



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 08/08/2024

**REQUESTER:** Bob Moore Farms North, LLC

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

**ITEM TITLE:** CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-3: 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 SECTION THIRTY-FIVE (35), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT; RM-6, MEDIUM-DENSITY APARTMENT DISTRICT WITH PERMISSIVE USE FOR A GOLF COURSE; PL, PARK LAND DISTRICT; AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND PLACE THE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF WEST MAIN STREET, WEST OF ED NOBLE PARKWAY, NORTH OF WEST LINDSEY STREET, AND EAST OF 36<sup>TH</sup> AVENUE SOUTHWEST)

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| <b>APPLICANT/REPRESENTATIVE</b> | Bob Moore Farms North, LLC/Rieger Law Group |
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| <b>WARD</b> | 3 |
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| <b>CORE AREA</b> | No |
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**BACKGROUND:** The applicant requests rezoning from C-2, General Commercial District, RM-6, Medium-Density Apartment District with Permissive Use for a Golf Course, PL, Park Land District, and PUD, Planned Unit Development, Ordinance O-9798-9, to a new PUD District for approximately 55.56 acres. The property is currently vacant. The new PUD would allow for commercial uses on the northern portion and multi-family residential with the allowance for ground floors to contain office uses, commercial shops and services, retail, and other mixed-use offerings within the larger multi-family/residential structures throughout the southern portion of the site. This rezoning application is accompanied by a preliminary plat request and a NORMAN 2025 Land Use Plan amendment.

### **PROCEDURAL REQUIREMENTS:**

**GREENBELT MEETING:** GBC24-15, July 16, 2024

The Greenbelt Commission voted to forward this application to Planning Commission with no additional comments.

**PRE-DEVELOPMENT: PD24-07, June 27, 2024**

The applicant representative explained the rezoning process and detailed the proposed site plan to attendees. Proposed PUD will include primarily residential buildings, with limited commercial along the north side and detention/green space to the south. An attendee inquired about building height. Applicant representative provided that multi-family homes abutting existing neighborhoods will be approximately 2-3 story "big house" apartment buildings, with taller residential buildings on the interior of the development. Commercial buildings are intended to be shorter. An attendee requested the anticipated number of homes and why that number was chosen. Applicant representative stated between 650 to 700 homes, based on market analysis. Multiple questions of traffic impact, specifically on Willowbend Road. Applicant representative responded that a Traffic Impact Analysis (TIA) would be completed as part of the project. A question on timing was posed. Applicant representative expects two phases, separated by the new road proposed connecting Norman Center Court to Willowbend Road, over the course of years prior to completion. An attendee requested additional information on the detention pond area. Applicant representative responded it will have higher service levels and will have amenities. A question on rents was posed. Applicant representative stated it is unknown at this time. Questions on the impact of the project on property values and the school system were asked. Applicant representative responded that these are unknown and outside of their purview. Concern for the impact on City services were expressed. Applicant representative provided that impact fees and anticipated sales tax revenue from new residents provides for Fire, Police, and Infrastructure improvements. An attendee asked if quiet would be guaranteed. Applicant representative responded that noise control is covered under the City's Noise Ordinance.

**BOARD OF PARKS COMMISSIONERS: August 6, 2024**

Parks staff recommended to support the developer's request for a fee-in-lieu of park land decision. Please see the attached report. The decision was unanimous for fee-in-lieu of park land by a vote of 5-0.

**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 Development Areas; Area 1 is Mixed Use and Area 2 is Residential. The Development Areas are shown on page 2 of Exhibit D, the Preliminary Plat, and on Exhibit F, the Depiction of Development Areas.

**SITE PLAN/ACCESS:** The proposed Site Development Plan shows two new access points off 36<sup>th</sup> Ave. SW, one of which is a new private street, Aandahl Ave. Aandahl Ave. provides access to both the commercial and the residential areas of development. Norman Center Court also provides interior access to the development from the north. Two access points are proposed off Willowbend Road. The commercial development area is north of Aandahl Ave. and the residential development area is between Aandahl Ave. and Willowbend Road. Detention will be provided along the eastern edge of the development, shown as Common Areas A and B. The sidewalk note on the Site Development Plan states, "sidewalks shall be installed adjacent to 36<sup>th</sup> Avenue SW, Willowbend Road, Norman Center Court, and Aandahl Avenue at the time of construction."

**PARKING:** The PUD Narrative states there will be no minimum parking requirements for any use and end users are encouraged to reduce parking to the extent feasible and to utilize shared parking options, which can be finalized at final building permit stage. Parking spaces may be 18' by 9' or 19' by 8' 1/2".

**LANDSCAPING:** As applicable, landscaping will be installed and maintained according to Section 36-551, Landscaping Requirements for Off-Street Parking Facilities, as amended from time to time. The PUD Narrative states landscaping shall be installed and maintained as applicable to underlying uses of each individual lot, however the landscaping ordinance is applicable when new parking is installed. A landscape plan was not submitted with the application but will be required at Final Plat.

**SIGNAGE:** Signage allowances for the development are outlined in III. C. 4. Signage. Signage will comply with the applicable commercial or residential signage regulations in Chapter 28.

**LIGHTING:** All exterior lighting shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards (Section 36-549), as amended from time to time

**SANITATION:** Dumpsters will be utilized for sanitation services in locations shown on the attached Site Development Plan. All locations will be reviewed and approved by City Staff.

**EXTERIOR MATERIALS:** The exterior of the buildings constructed within the development may be constructed of brick, glass, stone, synthetic stone, stucco, EIFS, masonry, metal accents, and any combination thereof. The applicant may further restrict the exterior materials and aesthetics of the buildings to be developed within the Property through the use of private design guidelines and restrictive covenants.

**HEIGHT:** There is no height limit for Development Area 1 (commercial). Any multi-family building fully or partially situated within the Height Limit Area, shown on the Preliminary Site Development Plan in Development Area 2, has a height limit of three stories. All other buildings in Development Area 2 have a height limit of six stories.

**OPEN SPACE:** The open space for the development is shown on Exhibit E, Preliminary Open Space Plan. This shows a total of 14.56 acres, or 26%, impervious surface. The PUD Narrative also states the Preliminary Open Space Plan contemplated approximately 26% of the Property to be open space.

**PHASING:** The applicant anticipates multiple phases of development. It is expected that the initial phase of development will include Development Area 1 and the portion of Development Area 2 located west of Norman Center Court.

**EXISTING ZONING:** The property is currently zoned C-2, General Commercial District, RM-6, Medium-Density Apartment District with Permissive Use for a Golf Course, PL, Park Land District, and PUD, Planned Unit Development, Ordinance O-9798-9. The existing PUD portion allows for single-family residential and associated open space.

### **ALTERNATIVES/ISSUES:**

**IMPACTS:** The proposed use, while more intense than the existing undeveloped traffic patterns, are less intense than the allowable impacts of the current zoning and land use designations. Two new access points to the property are proposed along 36th Avenue SW. It is anticipated that circulation along newly platted interior roads and along Willowbend Road will be

primarily local traffic. 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 Transportation Engineer.

**UTILITIES:** City Utilities are available in this area with extensions to be completed in accordance with City requirements. Dumpster locations may require revisions but this will be addressed as development occurs to ensure compliance with City requirements.

**CONCLUSION:** Staff forwards this request for rezoning to a new PUD, Planned Unit Development, for approximately 55.56 acres, and Ordinance O-2425-3 to the Planning Commission for consideration and recommendation to City Council.