and one leasing building at approximately 400 units, allowing for uses permitted in the R-3, Multi-Family Dwelling District.
- Tract 3 proposes twenty-eight duplexes at 56 units. Tract 3 allows for uses in the R-2, Medium Density Apartment District, while
- Tract 4 allows for uses in the R-1, Single Family Dwelling District and proposes 95 single family lots.

Overall, it is calculated that the total residential population of this development would be approximately 1,039 persons at buildout. Relative to surrounding properties, the proposed development would increase residents and commercial activity in this area.

Two new roadways are proposed along the east and west property lines of the subject property for vehicular access off W. Indian Hills Road. Sidewalks will be included throughout and will comply with all City requirements. Parking appears to be substantial, to accommodate the non-residential uses. In Tracts 1 and 2, large parking lots will cover the majority of the area. In Tracts 3 and 4, units will have their own dedicated driveways. Four detention ponds are located throughout the development; they will comply with the drainage report required by Public Works, to mitigate any stormwater runoff in the area. Additional improvements to W. Indian Hills Road will also be required to support the new access roads and development.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: Fire protection will be provided as required by adopted code.

PUBLIC WORKS/ENGINEERING: There are existing water and sanitary systems to the property. These systems will be extended to serve the development. Streets will be constructed to City standards. Indian Hills Road is designated as a Principal Urban Arterial street. Streets are designed to connect to the property to the east and property to the west. Detention facilities are proposed to handle stormwater runoff. Sidewalks will be installed adjacent to all streets. A 10' sidewalk will be installed adjacent to Indian Hills Road.

TRAFFIC ENGINEER: Per David Riesland, Transportation Engineer, see attached Transportation Impacts Staff Report.

UTILITIES: Water and sanitary sewer mains are adjacent to the site and available for extension to serve the proposed development.

CONCLUSION: Staff forwards this request for rezoning from R-1, Single-Family Dwelling District, and CO, Suburban Office Commercial District, to PUD, Planned Unit Development, as Ordinance No. O-2223-16 for consideration by City Council.

At their meeting of November 10, 2022, Planning Commission unanimously (9-0) voted to adopt the following motion: recommend adoption of Resolution R-2223-53, Ordinance O-2223-16, and PP-2223-3 to City Council, with the recommended conditions of a reduction in parking, exploring a connection to the west of the property, and exploring additional connectivity internal to the property.

UPDATE: On November 29, the applicant's representative submitted a revised site plan addressing the motion at Planning Commission, the following was amended:

The following revisions have been made at the recommendation of the Planning Commission:

- 1.) The large-scale retail buildings have been split and more pedestrian connectivity provided between the commercial tract and the multi-family tract.
- 2.) The number of parking stalls has been reduced by 10% from the previous layout
- 3.) A common area has been provided at the northwest corner of the project. This may accommodate another pedestrian access to the subdivision on the west.