

**1027 AND 1035 S. BERRY ROAD
NORMAN OK**

SIMPLE PLANNED UNIT DEVELOPMENT

APPLICANT:

SOONER TRADITIONS, L.L.C.

APPLICATION FOR:

SIMPLE PLANNED UNIT DEVELOPMENT

Submitted August 1, 2023
Revised September 26, 2023

PREPARED BY:

RIEGER LAW GROUP PLLC
136 Thompson Drive
Norman, Oklahoma 73069

TABLE OF CONTENTS

I. INTRODUCTION

Background and Intent

II. PROPERTY DESCRIPTION/EXISTING PROPERTY CONDITIONS

- A. Location
- B. Existing Land Use and Zoning
- C. Elevation and Topography
- D. Utility Services
- E. Fire Protection Services
- F. Traffic Circulation and Access
- G. Fencing

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Permitted Uses
- B. Area Regulations
- C. Open Space
- D. Traffic Access, Circulation, Sidewalks
- E. Landscaping/Tree Preservation
- F. Signage
- G. Lighting
- H. Fencing
- I. Height
- J. Parking
- K. Exterior Materials

EXHIBITS

- A. Site Development Plan
- B. Allowable Uses
- C. Open Space Diagram

I. INTRODUCTION

This Simple Planned Unit Development (the “**SPUD**”) is being submitted for the property located at the Northeast corner of the South Berry Road and West Lindsey Street intersection, which is commonly known as 1027 and 1035 S. Berry Road, Norman, OK (the “**Property**”). The Property consists of one platted lot that was subdivided through different zoning requests over time. This request seeks to return the zoning classification and use of the Property back to a one single platted lot. Currently, the south half of the Property is zoned CO, Suburban Office Commercial District, and the north half is zoned R-1, Single-Family Dwelling District. However, the properties on all three other corners of the Lindsey Street and Berry Road intersection are all NORMAN 2025 Planned Commercial, and zoned C-1 or C-2 Commercial districts. The Applicant seeks to develop a restaurant on the Property that will improve the area and appropriately utilize an essential intersection in Norman, while ensuring compatibility with nearby residential areas.

II. PROPERTY DESCRIPTIONS; EXISTING CONDITIONS

A. Location

The Property is located at the Northeast corner of the South Berry Road and West Lindsey Street intersection, which is commonly known as 1027 and 1035 S. Berry Road, Norman, Oklahoma.

B. Existing Land Use and Zoning

The south half of the Property is currently zoned CO, Suburban Office Commercial District and the north half of the Property is zoned R-1, Single-Family Dwelling District. The south half of the Property is currently designated on NORMAN 2025 as Office and the north half of the Property is designated Low Density Residential. As noted above, all other corners of the Lindsey Street and Berry Road intersection are NORMAN 2025 Planned Commercial, and zoned C-1, Local Commercial or C-2, General Commercial.

C. Elevation and Topography; Drainage

The Property gently slopes southwest. No portion of the Property is in the FEMA 100-year flood plain or the WQPZ. The Applicant will utilize low impact development techniques (“LIDs”) and best management practices (“BMPs”) in the development of the Property to control stormwater runoff.

D. Utility Services

The necessary utility services for this project are already located on or near the Property as this is an already developed location.

E. Fire Protection Services

Fire protection services are as provided by the City of Norman Fire Department and per the City of Norman regulations for such. If required, fire hydrants will be installed on or near the Property in compliance with the applicable provisions of Norman's fire and building codes.

F. Traffic Circulation and Access

There are currently three access points on South Berry Road for the Property.

G. Fencing

The Property currently has no boundary fencing.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Property shall be developed in conformance with the Site Development Plan, attached hereto as **EXHIBIT A**, subject to final design development and the changes allowed by Section 36-510 of the City of Norman's Municipal Code, as may be amended from time to time. The exhibits attached hereto are incorporated herein by reference.

A. Uses Permitted

This SPUD will retain the Property's existing allowable uses, with the addition of restaurant and associated uses depicted on the Site Development Plan. An exhaustive list of the allowable uses for the Property is attached hereto as **EXHIBIT B**. The restaurant building that is planned to be constructed on the Property shall contain no more than 5,000 square feet of conditioned interior space. The patio space shall be in addition to the size limitation enumerated in the preceding sentence.

B. Area Regulations

North Setback: If the Property is developed as a restaurant pursuant to this SPUD, there shall be a minimum of 190' foot building setback from the North property line. If the Property is developed under one of the other allowable uses enumerated on Exhibit B, there shall be a minimum ten (10') foot building setback from the North property line for residential uses. If an office use is developed, the building shall only be allowed within the South half of the Property.

South Setback: If the Property is developed as a restaurant pursuant to this SPUD, there shall be a minimum twenty-five (25') foot building setback from the South property line, provided that the outdoor patio deck may be built all the way to the

property line. If the Property is developed under one of the other allowable uses enumerated on Exhibit B, there shall be a minimum ten (10') foot building setback from the South property line.

East Setback: If the Property is developed as a restaurant pursuant to this SPUD, there shall be a minimum forty-five (45') foot building setback from the East property line. If the Property is developed under one of the other allowable uses enumerated on Exhibit B, there shall be a minimum ten (10') foot building setback from the East property line.

West Setback. There shall be a minimum twenty-five (25') foot building setback from the West property line, provided that the outdoor patio deck may be built all the way to the property line.

The building setbacks enumerated herein shall be applicable to vertical habitable or occupiable structures.

C. Open space and green space

The impervious area for the Property shall not exceed 75%. There shall be a minimum twenty-five (25') foot landscape buffer along the West property line, except for the deck area around the building, a minimum eighteen (18') foot landscape buffer along the North property line, and a minimum ten (10') foot landscape buffer along the East property line. Notwithstanding the foregoing, some improvements, such as, but not limited to, the patio deck area, pedestrian bike access path, sidewalks, architectural benches and features, and/or a paved walkway around the building, may encroach within the landscape buffers in the manner shown on the Site Development Plan. Additionally, the Applicant will utilize low impact development techniques ("LIDs") and best management practices ("BMPs") in the development of the Property. The locations and types of LIDs and BMPs are subject to modification during final site development.

D. Traffic access/circulation/sidewalks

There are currently three access points on South Berry Road for the Property, which as noted above is currently being used as if it were two separate lots. The Applicant proposes removing two of those access points, relocating one of them farther north, and providing a new access point on Lindsey Street. New sidewalks would be installed along Berry Road frontage. The access point from Lindsey Street shall be restricted access of right in, right out only.

E. Landscaping/Tree Preservation

Trees shall be preserved by the Applicant, when possible, to fit the proposed site plan. If the Applicant needs to remove a mature tree in order to facilitate the development of the Property per the site plan, the Applicant shall plant two (2) trees, minimum two-inch caliper, on the Property, in a location to be determined by

the Applicant. Additionally, no trees located within the public right of ways, will be removed by the Applicant unless one or more of the following circumstances apply: (i) a tree needs to be removed or altered in order to comply with Norman's City Ordinances, as amended from time to time; (ii) a tree(s) needs to be removed to allow for installation of the new sidewalk and entry drive approaches, utility installation, bus stop changes, or other infrastructure modifications; or (iii) a tree is a dangerous tree or diseased or infected tree as defined in Article X of Chapter 16 of the City of Norman's Code of Ordinances, as amended from time to time.

F. Signage

If the Property is developed as a restaurant pursuant to this SPUD, the Property may feature signage that complies with the City of Norman's sign code for commercial uses, as may be amended from time to time. If the Property is developed as any of the other allowable uses enumerated in Exhibit B, the north half of the Property will comply with the City of Norman's sign code for low density residential uses and the south half of the Property will comply with the City of Norman's sign code for office uses.

G. Lighting

The Applicant shall meet the City of Norman's Commercial Outdoor Lighting Standards, as amended from time to time. The Property will endeavor to utilize low level and/or shielded directional LED lighting in the parking lot areas, to the extent reasonably feasible to maintain appropriate level of lighting for safe pedestrian and vehicular use.

H. Fencing

The Property currently has no boundary fencing. The Property will feature an eight (8') foot brick and/or masonry screen wall along the North boundary of the Property and along the East boundary of the Property in the areas shown on the Site Development Plan. No other fencing is required on the Property.

I. Height

Height shall be restricted to no more than one (1) story for all building structures.

J. Parking

The Property shall comply with Norman's applicable parking ordinances, as amended from time to time. Additionally, bike racks will be provided on the Property to encourage and support multi-modal transportation to and from the development. Notwithstanding the foregoing, the Property shall not exceed 83 parking spaces.

K. Exterior Materials

Exterior materials of the building to be constructed on the Property may be brick, glass, stone, synthetic stone, stucco, EIFS, masonry, metal accents, composition shingles, synthetic slate shingles, metal roofs, or other comparable roofing materials, and any combination thereof.

EXHIBIT A
Site Development Plan
Full Size PDF Provided to City Staff



 Preliminary Site Development Plan

EXHIBIT B

Allowable Uses

- Restaurant, with associated outdoor patio, parking, and ancillary uses.
- Detached one-family dwelling.
- Office building and OFFICE use (*on the south half of the Property only*).

EXHIBIT C
 Open Space Diagram
Full Size PDF Provided to City Staff

