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ORDINANCE NO. O-2324-12

ITEM NO. 7

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	Sooner Traditions, L.L.C.
REQUESTED ACTION	Rezoning to SPUD, Simple Planned Unit Development District
EXISTING ZONING	CO, Suburban Office Commercial District and R-1, Single Family Dwelling District
SURROUNDING ZONING	North: R-1, Single Family Dwelling District East: R-1, Single Family Dwelling District South: C-2, General Commercial District and R-1, Single Family Dwelling District West: O-1, Office Institutional District and C-1, Local Commercial District
LOCATION	Northeast corner of W. Lindsey St. and S. Berry Rd. (1027 & 1035 S. Berry Rd.)
WARD	4
CORE AREA	Yes
AREA/SF	1.33 acres more or less
PURPOSE	Restaurant
EXISTING LAND USE	Vacant (R-1 zoning) and Office (CO zoning)
SURROUNDING LAND USE	North: Single-Family Residential East: Vacant South: Commercial and Single-Family Residential West: Commercial
LAND USE PLAN DESIGNATION	Low Density Residential and Office
PROPOSED LAND USE DESIGNATION	Commercial

**PROJECT OVERVIEW:** The applicant, Sooner Traditions, L.L.C. is requesting to rezone the subject tract from R-1, Single Family Dwelling District (1027 S. Berry Rd.), and CO, Suburban Office Commercial District (1035 S. Berry Rd.), to SPUD, Simple Planned Unit Development District, to allow for a commercial shopping center. The site consists of one lot on 1.33 acres. The proposed development will follow a site plan and a SPUD Narrative; see attached. The applicant is requesting a SPUD; the SPUD will establish limitations on building height and requirements for tree replacement. The applicant is limiting the building height to no more than one story and establishing replacement guidelines for removal of mature trees.

**PROCEDURAL REQUIREMENTS:**

**GREENBELT MEETING:** GBC23-22, August 18, 2023

Greenbelt forwards this item with no additional comments.

**PRE-DEVELOPMENT MEETING:** PD23-25, July 13, 2023

The applicant's attorney and architect reviewed the project and site plan. Attendees had questions regarding the traffic this project will create and how it will affect traffic on S. Berry Rd. They would like to see a right-turn only onto S. Berry Rd. but a two-way is proposed. The applicant explained a traffic memo would be prepared. Attendees asked if the only use that will be allowed will be a restaurant. The applicant explained all possible uses for the site will be included in the SPUD Narrative. Attendees voiced concerns regarding noise and lighting. They also expressed concern for the build line shown on the site plan. The applicant explained it would be edited before Planning Commission.

**BOARD OF PARKS COMMISSIONERS:** n/a

This application is not required to go to the Board of Parks Commissioners.

**ZONING ORDINANCE CITATION:**

SEC 36-510 – SIMPLE PLANNED UNIT DEVELOPMENTS

1. General Description. The Simple Planned Unit Development referred to as SPUD, is a special zoning district that provides an alternate approach to the conventional land use controls and to a PUD, Planned Unit Development to maximize the unique physical features of a particular site and produce unique, creative, progressive, or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed, according to a SPUD Narrative and a Development Plan Map and contains less than five (5) acres.

The SPUD is subject to review procedures by Planning Commission and adoption by City Council.

2. 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 comprehensive plan of record. In addition the SPUD provides for the following:

Encourage efficient, innovative use of land in the placement and/or clustering of buildings in a development and protect the health, safety and welfare of the community.

Contribute to the revitalization and/or redevelopment of areas where decline of any type has occurred. Promote infill development that is compatible and harmonious with adjacent uses and would otherwise not be an area that could physically be redeveloped under conventional zoning.

Maintain consistency with the City's Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

Approval of a zone change to a SPUD adopts the Master Plan prepared by the applicant and reviewed as a part of the application. The SPUD establishes new and specific requirements for the amount and type of land use, residential densities, if appropriate, development regulations and location of specific elements of the development, such as open space and screening.

**STAFF ANALYSIS:** The particulars of this SPUD include:

**USE:** The SPUD Narrative includes the following uses:

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

**OPEN SPACE:** The impervious area for the subject 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.

**SITE PLAN/ACCESS:** The proposed site plan shows one access point on S. Berry Rd. This access point leads to a shared access point with the property to the east. There is a one-way in/out access point on W. Lindsey St. There are 83 parking spaces proposed. The proposed restaurant is approximately 5,000 square feet with a deck extending around the west and south sides. The existing bus stop is shown to remain.

**LANDSCAPING:** The SPUD Narrative discusses tree preservation and states the applicant will plant two trees, minimum two-inch caliper, should any one mature tree need to be removed.

**SIGNAGE:** If the property is developed as a restaurant, the signage will follow commercial sign code regulations. If the property is developed as any other use, the north half will comply with the low density residential sign code regulations and the south half will comply with office sign code regulations.

**LIGHTING:** The development will meet the City's Commercial Outdoor Lighting Standards ordinance requirements.

**SANITATION:** An enclosed dumpster is shown on the site plan directly to the east of the proposed building.

**PARKING:** The proposed site plan shows 83 parking spaces. The SPUD Narrative states the development will not exceed 83 parking spaces.

**SIDEWALKS:** Sidewalks are proposed along the street frontages of S. Berry Rd. and W. Lindsey St.

**EXTERIOR BUILDING MATERIALS:** The SPUD Narrative states the building may have exterior materials of any combination of the following: brick, glass, stone, synthetic stone, stucco, EFIS, masonry, metal accents, composition shingles, synthetic slate shingles, metal roofs, or other comparable roofing materials.

**FENCING:** The subject property will feature an 8' brick and/or masonry screening wall along the north and east property lines. No other fencing is required.

**HEIGHT:** The SPUD Narrative states the height of the proposed building is restricted to one story.

**EXISTING ZONING:** This site was subdivided by warranty deed many years ago; legally this area is one lot with two zonings. The north portion, 1027 S. Berry Rd., has been zoned R-1, Single-Family Dwelling District, since February 22, 1955. The south portion, 1035 S. Berry Rd. was rezoned to CO, Suburban Office Commercial, on July 7, 1981. The City has received applications to rezone/redevelopment this property previously, however, nothing has been approved to date. The use of a restaurant is not allowed in either of the existing zoning districts.

**ALTERNATIVES/ISSUES:**

**IMPACTS:** The property is already platted so a Traffic Impact Analysis (TIA) is not required. However, a Traffic Impact Memo was submitted by the applicant to the City Traffic Engineer for review. The study showed that there will be minimal impact on the traffic in the area. There are two access points proposed for this development, one located on S. Berry Rd. and one located on W. Lindsey St. Please see the Traffic Memo and report from the City of Norman Traffic Engineer. This is a reduction of curb cuts from three down to two.

**OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT:** Fire review will be completed with the submittal of a building permit.

**PUBLIC WORKS/ENGINEERING:** The property is platted and all rights-of-way and easements have been dedicated. All public improvements are installed and accepted. Stormwater will continue to sheet flow to the south and west across the site as it has historically. Low Impact Development Techniques such as bioretention swales, rain gardens, flow through planters, and tree wells will be utilized to increase storm water infiltration and water quality.

**TRAFFIC ENGINEER:** Please see the attached Traffic Impact Review memo from TEC. In addition, please see the attached report, Development Review Form, Transportation Impacts, from the Traffic Engineer with the City of Norman.

**UTILITIES:** No additional comments from Utilities at this time.

**CONCLUSION:** Staff forwards this request for rezoning from R-1, Single-Family Dwelling District, and CO, Suburban Office Commercial District, to SPUD, Simple Planned Unit Development, and Ordinance No. O-2324-12 to the Planning Commission for consideration and recommendation to City Council.