

KOMERS MINING DEVELOPMENT

**A PLANNED UNIT DEVELOPMENT
NORMAN, OKLAHOMA**

**APPLICANT:
*BRYAN & DONNA KOMERS***

**APPLICATION FOR:
PLANNED UNIT DEVELOPMENT**

Submitted October 31, 2022
Revised December 22, 2022

PREPARED BY:

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I. INTRODUCTION

Bryan and Donna Komers (collectively, the “**Applicant**”) intend to rezone the property that is more particularly described on **Exhibit A** (the “**Property**”) to a Planned Unit Development (“**PUD**”) in order to allow mining activities to occur on the Property in accordance with the development regulations contained in this PUD. By adding mining as an allowable use, the Applicant may serve the community by providing needed dirt and minerals to business and individual users within the surrounding community. The Property contains approximately forty (40) acres, and a site plan consisting of the existing aerial of the Property is attached hereto as **Exhibit B**. No buildings or structures are contemplated to be constructed on the Property at this time.

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

A. Location

The Property is generally located along Etowah Road between 96th Avenue SE and 108th Avenue SE, with an address of 10001 Etowah Road, as is more particularly shown on the attached exhibits.

B. Existing Land Use and Zoning

The Property is currently zoned A-2, Rural Agricultural District. Additionally, the Property currently has a NORMAN 2025 designation of Country Residential. There are no structures on the Property.

C. Elevation and Topography

The Property is essentially flat with the elevation gradually sloping from the West to the East.

D. Drainage

The drainage on the Property shall remain unchanged. Stormwater and drainage will meet or exceed the City’s applicable ordinances and regulations.

E. Utility Services

No change to utility services is necessary. The Property utilizes well and septic facilities located on site, in accordance with all applicable regulations and ordinances relating thereto.

F. Fire Protection Services

No change is necessary. Fire Protection services will be provided by the City of Norman Fire Department and by the Applicant as such are required by applicable City codes, ordinances, and/or regulations.

G. Traffic Circulation and Access

No change to traffic circulation or access is requested; however, the existing drive approach will be improved to comply with the City's applicable standards.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Property shall be developed in compliance with the Site Development Plan, attached hereto as **Exhibit B**, subject to final design development and the changes allowed by Section 22.420(7) of the City of Norman's PUD Ordinance, as may be amended from time to time. The Exhibits attached hereto, and as submitted on behalf of the Applicant, are incorporated herein by reference and further depict the development criteria for the Property.

A. Uses Permitted:

The Property is currently zoned A-2, Rural Agricultural District. This PUD seeks to retain the existing allowable uses permissible in the Rural Agricultural District, while adding dirt mining activities as an additional allowable use. The complete list of the allowable uses for the Property is attached as **Exhibit C**. Dirt mining activities may only be conducted on the Property between the hours of 8:00am – 8:00pm. No mining activities will occur within easement areas depicted on the Site Development Plan.

B. Development Criteria:

1. Area Regulations

Front Yard: The minimum front yard shall be 50 feet or 100 feet from the center line of the public street or road, whichever distance shall be the greater.

Side Yard: The minimum side yard shall be 25 feet.

Rear Yard: The minimum rear yard shall be 50 feet.

Lot Width: The minimum width shall be 330 feet measured at the front building line.

Coverage: Main and accessory buildings shall not cover more than twenty-five percent (25%) of the lot area. Accessory buildings shall not cover more than twenty percent (20%) of the rear yard.

2. Sanitation

The Property will continue to utilize existing polycart services as the proposal does not require any additional City sanitation services. If additional sanitation services become necessary on the Property, the Applicant will work with City sanitation services to find a suitable dumpster location.

3. Signage

All signs shall comply with the sign standards of the City of Norman Sign Code as applicable to a zoning of A-2, Rural Agricultural District, and as amended from time to time.

4. Traffic access and circulation

Access to the Property shall be permitted off Etowah Road in the location that currently exists and as is depicted on the attached Site Plan. The existing drive approach will be improved to comply with the City's applicable standards.

5. Open Space

The Property shall maintain a minimum of ten percent (10%) of the Property as open space in accordance with the City of Norman's PUD Ordinance. It is noted that no buildings currently exist on the Property, and none are contemplated by this PUD.

6. Parking

The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

7. Fencing, Walls and Screening

Fencing is permissible along the perimeter of the Property, but is not required. Where installed, fencing may be barbed wire, stockade, or other material and shall otherwise comply with all City of Norman requirements, and as amended from time to time, not inconsistent with this paragraph. It is anticipated that the entrance to the Property will be gated.

EXHIBIT A

Legal Description of the Property

The Surface Rights Only in and to the East one-half (E/2) of the Southwest Quarter (SW1/4) of Section 22 (22), Township Eight North (8N), Range 1 West (1W), of the Indian Meridian; less and except a tract of land described as follows:

Beginning at the Southeast (SE) corner of said Southwest Quarter (SW1/4), thence North 2640 feet, thence West 656.95 feet, thence South 2665.39 feet, thence East 664.86 feet to the point of beginning containing 40 acres more or less.

Subject to all rights-of-way and easements of record and contains forty (40) acres more or less.

EXHIBIT B
Site Plan

Key: Yellow Boundary Represents Property Line
Red Areas Represent Easements



EXHIBIT C
Allowable Uses

Allowable Uses:

- a) Commercial Dirt Mining Activities conducted on the Property between the hours of 8:00am – 8:00pm.
- b) Detached one family dwelling.
- c) Church, temple, or other place of worship.
- d) Public school or school offering general educational courses the same as ordinarily given in the public schools and having no rooms regularly used for housing or sleeping.
- e) Agricultural crops.
- f) The raising of farm animals.
- g) All of the following uses:
 - Country club.
 - Family day care home.
 - Golf course (excluding miniature golf courses).
 - Home occupation.
 - Library.
 - Park or playground.
 - Plant nursery.
- h) Accessory buildings, including barns, sheds and other farm buildings which are not part of the main building. One guest house may be utilized provided (a) it is clearly secondary to the larger main dwelling; (b) the structure is not rented or leased, nor used as a permanent dwelling; and (c) is not a mobile home.
- i) Type 2 mobile home.
- j) Medical Marijuana Commercial Grower, as allowed by state law. (O-1920-4)
- k) Medical Marijuana Education Facility (cultivation activities only), as allowed by state law. (O-1920-4)
- l) Short-term rentals. (O-1920-56)