



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 03/28/2023

**REQUESTER:** RELA, 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-2223-27 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, TO BE RENUMBERED AS SECTION 36-201 EFFECTIVE MARCH 30, 2023, SO AS TO REMOVE PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION THREE (3), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST 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. (5201 24TH AVENUE N.E.)

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### **PROJECT OVERVIEW:**

RELA, L.L.C. is requesting a rezoning to PUD, Planned Unit Development, at 5201 24th Avenue N.E.. The subject property is currently zoned A-2, Rural Agricultural District. The applicant requests this rezoning to provide a location for a nonprofit organization, Sunhive Collective, with day activity programs for people ages 17 and up with physical and intellectual disabilities.

### **PROCEDURAL REQUIREMENTS:**

#### **GREENBELT MEETING**

Greenbelt review was not required for this application.

#### **PRE-DEVELOPMENT MEETING PD23-01, February 23, 2023**

The neighbors attending were concerned with what the uses would be on the property.

In discussion with the applicant, the neighbors felt better knowing the specific uses would be outlined in the PUD Narrative.

## **ZONING ORDINANCE CITATION:**

On February 28, 2023, the City Council approved a recodification of the Norman Municipal Code that will ultimately renumber regulations applicable to this application. The renumbered code will be effective when this matter is considered by City Council upon second and final reading, on April 11, 2023. Thus, updated code provisions are cited herein.

### **SEC. 36-509 – PLANNED UNIT DEVELOPMENTS**

- (a) *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:
1. A maximum choice in the types of environment and living units available to the public.
  2. 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.
  3. Maximum enhancement and minimal disruption of existing natural features and amenities.
  4. 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.
  5. More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
  6. 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.

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:** The PUD narrative includes the following uses:

- Up to two (2) Single Family Homes (Including one utilized for an Employee Caretaker);
- Nonprofit organization providing daytime programming, 8am to 6pm, for members with differing degrees of physical and/or intellectual disabilities – 30 members;
- Weekend events for organization members only throughout the year, as well as yearly daytime summer camps (ex. member birthday party);
- Agricultural crops;
- Raising of farm animals;
- Plant nursery;
- Accessory buildings, including barns, sheds and other farm buildings, which are not part of the main building.

**OPEN SPACE:**

The entire tract encompasses 19.84 acres. Parts of this tract are in the flood plain. None of the buildings or improvements for this site will be in the flood plain, as shown on the site plan. In addition to the current house and the additions described, the remaining land will be left as currently shown. The general area of development will be as shown on the site plan, encompassing approximately 3.24 acres of the 19.84 acres. The remaining area of the tract will be left as open space, equating to 84% open space.

**SITE PLAN/ACCESS:**

The western property line of the subject property is adjacent to 24<sup>th</sup> Ave NE; there will be one access point on 24<sup>th</sup> Ave NE. The applicant proposes to repurpose the existing building and add three additional buildings as well as a parking area. Approximately 1200 linear feet of fence will be added to the property along the north and south property lines. Two of the buildings will be used for indoor activities, another as a barn, and the last one as the caretaker residence, as shown on the site development plan. Setbacks for the property will follow current A-2 setback requirements.

**LANDSCAPING:** Due to the rural nature of this 19-acre parcel and the limited number of parking spaces, no additional landscaping will be required of this proposed site plan.

**SIGNAGE:** All signs shall comply with the applicable City of Norman Sign Ordinance requirements for office use, as amended from time to time.

**LIGHTING:** The site will have security pole lights installed by the designated utility service provider. Any new lights installed for this site will be full cut-off fixtures, directed inward and away from adjacent properties.

**PARKING:** The tract is large enough to provide on-site parking for this use. The staff will park on-site. Parking will be provided as shown on the site plan. The existing drive is private and will be enlarged to accommodate the ease of daily drop-off and pick-up, as well as use of wheelchairs. To meet these needs a concrete driveway and adjacent parking is planned.

**SIDEWALKS:** Sidewalks are not required for this development.

**PHASING:** The requested improvements will be done on the property in phases as described below and shown on the Site Plan, Exhibit A1:

- Phase 1: (to be completed prior to occupancy/use):
  - The main existing house of 2,700 square feet will be remodeled to be used for indoor activities to accommodate SunHive Members' needs.
  - Improve the current driveway as shown on the site plan to be ADA compliant.
  - Build a 6-foot privacy fence on the North and South sides of the primary residence. South side will be approximately 500 linear feet and the one on the North property line is about 639 linear feet, as depicted on the site plan.
  - Build two sets of 6-foot-tall fences to finish enclosing the primary residence at the front and back of the primary residence (on the East and West portions), each side being 330 feet.

The following stages will be carried out with the availability of funds and the increase in members.

- Phase 2: Build an accessory structure of approximately 2,400 square feet for animals (goats, donkeys, chickens) and to store equipment and feed. Gardens for vegetables and flowers will be built adjacent to this structure.
- Phase 3: Build a second accessory structure of approximately 3,000-5,000 square feet for indoor activities and to accommodate no more than 30 members.
- Phase 4: Build a small cottage/single-family dwelling of approximately 2,000-2,500 square feet, with its own septic and well, for use by a staff member/caretaker that will live on-site full-time. The caretaker house will have a gravel access drive on the property, as shown on the site plan.

**EXISTING ZONING:** The subject property is currently zoned A-2, Rural Agricultural District. This district allows for single-family homes and agricultural uses, such as farming or the raising of farm animals. A use like the one proposed in this PUD would not be permitted in A-2.

### **ALTERNATIVES/ISSUES:**

**IMPACTS:** While this use will produce more traffic than the current use of single-family home, it is not anticipated to have a negative impact on neighbors. Activities will occur mostly indoors

and sufficient parking will be provided. The PUD allows for 45 people on site at one time with 30 members and 15 staff members. (At this time, there are only 6 to 8 members.)

**OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT:** No comments.

**PUBLIC WORKS/ENGINEERING:** No comments.

**TRAFFIC ENGINEER:** No comments.

**UTILITIES:** This property is currently not serviced by City Utilities for water or sewer; it is on private well and septic. For solid waste service, the use of polycarts will be sufficient as long as the volume of waste can still be served with no more than three polycarts. The applicant has been advised of the need to consult with and comply with potential state agencies regarding any state requirements.

**CONCLUSION:**

Staff forwards this request for rezoning from A-2, Rural Agricultural District, to a PUD, Planned Unit Development, and Ordinance O-2223-27 for consideration by City Council.

**PLANNING COMMISSION ACTION:**

At their March 9, 2023 meeting, Planning Commission unanimously recommended adoption of Ordinance O-2223-27 to City Council.