



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 01/18/2022

REQUESTER: Johnson & Associates, on behalf of University North Park

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-21 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE PLANNED UNIT DEVELOPMENT ESTABLISHED IN ORDINANCE O-1415-45 TO AMEND THE ALLOWABLE USES FOR LOT 4A, IN BLOCK ONE (1), OF UNIVERSITY NORTH PARK PROFESSIONAL CENTER, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

SYNOPSIS:

The applicant is requesting to amend the existing UNP PUD for this subject lot to allow for the use of a daycare facility. Currently, for this subject lot, commercial use is not permitted north of Rock Creek Road.

HISTORY: The original PUD, O-0203-2 was approved by City Council on August 27, 2002. The first amendment to the PUD, O-0506-9 was approved on October 11, 2005 to allow the owner to sell or lease unplatted portions of forty acres or more. This was the only change to the original PUD. Then on December 12, 2006 City Council approved PUD O-0607-13 which replaced both the original PUD and the amendment. Since the O-0607-13 PUD Amendment there have been various amendments to specific areas of the overall development to allow for changes in site plan and setback requirements as well as additional uses within the UNP PUD.

ZONING ORDINANCE CITATION:

SEC. 420 - PLANNED UNIT DEVELOPMENTS

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.

2. Uses Permitted. In addition to zoning districts established elsewhere in this chapter, a Planned Unit Development zoning district is established and shall be designated on the Zoning District Map, upon application of the landowner and approval by the City Council. In order to increase creativity and flexibility in the development of areas suitable for a Planned Unit Development, there are no specifically prescribed uses which are permitted within the boundaries of a Planned Unit Development. The developer shall be responsible for preparation of a list of permitted uses within the specific Planned Unit Development requested. The development of the list shall take into account the nature and purpose of the Planned Unit Development area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development. At the time of the Pre-Application plan and conference, the applicant shall generally describe the nature and types of land uses to be located

within the boundaries of the PUD District. At the time of zoning application and consideration of the preliminary plat, a specific written list of uses to be "permitted by right" shall be submitted for review by the Planning Commission. Following approval by the Planning Commission and City Council, the list of specific uses permitted by right shall serve as the control list in issuance of building permits and certificates of occupancy.

EXISTING ZONING: The existing zoning for this subject lot is included in the overall master planned PUD, Planned Unit Development for the University North Park Development. This subject lot is located in "Sub-Development Area 1". The PUD specifically states *"With respect to SDA #1, Owner/Applicant specifically states that it is limited to industrial, office and/or residential uses, only, and that no commercial uses will be developed on SDAs #1, #2, #6 or #7. (It should be noted that, since no actual end-users for the North Half of the Property are known at this time, the land-use limitations in the preceding two sentences are subject to revision, contingent on an acceptable TIA for any such revisions.)* A TIA was submitted with the 2006 UNP PUD and included as part of the exhibits on-file with the City of Norman. The applicant submitted a TIA that addressed the use of a daycare for this lot, included in the packet. Therefore, the applicant is requesting to amend the PUD to allow for the use of the commercial daycare on the subject lot.

ANALYSIS: The particulars of this PUD include:

1. USE: The applicant is planning to operate a daycare facility at this site.
2. PARKING: Uses within the PUD shall comply with the off-street parking and loading requirements. The recent changes in the parking regulations, going from required parking count to recommended parking count will allow this site to develop with their parking needs as opposed to meeting the previously required parking counts.
3. PHASES: There is not a phasing plan for this site. There is one building proposed and if approved the applicant plans to begin construction in a timely manner.
4. SITE PLAN/ACCESS: The site will have access via an existing common drive located on the south side of the lot. This is the access onto 24th Ave. NW for this site. With the Final Site Development Plan for University North Park Professional Center, filed with the County Clerk, there is shared circulation shown to be located on the east side of the properties.
5. AREA REGULATIONS: For each lot/area developed the applicant is responsible for accounting for their created stormwater run-off. For this site the stormwater run-off is proposed to be contained within an off-plat detention area located within the airport property to the east of this plat.
6. LANDSCAPING: The applicant will submit a landscape plan for the site and it will be reviewed and approved by the ARB as well as the City of Norman. In this case, the landscape strip adjacent to 24th Ave. NW will be five feet. Landscaping is the responsibility of the owner

of the lot – the landscaping will be bonded and inspected after three years to make sure all landscaping materials are still in good condition.

7. **SIGNAGE:** The UNP PUD has an overall Master Signage Plan. The UNP ARB reviews and approves all signage prior to the City of Noman issuing any permits.

8. **LIGHTING:** The outdoor lighting for the site will be reviewed and approved by the UNP ARB. Overall, the trend in the UNP area has been full cut-off fixtures and architecturally compatible.

ALTERNATIVES/ISSUES:

IMPACTS: This proposal will not create any negative impacts to the overall development of University North Park; this development was designed as a master development plan to accommodate traffic, parking and commercial and entertainment uses to accommodate the surrounding population.

Through the previous ordinance, Ordinance No. O-1415-45, this lot was approved with a 25' building setback line and a reduced landscape buffer of 5'. With this request, and due to the depth of the lot, the applicant is requesting to continue with the 25' building setback line and a reduced landscape buffer of 5' due to the depth of the lot configuration.

OTHER AGENCY COMMENTS:

- **PARK BOARD:** Parkland dedication is not required for this development.
- **PUBLIC WORKS:** All public improvements including utilities are existing or will be in place for the development of this subject lot.
- **FIRE:** Fire hydrants are existing, however, through the review of a building permit application additional improvements for fire protection may be required.

CONCLUSION:

Staff forwards this request to amend the existing UNP PUD to allow for a day care on the subject lot and Ordinance O-2122-21 to City Council for consideration.

Planning Commission, at their November 18, 2021 meeting, unanimously recommended adoption of Ordinance O-2122-21 by a vote of 6-0.