

CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Thursday, December 08, 2022 at 6:30 PM

AGENDA

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

NOTICE: The requested rezoning items appearing on this Planning Commission Agenda were filed by the applicant at least 30 days ago. Legal notice for each rezoning item was published in The Norman Transcript and mailed to each property owner of record within a minimum of 350 feet of each rezoning request.

Planning Commission will hold a public hearing on these items tonight, and each item upon which action is taken will be forwarded to the City Council with a recommendation. It should be recognized that the Planning Commission is a recommendatory body and that the City Council may, or may not, concur with the Planning Commission's recommendation. Therefore, it is important to note that all items forwarded by the Planning Commission will be introduced and heard at a subsequent City Council meeting.

PUBLIC WIFI – CONNECT TO CITYOFNORMANPUBLIC – PASSWORD: April1889.

Planning Commissioners: Cameron Brewer, Kevan Parker, Liz McKown, Steven McDaniel, Erica Bird, Doug McClure, Jim Griffith, Shaun Axton, and Michael Jablonski

ROLL CALL

CONSENT ITEMS

This section is placed on the agenda so that the Planning Commission, by unanimous consent, may designate those items that they wish to approve by one motion. Any of these items may be removed from the Consent Docket and be heard in its regular order.

Minutes

1. Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the November 10, 2022 Regular Planning Commission Meeting.

NON-CONSENT ITEMS

Midway Grocery, Inc.

2. Consideration of Adoption, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-14: Midway Grocery, Inc. requests rezoning from C-1, Local Commercial District, to SPUD, Simple Planned Unit Development, for 0.234 acres of property located at 601 W. Eufaula Street.

This item has been withdrawn by the applicant.

Subtext Acquisitions, L.L.C.

3. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of R-2223-54: Subtext Acquisitions, L.L.C. requests amendment of the NORMAN 2025 Land Use Plan from Commercial Designation to High Density Residential Designation for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.
4. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of O-2223-17: Subtext Acquisitions, L.L.C. requests rezoning from C-2, General Commercial District, to PUD, Planned Unit Development, for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.
5. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of PP-2223-4: Consideration of a Preliminary Plat submitted by Subtext Acquisitions, L.L.C. (Kimley-Horn) for THE VERVE NORMAN for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.

Ordinance Amendments

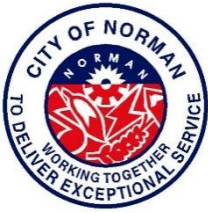
6. Consideration of Approval, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-20: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 5-401 (1) CARPORT DEFINITION, AMENDING SECTION 5-403 OF ARTICLE IV OF CHAPTER 5 ("BUILDING CONSTRUCTION") TO ADD REGULATIONS FOR CONSTRUCTION OF CARPORTS, AND DELETING SECTION 22-431.10 ("RESIDENTIAL CARPORTS") IN CHAPTER 22 ("ZONING ORDINANCE"); AND AMENDING SECTION 22-441 ("BOARD OF ADJUSTMENT") TO CHAPTER 22 ("ZONING ORDINANCE") TO REMOVE THE SPECIAL EXCEPTION REQUIREMENT FOR CARPORTS IN CHAPTER 22 ("ZONING ORDINANCE"); OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH NEW CARPORT STANDARDS IN ARTICLE IV OF CHAPTER 5; AND PROVIDING FOR THE SEVERABILITY THEREOF.

MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF

ADJOURNMENT

File Attachments for Item:

1. Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the November 10, 2022 Regular Planning Commission Meeting.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: December 8, 2022

REQUESTER: Roné Tromble, Admin. Tech. IV

PRESENTER: Roné Tromble, Admin. Tech. IV

ITEM TITLE: Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the November 10, 2022 Regular Planning Commission Meeting.

ACTION NEEDED: Approve, amend, reject, or postpone the minutes of the November 10, 2022 Regular Planning Commission Meeting.



CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Thursday, November 10, 2022 at 6:30 PM

MINUTES

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 10th day of November, 2022.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> at least twenty-four hours prior to the beginning of the meeting.

Chair Erica Bird called the meeting to order at 6:31 p.m.

ROLL CALL

PRESENT

Cameron Brewer
Kevan Parker
Liz McKown
Steven McDaniel
Erica Bird
Doug McClure
Jim Griffith
Shaun Axton
Michael Jablonski

A quorum was present.

STAFF MEMBERS PRESENT

Jane Hudson, Director, Planning & Community Development
Colton Wayman, Planner I
Beth Muckala, Assistant City Attorney
Todd McLellan, Development Engineer
Jami Short, Traffic Engineer
Bryce Holland, Multimedia Specialist
Roné Tromble, Recording Secretary

1. Election of Secretary for Remainder of 2022

Motion made by McKown, Seconded by McDaniel, to nominate Michael Jablonski as Secretary for the remainder of 2022.

Voting Yea: Brewer, Parker, McKown, McDaniel, Bird, McClure, Griffith, Axton, Jablonski

The motion, to appoint Michael Jablonski as Secretary for the remainder of 2022, carried by a vote of 9-0. Item 1.

CONSENT ITEMS

Mr. Axton asked to be recused from Item 2 and vacated his seat.

Motion made by Brewer, Seconded by Griffith, to adopt the Consent Items as presented.

Voting Yea: Brewer, Parker, McKown, McDaniel, Bird, McClure, Griffith, Jablonski

The motion, to adopt the Consent Items as presented, was approved by a vote of 8-0.

Minutes

1. Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the October 13, 2022 Regular Planning Commission Meeting.

The minutes were approved on the Consent Docket by a vote of 8-0.

Short Form Plats

2. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of SFP-2223-1: Consideration of a Short Form Plat submitted by Pacific Investment Group, L.L.C. (Shaun Axton) for REPLAT OF RONIN NO. 1 ADDITION for approximately 0.658 acres of property located at the northeast corner of North Porter Avenue and East Robinson Street.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Short Form Plat
3. Staff Report

SFP-2223-1 was approved on the Consent Docket by a vote of 8-0.

Mr. Axton returned to his seat.

NON-CONSENT ITEMS**Premium Land, L.L.C.**

3. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of R-2223-53: Premium Land, L.L.C. requests amendment of the NORMAN 2025 Land Use Plan from Low Density Residential Designation and Office Designation to Mixed Use Designation for approximately 79.88 acres of property generally located north of Indian Hills Road between 48th Avenue NW and 36th Avenue NW.

ITEMS SUBMITTED FOR THE RECORD:

1. 2025 Map
2. Staff Report

And

4. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of O-2223-16: Premium Land, L.L.C. requests rezoning from R-1, Single Family Dwelling District, and CO, Suburban Office Commercial District, to PUD, Planned Unit Development, for approximately 79.88 acres of property generally located north of Indian Hills Road between 48th Avenue NW and 36th Avenue NW.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Gateway Park and Trails
4. Redlands PUD Narrative with Exhibits A-E
5. Preliminary Plat
6. Preliminary Plat-Conceptual Site Plan
7. Preliminary Phasing Plan
8. Preliminary Site Development Plan
9. Open Space Plan

And

5. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of PP-2223-3: Consideration of a Preliminary Plat submitted by Premium Land, L.L.C. (Crafton Tull) for REDLANDS ADDITION for approximately 79.88 acres of property generally located north of Indian Hills Road between 48th Avenue NW and 36th Avenue NW.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Plat-Conceptual Site Plan

PRESENTATION BY STAFF: Mr. Wayman reviewed the staff report, a copy of which is filed with the minutes.

Mr. Griffith asked whether the proposed parkland dedication meets or exceeds the requirement. Mr. Wayman believes it meets the requirement. Ms. Hudson added there is 2.66 acres dedicated at the northeast corner.

PRESENTATION BY THE APPLICANT:

Gunner Joyce, Rieger Law Group, representing the applicant, presented the project.

Mr. Parker asked for clarification of the Gateway Park and Trails with regard to the subject tract. Mr. Joyce responded. Mr. Parker asked about parking for the trailhead. Mr. Joyce said the parkland will be dedicated as City parkland, so the final design of the park will be done by the City. Ms. Hudson discussed her understanding of the original plan.

Mr. Parker asked what happens to Indian Hills Road if the turnpike comes through. B.J. Hawkins, Traffic Engineering Consultants, explained that if it goes through, Indian Hills would become a frontage road.

AUDIENCE PARTICIPATION:

Adam Ross, 3308 Winchester Circle, spoke with regard to his preferences for the area and made some recommendations.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Mr. Jablonski asked about planned trees throughout the development. Mr. Joyce responded they will meet or exceed the requirement for landscaping and trees.

Mr. Brewer asked about the square footage to parking ratios. Kendall Dillon, Crafton Tull, responded.

Mr. Brewer asked if there has been any consideration of additional connections within the neighborhood, specifically pedestrian and biking connections. Mr. Joyce responded.

Ms. Bird asked about the shape of the dedicated park space, and the area behind some of the houses. Mr. Joyce responded.

Ms. Bird asked how much open space would be lost if there was an eminent domain situation with the turnpike and how that would affect the site. Mr. Joyce responded.

Mr. Jablonski spoke regarding the amount of open space, and in favor of connecting the green space to the lot to the west.

Mr. Brewer spoke in support of reducing parking and increasing connectivity internal to the development, and suggested making some of the recommendations part of the motion.

Mr. Axton suggested modifying the area around the drainage easement to make it common area.

Mr. McDaniel asked who owns the property to the west. If the property to the west did not make provision in their PUD for greenspace, how would that benefit this owner? Mr. Joyce responded that the applicant is open to considering a connection to the west.

Ms. Bird commented on the idea of a connection to the west, and costs involved in making changes to the plans. Mr. Joyce responded.

Mr. Parker suggested maybe moving a couple of the lots at the northwest part of the tract to another area in order to make the open space connection possible. Ms. Bird agreed with that suggestion. Mr. Joyce indicated they are open to that suggestion.

Ms. Bird noted that Parks Board has made a recommendation based on the current plat, so they may have to return to Parks Board to make a change for anything that would be a publicly dedicated park; however, common area could be treated differently.

Ms. Bird also commented that she would like to see less parking.

Motion made by Brewer, Seconded by Jablonski, to recommend adoption of Resolution No. R-2223-53, Ordinance No. O-2223-16, and PP-2223-3 to City Council, with the recommended conditions of a reduction in parking, exploring a connection to the west of the property, and exploring additional connectivity internal to the property.

Voting Yea: Brewer, Parker, McKown, McDaniel, Bird, McClure, Griffith, Axton, Jablonski

The motion, to recommend adoption of R-2223-53, O-2223-16, and PP-2223-3 to City Council with recommended conditions, was approved by a vote of 9-0.

Subtext Acquisitions, L.L.C.

6. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of R-2223-54: Subtext Acquisitions, L.L.C. requests amendment of the NORMAN 2025 Land Use Plan from Commercial Designation to High Density Residential Designation for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.

ITEMS SUBMITTED FOR THE RECORD:

1. 2025 Map
2. Postponement Memo

And

7. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of O-2223-17: Subtext Acquisitions, L.L.C. requests rezoning from C-2, General Commercial District, to PUD, Planned Unit Development, for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Postponement Memo

And

8. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of PP-2223-4: Consideration of a Preliminary Plat submitted by Subtext Acquisitions, L.L.C. (Kimley-Horn) for THE VERVE NORMAN for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Postponement Memo

Motion made by McDaniel, Seconded by McKown, to postpone Resolution No. R-2223-54, Ordinance No. O-2223-17, and PP-2223-4 to the December 8, 2022 Planning Commission meeting.

Voting Yea: Brewer, Parker, McKown, McDaniel, Bird, McClure, Griffith, Axton, Jablonski

The motion, to postpone R-2223-54, O-2223-17, and PP-2223-4 to the December 8, 2022 Planning Commission meeting, was approved by a vote of 9-0.

MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF

Mr. Brewer suggested including recommendations in motions moving forward, which is important in part because the meeting minutes are no longer verbatim. Mr. Jablonski commented that he appreciates the Commission slowing down to give time to get clarity of thought on how to word things correctly.

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 7:29 p.m.

Norman Planning Commission

File Attachments for Item:

2. Consideration of Adoption, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-14: Midway Grocery, Inc. requests rezoning from C-1, Local Commercial District, to SPUD, Simple Planned Unit Development, for 0.234 acres of property located at 601 W. Eufaula Street.

This item has been withdrawn by the applicant.



CITY OF NORMAN, OK



SR - Midway
Grocery.docx

STAFF REPORT

MEETING DATE: 12/8/2022

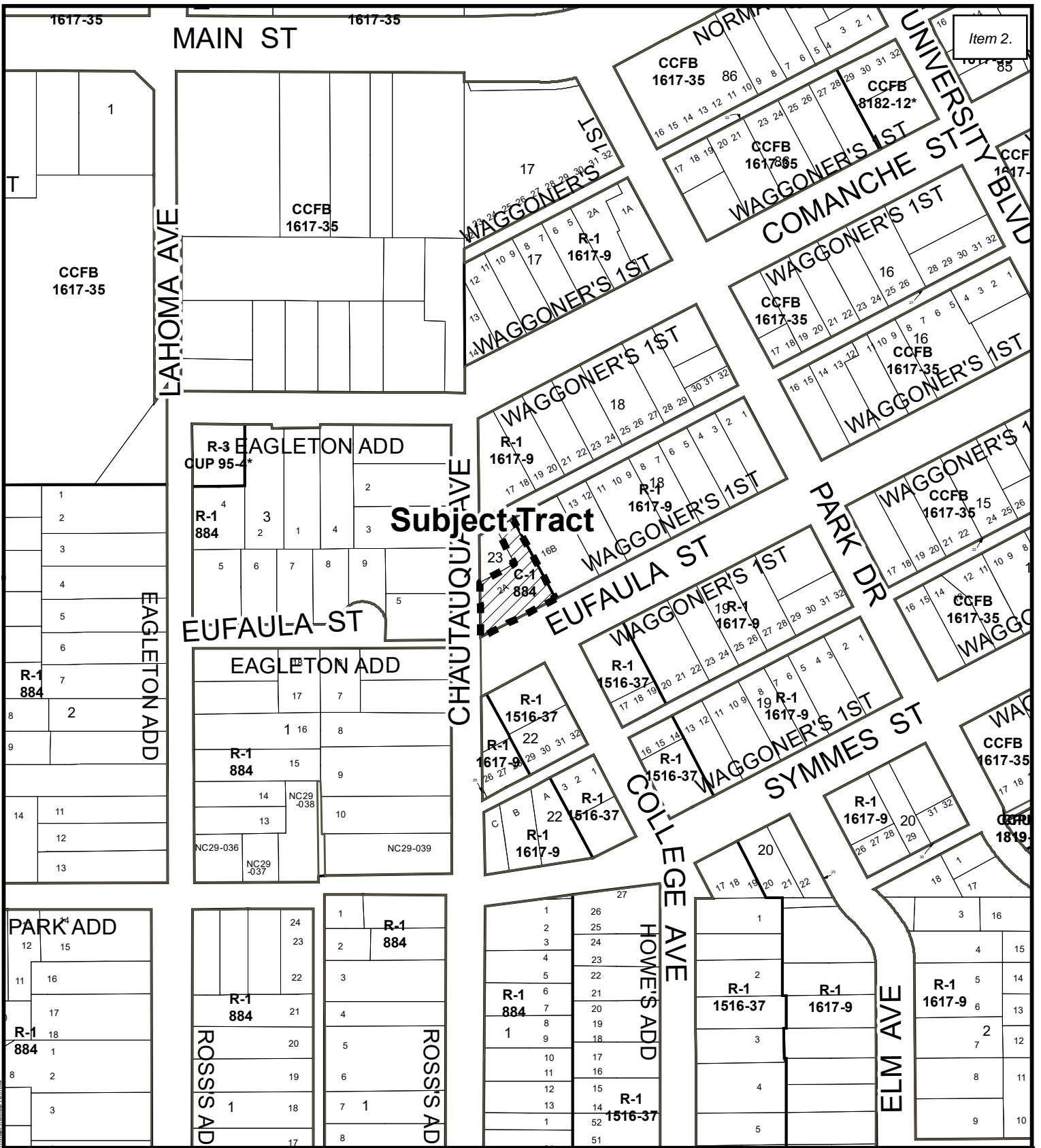
REQUESTER: Midway Grocery, Inc.

PRESENTER: Colton Wayman, Planner I

ITEM TITLE: Consideration of Adoption, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-14: Midway Grocery, Inc. requests rezoning from C-1, Local Commercial District, to SPUD, Simple Planned Unit Development, for 0.234 acres of property located at 601 W. Eufaula Street.

This item has been withdrawn by the applicant.

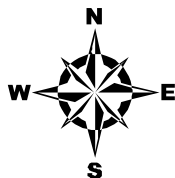
ACTION NEEDED: Recommend adoption, rejection, amendment, or postponement of Ordinance No. O-2223-14 to City Council.



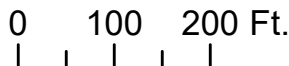
Location Map





Map Produced by the City of Norman Geographic Information System. The City of Norman assumes no responsibility for errors or omissions in the information presented.



September 6, 2022



-  Subject Tract
-  Zoning

November 28, 2022

Planning Department Staff
and
Planning Commission

I have decided to withdraw my application for a SPUD at 601 W. Eufaula Street because of the concerns that have been expressed by neighboring property owners.

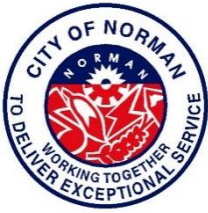
Sincerely,

A handwritten signature in cursive script, appearing to read "Robert R. Shaw". The signature is written in black ink and has a long, sweeping horizontal line extending to the right.

11/28/22

File Attachments for Item:

3. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of R-2223-54: Subtext Acquisitions, L.L.C. requests amendment of the NORMAN 2025 Land Use Plan from Commercial Designation to High Density Residential Designation for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.



CITY OF NORMAN, OK STAFF REPORT

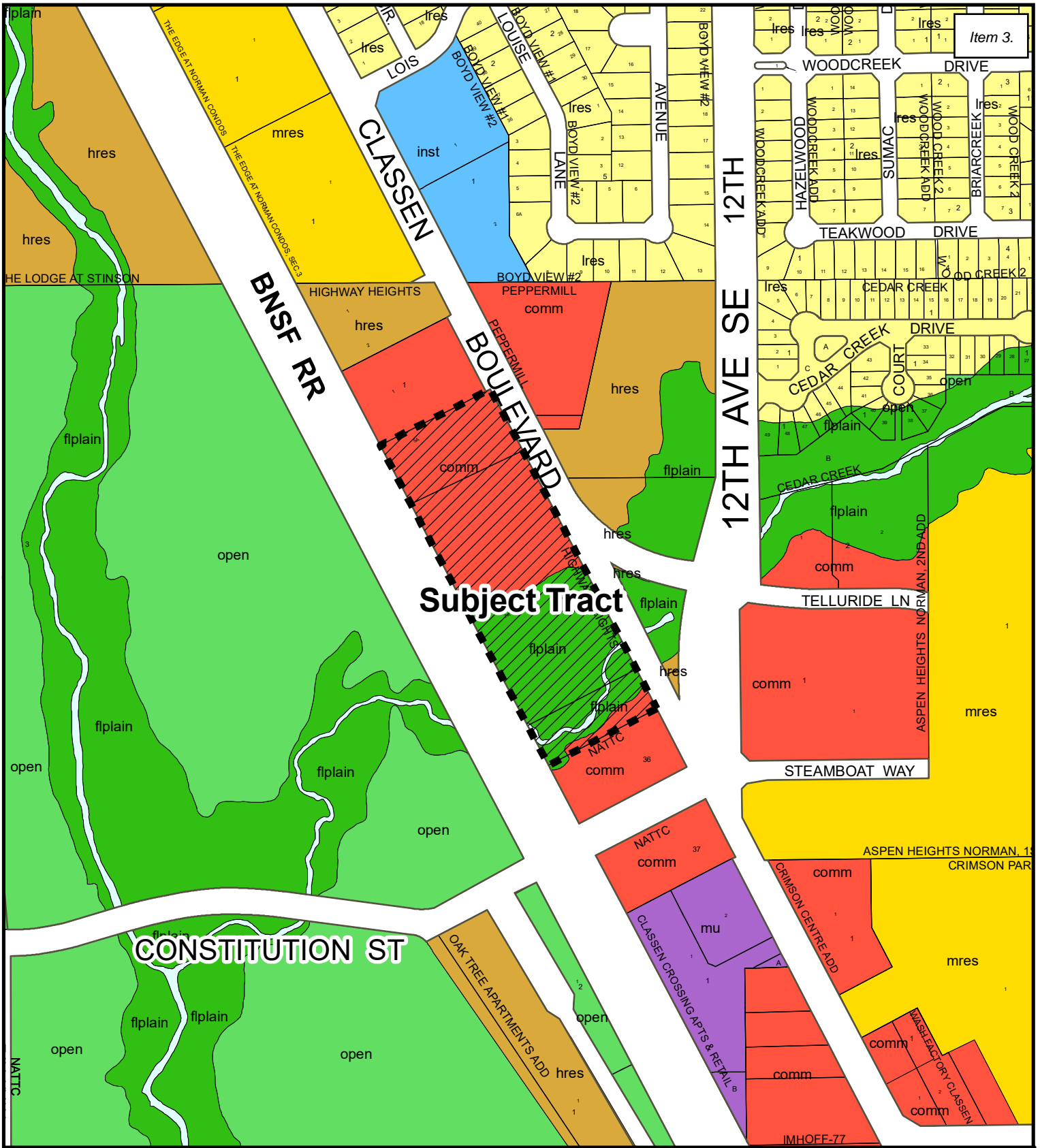
MEETING DATE: November 10, 2022

REQUESTER: Subtext Acquisitions, L.L.C.

PRESENTER: Lora Hoggatt, Planning Services Manager

ITEM TITLE: Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of R-2223-54: Subtext Acquisitions, L.L.C. requests amendment of the NORMAN 2025 Land Use Plan from Commercial Designation to High Density Residential Designation for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.

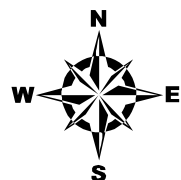
ACTION NEEDED: Recommend adoption, rejection, amendment, or postponement of Resolution No. R-2223-54 to City Council.



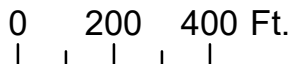
Norman 2025 Land Use Plan




Map Produced by the City of Norman Geographic Information System. The City of Norman assumes no responsibility for errors or omissions in the information presented.



October 4, 2022



 Subject Tract

 Zoning

RESOLUTION NO. R-2223-54

ITEM NO. 3

STAFF REPORT

ITEM: Subtext Acquisitions, L.L.C. requests amendment of the NORMAN 2025 Land Use Plan from Commercial Designation to High Density Residential Designation for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.

SUMMARY OF REQUEST: The applicant, Subtext Acquisitions, L.L.C., is proposing development of an apartment complex on a 9.66 acre parcel. This development requires rezoning from C-2, General Commercial District, and A-2, Rural Agricultural District, to PUD, Planned Unit Development, and a NORMAN 2025 Land Use and Transportation Plan amendment from Commercial Designation to High Density Residential Designation.

STAFF ANALYSIS: For changes in classification under the NORMAN 2025 Land Use and Transportation Plan, the following information is forwarded for consideration.

The role of the NORMAN 2025 Plan in the City's ongoing and diverse planning activities states the document must be flexible, and that it is updated and amended periodically. The Plan defines the desired land use patterns for use and development of all private sector properties. This Plan will serve as a policy guide for zoning and planning requests as they are presented to the Planning Commission and City Council.

1. ***Has there been a change in circumstances resulting from development of the properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest?*** The southeast area of urbanized Norman has experienced a significant surge of growth and development in the last two decades. For example, on the east side of Classen Boulevard across from the subject property, there is a commercial/retail development with multi-family student-based housing in the rear. Within the general vicinity on Classen Boulevard, there are medical clinics, convenience stores, gas stations, hotels, and another student-based multi-family housing development that fronts Imhoff Road. This location for multi-family housing is in close proximity to the University of Oklahoma, which has projected growth in the coming years with the move to the Southeastern Conference for athletics.
2. ***Is there a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity?*** This proposal for a multi-family development will not create an adverse land use for the surrounding properties; this development is similar in nature and intensity to the surrounding area. This area of Norman has been expanding with this type of development due to the proximity of the University of Oklahoma and the increasing student population.

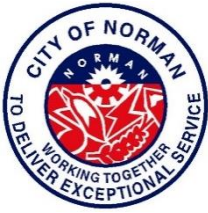
The traffic impact analysis has been examined by City Staff to determine how this development will impact traffic patterns in the general vicinity. The City Traffic Engineer

reviewed the submitted traffic impact analysis, which included a left turn w analysis for the northbound direction. It was determined to meet the need for installation of left turn bays based upon the projected 2025 PM peak hour volumes. The existing roadway is wide enough to accommodate the addition of the bays and therefore only restriping of pavement would be required by the applicant. No other impacts were found.

CONCLUSION: Staff forwards this request for a NORMAN 2025 Land Use and Transportation Plan amendment from Commercial Designation to High Density Residential Designation as Resolution No. R-2223-54 for consideration by the Planning Commission and a recommendation to City Council.

File Attachments for Item:

4. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of O-2223-17: Subtext Acquisitions, L.L.C. requests rezoning from C-2, General Commercial District, to PUD, Planned Unit Development, for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.



CITY OF NORMAN, OK STAFF REPORT

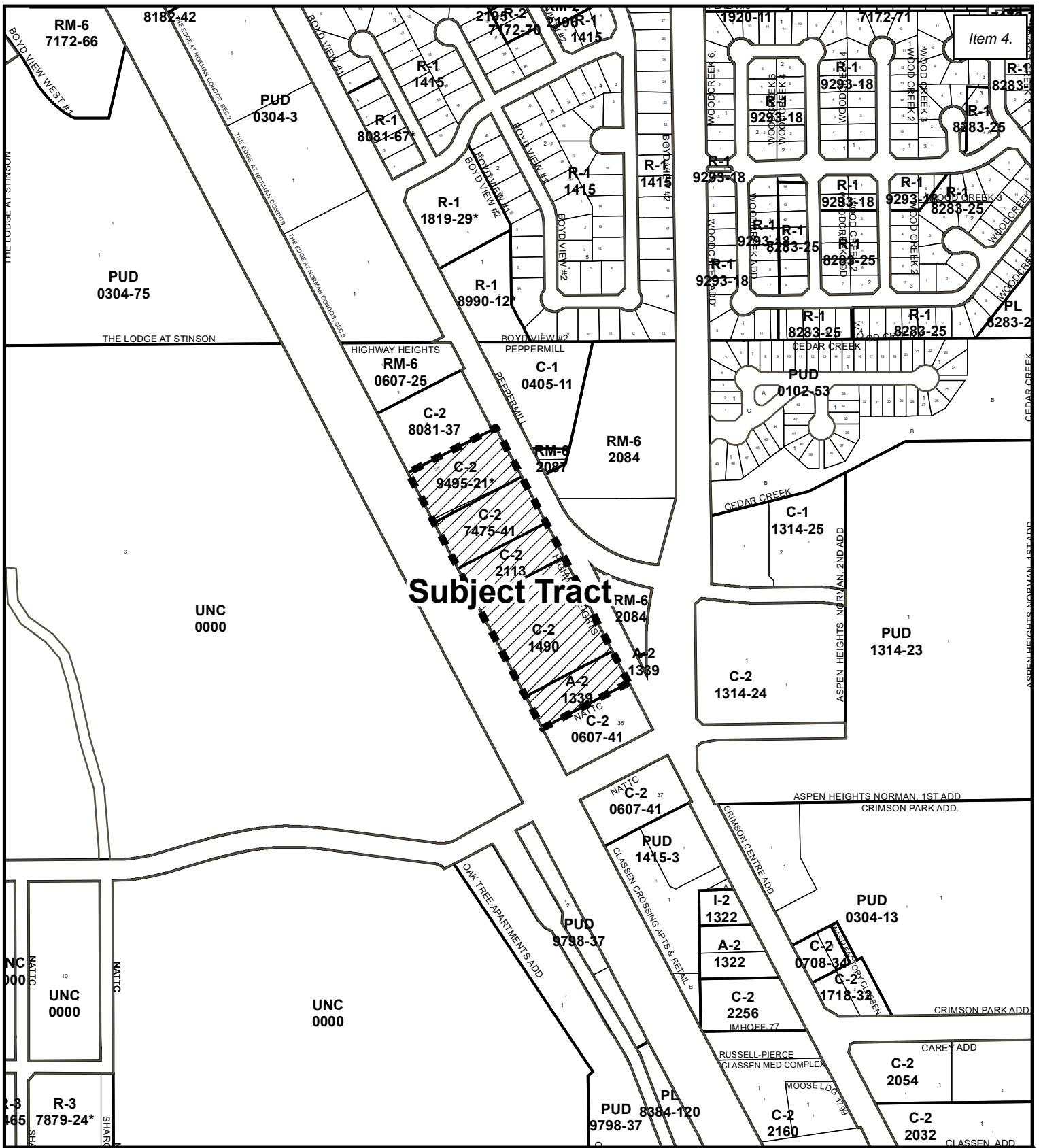
MEETING DATE: November 10, 2022

REQUESTER: Subtext Acquisitions, L.L.C.

PRESENTER: Lora Hoggatt, Planning Services Manager

ITEM TITLE: Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of O-2223-17: Subtext Acquisitions, L.L.C. requests rezoning from C-2, General Commercial District, to PUD, Planned Unit Development, for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.

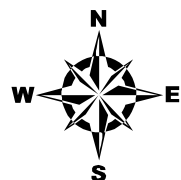
ACTION NEEDED: Recommend adoption, rejection, amendment, or postponement of Ordinance No. O-2223-17 to City Council.



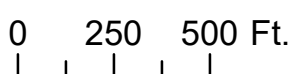
Location Map





Map Produced by the City of Norman Geographic Information System. The City of Norman assumes no responsibility for errors or omissions in the information presented.



October 25, 2022



-  Subject Tract
-  Zoning

ORDINANCE NO. O-2223-17

ITEM NO. 4

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Subtext Acquisitions, L.L.C.
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	C-2, General Commercial District, and A-2, Rural Agricultural District
SURROUNDING ZONING	North: C-1, Local Commercial District, C-2, General Commercial District, and RM-6, Medium Density Apartment District East: C-1, Local Commercial District, C-2, General Commercial District, and RM-6, Medium Density Apartment District South: C-2, General Commercial District West: Unclassified
LOCATION	West side of Classen Boulevard north of East Constitution Street
WARD	Ward 7
CORE AREA	No
AREA/SF	9.66 acres, more or less
PURPOSE	Multi-family student-based residential development
EXISTING LAND USE	OU Motel and Vacant
SURROUNDING LAND USE	North: Commercial and Multi-family Residential East: Commercial and Multi-family Residential South: Commercial

LAND USE PLAN DESIGNATION

West: BNSF Right of Way and OU Course
Commercial Designation

PROPOSED LAND USE DESIGNATION

High Density Residential Designation

GROWTH AREA DESIGNATION

Current Urban Service Area

PROJECT OVERVIEW: The applicant, Subtext Acquisitions, L.L.C., is requesting a rezoning to PUD, Planned Unit Development, at property located on the west side of Classen Boulevard north of East Constitution Street. The site is currently vacant except for the northern portion, which is where OU Motel is currently located. The subject property is currently zoned A-2, Rural Agricultural District, on the southernmost parcel and the rest is C-2, General Commercial District. The applicant requests the rezoning to PUD to allow for a multi-family student-based residential development.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GB 22-18, October 18, 2022

Commission discussion consisted of:

- Commissioner Nanny brought up that there are a lot of college students in that area and not a good way to bicycle on Classen Blvd. or 12th Ave.
- Sean Rieger stated that along their property they would be doing a 5 foot wide sidewalk.
- Sean Rieger showed that the lower portion of the property is in the floodplain and drainage will likely remain the same, depending on what Public Works requires.
- Commissioner Wyckoff asked if this will be a new build since it mimics the look of the hotel that is currently there.
- Sean Rieger responded that at the corner of Classen Blvd. and 12th Ave there is a Welcome to Norman sign and that they wanted the entrance of the apartment building to be the first thing you see when you come down that street.
- Jack Burdett stated that the plans for city sidewalks will connect from the intersection of Classen Blvd. and 12th Ave. all the way to Brooks.

PRE-DEVELOPMENT MEETING: PD 22-24, September 22, 2022

No neighbors attended the meeting.

ZONING ORDINANCE CITATION:

SEC. 420 – 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: The particulars of this PUD include:

USE: The PUD Narrative proposes the following uses for the property in Exhibit C:

- Apartment buildings.
- Accessory buildings.
- Leasing offices, pool areas, dog parks, sports courts, walking trails, fitness stations, Frisbee golf, outdoor grill areas, and similar recreational amenities for the residents of the development.

OPEN SPACE: Exhibit G in the PUD Narrative shows the proposed open space areas; a total of 5.4 acres, or 42.5% of the property, is shown as impervious surface. Total impervious area will not exceed 65% of the property. The proposed open space may include the following amenities: dog parks, sport courts, fitness stations, benches, Frisbee golf, walking trails, and other recreational amenities.

PARKING: The PUD Narrative states parking will be provided in compliance with the Site Development Plan, with a maximum of 535 spaces. Electric vehicle charging stations may be included. The Narrative says there will be a maximum of 650 beds in the development. The submitted traffic impact analysis used the number of 635 beds.

PHASES: The development will be built in one phase as it is one proposed building and parking lot.

SITE PLAN/ACCESS: The proposed development will have two access points off Classen Boulevard, one on the north side of the building and one on the south side. The proposed preliminary plat combines the parcels into one lot. There is one proposed building with a parking lot around the north, west, and south sides of the building. There is a pedestrian walkway from the building to the amenities area, which is on the south portion of the property. A 6' wooden fence is proposed along the western border of the parking lot; the fence will convert into a 4' chain link fence within the floodplain areas of the property. There is an existing cell tower compound near the north property line; this is shown on the Site Development Plan and the parking has been designed around the compound. Sidewalks will be installed along the property's frontage of Classen Boulevard.

AREA REGULATIONS: All buildings will be a minimum of 200' from the existing cell tower. The front yard setback will be 5' from Classen Boulevard. All other setbacks will be 5' as shown on the Site Development Plan.

LANDSCAPING: Landscaping will be provided throughout the development. A 5' landscape buffer will be placed along the front of the building. No parking space will be more than 85' from a portion of landscaped open space. A minimum of twenty trees will be planted and maintained.

SIGNAGE: Due to the size and scale of the development, plus the proximity to the railroad, the applicant has proposed signage that falls outside the allowances of Chapter 18, Sign Regulations. The PUD Narrative outlines the sign regulations for the development in Section III.B.5. Signage and Exhibits E and F.

LIGHTING: All exterior lighting will meet the City's Commercial Outdoor Lighting Standards. This requires full cut-off lighting.

HEIGHT: The proposed structure can be five stories in height.

ALTERNATIVES/ISSUES:

IMPACTS: The addition of this use is consistent with the development patterns in this area of Norman.

OTHER AGENCY COMMENTS:

PARK BOARD: The applicant went to the Board of Parks Commissioners on November 3, 2022. The Board's determination was fee in lieu of parkland. The total amount due will be determined before the final plat is filed of record.

PUBLIC WORKS: Please see the Engineering report regarding the associated preliminary plat and the Traffic report regarding the traffic impact analysis in your packet.

UTILITIES: Water and sewer utilities are accessible to the development and design will be finalized at the building permit stage. A dumpster is shown on the site plan; the PUD Narrative allows for relocation by City sanitation services, if needed.

CONCLUSION: Staff forwards this request for rezoning from C-2, General Commercial District, and A-2, Rural Agricultural District, to PUD, Planned Unit Development, as Ordinance No. O-2223-17 for consideration by the Planning Commission and a recommendation to City Council.

THE VERVE NORMAN

**A PLANNED UNIT DEVELOPMENT
NORMAN, OKLAHOMA**

**APPLICANT:
*SUBTEXT ACQUISITIONS, LLC***

**APPLICATION FOR:
PLANNED UNIT DEVELOPMENT
PRELIMINARY PLAT
NORMAN 2025**

Submitted October 3, 2022
Revised December 1, 2022

**PREPARED BY:
RIEGER LAW GROUP PLLC
136 Thompson Drive
Norman, Oklahoma 73069**

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 - G. Traffic Circulation and Access
- III. DEVELOPMENT PLAN AND DESIGN CONCEPT
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 - B. Development Criteria

EXHIBITS

- A. Legal Description of the Property
- B. Site Development Plan
- C. Allowable Uses
- D. Preliminary Plat
- E. Major Exterior Signs
- F. Minor Signs
- G. Open Space Exhibit

I. INTRODUCTION

Subtext Acquisitions, LLC (the “**Applicant**”) intends to rezone and plat the property that is more particularly described on **Exhibit A** (the “**Property**”) to a Planned Unit Development (“**PUD**”) in order to develop a multifamily residential community. The Applicant also seeks to amend the property’s NORMAN 2025 Designation in order to facilitate this development. The Property contains approximately 9.66 acres and a preliminary conceptual site plan of the proposed development has been attached hereto as **Exhibit B**.

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

A. Location

The Property is generally located North of E. Constitution Street and West of Classen Blvd., as is more particularly shown on the attached exhibits.

B. Existing Land Use and Zoning

The Property is made up of three (3) tracts. The tracts are currently zoned C-2, General Commercial and A-2, Rural Agricultural District and have NORMAN 2025 designations of Commercial and Floodplain. The Property contains an existing structure on the northernmost tract, the existing OU Motel on the middle tract, and the southernmost tract was cleared of structures many years ago.

C. Elevation and Topography

The Property gradually slopes from the North down to the southern portion of the Property that contains floodplain.

D. Drainage

The Applicant proposes stormwater and drainage management systems that will meet or exceed the City’s applicable ordinances and regulations. A drainage report has been provided by the Applicant to City Staff as part of the Preliminary Plat application.

E. Utility Services

All necessary utilities for this project (including water, sewer, gas, telecommunications, and electric) are currently located within the necessary proximity to serve the Property, or they will be extended by the Applicant, as necessary.

F. Fire Protection Services

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

Access to the Property shall be permitted in the manner depicted on the attached Site Development Plan. The Applicant's proposal will reduce the numerous existing curb cuts on the Property down to two (2) curb cuts that will serve as the access points to the Property.

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 will be developed as a five (5) story multifamily residential complex. The current site plan is designed to accommodate 350 units, with a maximum of 650 beds. The Property will be developed with a combination of unit types ranging from one-bedroom units to six-bedroom units. The Property will also feature a leasing office, outdoor courtyard, and various amenities. A complete list of the allowable uses for the Property is attached as **Exhibit C**.

B. Development Criteria:

1. Building Height

The Property shall be allowed to reach a maximum height of five (5) stories excluding any subgrade elements as well as any necessary roof top mechanical units, equipment, screening, or parapet walls.

2. Area Regulations

Any building shall be setback a minimum of two hundred (200) feet from the cell tower located near the North property line.

The Front Yard setback shall be a minimum of five (5) feet.

All other building setbacks shall be a minimum of five (5) feet as shown on the Site Development Plan.

3. Exterior Materials

The exterior of the building may be constructed of brick, stone, synthetic stone, high impact quality stucco or EIFS, masonry, metal accents, and any combination thereof.

4. Sanitation

Trash dumpster will be located as depicted on the Site Plan or in locations as may be approved by City sanitation services.

5. Signage

The Property may feature two entrance ground and/or monument signs generally in the areas shown on the Site Development Plan. The entrance ground and/or monument signs identifying the building may be a maximum of 85 square feet per side.

In addition to the entrance signage, the Property may feature major exterior wall signage consisting of one identification sign on all four sides of the Building, a canopy sign advertising the leasing office, and an identification blade sign (collectively, the “**Major Exterior Signs**”). Preliminary designs and sizes of the Major Exterior Signs are attached as Exhibit E. The maximum size for each Major Exterior Sign may increase by no more than 10% in final design and development.

The Property shall also be allowed to contain various other secondary, directional, and wayfinding signage throughout the site (the “**Minor Signs**”). The Minor Signs may change as the development reaches completion. The enumerated Minor Signs shall not be used for advertisement purposes. A list of the Minor Signs is attached as Exhibit F. All signage discussed herein may be backlit or otherwise illuminated with LED or similar lighting. All other signs not specifically enumerated as Major Exterior Signs or Minor Signs within this PUD shall comply with the medium density residential sign standards of the City of Norman Sign Code as amended from time to time, including, but not limited to, grand opening and temporary signage as allowed pursuant to Section 18-504(b)(10) of the City of Norman’s Sign Code, as amended from time to time.

An existing off-premise advertising billboard sign is located in the southern portion of the Property. A portion of the support pole may be located in the Flood Plain. This billboard shall be allowed to remain in its current location. The billboard may be upgraded to a digital/electronic message center. The billboard may be repaired, updated, or replaced from time to time as long as the billboard remains in a substantially similar footprint on the Property. The maximum height and size of the billboard shall comply with the sign

standards of the City of Norman Sign Code applicable to off-premise signs in C-2 districts and as thereafter amended.

6. Traffic access and circulation

Access to the Property shall be permitted in the manner depicted on the attached Site Development Plan.

7. Open Space

Open space shall be utilized on the Property in the locations and manners depicted on the Site Development Plan. Amenities such as, by way of example and not as a requirement or limitation, dog parks, sport courts, fitness stations, benches, frisbee golf, walking trails, and similar recreational amenities. Total impervious coverage of the Property shall not exceed 65%.

8. Parking

Parking for the Property may be developed in general compliance with the parking layout shown on the Site Development Plan, with a maximum of 535 spaces, subject to final design development changes that may be allowed by the City of Norman's PUD Ordinance. The Property may, but is not obligated to, feature multiple EV charging stations. Sidewalks will be installed along the Property's frontage of Classen Blvd., which runs from the Property's North property line down to the southern driveway on the Property.

9. Exterior Lighting

All exterior lighting shall comply with the applicable provisions of the City of Norman's Commercial Outdoor Lighting Standards, as the same may be amended from time to time.

10. Landscaping and Fencing

There is a five (5') foot landscaped buffer along the front of the building as shown on the Open Space Exhibit. Landscaping shall be provided and maintained on the Property in locations generally depicted on the Open Space Exhibit.

The parking areas shall have at least five (5) square feet of interior landscaping for each parking space excluding those spaces abutting a perimeter property line and excluding all parking spaces which are directly served by an aisle. Landscaping and islands shall be reasonably dispersed throughout the interior of the parking lot. No parking space shall be located more than eighty-five (85) feet from a portion of landscaped open space. A

minimum of twenty (20) trees of two-inch caliper or greater will be planted and maintained on the Property. Additional landscaping will be utilized on site, such as, by way of example, flowerbeds, bushes, or shrubbery, in locations and types to be finalized during final site development. Fencing shall run along the back edge of the Property blocking access to the railroad track, which runs parallel to the Property. The fencing shall consist of six (6) foot wood fencing converting into four (4) foot chain-link within the floodplain areas on the Property.

EXHIBIT A

Legal Description of the Property

A Part of the SE/4 of Section 5 T 8 N, R 2 W IM,
 Cleveland County, Oklahoma, Project No. 5571.5
 Lot Five A (5A) and Lot Seven A (7A), Highway Heights Addition to the City of Norman, and a
 part of the Southeast Quarter (SE/4) of Section Five (5), Township Eight (8) North, Range Two
 (2) West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described
 by Curtis Lee Hale, LS 1084, on September 2, 2022, with metes and bounds as follows:
 Commencing at the Southeast Corner of the SE/4 of said Section 5;
 Thence North 00°41'16" West as the basis of bearing on the East line of said SE/4 a distance of
 843.60 feet to the West Right-of-Way line of State Highway 77;
 Thence North 27°45'38" West on said West Right-of-Way line a distance of 546.80 feet to the
 Point of Beginning;
 Thence South 62°24'05" West a distance of 377.20 feet to the East Right-of-Way line of A.T. &
 S.F. Railroad;
 Thence North 27°45'38" West on said East Railroad Right-of-Way, also being the West line of
 said Lots 5A and 7A a distance of 1142.27 feet to the Northwest corner of said Lot 5A; Thence
 North 62°24'05" East on the North line of said Lot 5A a distance of 377.75 feet to the Northeast
 corner of said Lot 5A, said point being on the West Right-of-Way line of Classen Boulevard;
 Thence South 27°45'38" East on the said West Right-of-Way line of Classen Boulevard, also being
 the East line of Lots 5A and 7A a distance of 968.26 feet to the Southeast corner of said Lot 7A;
 Thence South 24°23'25" East a distance of 9.36 feet;
 Thence South 27°45'38" East a distance of 136.67 feet to the Point of Beginning.
 This description contains 420,839 square feet or 9.66 acres, more or less.
 Subject to Easements and Rights-of-Way of record.

EXHIBIT B

Preliminary Site Development Plan

Full Size Documents Submitted to City Staff

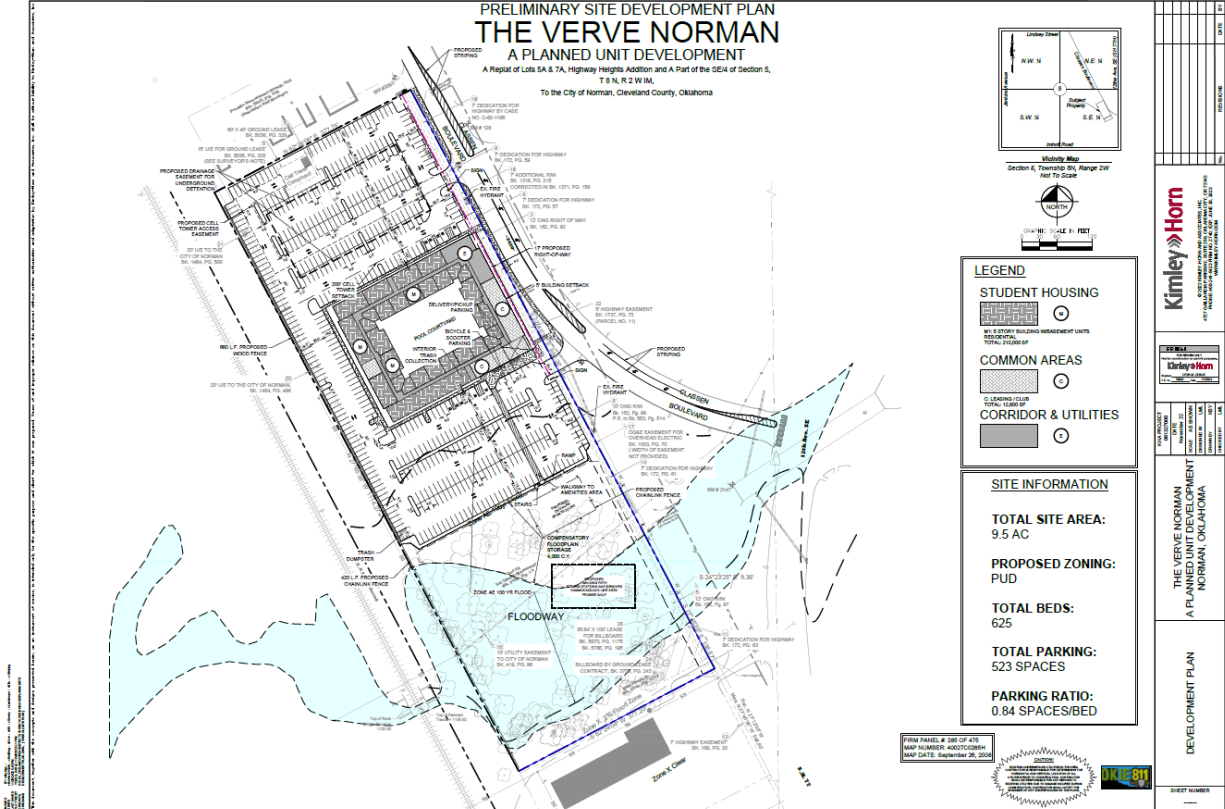


EXHIBIT C
Allowable Uses

Allowable Uses:

- Apartment buildings.
- Accessory buildings.
- Leasing offices, pool areas, dog parks, sports courts, walking trails, fitness stations, frisbee golf, outdoor grill areas, and similar recreational amenities for the residents of the development.

EXHIBIT D

Preliminary Plat

Full Size Documents Submitted to City Staff

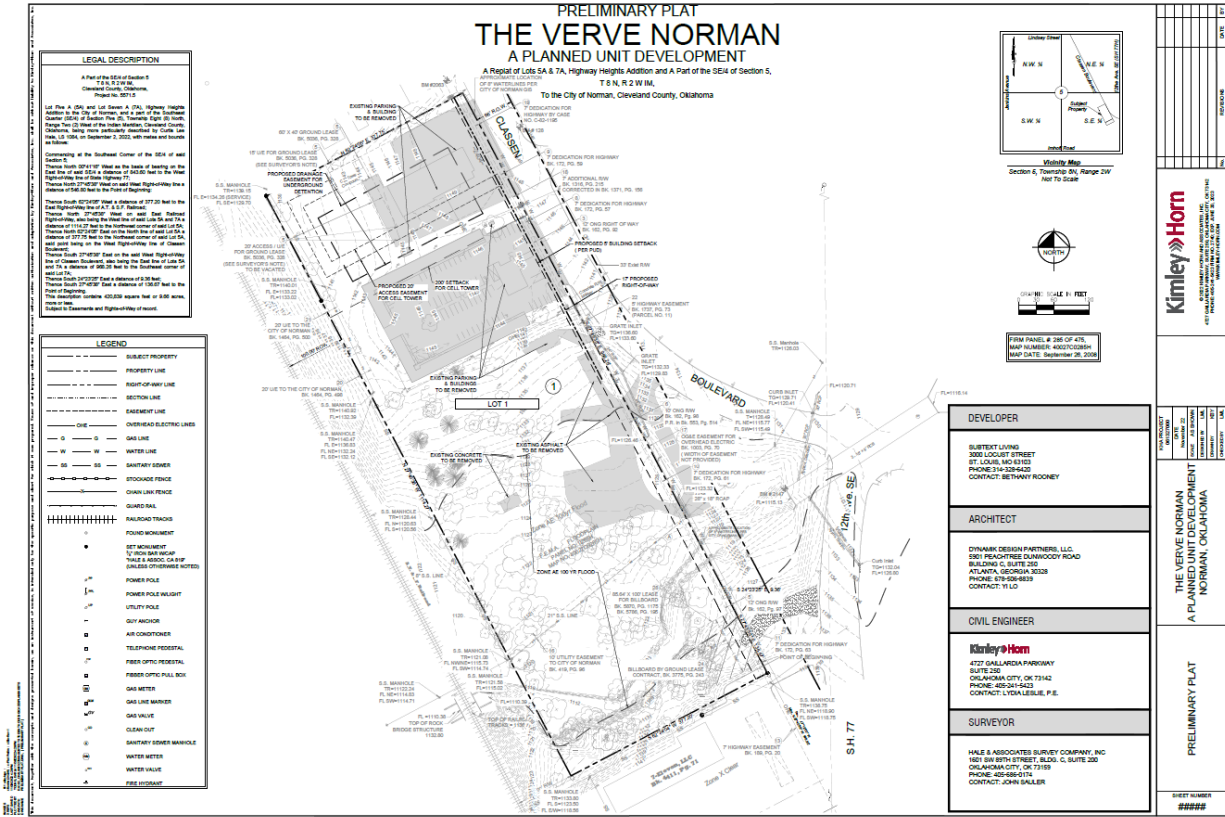


EXHIBIT E
Major Exterior Signs
Full Size Documents Submitted to City Staff

[To Be Attached]

EXHIBIT F
List of Minor Signs

Expected maximum sizes included, subject to final design and development. Actual signs may be less than the maximum sizes included herein, and some signs may not be featured on the Property at all.

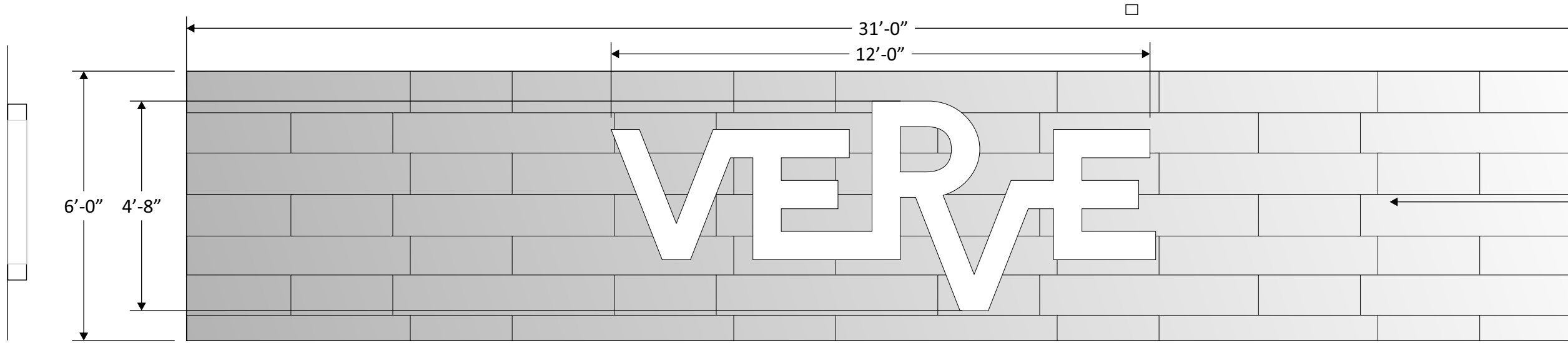
Exterior secondary signage:

- Building ID's with unit spread – 5' x 3"
- Address plaque – maximum of 10 square feet
- Standard handicap parking – 3' x 3' sign face - install on galvanized post or wall - bottom of sign to be at 5' height if on post
- Custom parking signage – 3' x 3'
 - Samples include, but are not limited to, Custom future resident & Custom Handicap Signage
- EV parking – 3' x 3' sign face - install on galvanized post or wall- bottom of sign to be at 5' height if on post
- Exterior room ID's – 2' x 2' and may feature raised text & braille
- Fire riser – 5" x 9", or greater if required by code – to be red & white
- Knox box - 5" x 9", or greater if required by code – to be red & white
- FACP- 8" x 12", or greater if required by code – to be red & white
- Fire Pump- 5" x 9", or greater if required by code – to be red & white
- FDC- 8" x 1' with 6" tall letters, or greater if required by code – to be red & white
- Bicycle parking – 3' x 3'
- Scooter parking- 3' x 3'
- Delivery/pick-up - 3' x 3'
- Leasing hours of operation – 3' x 3'
- Leasing directional(s)- maximum of 25 square feet per side
- Exterior amenities – 2' x 2' and may feature raised text & braille
- Exterior policies where needed- 5' x 5'
- Dog park hours - 5' x 5'
- Dog park policy - 5' x 5'
- Pool hours – 5' x 5'
- Pool regulatory signs, such as, but not limited to, no lifeguard, no diving, in case of emergency, required state, local, or federal language, max user load, and similar signage – 5' x 5', or greater if required by code
- Pool policy – 5' x 5'
- Pool water fountain location – 2' x 2'
- Pool 911 emergency phone – 2' x 2'
- Spa policy – 5' x 5'
- Emergency gas shut off - 6" x 12", or greater if required by code, sign is red & white
- Grill policy/grill instructions- 3' x 3'
- Fire pit policy/instructions – 3' x 3'

EXHIBIT G
Open Space Exhibit
Full Size Documents Submitted to City Staff

[To Be Attached]

QTY. 1 SINGLE FACE



5" DEEP FACE LIT CHANNEL LETTERS
RETURNS PAINTED [P2]
FACES TRANSLUCENT WHITE ACRYLIC
WITH BLACK DAY-NIGHT VINYL [V1]

FRONT VIEW
SCALE: 3/8"=1'0"

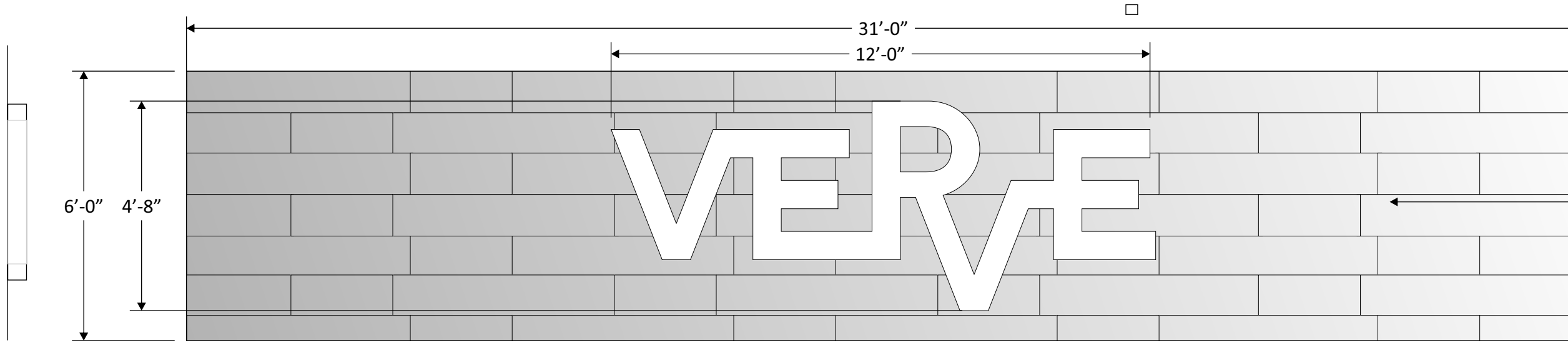
END VIEW
SCALE: 3/8"=1'0"



APPROVED APPROVED AS NOTED REVISE & RESUBMIT REJECTED

PROJECT FILENAME: VERVE NORMAN 2222553

QTY. 1 SINGLE FACE



5" DEEP FACE LIT CHANNEL LETTERS
RETURNS PAINTED [P2]
FACES TRANSLUCENT WHITE ACRYLIC
WITH BLACK DAY-NIGHT VINYL [V1]

FRONT VIEW
SCALE: 3/8"=1'0"

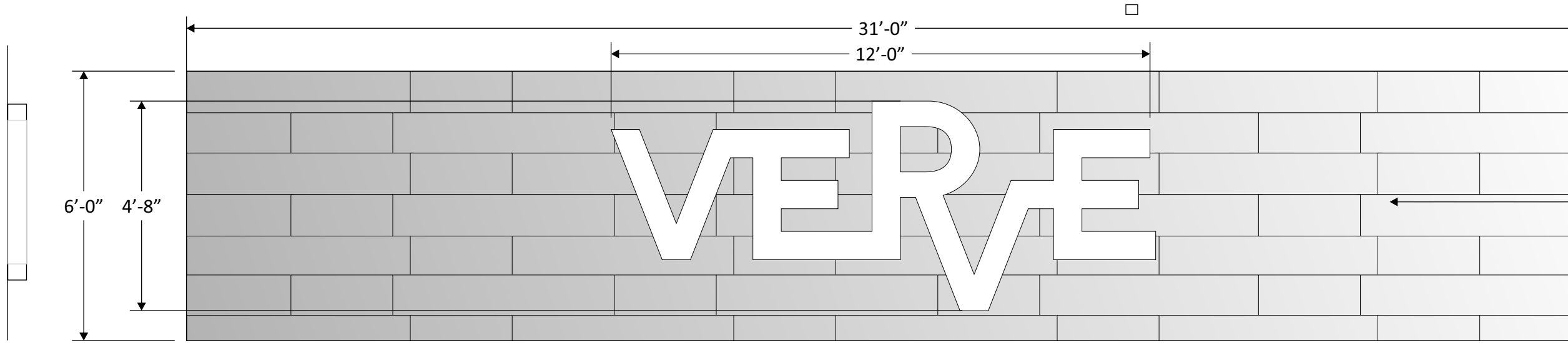
END VIEW
SCALE: 3/8"=1'0"



APPROVED APPROVED AS NOTED REVISE & RESUBMIT REJECTED

PROJECT FILENAME: VERVE NORMAN 2222553

QTY. 1 SINGLE FACE



5" DEEP FACE LIT CHANNEL LETTERS
RETURNS PAINTED [P2]
FACES TRANSLUCENT WHITE ACRYLIC
WITH BLACK DAY-NIGHT VINYL [V1]

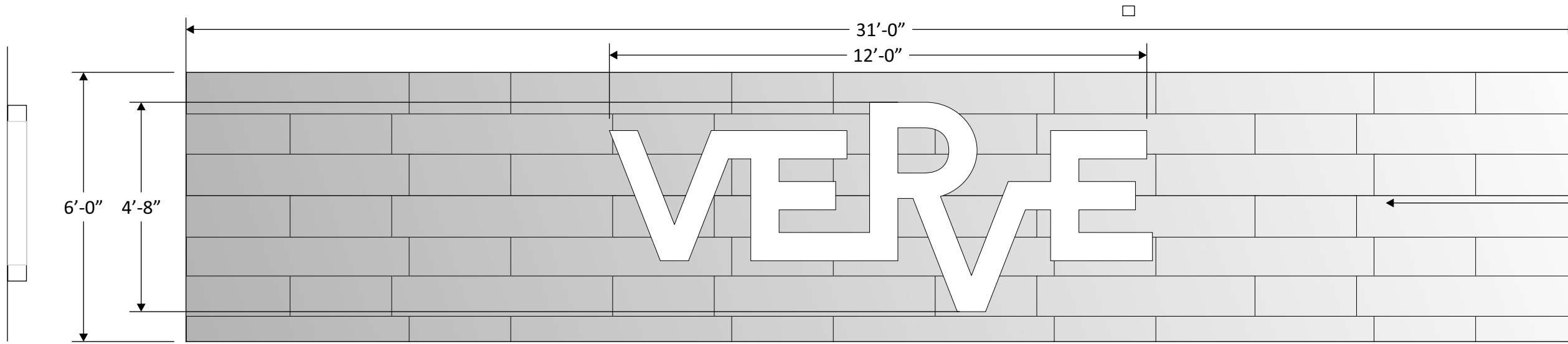
FRONT VIEW
SCALE: 3/8"=1'0"

END VIEW
SCALE: 3/8"=1'0"



APPROVED APPROVED AS NOTED REVISE & RESUBMIT REJECTED

PROJECT FILENAME: VERVE NORMAN 2222553



FRONT VIEW
SCALE: 3/8"=1'0"

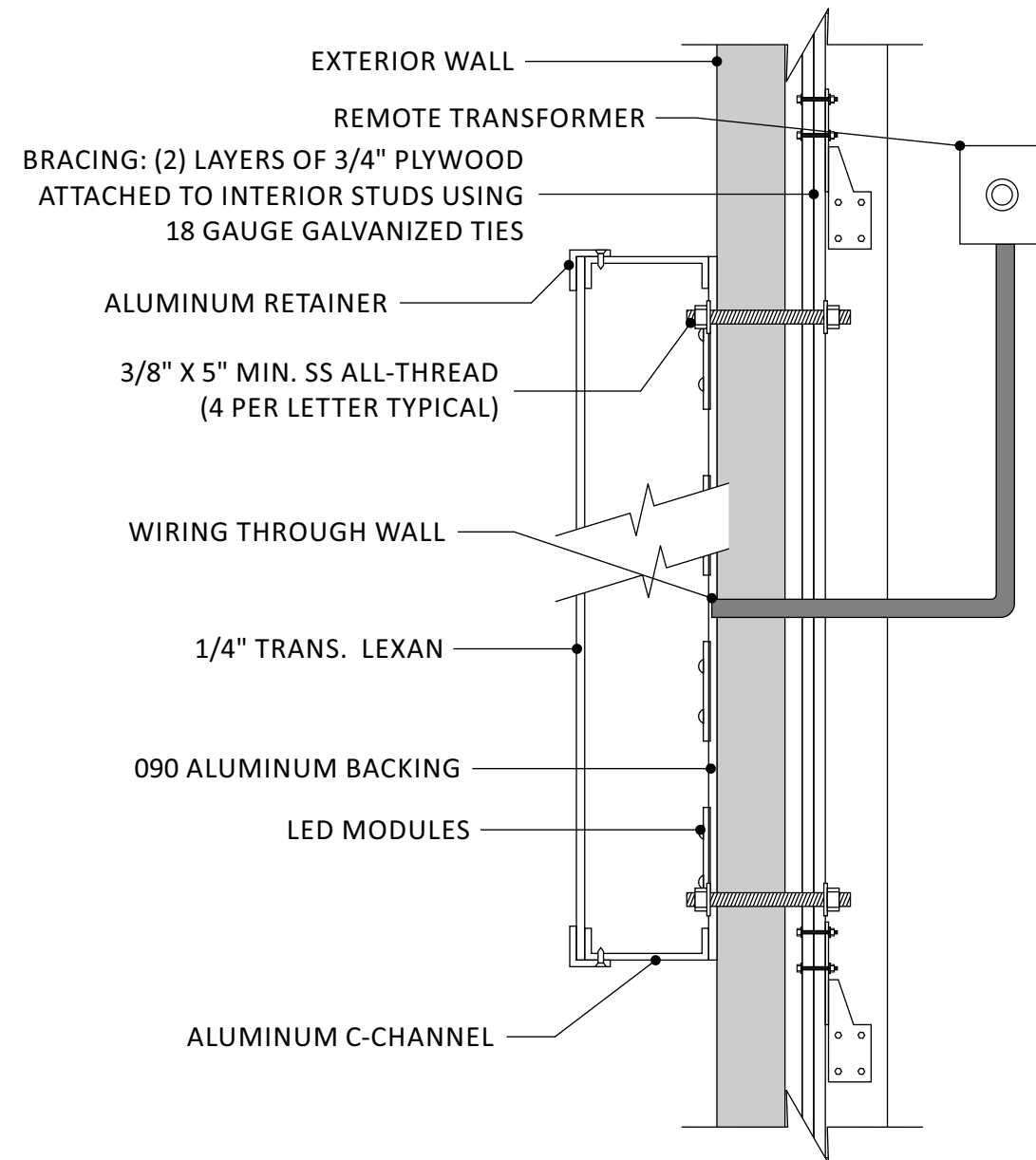
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SCALE: 3/8"=1'0"



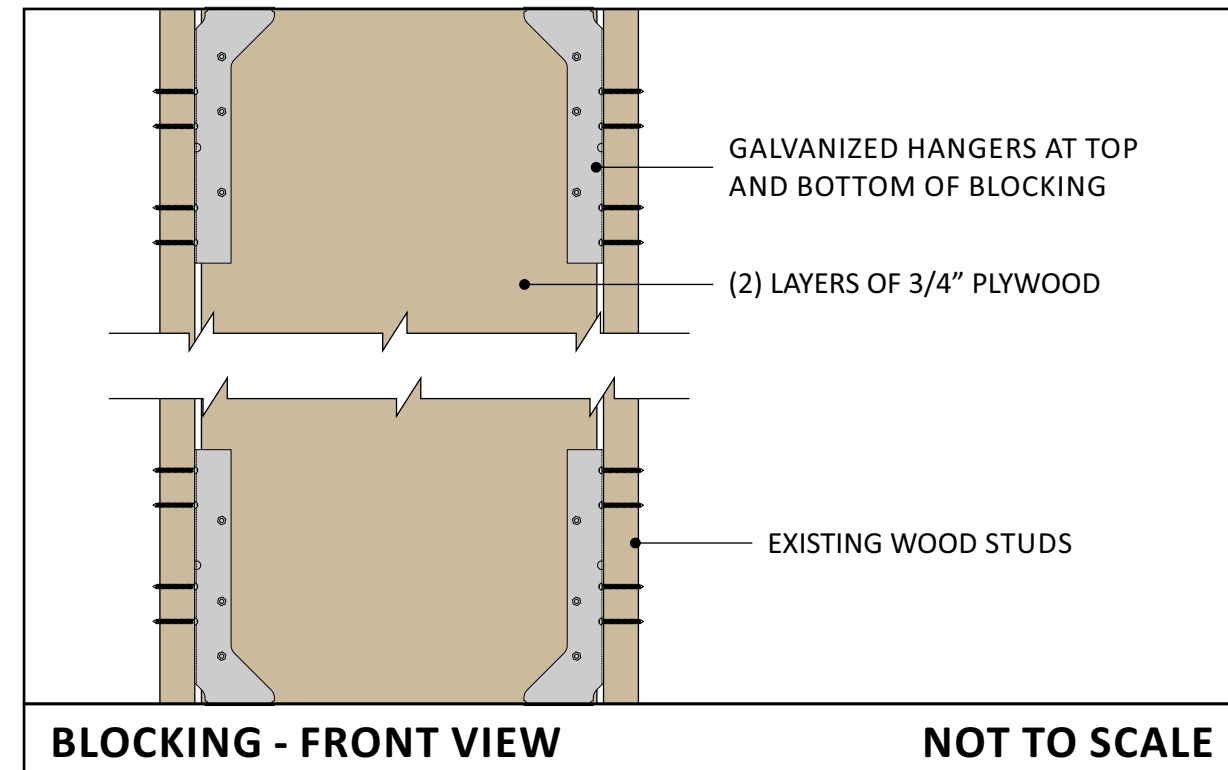
APPROVED APPROVED AS NOTED REVISE & RESUBMIT REJECTED

PROJECT FILENAME: VERVE NORMAN 2222553

FACE LIT ALUMINUM CABINET
(LEXAN FACE)
W/ PLYWOOD BACKING



FACE LIT CABINET
NOT TO SCALE

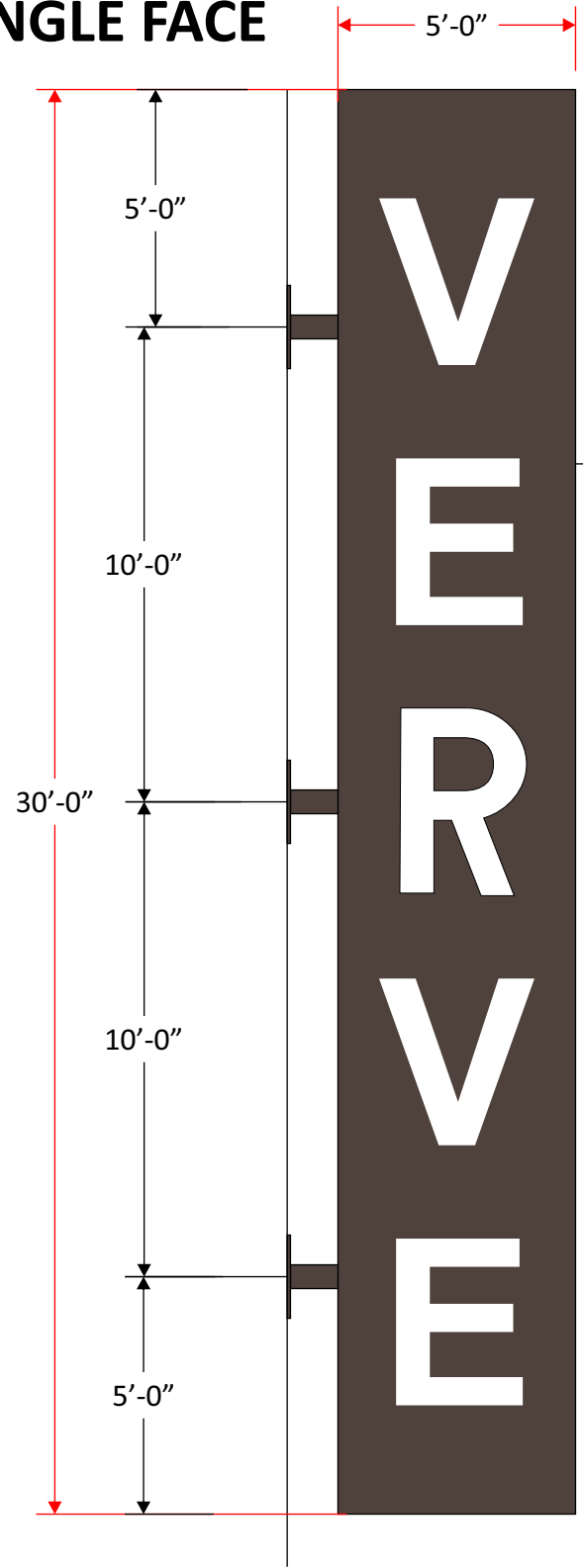


APPROVED APPROVED AS NOTED REVISE & RESUBMIT REJECTED

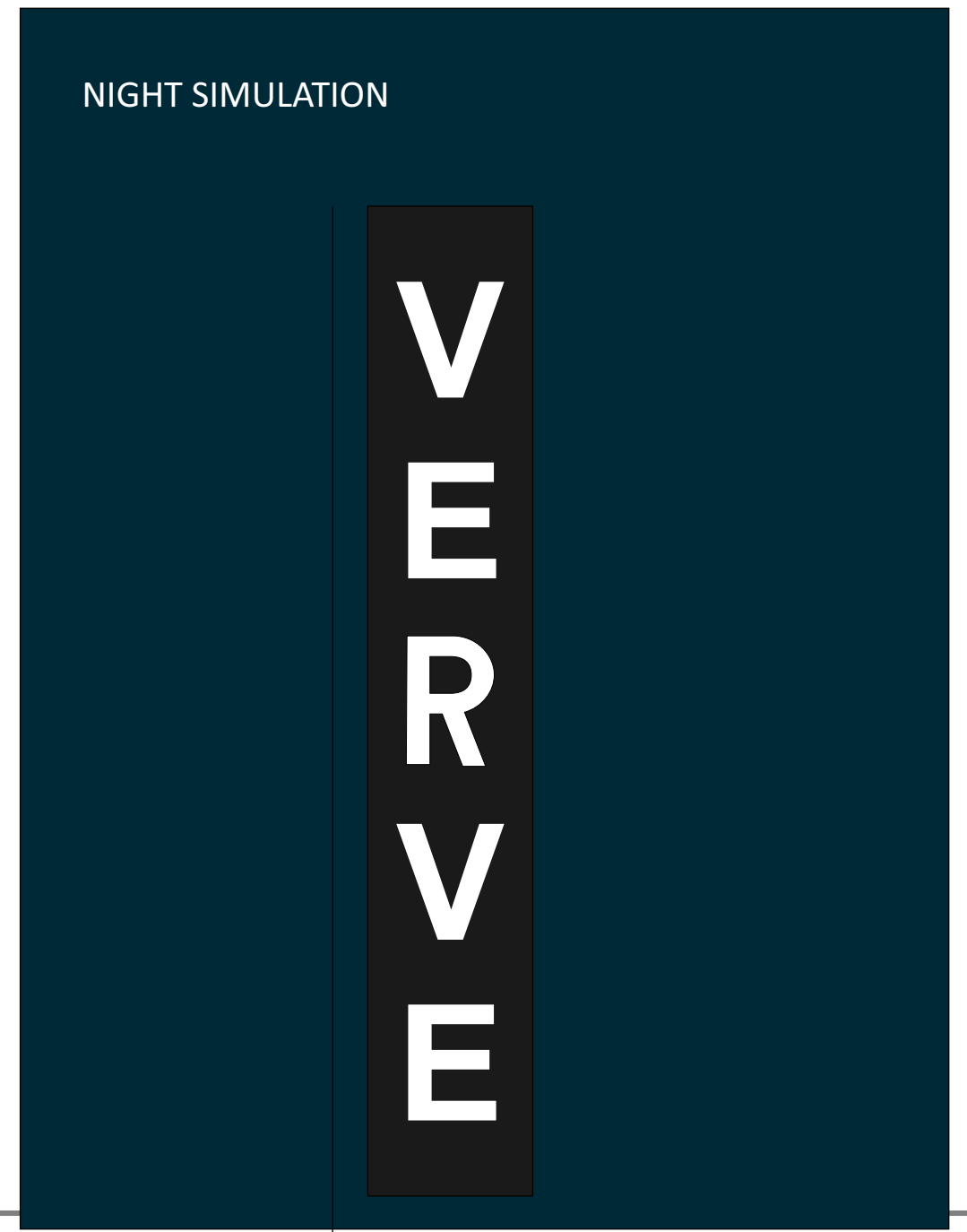
SIGNATURE: _____

PROJECT FILENAME: VERVE NORMAN 2222553

QTY. 1 SINGLE FACE



18" DEEP ALUMINUM BLADE SIGN
 PAINTED BROWN TO MATCH THE BUILDING
 TEXT: 3/4" PUSH THROUGH WHITE ACRYLIC



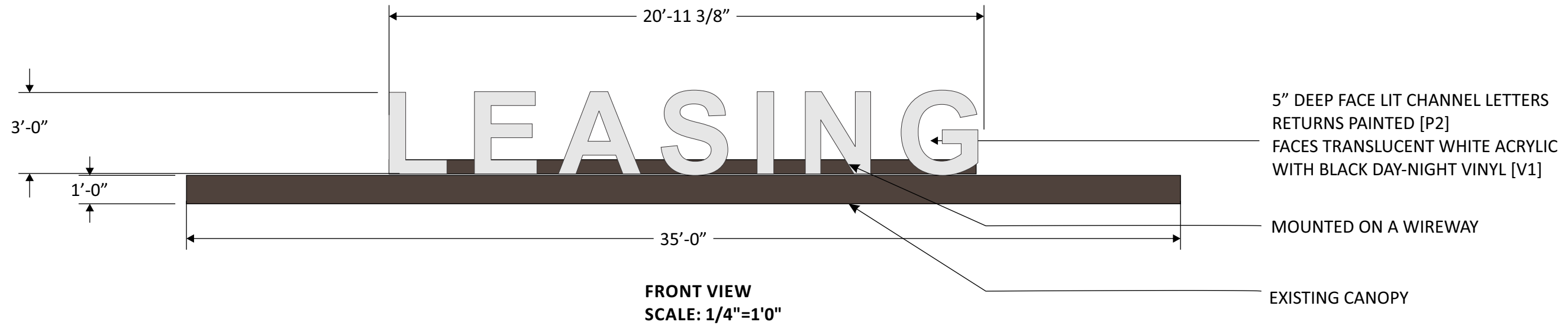
FRONT VIEW
 SCALE: 1/4"=1'0"

APPROVED APPROVED AS NOTED REVISE & RESUBMIT REJECTED

PROJECT FILENAME: VERVE NORMAN 2222553

QTY. 1 SINGLE FACE

ELEVATION ATTACHED



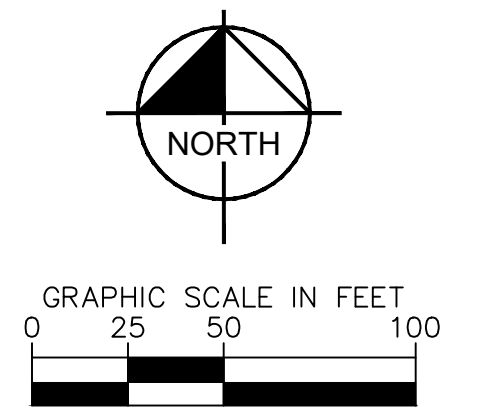
END VIEW
SCALE: 3/8"=1'0"



APPROVED APPROVED AS NOTED REVISE & RESUBMIT REJECTED

PROJECT FILENAME: VERVE NORMAN 2222553

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



OPEN SPACE SUMMARY	
PERVIOUS AREAS	
TOTAL IMPERVIOUS AREA	234,351 SF
TOTAL PERVIOUS AREA	173,369 SF
TOTAL PERVIOUS AREA % OF SITE	42.5%

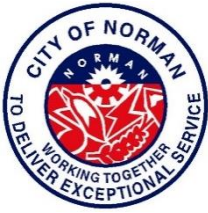
CAUTION!

EXISTING UNDERGROUND UTILITIES IN THE AREA CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY REPAIRS TO EXISTING UTILITIES DUE TO DAMAGE INCURRED DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES ON THE PLANS.

THE VERVE NORMAN A PLANNED UNIT DEVELOPMENT NORMAN, OKLAHOMA	PERVIOUS AREA PLAN												
 <small>© 2022 KIMLEY-HORN AND ASSOCIATES, INC. 4127 GALLARDIA PARKWAY, SUITE 250, OKLAHOMA CITY, OK 73142 PHONE: 405-241-5463 FAX: 405-241-5460 WWW.KIMLEY-HORN.COM</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;"> PRELIMINARY <small>FOR REVIEW ONLY Not for construction or permit purposes.</small> </td> <td style="width: 50%; text-align: center;"> <small>Engineer: LYDIA M. LESLIE P.E. No. 18432 Date: 12/29/22</small> </td> </tr> </table>	PRELIMINARY <small>FOR REVIEW ONLY Not for construction or permit purposes.</small>	 <small>Engineer: LYDIA M. LESLIE P.E. No. 18432 Date: 12/29/22</small>										
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">KHA PROJECT 061327000</td> <td style="width: 50%;">DATE December 22</td> </tr> <tr> <td>SCALE AS SHOWN</td> <td>DESIGNED BY LML</td> </tr> <tr> <td>DRAWN BY KBY</td> <td>CHECKED BY LML</td> </tr> </table>	KHA PROJECT 061327000	DATE December 22	SCALE AS SHOWN	DESIGNED BY LML	DRAWN BY KBY	CHECKED BY LML	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">REVISIONS</td> <td style="width: 50%;">DATE</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	REVISIONS	DATE				
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SCALE AS SHOWN	DESIGNED BY LML												
DRAWN BY KBY	CHECKED BY LML												
REVISIONS	DATE												
SHEET NUMBER C-2	SHEET NUMBER 49												

File Attachments for Item:

5. Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of PP-2223-4: Consideration of a Preliminary Plat submitted by Subtext Acquisitions, L.L.C. (Kimley-Horn) for THE VERVE NORMAN for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.



CITY OF NORMAN, OK STAFF REPORT

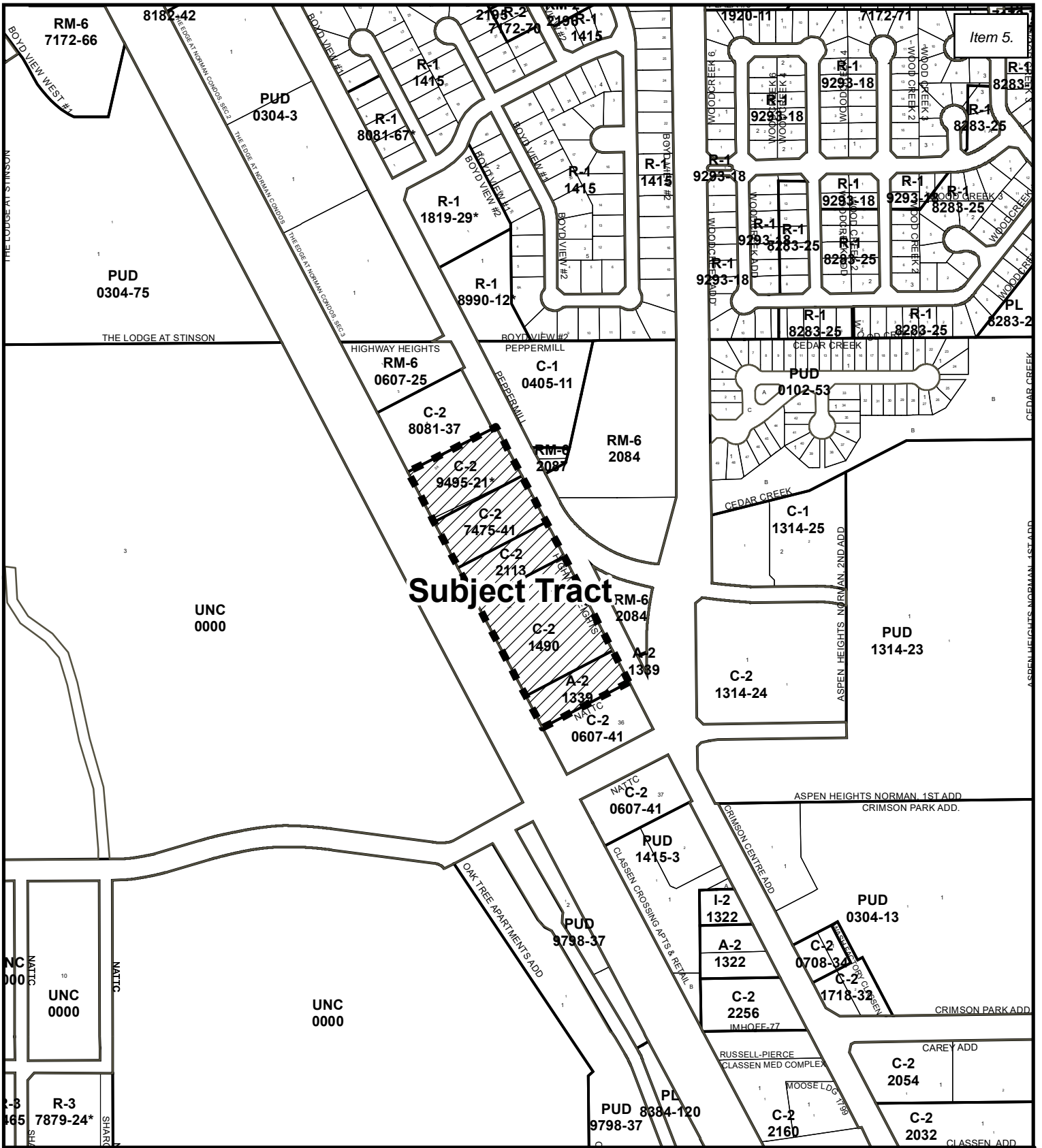
MEETING DATE: November 10, 2022

REQUESTER: Subtext Acquisitions, L.L.C.

PRESENTER: Ken Danner, Subdivision Development Manager

ITEM TITLE: Consideration of Approval, Acceptance, Rejection, Amendment, and/or Postponement of PP-2223-4: Consideration of a Preliminary Plat submitted by Subtext Acquisitions, L.L.C. (Kimley-Horn) for THE VERVE NORMAN for approximately 9.66 acres of property generally located on the west side of Classen Boulevard north of East Constitution Street.

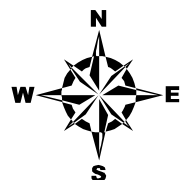
ACTION NEEDED: Recommend adoption, rejection, amendment, or postponement of PP-2223-4, the preliminary plat for THE VERVE NORMAN, to City Council.



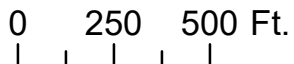
Location Map





Map Produced by the City of Norman Geographic Information System. The City of Norman assumes no responsibility for errors or omissions in the information presented.



October 25, 2022



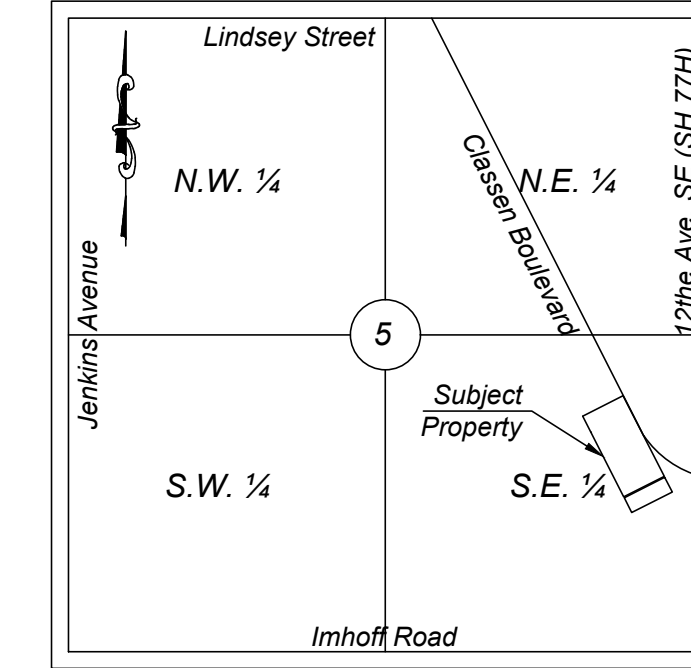
-  Subject Tract
-  Zoning

PRELIMINARY PLAT

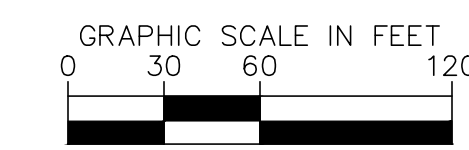
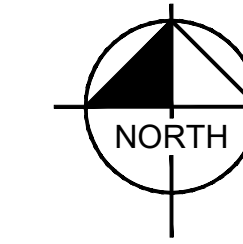
THE VERVE NORMAN

A PLANNED UNIT DEVELOPMENT

A Replat of Lots 5A & 7A, Highway Heights Addition and A Part of the SE/4 of Section 5,
T 8 N, R 2 W IM,
To the City of Norman, Cleveland County, Oklahoma



Vicinity Map
Section 5, Township 8N, Range 2W
Not To Scale



FIRM PANEL #: 285 OF 475,
MAP NUMBER: 40027C0285H
MAP DATE: September 26, 2008

LEGAL DESCRIPTION

A Part of the SE/4 of Section 5
T 8 N, R 2 W IM,
Cleveland County, Oklahoma,
Project No. 5571.5

Lot Five A (5A) and Lot Seven A (7A), Highway Heights Addition to the City of Norman, and a part of the Southeast Quarter (SE/4) of Section Five (5), Township Eight (8) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described by Curtis Lee Hale, LS 1084, on September 2, 2022, with metes and bounds as follows:

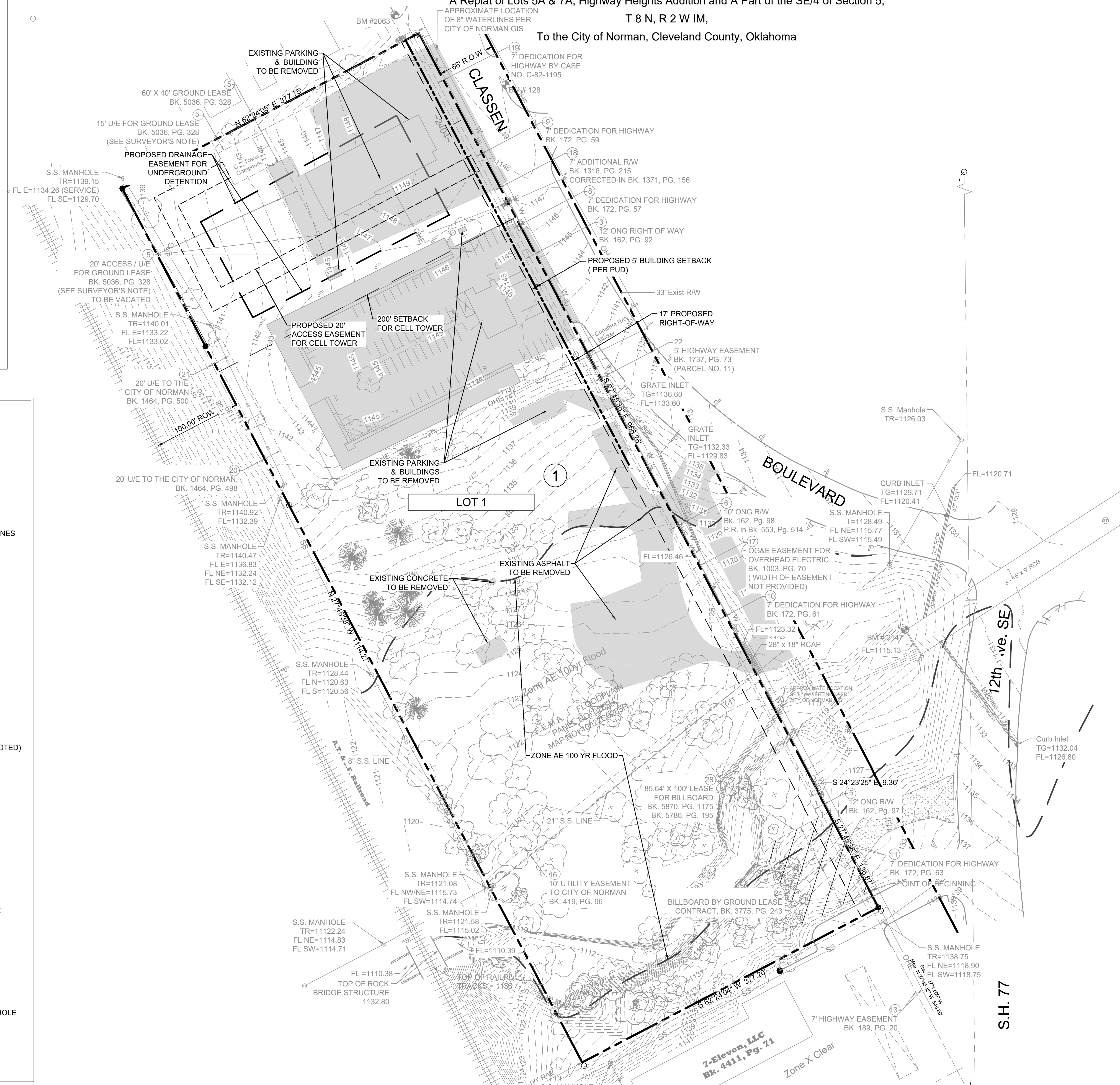
Commencing at the Southeast Corner of the SE/4 of said Section 5;
Thence North 00°41'16" West as the basis of bearing on the East line of said SE/4 a distance of 843.60 feet to the West Right-of-Way line of State Highway 77;
Thence North 27°45'38" West on said West Right-of-Way line a distance of 546.80 feet to the Point of Beginning;

Thence South 62°24'05" West a distance of 377.20 feet to the East Right-of-Way line of A.T. & S.F. Railroad;
Thence North 27°45'38" West on said East Railroad Right-of-Way, also being the West line of said Lots 5A and 7A a distance of 1114.27 feet to the Northwest corner of said Lot 5A;
Thence North 62°24'05" East on the North line of said Lot 5A a distance of 377.75 feet to the Northeast corner of said Lot 5A, said point being on the West Right-of-Way line of Classen Boulevard;
Thence South 27°45'38" East on the said West Right-of-Way line of Classen Boulevard, also being the East line of Lots 5A and 7A a distance of 968.26 feet to the Southeast corner of said Lot 7A;

Thence South 24°23'25" East a distance of 9.36 feet;
Thence South 27°45'38" East a distance of 136.67 feet to the Point of Beginning.
This description contains 420,839 square feet or 9.66 acres, more or less.
Subject to Easements and Rights-of-Way of record.

LEGEND

- SUBJECT PROPERTY
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- EASEMENT LINE
- OHE — OVERHEAD ELECTRIC LINES
- G — GAS LINE
- W — WATER LINE
- SS — SANITARY SEWER
- STOCKADE FENCE
- X — CHAIN LINK FENCE
- GUARD RAIL
- RAILROAD TRACKS
- FOUND MONUMENT
- SET MONUMENT
- 3/8" IRON BAR W/CAP "HALE & ASSOC. CA 819" (UNLESS OTHERWISE NOTED)
- POWER POLE
- POWER POLE W/LIGHT
- UTILITY POLE
- GUY ANCHOR
- AIR CONDITIONER
- TELEPHONE PEDESTAL
- FIBER OPTIC PEDESTAL
- FIBBER OPTIC PULL BOX
- GAS METER
- GAS LINE MARKER
- GAS VALVE
- CLEAN OUT
- SANITARY SEWER MANHOLE
- WATER METER
- WATER VALVE
- FIRE HYDRANT



DEVELOPER
SUBTEXT LIVING 3000 LOCUST STREET ST. LOUIS, MO 63103 PHONE: 314-328-6420 CONTACT: BETHANY ROONEY
ARCHITECT
DYNAMIK DESIGN PARTNERS, LLC. 5901 PEACHTREE DUNWOODY ROAD BUILDING C, SUITE 250 ATLANTA, GEORGIA 30328 PHONE: 678-506-8839 CONTACT: YI LO
CIVIL ENGINEER
Kimley»Horn 4727 GALLARDIA PARKWAY SUITE 250 OKLAHOMA CITY, OK 73142 PHONE: 405-241-5423 CONTACT: LYDIA LESLIE, P.E.
SURVEYOR
HALE & ASSOCIATES SURVEY COMPANY, INC 1601 SW 89TH STREET, BLDG. C, SUITE 200 OKLAHOMA CITY, OK 73159 PHONE: 405-686-0174 CONTACT: JOHN SAULER

	Item 5.
	DATE
	REVISIONS
	No.

Kimley»Horn

© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
4727 GALLARDIA PARKWAY, SUITE 250, OKLAHOMA CITY, OK 73142
PHONE: 405-241-5423 FAX: 405-241-5424
WWW.KIMLEY-HORN.COM

KHA PROJECT	061327000	DATE	November 22
SCALE	AS SHOWN	DESIGNED BY	LML
DRAWN BY	KBY	CHECKED BY	LML

THE VERVE NORMAN
A PLANNED UNIT DEVELOPMENT
NORMAN, OKLAHOMA

PRELIMINARY PLAT
SHEET NUMBER #####

DATE PLOTTED: 11/22/22 11:58 AM
PLOT FILE: C:\Users\jls\Documents\Projects\2022\22-0002\22-0002.dwg
LAST SAVED: 11/22/22 11:58 AM
DRAWN BY: JLS
DATE PLOTTED: 11/22/22 11:58 AM
PLOT FILE: C:\Users\jls\Documents\Projects\2022\22-0002\22-0002.dwg
LAST SAVED: 11/22/22 11:58 AM
DRAWN BY: JLS

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PRELIMINARY PLAT
PP-2223-4

ITEM NO. 6

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for **THE VERVE NORMAN, A PLANNED UNIT DEVELOPMENT**.

LOCATION: Generally located on the west side of Classen Boulevard north of Constitution Street.

INFORMATION:

1. Owners. OU Motel, L.L.C. and Hope Community Church, Inc.
2. Developer. Subtext Acquisitions, L.L.C.
3. Engineer. Kimley-Horn.

HISTORY:

1. April 5, 1929. The final plat for Highway Heights Addition was filed of record with the Cleveland County Clerk. The majority of this property was included in the final plat.
2. October 18, 1961. City Council adopted Ordinance No. 1314 annexing this property into the City of Norman Corporate City limits without zoning.
3. January 23, 1962. City Council adopted Ordinance No. 1339 placing this property in the A-2, Rural Agricultural District
4. May 14, 1963. City Council adopted Ordinance No. 1490 placing a portion of this property in C-2, General Commercial District and removing it from A-2, Rural Agricultural District.
5. April 12, 1966. City Council adopted Ordinance No. 1879 placing a portion of this property in the C-2, General Commercial District and removing it from A-2, Rural Agricultural District.

6. November 5, 1968. City Council adopted Ordinance No. 2113 placing a portion of this property in C-2, General Commercial District and removing it from A-2, Rural Agricultural District.
7. February 13, 1975. Planning Commission recommended to City Council placing a portion of this property in the C-2, General Commercial District and removing it from A-2, Rural Agricultural District.
8. March 4, 1975. City Council adopted Ordinance No. O-7475-41 placing a portion of this property in the C-2, General Commercial District and removing it from A-2, Rural Agricultural District.
9. October 13, 1994. Planning Commission recommended to City Council placing a portion of this property in the C-2, General Commercial District with Permissive Use for a Night Club or Dance Hall.
10. December 13, 1994. City Council adopted Ordinance No. O-9495-21 placing a portion of this property in the C-2, General Commercial District with Permissive Use for a Night Club or Dance Hall.
11. November 3, 2022. The Norman Board of Parks Commissioners recommended fee in lieu of park land for The Verve Norman, a Planned Unit Development.
12. December 8, 2022. The applicant has requested amending the NORMAN Land Use and Transportation Plan from Commercial Designation to High Density Residential Designation.
13. December 8, 2022. The applicant has requested placing this property in the PUD, Planned Unit Development and removing it from A-2, Rural Agricultural District, C-2, General Commercial District and C-2, General Commercial District with Permissive Use for a Night Club or Dance Hall.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations are being reviewed by the Fire Department.
2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
3. Sanitary Sewers. Public sanitary sewer mains are existing.
4. Sidewalks. Sidewalks will be constructed adjacent to Classen Boulevard.
5. Storm Sewers. Stormwater and appurtenant drainage structures will be installed in accordance with plans and City drainage standards. Stormwater runoff will be conveyed to a privately-maintained underground detention facility.

- 6. Streets. Proposed curb and gutter and restriping will be added to Classen Boulevard street improvements.
- 7. Water Mains. Existing water mains are located adjacent to Classen Boulevard. Additional water mains will be installed to serve fire hydrants in accordance with approved plans and City and Department of Environmental Quality standards.

PUBLIC DEDICATIONS:

- 1. Easements. All required easements will be dedicated to the City on the final plat.
- 2. Rights-of-Way. All street rights-of-way will be dedicated to the City on the final plat.
- 3. Flood Plain. This property contains Flood Plain. The applicant is proposing to construct a portion of a parking lot in the Flood Plain. The Flood Plain Permit Committee approved Flood Plain Permit No. 665. Flood Plain Permit No. 665 will require City Council approval.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary site development plan and preliminary plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: The preliminary plat consists of 9.66 acres and one (1) lot. A student housing project is proposed for the property with amenities located in the open space areas. Two large structures will be removed from the site. Staff recommends approval of the preliminary plat for The Verve Norman, a Planned Unit Development.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for The Verve Norman, a Planned Unit Development to City Council.

ACTION TAKEN: _____



CITY OF NORMAN

Development Review Form

Transportation Impacts

DATE: November 29, 2022

CONDUCTED BY: Jami L. Short, P.E.
City Traffic Engineer

PROJECT NAME: The Verve Norman

PROJECT TYPE: High Density Residential

Owner: Subtext Acquisitions, LLC
Developer's Engineer: Kimley Horn
Developer's Traffic Engineer: TEC

SURROUNDING ENVIRONMENT (Streets, Developments)

The areas surrounding this site are generally low density residential to the east and commercial uses to the north and south. Classen Boulevard is the main northwest/southeast roadway.

ALLOWABLE ACCESS:

The access will be in accordance with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)

Classen Boulevard: 3-4 lanes (existing and future). Speed Limit—45 mph. No sight distance problems. No median.

ACCESS MANAGEMENT CODE COMPLIANCE: YES NO

Proposed access for the development will comply with what is allowed in the subdivision regulations.

TRIP GENERATION

	Total	In	Out
Weekday	2,475	1237	1238
A.M. Peak Hour	106	29	77
P.M. Peak Hour	194	101	93

TRANSPORTATION IMPACT STUDY REQUIRED? YES NO

The volume exceeds the threshold for when a traffic impact study is required, the developer submitted traffic impact study documenting the trip generation information, effects on the surrounding intersections, as well as any potential sight distance concerns at the proposed access to Classen Boulevard. The apartment building will consist of 260 units with a total of 635 bedrooms and is proposed for location along the west side of Classen Boulevard between 12th Avenue SE and Lindsey Street.

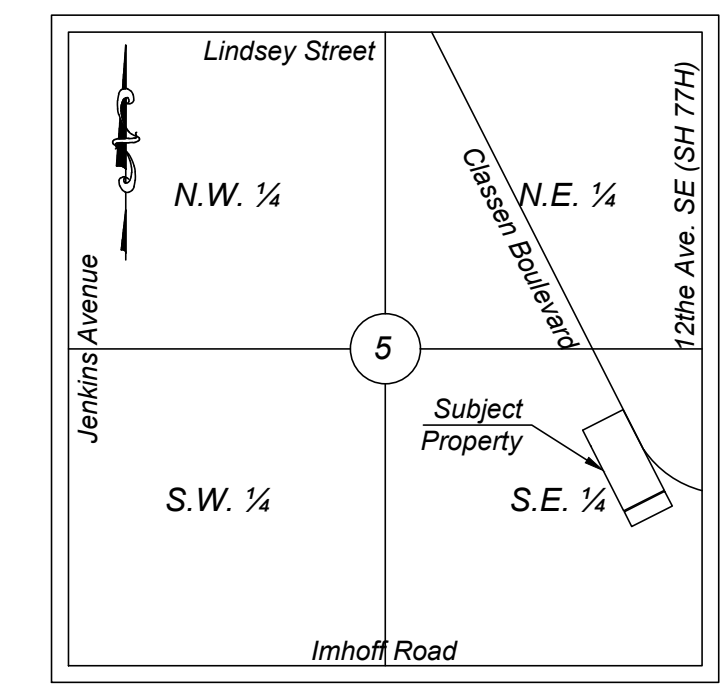
RECOMMENDATION: APPROVAL DENIAL N/A STIPULATIONS

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

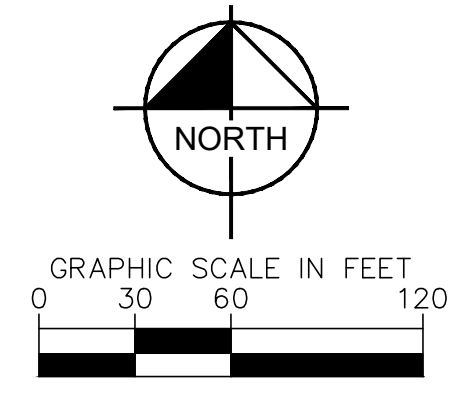
The proposed development will access Classen Boulevard between 12th Avenue SE to the southeast and Lindsey Street to the north. A left turn warrant analysis was performed for the northbound direction and was found to meet the need for installation based upon the projected 2025 PM peak hour volumes. The existing roadway is wide enough to accommodate the addition of the northbound left turn bays, and therefore restriping of the pavement would be the only offsite improvement required. Staff has asked the traffic engineer on the project to consider some lane modifications to accommodate the desired northbound left-turn lanes into the site without a loss of an existing northbound through lane on Classen Boulevard. The result of this request should be of negligible impact to the developer since the request and the original proposal each involve only restriping of existing Classen Boulevard.

PRELIMINARY SITE DEVELOPMENT PLAN THE VERVE NORMAN A PLANNED UNIT DEVELOPMENT

A Replat of Lots 5A & 7A, Highway Heights Addition and A Part of the SE/4 of Section 5,
T 8 N, R 2 W IM,
To the City of Norman, Cleveland County, Oklahoma



Vicinity Map
Section 5, Township 8N, Range 2W
Not To Scale



LEGEND

STUDENT HOUSING

M
M1: 5 STORY BUILDING W/BASEMENT UNITS
RESIDENTIAL
TOTAL: 210,000 SF

COMMON AREAS

C
C: LEASING / CLUB
TOTAL: 12,800 SF

CORRIDOR & UTILITIES

E

SITE INFORMATION

TOTAL SITE AREA:
9.5 AC

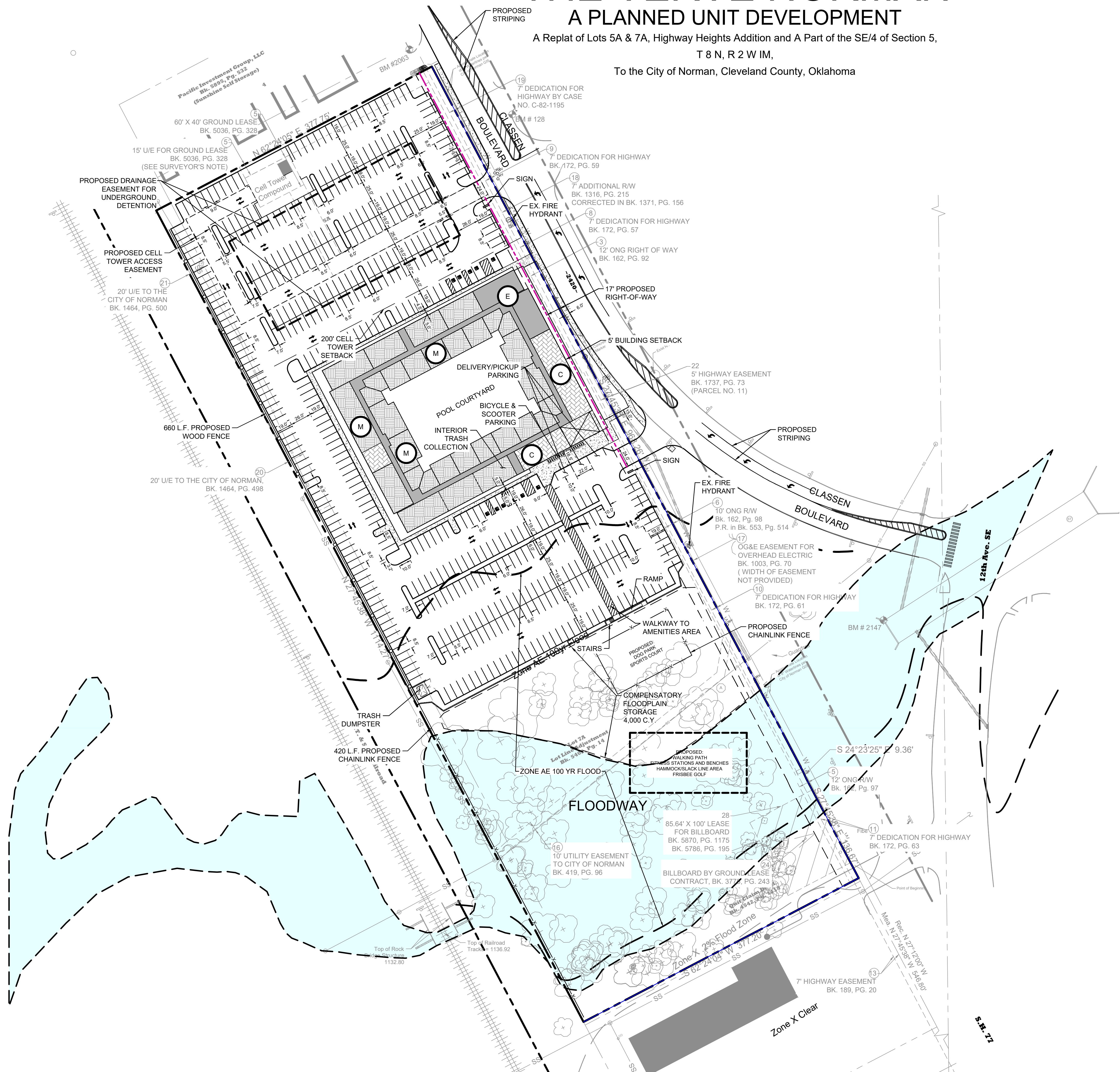
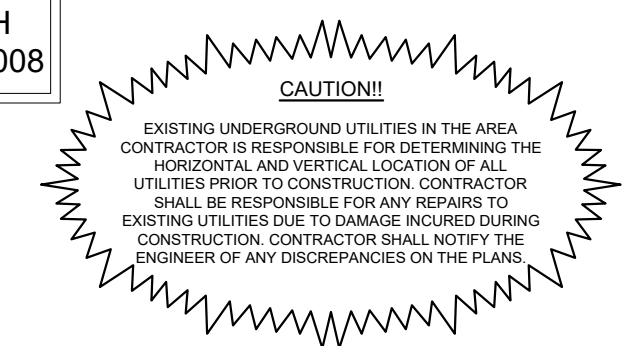
PROPOSED ZONING:
PUD

TOTAL BEDS:
625

TOTAL PARKING:
523 SPACES

PARKING RATIO:
0.84 SPACES/BED

FIRM PANEL #: 285 OF 475
MAP NUMBER: 40027C0285H
MAP DATE: September 26, 2008

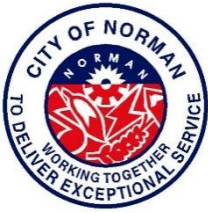


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 K:\Projects\2008\40027C0285H\40027C0285H_PUD\40027C0285H_PUD_SDD.dwg
 DATE: 11/26/08
 TIME: 10:00:00 AM
 USER: LYDIA M. LESLIE
 PLOT DATE: 11/26/08
 PLOT TIME: 10:00:00 AM
 PLOT USER: LYDIA M. LESLIE
 PLOT DEVICE: HP DesignJet 5000 Series
 PLOT SCALE: 1/8" = 1'-0"
 PLOT SHEET: 58 OF 58
 PLOT SHEET NAME: 40027C0285H_PUD_SDD.dwg

Item 5.	DATE
B	
REVISIONS	
No.	
© 2002 KIMLEY-HORN AND ASSOCIATES, INC. 4177 GALLARDIA PARKWAY, SUITE 250, OKLAHOMA CITY, OK 73142 PHONE: 405-241-5523 FAX: 405-241-5520 WWW.KIMLEY-HORN.COM	
KHA PROJECT 061327000	DATE November 22
SCALE AS SHOWN	DESIGNED BY LML
DRAWN BY KBY	CHECKED BY LML
THE VERVE NORMAN A PLANNED UNIT DEVELOPMENT NORMAN, OKLAHOMA	
DEVELOPMENT PLAN	
SHEET NUMBER	

File Attachments for Item:

6. Consideration of Approval, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-20: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 5-401 (1) CARPORT DEFINITION, AMENDING SECTION 5-403 OF ARTICLE IV OF CHAPTER 5 (“BUILDING CONSTRUCTION”) TO ADD REGULATIONS FOR CONSTRUCTION OF CARPORTS, AND DELETING SECTION 22-431.10 (“RESIDENTIAL CARPORTS”) IN CHAPTER 22 (“ZONING ORDINANCE”); AND AMENDING SECTION 22-441 (“BOARD OF ADJUSTMENT”) TO CHAPTER 22 (“ZONING ORDINANCE”) TO REMOVE THE SPECIAL EXCEPTION REQUIREMENT FOR CARPORTS IN CHAPTER 22 (“ZONING ORDINANCE”); OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH NEW CARPORT STANDARDS IN ARTICLE IV OF CHAPTER 5; AND PROVIDING FOR THE SEVERABILITY THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 12/8/2022

REQUESTER: Jane Hudson

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: Consideration of Approval, Rejection, Amendment, and/or Postponement of Ordinance No. O-2223-20: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 5-401 (1) CARPORT DEFINITION, AMENDING SECTION 5-403 OF ARTICLE IV OF CHAPTER 5 ("BUILDING CONSTRUCTION") TO ADD REGULATIONS FOR CONSTRUCTION OF CARPORTS, AND DELETING SECTION 22-431.10 ("RESIDENTIAL CARPORTS") IN CHAPTER 22 ("ZONING ORDINANCE"); AND AMENDING SECTION 22-441 ("BOARD OF ADJUSTMENT") TO CHAPTER 22 ("ZONING ORDINANCE") TO REMOVE THE SPECIAL EXCEPTION REQUIREMENT FOR CARPORTS IN CHAPTER 22 ("ZONING ORDINANCE"); OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH NEW CARPORT STANDARDS IN ARTICLE IV OF CHAPTER 5; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Recommend adoption, rejection, amendment, or postponement of Ordinance No. O-2223-20 to City Council.



Date: December 8, 2022
To: Planning Commission
From: Jane Hudson, Director of Planning & Community Development
Subject: Carport Ordinance Amendments
Ordinance No. 2223-20

Summary Amending the approval requirements and design/material requirements for a residential carport structure and moving regulations from Chapter 22, Zoning Ordinance to Chapter 5, Building Construction.

Background Staff presented information regarding construction of residential carports to Council Committees and Council Study Session in May and October 2014, June 2018, and June 2019. Over the last few years, staff has researched several other communities and developed varying proposals regarding construction requirements and location of residential carports.

At the October 2014 meeting, the Committee discussed the proposed Ordinance language with a focus on whether the material compatibility should be included, as it could be costly for applicants. There was not a consensus on this issue and the Committee proposed that the Ordinance language should go forward to full Council at a future Study Session. City Council discussed the topic at a Study Session on December 2, 2014. There was no consensus on what the final language should be, the discussion did not proceed and there were no changes to the regulations, at that time.

Beginning again in 2018, Council gave direction to revisit the possible amendment options to the regulations regarding carports in residentially zoned districts. Council requested more information on this amendment and asked that the Community Planning and Transportation Committee (CPT) discuss this item at a future meeting. Staff brought the carport discussion back to Committee in June of 2018 and again in June of 2019.

In early 2020 staff presented possible ordinance amendments for carports, allowing a process to move forward with construction of carports. In July of 2020, amendments to Chapter 5, the Building Construction and Chapter 22, the Zoning Ordinance were adopted to allow for construction of carports based on the adopted regulations. Since the July 2020 amendments, Council and staff has received multiple complaints regarding the additional costs and procedure/steps required to obtain approval to construct a residential carport.

office memorandum

Due to the additional cost and time invested to get approval to construct a residential carport staff has developed the below proposed changes to the Carport Ordinance in Chapter 22 and suggests that the residential carport regulations be returned to Chapter 5 and removed from Chapter 22.

Proposed Regulations:

Sec. 5-403. - Carports: Construction.

1. Carport Defined: All structures, whether attached to an existing structure or freestanding, which are constructed for the purpose of providing a roof-type cover only, for the protection from the sun, rain, snow, sleet or hail for passenger vehicles.
2. Applicability: Carports are allowed in any zoning district so long as they are constructed to the standards set forth herein.
3. General Provisions:
 - a. Carports shall not be used for the outside storage of materials, equipment or goods or the parking and/or storage of inoperable vehicles.
 - b. In residential zoning districts no more than one carport shall be permitted per residential dwelling unit [BM1][JH2].
 - c. A building permit shall be required prior to construction, and the structure shall comply with all applicable building, zoning and development codes except as provided herein.
 - d. The carport shall be open on all sides except where attached to a structure. [BM3][JH4]
 - e. All carports shall be kept in good repair and safe and sanitary condition.
 - f. All carports open on all sides, except where attached to a structure, existing as of the date of adoption of this section shall be considered a legal nonconforming use for purposes of the Zoning Ordinance, subject to the restrictions concerning nonconforming uses as set forth in Section 419 of the Zoning Ordinance.
 - g. The area of the carport, combined with all other structures on the lot, shall not exceed the maximum lot coverage established for the zoning district in which it is located.

4. Carport Construction. Carports shall be constructed in compliance with the following:
 - a. All carports shall be located over a paved hard-surfaced drive. Provided however, a gravel driveway may be used to satisfy the requirement if the property owner can demonstrate that the gravel driveway existed in accordance with Section 431.7 2. (f)(2) and was continually maintained.
 - b. Carports may be constructed past the front set back or applicable build line, as set forth in the applicable underlying Zoning District, except that no carport shall be constructed nearer than seven (7) feet to the front property line nor within any sight triangle or intersecting streets.
 - c. Carports may be constructed within 1' of the side property line so long as the structure is open on the side adjacent to the property line.
 - d. In residential zoning districts, the construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.
 - e. Carports shall not be constructed of cloth or fabric of any kind. Tarps, canvas or similar materials shall not be used to enclose the carport.
 - f. The roofing material for the carport must be a minimum of twenty-nine (29) gauge metal.
 - g. The structure must be designed to meet Building Codes and Local Amendments applicable at the time of construction.
 - h. In residential zoning districts, a carport shall not exceed the height of the principal dwelling structure.
 - i. Guttering shall be installed and maintained in a manner to prohibit any increase of water run-off onto the adjacent property.

5. Carports on Corner Lots. Carports located on corner lots shall be permitted as follows:
 - a. The carport must comply with all regulations in Section 3 and 4.
 - b. No part of the carport canopy or appurtenance may extend into the front yard setback more than seven feet and into the exterior side yard setback more than four feet.

- c. In no case shall the installation of the carport interfere with the existing sidewalks, sight triangle or fire hydrants.
- d. All carports which extend into the required front yard setback must abut the principal dwelling structure and shall be permanently open on all sides.

Proposal is to remove the requirement for carport requests to appear before Board of Adjustment as a Special Exceptions.

In Chapter 5, we will be adding the below definition.

Sec. 5-401. - Definitions.

The following words and phrases when used in this article shall, for the purpose of this article, have the meaning respectively ascribed to them in this section except where the context otherwise requires:

(1)Carport: Any structure having a roof and roof supports, but no sidewalls, and is intended for use solely as a shelter for motor vehicles.

Replace the above definition with the same definition from above for this section – see below new definition.

1. Carport Defined: All structures, whether attached to an existing structure or freestanding, which are constructed for the purpose of providing a roof-type cover only, for the protection from the sun, rain, snow, sleet or hail of passenger vehicles.

Conclusion: Staff presents Ordinance No. 2223-20 for consideration by the Planning Commission and recommendation to City Council.

Ordinance No. O-2223-20

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 5-401 (1) CARPORT DEFINITION, AMENDING SECTION 5-403 OF ARTICLE IV OF CHAPTER 5 (“BUILDING CONSTRUCTION”) TO ADD REGULATIONS FOR CONSTRUCTION OF CARPORTS, AND DELETING SECTION 22-431.10 (“RESIDENTIAL CARPORTS”) IN CHAPTER 22 (“ZONING ORDINANCE”); AND AMENDING SECTION 22-441 (“BOARD OF ADJUSTMENT”) TO CHAPTER 22 (“ZONING ORDINANCE”) TO REMOVE THE SPECIAL EXCEPTION REQUIREMENT FOR CARPORTS IN CHAPTER 22 (“ZONING ORDINANCE”) OF THE CODE OF THE CITY OF NORMAN AND TO ESTABLISH NEW CARPORT STANDARDS IN ARTICLE IV OF CHAPTER 5; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 5-401 of Chapter 5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 5-401. - Definitions.

The following words and phrases when used in this article shall, for the purpose of this article, have the meaning respectively ascribed to them in this section except where the context otherwise requires:

~~(1) *Carport*: Any structure having a roof and roof supports, but no sidewalls, and is intended for use solely as a shelter for motor vehicles.~~

1. Carport: All structures, whether attached to an existing structure or freestanding, which are constructed for the purpose of providing a roof-type cover only, for the protection from the sun, rain, snow, sleet or hail of passenger vehicles.

2. Fallout shelter: Any structure designed to protect the occupants from the effects of residual radiation resulting from a nuclear detonation.

3. Tornado shelter: Any underground structure designed to protect the occupants from the effects of wind and debris resulting from a tornado.

§ 2. That Section 5-403 of Chapter 5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 5-403. - Carports: Construction.

~~(a) Carports shall be designed and built so as not to create a fire or other hazard to person or property in the vicinity thereof and shall conform as nearly as possible and be in harmony with the existing structures in the surrounding neighborhood.~~

~~(b) No metal shall be utilized as the roof of any carport except that specifically designed for such purpose.~~

~~(c) The sides of a carport shall never be covered or enclosed by any materials whatsoever, nor shall the sides of such carport be constructed closer than five (5) feet to any fence, growth of vines, flowers, or other vegetable matter.~~

~~(d) The supports of a carport may be constructed of wrought iron or aluminum, steel or aluminum pipe or tubing, and brick. If the supports consist of wrought iron or aluminum, they shall not exceed a dimension of more than one (1) inch in thickness nor more than twelve (12) inches in width; if made of steel or aluminum tubing or pipe, they shall not be more than four (4) inches in diameter; and if made of brick, they shall not be more than twelve (12) inches in any dimension.~~

~~(e) The side supports of any carport situated in any front yard must be no closer together than ten (10) feet.~~

1. Applicability: Carports are allowed in any zoning district so long as they are constructed to the standards set forth herein.

2. General Provisions:

- a. Carports shall not be used for the outside storage of materials, equipment or goods or the parking and/or storage of inoperable vehicles.
- b. In residential zoning districts, no more than one carport shall be permitted for each per residential dwelling unit.
- c. A building permit shall be required prior to construction, and the structure shall comply with all applicable building, zoning and development codes except as provided herein.
- d. The carport shall not be open on all sides except where attached to a structure.
- e. All carports shall be kept in good repair and safe and sanitary condition.
- f. All carports open on all sides, except where attached to a structure, existing as of the date of adoption of this section shall be considered a legal nonconforming

use for purposes of the Zoning Ordinance, subject to the restrictions concerning nonconforming uses as set forth in Section 419 of the Zoning Ordinance.

- g. The area of the carport, combined with all other structures on the lot, shall not exceed the maximum lot coverage established for the zoning district in which it is located.

3. Carport Construction. Carports shall be constructed in compliance with the following:

- a. All carports shall be located over a paved hard-surfaced drive. Provided however, a gravel driveway may be used to satisfy the requirement if the property owner can demonstrate that the gravel driveway existed in accordance with Section 431.7(f)(2) and was continually maintained.
- b. Carports may be constructed past the front set back or applicable build line, as set forth in the applicable underlying Zoning District, except that no carport shall be constructed nearer than seven (7) feet to the front property line nor within any sight triangle or intersecting streets.
- c. Carports may be constructed within 1' of the side property line so long as the structure is open on the side adjacent to the property line.
- d. In residential zoning districts, the construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.
- e. Carports shall not be constructed of cloth or fabric of any kind. Tarps, canvas or similar materials shall not be used to enclose the carport.
- f. The roofing material for the carport must be a minimum of twenty-nine (29) gauge metal.
- g. The structure must be designed to meet Building Codes and Local Amendments applicable at the time of construction.
- h. In residential zoning districts, a carport shall not exceed the height of the principal dwelling structure.
- i. Guttering shall be installed and maintained in a manner to prohibit any increase of water run-off onto the adjacent property.

4. Carports on Corner Lots. Carports located on corner lots shall be permitted as follows:

- a. The carport must comply with all regulations in Section 3 and 4.
- b. No part of the carport canopy or appurtenance may extend into the front yard setback more than seven feet and into the exterior side yard setback more than four feet.
- c. In no case shall the installation of the carport interfere with the existing sidewalks, sight triangle or fire hydrants.
- d. All carports which extend into the required front yard setback must abut the principal dwelling structure and shall be permanently open on all sides.

§ 3. That Section 431.10 of Chapter 22, the Zoning Ordinance, shall be removed as follows:

SEC. 431.10 — RESIDENTIAL CARPORTS

(As established by Ord. No. O-1920-51 — July 23, 2020)

1. ~~Carport Defined: A permanently roofed structure, open on all sides, except where attached to an existing structure, providing space for the parking or storage of private passenger vehicles.~~
2. ~~Applicability: Residential carports, constructed to the standards set forth herein, are allowed in the following zoning districts, subject to Board of Adjustment approval as a Special Exception: RE Residential Estate Dwelling District; R-1 Single Family Dwelling District; R-1A Single Family Attached Dwelling District; R-2 Two Family Dwelling District; RM-2 Low Density Apartment District, RM-4 Mobile Home Park District; RM-6 Medium Density Apartment District; and R-3 Multi Family Dwelling District.~~
3. ~~General Provisions:~~
 - a. ~~Carports shall not be used for the outside storage of materials, equipment or goods or the parking and/or storage of inoperable vehicles.~~
 - b. ~~No more than one carport shall be permitted for each dwelling unit.~~
 - c. ~~A building permit shall be required prior to construction, and the structure shall comply with all applicable building, zoning and development codes except as provided herein.~~
 - d. ~~The carport shall not be enclosed.~~
 - e. ~~All carports shall be kept in good repair and safe and sanitary condition.~~
 - f. ~~All carports open on all sides existing as of the date of adoption of this section shall be grandfathered and considered a nonconforming use, subject to the restrictions concerning nonconforming uses as set forth in Section 419 of the Zoning Ordinance.~~
 - g. ~~The area of the carport, combined with all other structures on the lot, shall not exceed the maximum lot coverage established for the zoning district in which it is located.~~
4. ~~Carport Construction. Carports shall be constructed in compliance with the following:~~
 - a. ~~All carports shall be located over a paved hard surfaced drive. Provided however, a gravel driveway may be used to satisfy the requirement if the property owner can demonstrate that the gravel driveway existed in accordance with Section 431.7(f)(2) and was continually maintained.~~
 - b. ~~Carports may be constructed past the front set back or applicable build line, as set forth in the applicable underlying Zoning District, only in conformance with~~

- ~~the conditions herein as a Special Exception approved by the Board of Adjustment, except that no carport shall be constructed nearer than seven (7) feet to the front property line nor within any sight triangle or intersecting streets.~~
- ~~c. The construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.~~
 - ~~d. Carports shall use similar construction materials as the principal dwelling structure they serve and shall have compatible architectural style.~~
 - ~~e. Carports shall not be constructed of cloth or fabric of any kind. Tarps, canvas or similar materials shall not be used to enclose the carport. Metal roofed/covered carports shall not be permitted in the front yard except when the principal dwelling structure has a metal roof; in that case, an attached carport may utilize the same material as the principal structure.~~
 - ~~f. Poles, beams, or other devices supporting a carport structure shall not be exposed metal or galvanized material. All poles, beams or other supporting devices must be covered with materials aesthetically compatible to the principal dwelling structure.~~
 - ~~g. A carport shall occupy a minimum area of 180 square feet, up to a maximum area of 440 square feet, and shall have a minimum width of nine (9) feet.~~
 - ~~h. The structure must be designed to meet Building Codes and Local Amendments applicable at the time of construction.~~
 - ~~i. A carport shall not exceed a maximum height of fourteen (14) feet, or the height of the principal dwelling structure, whichever is less.~~
 - ~~j. Guttering shall be installed and maintained in a manner to prohibit any increase of water run-off onto the adjacent property.~~
5. ~~Carports on Corner Lots. Carports located on corner lots shall be permitted to extend within the minimum front yard setback or exterior side yard setback requirement upon approval by the Board of Adjustment subject to the following additional conditions:~~
- ~~a. The carport must comply with all regulations in Section 3 and 4.~~
 - ~~b. No part of the carport canopy or appurtenance may extend into the front yard setback more than seven feet and into the exterior side yard setback more than three feet.~~
 - ~~c. In no case shall the installation of the carport interfere with the existing sidewalks, sight triangle or fire hydrants.~~
 - ~~d. All carports which extend into the required front yard setback must abut the principal dwelling structure and shall be permanently open on all sides.~~

§ 4. That Section 441 of Chapter 22, the Zoning Ordinance, shall be amended to read as follows:

* * *

7. Special Exceptions Defined and Enumerated. A special exception is defined as follows: "A special exception is a use that would not be appropriate generally or without restriction throughout the zoning district but which if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning districts as special exceptions if specific provision for such special exceptions is made hereafter."

The Board of Adjustment is hereby empowered and authorized to grant the following specific exceptions, to wit:

*

~~(g) To allow the construction and maintenance of Residential Carports, as set forth in Article XII, Section 431.10. (O 1920 51)~~

* * *

§ 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day
of _____, 2023.

NOT ADOPTED this _____ day
of _____, 2023.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)