



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 06/13/2024

**REQUESTER:** University North Park, L.L.C.

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

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-35: 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 THE PART OF THE EAST HALF (E/2) OF SECTION FOURTEEN (14), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED EAST OF I-35 BETWEEN CORPORATE CENTER DRIVE AND ROCK CREEK ROAD)

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**APPLICANT/REPRESENTATIVE:** University North Park, L.L.C./Rieger Law Group, P.L.L.C.

**WARD:** 8

**CORE AREA:** No

**BACKGROUND:** The applicant requests rezoning from PUD, Planned Unit Development, Ordinance O-0607-13, to a new PUD, Ordinance O-2324-35, for approximately 90 acres. The property is currently vacant. The new PUD would allow for single-family residential, townhomes, multi-family, and commercial uses, including a multipurpose event venue and live outdoor entertainment.

This rezoning application is accompanied by a request for a preliminary plat. This project was previously zoned in 2006 and a preliminary plat was never submitted for the property north of Rock Creek Road. The applicant would like to move forward with the development and has brought forth the current applications for rezoning and preliminary platting.

A related item on this same agenda is the Planning Commission's consideration of PCR-2324-2, a Resolution determining that the Rock Creek Entertainment District Project Plan, including related TIF proposals, is in conformance with the City of Norman's Comprehensive Plan, and recommending adoption of the Plan to City Council.

## **PROCEDURAL REQUIREMENTS:**

### **GREENBELT MEETING: GBC 23-28, November 21, 2023**

The Greenbelt Commission recommended approval with the recommendation to have a pedestrian crosswalk to connect the Legacy Trail (south side of Rock Creek Rd.) to the UNP Entertainment District.

### **PRE-DEVELOPMENT: PD23-39, November 30, 2023**

The applicant explained the rezoning process and details of the entertainment district project to attendees. An attendee asked who the developer was for this project. Applicant explained they are still working on the rezoning process and do not have a developer yet. An attendee asked about the Traffic Plan. The project's traffic engineer consultant explained more details. Another concern of attendees was parking. The applicant explained there will be a parking garage to limit surface parking and incentivize pedestrian walkability. An attendee asked about the distance to the Max Westheimer Airport. The applicant confirmed the development is a safe distance from the airport. Attendees asked about financing and timeframe details; the applicant needs to verify information on these topics and mentioned they are focusing on the rezoning process.

### **BOARD OF PARKS COMMISSIONERS:**

Parks staff recommended to support the developer's request for a private parkland decision, provided that a combination of active and passive space is included in the planning of the private parkland. Please see the attached report and exhibits. The decision was unanimous for private parkland by a vote of 7-0.

### **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 Urban Residential, Area 2 is High Density Residential, and Area 3 is Commercial.

**SITE PLAN/ACCESS:** The proposed site plan shows six access points from 24<sup>th</sup> Ave. N.W. Three access points are shown off Corporate Centre Dr. Two access points are proposed off Rock Creek Rd. Three more access points are proposed off Interstate Dr. The northwest corner of the development, shown as Development Area 1, is designated for single-family or townhome residential. The area north of Radius Way between 24<sup>th</sup> Ave. N.W. and Interstate Dr., shown as Development Area 2, is designated as multi-family residential. The area south of Radius Way and north of Rock Creek Rd. is the commercial area. This includes the proposed arena/event venue.

The PUD Narrative states Development Area 1 will contain approximately 37 residential lots; each lot may contain one main dwelling and one accessory dwelling unit. Development Area 2 will have a density of 758 multi-family dwelling units and 24 townhomes. The area regulations for each Development Area are detailed in Ill. B. Area Regulations.

Building heights in the development must comply with regulations from the Federal Aviation Administration and the Oklahoma Department of Aerospace and Aeronautics.

**OPEN SPACE:** The PUD Narrative and Exhibits describe the current proposed open space as 24% of the PUD. It is noted that the actual allotment of open space may be a minimum of 10% of the PUD, which is less than shown on the Greenspace Exhibit.

**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. All parking spaces may be 18' by 9'. A parking structure is proposed to the northwest of the arena in Development Area 3.

**LANDSCAPING:** As applicable, landscaping will be installed and maintained according to Section 36-551, Landscaping Requirements for Off-Street Parking Facilities. 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 permitting for each site.

**SIGNAGE:** Signage allowances for the development are outlined in Exhibit F, Development Signage Allowances.

**LIGHTING:** Except for the allowances enumerated in Exhibit F for Development Area 3, and the exempt entertainment plazas discussed below, all other exterior lighting within Development Areas 2 and 3 shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards (Section 36-549), as amended from time to time. The allowances include large-scale architectural lighting and aerial view signs.

**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 and control the exterior materials and aesthetics of the buildings to be developed within the Property through the use of private design guidelines and restrictive covenants.

**PHASING:** The PUD Narrative contains Exhibit G, Preliminary Phasing Plan. This details the anticipated phasing of the development. It is divided into three phases. The applicant has provided that, through phasing, the applicant may utilize multiple transaction types within the entire property, including, but not limited to, selling, leasing, and otherwise conveying lots, buildings, and dwelling units with the Property.

**EXISTING ZONING:** The existing zoning for the subject property is PUD Ordinance O-0607-13. The existing PUD does not allow for the arena/event venue use or the single-family/townhome residential uses.

#### **ALTERNATIVES/ISSUES:**

**IMPACTS:** According to the Transportation Impacts form prepared by the City Transportation Engineer, no traffic operational issues are anticipated due to the development assuming improvements are in place to support this intense level of development. These improvements are detailed in the attached report.

In the proposed PUD Narrative, the Applicant is requesting an exception for Development Area 3 from applicability of the City's Noise Ordinance and Commercial Outdoor Lighting Standards. Any impacts on neighbors would thus be enforceable principally through private means.

**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. Two water recouplement projects are currently in effect for the proposed development area and payment of the fees will be required at final platting for residential construction and at building permitting for non-residential construction. 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 90 acres, and Ordinance O-2324-35 to the Planning Commission for consideration and recommendation to City Council.