

### CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, April 08, 2025 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, relation, 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 call 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

# CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, AND NORMAN TAX INCREMENT FINANCE AUTHORITY

You are required to sign up in advance of the meeting on the City's webpage, by calling the City Clerk's Office (405-366-5406), or at the Council Chambers prior to the start of the meeting with your name, ward, and item you wish to speak to including whether you are a proponent or opponent. When the time comes for public comments, the Clerk will call your name and you can make your way to the podium. Comments may be limited on items of higher interest, if so, the Mayor will announce that at the beginning of the meeting. Participants may speak one time only up to 3 minutes per person per item. There will be no yielding of time to another person. Sign up does not guarantee you will get to speak if the allotted time for that item has already been exhausted. If there is time remaining after those registered to speak have spoken, persons not previously signed up may have the opportunity to speak. Comments received must be limited to the motion on the floor only.

**CALL TO ORDER** 

**ROLL CALL** 

PLEDGE OF ALLEGIANCE

### **PROCLAMATIONS**

1. CONSIDERATION OF ACKNOWLEDGMENT, APPROVAL, ACCEPTANCE, REJECTION, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-23: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF APRIL, 2025, AS FAIR HOUSING MONTH IN THE CITY OF NORMAN. 2. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-24: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 21-25, 2025, AS NATIONAL COMMUNITY DEVELOPMENT WEEK IN THE CITY OF NORMAN.

### **COUNCIL ANNOUNCEMENTS**

### CONSENT DOCKET

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 3 through Item 17 be placed on the consent docket.

### **APPROVAL OF MINUTES**

3. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MEETING MINUTES OF MAY 07, 2024, AND MARCH 4, 2025.

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING MINUTES OF APRIL 23, 2024.

CITY COUNCIL CONFERENCE MEETING MINUTES OF MAY 14, 2024.

CITY COUNCIL SPECIAL MEETING MINUTES MARCH 12, 2024 AND APRIL 9, 2024.

### **First Reading Ordinance**

4. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-26 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVEN (7), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (281 W TECUMSEH ROAD)

5. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT ORDINANCE O-2425-27 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE NORTHWEST QUARTER (NW/4) OF SECTION TWO (2), TOWNSHIP NINE NORTH (T9N), RANGE THREE WEST (R3W), OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF THE I-35 AND WEST INDIAN HILLS ROAD INTERSECTION)

### **Reports/Communications**

6. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

### Bids

7. CONSIDERATION OF AWARDING, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2425-41 SUBMITTED BY RCC TRAFFIC, L.L.C., FOR INSTALLED PAVEMENT MARKINGS FOR THE TRAFFIC CONTROL DIVISION AS OUTLINED IN THE STAFF REPORT.

### **Donation**

8. CONSIDERATION OF ACCEPTANCE AND APPROPRIATION OF A DONATION IN THE AMOUNT OF \$500 FROM THE NATIONAL WILDLIFE FEDERATION'S TREES FOR WILDLIFE PROGRAM

### Acceptance of Deed

9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DONATION OF 0.39 ACRES OF REAL PROPERTY LEGALLY DESCRIBED AS SEQUOY TRAILS BLK A COMMON OPEN SPACE DETENTION POND, SECTION 17, RANGE 2 W, TOWNSHIP 9 N

### **Settlements**

10. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-113: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY LEVI WILKINS UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF LEVI WILKINS V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE NO. 2019-05323 X, DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

### **Contracts**

- 11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT TWO TO CONTRACT K-2223-131: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND E & E LAWN CARE, L.L.C., FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE CODE COMPLIANCE DIVISION EXTENDING THE CONTRACT THROUGH MARCH 31, 2026.
- 12. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT TWO TO CONTRACT K-2223-132: BY AND BETWEEN GIVENS PROPERTY MAINTENANCE, L.L.C., FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE CODE COMPLIANCE DIVISION EXTENDING THE CONTRACT THROUGH MARCH 31, 2026.
- 13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CHANGE ORDER TWO TO CONTRACT K-2324-70: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND KRAPFFREYNOLDS CONSTRUCTION CO., FOR THE FYE19 SEWER MAINTENANCE PROJECT AS OUTLINED IN THE STAFF REPORT.
- 14. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2425-109: BY AND BETWEEN THE CITY OF NORMAN AND MENTAL HEALTH ASSOCIATION OKLAHOMA FOR THE ADMINISTRATION OF THE "A BETTER WAY OPPORTUNITY KNOCKS" PROGRAM AND BUDGET APPROPRATION.

### **Resolutions**

- 15. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-117: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY, APPROPRIATING \$44,730.94 FROM WATER FUND AND \$111,745.42 FROM THE WATER RECLAMATION FUND TO FUND PAYMENT UNDER CONTRACT K-2324-19 FOR SUCCESSFUL TAX ASSISTANCE SERVICES.
- 16. CONDSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-118: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING AN INTERNAL AUDIT CHARTER TO FORMALIZE A WRITTEN AGREEMENT BETWEEN THE CITY COUNCIL AND THE FINANCE COMMITTEE REGARDING THE PURPOSE, AUTHORITY, AND RESPONSIBILITIES OF THE OFFICE OF THE CITY AUDITOR.
- 17. CONDSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A RESOLUTION R-2425-119: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE TRIENNIAL AUDIT PLAN, A COMPREHENSIVE AUDIT FRAMEWORK COVERING THREE FISCAL YEARS ENDING JUNE 30, 2027.

### **NON-CONSENT ITEMS**

### **Second Reading Ordinance**

- 18. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-81: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE OFFICE DESIGNATION. (2710 36TH AVENUE NW)
- 19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-24 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE O-1, OFFICE-INSTITUTIONAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2710 36TH AVENUE NW)

- 20. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-93: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE COMMERCIAL DESIGNATION AND PLACE THE SAME IN THE INSTITUTIONAL DESIGNATION. (2919 CLASSEN BLVD.)
- 21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE LOT 1, BLOCK 1, LIFE.CHURCH NORMAN AND LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2919 CLASSEN BLVD. AND 1500 E. IMHOFF RD.)

### **MISCELLANEOUS COMMENTS**

This is an opportunity for citizens to address City Council. Due to Open Meeting Act regulations, Council is not able to participate in discussion during miscellaneous comments. Remarks should be directed to the Council as a whole and limited to three minutes or less.

### **ADJOURNMENT**

### File Attachments for Item:

1. CONSIDERATION OF ACKNOWLEDGMENT, APPROVAL, ACCEPTANCE, REJECTION, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-23: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF APRIL, 2025, AS FAIR HOUSING MONTH IN THE CITY OF NORMAN.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Lisa Krieg

PRESENTER: Lisa Krieg, Community Development Block Grant Manager

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGMENT, APPROVAL,

ACCEPTANCE, REJECTION, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-23: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF APRIL, 2025, AS FAIR HOUSING MONTH IN THE CITY OF NORMAN.

## Proclamation

P-2425-23

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF APRIL, 2025, AS FAIR HOUSING MONTH IN THE CITY OF NORMAN.

- WHEREAS, fair housing is the law of the State of Oklahoma and is consistent with the principle of equality and justice for all; and
- WHEREAS, the freedom to choose a dwelling has been one held precious in America through the centuries; and
- WHEREAS, equal housing opportunity is a right guaranteed to all Americans under Title VIII of the 1968 Civil Rights Act; and
- § 4. WHEREAS, April 2025 marks the 57th anniversary of the Federal Fair Housing Law, also known as Title VIII of the Civil Rights Act of 1968; and
- § 5. WHEREAS, the month of April symbolizes a significant milestone for all Americans to rededicate themselves to this country and the State of Oklahoma's underlying premise that all citizens be guaranteed freedom of choice, and the State publicly reaffirms its public policy to eliminate all vestiges of housing discrimination wherever they exist; and
- WHEREAS, Oklahoma's housing industry and governmental entities are united in the common goal of providing safe and sanitary housing for all, without regard to race, color, religion, sex, national origin, age or handicap, or familial status.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

§ 7. Do hereby proclaim the month of April, 2025, as Fair Housing Month.

PASSED AND APPROVED this 8th day of April, 2025.

	ATTEST:	Mayor
o R M	City Clerk	

### File Attachments for Item:

2. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-24: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 21-25, 2025, AS NATIONAL COMMUNITY DEVELOPMENT WEEK IN THE CITY OF NORMAN.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Brenda Hall, City Clerk

**PRESENTER:** Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-24: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 21-25, 2025, AS NATIONAL COMMUNITY DEVELOPMENT WEEK IN THE CITY

OF NORMAN.

## Proclamation

P-2425-24

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 21-25, 2025, AS NATIONAL COMMUNITY DEVELOPMENT WEEK IN THE CITY OF NORMAN.

- § 1. WHEREAS, the week of April 21-25, 2025, has been designated as National Community Development Week to celebrate the Community Development Block Grant (CDBG) and HOME Investment Partnerships Programs (HOME); and
- § 2. WHEREAS, the CDBG and HOME Programs provide annual funding and flexibility to local communities to provide decent, safe and affordable housing, a suitable living environment, and economic opportunities to low- and moderate-income people; and
- § 3. WHEREAS, over the past four years, our community has received a total of \$3,771,628 in CDBG and \$1,669,992 of HOME Investment Partnership funds and has funded a variety of projects that have directly benefited our citizens and neighborhoods; and
- § 4. WHEREAS, the CDBG and HOME Programs are a versatile funding source that helps us revitalize our neighborhoods and improve our citizens' lives. Locally, every \$1 of these funding sources leverages \$4 in additional private investment. Countless projects within Norman would not have been possible without these federal investments.

### NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN

§ 5. Do hereby proclaim that the City of Norman designates the week of April 21-25, 2025, as National Community Development Week in support of these valuable programs that has made tremendous contributions to the viability of the housing stock, infrastructure, public services, and the economic well-being of our community. Please join me in celebrating the successes of these programs and their impact on our community during 2025 National Community Development Week.

PASSED AND APPROVED this 8th day of April, 2025.

ATTEST:	Mayor
City Clerk	

### File Attachments for Item:

3. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MEETING MINUTES OF MAY 07, 2024, AND MARCH 4, 2025.

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING MINUTES OF APRIL 23, 2024.

CITY COUNCIL CONFERENCE MEETING MINUTES OF MAY 14, 2024.

CITY COUNCIL SPECIAL MEETING MINUTES MARCH 12, 2024 AND APRIL 9, 2024.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Brenda Hall, City Clerk

**PRESENTER:** Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF THE MINUTES AS

FOLLOWS:

CITY COUNCIL STUDY SESSION MEETING MINUTES OF MAY 07, 2024,

AND MARCH 4, 2025.

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN

MUNICIPAL AUTHORITY, NORMAN TAX INCREMENT FINANCE

AUTHORITY MEETING MINUTES OF APRIL 23, 2024.

CITY COUNCIL CONFERENCE MEETING MINUTES OF MAY 14, 2024.

CITY COUNCIL SPECIAL MEETING MINUTES MARCH 12, 2024 AND

APRIL 9, 2024.



### CITY OF NORMAN, OK CITY COUNCIL STUDY SESSION

Municipal Building, Executive Conference Room, 201 West Gray, Norman, OK 73069

Tuesday, May 07, 2024 at 5:30 PM

### **MINUTES**

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Study Session in the Executive Conference Room of the Norman Municipal Building on the 7th day of May, 2024, at 5:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray Street 24 hours prior to the beginning of the meeting.

### **CALL TO ORDER**

Mayor Heikkila called the Meeting to Order at 5:30 p.m.

### **PRESENT**

Councilmember Ward 1 Austin Ball Councilmember Ward 2 Lauren Schueler Councilmember Ward 5 Rarchar Tortorello Councilmember Ward 7 Stephen Holman

### ABSENT

Mayor Larry Heikkila
Councilmember Ward 3 Bree Montoya
Councilmember Ward 4 Helen Grant
Councilmember Ward 6 Elizabeth Foreman
Councilmember Ward 8 Matthew Peacock

### AGENDA ITEMS

1. DISCUSSION REGARDING THE FYE 2024 CAPITAL IMPROVEMENTS PROGRAM BUDGET.

Mr. Jacob Huckabaa, Budget Technician, said tonight a budget review for FYE 2025 Capital Improvements Program Budget will be presented to Council. Council was previously updated on funded projects and discussed Council priorities for FYE 2024 Capital Improvements Plan (CIP) on November 21, 2023, and proposed new projects for FYE 2025 were discussed on February 6, 2024.

Mr. Huckabaa highlighted all funds included in the CIP Budget as follows:

### Special Purpose Capital Funds

- Public Safety Sales Tax Fund (PSST)
- Community Development Block Grant (CDBG) Fund
- Special Grants Fund
- Room Tax Fund
- Public Transportation and Parking Fund
- Capital Fund (Pay-As-You-Go or PAYGO)
- Capital Fund (General Obligation Bonds)
- NORMAN FORWARD Sales Tax Fund
- Park Land and Development Fund
- University North Park Tax Increment Finance (UNPTIF) District Fund
- Center City Tax Increment Finance District (CCTIF) Fund
- Arterial Road Recoupment Fund

### **Enterprise Funds**

- Water Fund
- Water Reclamation Fund
- Sanitation Fund
- Sewer Maintenance Fund
- New Development Excise Tax Fund

Capital Sales Tax Guidelines to allocate new sales tax revenue includes Capital Outlay – 27%; Maintenance of Existing Facilities – 7%; Street Maintenance – 20%; General Contingency – 5%; Other Projects and Debt Service – 36%.

Mr. Huckabaa said the proposed recurring sidewalk project in FYE 25 include the Sidewalks and Trails - \$140,000; Sidewalk Program for Schools and Arterials - \$100,000; Sidewalk Accessibility Project - \$45,000; Citywide Sidewalk Project - \$125,000; Downtown Area Sidewalk Project - \$50,000; and Horizontal Saw Cut Program - \$40,000 for a total of \$500,000.

Proposed recurring CIP Fund Projects in FYE 25 include Capital Outlay - \$4,255,378; Street Maintenance - \$2,852,877; Maintenance of Existing Facilities - \$1,225,877; Stormwater Drainage Maintenance - \$2,450,000; Personnel - \$1,295,180; Oklahoma Department of Transportation (ODOT) Audit Adjustments - \$100,000; Bridge Maintenance - \$1,000,000; Driveway Repairs - \$10,000; American with Disabilities Act (ADA) Compliance Program - \$300,000; Street Striping - \$100,000; Traffic Calming - \$50,000; and Community/Neighborhood Improvements - \$100,000 for a total of \$13,739,312.

Item 1, continued

Capital Fund Projects include IT Hardware and Software - \$875,000; Reed Avenue Curb and Gutter Amendment - \$550,000; the Regional Transportation Authority request increased - \$215,033; GIS Mapping Update - \$225,000; Network Switch Replacements - \$210,000; Park Site Amenities and Furnishings - \$45,000; Tree Program - \$65,000; Historical Markers - \$30,000; Monument Signs - \$225,000; Tecumseh, Flood, and Robinson Wayfinding - \$240,000; and Highway 9 Multi-Modal Path 48<sup>th</sup> to 72<sup>nd</sup> - \$529,492.

Council requests include Bishop Creek Rehabilitation - \$750,000; Main Street 2-Way Conversion - \$600,000; Cedar Lane Road Extension - \$2,000,000; Classen and Post Oak signalization - \$100,000; Alameda/Crawford/Apache Intersection Study - \$50,000; and Main and Wyle Signalization - \$100,000.

NORMAN FORWARD Fund includes Neighborhood Park Improvements - \$650,000; Lease Payment for Griffin Land - \$80,000; Debt Service for 2015 Bonds - \$5,986,289; Debt Service for 2017 Bonds - \$2,529,300; and Debt Service for 2020 Bonds - \$1,194,091.

Upcoming challenges include I-35 Corridor Study (Norman/Moore/ODOT); Access Oklahoma Turnpike Plan; Public Transportation (Regional Transportation Authority, purchasing land for stations, zoning, and recommendation from Transit Study); Fleet Replacement; Stormwater Infrastructure; Fleet Fueling Facility; Sidewalk Gaps; AIM Norman Land Use and Master Plan Updates; Implementation of North Base Master Plan; Griffin Hospital/Oklahoma Department of Mental Health; Rock Creek Entertainment District Proposal; Center City Tax Increment Finance District; Police Department Building B Improvements; and Central Library.

ADJOURNMENT
The meeting was adjourned at 6:04 p.m.

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ATTEST:

City Clerk

Mayor



### CITY OF NORMAN, OK CITY COUNCIL STUDY SESSION

# Municipal Building, Executive Conference Room, 201 West Gray, Norman, OK 73069

Tuesday, March 04, 2025 at 5:30 PM

### **MINUTES**

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Study Session in the Executive Conference Room of the Norman Municipal Building on the 4th day of March, 2025, at 5:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray Street 24 hours prior to the beginning of the meeting.

### **CALL TO ORDER**

Mayor Heikkila called the Meeting to Order at 5:30 p.m.

### **PRESENT**

Mayor Larry Heikkila

Councilmember Ward 2 Matthew Peacock

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Rarchar Tortorello

Councilmember Ward 6 Joshua Hinkle

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

### **ABSENT**

Councilmember Ward 1 Austin Ball
Councilmember Ward 2 Matthew Peacock

### **AGENDA ITEMS**

 PRESENTATION AND DISCUSSION REGARDING POTENTIAL SOLAR PROJECTS FOR THE YOUNG FAMILY LIFE CENTER AND THE LINE MAINTENANCE FACILITY.

Mr. Tony Capucille, CEO, EightTwenty Solar, presented two potential solar projects for the Young Family Athletic Center (YFAC) and the Line Maintenance Administration Facility. He said the two projects would generate over \$1.6 million in savings for the City's General and Utilities Funds. The Line Maintenance Facility would be \$291,683 energy offset and the YFAC would be \$1,638,745 over a 30 year period.

Mr. Capucille said using the Brightwell solution the City of Norman would not incur a capital investment up front. Brightwell invests in projects for municipalities, school districts and non-profits. Through programs such as tax incentives/credits and other partnerships, Brightwell is able help these organizations access cost saving solar solutions.

Mr. Capucille said both projects would be roof top panels vs. ground panels and they typically do not require as much maintenance. He said panels on the ground have a higher risk of damage from vehicles, mowers, etc.

It was the consensus of Council was to move forward with both projects.

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2. DISCUSSION REGARDING THE FYE 2026 CAPITAL IMPROVEMENTS PROGRAM BUDGET AND THE FYE 2027-2030 CAPITAL IMPROVEMENTS PLAN.

Mr. Jacob Huckabaa, Budget Technician, said tonight a budget review for FYE 2026 Capital Improvements Program Budget will be presented to Council. Council was previously updated on funded projects and discussed Council priorities for FYE 2025 Capital Improvements Plan (CIP) on November 19, 2024. He said review of the final plat will take place on May 6, 2025.

Mr. Huckabaa said Capital Sales Tax Guidelines to allocate new sales tax revenue includes Capital Outlay – 27%; Maintenance of Existing Facilities – 7%; Street Maintenance – 20%; General Contingency – 5%; Other Projects and Debt Service – 36%.

Mr. Huckabaa summarized the FYE 2026 CIP funding - \$17,512,533 in projected Capital Sales Tax (0.7%) revenue; - \$35,537,664 in Capital Sales Tax requests; \$11,057,320 request from General Obligation Bond Programs; and \$751,000 requested for remaining Norman Forward Projects.

Mr. Huckabaa provided a status update on the Street Maintenance Bond Program, the 2012 Transportation/Stormwater Bond Program, and the 2019 Transportation Bond Program. He said the Bridge Maintenance Bond Program is a 10 year program funded by voter approval. The overall program is estimated at \$50 million to replace or rehabilitate 18 bridges throughout Norman.

Proposed recurring CIP Fund Projects in FYE 26 include Capital Outlay - \$4,822,952; Street Maintenance - \$2,875,000; Network Switch Replacement - \$210,000; Maintenance of Existing Facilities - \$1,250,394; Stormwater Drainage Maintenance - \$2,450,000; Personnel - \$1,359,939; Oklahoma Department of Transportation (ODOT) Audit Adjustments - \$100,000; Bridge Maintenance - \$1,000,000; Driveway Repairs - \$10,000; American with Disabilities Act (ADA) Compliance Program - \$300,000; Street Striping - \$100,000; Traffic Calming - \$50,000; Tree Program - \$65,000; Park Site Amenities - \$45,000; and IT Hardware/Software Replacement - \$850,000 for a total of \$15,488,285.

Item 1, continued

The recurring sidewalk projects in FYE 2026 include Sidewalk Program for Schools and Arterials - \$100,000; Sidewalk Accessibility Project - \$45,000; Citywide Sidewalk Projects - \$125,000; Downtown Area Sidewalk Project - \$50,000; Sidewalks and Trails - \$140,000; and Horizontal Saw Cut Program - \$40,000 for a total of \$500,000.

Mr. Huckabaa said in FYE 26 the estimated amount available for new projects is -\$9,252,411; in FYE 27 the estimated amount available for new projects is -\$5,502,752; and in FYE 28 the estimated amount available for new projects is -\$989,207.

Mr. Huckabaa highlighted the new project requests for FYE 2026 by department; Public Works - \$678,316; Police - \$4,305,000; IT - \$210,000; Fire - \$14,320,666; and Parks and Recreation - \$5,425,000 for a total amount of \$24,938,982. Existing projects request increases totaling \$1,141,848 and \$110,000 in Capital outlay requests.

Upcoming challenges as Council moves through the budget process include Capital Fund status; Access Oklahoma Turnpike Plan; Rock Creek Entertainment District; Central Library remediation and repairs; Public Safety Study and recommendations; Area and Infrastructure Master Plan update; Center City Tax Increment Finance District (CCTIF); Griffin and Sutton Wilderness Parks; Griffin Hospital campus; failing stormwater infrastructure; existing Police Department improvements; Fleet Fueling Facility; and fleet vehicle replacement.

Council comments – any opportunities for partnership with the County on public safety improvements; can CCTIF dollars be used to pay for a Main Street Two-Way Study; and a request that \$100,000 be included for a study on the Chapel on Griffin Hospital campus.

City Manager Darrel Pyle said Staff was successful in obtaining a \$1 million grant for the Zoning Ordinance and Subdivision Regulations updates.

ADJOURNMENT
The meeting was adjourned at 6:42 p.m.

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ATTEST:

City Clerk

Mayor





# CITY OF NORMAN, OR CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, April 23, 2024, at 6:30 PM

### **MINUTES**

# CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, AND NORMAN TAX INCREMENT FINANCE AUTHORITY

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers in the Municipal Building, on Tuesday, April 23, 2024, at 6:30 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

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, relation, 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.

### **CALL TO ORDER**

Mayor Heikkila called the meeting to order.

### **ROLL CALL**

**PRESENT** 

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Lauren Schueler

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Elizabeth Foreman

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

### **PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Mayor Heikkila.

### **PROCLAMATIONS**

1. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2324-31: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING APRIL 20, 2024, AS THE 50<sup>TH</sup> BIRTHDAY OF THE COMMUNITY AFTER SCHOOL PROGRAM IN THE CITY OF NORMAN

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 7 Holman.

### Participants in discussion

1. Ms. Holly Jorgenson Lantagne, Board Member, Community After School Program, thanked the Council and made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the proclamation was acknowledged.

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 CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2324-32: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING WEDNESDAY, MAY 15, 2024, AS PEACE OFFICERS MEMORIAL DAY AND THE WEEK OF MAY 12 THROUGH MAY 18, 2024, AS NATIONAL POLICE WEEK IN THE CITY OF NORMAN.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 7 Holman.

### Participants in discussion

 Detective Shawn Judy, Norman Police Department, thanked the Council and made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the proclamation was acknowledged.

Item 3.

3. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OL-POSTPONEMENT OF PROCLAMATION P-2324-33: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 5<sup>TH</sup> THROUGH MAY 11<sup>TH</sup>, 2024, AS THE 55<sup>TH</sup> ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK IN THE CITY OF NORMAN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Participants in discussion

1. Ms. Brenda Hall, City Clerk, thanked the Council and made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the proclamation was acknowledged.

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4. <u>CONSIDERATION OF ACKNOWLEDGEMENT, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2324-34</u>: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, APRIL 27, 2024, AS LEADERSHIP OKLAHOMA DAY IN THE CITY OF NORMAN.

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 2 Schueler.

Participants in discussion

 Ms. Aiden Street, Leadership Oklahoma Participant, thanked the Council and made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the proclamation was acknowledged.

### **COUNCIL ANNOUNCEMENTS**

### **Events/Meetings**

Councilmember Ball announced spring cleanup day for Friday polycart service as May 4th.

Councilmember Ball said the Bike Park cleanup has been postponed to May 18, 2024.

Councilmember Grant announced the upcoming Norman Music Festival.

Councilmember Foreman announced spring cleanup day for Ward 6 as April 27th.

Councilmember Holman announced upcoming events; Community Planning and Transportation Committee meeting, Norman Music Festival, Lion's Club Carnival, and the Pride parade.

\*

### City of Norman Budget

Councilmember Schueler said tonight, in some ways, is the start to the City's Budget process with the first public hearing. She said there will be a second public hearing on May 27<sup>th</sup> with the final budget adoption on June 11, 2024.

\*

### Thank You

Councilmember Grant thanked Michele Loudenback, Environmental and Sustainability Manager, for her help with the first Original Townsite cleanup.

\*

### Earth Day

Councilmember Grant thanked staff for their efforts with the Earth Day festival.

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### **CONSENT DOCKET**

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 5 through Item 20 be placed on the consent docket.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items 5 through 20 were placed on the Consent Docket.

### **Reports/Communications**

5. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF MARCH, 2024.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the Monthly Departmental Reports were acknowledged.

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 CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MARCH 31, 2024, AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the Finance Director's Investment Report was acknowledged.

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### Release of Deferral

7. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A REQUEST TO RETURN A CASH SURETY FOR DEFERRED CONSTRUCTION FOR PAVING IMPROVEMENTS IN CONNECTION WITH P.B. ADDITION (GENERALLY LOCATED 175 FEET NORTH OF HIGHLAND PARKWAY ON THE WEST SIDE OF NORTH FLOOD AVENUE).

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The return of cash surety for deferred construction in connection with P.B. Addition was approved.

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### **Contracts**

8. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. THREE TO CONTRACT K-1819-70: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN OPTIMIST CLUB TO MODIFY THEIR PAYMENT OF METERED ELECTRIC COSTS AT REAVES PARK.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. Three to Contract K-1819-70 was approved.

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9. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT TWO TO CONTRACT K-2122-88: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND CROSSLAND CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$975,723 FOR A REVISED CONTRACT AMOUNT OF \$14,924,576 TO PROVIDE ADDITIONAL CONSTRUCTION SERVICES FOR THE EMERGENCY COMMUNICATIONS AND OPERATIONS CENTER (ECOC) AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. Two to Contract K-2122-88 and budget appropriation were approved.

Item 3.

10. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENL, AND/OR POSTPONEMENT OF CHANGE ORDER TWO AND FINAL ACCEPTANCE OF CONTRACT K-2223-47: BY AND BETWEEN THE CITY OF NORMAN AND NASH CONSTRUCTION FOR THE VINEYARDS DRAINAGE IMPROVEMENT PROJECT AND FUND TRANSFER AS DETAILED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Change Order No. Two to Contract K-2223-47, final acceptance and payment, and budget transfer were approved.

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11. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER FOUR AND FINAL ACCEPTANCE TO CONTRACT K-2223-114: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RUDY CONSTRUCTION COMPANY IN THE AMOUNT OF \$2,040,703.65 AND CHANGE ORDER FOUR INCREASING THE CONTRACT BY \$77,777.15 FOR A REVISED CONTRACT AMOUNT OF \$2,118,480.80 FOR THE 12TH AVENUE N.E. AT HIGH MEADOWS DRIVE INTERSECTION IMPROVEMENT PROJECT, BUDGET TRANSFERS AS OUTLINED IN THE STAFF REPORT TO PAY THE CONTRACTOR AND FOR MATERIAL TESTING SERVICES, AND FINAL CLOSE-OUT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Change Order No. Four to Contract K-2223-114 and final acceptance and payment were approved.

Item 3.

12. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENL, AND/OR POSTPONEMENT OF AMENDMENT TWO TO CONTRACT K-2223-164: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RIVER NORTH TRANSIT, LLC, (VIA TRANSPORTATION, INC.), IN THE AMOUNT OF \$39,225, FOR A REVISED NOT-TO-EXCEED AMOUNT OF \$799,768, FOR EXPANSION OF THE NORMAN ON-DEMAND MICROTRANSIT PILOT PROGRAM; AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. Two to Contract K-2223-164 and budget appropriation were approved.

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13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-2324-50: AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNIVERSITY OF OKLAHOMA FOR EXPANSION OF THE NORMAN ON-DEMAND MICROTRANSIT PILOT PROGRAM AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. One to Contract K-2324-50 was approved.

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14. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE FINAL ACCEPTANCE OF CONTRACT K-2223-140: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ACS PLAYGROUND ADVENTURES, INC. FOR THE BENTLEY PARK PLAYGROUND PROJECT AND FINAL PAYMENT OF \$200,000.00

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2223-140 and final acceptance and payment were approved.

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15. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE FINAL ACCEPTANCE OF CONTRACT K-2324-64: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PRECISION CONSTRUCTION AND CONTRACTING, L.L.C. FOR THE BENTLEY PARK TENNIS AND PICKLEBALL COURTS PROJECT AND FINAL PAYMENT OF \$17,102.20.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-64 and final acceptance and payment were approved.

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16. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AND/OR POSTPONEMENT OF CONTRACT K-2324-71: BY AND BETWEEN THE CITY OF NORMAN AND THE NORMAN YOUTH SOCCER ASSOCIATION INC., FOR THE USE AND MAINTENANCE OF GRIFFIN COMMUNITY PARK FOR A PERIOD OF FIVE YEARS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-71 was approved.

Item 3.

17. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF GRANT IN THE AMOUNT OF \$6,000 FROM THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY TO BE USED TO HOLD AN ELECTRONICS WASTE EVENT IN FYE 2024; CONTRACT K-2324-171 AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-171 was approved.

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18. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2324-175: AN AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND SMC CONSULTING ENGINEERS IN THE AMOUNT OF \$103,000 FOR PROFESSIONAL SERVICES FOR THE CRIMSON FLATS AFFORDABLE HOUSING PROJECT AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-175 was approved.

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### Resolutions

19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-137: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$2,066.85 FROM THE REFUNDS / REIMBURSEMENTS MISCELLANEOUS RISK MANAGEMENT ACCOUNT TO REPAIR A CITY VEHICLE DAMAGED BY ANOTHER DRIVER IN A TRAFFIC COLLISION.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-137 was approved.

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20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-141: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AUTHORIZING THE CITY ATTORNEY TO RETAIN CERTAIN OUTSIDE COUNSEL TO PROVIDE LEGAL REPRESENTATION TO AND ON BEHALF OF THE CITY REGARDING DESIGN AND/OR CONSTRUCTION ISSUES WITH THE NORMAN PUBLIC LIBRARY CENTRAL.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-141 was approved.

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### **NON-CONSENT ITEMS**

### **Public Hearings**

21. CONDUCTING AND CLOSING THE FIRST PUBLIC HEARING FOR CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT THE FYE 2025 CITY OF NORMAN PROPOSED OPERATING AND CAPITAL BUDGETS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Councilmember Ward 6 Foreman was out of the Chambers when the vote was taken.

The Public Hearing was opened.

### Participants in discussion

- 1. Mr. Anthony Francisco, Director of Finance
- 2. Mr. Dan Munson, Ward 6, made comments
- 3. Mr. Stephen Ellis, Ward 4, made comments
- 4. Mr. Evan Dunn, Ward 7, made comments
- 5. Ms. Cynthia Rogers, Ward 4, made comments

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

### The Public Hearing was closed

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### Second Reading Ordinance

22. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-41 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), BLOCK ONE (1), OF ROSE ROCK SCHOOL ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 WEST MAIN STREET)

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 7 Holman.

### Participants in discussion

- 1. Ms. Beth Muckala, Assistant City Attorney
- 2. Mr. Stephen Ellis, Ward 4, asked guestions
- 3. Ms. Brenda Kimmel, Ward 4, made comments
- 4. Mr. Scott Sturtz, Interim Director of Public Works
- 5. Ms. Chelsey Gravel, Ward 4, made comments
- 6. Ms. Karlinda Gravel, Ward 4, made comments
- 7. Ms. Sherylann Densow, Wards 4 and 6, made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-41 was adopted on Second Reading section by section.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-41 was adopted on Final Reading.

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### **MISCELLANEOUS COMMENTS**

### City of Norman Budget

Mr. Dan Munson, Ward 6, made suggestions for the FYE 2025 City of Norman Budget.

Mr. Stephen Ellis, Ward 4, said for the most part, he thinks City Staff does a pretty good job in their analytics with the budget.

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### University North Park Tax Increment Finance District No. 4

Mr. Stephen Ellis, Ward 4, questioned the analytics in the reports from outside contractors of their review of the University North Park Tax Increment Finance District.

Ms. Cynthia Rogers, Ward 4, said she has spent time reviewing the Hunden Report prepared for Cleveland County and while it has a lot of good useful information, it is not an economic impact analysis. She encouraged Council to skip to Page 80 where the arena is referenced.

\*

### Racism Stinks

Mr. Richard Baxter, said Racism Stinks is a diverse organization unified to deal with the racial division in our community. He said Racism Stinks conducted a survey at the recent 2<sup>nd</sup> Friday Artwalk supporting an International Parade and received support from 96% of respondents.

\*

### Farmers Market

Mr. Evan Dunn, Ward 7, said he thinks the City should financially support the vendors at the Farmers Market who are growing vegetables, plants, etc. He said they provide a great service to the community and can not compete financially with the big stores.

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### Crime

Mr. Floyd Carrel, Ward 4, expressed concern about crime in the 600 block of East Main Street.

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### **Executive Session**

23. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307 (B)(1) TO DISCUSS THE RESIGNATION OF THE CITY ATTORNEY.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Councilmember Ward 6 Foreman left the meeting at 7:49.

The City Council adjourned into Executive Session at 7:49 p.m. Mr. Darrel Pyle, City Manager, and Ms. Kathryn Walker, City Attorney, were in attendance at the Executive Session.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The Executive Session was adjourned out of and the Special Session was reconvened at 8:19 p.m.

The resignation of the City Attorney was discussed in Executive Session. No action was taken and no votes were cast.

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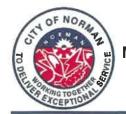
### **ADJOURNMENT**

The meeting adjourned at 8:20 p.m.

ATTEST:

City Clerk	Mayor





# CITY OF NORMAN, OK.

Municipal Building, Executive Conference Room, 201 West Gray, Norman, OK 73069

Tuesday, May 14, 2024 at 5:30 PM

### **MINUTES**

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Conference in the Executive Conference Room of the Norman Municipal Building on the 14<sup>th</sup> day of May, 2024, at 5:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray Street 24 hours prior to the beginning of the meeting.

### CALL TO ORDER

**PRESENT** 

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Lauren Schueler

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Elizabeth Foreman

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

### **AGENDA ITEMS**

1. DISCUSSION REGARDING THE CONTINUATION OF THE HOME ENERGY RATING SYSTEM (HERS) ENERGY RATING INDEX (ERI) PILOT PROGRAM.

Mr. Greg Clark, Development Services Manager, said the HERS/ERI Pilot Program was created to encourage energy efficient residential home construction by offering credits to builders who build above Residential Energy Code minimums. The Program started in 2018 and has been extended six time since that time. It is currently scheduled to expire June 30, 2024. Initially, the Program's benchmark was established at a score of 65. In June 2022, the benchmark was updated to 57 to reflect the most recent adopted Code by the state.

Mr. Clark said a HERS/ERI score is a measure of a buildings energy efficiency. A score of 100 is a building built to the standards of the 2006 Energy Code and a score of zero is a home that utilizes no energy. The lower the score the more energy efficient the building.

Mr. Clark said 220 applicants applied to the HERS/ERI Program since its inception. Four homes received the full credit scoring a 47 or better; 82 homes received partial credit by scoring a 57 or better; 19 applicants withdrew from the program, and 115 applicants remain enrolled in the program. He said the program has been successful in Norman and made suggestions to Council of how to move forward.

Item 1, continued

Option 1 – continue the Program as a Pilot Program with the current benchmark ERI of 57 or Option 2 – continue the Program but do so through adoption of an Ordinance.

The consensus of Council was to move forward with Option 2.

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The meeting adjourned at 5:48 p.m. ATTEST:		
City Clerk	Mayor	



# CITY OF NORMAN, OK CITY COUNCIL SPECIAL MEETING

Municipal Building, Executive Conference Room, 201 West Gray, Norman, OK 73069

Tuesday, March 12, 2024 at 5:00 PM

# **MINUTES**

The City Council Special Meeting of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session in the Council Chambers in the Municipal Building, on Tuesday, March 12, 2024 at 5:00 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 48 hours prior to the beginning of the meeting.

## **CALL TO ORDER**

Mayor Heikkila called the meeting to order at 5:00 p.m.

#### **PRESENT**

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Lauren Schueler

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Elizabeth Foreman

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

## **AGENDA ITEMS**

1. UPDATE AND DISCUSSION REGARDING THE LINDSEY STREET WATER TOWER

Mr. Chris Mattingly, Utilities Director, said the Lindsey Street water tower was removed from service in 2014. The exterior coating has visible rust and contains lead-based paint. The original plan was to demolish, but, future use has been considered. However, it is very expensive.

Mr. Ken Giannone, Capital Projects Engineer, reiterated the poor condition of the water tower and stated the four available alternatives for rehabilitation.

First, being to rehabilitate the tower and construct a non-potable Recycled Water (RCW) System. This would require 40,000 feet of pipe to deliver that water, which is unreasonably expensive considering operating and maintenance costs.

Second, would be to rehabilitate the tower and return it to normal service. Rehabilitation would include re-painting the exterior. This was unfeasible, as the cost to construct a new water tower would be cheaper.

### Item 1, continued:

The third option is demolition, which is the most affordable, but considered a futile expense as the money spent for demolition would produce no benefit.

Finally, the fourth alternative is to rehabilitate the exterior only and fill it with ballast (sand) for stability. OU has reached out and would like to pay to have their logo painted on (\$50,000). However, this is not within Norman Utilities Authority's (NUA) budget. The cost is about \$1.2 million. The question was made of whether NUA can expend capital and/or Operation & Maintenance funds for the non-operation costs.

If City Council chooses to spend from the General Fund the price difference between option 3 and 4, NUA can transfer ownership of the Lindsey Tower plus the funds that would have been spent on demolition (\$300,000) to the City of Norman to complete the painting of the tower (\$1,124,739 - \$300,000 = \$824,739). The consensus from Council is to delay tearing down the tower until bids are received outlining the cost of repainting. Actual contributions from NUA and the General Fund would be based on actual bid prices received and City Council would then make a decision.

\*\*\*

2. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(3) TO DISCUSS THE POSSIBLE PURCHASE OF REAL PROPERTY LOCATED AT 601 SOUTH CARTER AVENUE.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The City Council adjourned into Executive Session at 5:26 p.m. Mr. Anthony Purinton, Assistant City Attorney II, Mr. Darrel Pyle, City Manager, Beth Muckala, Assistant City Attorney III, and Ms. Shaakira Calnick, Internal Auditor, were in attendance at Executive Session.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

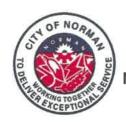
The Executive Session was adjourned out of, and the Special Session was reconvened at 6:07 p.m.

The possible purchase of real property located at 601 South Carter Avenue was discussed in Executive Session. No action was taken, and no votes were cast.

11	^
Item	3.

# **ADJOURNMENT** The meeting was adjourned at 6:08 p.m. ATTEST: City Clerk

Mayor



# CITY OF NORMAN, OK CITY COUNCIL SPECIAL SESSION

Municipal Building, Executive Conference Room, 201 West Gray, Norman, OK 73069

Tuesday, April 9, 2024 at 5:00 PM

# **MINUTES**

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Study Session in the Executive Conference Room of the Norman Municipal Building on the 9<sup>th</sup> day of April, 2024, at 5:00 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray Street 48 hours prior to the beginning of the meeting.

## **CALL TO ORDER**

#### **PRESENT**

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Elizabeth Foreman

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

#### **ABSENT**

Councilmember Ward 2 Lauren Schueler

#### **AGENDA ITEMS**

1. DISCUSSION REGARDING THE POSSIBLE SALE OF PROPERTY IN THE 100 BLOCK OF WEST GRAY STREET.

Mr. Darrel Pyle, City Manager, said Council asked Staff to get appraisals on the City's property to consider whether or not the City may want to sell the property. Ms. Kathryn Walker, City Attorney, said Staff received appraisals on the three buildings in the 100 block of West Gray Street and the vacant lots north and south of Gray Street. She said the appraisal as vacant property was \$1.03 million and with the buildings \$1.17 million. She said the appraiser struggled a little on the property with the buildings as to how they contribute to the area since there is not a lot of warehouse space downtown. She said the City purchased the property in 2011 for \$1.65 million. She said because the City purchased the property for municipal purposes, the City would have to abandon that use in order to sell it. Ms. Walker said when the City is selling properties it required to take bids, but she is aware of multiple parties interested in the property so she recommended Council accept Request for Proposals from potential buyers. She said the request can be drafted in a way to allow the potential buyer to present how they wish to develop the property and for how much or Council could choose to identify in the proposal how the property should be developed.

Item 1, continued

Ms. Walker said Council will also need to take into consideration the remediation of asbestos as it would need to be done whether the buildings were raised or remodeled.

Concerns were also raised about the homeless shelter use and where it will be moved to if the property sells. It was the concurrence of Council to move forward with RFPs and see what types of proposals the City will receive.

\*\*\*\*

2. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 §307(B)(4) TO DISCUSS POSSIBLE LITIGATION REGARDING THE ACQUISITION OF RIGHT-OF-WAY IN CONNECTION WITH THE 60TH AVENUE N.E. BRIDGE PROJECT AND PENDING LITIGATION IN THE CASE OF SMITH VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE CIV-22-1001 JD.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The City Council adjourned into Executive Session at 5:19 p.m. Mr. Darrel Pyle, City Manager; Ms. Kathryn Walker, City Attorney; Mr. Rick Knighton, Assistant City Attorney; Ms. AshLynn Wilkerson, Assistant City Attorney; Ms. Beth Muckala, Assistant City Attorney; and Mr. Scott Sturtz, Interim Director of Public Works, were in attendance at the Executive Session.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The Executive Session was adjourned out of and the Special Session was reconvened at 6:14 p.m.

Possible litigation regarding the acquisition of right-of-way in connection with the 60th Avenue N.E. Bridge Project and pending litigation in the case of Smith vs. the City of Norman, Cleveland County District Court Case CIV-22-1001 JD were discussed in Executive Session. No action was taken and no votes were cast.

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ADJOURNMENT The meeting adjourned at 6:15 p.m.	
ATTEST:	
City Clerk	Mayor

#### File Attachments for Item:

4. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-26 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVEN (7), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (281 W TECUMSEH ROAD)



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** G2 SOK Investments LLC

**PRESENTER:** Jane Hudson, Planning & Community Development Director

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF ORDINANCE O-2425-26 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVEN (7), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE

SEVERABILITY THEREOF. (281 W TECUMSEH ROAD)

APPLICANT/REPRESENTATIVE G2 SOK INVESTMENTS LLC/ Rieger Sadler

Joyce LLC

**LOCATION** 281 W Tecumseh Road

WARD 6

CORE AREA No

**REQUESTED ACTION**Rezoning from A-2, Rural Agricultural

District to PUD, Planned Unit Development.

CURRENT LAND USE DESIGNATION Low Density Residential

PROPOSED LAND USE DESIGNATION Commercial

**CURRENT GROWTH AREA DESIGNATION** Future Urban Service Area

PROPOSED GROWTH AREA DESIGNATION Current Urban Service Area

**BACKGROUND:** The subject tract covers approximately 5.93 acres of land. The applicant is requesting a rezoning from A-2, Rural Agricultural District to PUD, Planned Unit Development, with intentions of constructing a mini-warehouse facility for self-storage use composed of thirteen

buildings with a maximum height of one-story. Staff notes, after Planning Commission recommended approval, the applicant adjusted the project proposal to include an additional thirteenth building. Planning Commission's review of the project did not include the northernmost building along the detention pond at the rear of the lot, as shown on the proposed Site Development Plan.

# PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GBC 25-06 February 18, 2025

This meeting was cancelled due to inclement weather.

PRE-DEVELOPMENT: PD25-06 February 27, 2025

Questions about the project centered on concerns about drainage, safety, light, and viewsheds.

Many neighboring property owners expressed fears regarding the proposed project exacerbating existing drainage issues, due to the high amount of impervious surfaces and proposed detention ponds directing flow to existing channels. The applicant's representative explained that drainage reports must be completed in compliance with City of Norman requirements and cannot be calculated to add additional flow over the historical rate. Neighbors in attendance expressed dissatisfaction with this answer and inquired about liability in the event an increase in drainage issues was experienced. The representative responded that the decision would be litigated and would be based on whether due diligence was properly completed during the permitting and development phases.

The applicant representative also explained that the scope of the project is limited to the parcels described in the presentation, and that personal storage is the only use intended for the location. Additionally, the hours of operation intended for the project would be 6 AM to 10 PM, there will be no access outside of these times. Further, fencing and security cameras will be provided for safety and lighting will be installed in accordance with City of Norman codes and should be limited in impact to the surrounding properties.

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

This request does not have a residential component and thus did not require an application to the Board of Parks Commissioners.

### **ZONING ORDINANCE CITATION:**

## 36-509 PUD, Planned Unit Development

(a) 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:

- (1) A maximum choice in the types of environment and living units available to the public.
- (2) 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.
- (3) Maximum enhancement and minimal disruption of existing natural features and amenities.
- (4) 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.
- (5) More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
- (6) 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 subject 5.93 acre parcel has frontage to W Tecumseh Road. The parcel is bounded by properties zoned A-2, Rural Agricultural District to the west and east, the latter half used by Calvary Free Will Baptist Church. To the north, Little River Trails Addition, Section 3 is developed as a PUD, Planned Unit Development. Across W Tecumseh Road to the south lies R-1, Single-Family Dwelling District properties, platted as Tecumseh Ridge, Section 2. The subject parcel is currently developed as a single-family dwelling.

The following information is outlined in the PUD Narrative:

**USE:** Generally, the Property will be allowed to retain its current allowable uses while adding the ability to develop Applicant's desired personal storage facility. A complete list of the allowable uses for the Property is attached as Exhibit C (included below).

- Mini-warehousing for self-storage;
- Detached single-family principal dwelling unit;
- Family day care home; (Allowed use with a site plan amendment)
- General purpose farm or garden; (Allowed use with a site plan amendment)
- Type 1 Mobile Home; (Allowed use with a site plan amendment)
- Accessory buildings, including barns, sheds and other farm buildings which are not a part
  of the main building and shall not contain a full kitchen. (Allowed use with a site plan
  amendment)
- Short-term rentals.

# Area Regulations:

- North Setback: The minimum setback along the North property line shall be seventy-five (75) feet.
- East Setback: The minimum setback along the East property line shall be ten (10) feet.
- South Setback: The minimum setback along the South property line shall be twenty (20) feet.
- West Setback: The minimum setback along the West property line shall be thirty (30) feet to accommodate for the detention areas.

**PARKING:** The applicant is providing (6) parking spaces, which includes one ADA space. The Applicant may, but is not required to, exceed six (6) parking spaces. In the event any other use is developed on the Property in accordance with the terms of this PUD, the Property will comply with the City of Norman's applicable parking ordinances, as may be amended from time to time.

**LANDSCAPING:** The Property will feature landscaping within the setbacks along the North, South, and West building setback areas in substantial compliance with the Landscape Plan, attached hereto as Exhibit E. Final landscaping types, quantities, and locations may change during final design and construction. The Applicant will consult with the City Forester at the construction phase to determine appropriate landscaping species and locations for the Property.

**SIGNAGE:** The signage for the Property shall comply with the City of Norman's sign code for commercial uses, as may be amended from time to time. The Property is initially expected to feature a monument sign along Tecumseh Road frontage and a mounted building sign, both of which may be backlight and illuminated.

**LIGHTING:** The Property shall meet the City of Norman's Commercial Outdoor Lighting Standards, as amended from time to time. Exterior lighting mounted on the storage buildings will utilize full cut-off fixtures. Exterior lighting on the rear one-third (1/3) of the Property shall be shut-off by 10:00 PM each night. Staff notes that addition to this section on lighting hours aligns with information presented to the Public during the Planning Commission meeting on March 13, 2025.

**SANITATION/UTILITIES:** The Property will comply with the City of Norman's applicable rules, ordinances, and regulations for sanitation services. It is anticipated that the personal storage facility will not need a dumpster or poly cart service and instead will privately handle trash disposal. The Property's sanitation plan will be subject to review and approval by the City of Norman.

**FENCING/WALLS:** The Applicant will maintain the existing residential wood stockade fencing located along the Property's North boundary. For all other fencing on the Property, the Applicant may utilize stockade wood, masonry, decorative metal, rod iron, synthetic wood, or other fencing types. The Applicant expects to utilize decorative metal or rod iron fencing along the detention areas in order to allow for increased security, cleanliness, and maintenance of the detention areas.

**SITE PLAN:** The Site Development Plan for the Property is concurrently submitted with this PUD and shall be incorporated herein as an integral part of the PUD and the development of the Property shall be constructed as presented thereon, subject to final design development and the

changes allowed by Section 36-509 of the City of Norman's PUD Ordinance as thereafter amended.

**TRAFFIC ACCESS/CIRCULATION/PARKING AND SIDEWALKS:** Access to the Property shall be permitted in the manner depicted on the attached Site Development Plan. Sidewalks will be added where required by applicable City ordinances.

**EXTERIOR MATERIALS:** It is the intent of Applicant to construct a facility that has multiple elements that look and feel residential in nature. Exterior materials of the buildings to be constructed on the Property may be brick, glass, stone, synthetic stone, stucco, EIFS, masonry, synthetic wood, wood, metal, composition shingles, synthetic slate shingles, metal roofs, or other comparable roofing materials, and any combination thereof. The exterior facades on the rear sides of the buildings on the North, South, and East boundaries of the Property shall contain no less than 80% masonry on the portions of said façades which face the exterior of the Property. The exterior façade of the buildings fronting West Tecumseh Road shall contain no less than 80% masonry, exclusive of all windows, doors, roofs, or glass, along the street frontage. The storage buildings will utilize earth tones as a basis for a color scheme, including, but not limited to, brown, beige, tan, green, and grey. Interior buildings may have climate-controlled units. The front office may utilize other color schemes. Climate controlling machinery will be placed on the ground adjacent to a building and not on the roof of the storage buildings. "Masonry" means and includes brick, slump-faced or decorative concrete masonry unit (CMU), stucco, concrete (poured in place, pre-cast or tilt-wall) with aggregate, sandblasted or textured coating finish, textured metal, stone, rock or other structural material of equal durability and architectural effect.

Staff notes that changes to this section include clarification on materials, as presented to the Public during the Planning Commission meeting on March 13, 2025.

**HEIGHT:** The maximum height of buildings to be constructed on the Property shall be one (1) story. The front office may have high elevated ceilings but shall not contain a second usable story.

**HOURS OF OPERATION:** The storage facility on the Property will operate between the hours of 6:00 AM and 10:00 PM.

Staff notes the addition of this section aligns with information presented to the Public during the Planning Commission meeting on March 13, 2025.

# **ALTERNATIVES/ISSUES:**

**IMPACTS**: Self-storage is a use limited in intensity that generates low amounts of traffic. Although the use is typically more compatible with light industrial uses, it is not uncommon for the use to abut residential developments within the City. Mini-warehousing is an acceptable special use, with conditions, under C-1, General Commercial District regulations, and allowed by-right within I-1, Light Industrial District.

# **OTHER AGENCY COMMENTS:**

## FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:

Fire: Items regarding fire hydrants and fire/building codes will be considered at the building permit stage.

**Building:** Buildings with less than 5' setbacks to property lines will require 2-hour Fire Resistant ratings in accordance with the 2018 IBC Section 705 and openings will have to comply with Table 705.8. Buildings in excess of 5000 sq. ft. will be required to be sprinkled or have 3-hour fire rated construction to limit the fire areas to less than 5000 sq. ft.

**PUBLIC WORKS/ENGINEERING:** Please see attached report from Engineering.

**TRANSPORTATION ENGINEER:** Please see attached report from the Transportation Engineer.

**UTILITIES:** The applicant is proposing to use onsite private sewer facilities. Extension of sewer to serve the property from the north or west would be possible but would require an offsite sewer extension and easement acquisition.

**CONCLUSION:** Staff forwards this request for rezoning from A-2, Rural Agricultural District to PUD, Planned Unit Development, and Ordinance O-2425-26 to City Council.

<u>PLANNING COMMISSION RESULTS</u>: At their meeting of March 13, 2025, Planning Commission recommended approval of Ordinance O-2425-26 by a vote of 6-0.

There have been changes to the application since the Planning Commission vote; those changes are noted in the body of this staff report.

#### O-2425-26

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVEN (7), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (281 W TECUMSEH ROAD)

- § 1. WHEREAS, Terry & Teresa Sterling, the owners of the hereinafter described property, have made application to have the subject property removed from the A-2, Rural Agricultural District and placed in the PUD, Planned Unit Development District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing on March 13, 2025 as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

§ 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the A-2, Rural Agricultural District and place the same in the PUD, Planned Unit Development District, to wit:

A tract of land lying in the Southeast Quarter (SE/4) of Section Seven (7), Township Nine (9) North, Range Two (2) West of the I.M., Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the Southeast corner of said SE/4; Thence South 89°44'29" West along the South line of said SE/4 a distance of 792.00 feet: Ordinance O-2425-26 Page 2

Thence North 00°31'13" West a distance of 72.59 feet to the POINT OF BEGINNING, said point being on the North right of way line of Tecumseh Road as described in book 3437, page 1024;

Thence South 86°52'50" West along said North right of way line a distance of 250.26 feet;

Thence North 00°31'13" West a distance of 1039.90 feet to a point on the South line of

Block One of Little River Trails, Section 3, a recorded plat to the City of Norman;

Thence North 89°44'29" East along said South line a distance of 250.00 feet;

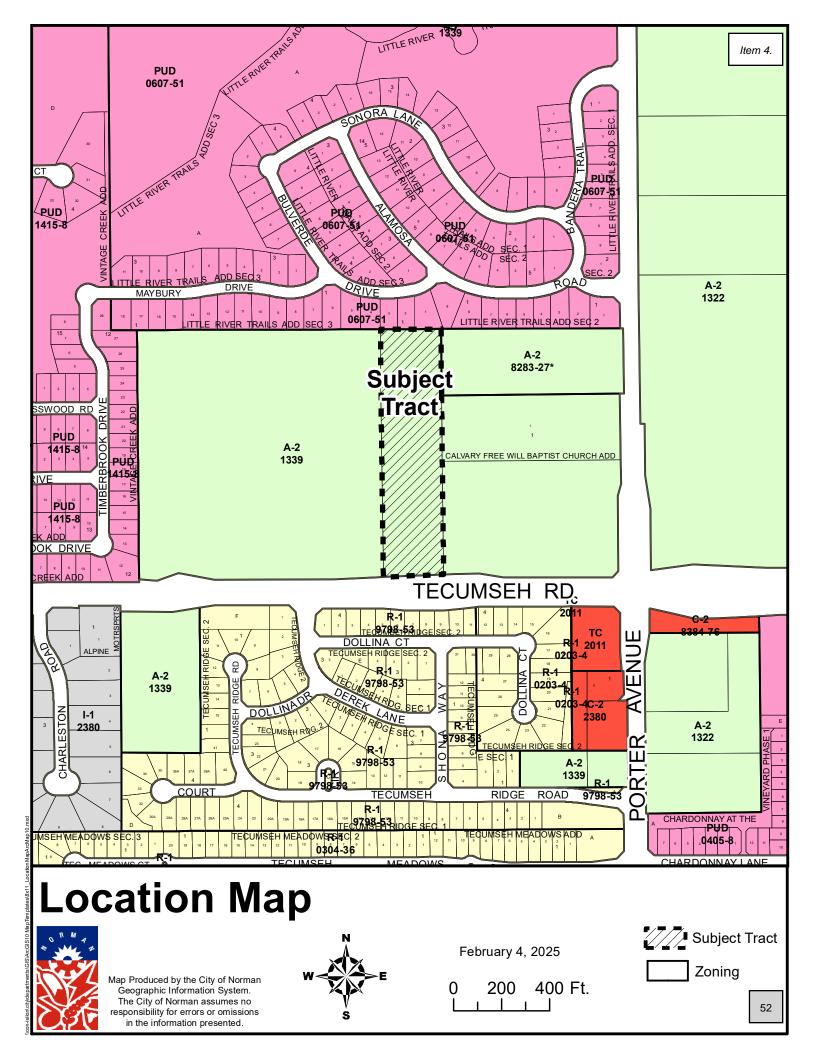
Thence South 00°31'13" East a distance of 1027.41 feet to the POINT OF

**BEGINNING**;

Said tract contains 258,411 square feet or 5.93 acres, more or less.

- § 5. Further, pursuant to the provisions of Section 36-509 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:
  - a. The site shall be developed in accordance with the PUD Narrative, Site Development Plan, and supporting documentation, dated March 28, 2025 which are made a part hereof.
- § 6. <u>Severability</u>. 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.

ADOPTED this	day of	NOT ADOPTED this	day of
	, 2025.		,2025.
(Mayor)		(Mayor)	
ATTEST:			
(City Clerk)			



# **TECUMSEH ROAD STORAGE**

# A PLANNED UNIT DEVELOPMENT NORMAN, OKLAHOMA

APPLICANT: G2 SOK INVESTMENTS, LLC

# APPLICATION FOR:

PLANNED UNIT DEVELOPMENT PRELIMINARY PLAT

Submitted February 3, 2025 Revised March 28, 2025

PREPARED BY:

RIEGER SADLER JOYCE 136 Thompson Drive Norman, Oklahoma 73069

### TABLE OF CONTENTS

### I. INTRODUCTION

Background and Intent

# II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

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

### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Uses Permitted
- B. Area Regulations
- C. Additional Development Criteria

# **EXHIBITS**

- A. Legal Description of the Property
- B. Site Development Plan
- C. Allowable Uses
- D. Preliminary Plat
- E. Landscape Plan

## I. <u>INTRODUCTION</u>

G2 SOK Investments, LLC (the "Applicant") seeks to rezone a tract of property, containing approximately 5.93 acres, located in Ward 6 of the City of Norman. The site is generally located North of West Tecumseh Road and West of North Porter Avenue. The property is more particularly described on the attached **Exhibit A** (the "**Property**"). The Property is currently zoned A-2, Rural Agricultural.

The Applicant seeks to rezone the Property to this Planned Unit Development ("PUD") in order to put forth the parameters for the development of the Property as a personal storage facility. The purpose of this PUD is to allow the Applicant to develop miniwarehousing for self-storage that is thoughtfully designed and laid out on the Property so as to be compatible with the surrounding residential lots.

# II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

#### A. Location

The Property is generally located North of West Tecumseh Road and West of North Porter Avenue.

#### **B.** Existing Zoning

The Property is currently zoned A-2, Rural Agricultural.

Generally, the surrounding properties are zoned A-2, Rural Agricultural, with R-1, Single Family Dwelling zoned properties to the South, and a Planned Unit Development to the North. The parcels located to the East of the Property are developed as churches.

## C. Elevation and Topography

The Property currently consists of one single-family residence. The Property generally drains from the southeast corner to the northwest corner. The proposed development features detention areas along the western property line and in the northwest corner of the Property.

#### D. Drainage

A drainage report has been provided by the Applicant to City Staff as part of the Preliminary Plat application.

# E. Utility Services

The necessary utility services for this project are already located on or near the Property. The proposed development will be able to utilize an individual septic system in accordance with applicable rules and regulations of ODEQ.

#### 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.

#### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Property is planned to accommodate the development of a personal storage facility in accordance with the provisions of this PUD. 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 36-509 of the City of Norman's PUD Ordinance as thereafter amended. The Exhibits attached hereto are incorporated herein by reference and further depict the development criteria for the Property.

#### A. Uses Permitted:

Generally, the Property will be allowed to retain its current allowable uses while adding the ability to develop Applicant's desired mini-warehousing self-storage facility. A complete list of the allowable uses for the Property is attached as **Exhibit C**.

#### **B.** Area Regulations:

**North (Rear) Setback**: The minimum setback along the North property line shall be seventy-five (75) feet.

**East (Side) Setback**: The minimum setback along the East property line shall be Ten (10) feet.

**South (Front) Setback**: The minimum setback along the South property line shall be twenty (20) feet.

West (Side) Setback: The minimum setback along the West property line shall be Thirty (30) feet to accommodate for the detention areas.

## a. Additional Development Criteria:

#### 1. Site Plan

The Site Development Plan for the Property is concurrently submitted with this PUD and shall be incorporated herein as an integral part of the PUD and the development of the Property shall be constructed as presented thereon, subject to final design development and the changes allowed by Section 36-509 of the City of Norman's PUD Ordinance as thereafter amended.

# 2. Landscape/Open Space

The Property will feature landscaping within the setbacks along the North, South, and West building setback areas in substantial compliance with the Landscape Plan, attached hereto as **Exhibit E**. Final landscaping types, quantities, and locations may change during final design and construction. The Applicant will consult with the City Forester at the construction phase to determine appropriate landscaping species and locations for the Property.

# 3. Traffic access/circulation/parking and sidewalks

Access to the Property shall be permitted in the manner depicted on the attached Site Development Plan. Sidewalks will be added where required by applicable City ordinances.

#### 4. Exterior Materials

It is the intent of Applicant to construct a facility that has multiple elements that look and feel residential in nature. Exterior materials of the buildings to be constructed on the Property may be brick, glass, stone, synthetic stone, stucco, EIFS, masonry, synthetic wood, wood, metal, composition shingles, synthetic slate shingles, metal roofs, or other comparable roofing materials, and any combination thereof. The exterior façades on the rear sides of the buildings on the North, South, and East boundaries of the Property shall contain no less than 80% masonry on the portions of said façades which face the exterior of the Property. The exterior façade of the buildings fronting West Tecumseh Road shall contain no less than 80% masonry, exclusive of all windows, doors, roofs, or glass, along the street frontage. The storage buildings will utilize earth tones as a basis for a color scheme, including, but not limited to, brown, beige, tan, green, and grey. Interior buildings may have climate-controlled units. The front office may utilize other color schemes. Climate controlling machinery will be placed on the ground adjacent to a building and not on the roof of the storage buildings. "Masonry" means and includes brick, slump-faced or decorative concrete masonry unit (CMU), stucco, concrete (poured in place, pre-cast or tiltwall) with aggregate, sandblasted or textured coating finish, textured metal, stone, rock or other structural material of equal durability and architectural effect.

## 5. Fencing

The Applicant will maintain the existing residential wood stockade fencing located along the Property's North boundary. For all other fencing on the Property, the Applicant may utilize stockade wood, masonry, decorative metal, rod iron, synthetic wood, or other fencing types. The Applicant expects to utilize decorative metal or rod iron fencing along the detention areas in order to allow for increased security, cleanliness, and maintenance of the detention areas.

### 6. Signage

The signage for the Property shall comply with the City of Norman's sign code for commercial uses, as may be amended from time to time. The Property is initially expected to feature a monument sign along Tecumseh Road frontage and a mounted building sign, both of which may be backlit and illuminated.

# 7. Height

The maximum height of buildings to be constructed on the Property shall be one (1) story. The front office may have high elevated ceilings but shall not contain a second usable story.

### 8. Lighting

The Property shall meet the City of Norman's Commercial Outdoor Lighting Standards, as amended from time to time. Exterior lighting mounted on the storage buildings will utilize full cut-off fixtures. Exterior lighting on the rear one-third (1/3) of the Property shall be shut-off by 10:00 PM each night.

# 9. Parking

The development of a personal storage facility on the Property will only need six (6) parking spaces, which includes one ADA space. The Applicant may, but is not required to, exceed six (6) parking spaces. In the event any other use is developed on the Property in accordance with the terms of this PUD, the Property will comply with the City of Norman's applicable parking ordinances, as may be amended from time to time.

#### 10. Sanitation

The Property will comply with the City of Norman's applicable rules, ordinances, and regulations for sanitation services. It is anticipated that the personal storage facility will not need a dumpster or poly cart service and instead will privately handle trash disposal. The Property's sanitation plan will be subject to review and approval by the City of Norman.

# 11. Hours of Operation

The storage facility on the Property will operate between the hours of 6:00 AM and 10:00 PM.

#### **EXHIBIT A**

# Legal Description of the Property

A tract of land lying in the Southeast Quarter (SE/4) of Section Seven (7), Township Nine (9) North, Range Two (2) West of the I.M., Cleveland County, Oklahoma, being more particularly described as follows:

### COMMENCING at the Southeast corner of said SE/4;

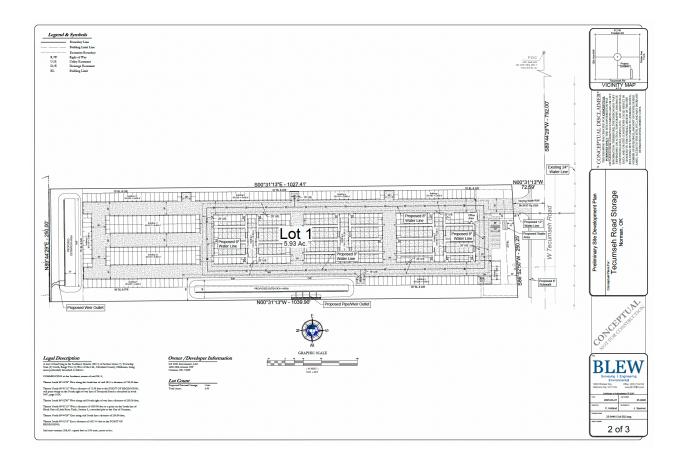
Thence South 89°44'29" West along the South line of said SE/4 a distance of 792.00 feet: Thence North 00°31'13" West a distance of 72.59 feet to the POINT OF BEGINNING, said point being on the North right of way line of Tecumseh Road as described in book 3437, page 1024;

Thence South 86°52'50" West along said North right of way line a distance of 250.26 feet; Thence North 00°31'13" West a distance of 1039.90 feet to a point on the South line of Block One of Little River Trails, Section 3, a recorded plat to the City of Norman; Thence North 89°44'29" East along said South line a distance of 250.00 feet; Thence South 00°31'13" East a distance of 1027.41 feet to the POINT OF BEGINNING;

Said tract contains 258,411 square feet or 5.93 acres, more or less.

# **EXHIBIT B**

# Site Development Plan [Full Size PDF Documents Submitted to City Staff]

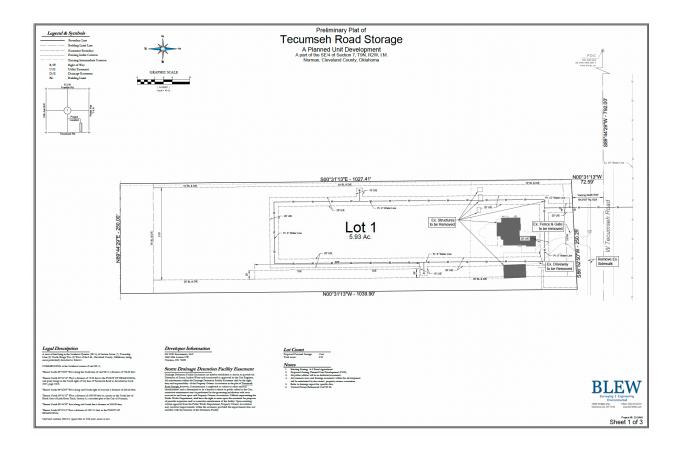


# **EXHIBIT C Allowable Uses**

- Mini-warehousing for self-storage;
- Detached single-family principal dwelling unit;
- Family day care home; (Allowed used with a site plan amendment)
- General purpose farm or garden; (Allowed used with a site plan amendment)
- Type 1 Mobile Home; (Allowed used with a site plan amendment)
- Accessory buildings, including barns, sheds and other farm buildings which are not a part of the main building and shall not contain a full kitchen. (Allowed used with a site plan amendment)
- Short-term rentals.

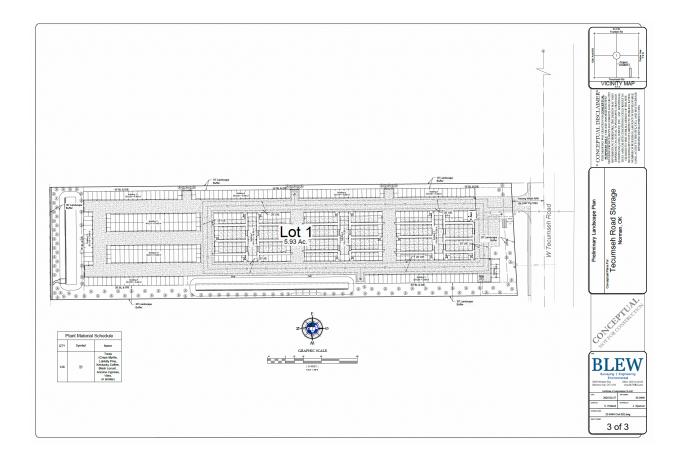
# EXHIBIT D Preliminary Plat

# [Full Size PDF Documents Submitted to City Staff]



# <u>EXHIBIT E</u> Landscape Plan

[Full Size PDF Documents Submitted to City Staff]



# **TECUMSEH ROAD STORAGE**

A PLANNED UNIT DEVELOPMENT NORMAN, OKLAHOMA

APPLICANT: G2 SOK INVESTMENTS, LLC

APPLICATION FOR:

PLANNED UNIT DEVELOPMENT PRELIMINARY PLAT

Submitted February 3, 2025 Revised March <u>28,</u>6, 2025

PREPARED BY:

RIEGER SADLER JOYCE 136 Thompson Drive Norman, Oklahoma 73069

#### TABLE OF CONTENTS

#### I. INTRODUCTION

Background and Intent

#### II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

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

#### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Uses Permitted
- B. Area Regulations
- C. Additional Development Criteria

#### **EXHIBITS**

- A. Legal Description of the Property
- B. Site Development Plan
- C. Allowable Uses
- D. Preliminary Plat
- E. Landscape Plan

#### I. INTRODUCTION

G2 SOK Investments, LLC (the "**Applicant**") seeks to rezone a tract of property, containing approximately 5.93 acres, located in Ward 6 of the City of Norman. The site is generally located North of West Tecumseh Road and West of North Porter Avenue. The property is more particularly described on the attached **Exhibit A** (the "**Property**"). The Property is currently zoned A-2, Rural Agricultural.

The Applicant seeks to rezone the Property to this Planned Unit Development ("PUD") in order to put forth the parameters for the development of the Property as a personal storage facility. The purpose of this PUD is to allow the Applicant to develop miniwarehousing for self-storage that is thoughtfully designed and laid out on the Property so as to be compatible with the surrounding residential lots.

#### II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

#### A. Location

The Property is generally located North of West Tecumseh Road and West of North Porter Avenue.

#### **B.** Existing Zoning

The Property is currently zoned A-2, Rural Agricultural.

Generally, the surrounding properties are zoned A-2, Rural Agricultural, with R-1, Single Family Dwelling zoned properties to the South, and a Planned Unit Development to the North. The parcels located to the East of the Property are developed as churches.

#### C. Elevation and Topography

The Property currently consists of one single-family residence. The Property generally drains from the southeast corner to the northwest corner. The proposed development features detention areas along the western property line and in the northwest corner of the Property.

#### D. Drainage

A drainage report has been provided by the Applicant to City Staff as part of the Preliminary Plat application.

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The necessary utility services for this project are already located on or near the Property. The proposed development will be able to utilize an individual septic system in accordance with applicable rules and regulations of ODEQ.

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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.

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#### A. Uses Permitted:

Generally, the Property will be allowed to retain its current allowable uses while adding the ability to develop Applicant's desired mini-warehousing self-storage facility. A complete list of the allowable uses for the Property is attached as **Exhibit C**.

#### **B.** Area Regulations:

**North (Rear) Setback**: The minimum setback along the North property line shall be forty (40)seventy-five (75) feet.

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#### EXHIBIT A

Legal Description of the Property

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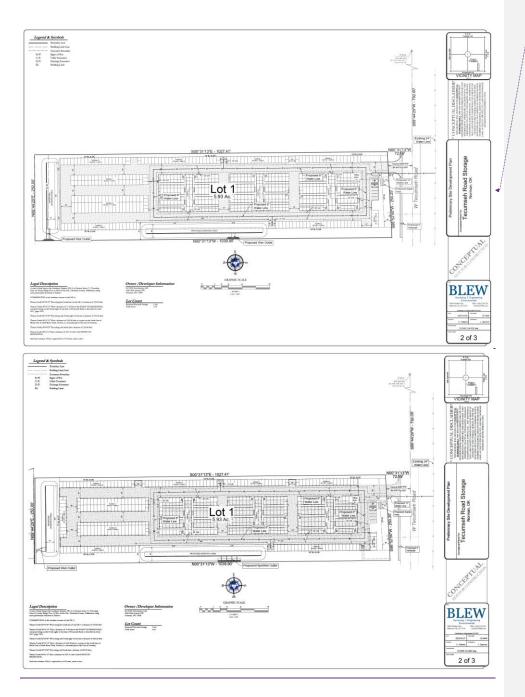
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Thence South 86°52'50" West along said North right of way line a distance of 250.26 feet; Thence North 00°31'13" West a distance of 1039.90 feet to a point on the South line of Block One of Little River Trails, Section 3, a recorded plat to the City of Norman; Thence North 89°44'29" East along said South line a distance of 250.00 feet; Thence South 00°31'13" East a distance of 1027.41 feet to the POINT OF BEGINNING;

Said tract contains 258,411 square feet or 5.93 acres, more or less.

#### EXHIBIT B

Site Development Plan
[Full Size PDF Documents Submitted to City Staff]



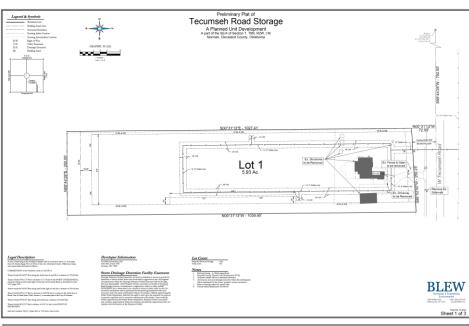
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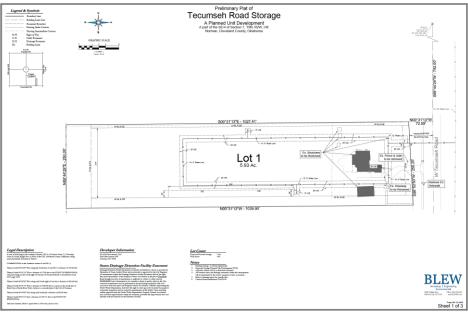
#### EXHIBIT C Allowable Uses

- Mini-warehousing for self-storage;
- Detached single-family principal dwelling unit;
- Family day care home; (Allowed used with a site plan amendment)
- General purpose farm or garden; (Allowed used with a site plan amendment)
- Type 1 Mobile Home; (Allowed used with a site plan amendment)
- Accessory buildings, including barns, sheds and other farm buildings which are not a part
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- Short-term rentals.

#### EXHIBIT D Preliminary Plat

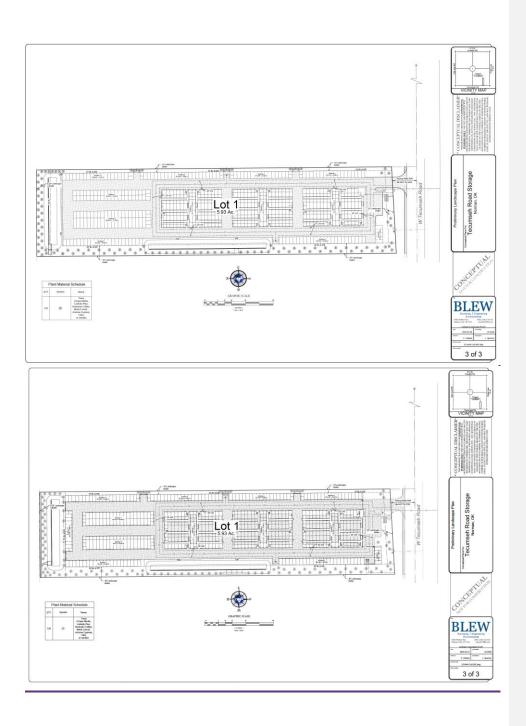
[Full Size PDF Documents Submitted to City Staff]





#### EXHIBIT E Landscape Plan

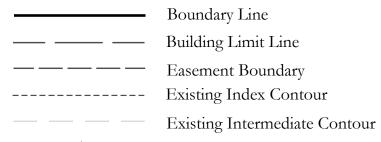
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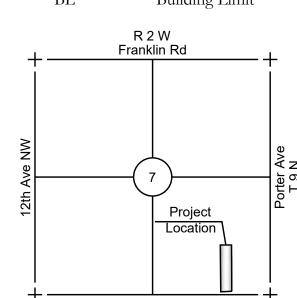
25-0446 Civil 002.dwg

3 of 3

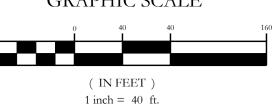
# Legend & Symbols



Right of Way Utility Easement Drainage Easement **Building Limit** 

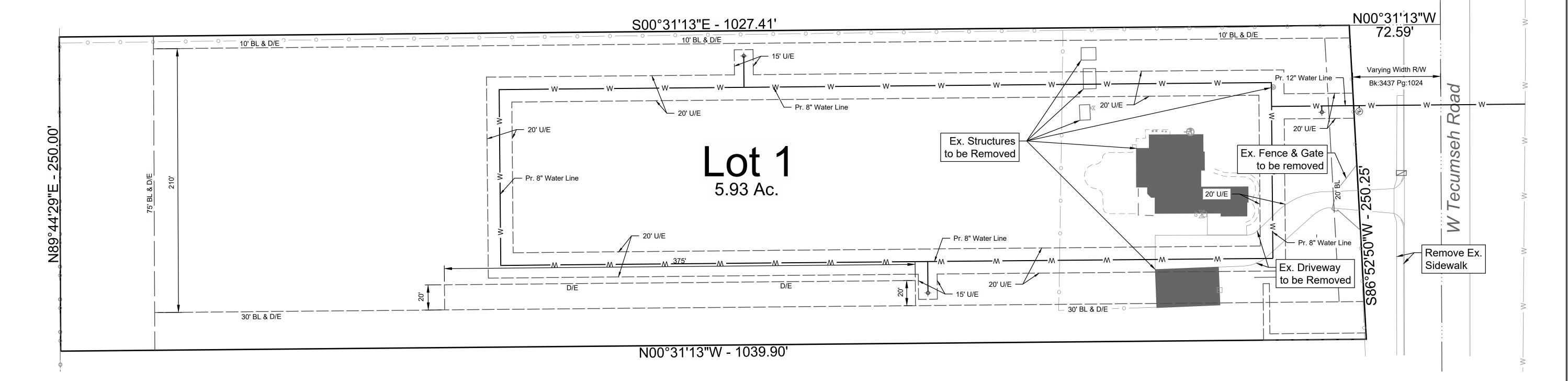


GRAPHIC SCALE



Received





Preliminary Plat of

Tecumseh Road Storage

A Planned Unit Development
A part of the SE/4 of Section 7, T9N, R2W, I.M.
Norman, Cleveland County, Oklahoma

# Legal Description

A tract of land lying in the Southeast Quarter (SE/4) of Section Seven (7), Township Nine (9) North, Range Two (2) West of the I.M., Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the Southeast corner of said SE/4;

Thence South 89°44'29" West along the South line of said SE/4 a distance of 792.00 feet:

Thence North 00°31'13" West a distance of 72.59 feet to the POINT OF BEGINNING, said point being on the North right of way line of Tecumseh Road as described in book

Thence South 86°52'50" West along said North right of way line a distance of 250.26 feet;

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Said tract contains 258,411 square feet or 5.93 acres, more or less.

# Developer Information

G2 SOK Investments, LLC 4260 28th Avenue NW Norman, OK 73069

# Storm Drainage Detention Facility Easement

Drainage Detention Facility Easements are hereby established as shown to provide for Detention of Storm Surface Water and constructed as approved by the City Engineer. All maintenance within the Drainage Detention Facility Easement shall be the right, duty and responsibility of the Property Owners Association in the plat of <u>Tecumseh</u> Road Storage; however, if maintenance is neglected or subject to other unusual circumstances and is determined to be a hazard or threat to public safety by the City, corrective maintenance may be performed by the governing jurisdiction with costs assessed to and born upon said Property Owners Association. Officials representing the Public Works Department, shall have the right to enter upon the easement for purposes of periodic inspection and/or corrective maintenance of the facility. Upon receiving written approval from the Public Works Department, Property Owners Association may construct improvements within the easement, provided the improvement does not interfere with the function of the Detention Facility.

# Lot Count

Proposed Personal Storage:

## **Notes**

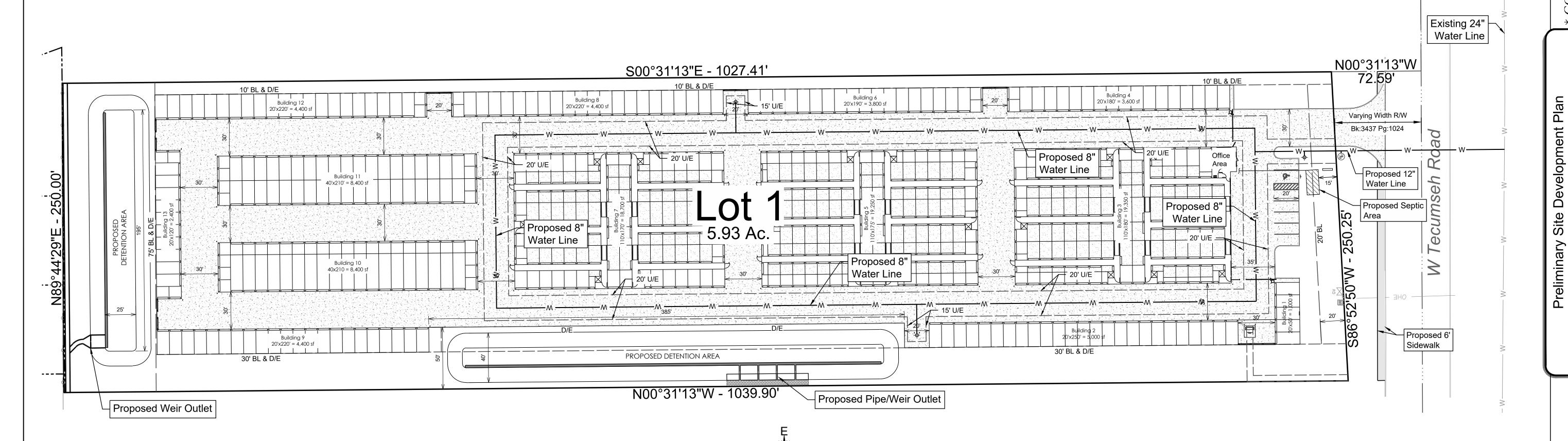
- Existing Zoning: A-2 Rural Agricultural
- Proposed Zoning: Planned Unit Development (PUD) All public utilities will be in dedicated easements.
- 4. All common areas and drainage easements within this development will be maintained by the owner/ property owners association.
- Refer to drainage report for specific data.
- 6. Vertical Datum Referenced: NAVD 88



Oklahoma City, OK 73134 www.BLEWINC.com

Project №: 25-0446 Sheet 1 of 3 Drainage Easement

**Building Limit** 



GRAPHIC SCALE

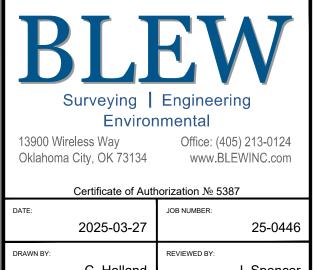
(IN FEET) 1 inch = 40 ft

Franklin Rd VICINITY MAP

FND. MAG NAIL SE. COR. SE/4, SEC. 7

T-9-N, R-2-W, I.M.

Storage Road man, OK cumseh



C. Holland J. Spencer

25-0446 Civil 002.dwg

2 of 3

Legal Description

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Said tract contains 258,411 square feet or 5.93 acres, more or less.

Owner / Developer Information G2 SOK Investments, LLC 4260 28th Avenue NW Norman, OK 73069

> Lot Count Proposed Personal Storage:

### **TECUMSEH ROAD STORAGE**

# A PLANNED UNIT DEVELOPMENT NORMAN, OKLAHOMA

APPLICANT: G2 SOK INVESTMENTS, LLC

#### APPLICATION FOR:

PLANNED UNIT DEVELOPMENT PRELIMINARY PLAT

Submitted February 3, 2025 Revised March 6, 2025

PREPARED BY:

RIEGER SADLER JOYCE 136 Thompson Drive Norman, Oklahoma 73069

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#### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Uses Permitted
- B. Area Regulations
- C. Additional Development Criteria

#### **EXHIBITS**

- A. Legal Description of the Property
- B. Site Development Plan
- C. Allowable Uses
- D. Preliminary Plat
- E. Landscape Plan

#### I. <u>INTRODUCTION</u>

G2 SOK Investments, LLC (the "**Applicant**") seeks to rezone a tract of property, containing approximately 5.93 acres, located in Ward 6 of the City of Norman. The site is generally located North of West Tecumseh Road and West of North Porter Avenue. The property is more particularly described on the attached **Exhibit A** (the "**Property**"). The Property is currently zoned A-2, Rural Agricultural.

The Applicant seeks to rezone the Property to this Planned Unit Development ("**PUD**") in order to put forth the parameters for the development of the Property as a personal storage facility. The purpose of this PUD is to allow the Applicant to develop miniwarehousing for self-storage that is thoughtfully designed and laid out on the Property so as to be compatible with the surrounding residential lots.

#### II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

#### A. Location

The Property is generally located North of West Tecumseh Road and West of North Porter Avenue.

#### **B.** Existing Zoning

The Property is currently zoned A-2, Rural Agricultural.

Generally, the surrounding properties are zoned A-2, Rural Agricultural, with R-1, Single Family Dwelling zoned properties to the South, and a Planned Unit Development to the North. The parcels located to the East of the Property are developed as churches.

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The Property currently consists of one single-family residence. The Property generally drains from the southeast corner to the northwest corner. The proposed development features detention areas along the western property line and in the northwest corner of the Property.

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A drainage report has been provided by the Applicant to City Staff as part of the Preliminary Plat application.

#### E. Utility Services

The necessary utility services for this project are already located on or near the Property. The proposed development will be able to utilize an individual septic system in accordance with applicable rules and regulations of ODEQ.

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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.

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#### **B.** Area Regulations:

**North (Rear) Setback**: The minimum setback along the North property line shall be forty (40) feet.

**East (Side) Setback**: The minimum setback along the East property line shall be Ten (10) feet.

**South (Front) Setback**: The minimum setback along the South property line shall be twenty (20) feet.

West (Side) Setback: The minimum setback along the West property line shall be Thirty (30) feet to accommodate for the detention areas.

#### a. Additional Development Criteria:

#### 1. Site Plan

The Site Development Plan for the Property is concurrently submitted with this PUD and shall be incorporated herein as an integral part of the PUD and the development of the Property shall be constructed as presented thereon, subject to final design development and the changes allowed by Section 36-509 of the City of Norman's PUD Ordinance as thereafter amended.

#### 2. Landscape/Open Space

The Property will feature landscaping within the setbacks along the North, South, and West building setback areas in substantial compliance with the Landscape Plan, attached hereto as **Exhibit E**. Final landscaping types, quantities, and locations may change during final design and construction. The Applicant will consult with the City Forester at the construction phase to determine appropriate landscaping species and locations for the Property.

#### 3. Traffic access/circulation/parking and sidewalks

Access to the Property shall be permitted in the manner depicted on the attached Site Development Plan. Sidewalks will be added where required by applicable City ordinances.

#### 4. Exterior Materials

It is the intent of Applicant to construct a facility that has multiple elements that look and feel residential in nature. Exterior materials of the buildings to be constructed on the Property may be brick, glass, stone, synthetic stone, stucco, EIFS, masonry, synthetic wood, wood, metal, composition shingles, synthetic slate shingles, metal roofs, or other comparable roofing materials, and any combination thereof. The storage buildings will utilize earth tones as a basis for a color scheme, including, but not limited to, brown, beige, tan, green, and grey. Interior buildings may have climate-controlled units. The front office may utilize other color schemes. Climate controlling machinery will be placed on the ground adjacent to a building and not on the roof of the storage buildings.

#### 5. Fencing

The Applicant will maintain the existing residential wood stockade fencing located along the Property's North boundary. For all other fencing on the Property, the Applicant may utilize stockade wood, masonry, decorative metal, rod iron, synthetic wood, or other fencing types. The Applicant expects to utilize decorative metal or rod iron fencing along the detention

areas in order to allow for increased security, cleanliness, and maintenance of the detention areas.

#### 6. Signage

The signage for the Property shall comply with the City of Norman's sign code for commercial uses, as may be amended from time to time. The Property is initially expected to feature a monument sign along Tecumseh Road frontage and a mounted building sign, both of which may be backlit and illuminated.

#### 7. Height

The maximum height of buildings to be constructed on the Property shall be one (1) story. The front office may have high elevated ceilings but shall not contain a second usable story.

#### 8. Lighting

The Property shall meet the City of Norman's Commercial Outdoor Lighting Standards, as amended from time to time. Exterior lighting mounted on the storage buildings will utilize full cut-off fixtures.

#### 9. Parking

The development of a personal storage facility on the Property will only need six (6) parking spaces, which includes one ADA space. The Applicant may, but is not required to, exceed six (6) parking spaces. In the event any other use is developed on the Property in accordance with the terms of this PUD, the Property will comply with the City of Norman's applicable parking ordinances, as may be amended from time to time.

#### 10. Sanitation

The Property will comply with the City of Norman's applicable rules, ordinances, and regulations for sanitation services. It is anticipated that the personal storage facility will not need a dumpster or poly cart service and instead will privately handle trash disposal. The Property's sanitation plan will be subject to review and approval by the City of Norman.

#### **EXHIBIT A**

#### Legal Description of the Property

A tract of land lying in the Southeast Quarter (SE/4) of Section Seven (7), Township Nine (9) North, Range Two (2) West of the I.M., Cleveland County, Oklahoma, being more particularly described as follows:

#### COMMENCING at the Southeast corner of said SE/4;

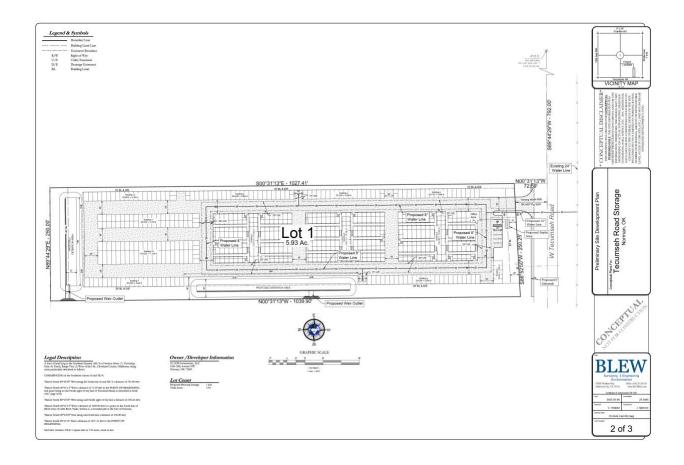
Thence South 89°44'29" West along the South line of said SE/4 a distance of 792.00 feet: Thence North 00°31'13" West a distance of 72.59 feet to the POINT OF BEGINNING, said point being on the North right of way line of Tecumseh Road as described in book 3437, page 1024;

Thence South 86°52'50" West along said North right of way line a distance of 250.26 feet; Thence North 00°31'13" West a distance of 1039.90 feet to a point on the South line of Block One of Little River Trails, Section 3, a recorded plat to the City of Norman; Thence North 89°44'29" East along said South line a distance of 250.00 feet; Thence South 00°31'13" East a distance of 1027.41 feet to the POINT OF BEGINNING;

Said tract contains 258,411 square feet or 5.93 acres, more or less.

#### **EXHIBIT B**

# Site Development Plan [Full Size PDF Documents Submitted to City Staff]

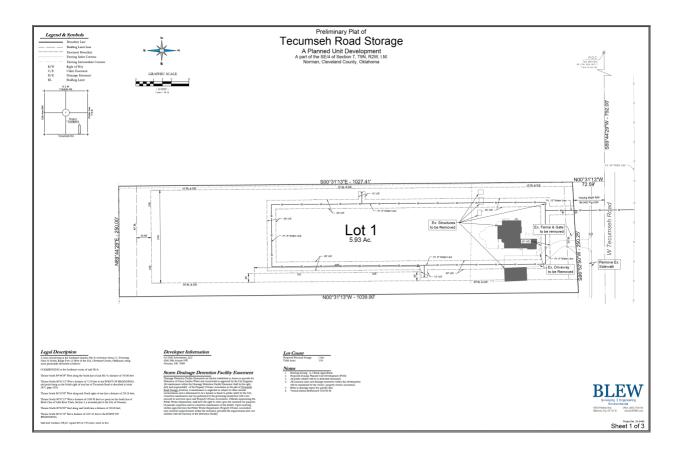


#### EXHIBIT C Allowable Uses

- Mini-warehousing for self-storage;
- Detached single-family principal dwelling unit;
- Family day care home; (Allowed used with a site plan amendment)
- General purpose farm or garden; (Allowed used with a site plan amendment)
- Type 1 Mobile Home; (Allowed used with a site plan amendment)
- Accessory buildings, including barns, sheds and other farm buildings which are not a part of the main building and shall not contain a full kitchen. (Allowed used with a site plan amendment)
- Short-term rentals.

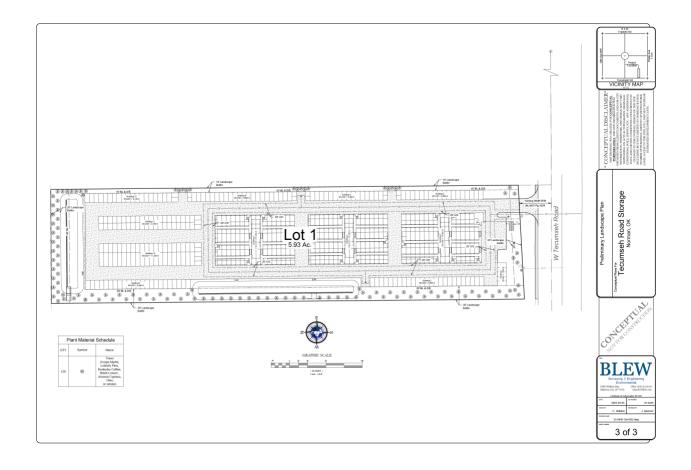
#### EXHIBIT D Preliminary Plat

#### [Full Size PDF Documents Submitted to City Staff]



#### EXHIBIT E Landscape Plan

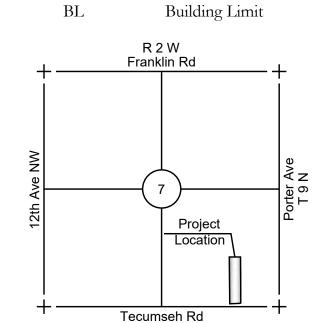
#### [Full Size PDF Documents Submitted to City Staff]

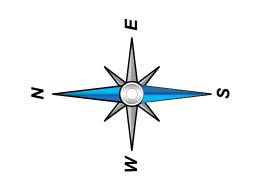


# Legend & Symbols

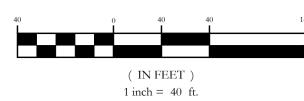
**Building Limit Line** Existing Index Contour Existing Intermediate Contour

> Right of Way Utility Easement Drainage Easement





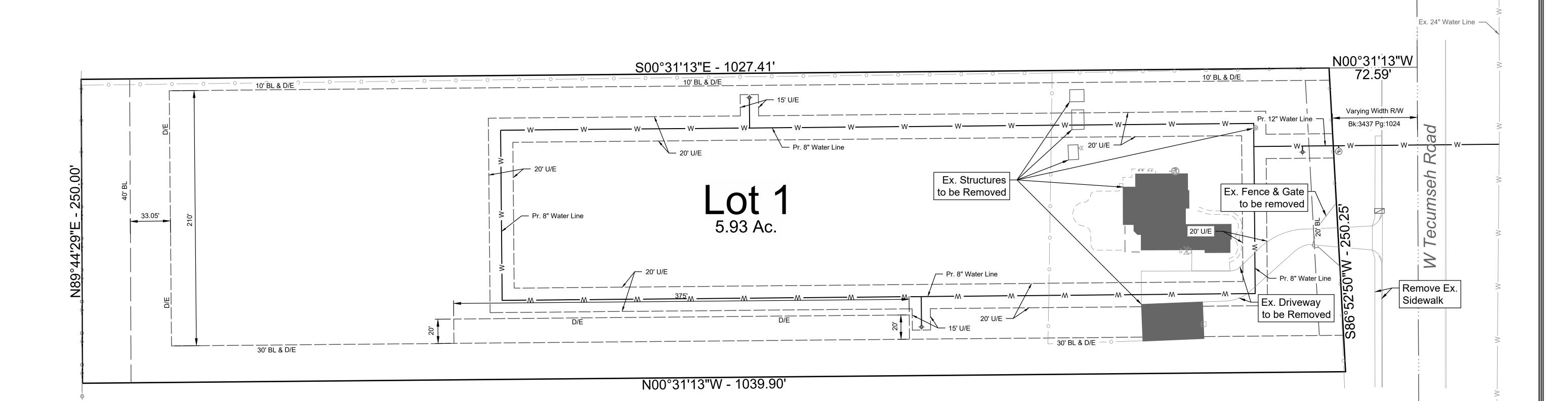
GRAPHIC SCALE



# Preliminary Plat of

# Tecumseh Road Storage

A Planned Unit Development
A part of the SE/4 of Section 7, T9N, R2W, I.M.
Norman, Cleveland County, Oklahoma



# Legal Description

A tract of land lying in the Southeast Quarter (SE/4) of Section Seven (7), Township Nine (9) North, Range Two (2) West of the I.M., Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the Southeast corner of said SE/4;

Thence South 89°44'29" West along the South line of said SE/4 a distance of 792.00 feet:

Thence North 00°31'13" West a distance of 72.59 feet to the POINT OF BEGINNING, said point being on the North right of way line of Tecumseh Road as described in book

Thence South 86°52'50" West along said North right of way line a distance of 250.26 feet;

Thence North 00°31'13" West a distance of 1039.90 feet to a point on the South line of Block One of Little River Trails, Section 3, a recorded plat to the City of Norman;

Thence North 89°44'29" East along said South line a distance of 250.00 feet;

Thence South 00°31'13" East a distance of 1027.41 feet to the POINT OF BEGINNING;

Said tract contains 258,411 square feet or 5.93 acres, more or less.

# Developer Information

G2 SOK Investments, LLC 4260 28th Avenue NW Norman, OK 73069

# Storm Drainage Detention Facility Easement

Drainage Detention Facility Easements are hereby established as shown to provide for Detention of Storm Surface Water and constructed as approved by the City Engineer. All maintenance within the Drainage Detention Facility Easement shall be the right, duty and responsibility of the Property Owners Association in the plat of <u>Tecumseh</u> Road Storage; however, if maintenance is neglected or subject to other unusual circumstances and is determined to be a hazard or threat to public safety by the City, corrective maintenance may be performed by the governing jurisdiction with costs assessed to and born upon said Property Owners Association. Officials representing the Public Works Department, shall have the right to enter upon the easement for purposes of periodic inspection and/or corrective maintenance of the facility. Upon receiving written approval from the Public Works Department, Property Owners Association may construct improvements within the easement, provided the improvement does not interfere with the function of the Detention Facility.

## Lot Count

Proposed Personal Storage:

## **Notes**

- Existing Zoning: A-2 Rural Agricultural
- Proposed Zoning: Planned Unit Development (PUD) All public utilities will be in dedicated easements.
- 4. All common areas and drainage easements within this development
- will be maintained by the owner/ property owners association. 5. Refer to drainage report for specific data.6. Vertical Datum Referenced: NAVD 88



FND. MAG NAIL

T-9-N, R-2-W, I.M.

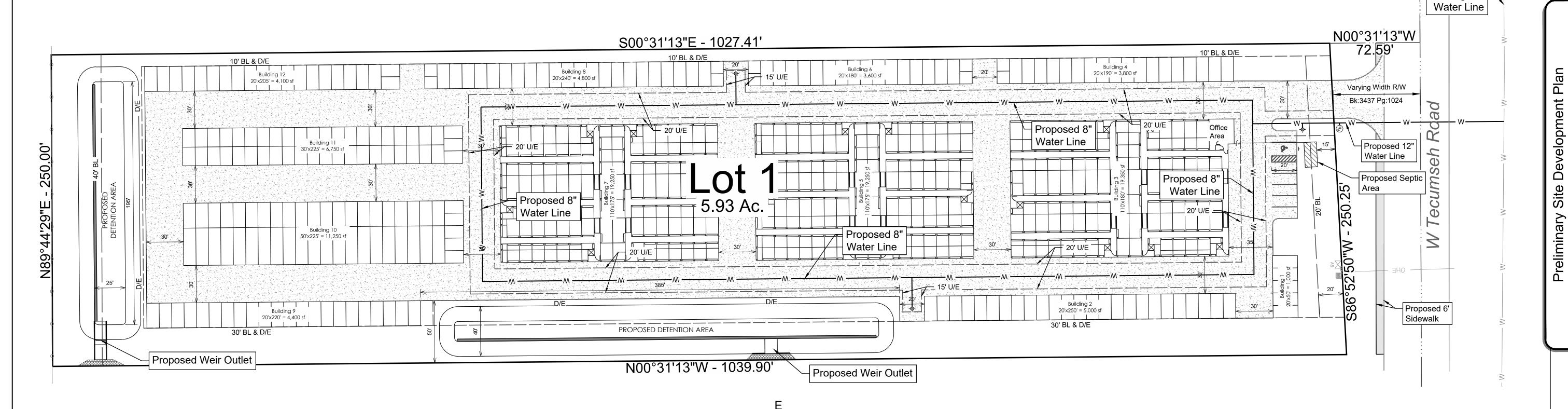
SE. COR. SE/4, SEC. 7

Oklahoma City, OK 73134 www.BLEWINC.com

Project №: 25-0446 Sheet 1 of 3

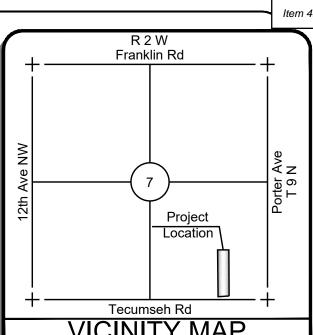


Boundary Line Easement Boundary Right of Way Utility Easement Drainage Easement **Building Limit** 



GRAPHIC SCALE

(IN FEET) 1 inch = 40 ft



P.O.C.

Existing 24"

FND. MAG NAIL SE. COR. SE/4, SEC. 7

T-9-N, R-2-W, I.M.

VICINITY MAP

Storage Road man, OK cumseh

Environmental 13900 Wireless Way Oklahoma City, OK 73134 www.BLEWINC.com

Certificate of Authorization № 5387 2025-03-06

C. Holland J. Spencer 25-0446 Civil 002.dwg

2 of 3

G2 SOK Investments, LLC 4260 28th Avenue NW Norman, OK 73069

Owner / Developer Information

Lot Count Proposed Personal Storage:

A tract of land lying in the Southeast Quarter (SE/4) of Section Seven (7), Township Nine (9) North, Range Two (2) West of the I.M., Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the Southeast corner of said SE/4;

Legal Description

Thence South 89°44'29" West along the South line of said SE/4 a distance of 792.00 feet:

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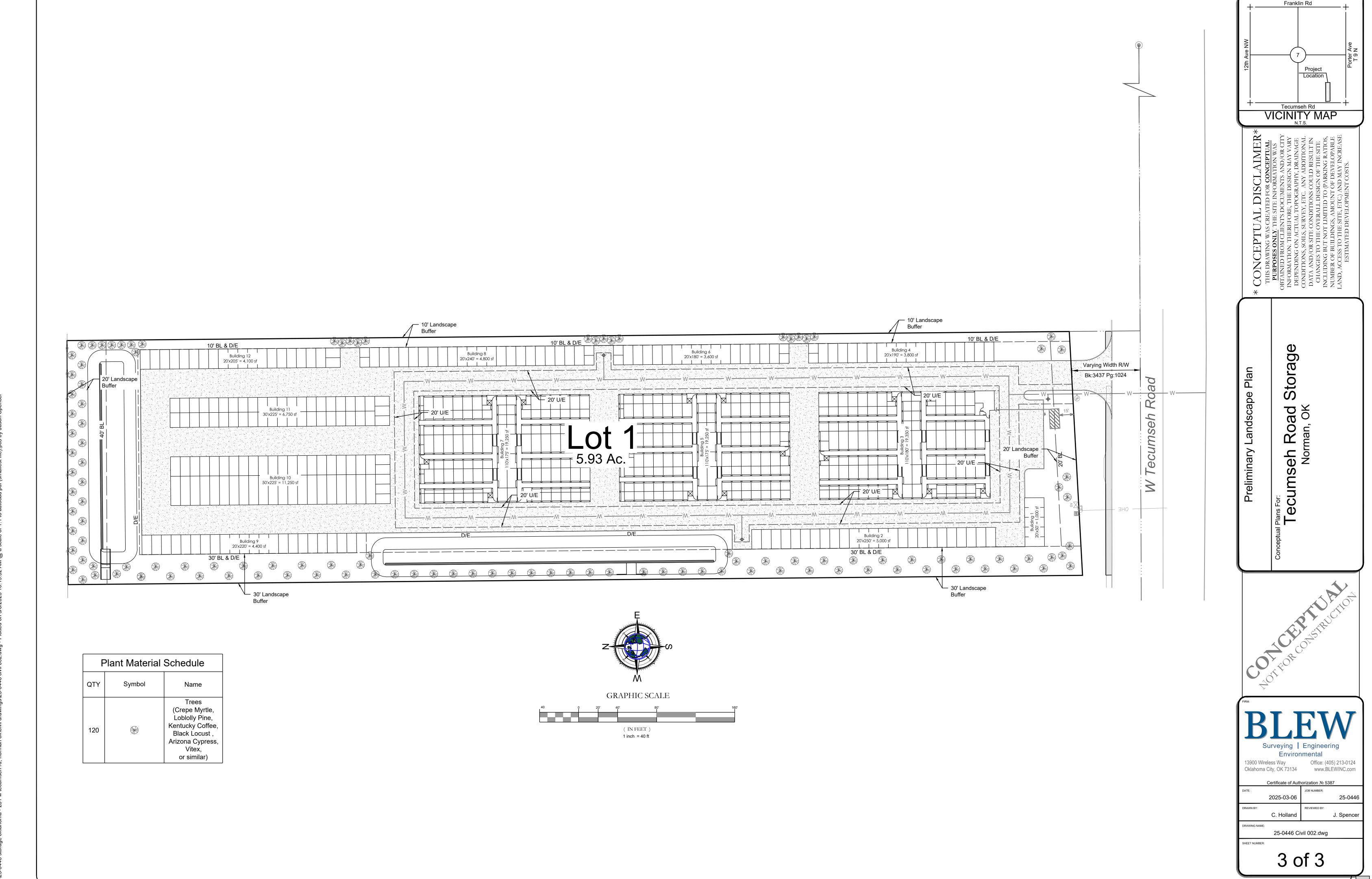
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Thence North 00°31'13" West a distance of 1039.90 feet to a point on the South line of Block One of Little River Trails, Section 3, a recorded plat to the City of Norman;

Thence North 89°44'29" East along said South line a distance of 250.00 feet;

Thence South 00°31'13" East a distance of 1027.41 feet to the POINT OF

Said tract contains 258,411 square feet or 5.93 acres, more or less.



Item 4.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 03/13/2025

**REQUESTER:** G2 SOK Investments LLC

**PRESENTER:** Destiny Andrews, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-26: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVEN (7), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY

THEREOF. (281 W TECUMSEH ROAD)

APPLICANT/REPRESENTATIVE G2 SOK INVESTMENTS LLC/ Rieger Sadler

Joyce

**LOCATION** 281 W Tecumseh Road

WARD 6

CORE AREA No

**REQUESTED ACTION**Rezoning from A-2, Rural Agricultural

District to PUD, Planned Unit Development.

CURRENT LAND USE DESIGNATION Low Density Residential

PROPOSED LAND USE DESIGNATION Commercial

**CURRENT GROWTH AREA DESIGNATION** Future Urban Service Area

PROPOSED GROWTH AREA DESIGNATION Current Urban Service Area

**BACKGROUND:** The subject parcels covers approximately 5.93 acres of land. The applicant is requesting a rezoning from A-2, Rural Agricultural District to PUD, Planned Unit Development, with intentions of constructing a mini-warehouse facility for self-storage use composed of twelve

buildings with a maximum height of one-story. The applicant has been informed that the project must meet all pertinent Zoning Ordinance requirements for commercial projects, including landscaping, building requirements, and commercial outdoor lighting standards.

#### PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GBC 25-06 February 18, 2025

This meeting was cancelled due to inclement weather.

PRE-DEVELOPMENT: PD25-06 February 27, 2025

Questions about the project centered on concerns about drainage, safety, light, and viewsheds.

Many neighboring property owners expressed fears regarding the proposed project exacerbating existing drainage issues, due to the high amount of impervious surfaces and proposed detention ponds directing flow to existing channels. The applicant's representative explained that drainage reports must be completed in compliance with City of Norman requirements and cannot be calculated to add additional flow over the historical rate. Neighbors in attendance expressed dissatisfaction with this answer and inquired about liability in the event an increase in drainage issues was experienced. The representative responded that the decision would be litigated and would be based on whether due diligence was properly completed during the permitting and development phases.

The applicant representative also explained that the scope of the project is limited to the parcels described in the presentation, and that personal storage is the only use intended for the location. Additionally, the hours of operation intended for the project would be 6 AM to 10 PM, there will no access outside of these times. Further, fencing and security cameras will be provided for safety and lighting will be installed in accordance with City of Norman codes and should be limited in impact to the surrounding properties.

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

This request does not have a residential component and thus did not require an application to the Board of Parks Commissioners.

#### **ZONING ORDINANCE CITATION:**

#### 36-509 PUD, Planned Unit Development

(a) 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:

- (1) A maximum choice in the types of environment and living units available to the public.
- (2) 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.
- (3) Maximum enhancement and minimal disruption of existing natural features and amenities.
- (4) 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.
- (5) More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
- (6) 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 subject 5.93 acre parcel has frontage to W Tecumseh Road. The parcel is bounded by properties zoned A-2, Rural Agricultural District to the west and east, the latter half used by Calvary Free Will Baptist Church. To the north, Little River Trails Addition, Section 3 is developed as a PUD, Planned Unit Development. Across W Tecumseh Road to the south lies R-1, Single-Family Dwelling District properties, platted as Tecumseh Ridge, Section 2. The subject parcel is currently developed as a single-family dwelling.

The following information is outlined in the PUD Narrative:

**USE:** Generally, the Property will be allowed to retain its current allowable uses while adding the ability to develop Applicant's desired personal storage facility. A complete list of the allowable uses for the Property is attached as Exhibit C (included below).

- Mini-warehousing for self-storage;
- Detached single-family principal dwelling unit;
- Family day care home; (Allowed used with a site plan amendment)
- General purpose farm or garden; (Allowed used with a site plan amendment)
- Type 1 Mobile Home; (Allowed used with a site plan amendment)
- Accessory buildings, including barns, sheds and other farm buildings which are not a part
  of the main building and shall not contain a full kitchen. (Allowed used with a site plan
  amendment)
- Short-term rentals.

Area Regulations:

- North Setback: The minimum setback along the North property line shall be forty (40) feet.
- East Setback: The minimum setback along the East property line shall be ten (10) feet.
- South Setback: The minimum setback along the South property line shall be twenty (20) feet.
- West Setback: The minimum setback along the West property line shall be thirty (30) feet to accommodate for the detention areas.

**PARKING:** The development of a personal storage facility on the Property will only need six (6) parking spaces, which includes one ADA space. The Applicant may, but is not required to, exceed six (6) parking spaces. In the event any other use is developed on the Property in accordance with the terms of this PUD, the Property will comply with the City of Norman's applicable parking ordinances, as may be amended from time to time.

**LANDSCAPING:** The Property will feature landscaping within the setbacks along the North, South, and West building setback areas in substantial compliance with the Landscape Plan, attached hereto as Exhibit E. Final landscaping types, quantities, and locations may change during final design and construction. The Applicant will consult with the City Forester at the construction phase to determine appropriate landscaping species and locations for the Property.

**SIGNAGE:** The signage for the Property shall comply with the City of Norman's sign code for commercial uses, as may be amended from time to time. The Property is initially expected to feature a monument sign along Tecumseh Road frontage and a mounted building sign, both of which may be backlight and illuminated.

**LIGHTING:** The Property shall meet the City of Norman's Commercial Outdoor Lighting Standards, as amended from time to time. Exterior lighting mounted on the storage buildings will utilize full cut-off fixtures.

**SANITATION/UTILITIES:** The Property will comply with the City of Norman's applicable rules, ordinances, and regulations for sanitation services. It is anticipated that the personal storage facility will not need a dumpster or poly cart service and instead will privately handle trash disposal. The Property's sanitation plan will be subject to review and approval by the City of Norman.

**FENCING/WALLS:** The Applicant will maintain the existing residential wood stockade fencing located along the Property's North boundary. For all other fencing on the Property, the Applicant may utilize stockade wood, masonry, decorative metal, rod iron, synthetic wood, or other fencing types. The Applicant expects to utilize decorative metal or rod iron fencing along the detention areas in order to allow for increased security, cleanliness, and maintenance of the detention areas

Additionally, the PUD Narrative refers to the following items:

**Site Plan:** The Site Development Plan for the Property is concurrently submitted with this PUD and shall be incorporated herein as an integral part of the PUD and the development of the Property shall be constructed as presented thereon, subject to final design development and the changes allowed by Section 36-509 of the City of Norman's PUD Ordinance as thereafter amended.

**Traffic access/circulation/parking and sidewalks:** Access to the Property shall be permitted in the manner depicted on the attached Site Development Plan. Sidewalks will be added where required by applicable City ordinances.

**Exterior Materials:** It is the intent of Applicant to construct a facility that has multiple elements that look and feel residential in nature. Exterior materials of the buildings to be constructed on the Property may be brick, glass, stone, synthetic stone, stucco, EIFS, masonry, synthetic wood, wood, metal, composition shingles, synthetic slate shingles, metal roofs, or other comparable roofing materials, and any combination thereof. The storage buildings will utilize earth tones as a basis for a color scheme, including, but not limited to, brown, beige, tan, green, and grey. Interior buildings may have climate-controlled units. The front office may utilize other color schemes. Climate controlling machinery will be placed on the ground and not on the roof of the storage buildings.

**Height:** The maximum height of buildings to be constructed on the Property shall be one (1) story. The front office may have high elevated ceilings but shall not contain a second usable story.

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

**IMPACTS**: Self-storage is a use limited in intensity that generates low amounts of traffic. Although the use is typically more compatible with light industrial uses, it is not uncommon for the use to abut residential developments within the City. Mini-warehousing is an acceptable special use, with conditions, under C-1, General Commercial District regulations, and allowed by-right within I-1, Light Industrial District.

#### OTHER AGENCY COMMENTS:

#### FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:

#### Fire

Items regarding fire hydrants and fire/building codes will be considered at the building permit stage.

#### **Building**

- Buildings with less than 5' setbacks to property lines will require 2-hour Fire Resistant ratings in accordance with the 2018 IBC Section 705 and openings will have to comply with Table 705.8.
- Buildings in excess of 5000 sq. ft. will be required to be sprinkled or have 3-hour fire rated construction to limit the fire areas to less than 5000 sq. ft.

#### PUBLIC WORKS/ENGINEERING:

Please see attached report from Engineering.

#### TRANSPORTATION ENGINEER:

Please see attached report from the Transportation Engineer.

#### **UTILITIES:**

The applicant is proposing to use onsite private sewer facilities. Extension of sewer to serve the property from the north or west would be possible but would require an offsite sewer extension and easement acquisition.

**CONCLUSION:** Staff forwards this request for rezoning from A-2, Rural Agricultural District to PUD, Planned Unit Development, and Ordinance O-2425-26 to the Planning Commission for consideration and recommendation to City Council.

6. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-91: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF SOUTHEAST QUARTER (SE/4) OF SECTION SEVEN (7), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE COMMERCIAL DESIGNATION AND FUTURE URBAN SERVICE AREA AND PLACE THE SAME IN CURRENT URBAN SERVICE AREA. (281 W TECUMSEH ROAD)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. 2025 Land Use Map
- 3. Pre-Development Summary
- 7. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-26: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVEN (7), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (281 W TECUMSEH ROAD)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map
- 3. PUD Narrative
- 4. Preliminary Site Development Plan
- 5. Preliminary Plat
- 6. Preliminary Landscape Plan
- 8. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2425-8: CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY G2 SOK INVESTMENTS, LLC (BLEW SURVEYING ENGINEERING ENVIRONMENTAL) FOR TECUMSEH ROAD STORAGE, A PLANNED UNIT DEVELOPMENT, FOR APPROXIMATELY 5.93 ACRES OF PROPERTY LOCATED AT 281 W. TECUMSEH ROAD.

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map
- 3. Preliminary Plat
- 4. Traffic Letter

- 5. Development Review Form
- 6. Preliminary Plat
- 7. Protest Map
- 8. Protest Letters

#### **Staff Presentation**

Destiny Andrews, Planner II, presented the staff report.

#### **Applicant Presentation**

Gunner Joyce, Representative of Applicant, presented the proposed item.

Commissioner Bird asked to address concerns brought up in protest letters.

Bryan Stambeck, Applicant, addressed the concerns regarding crime, pest control, and surrounding property values. He explained that everyone using the facility must have a valid driver's license, otherwise a background check would be performed. There are no on-site dumpsters, to reduce pest problems.

Commissioner Brewer asked about the self-maintenance plan. Mr. Stambeck explained that there is a manager on site seven days a week who is instructed to walk the perimeter three times a day. There is also a lawn care service that will up keep the maintenance of the property weekly.

#### **Public Comments**

Kristina Keenan, 220 Bulverde Dr. (Protest)

Russell Doughty, 304 Maybury (Protest)

Callie Zingali, 224 Bulverde Dr. (Protest)

#### **Commission Discussion**

Commissioner Kindel wanted to clarify the distance from the property line to the nearest building. Mr. Joyce responded that it is 75 feet to the nearest building from the rear property line.

Commissioner Kindel asked where the lights and cameras would be aimed and located. Mr. Joyce responded that all the lights are attached to the buildings and shielded downward. Mr. Stambeck explained that all cameras are aimed at the lots' interior, not facing towards the outer fences or nearby properties.

Commissioner Brewer asked when this item is intended to go to City Council. Jane Hudson, Planning & Community Development Director, stated that items go the following month but the applicant controls their item and have the ability to be fast tracked.

**Motion** by Commissioner McClure to recommend approval of Resolution R-2425-91, Ordinance O-2425-26, and PP-2425-8; **Second** by Commissioner Brewer.

The motion passed unanimously with a vote of 6-0, 1 recusal.

#### File Attachments for Item:

5. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT ORDINANCE O-2425-27 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE NORTHWEST QUARTER (NW/4) OF SECTION TWO (2), TOWNSHIP NINE NORTH (T9N), RANGE THREE WEST (R3W), OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF THE I-35 AND WEST INDIAN HILLS ROAD INTERSECTION)



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Apex Properties, LLC

**PRESENTER:** Jane Hudson, Planning and Community Development Director

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT ORDINANCE O-2425-27 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE NORTHWEST QUARTER (NW/4) OF SECTION TWO (2), TOWNSHIP NINE NORTH (T9N), RANGE THREE WEST (R3W), OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF THE I-35 AND

WEST INDIAN HILLS ROAD INTERSECTION)

APPLICANT/REPRESENTATIVE Apex Properties, LLC/Rieger Sadler Joyce

LLC

**LOCATION** Near the SW corner of the I-35 and W

Indian Hills Road Intersection

WARD 3

CORE AREA No.

**REQUESTED ACTION**Rezoning from A-2, Rural Agricultural

District, to PUD, Planned Unit Development

District.

**CURRENT LAND USE PLAN DESIGNATION** Park Land and Mixed Use

PROPOSED LAND USE PLAN DESIGNATION Mixed Use

CURRENT GROWTH AREA DESIGNATION Future Urban Service Area

PROPOSED GROWTH AREA DESIGNATION Current Urban Service Area

**BACKGROUND:** The applicant requests rezoning from A-2, Rural Agricultural District, to PUD, Planned Unit Development District, for approximately 130 acres. The PUD would allow for the development of a Mixed Use community, featuring a variety of uses including, but not limited to, residential, commercial, office, and the mixing of uses within the property. The requested rezoning is accompanied by an application for a NORMAN 2025 Land Use Plan amendment and a preliminary plat.

#### PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GBC25-05, February 18, 2025 This meeting was cancelled due to inclement weather.

PRE-DEVELOPMENT: PD25-05, February 27, 2025

After the applicant presentation, the first question from the attending neighbors was if they knew how many dwelling units this proposed project would include. The representative stated there would be around 1,500 apartment units and 170 single-family homes. The next question what were the lot sizes for these single-family homes. The representative responded that the size lot for single-family homes would be 3,600 sqft. The neighbors were concerned about this lot size because the lots of the existing single-family homes in the area are quite large in comparison. The next subject the neighbors were concerned about was screening. The neighbors were curious about what kind of screening would run along the west and south sides of the development. The representative said that they did not have a design for the screening at this stage of the project. The last subject the neighbors discussed with the representative was drainage. The project features a large detention pond that is designed to collect water and drain it to the southeast corner of the lot where existing stormwater drainage infrastructure exists.

**BOARD OF PARKS COMMISSIONERS:** This proposal went to the Board of Parks Commissioners on March 6, 2025. The Board voted unanimously to accept a public parkland decision of 7.571 acres.

#### **ZONING ORDINANCE CITATION:**

SECTION 36-509, PUD, PLANNED UNIT DEVELOPMENT

1. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of the comprehensive plan of record. The "PUD" Planned Unit Development district herein established is intended to provide for greater flexibility in the design of buildings, yards, courts, circulation, and open space than would otherwise be possible through the strict application of other district regulations. In this way, applicants may be awarded certain premiums in return for assurances of overall planning and design quality, or which will be of exceptional community benefit and which are not now required by other regulations. By permitting and encouraging the use of such procedures, the Planning Commission and City Council will be able to make more informed land use decisions and thereby guide development more effectively in the best interest of the health, safety, and welfare of the City.

Specifically, the purposes of this section are to encourage:

- (a) A maximum choice in the types of environment and living units available to the public.
- (b) Provision of more usable and suitably located open space, recreation areas, or other common facilities than would otherwise be required under conventional land development regulations.
- (c) Maximum enhancement and minimal disruption of existing natural features and amenities.
- (d) Comprehensive and innovative planning and design of diversified developments which are consistent with the City's long range plan and remain compatible with surrounding developments.
- (e) More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
- (f) Preparation of more complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.

The PUD (Planned Unit Development) Regulations are designed to provide for small and large scale developments incorporating a single type or a variety of residential, commercial, industrial and related uses which are planned and developed as a unit. Such development may consist of individual lots, or it may have common building sites. Private or public common land and open space must be an essential, major element of the development which is related to, and affects, the long term value of the homes and other development. A Planned Unit Development shall be a separate entity with a distinct character that respects and harmonizes with surrounding development.

#### **STAFF ANALYSIS:**

**USE:** The allowable uses for this PUD are included in the PUD Narrative as Exhibit C, Allowable Uses. The uses are divided into four Development Areas. Area 1 contains a large variety of commercial uses. Development Area 2 contains a mix of high-density housing with commercial uses on the first floor. Development Area 3 contains commercial uses, similar to Development Area 1. Development Area 4 contains a variety of low density dwelling types. These include but are not limited to, single-family homes, accessory dwelling units, and garage apartments. A complete list of the allowable uses for each Development Area within the Property is shown in Exhibit C.

**SITE PLAN/ACCESS:** The Site Development Plan shows five access points to the development site. There are three access points proposed off of 36th Ave NW, one access point off of W Indian Hills Road, and one access point of N Interstate Drive. The proposed development is broken into four Development Areas. Located at the center of the site is Development Area 2 where multiple apartment buildings with parking garages are located. These apartment buildings abut Development Area 4 where single-family homes are to be located.

Development Area 4 allows for a 4' front yard setback, with a 20' setback for garage structures that face the street. For Lots that will be rear-loaded and take all vehicular access from the rear alleyway, the front yard building setback line shall be 2'.

Staff notes the applicant changed this section since the Planning Commission meeting on March 13, 2025, this includes a change to the front setback for lots taking vehicular access from the rear alleyway, in this case the front yard building setback line was amended from 4' to 2'...

**PARKING:** Parking for the Property may be developed in general compliance with the parking layout shown on the Site Development Plan. The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

**LANDSCAPING:** Landscaping shall be installed in order to meet or exceed the City of Norman's applicable landscaping regulations, as amended from time to time.

**SIGNAGE:** All other signs not discussed in Exhibit F of the PUD Narrative, shall comply with the sign standards of the City of Norman Sign Code, and as thereafter amended, as applicable to the underlying use for each lot. The Applicant may further restrict and control signage within the Property through the use of private design guidelines and restrictive covenants.

**LIGHTING:** All lighting over any common areas will be shielded from adjacent single-family homes with full-cut off lighting fixtures. Decorative streetlights will be allowed within the PUD, in the common areas, and along the streets of the PUD, with full-cut off light fixtures where light pollution into residential lots is possible. All exterior lighting in the Multifamily and Commercial portions of the Property shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards, contained in Section 36-549 of the City of Norman's Zoning Ordinance, as may be amended from time to time.

**SANITATION/UTILITIES:** Trash dumpsters may be located as depicted on the Site Development Plan or in locations as may be approved by the City. Dumpsters shall be kept within an enclosure that is primarily constructed of similar exterior materials as the primary façade of the commercial building(s) it is associated with. Dumpsters may be shared between multiple property occupants and users.

**FENCING/WALLS:** Fencing, is permissible but is not required within the Property. Fencing on the Property may be constructed of, by way of example and not limitation, decorative metal, stockade wood, composite, and other fencing types. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review of fencing within the development. For any fencing that the developer may utilize within the Property, the placement and height of such fencing shall comply with applicable City ordinances, as amended from time to time.

**PHASING:** It is anticipated that the Property will be developed in multiple phases. The timing and number of future phases will be determined by market demand and absorption rates and shall comply with Section 36-509 PUD, Planned Unit Developments, as may be amended.

**OPEN SPACE:** A minimum of ten percent (10%) of the Property shall be preserved as open space. The areas initially planned as open space are depicted on the Site Development Plan. The submitted Greenspace Plan (Exhibit E) shows 20.07 acres (15.42%) of the development site as Greenspace.

**EXTERIOR MATERIALS:** The exterior of the commercial, office, retail, or multifamily buildings constructed within the Property may be constructed of masonry, brick, stone, synthetic stone, wood, glass, stucco, EIFS, metal accents, and any combination thereof. The applicant may file restrictive covenants against the Property to more narrowly tailor architectural review within the development.

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

**IMPACTS**: The proposed use will be more intense than the existing undeveloped traffic patterns of the current zoning and land use designation. The three new access points off of 36<sup>th</sup> Ave NW will likely be used for the residential aspect of the proposed development. This residential component consists of single-family and multi-family dwelling units. According to the Traffic Impact Analysis reviewed by the City Transportation Engineer, traffic generated by the proposed development will exceed the capacity of the area.

#### **OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Additional information will be required to determine fire hydrant and fire lane requirements related to the proposed buildings. These items will be addressed during individual building permitting.

If the proposed development includes entry gates, all commercial gates that restrict response vehicle access will require Knox Single gate and Key Switch.

#### **PUBLIC WORKS/ENGINEERING:**

Please see attached report from Engineering.

**TRANSPORTATION ENGINEER:** Demand exceeds capacity in this area. As such, additional off-site improvements are recommended in addition to the completion of the 2012 Bond Project improvements to 36th Avenue NW. These include:

- Changes to the future phasing of the traffic signal at the 36th Avenue NW intersection with Indian Hills Road
- Construction of an eastbound right-turn lane on Franklin Road at N. Interstate Drive
- Construction of Drives #2, #3, and #4 to provide separate left- and right-turn lanes onto 36th Avenue NW
- Construction of Drive #6 to provide only right-in/right-out access from Indian Hills Road
- Installation of a traffic signal on Indian Hills Road at Drive #7 along with construction of westbound and northbound left-turn lanes

**UTILITIES:** Extend sewer at the correct elevations and sizes to serve upstream tracts of land which includes the existing Marlatt Subdivision located to the west of 36th Avenue NW.

<u>CONCLUSION:</u> Staff forwards this request for rezoning to a PUD, Planned Unit Development and Ordinance O-2425-27 for consideration by City Council.

<u>PLANNING COMMISSION RESULTS:</u> At their meeting of March 13, 2025, Planning Commission recommended approval of Ordinance O-2425-27 by a vote of 6-0 with the motion to amend the 4' setback to 2' setback for structures with alley access parking.

There has been a change to the application since the Planning Commission vote; that change is noted in the body of this staff report.

#### O-2425-27

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE NORTHWEST QUARTER (NW/4) OF SECTION TWO (2), TOWNSHIP NINE NORTH (T9N), RANGE THREE WEST (R3W), OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF THE I-35 AND WEST INDIAN HILLS ROAD INTERSECTION)

- § 1. WHEREAS, Apex Properties, LLC, the owners of the hereinafter described property, have made application to have the subject property removed from the A-2, Rural Agricultural District and placed in the PUD, Planned Unit Development District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing on March 13, 2025 as required by law, considered the same and recommended that the same should be granted upon the condition that for lots with vehicular access from the alley, the front building setback should be reduced from 4' to 2' and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted as amended and an ordinance adopted to effect and accomplish such rezoning.

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

§ 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the A-2, Rural Agricultural District and place the same in the PUD, Planned Unit Development District, to wit:

Being a tract of land lying in the Northwest Quarter (NW/4) of Section Two (2), Township Nine North (T9N), Range Three West (R3W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

**COMMENCING** at the northeast corner of said Northwest Quarter;

THENCE South 89°40'25" West, along the north line of said Northwest Quarter, a distance of 1,532.07 feet to the **POINT OF BEGINNING**;

THENCE South 00°19'35" East a distance of 33.00 feet to a point on the westerly right of way line of Interstate 35 as established by the Report of Commissioners Case No. 17935 recorded in Book 243, Page 90; Report of Commissioners Case No. 20943 recorded in Book 318, Page 293 and F.A.P. I-35-2(21)115 plans;

THENCE along said westerly right of way line, the following nine (9) courses:

- 1. South 79°00'52" East a distance of 137.67 feet;
- 2. North 89°40'25" East a distance of 118.43 feet;
- 3. South 31°44'30" East a distance of 140.62 feet;
- 4. South 81°42'13" East a distance of 401.47 feet;
- 5. South 26°05'27" East a distance of 241.72 feet;
- 6. South 36°31'31" East a distance of 185.18 feet;
- 7. South 54°30'23" East a distance of 88.95 feet;
- 8. South 17°05'41" East a distance of 385.70 feet to a point of curvature;
- 9. Southerly along a curve to the right having a radius of 5,579.55 feet (said curve subtended by a chord which bears South 08°57'22" East a distance of 1,579.81 feet) for an arc distance of 1,585.13 feet to a point on the south line of said Northwest Quarter;

THENCE South 89°28'19" West, along said south line, a distance of 2,462.22 feet to the southwest corner of said Northwest Quarter;

THENCE North 00°36'11" West, along the west line of said Northwest Quarter, a distance of 2,599.31 feet to the northwest corner of said Northwest Quarter;

THENCE North 89°40'25" East, along the north line of said Northwest Quarter, a distance of 1,116.21 feet to the **POINT OF BEGINNING**.

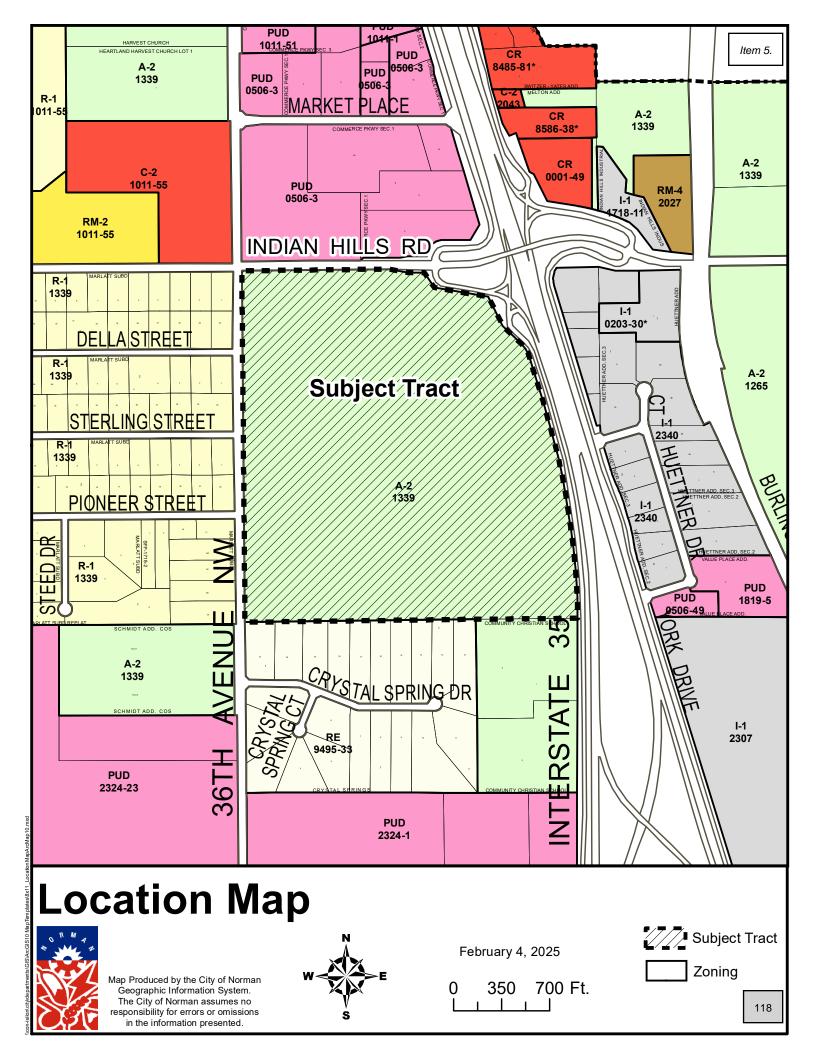
Said described tract of land contains a gross area of 5,695,761 square feet or 130.7567 acres and a net area, less streets rights of way, of 5,574,326 square feet or 127.9689 acres, more or less.

- § 5. Further, pursuant to the provisions of Section 36-509 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:
  - a. The site shall be developed in accordance with the PUD Narrative, Site Development Plan, and supporting documentation, dated April 2, 2025, which are made a part hereof.
- § 6. <u>Severability</u>. 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.

Ordinance O-2425-27
Page 3

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ltem	5.

ADOPTED this	day of	NOT ADOPTED this	day of
	, 2025.		, 2025.
(Mayor)		(Mayor)	
ATTEST:			
(City Clerk)			



### NORTH NORMAN VILLAGE

# A PLANNED UNIT DEVELOPMENT NORMAN, OKLAHOMA

#### **APPLICANT:**

APEXPROPERTIES, LLC

#### APPLICATION FOR:

PLANNED UNIT DEVELOPMENT PRELIMINARY PLAT NORMAN 2025

> Submitted February 3, 2025 Revised April 27, 2025

#### PREPARED BY:

136 Thompson Drive Norman, Oklahoma 73069

RIEGER SADLER JOYCE LLC

#### TABLE OF CONTENTS

#### I. INTRODUCTION

#### II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

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

#### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Uses Permitted
- B. Area Regulations
- C. Development Criteria

#### **EXHIBITS**

- A. Legal Description of the Property
- B. Preliminary Site Development Plan
- C. Allowable Uses
- D. Preliminary Plat
- E. Open Space
- F. Development Signage Allowances

#### I. INTRODUCTION

APEX PROPERTIES, L.L.C., an Oklahoma limited liability company (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 mixed-use community, featuring a variety of uses including commercial, office, retail, and a diversity of residential uses within the Property. The Property contains roughly 130.76 acres, and a 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 at the Southwest corner of the Interstate 35 and W. Indian Hills Road interchange, as more particularly shown on the attached exhibits.

#### B. Existing Land Use and Zoning

The Property is undeveloped and is currently zoned A-2, Rural Agricultural.

#### C. Elevation and Topography

The Property contains elevations ranging from approximately 1,171 to 1,184. The Property generally and gently slopes downwards from the northwest to the southeast.

#### D. Drainage

A drainage report will be provided 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 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 Conceptual Site Development Plan.

#### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Property is preliminarily planned to be developed in compliance with the Conceptual Site Development Plan, attached hereto as **EXHIBIT B**, subject to final design development and the changes allowed by Section 36-509 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 mixed-use development, featuring a variety of uses including commercial, office, retail, and a diversity of residential uses within the Property. The development of the Property shall be divided into four (4) Development Areas, as shown on **Exhibit G**, attached hereto, for purposes of allowable uses and area regulations:

Development Area 1 is located along the frontage of Interstate 35 and W. Indian Hills Road and will contain the bulk of the commercial allowances within the Property such as but not limited to retail and office uses.

Development Area 2 is located on the interior of the Property and will contain mixed uses of residential and retail.

Development Area 3 is located at the hard corner of W. Indian Hills Road and 36<sup>th</sup> Ave. NW, and will contain commercial uses, such as but not limited to automobile service station, commercial, retail, or restaurant.

Development Area 4 is located along 36<sup>th</sup> Ave. NW and will contain residential uses.

A complete list of the allowable uses for each Development Area within the Property is attached as **EXHIBIT C**. It is understood and acknowledged that the boundaries of the individual Tracts and Development Areas have not been finalized as this development is at the preliminary plat stage, and, subject to Section 36-509 of the City of Norman's PUD Ordinance, the final legal descriptions and lot sizes may fluctuate prior to the filing of a final plat. Therefore, the boundaries of the Development Areas may fluctuate so long as such modification does not result in a substantial deviation from the Conceptual Site Development Plan.

Notwithstanding the above, the following uses are prohibited in this Addition:

A. Adult oriented businesses

- B. Junk yards
- C. Kennels with outdoor runs

#### **B. Area Regulations:**

**1. Development Area 1**: Commercial, Retail, Restaurant, Office, and Hospitality.

**Building Setback:** There shall be a ten (10) foot setback along the frontages of Indian Hills Road and Interstate 35. Additionally, buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements. Otherwise, there are no other required building setbacks.

**Height**: There shall be no height limit for any building or structure in Development Area 1 of the Property.

**2. Development Area 2**: Commercial, Retail, Restaurant, Office, Hospitality and Residential.

**Building Setback:** Buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements. Otherwise, there are no required front, rear, or side yard building setback.

**Height**: There shall be no height limit for any building or structure in Development Area 2 of the Property.

**3. Development Area 3**: Commercial, Retail, Restaurant, Office, Automobile Service Station.

**Building Setback:** There shall be a ten (10) foot setback along the frontages of W. Indian Hills Road and 36<sup>th</sup> Ave. NW. Buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements. Otherwise, there are no other required building setbacks.

**Height**: There shall be no height limit for any building or structure in Development Area 3 of the Property.

4. **Development Area 4**: Residential

#### **Building Setbacks:**

a. 4-foot front yard building setback line, with a 20-foot front yard setback for garage structures that face the street. This is intended to allow for the capability of living areas of the house to come forward and greet the streetscape ahead of the garage facades. For Lots that

will be rear-loaded and take all vehicular access from the rear alleyway, such as the Lots located in Block 7 as shown on the preliminary plat, the front yard building setback line shall be two (2') feet.

- b. No minimum side yard building setback line.
- c. 10-foot rear yard building setback line, or setback to the utility easement along the back of yard if it is larger than the 10 feet.
- d. Lots to be at least 2,000 gross square feet in area, with minimum width of 20 feet, but with such dimensions not being a requirement as lot dimensions can be widely varied throughout the Addition. For Lots that will be rear-loaded and take all vehicular access from the rear alleyway, such as Lot 20, Block 5 as shown on the preliminary plat, the minimum public street frontage shall be five (5') feet.
- e. Open space areas are located throughout the Addition and form an extensive feature of the project, and thus due to extensive common area open space, impervious area coverage ratios of each lot in this district shall be allowed up to 85%.
- f. Buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements.

**Height**: The maximum height for Development Area 4 shall be three (3) stories.

#### C. Additional Development Criteria:

#### 1. Exterior Materials

The exterior of the commercial, office, retail, or multifamily buildings constructed within the Property may be constructed of masonry, brick, stone, synthetic stone, wood, glass, stucco, EIFS, metal accents, and any combination thereof. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review within the development.

#### 2. Sanitation

Trash dumpsters shall be located as depicted on the Conceptual Site Development Plan or in locations as may be approved by City sanitation services. Dumpsters shall be kept within an enclosure that is primarily constructed of similar exterior materials as the primary façade of the commercial building(s) it is associated with. Dumpsters may be shared between multiple property occupants and users within this PUD.

#### 3. Signage

In order to enhance wayfinding and to facilitate the vibrant mixed-use community envisioned by this PUD, additional signage allowances are warranted. Development signage allowances are enumerated in **Exhibit F**, attached hereto. All other signs not discussed in Exhibit F shall comply with the sign standards of the City of Norman Sign Code, and as thereafter amended, as applicable to the underlying use for each lot. The Applicant may further restrict and control signage within the Property through the use of private design guidelines and restrictive covenants.

#### 4. Traffic access and circulation

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

#### 5. Open Space

A minimum of ten percent (10%) of the Property shall be reserved as open space. The areas initially planned as open space are depicted on the Conceptual Site Development Plan. A conceptual open space exhibit is attached hereto as **EXHIBIT E**.

#### 6. Parking

Parking for the Property may be developed in general compliance with the parking layout shown on the Conceptual Site Development Plan. The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

#### 7. Loading/Service Areas

Any loading or service areas shall be located at the side or rear of the commercial buildings, and in such a manner that they are not visible from 36th Avenue NW, W. Indian Hills Road, or the Interstate 35 frontage roads. Screening walls shall be built from similar material to the exterior of the primary façade of the commercial buildings, and/or living natural plants shall be located around the loading and service areas such that they are screened from any abutting residential lots. Applicant requests an alley waiver for the commercial areas in this Addition.

#### 8. Outdoor Storage

Outdoor storage of items in commercial areas of the PUD shall be screened such that they cannot be seen from any adjacent residential lots, or from 36th Avenue NW, W. Indian Hills Road, or the Interstate 35 frontage roads. Outdoor storage of any items shall not be allowed in any way that encroaches upon or interferes with fire lanes, drive lanes, or parking spaces.

#### 9. Landscaping

Landscaping shall be installed in order to meet or exceed the City of Norman's applicable landscaping requirements, as may be amended from time to time.

#### 10. Fencing.

Fencing, is permissible but is not required within the Property. Fencing on the Property may be constructed of, by way of example and not limitation, decorative metal, stockade wood, composite, and other fencing types. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review of fencing within the development. For any fencing that the developer may utilize within the Property, the placement and height of such fencing shall comply with applicable City ordinances, as amended from time to time.

#### 11. Phasing

It is anticipated that the Property will be developed in multiple phases. The timing and number of future phases will be determined by market demand and absorption rates and shall comply with Section 36-509 of the City of Norman's PUD Ordinance, as may be amended.

#### 12. Lighting

All lighting over any common areas will be shielded from adjacent single-family homes with full-cut off lighting fixtures. Decorative streetlights will be allowed within the PUD, in the common areas, and along the streets of the PUD, with full-cut off light fixtures where light pollution into residential Lots is possible. All exterior lighting in the Multifamily and Commercial portions of the Property shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards, contained in Section 36-549 of the City of Norman's Zoning Ordinance, as may be amended from time to time.

#### 13. Sales Trailers

A temporary trailer will be allowed for use by sales representatives within each of the residential districts in the Addition. The trailer is not required to have parking. If temporary parking areas are desired for the sales trailers, such parking areas may be gravel. The trailer will be removed within twelve months after being on the site or within a reasonable time after project completion.

#### 14. Property Owner Association

A mandatory Property Owners Association will be created to maintain all common elements including the rights-of-way along all abutting section line roads, the intended pathways and all private open areas and improvements. The Developer may create one POA for the entire Addition, or may create one POA for the commercial districts and one POA for the residential districts in the Addition, with such decision being in the Developer's discretion. All aspects of all exterior improvements made to any property in the Addition, must first be approved in writing by the Architectural Control Committee of the applicable Property Owners Association prior to issuance of building permit and prior to commence ment of any construction on any lot. The requirements set forth herein are not exhaustive or exacting as to the requirements that may be set forth by the Architectural Control Committee, which may be much more extensive, restrictive, and descriptive.

#### EXHIBIT A

# LEGAL DESCRIPTION NORTH NORMAN VILLAGE NORMAN, CLEVELAND COUNTY, OKLAHOMA

Being a tract of land lying in the Northwest Quarter (NW/4) of Section Two (2), Township Nine North (T9N), Range Three West (R3W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

**COMMENCING** at the northeast corner of said Northwest Quarter:

THENCE South 89°40'25" West, along the north line of said Northwest Quarter, a distance of 1,532.07 feet to the **POINT OF BEGINNING**;

THENCE South 00°19'35" East a distance of 33.00 feet to a point on the westerly right of way line of Interstate 35 as established by the Report of Commissioners Case No. 17935 recorded in Book 243, Page 90; Report of Commissioners Case No. 20943 recorded in Book 318, Page 293 and F.A.P. I-35-2(21)115 plans;

THENCE along said westerly right of way line, the following nine (9) courses:

- 1. South 79°00'52" East a distance of 137.67 feet;
- 2. North 89°40'25" East a distance of 118.43 feet;
- 3. South 31°44'30" East a distance of 140.62 feet;
- 4. South 81°42'13" East a distance of 401.47 feet;
- 5. South 26°05'27" East a distance of 241.72 feet;
- 6. South 36°31'31" East a distance of 185.18 feet;
- 7. South 54°30'23" East a distance of 88.95 feet;
- 8. South 17°05'41" East a distance of 385.70 feet to a point of curvature;
- 9. Southerly along a curve to the right having a radius of 5,579.55 feet (said curve subtended by a chord which bears South 08°57'22" East a distance of 1,579.81 feet) for an arc distance of 1,585.13 feet to a point on the south line of said Northwest Quarter;

THENCE South 89°28'25" West, along said south line, a distance of 2,462.22 feet to the southwest corner of said Northwest Quarter;

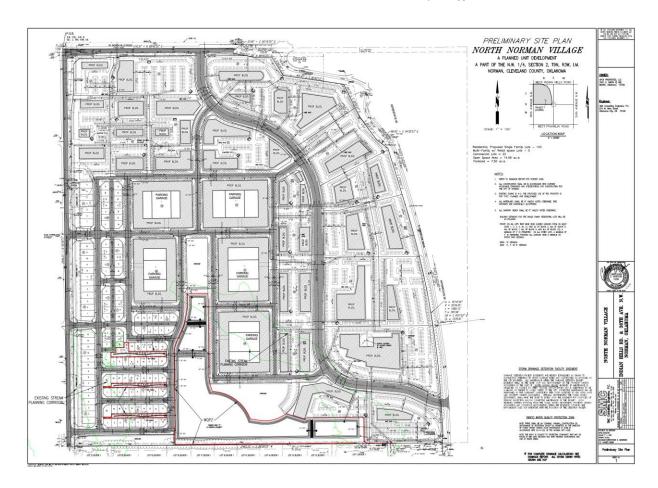
THENCE North 00°36'11" West, along the west line of said Northwest Quarter, a distance of 2,599.31 feet to the northwest corner of said Northwest Quarter;

THENCE North 89°40'25" East, along the north line of said Northwest Quarter, a distance of 1,116.21 feet to the **POINT OF BEGINNING**.

Said described tract of land contains a gross area of 5,695,761 square feet or 130.7567 acres and a net area, less streets rights of way, of 5,574,326 square feet or 127.9689 acres, more or less.

#### EXHIBIT B

### Preliminary Site Development Plan Full Size Documents Submitted to City Staff



### EXHIBIT C

#### Allowable Uses

#### **ALLOWABLE USES:**

- Gas Station/Convenience Store
- Art Gallery/Studio.
- Assembly Halls of non-profit corporations.
- Libraries.
- Museums.
- Music Conservatories.
- Office buildings and office uses.
- Trade schools and schools for vocational training.
- Churches.
- Short-term rentals.
- Antique shop.
- Appliance Store.
- Artist materials supply, or studio.
- Automobile parking lots.
- Automobile supply store.
- Automobile, farm implement and machinery repair, sales and service, but not automobile wrecking yards or junk yards.
- Automobile service station.
- Baby shop.
- Bakery/Baked Goods store.
- Bank.
- Barber shop, or beauty parlor.
- Boat sales and service.
- Book or stationery store.
- Camera shop.
- Candy store.
- Catering establishment.
- Child Care / Day Care establishment.
- Clothing or apparel store.
- Coffee house or coffee shop.
- Commercial uses/shops/or services.
- Dairy products or ice cream store.
- Delicatessen store.
- Dress shop.
- Drug store or fountain.
- Dry Cleaning and Laundry Establishment.

- Dry goods store.
- Fabric or notion store.
- Feed and fuel store.
- Florist/Flower Shop.
- Furniture Store.
- Gift Shop.
- Glass shop.
- Grocery or supermarket.
- Hardware store.
- Heating, ventilating or plumbing supplies, sales and service.
- Hotel.
- Interior decorating store.
- Jewelry shop.
- Key shop.
- Leather Store and/or Leather Goods Store.
- Locksmith.
- Lumber and building materials sales yard.
- Medical buildings and medical uses.
- Music, Radio, Electronics, Telephone, or Television Store.
- Outdoor advertising signs.
- Outdoor Patio.
- Painting and decorating shop.
- Pet shop/or Small Animal Hospital.
- Pharmacy.
- Photographer's studio.
- Restaurant/Bar/Lounge/Tavern
  - o may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- Retail Shops or Stores.
- Retail spirits store/Liquor store.
- Spa or Similar Establishment.
- Smoke, Tobacco, Vape, or Similar Shop.
- Self-service laundry.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Sign Store/Printing Store.
- Small animal hospital.
- Storage warehouse.
- T-Shirt Printing or Similar Sales or Services.

- Tanning Spa or Tanning Establishment.
- Tailor shop.
- Theater (excluding drive-in theaters), Bowling Alley, Arcade, or Similar Establishments, including those that sell alcoholic beverages in compliance with state law.
- Toy store.
- Trade schools and schools for vocational training.
- Wholesale distributing center.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

- High Density Multifamily Uses, which includes apartment buildings, either stand alone or above ground floor office/commercial uses, together with clubhouse, leasing office, fitness center, garage buildings, and similar associated uses.
- Townhouse Development.
- Short-term rentals.
  - Automobile parking lots.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.
- Additionally, commercial uses are allowed for the following on the first floors of the buildings:
  - Antique shop.
  - Art Gallery/Studio.
  - Artist materials supply, or studio.
  - Baby shop.
  - Bakery/Baked Goods store.
  - Bank.
  - Barber shop, or beauty parlor.
  - Book or stationery store.
  - Camera shop.
  - Candy store.
  - Child Care / Day Care establishment.
  - Clothing or apparel store.
  - Coffee house or coffee shop.
  - Commercial uses/shops/or services.
  - Dairy products or ice cream store.
  - Delicatessen store.
  - Dress shop.
  - Drug store or fountain.
  - Dry cleaning retail pickup and drop off.
  - Dry goods store.
  - Fabric or notion store.
  - Florist/Flower Shop.
  - Furniture Store.
  - Gift Shop.
  - Grocery or supermarket.
  - Interior decorating store.
  - Jewelry shop.
  - Key shop.
  - Leather Store and/or Leather Goods Store.
  - Libraries.
  - Medical uses.
  - Museums.
  - Music, Radio, Electronics, Telephone, or Television Store.

- Office uses.
- Outdoor Patio.
- Painting and decorating shop.
- Pharmacy.
- Photographer's studio.
- Restaurant/Bar/Lounge/Tavern
  - may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- Retail Shops or Stores.
- Retail spirits store/Liquor store.
- Spa or Similar Establishment.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Sign Store/Printing Store.
- T-Shirt Printing or Similar Sales or Services.
- Tanning Spa or Tanning Establishment.
- Tailor shop.
- Toy store.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

- Gas Station/Convenience
- Art Gallery/Studio.
- Office buildings and office uses.
- Trade schools and schools for vocational training.
- Antique shop.
- Appliance Store.
- Artist materials supply, or studio.
- Automobile parking lots.
- Automobile supply store.
- Automobile fuel sales, convenience store, and service station.
- Baby shop.
- Bakery/Baked Goods store.
- Bank.
- Barber shop, or beauty parlor.
- Book or stationery store.
- Camera shop.
- Candy store.
- Clothing or apparel store.
- Coffee house or coffee shop.
- Commercial uses/shops/or services.
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- Grocery or supermarket.
- Interior decorating store.
- Jewelry shop.
- Key shop.
- Leather Store and/or Leather Goods Store.
- Locksmith.
- Medical buildings and medical uses.
- Music, Radio, Electronics, Telephone, or Television Store.
- Outdoor advertising signs.
- Outdoor Patio.

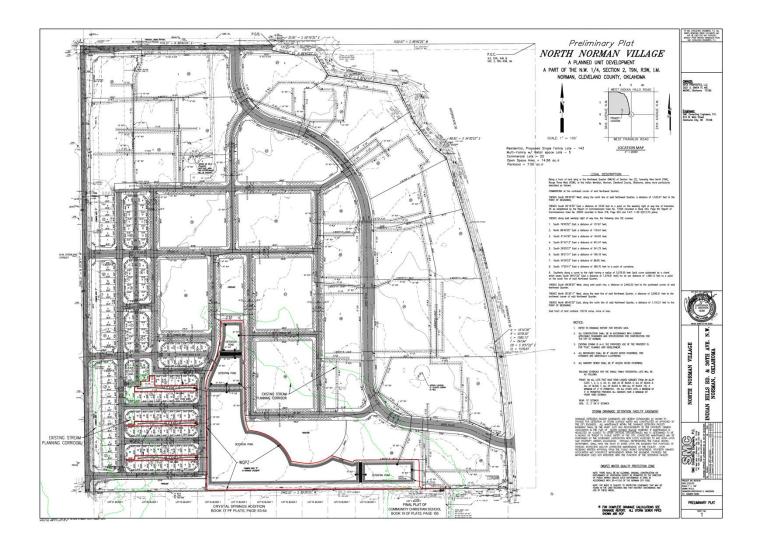
- Painting and decorating shop.
- Pharmacy.
- Photographer's studio.
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- Self-service laundry.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Sign Store/Printing Store.
- Small animal hospital.
- Storage warehouse.
- T-Shirt Printing or Similar Sales or Services.
- Tanning Spa or Tanning Establishment.
- Tailor shop.
- Toy store.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

- Single Family detached dwelling
- Single family attached dwelling
- Single Family dwelling and a garage apartment
- Family day care home
- General purpose farm or garden
- Accessory office use limited to no more than 3 workers and 2 customers at a time.
- Accessory dwelling units
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot
- Short-term rentals
- Home occupations will be allowed in a slightly greater intensity of use than as found in typical R-1 developments. Such business activity will be limited to types of businesses that do not require more than two customer or client parked cars at any given time. No retail activity or sales of merchandise will be allowed. Employees would be limited to one on-site worker and patronage would have to be by appointment only. Minimal, non-illuminated identification signage of no more than four (4) sf in area, attached to the surface of the Dwelling, will be allowed to denote the business being carried on within.
- A clubhouse, pool, and/or other related common area Property Owners Association amenities for the use of the property owners are allowed but not obligated within this district.

#### **EXHIBIT D**

#### Preliminary Plat

#### Full Size Documents Submitted to City Staff



# EXHIBIT E Open Space

### Full Size Documents Submitted to City Staff



#### **EXHIBIT F**

#### Development Signage Allowances

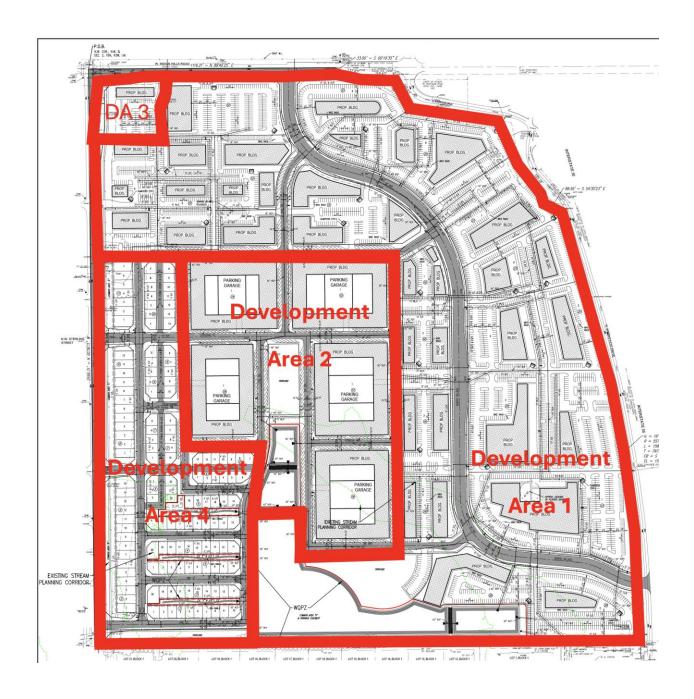
In addition to all signage allowances enumerated in the City of Norman Signage Code, as may be amended from time to time, the following signage allowances shall be applicable to the development of the Property:

- 1. Development Main Message Center The Property may feature a large message center to enhance, identity, advertise, and otherwise support the commercial users to be located within the Property as well as off-premises advertising (the "Main Message Center"). The Main Message Center may be freestanding or attached to a building. The Main Message Center sign may be a maximum of 750 square feet of signage. The Main Message Center may be an electronic or digital sign.
- 2. **Development Entrance Signs** The Property may feature up to five (5) entrance identification signs advertising the entrances to the different sections of the Property, and any buildings, tenants, users, or destinations located therein. Each such Development Entrance Sign may be a maximum of 300 square feet per side.
- 3. **Major Directional Signs** Up to ten Major Directional Signs shall be allowed within the Property indicating directions to the different locations, services, offices, areas, or entrances contained within the Property. The Major Directional Signs are intended to contain directions to multiple locations or destinations on each sign, such as directions to the entrances, parking locations, retail users, residential communities, and various other locations within the Property. Each Major Directional Sign may be a maximum of 200 square feet per side.
- 4. **Minor Directional Signs** Up to fifteen Minor Directional Signs shall be allowed within the Property indicating directions to the different locations, services, offices, areas, or entrances contained within the Property. The Minor Directional Signs are intended to be ancillary and supplementary to the Major Development Signs, with each Minor Directional Sign indicating directions to a single location or destination, such as directions to entrances, parking locations, retail users, residential communities, and various other locations within the Property. Each Minor Directional Sign may be a maximum of 100 square feet per side.
- 5. **Service Directional Signs** Service Directional Signs may be installed at each service entry and exit location within the Property to direct service, delivery, drop off, and similar traffic along the correct route. Each Service Directional Sign may be a maximum of 50 square feet per side.
- 6. Major Façade Signs There shall be no maximum signage limitations for façade signs located on lots that front the I-35 service roads. Portions of Major Façade Signs may extend above the roof line of the buildings. For clarity, the Major Façade Signs may be constructed above the roof deck of the occupiable space of the buildings, such as, without limitation, along the façade of mechanical units, equipment, screening, parapet walls, or penthouse structures.
- 7. Minor Façade Signs Buildings located within the Property that do not qualify for Major Façade Signs, as enumerated above, except for any buildings located in Development Area 4, may feature up to five Minor Façade Signs per building. Each Minor Façade Sign may

be a maximum of 500 square feet and portions of each Minor Façade Sign may extend above the roof line of the building. For clarity, the Minor Façade Signs may be constructed above the roof deck of the occupiable space of the buildings, such as, without limitation, along the façade of mechanical units, equipment, screening, parapet walls, or penthouse structures.

- 8. **Illumination** All of the signage discussed in this exhibit may be backlit or otherwise illuminated with LED or similar lighting.
- 9. **Banner Signage** Banners, flag signs, and other similar decorative signage may be displayed on the Property. Banners may be attached to private light poles or to the buildings to advertise the Property, holidays, events within the Property, the City of Norman, or other similar instances or community organizations.
- 10. **Sight Triangle Protection** All signage within the Property shall be placed in appropriate locations to not interfere with applicable traffic sight triangles.
- 11. **Platted Easements** Signs may not be placed in any platted easements without first obtaining consent to such encroachment from the applicable utility providers and City Council.
- 12. **Height** Due to the proximity of the Property to the Max Westheimer Airport, the maximum signage height within the Property shall be governed by the maximum height allowable under applicable state and federal regulations, including, but not limited to, those prescribed by the Federal Aviation Administration and the Oklahoma Department of Aerospace and Aeronautics.
- 13. **Safety** All signage discussed within this exhibit shall be constructed, located, and displayed in accordance with prevailing industry standards of care and practices for signage of such type and comparable entertainment districts in order to ensure such signage does not pose a safety hinderance to drivers or pedestrians.

Exhibit G
Master Zoning Exhibit



### **NORTH NORMAN VILLAGE**

# A PLANNED UNIT DEVELOPMENT NORMAN, OKLAHOMA

#### **APPLICANT:**

APEX PROPERTIES, LLC

#### APPLICATION FOR:

PLANNED UNIT DEVELOPMENT PRELIMINARY PLAT NORMAN 2025

> Submitted February 3, 2025 Revised April 2, 2025

#### **PREPARED BY:**

RIEGER SADLER JOYCE LLC 136 Thompson Drive Norman, Oklahoma 73069

#### TABLE OF CONTENTS

#### I. INTRODUCTION

#### II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

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

#### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Uses Permitted
- B. Area Regulations
- C. Development Criteria

#### **EXHIBITS**

- A. Legal Description of the Property
- B. Preliminary Site Development Plan
- C. Allowable Uses
- D. Preliminary Plat
- E. Open Space
- F. Development Signage Allowances

### I. <u>INTRODUCTION</u>

APEX PROPERTIES, L.L.C., an Oklahoma limited liability company (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 mixed-use community, featuring a variety of uses including commercial, office, retail, and a diversity of residential uses within the Property. The Property contains roughly 130.76 acres, and a 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 at the Southwest corner of the Interstate 35 and W. Indian Hills Road interchange, as more particularly shown on the attached exhibits.

### B. Existing Land Use and Zoning

The Property is undeveloped and is currently zoned A-2, Rural Agricultural.

### C. Elevation and Topography

The Property contains elevations ranging from approximately 1,171 to 1,184. The Property generally and gently slopes downwards from the northwest to the southeast.

### D. Drainage

A drainage report will be provided 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 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 Conceptual Site Development Plan.

### III. <u>DEVELOPMENT PLAN AND DESIGN CONCEPT</u>

The Property is preliminarily planned to be developed in compliance with the Conceptual Site Development Plan, attached hereto as **EXHIBIT B**, subject to final design development and the changes allowed by Section 36-509 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 mixed-use development, featuring a variety of uses including commercial, office, retail, and a diversity of residential uses within the Property. The development of the Property shall be divided into four (4) Development Areas, as shown on **Exhibit G**, attached hereto, for purposes of allowable uses and area regulations:

Development Area 1 is located along the frontage of Interstate 35 and W. Indian Hills Road and will contain the bulk of the commercial allowances within the Property such as but not limited to retail and office uses.

Development Area 2 is located on the interior of the Property and will contain mixed uses of residential and retail.

Development Area 3 is located at the hard corner of W. Indian Hills Road and 36<sup>th</sup> Ave. NW, and will contain commercial uses, such as but not limited to automobile service station, commercial, retail, or restaurant.

Development Area 4 is located along 36<sup>th</sup> Ave. NW and will contain residential uses.

A complete list of the allowable uses for each Development Area within the Property is attached as **EXHIBIT C**. It is understood and acknowledged that the boundaries of the individual Tracts and Development Areas have not been finalized as this development is at the preliminary plat stage, and, subject to Section 36-509 of the City of Norman's PUD Ordinance, the final legal descriptions and lot sizes may fluctuate prior to the filing of a final plat. Therefore, the boundaries of the Development Areas may fluctuate so long as such modification does not result in a substantial deviation from the Conceptual Site Development Plan.

Notwithstanding the above, the following uses are prohibited in this Addition:

A. Adult oriented businesses

- B. Junk yards
- C. Kennels with outdoor runs

### **B. Area Regulations:**

**1. Development Area 1**: Commercial, Retail, Restaurant, Office, and Hospitality.

**Building Setback:** There shall be a ten (10) foot setback along the frontages of Indian Hills Road and Interstate 35. Additionally, buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements. Otherwise, there are no other required building setbacks.

**Height**: There shall be no height limit for any building or structure in Development Area 1 of the Property.

2. Development Area 2: Commercial, Retail, Restaurant, Office, Hospitality and Residential.

**Building Setback:** Buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements. Otherwise, there are no required front, rear, or side yard building setback.

**Height**: There shall be no height limit for any building or structure in Development Area 2 of the Property.

**3. Development Area 3**: Commercial, Retail, Restaurant, Office, Automobile Service Station.

**Building Setback:** There shall be a ten (10) foot setback along the frontages of W. Indian Hills Road and 36<sup>th</sup> Ave. NW. Buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements. Otherwise, there are no other required building setbacks.

**Height**: There shall be no height limit for any building or structure in Development Area 3 of the Property.

4. **Development Area 4**: Residential

### **Building Setbacks:**

a. 4-foot front yard building setback line, with a 20-foot front yard setback for garage structures that face the street. This is intended to allow for the capability of living areas of the house to come forward and greet the streetscape ahead of the garage facades. For Lots that

will be rear-loaded and take all vehicular access from the rear alleyway, such as the Lots located in Block 7 as shown on the preliminary plat, the front yard building setback line shall be two (2') feet.

- b. No minimum side yard building setback line.
- c. 10-foot rear yard building setback line, or setback to the utility easement along the back of yard if it is larger than the 10 feet.
- d. Lots to be at least 2,000 gross square feet in area, with minimum width of 20 feet, but with such dimensions not being a requirement as lot dimensions can be widely varied throughout the Addition. For Lots that will be rear-loaded and take all vehicular access from the rear alleyway, such as Lot 20, Block 5 as shown on the preliminary plat, the minimum public street frontage shall be five (5') feet.
- e. Open space areas are located throughout the Addition and form an extensive feature of the project, and thus due to extensive common area open space, impervious area coverage ratios of each lot in this district shall be allowed up to 85%.
- f. Buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements.

**Height**: The maximum height for Development Area 4 shall be three (3) stories.

### C. Additional Development Criteria:

### 1. Exterior Materials

The exterior of the commercial, office, retail, or multifamily buildings constructed within the Property may be constructed of masonry, brick, stone, synthetic stone, wood, glass, stucco, EIFS, metal accents, and any combination thereof. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review within the development.

### 2. Sanitation

Trash dumpsters shall be located as depicted on the Conceptual Site Development Plan or in locations as may be approved by City sanitation services. Dumpsters shall be kept within an enclosure that is primarily constructed of similar exterior materials as the primary façade of the commercial building(s) it is associated with. Dumpsters may be shared between multiple property occupants and users within this PUD.

### 3. Signage

In order to enhance wayfinding and to facilitate the vibrant mixed-use community envisioned by this PUD, additional signage allowances are warranted. Development signage allowances are enumerated in **Exhibit F**, attached hereto. All other signs not discussed in Exhibit F shall comply with the sign standards of the City of Norman Sign Code, and as thereafter amended, as applicable to the underlying use for each lot. The Applicant may further restrict and control signage within the Property through the use of private design guidelines and restrictive covenants.

### 4. Traffic access and circulation

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

### 5. Open Space

A minimum of ten percent (10%) of the Property shall be reserved as open space. The areas initially planned as open space are depicted on the Conceptual Site Development Plan. A conceptual open space exhibit is attached hereto as **EXHIBIT E**.

### 6. Parking

Parking for the Property may be developed in general compliance with the parking layout shown on the Conceptual Site Development Plan. The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

### 7. Loading/Service Areas

Any loading or service areas shall be located at the side or rear of the commercial buildings, and in such a manner that they are not visible from 36th Avenue NW, W. Indian Hills Road, or the Interstate 35 frontage roads. Screening walls shall be built from similar material to the exterior of the primary façade of the commercial buildings, and/or living natural plants shall be located around the loading and service areas such that they are screened from any abutting residential lots. Applicant requests an alley waiver for the commercial areas in this Addition.

### 8. Outdoor Storage

Outdoor storage of items in commercial areas of the PUD shall be screened such that they cannot be seen from any adjacent residential lots, or from 36th Avenue NW, W. Indian Hills Road, or the Interstate 35 frontage roads. Outdoor storage of any items shall not be allowed in any way that encroaches upon or interferes with fire lanes, drive lanes, or parking spaces.

### 9. Landscaping

Landscaping shall be installed in order to meet or exceed the City of Norman's applicable landscaping requirements, as may be amended from time to time.

### 10. Fencing.

Fencing, is permissible but is not required within the Property. Fencing on the Property may be constructed of, by way of example and not limitation, decorative metal, stockade wood, composite, and other fencing types. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review of fencing within the development. For any fencing that the developer may utilize within the Property, the placement and height of such fencing shall comply with applicable City ordinances, as amended from time to time.

### 11. Phasing

It is anticipated that the Property will be developed in multiple phases. The timing and number of future phases will be determined by market demand and absorption rates and shall comply with Section 36-509 of the City of Norman's PUD Ordinance, as may be amended.

### 12. Lighting

All lighting over any common areas will be shielded from adjacent single-family homes with full-cut off lighting fixtures. Decorative streetlights will be allowed within the PUD, in the common areas, and along the streets of the PUD, with full-cut off light fixtures where light pollution into residential Lots is possible. All exterior lighting in the Multifamily and Commercial portions of the Property shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards, contained in Section 36-549 of the City of Norman's Zoning Ordinance, as may be amended from time to time.

### 13. Sales Trailers

A temporary trailer will be allowed for use by sales representatives within each of the residential districts in the Addition. The trailer is not required to have parking. If temporary parking areas are desired for the sales trailers, such parking areas may be gravel. The trailer will be removed within twelve months after being on the site or within a reasonable time after project completion.

### 14. Property Owner Association

A mandatory Property Owners Association will be created to maintain all common elements including the rights-of-way along all abutting section line roads, the intended pathways and all private open areas and improvements. The Developer may create one POA for the entire Addition, or may create one POA for the commercial districts and one POA for the residential districts in the Addition, with such decision being in the Developer's discretion. All aspects of all exterior improvements made to any property in the Addition, must first be approved in writing by the Architectural Control Committee of the applicable Property Owners Association prior to issuance of building permit and prior to commencement of any construction on any lot. The requirements set forth herein are not exhaustive or exacting as to the requirements that may be set forth by the Architectural Control Committee, which may be much more extensive, restrictive, and descriptive.

### **EXHIBIT A**

# LEGAL DESCRIPTION NORTH NORMAN VILLAGE NORMAN, CLEVELAND COUNTY, OKLAHOMA

Being a tract of land lying in the Northwest Quarter (NW/4) of Section Two (2), Township Nine North (T9N), Range Three West (R3W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

**COMMENCING** at the northeast corner of said Northwest Quarter:

THENCE South 89°40'25" West, along the north line of said Northwest Quarter, a distance of 1,532.07 feet to the **POINT OF BEGINNING**;

THENCE South 00°19'35" East a distance of 33.00 feet to a point on the westerly right of way line of Interstate 35 as established by the Report of Commissioners Case No. 17935 recorded in Book 243, Page 90; Report of Commissioners Case No. 20943 recorded in Book 318, Page 293 and F.A.P. I-35-2(21)115 plans;

THENCE along said westerly right of way line, the following nine (9) courses:

- 1. South 79°00'52" East a distance of 137.67 feet;
- 2. North 89°40'25" East a distance of 118.43 feet;
- 3. South 31°44'30" East a distance of 140.62 feet;
- 4. South 81°42'13" East a distance of 401.47 feet;
- 5. South 26°05'27" East a distance of 241.72 feet;
- 6. South 36°31'31" East a distance of 185.18 feet;
- 7. South 54°30'23" East a distance of 88.95 feet;
- 8. South 17°05'41" East a distance of 385.70 feet to a point of curvature;
- 9. Southerly along a curve to the right having a radius of 5,579.55 feet (said curve subtended by a chord which bears South 08°57'22" East a distance of 1,579.81 feet) for an arc distance of 1,585.13 feet to a point on the south line of said Northwest Quarter;

THENCE South 89°28'25" West, along said south line, a distance of 2,462.22 feet to the southwest corner of said Northwest Quarter;

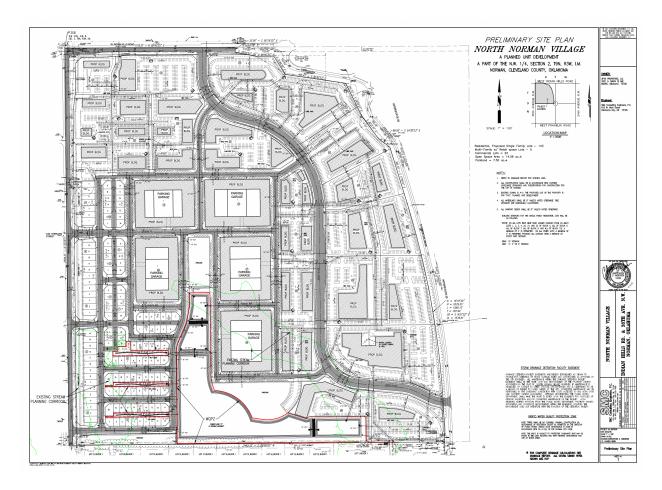
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Said described tract of land contains a gross area of 5,695,761 square feet or 130.7567 acres and a net area, less streets rights of way, of 5,574,326 square feet or 127.9689 acres, more or less.

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## Preliminary Site Development Plan Full Size Documents Submitted to City Staff



### **EXHIBIT C**

### Allowable Uses

### **ALLOWABLE USES:**

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- Art Gallery/Studio.
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- Trade schools and schools for vocational training.
- Churches.
- Short-term rentals.
- Antique shop.
- Appliance Store.
- Artist materials supply, or studio.
- Automobile parking lots.
- Automobile supply store.
- Automobile, farm implement and machinery repair, sales and service, but not automobile wrecking yards or junk yards.
- Automobile service station.
- Baby shop.
- Bakery/Baked Goods store.
- Bank.
- Barber shop, or beauty parlor.
- Boat sales and service.
- Book or stationery store.
- Camera shop.
- Candy store.
- Catering establishment.
- Child Care / Day Care establishment.
- Clothing or apparel store.
- Coffee house or coffee shop.
- Commercial uses/shops/or services.
- Dairy products or ice cream store.
- Delicatessen store.
- Dress shop.
- Drug store or fountain.
- Dry Cleaning and Laundry Establishment.

- Dry goods store.
- Fabric or notion store.
- Feed and fuel store.
- Florist/Flower Shop.
- Furniture Store.
- Gift Shop.
- Glass shop.
- Grocery or supermarket.
- Hardware store.
- Heating, ventilating or plumbing supplies, sales and service.
- Hotel.
- Interior decorating store.
- Jewelry shop.
- Key shop.
- Leather Store and/or Leather Goods Store.
- Locksmith.
- Lumber and building materials sales yard.
- Medical buildings and medical uses.
- Music, Radio, Electronics, Telephone, or Television Store.
- Outdoor advertising signs.
- Outdoor Patio.
- Painting and decorating shop.
- Pet shop/or Small Animal Hospital.
- Pharmacy.
- Photographer's studio.
- Restaurant/Bar/Lounge/Tavern
  - o may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- Retail Shops or Stores.
- Retail spirits store/Liquor store.
- Spa or Similar Establishment.
- Smoke, Tobacco, Vape, or Similar Shop.
- Self-service laundry.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Sign Store/Printing Store.
- Small animal hospital.
- Storage warehouse.
- T-Shirt Printing or Similar Sales or Services.

- Tanning Spa or Tanning Establishment.
- Tailor shop.
- Theater (excluding drive-in theaters), Bowling Alley, Arcade, or Similar Establishments, including those that sell alcoholic beverages in compliance with state law.
- Toy store.
- Trade schools and schools for vocational training.
- Wholesale distributing center.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

- High Density Multifamily Uses, which includes apartment buildings, either stand alone or above ground floor office/commercial uses, together with clubhouse, leasing office, fitness center, garage buildings, and similar associated uses.
- Townhouse Development.
- Short-term rentals.
  - Automobile parking lots.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.
- Additionally, commercial uses are allowed for the following on the first floors of the buildings:
  - Antique shop.
  - Art Gallery/Studio.
  - Artist materials supply, or studio.
  - Baby shop.
  - Bakery/Baked Goods store.
  - Bank.
  - Barber shop, or beauty parlor.
  - Book or stationery store.
  - Camera shop.
  - Candy store.
  - Child Care / Day Care establishment.
  - Clothing or apparel store.
  - Coffee house or coffee shop.
  - Commercial uses/shops/or services.
  - Dairy products or ice cream store.
  - Delicatessen store.
  - Dress shop.
  - Drug store or fountain.
  - Dry cleaning retail pickup and drop off.
  - Dry goods store.
  - Fabric or notion store.
  - Florist/Flower Shop.
  - Furniture Store.
  - Gift Shop.
  - Grocery or supermarket.
  - Interior decorating store.
  - Jewelry shop.
  - Key shop.
  - Leather Store and/or Leather Goods Store.
  - Libraries.
  - Medical uses.
  - Museums.
  - Music, Radio, Electronics, Telephone, or Television Store.

- Office uses.
- Outdoor Patio.
- Painting and decorating shop.
- Pharmacy.
- Photographer's studio.
- Restaurant/Bar/Lounge/Tavern
  - may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- Retail Shops or Stores.
- Retail spirits store/Liquor store.
- Spa or Similar Establishment.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Sign Store/Printing Store.
- T-Shirt Printing or Similar Sales or Services.
- Tanning Spa or Tanning Establishment.
- Tailor shop.
- Toy store.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

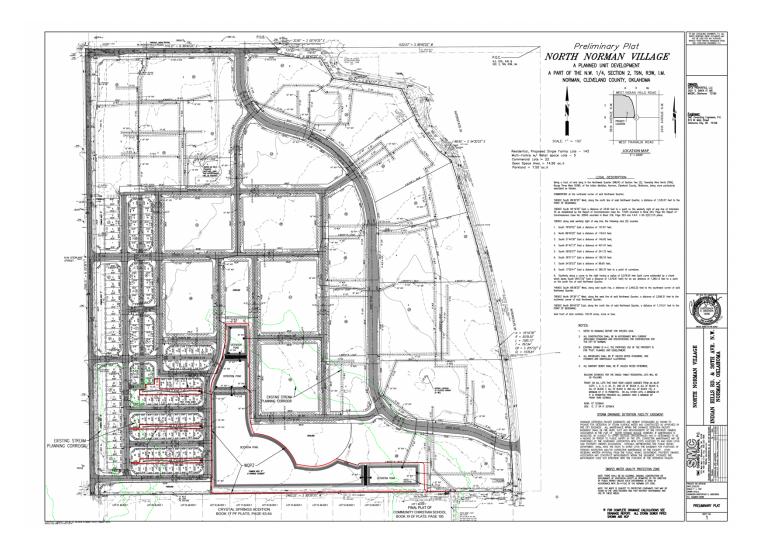
- Gas Station/Convenience
- Art Gallery/Studio.
- Office buildings and office uses.
- Trade schools and schools for vocational training.
- Antique shop.
- Appliance Store.
- Artist materials supply, or studio.
- Automobile parking lots.
- Automobile supply store.
- Automobile fuel sales, convenience store, and service station.
- Baby shop.
- Bakery/Baked Goods store.
- Bank.
- Barber shop, or beauty parlor.
- Book or stationery store.
- Camera shop.
- Candy store.
- Clothing or apparel store.
- Coffee house or coffee shop.
- Commercial uses/shops/or services.
- Dairy products or ice cream store.
- Delicatessen store.
- Dress shop.
- Drug store or fountain.
- Dry Cleaning and Laundry Establishment.
- Dry goods store.
- Fabric or notion store.
- Florist/Flower Shop.
- Furniture Store.
- Gift Shop.
- Grocery or supermarket.
- Interior decorating store.
- Jewelry shop.
- Key shop.
- Leather Store and/or Leather Goods Store.
- Locksmith.
- Medical buildings and medical uses.
- Music, Radio, Electronics, Telephone, or Television Store.
- Outdoor advertising signs.
- Outdoor Patio.

- Painting and decorating shop.
- Pharmacy.
- Photographer's studio.
- Restaurant/Bar/Lounge/Tavern
  - o may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- Retail Shops or Stores.
- Retail spirits store/Liquor store.
- Spa or Similar Establishment.
- Smoke, Tobacco, Vape, or Similar Shop.
- Self-service laundry.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Sign Store/Printing Store.
- Small animal hospital.
- Storage warehouse.
- T-Shirt Printing or Similar Sales or Services.
- Tanning Spa or Tanning Establishment.
- Tailor shop.
- Toy store.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

- Single Family detached dwelling
- Single family attached dwelling
- Single Family dwelling and a garage apartment
- Family day care home
- General purpose farm or garden
- Accessory office use limited to no more than 3 workers and 2 customers at a time.
- Accessory dwelling units
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot
- Short-term rentals
- Home occupations will be allowed in a slightly greater intensity of use than as found in typical R-1 developments. Such business activity will be limited to types of businesses that do not require more than two customer or client parked cars at any given time. No retail activity or sales of merchandise will be allowed. Employees would be limited to one on-site worker and patronage would have to be by appointment only. Minimal, non-illuminated identification signage of no more than four (4) sf in area, attached to the surface of the Dwelling, will be allowed to denote the business being carried on within.
- A clubhouse, pool, and/or other related common area Property Owners Association amenities for the use of the property owners are allowed but not obligated within this district.

### EXHIBIT D

### Preliminary Plat Full Size Documents Submitted to City Staff



### **EXHIBIT E**

Open Space
Full Size Documents Submitted to City Staff



### **EXHIBIT F**

### **Development Signage Allowances**

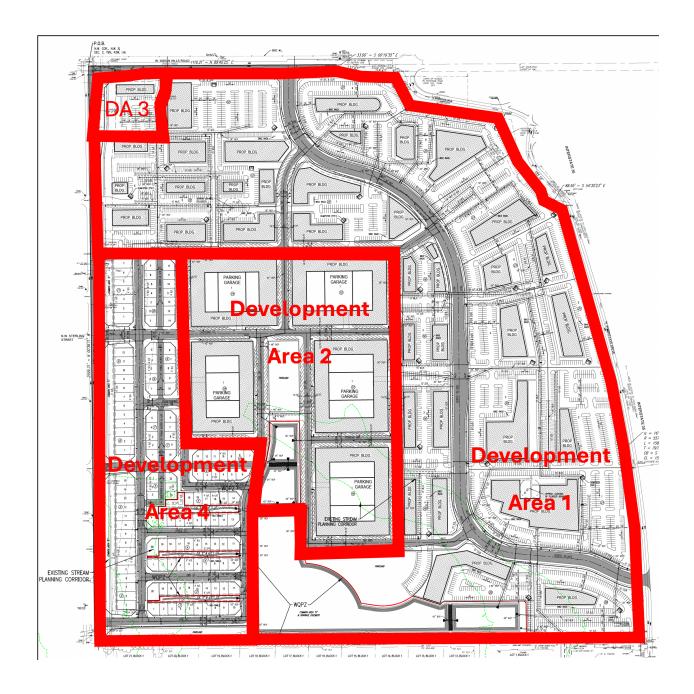
In addition to all signage allowances enumerated in the City of Norman Signage Code, as may be amended from time to time, the following signage allowances shall be applicable to the development of the Property:

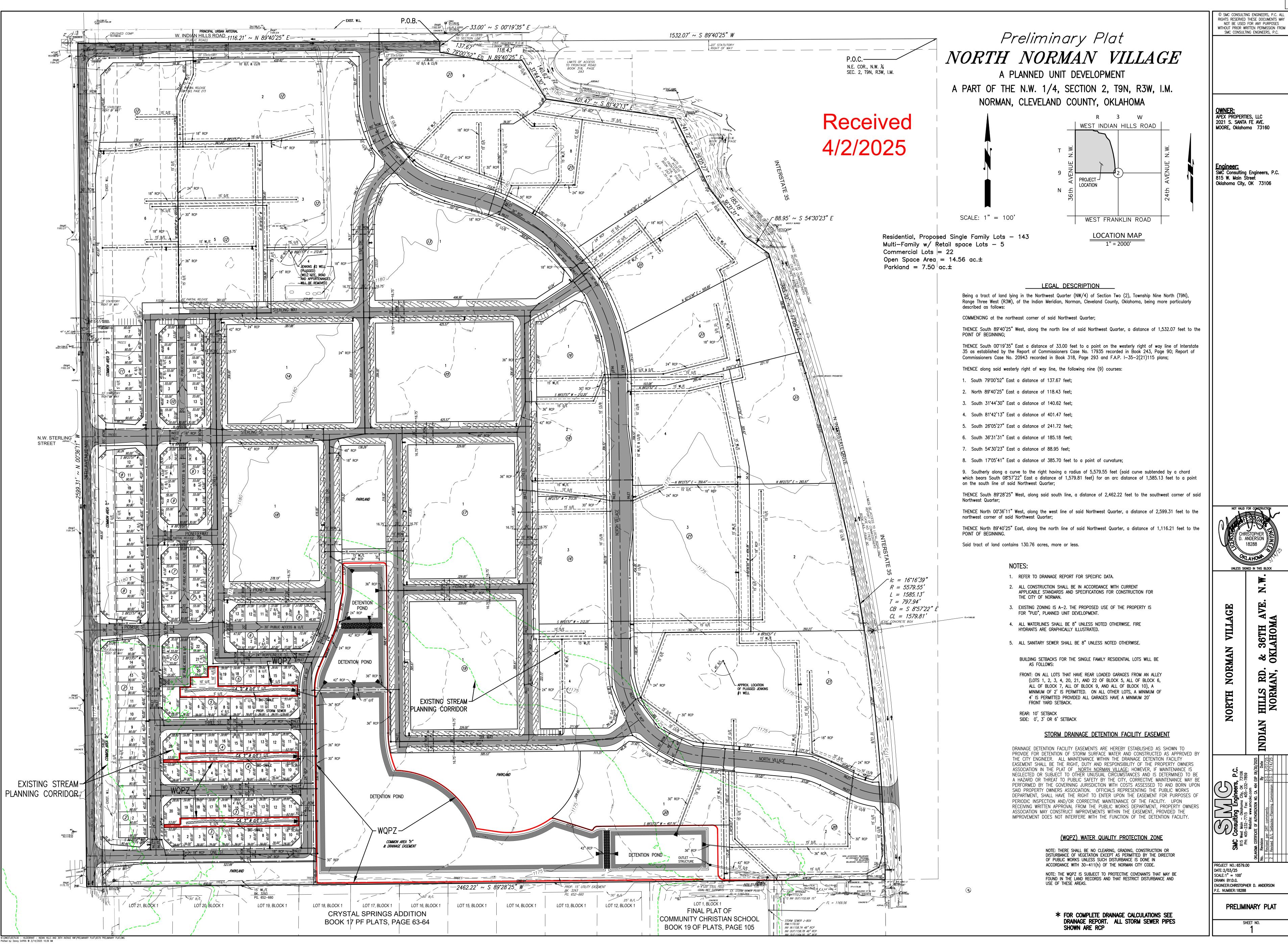
- 1. **Development Main Message Center** The Property may feature a large message center to enhance, identity, advertise, and otherwise support the commercial users to be located within the Property as well as off-premises advertising (the "**Main Message Center**"). The Main Message Center may be freestanding or attached to a building. The Main Message Center sign may be a maximum of 750 square feet of signage. The Main Message Center may be an electronic or digital sign.
- 2. **Development Entrance Signs** The Property may feature up to five (5) entrance identification signs advertising the entrances to the different sections of the Property, and any buildings, tenants, users, or destinations located therein. Each such Development Entrance Sign may be a maximum of 300 square feet per side.
- 3. **Major Directional Signs** Up to ten Major Directional Signs shall be allowed within the Property indicating directions to the different locations, services, offices, areas, or entrances contained within the Property. The Major Directional Signs are intended to contain directions to multiple locations or destinations on each sign, such as directions to the entrances, parking locations, retail users, residential communities, and various other locations within the Property. Each Major Directional Sign may be a maximum of 200 square feet per side.
- 4. **Minor Directional Signs** Up to fifteen Minor Directional Signs shall be allowed within the Property indicating directions to the different locations, services, offices, areas, or entrances contained within the Property. The Minor Directional Signs are intended to be ancillary and supplementary to the Major Development Signs, with each Minor Directional Sign indicating directions to a single location or destination, such as directions to entrances, parking locations, retail users, residential communities, and various other locations within the Property. Each Minor Directional Sign may be a maximum of 100 square feet per side.
- 5. **Service Directional Signs** Service Directional Signs may be installed at each service entry and exit location within the Property to direct service, delivery, drop off, and similar traffic along the correct route. Each Service Directional Sign may be a maximum of 50 square feet per side.
- 6. **Major Façade Signs** There shall be no maximum signage limitations for façade signs located on lots that front the I-35 service roads. Portions of Major Façade Signs may extend above the roof line of the buildings. For clarity, the Major Façade Signs may be constructed above the roof deck of the occupiable space of the buildings, such as, without limitation, along the façade of mechanical units, equipment, screening, parapet walls, or penthouse structures.
- 7. **Minor Façade Signs** Buildings located within the Property that do not qualify for Major Façade Signs, as enumerated above, except for any buildings located in Development Area 4, may feature up to five Minor Façade Signs per building. Each Minor Façade Sign may

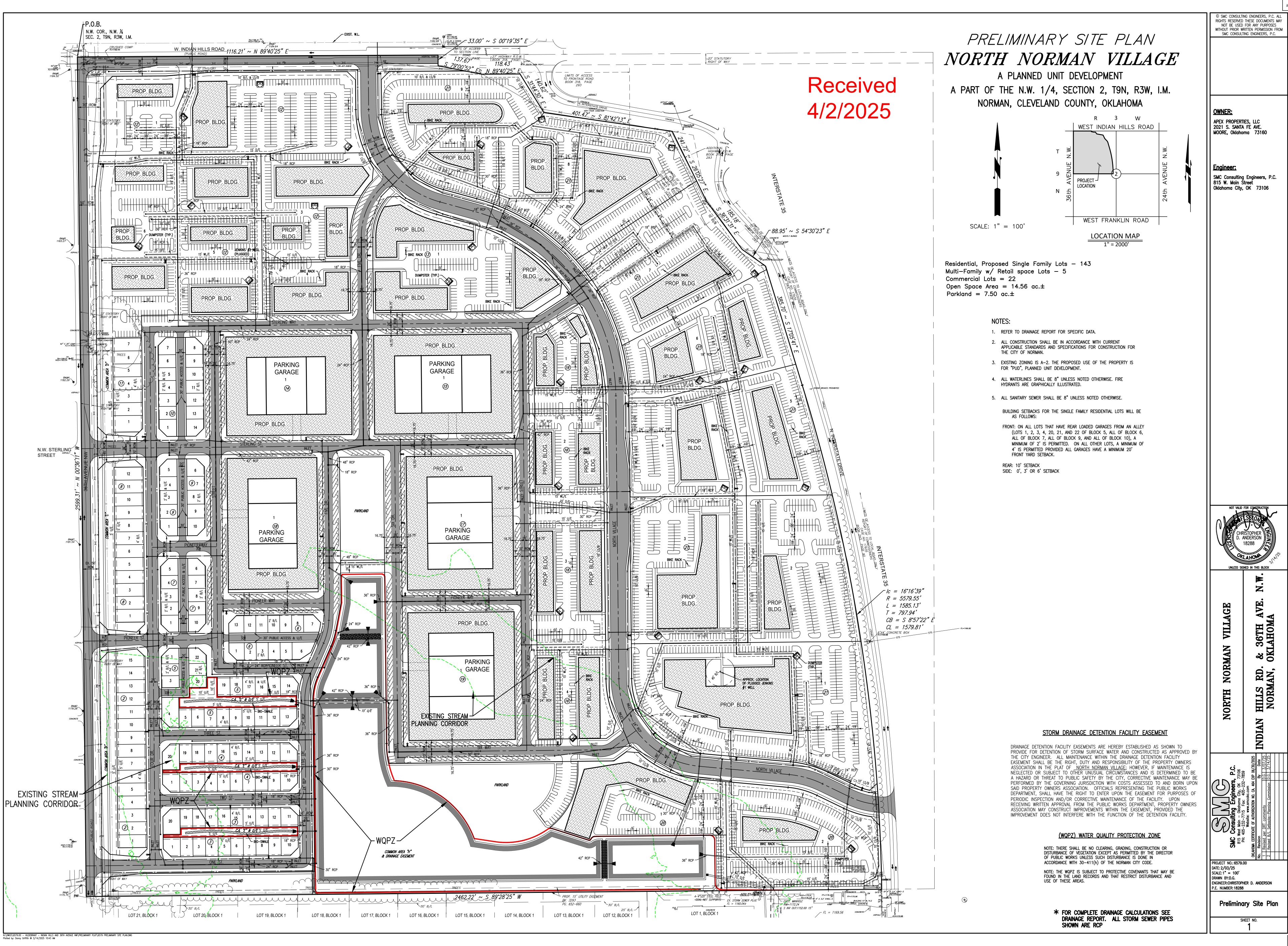
be a maximum of 500 square feet and portions of each Minor Façade Sign may extend above the roof line of the building. For clarity, the Minor Façade Signs may be constructed above the roof deck of the occupiable space of the buildings, such as, without limitation, along the façade of mechanical units, equipment, screening, parapet walls, or penthouse structures.

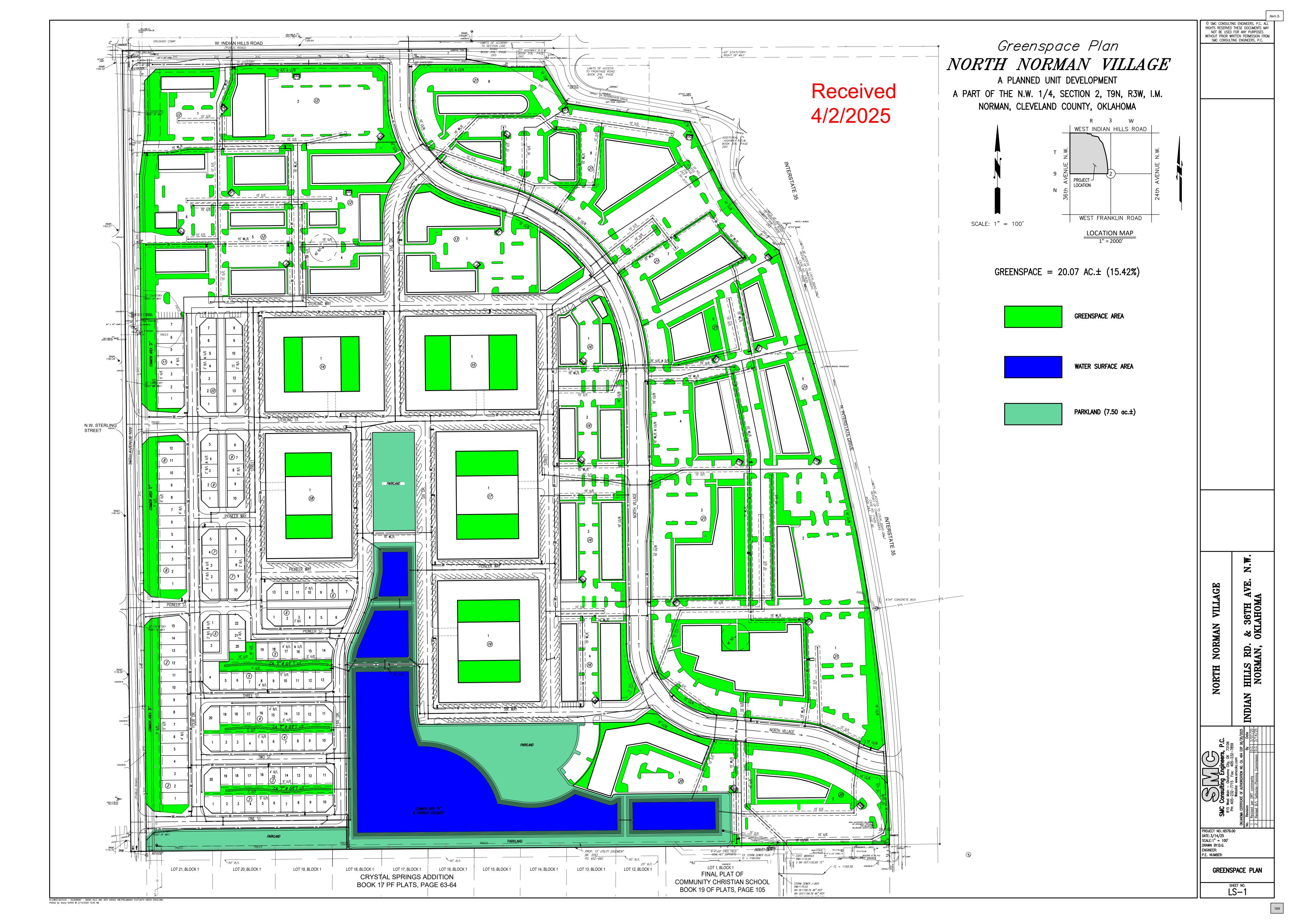
- 8. **Illumination** All of the signage discussed in this exhibit may be backlit or otherwise illuminated with LED or similar lighting.
- 9. **Banner Signage** Banners, flag signs, and other similar decorative signage may be displayed on the Property. Banners may be attached to private light poles or to the buildings to advertise the Property, holidays, events within the Property, the City of Norman, or other similar instances or community organizations.
- 10. **Sight Triangle Protection** All signage within the Property shall be placed in appropriate locations to not interfere with applicable traffic sight triangles.
- 11. **Platted Easements** Signs may not be placed in any platted easements without first obtaining consent to such encroachment from the applicable utility providers and City Council.
- 12. **Height** Due to the proximity of the Property to the Max Westheimer Airport, the maximum signage height within the Property shall be governed by the maximum height allowable under applicable state and federal regulations, including, but not limited to, those prescribed by the Federal Aviation Administration and the Oklahoma Department of Aerospace and Aeronautics.
- 13. **Safety** All signage discussed within this exhibit shall be constructed, located, and displayed in accordance with prevailing industry standards of care and practices for signage of such type and comparable entertainment districts in order to ensure such signage does not pose a safety hinderance to drivers or pedestrians.

### Exhibit G Master Zoning Exhibit











### CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 03/13/2025

**REQUESTER:** Apex Properties, LLC

**PRESENTER:** Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT ORDINANCE O-2425-27: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE NORTHWEST QUARTER (NW/4) OF SECTION TWO (2), TOWNSHIP NINE NORTH (T9N), RANGE THREE WEST (R3W), OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF THE I-35 AND

WEST INDIAN HILLS ROAD INTERSECTION)

APPLICANT/REPRESENTATIVE Apex Properties, LLC/Rieger Sadler Joyce

LLC

**LOCATION** Near the SW corner of the I-35 and W

Indian Hills Road Intersection

WARD 3

CORE AREA No.

**REQUESTED ACTION**Rezoning from A-2, Rural Agricultural

District, to PUD, Planned Unit Development

District.

CURRENT LAND USE PLAN DESIGNATION Park Land and Mixed Use

PROPOSED LAND USE PLAN DESIGNATION Mixed Use

CURRENT GROWTH AREA DESIGNATION Future Urban Service Area

PROPOSED GROWTH AREA DESIGNATION Current Urban Service Area

**BACKGROUND:** The applicant requests rezoning from A-2, Rural Agricultural District, to PUD, Planned Unit Development District, for approximately 130 acres. The PUD would allow for the development of a Mixed Use community, featuring a variety of uses including, but not limited to, residential, commercial, office, and the mixing of uses within the property. The requested rezoning is accompanied by an application for a NORMAN 2025 Land Use Plan amendment and a preliminary plat.

### **PROCEDURAL REQUIREMENTS:**

GREENBELT MEETING: GBC25-05, February 18, 2025

This meeting was cancelled due to inclement weather.

### PRE-DEVELOPMENT: PD25-05, February 27, 2025

After the applicant presentation, the first question from the attending neighbors was if they knew how many dwelling units this proposed project would include. The representative stated there would be around 1,500 apartment units and 170 single-family homes. The next question what were the lot sizes for these single-family homes. The representative responded that the size lot for single-family homes would be 3,600 sqft. The neighbors were concerned about this lot size because the lots of the existing single-family homes in the area are quite large in comparison. The next subject the neighbors were concerned about was screening. The neighbors were curious about what kind of screening would run along the west and south sides of the development. The representative said that they did not have a design for the screening at this stage of the project. The last subject the neighbors discussed with the representative was drainage. The project features a large detention pond that is designed to collect water and drain it to the southeast corner of the lot where existing stormwater drainage infrastructure exists.

**BOARD OF PARKS COMMISSIONERS:** This proposal went to the Board of Parks Commissioners on March 6, 2025. The Board voted unanimously to accept a public parkland decision of 7.571 acres.

### **ZONING ORDINANCE CITATION:**

SECTION 36-509, PUD, PLANNED UNIT DEVELOPMENT

1. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of the comprehensive plan of record. The "PUD" Planned Unit Development district herein established is intended to provide for greater flexibility in the design of buildings, yards, courts, circulation, and open space than would otherwise be possible through the strict application of other district regulations. In this way, applicants may be awarded certain premiums in return for assurances of overall planning and design quality, or which will be of exceptional community benefit and which are not now required by other regulations. By permitting and encouraging the use of such procedures, the Planning Commission and City Council will be able to make more informed land use decisions and thereby guide development more effectively in the best interest of the health, safety, and welfare of the City.

Specifically, the purposes of this section are to encourage:

- (a) A maximum choice in the types of environment and living units available to the public.
- (b) Provision of more usable and suitably located open space, recreation areas, or other common facilities than would otherwise be required under conventional land development regulations.
- (c) Maximum enhancement and minimal disruption of existing natural features and amenities.
- (d) Comprehensive and innovative planning and design of diversified developments which are consistent with the City's long range plan and remain compatible with surrounding developments.
- (e) More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
- (f) Preparation of more complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.

The PUD (Planned Unit Development) Regulations are designed to provide for small and large scale developments incorporating a single type or a variety of residential, commercial, industrial and related uses which are planned and developed as a unit. Such development may consist of individual lots, or it may have common building sites. Private or public common land and open space must be an essential, major element of the development which is related to, and affects, the long term value of the homes and other development. A Planned Unit Development shall be a separate entity with a distinct character that respects and harmonizes with surrounding development.

### **STAFF ANALYSIS:**

**USE:** The allowable uses for this PUD are included in the PUD Narrative as Exhibit C, Allowable Uses. The uses are divided into four Development Areas. Area 1 contains a large variety of commercial uses. Development Area 2 contains a mix of high-density housing with commercial uses on the first floor. Development Area 3 contains commercial uses, similar to Development Area 1. Development Area 4 contains a variety of low density dwelling types. These include but are not limited to, single-family homes, accessory dwelling units, and garage apartments. A complete list of the allowable uses for each Development Area within the Property is shown in Exhibit C.

### SITE PLAN/ACCESS:

The Site Development Plan shows five access points to the development site. There are three access points proposed off of 36th Ave NW, one access point off of W Indian Hills Road, and one access point of N Interstate Drive. The proposed development is broken into four Development Areas. Located at the center of the site is Development Area 2 where multiple apartment buildings with parking garages are located. These apartment buildings abut Development Area 2 where single-family homes are to be located.

Development Area 4 allows for a 4' front yard setback, with a 20' setback for garage structures that face the street.

**PARKING:** Parking for the Property may be developed in general compliance with the parking layout shown on the Site Development Plan. The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

**LANDSCAPING:** Landscaping shall be installed in order to meet or exceed the City of Norman's applicable landscaping regulations, as amended from time to time.

**SIGNAGE:** All other signs not discussed in Exhibit F of the PUD narrative, shall comply with the sign standards of the City of Norman Sign Code, and as thereafter amended, as applicable to the underlying use for each lot. The Applicant may further restrict and control signage within the Property through the use of private design guidelines and restrictive covenants.

**LIGHTING:** All lighting over any common areas will be shielded from adjacent single-family homes with full-cut off lighting fixtures. Decorative streetlights will be allowed within the PUD, in the common areas, and along the streets of the PUD, with full-cut off light fixtures where light pollution into residential Lots is possible. All exterior lighting in the Multifamily and Commercial portions of the Property shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards, contained in Section 36-549 of the City of Norman's Zoning Ordinance, as may be amended from time to time.

**SANITATION/UTILITIES:** Trash dumpsters may be located as depicted on the Site Development Plan or in locations as may be approved by the City. Dumpsters shall be kept within an enclosure that is primarily constructed of similar exterior materials as the primary façade of the commercial building(s) it is associated with. Dumpsters may be shared between multiple property occupants and users.

**FENCING/WALLS:** Fencing, is permissible but is not required within the Property. Fencing on the Property may be constructed of, by way of example and not limitation, decorative metal, stockade wood, composite, and other fencing types. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review of fencing within the development. For any fencing that the developer may utilize within the Property, the placement and height of such fencing shall comply with applicable City ordinances, as amended from time to time.

**PHASING:** It is anticipated that the Property will be developed in multiple phases. The timing and number of future phases will be determined by market demand and absorption rates and shall comply with Section 36-509 PUD, Planned Unit Developments, as may be amended.

**OPEN SPACE:** A minimum of ten percent (10%) of the Property shall be reserved as open space. The areas initially planned as open space are depicted on the Site Development Plan. The submitted Greenspace Plan shows 20.07 acres (15.42%) of the development site as Greenspace.

**EXTERIOR MATERIALS:** The exterior of the commercial, office, retail, or multifamily buildings constructed within the Property may be constructed of masonry, brick, stone, synthetic stone, wood, glass, stucco, EIFS, metal accents, and any combination thereof. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review within the development.

### **ALTERNATIVES/ISSUES:**

**IMPACTS**: The proposed use will be more intense than the existing undeveloped traffic patterns of the current zoning and land use designation. The three new access points off of 36<sup>th</sup> Ave NW will likely be used for the residential aspect of the proposed development. This residential component consists of single-family and multi-family dwelling units. According to the Traffic Impact Analysis reviewed by the City Transportation Engineer, traffic generated by the proposed development will exceed the capacity of the area.

### **OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Additional information will be required to determine fire hydrant and fire lane requirements related to the proposed buildings. These items will be addressed during individual building permitting.

If the proposed development includes entry gates, all commercial gates that restrict response vehicle access will require Knox Single gate and Key Switch.

### PUBLIC WORKS/ENGINEERING:

Please see attached report from Engineering.

**TRANSPORTATION ENGINEER:** Demand exceeds capacity in this area. As such, additional off-site improvements are recommended in addition to the completion of the 2012 Bond Project improvements to 36th Avenue NW. These include:

- Changes to the future phasing of the traffic signal at the 36th Avenue NW intersection with Indian Hills Road
- Construction of an eastbound right-turn lane on Franklin Road at N. Interstate Drive
- Construction of Drives #2, #3, and #4 to provide separate left- and right-turn lanes onto 36th Avenue NW
- Construction of Drive #6 to provide only right-in/right-out access from Indian Hills Road
- Installation of a traffic signal on Indian Hills Road at Drive #7 along with construction of westbound and northbound left-turn lanes

**UTILITIES:** Extend sewer at the correct elevations and sizes to serve upstream tracts of land which includes the existing Marlatt Subdivision located to the west of 36th Avenue NW.

<u>CONCLUSION:</u> Staff forwards this request for rezoning to a PUD, Planned Unit Development and Ordinance O-2425-27 to the Planning Commission for consideration and recommendation to City Council.

### **NORTH NORMAN VILLAGE**

### A PLANNED UNIT DEVELOPMENT NORMAN, OKLAHOMA

### **APPLICANT:**

APEX PROPERTIES, LLC

### APPLICATION FOR:

PLANNED UNIT DEVELOPMENT PRELIMINARY PLAT NORMAN 2025

> Submitted February 3, 2025 Revised March 7, 2025

### PREPARED BY:

RIEGER SADLER JOYCE LLC 136 Thompson Drive Norman, Oklahoma 73069

### TABLE OF CONTENTS

### I. INTRODUCTION

### II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

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

### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Uses Permitted
- B. Area Regulations
- C. Development Criteria

### **EXHIBITS**

- A. Legal Description of the Property
- B. Preliminary Site Development Plan
- C. Allowable Uses
- D. Preliminary Plat
- E. Open Space
- F. Development Signage Allowances

### I. <u>INTRODUCTION</u>

APEX PROPERTIES, L.L.C., an Oklahoma limited liability company (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 mixed-use community, featuring a variety of uses including commercial, office, retail, and a diversity of residential uses within the Property. The Property contains roughly 130.76 acres, and a 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 at the Southwest corner of the Interstate 35 and W. Indian Hills Road interchange, as more particularly shown on the attached exhibits.

### **B.** Existing Land Use and Zoning

The Property is undeveloped and is currently zoned A-2, Rural Agricultural.

### C. Elevation and Topography

The Property contains elevations ranging from approximately 1,171 to 1,184. The Property generally and gently slopes downwards from the northwest to the southeast.

### D. Drainage

A drainage report will be provided 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 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 Conceptual Site Development Plan.

### III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Property is preliminarily planned to be developed in compliance with the Conceptual Site Development Plan, attached hereto as **EXHIBIT B**, subject to final design development and the changes allowed by Section 36-509 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 mixed-use development, featuring a variety of uses including commercial, office, retail, and a diversity of residential uses within the Property. The development of the Property shall be divided into four (4) Development Areas, as shown on **Exhibit G**, attached hereto, for purposes of allowable uses and area regulations:

Development Area 1 is located along the frontage of Interstate 35 and W. Indian Hills Road and will contain the bulk of the commercial allowances within the Property such as but not limited to retail and office uses.

Development Area 2 is located on the interior of the Property and will contain mixed uses of residential and retail.

Development Area 3 is located at the hard corner of W. Indian Hills Road and 36<sup>th</sup> Ave. NW, and will contain commercial uses, such as but not limited to automobile service station, commercial, retail, or restaurant.

Development Area 4 is located along 36<sup>th</sup> Ave. NW and will contain residential uses.

A complete list of the allowable uses for each Development Area within the Property is attached as **EXHIBIT C**. It is understood and acknowledged that the boundaries of the individual Tracts and Development Areas have not been finalized as this development is at the preliminary plat stage, and, subject to Section 36-509 of the City of Norman's PUD Ordinance, the final legal descriptions and lot sizes may fluctuate prior to the filing of a final plat. Therefore, the boundaries of the Development Areas may fluctuate so long as such modification does not result in a substantial deviation from the Conceptual Site Development Plan.

Notwithstanding the above, the following uses are prohibited in this Addition:

A. Adult oriented businesses

- B. Junk yards
- C. Kennels with outdoor runs

### **B. Area Regulations:**

**1. Development Area 1**: Commercial, Retail, Restaurant, Office, and Hospitality.

**Building Setback:** There shall be a ten (10) foot setback along the frontages of Indian Hills Road and Interstate 35. Additionally, buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements. Otherwise, there are no other required building setbacks.

**Height**: There shall be no height limit for any building or structure in Development Area 1 of the Property.

**2. Development Area 2**: Commercial, Retail, Restaurant, Office, Hospitality and Residential.

**Building Setback:** Buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements. Otherwise, there are no required front, rear, or side yard building setback.

**Height**: There shall be no height limit for any building or structure in Development Area 2 of the Property.

**3. Development Area 3**: Commercial, Retail, Restaurant, Office, Automobile Service Station.

**Building Setback:** There shall be a ten (10) foot setback along the frontages of W. Indian Hills Road and 36<sup>th</sup> Ave. NW. Buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements. Otherwise, there are no other required building setbacks.

**Height**: There shall be no height limit for any building or structure in Development Area 3 of the Property.

4. **Development Area 4**: Residential

### **Building Setbacks:**

a. 4-foot front yard building setback line, with a 20-foot front yard setback for garage structures that face the street. This is intended to allow for the capability of living areas of the house to come forward and greet the streetscape ahead of the garage facades.

- b. No minimum side yard building setback line.
- c. 10-foot rear yard building setback line, or setback to the utility easement along the back of yard if it is larger than the 10 feet.
- d. Lots to be at least 2,000 gross square feet in area, with minimum width of 20 feet, but with such dimensions not being a requirement as lot dimensions can be widely varied throughout the Addition. For Lots that will be rear-loaded and take all vehicular access from the rear alleyway, such has Lot 20, Block 5 as shown on the preliminary plat, the minimum public street frontage shall be five (5') feet.
- e. Open space areas are located throughout the Addition and form an extensive feature of the project, and thus due to extensive common area open space, impervious area coverage ratios of each lot in this district shall be allowed up to 85%.
- f. Buildings may not encroach upon public easements, rights-of-way, or within one (1) foot of public utility easements.

**Height**: The maximum height for Development Area 4 shall be three (3) stories.

### C. Additional Development Criteria:

### 1. Exterior Materials

The exterior of the commercial, office, retail, or multifamily buildings constructed within the Property may be constructed of masonry, brick, stone, synthetic stone, wood, glass, stucco, EIFS, metal accents, and any combination thereof. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review within the development.

### 2. Sanitation

Trash dumpsters shall be located as depicted on the Conceptual Site Development Plan or in locations as may be approved by City sanitation services. Dumpsters shall be kept within an enclosure that is primarily constructed of similar exterior materials as the primary façade of the commercial building(s) it is associated with. Dumpsters may be shared between multiple property occupants and users within this PUD.

### 3. Signage

In order to enhance wayfinding and to facilitate the vibrant mixed-use community envisioned by this PUD, additional signage allowances are warranted. Development signage allowances are enumerated in **Exhibit F**, attached hereto. All other signs not discussed in Exhibit F shall comply with the sign standards of the City of Norman Sign Code, and as thereafter

amended, as applicable to the underlying use for each lot. The Applicant may further restrict and control signage within the Property through the use of private design guidelines and restrictive covenants.

#### 4. Traffic access and circulation

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

#### 5. Open Space

A minimum of ten percent (10%) of the Property shall be reserved as open space. The areas initially planned as open space are depicted on the Conceptual Site Development Plan. A conceptual open space exhibit is attached hereto as **EXHIBIT E**.

#### 6. Parking

Parking for the Property may be developed in general compliance with the parking layout shown on the Conceptual Site Development Plan. The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

#### 7. Loading/Service Areas

Any loading or service areas shall be located at the side or rear of the commercial buildings, and in such a manner that they are not visible from 36th Avenue NW, W. Indian Hills Road, or the Interstate 35 frontage roads. Screening walls shall be built from similar material to the exterior of the primary façade of the commercial buildings, and/or living natural plants shall be located around the loading and service areas such that they are screened from any abutting residential lots. Applicant requests an alley waiver for the commercial areas in this Addition.

#### 8. Outdoor Storage

Outdoor storage of items in commercial areas of the PUD shall be screened such that they cannot be seen from any adjacent residential lots, or from 36th Avenue NW, W. Indian Hills Road, or the Interstate 35 frontage roads. Outdoor storage of any items shall not be allowed in any way that encroaches upon or interferes with fire lanes, drive lanes, or parking spaces.

#### 9. Landscaping

Landscaping shall be installed in order to meet or exceed the City of Norman's applicable landscaping requirements, as may be amended from time to time.

#### 10. Fencing.

Fencing, is permissible but is not required within the Property. Fencing on the Property may be constructed of, by way of example and not limitation, decorative metal, stockade wood, composite, and other fencing types. The Applicant may file restrictive covenants against the Property to more narrowly tailor architectural review of fencing within the development. For any fencing that the developer may utilize within the Property, the placement and height of such fencing shall comply with applicable City ordinances, as amended from time to time.

#### 11. Phasing

It is anticipated that the Property will be developed in multiple phases. The timing and number of future phases will be determined by market demand and absorption rates and shall comply with Section 36-509 of the City of Norman's PUD Ordinance, as may be amended.

#### 12. Lighting

All lighting over any common areas will be shielded from adjacent single-family homes with full-cut off lighting fixtures. Decorative streetlights will be allowed within the PUD, in the common areas, and along the streets of the PUD, with full-cut off light fixtures where light pollution into residential Lots is possible. All exterior lighting in the Multifamily and Commercial portions of the Property shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards, contained in Section 36-549 of the City of Norman's Zoning Ordinance, as may be amended from time to time.

#### 13. Sales Trailers

A temporary trailer will be allowed for use by sales representatives within each of the residential districts in the Addition. The trailer is not required to have parking. If temporary parking areas are desired for the sales trailers, such parking areas may be gravel. The trailer will be removed within twelve months after being on the site or within a reasonable time after project completion.

#### 14. Property Owner Association

A mandatory Property Owners Association will be created to maintain all common elements including the rights-of-way along all abutting section line roads, the intended pathways and all private open areas and improvements. The Developer may create one POA for the entire Addition, or may create one POA for the commercial districts and one POA for the residential districts in the Addition, with such decision being in the Developer's discretion. All aspects of all exterior improvements made to any property in the Addition, must first be approved in writing by the Architectural Control Committee of the applicable Property Owners Association prior to issuance of building permit and prior to commencement of any construction on any lot. The requirements set forth herein are not exhaustive or exacting as to the requirements that may be set forth by the Architectural Control Committee, which may be much more extensive, restrictive, and descriptive.

#### **EXHIBIT A**

## LEGAL DESCRIPTION NORTH NORMAN VILLAGE NORMAN, CLEVELAND COUNTY, OKLAHOMA

Being a tract of land lying in the Northwest Quarter (NW/4) of Section Two (2), Township Nine North (T9N), Range Three West (R3W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

**COMMENCING** at the northeast corner of said Northwest Quarter:

THENCE South 89°40'25" West, along the north line of said Northwest Quarter, a distance of 1,532.07 feet to the **POINT OF BEGINNING**;

THENCE South 00°19'35" East a distance of 33.00 feet to a point on the westerly right of way line of Interstate 35 as established by the Report of Commissioners Case No. 17935 recorded in Book 243, Page 90; Report of Commissioners Case No. 20943 recorded in Book 318, Page 293 and F.A.P. I-35-2(21)115 plans;

THENCE along said westerly right of way line, the following nine (9) courses:

- 1. South 79°00'52" East a distance of 137.67 feet;
- 2. North 89°40'25" East a distance of 118.43 feet;
- 3. South 31°44'30" East a distance of 140.62 feet;
- 4. South 81°42'13" East a distance of 401.47 feet;
- 5. South 26°05'27" East a distance of 241.72 feet;
- 6. South 36°31'31" East a distance of 185.18 feet;
- 7. South 54°30'23" East a distance of 88.95 feet;
- 8. South 17°05'41" East a distance of 385.70 feet to a point of curvature;
- 9. Southerly along a curve to the right having a radius of 5,579.55 feet (said curve subtended by a chord which bears South 08°57'22" East a distance of 1,579.81 feet) for an arc distance of 1,585.13 feet to a point on the south line of said Northwest Quarter;

THENCE South 89°28'25" West, along said south line, a distance of 2,462.22 feet to the southwest corner of said Northwest Quarter;

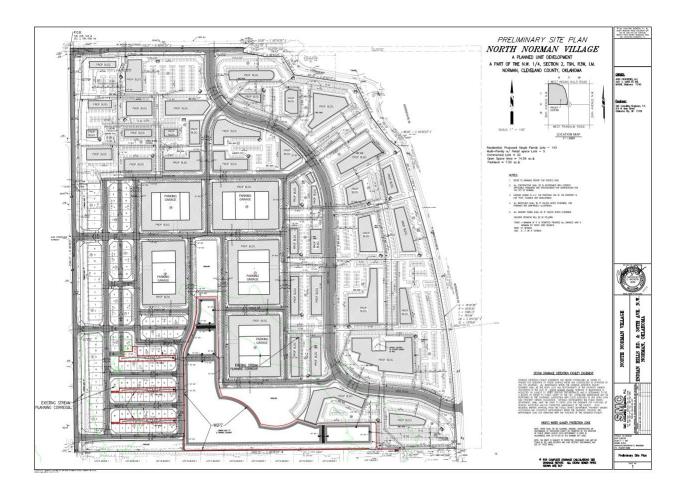
THENCE North 00°36'11" West, along the west line of said Northwest Quarter, a distance of 2,599.31 feet to the northwest corner of said Northwest Quarter;

THENCE North 89°40'25" East, along the north line of said Northwest Quarter, a distance of 1,116.21 feet to the **POINT OF BEGINNING**.

Said described tract of land contains a gross area of 5,695,761 square feet or 130.7567 acres and a net area, less streets rights of way, of 5,574,326 square feet or 127.9689 acres, more or less.

#### **EXHIBIT B**

### Preliminary Site Development Plan Full Size Documents Submitted to City Staff



#### **EXHIBIT C**

#### Allowable Uses

#### **ALLOWABLE USES:**

- Gas Station/Convenience Store
- Art Gallery/Studio.
- Assembly Halls of non-profit corporations.
- Libraries.
- Museums.
- Music Conservatories.
- Office buildings and office uses.
- Trade schools and schools for vocational training.
- Churches.
- Short-term rentals.
- Antique shop.
- Appliance Store.
- Artist materials supply, or studio.
- Automobile parking lots.
- Automobile supply store.
- Automobile, farm implement and machinery repair, sales and service, but not automobile wrecking yards or junk yards.
- Automobile service station.
- Baby shop.
- Bakery/Baked Goods store.
- Bank.
- Barber shop, or beauty parlor.
- Boat sales and service.
- Book or stationery store.
- Camera shop.
- Candy store.
- Catering establishment.
- Child Care / Day Care establishment.
- Clothing or apparel store.
- Coffee house or coffee shop.
- Commercial uses/shops/or services.
- Dairy products or ice cream store.
- Delicatessen store.
- Dress shop.
- Drug store or fountain.
- Dry Cleaning and Laundry Establishment.

- Dry goods store.
- Fabric or notion store.
- Feed and fuel store.
- Florist/Flower Shop.
- Furniture Store.
- Gift Shop.
- Glass shop.
- Grocery or supermarket.
- Hardware store.
- Heating, ventilating or plumbing supplies, sales and service.
- Hotel.
- Interior decorating store.
- Jewelry shop.
- Key shop.
- Leather Store and/or Leather Goods Store.
- Locksmith.
- Lumber and building materials sales yard.
- Medical buildings and medical uses.
- Music, Radio, Electronics, Telephone, or Television Store.
- Outdoor advertising signs.
- Outdoor Patio.
- Painting and decorating shop.
- Pet shop/or Small Animal Hospital.
- Pharmacy.
- Photographer's studio.
- Restaurant/Bar/Lounge/Tavern
  - may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- Retail Shops or Stores.
- Retail spirits store/Liquor store.
- Spa or Similar Establishment.
- Smoke, Tobacco, Vape, or Similar Shop.
- Self-service laundry.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Sign Store/Printing Store.
- Small animal hospital.
- Storage warehouse.
- T-Shirt Printing or Similar Sales or Services.

- Tanning Spa or Tanning Establishment.
- Tailor shop.
- Theater (excluding drive-in theaters), Bowling Alley, Arcade, or Similar Establishments, including those that sell alcoholic beverages in compliance with state law.
- Toy store.
- Trade schools and schools for vocational training.
- Wholesale distributing center.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

- High Density Multifamily Uses, which includes apartment buildings, either stand alone
  or above ground floor office/commercial uses, together with clubhouse, leasing office,
  fitness center, garage buildings, and similar associated uses.
- Townhouse Development.
- Short-term rentals.
  - Automobile parking lots.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.
- Additionally, commercial uses are allowed for the following on the first floors of the buildings:
  - Antique shop.
  - Art Gallery/Studio.
  - Artist materials supply, or studio.
  - Baby shop.
  - Bakery/Baked Goods store.
  - Bank.
  - Barber shop, or beauty parlor.
  - Book or stationery store.
  - Camera shop.
  - Candy store.
  - Child Care / Day Care establishment.
  - Clothing or apparel store.
  - Coffee house or coffee shop.
  - Commercial uses/shops/or services.
  - Dairy products or ice cream store.
  - Delicatessen store.
  - Dress shop.
  - Drug store or fountain.
  - Dry cleaning retail pickup and drop off.
  - Dry goods store.
  - Fabric or notion store.
  - Florist/Flower Shop.
  - Furniture Store.
  - Gift Shop.
  - Grocery or supermarket.
  - Interior decorating store.
  - Jewelry shop.
  - Key shop.
  - Leather Store and/or Leather Goods Store.
  - Libraries.
  - Medical uses.
  - Museums.
  - Music, Radio, Electronics, Telephone, or Television Store.

- Office uses.
- Outdoor Patio.
- Painting and decorating shop.
- Pharmacy.
- Photographer's studio.
- Restaurant/Bar/Lounge/Tavern
  - may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- Retail Shops or Stores.
- Retail spirits store/Liquor store.
- Spa or Similar Establishment.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Sign Store/Printing Store.
- T-Shirt Printing or Similar Sales or Services.
- Tanning Spa or Tanning Establishment.
- Tailor shop.
- Toy store.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

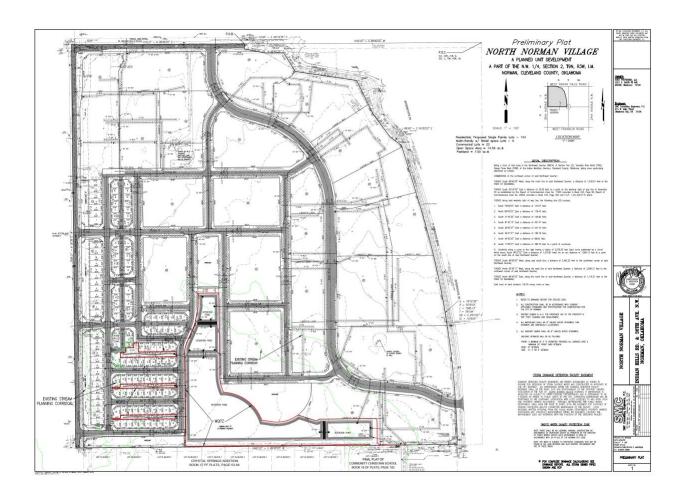
- Gas Station/Convenience
- Art Gallery/Studio.
- Office buildings and office uses.
- Trade schools and schools for vocational training.
- Antique shop.
- Appliance Store.
- Artist materials supply, or studio.
- Automobile parking lots.
- Automobile supply store.
- Automobile fuel sales, convenience store, and service station.
- Baby shop.
- Bakery/Baked Goods store.
- Bank.
- Barber shop, or beauty parlor.
- Book or stationery store.
- Camera shop.
- Candy store.
- Clothing or apparel store.
- Coffee house or coffee shop.
- Commercial uses/shops/or services.
- Dairy products or ice cream store.
- Delicatessen store.
- Dress shop.
- Drug store or fountain.
- Dry Cleaning and Laundry Establishment.
- Dry goods store.
- Fabric or notion store.
- Florist/Flower Shop.
- Furniture Store.
- Gift Shop.
- Grocery or supermarket.
- Interior decorating store.
- Jewelry shop.
- Key shop.
- Leather Store and/or Leather Goods Store.
- Locksmith.
- Medical buildings and medical uses.
- Music, Radio, Electronics, Telephone, or Television Store.
- Outdoor advertising signs.
- Outdoor Patio.

- Painting and decorating shop.
- Pharmacy.
- Photographer's studio.
- Restaurant/Bar/Lounge/Tavern
  - o may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- Retail Shops or Stores.
- Retail spirits store/Liquor store.
- Spa or Similar Establishment.
- Smoke, Tobacco, Vape, or Similar Shop.
- Self-service laundry.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Sign Store/Printing Store.
- Small animal hospital.
- Storage warehouse.
- T-Shirt Printing or Similar Sales or Services.
- Tanning Spa or Tanning Establishment.
- Tailor shop.
- Toy store.
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.

- Single Family detached dwelling
- Single family attached dwelling
- Single Family dwelling and a garage apartment
- Family day care home
- General purpose farm or garden
- Accessory office use limited to no more than 3 workers and 2 customers at a time.
- Accessory dwelling units
- Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot
- Short-term rentals
- Home occupations will be allowed in a slightly greater intensity of use than as found in typical R-1 developments. Such business activity will be limited to types of businesses that do not require more than two customer or client parked cars at any given time. No retail activity or sales of merchandise will be allowed. Employees would be limited to one on-site worker and patronage would have to be by appointment only. Minimal, non-illuminated identification signage of no more than four (4) sf in area, attached to the surface of the Dwelling, will be allowed to denote the business being carried on within.
- A clubhouse, pool, and/or other related common area Property Owners Association amenities for the use of the property owners are allowed but not obligated within this district.

#### **EXHIBIT D**

## Preliminary Plat Full Size Documents Submitted to City Staff



#### **EXHIBIT E**

Open Space
Full Size Documents Submitted to City Staff



#### **EXHIBIT F**

#### **Development Signage Allowances**

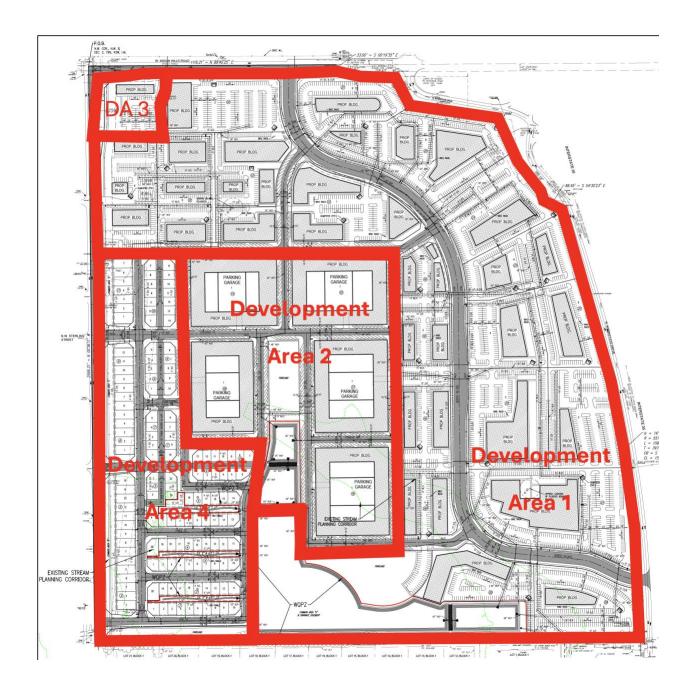
In addition to all signage allowances enumerated in the City of Norman Signage Code, as may be amended from time to time, the following signage allowances shall be applicable to the development of the Property:

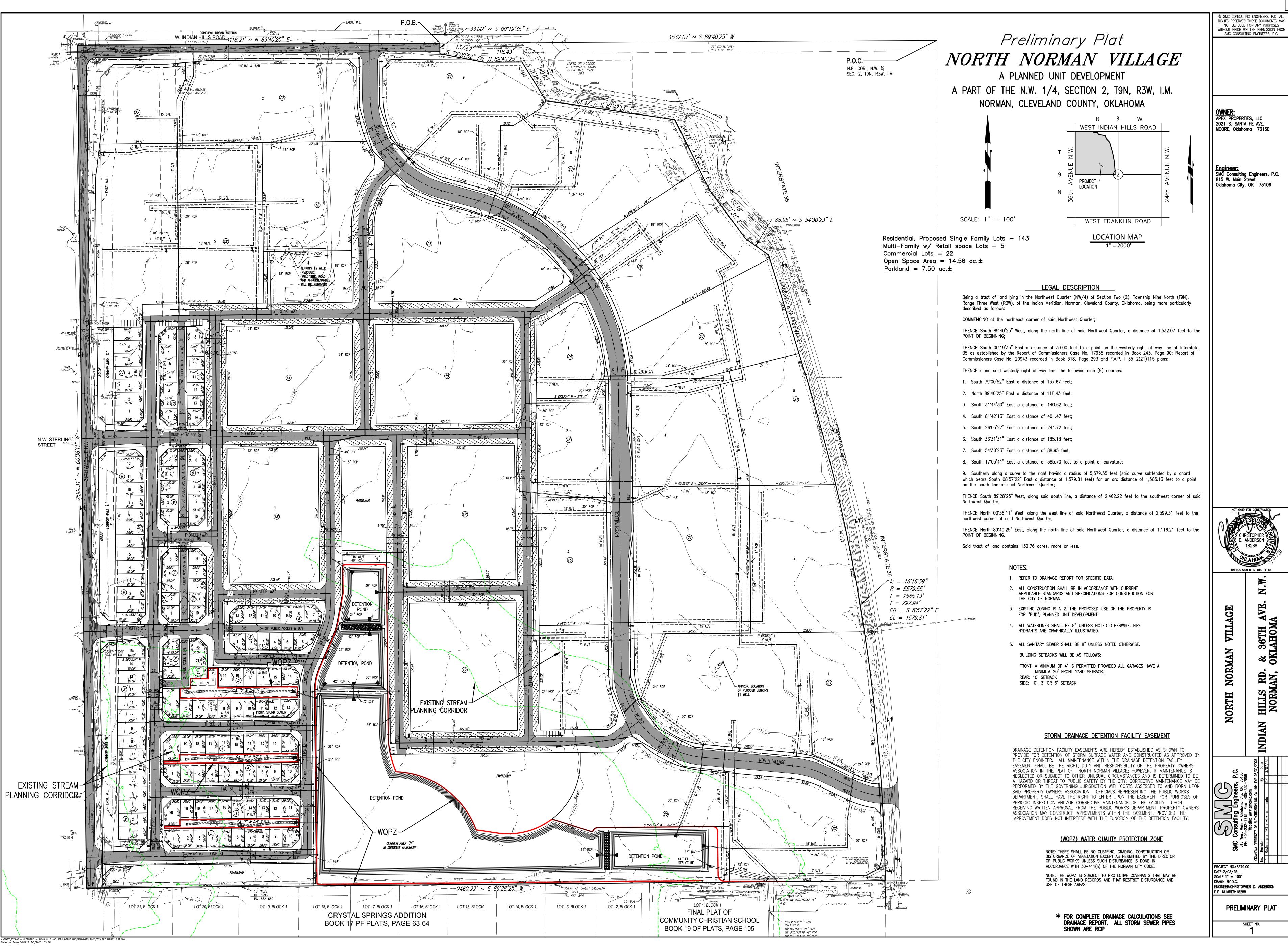
- 1. **Development Main Message Center** The Property may feature a large message center to enhance, identity, advertise, and otherwise support the commercial users to be located within the Property as well as off-premises advertising (the "**Main Message Center**"). The Main Message Center may be freestanding or attached to a building. The Main Message Center sign may be a maximum of 750 square feet of signage. The Main Message Center may be an electronic or digital sign.
- 2. **Development Entrance Signs** The Property may feature up to five (5) entrance identification signs advertising the entrances to the different sections of the Property, and any buildings, tenants, users, or destinations located therein. Each such Development Entrance Sign may be a maximum of 300 square feet per side.
- 3. **Major Directional Signs** Up to ten Major Directional Signs shall be allowed within the Property indicating directions to the different locations, services, offices, areas, or entrances contained within the Property. The Major Directional Signs are intended to contain directions to multiple locations or destinations on each sign, such as directions to the entrances, parking locations, retail users, residential communities, and various other locations within the Property. Each Major Directional Sign may be a maximum of 200 square feet per side.
- 4. **Minor Directional Signs** Up to fifteen Minor Directional Signs shall be allowed within the Property indicating directions to the different locations, services, offices, areas, or entrances contained within the Property. The Minor Directional Signs are intended to be ancillary and supplementary to the Major Development Signs, with each Minor Directional Sign indicating directions to a single location or destination, such as directions to entrances, parking locations, retail users, residential communities, and various other locations within the Property. Each Minor Directional Sign may be a maximum of 100 square feet per side.
- 5. **Service Directional Signs** Service Directional Signs may be installed at each service entry and exit location within the Property to direct service, delivery, drop off, and similar traffic along the correct route. Each Service Directional Sign may be a maximum of 50 square feet per side.
- 6. **Major Façade Signs** There shall be no maximum signage limitations for façade signs located on lots that front the I-35 service roads. Portions of Major Façade Signs may extend above the roof line of the buildings. For clarity, the Major Façade Signs may be constructed above the roof deck of the occupiable space of the buildings, such as, without limitation, along the façade of mechanical units, equipment, screening, parapet walls, or penthouse structures.
- 7. **Minor Façade Signs** Buildings located within the Property that do not qualify for Major Façade Signs, as enumerated above, except for any buildings located in Development Area 4, may feature up to five Minor Façade Signs per building. Each Minor Façade Sign may

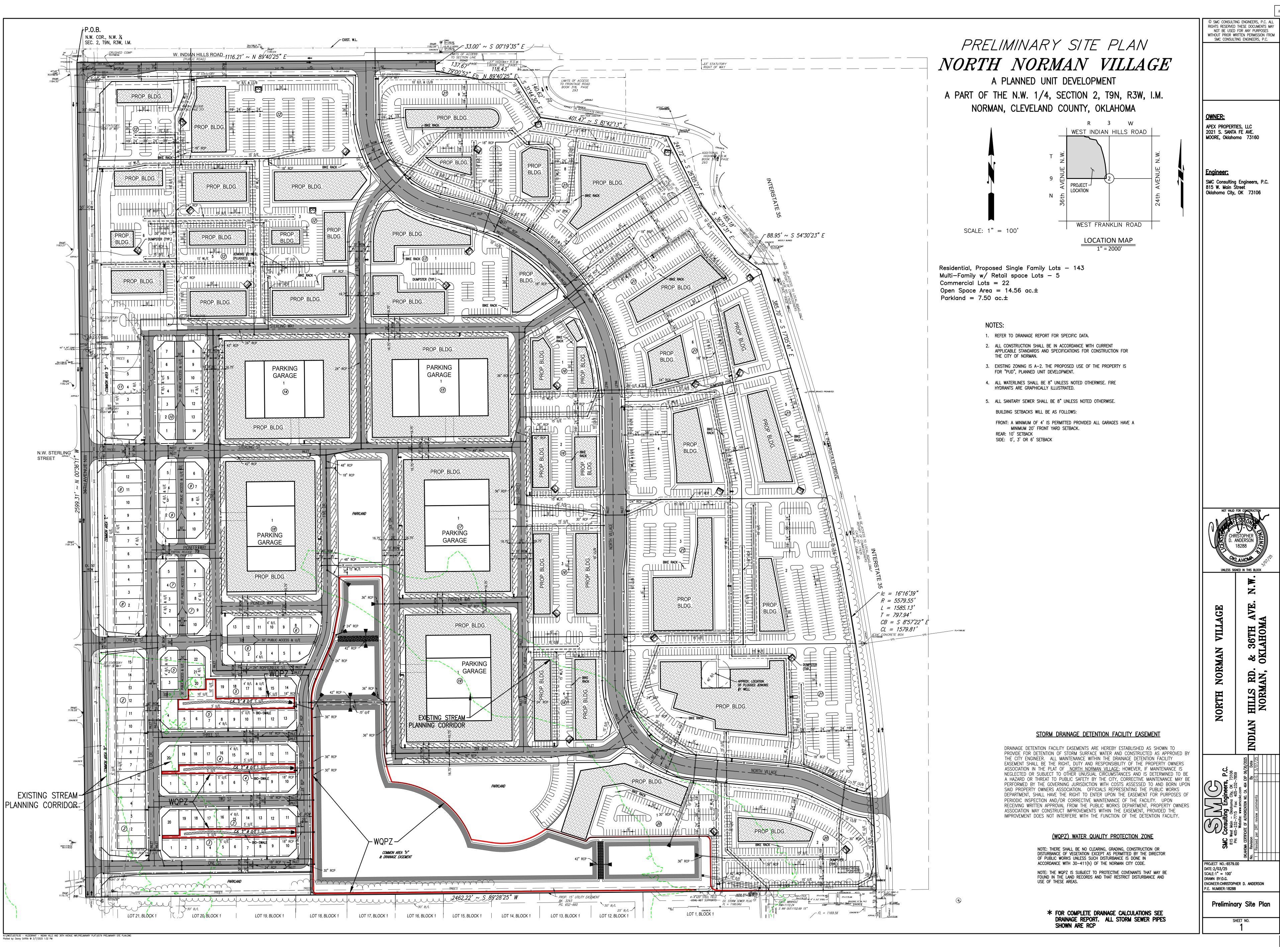
be a maximum of 500 square feet and portions of each Minor Façade Sign may extend above the roof line of the building. For clarity, the Minor Façade Signs may be constructed above the roof deck of the occupiable space of the buildings, such as, without limitation, along the façade of mechanical units, equipment, screening, parapet walls, or penthouse structures.

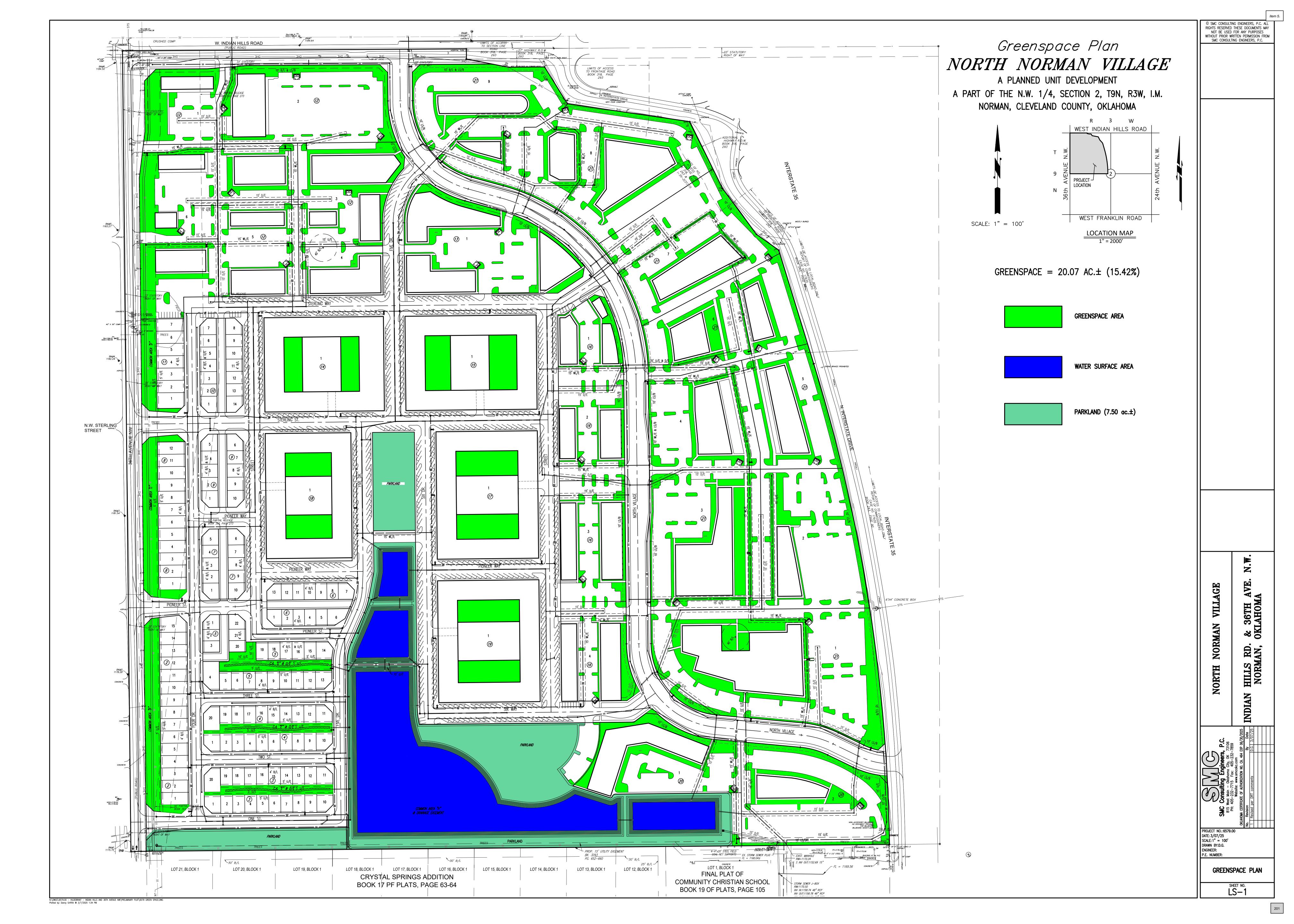
- 8. **Illumination** All of the signage discussed in this exhibit may be backlit or otherwise illuminated with LED or similar lighting.
- 9. **Banner Signage** Banners, flag signs, and other similar decorative signage may be displayed on the Property. Banners may be attached to private light poles or to the buildings to advertise the Property, holidays, events within the Property, the City of Norman, or other similar instances or community organizations.
- 10. **Sight Triangle Protection** All signage within the Property shall be placed in appropriate locations to not interfere with applicable traffic sight triangles.
- 11. **Platted Easements** Signs may not be placed in any platted easements without first obtaining consent to such encroachment from the applicable utility providers and City Council.
- 12. **Height** Due to the proximity of the Property to the Max Westheimer Airport, the maximum signage height within the Property shall be governed by the maximum height allowable under applicable state and federal regulations, including, but not limited to, those prescribed by the Federal Aviation Administration and the Oklahoma Department of Aerospace and Aeronautics.
- 13. **Safety** All signage discussed within this exhibit shall be constructed, located, and displayed in accordance with prevailing industry standards of care and practices for signage of such type and comparable entertainment districts in order to ensure such signage does not pose a safety hinderance to drivers or pedestrians.

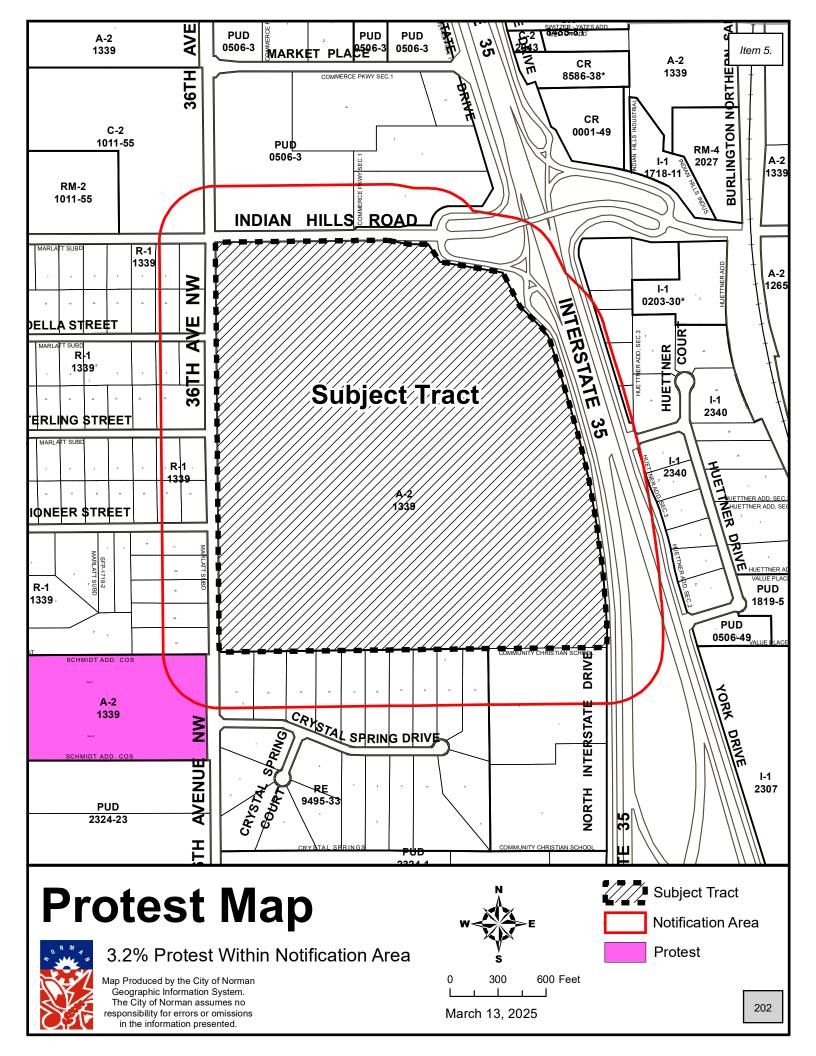
## Exhibit G Master Zoning Exhibit











To: City of Norman Planning Commission

Re: Notice of Request for Norman 2025 Land Use and Transportation Plan

Amendment and Rezoning

From: Robert Anthony Stoops – REV – TRT

5400 36th Ave NW Norman, OK 73072

Date: March 12, 2025

Dear Sir/Madam,

I am writing to formally express my opposition to the proposed amendment and rezoning of the property from A-2, Rural Agricultural District, to Planned Unit Development District. My family and I purchased and built our home with the intention of enjoying a rural, residential lifestyle, with single-family dwellings situated on large lots and acreages.

The proposed PUD would be located within 350 feet of my property, and I am concerned about the substantial increase in traffic, as well as the potential overpopulation of our neighborhood. The development, which includes residential, commercial, office, and retail spaces, would significantly alter the character of our community. Specifically, I am concerned about potential declines in property values and the associated risk of increased crime rates, along with other negative social implications that may arise from such a dense and mixed-use development.

In conclusion, I respectfully urge the Planning Commission to reject this proposal. I believe the project is incompatible with the established rural character of our neighborhood and will have detrimental long-term effects.

Thank you for your attention to this matter. I appreciate your consideration of my concerns.

Sincerely,

Robert Anthony Stoops.

Carol Lee Stoops

FILED IN THE OFFICE OF THE CITY CLERK ON 03/12/25-LW

9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-92: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF NORTHWEST QUARTER (NW/4) OF SECTION TWO (2), TOWNSHIP NINE NORTH (T9N), RANGE THREE WEST (R3W) OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE MIXED USE DESIGNATION AND PARKLAND DESIGNATION AND PLACE THE SAME IN THE MIXED USE DESIGNATION, FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA, AND REMOVAL FROM SPECIAL PLANNING AREA 4. (NEAR THE SOUTHWEST CORNER OF THE I-35 AND WEST INDIAN HILLS ROAD INTERSECTION)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. 2025 Land Use Map
- 3. Pre-Development Summary
- 10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT ORDINANCE O-2425-27: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE NORTHWEST QUARTER (NW/4) OF SECTION TWO (2), TOWNSHIP NINE NORTH (T9N), RANGE THREE WEST (R3W), OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF THE I-35 AND WEST INDIAN HILLS ROAD INTERSECTION)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map
- 3. PUD Narrative
- 4. Preliminary Plat
- 5. Preliminary Site Plan
- 6. Greenspace Plan
- 11. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2425-9: CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY APEX PROPERTIES, LLC (SMC CONSULTING ENGINEER) FOR NORTH NORMAN VILLAGE, A PLANNED UNIT DEVELOPMENT, FOR 130.76 ACRES OF PROPERTY GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF THE I-35 AND WEST INDIAN HILLS ROAD INTERSECTION.

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map

- 3. Preliminary Plat
- 4. Development Review Form
- 5. Traffic Letter

#### **Staff Presentation**

Justin Fish, Planner I, presented the staff report.

#### **Application Presentation**

Sean Rieger, Representative of Applicant, and Richard McKown, Applicant, discussed the proposed PUD, Planned Unit Development.

Commissioner Bird explained that she would be in favor of the 2-foot setback in the rear facing, alley access parking properties.

#### **Public Comment**

There were no public comments.

#### **Commission Discussion**

Commissioner Kindel explained that she really liked the innovation and greenspace of this development. She also expressed that this is the right place for mixed use.

**Motion** by Commissioner Brewer recommend approval Resolution R-2425-92, Ordinance O-2425-27, and PP-2425-9; **Second** by Commissioner Kindel.

Commissioner Bird asked if the Commission wanted to make a condition to the comments brought up for the 2-foot setback for rear facing, alley access parking. Commissioners agreed.

**Motion** by Commissioner Brewer to amend the previous motion to include the inclusion of the 2 foot setback in areas with alley access parking; **Second** by Commissioner Kindel.

Ms. Hudson clarified that the applicant will need to show that change on the Preliminary Plat before going to City Council.

The motion passed unanimously with a vote of 6-0, 1 recusal.

#### File Attachments for Item:

6. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Brenda Hall

**PRESENTER:** Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT,

APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE

ORDER REPORT AND DIRECTING THE FILING THEREOF.





TO: Darrel Pyle, City Manager

FROM: Jane Hudson, Director, Planning & Community Development

DATE: March 20, 2025

RE: Contract K-2425-93 with RDG Planning & Design, Inc. for Master

**Planning Services** 

#### **BACKGROUND:**

Throughout the Area Infrastructure and Master Plan (AIM) Norman planning process, City Council, the AIM Norman Steering Committee, and the community of Norman have detailed the desire to see impactful changes made to the City's development, including identification of several areas for further study because of their unique characteristics and opportunities. One such location is the Griffin Memorial Hospital Site.

The site is comprised of a multi-acre campus and includes unique buildings such as hospital and administrative buildings, and a historical chapel. The site is currently owned by the State of Oklahoma.

Originally held in trust, the State of Oklahoma modified details controlling the saleability of the property in the early 2010s. This resulted in the State's ability to sell the land. Following this adjustment, in 2015, the City of Norman and the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) began talks about selling department-owned land surrounding Griffin Memorial Hospital in the city. Concurrently, the Urban Land Institute (ULI) conducted an Advisory Panel on the Hospital Site. ULI is known for its rigorous and insightful advisory panel process, which brings together experts from various fields to provide comprehensive recommendations for urban development projects.

This report was undertaken and completed in 2015. Since that time there have been multiple discussions between the City of Norman and ODMHSAS regarding the potential purchase and redevelopment of their holdings in Norman. In 2024, ODMHSAS broke ground for a new hospital to be located in Oklahoma City. Given the time since the undertaking of the Advisory Panel, an update is necessary to consider changes that have occurred.

#### **DISCUSSION:**

Work on the design of the Griffin Hospital Memorial Site has been completed by RDG. The following is an excerpt of the Draft AIM Norman Comprehensive Land Use Plan (page 97) regarding the site's Special Study Area Master Plan:

The State of Oklahoma plans to replace the Griffin Memorial Hospital with a new facility and offer the site and its buildings for redevelopment. The overall 160 acre development site includes the hospital campus, Frances Cate Park, and McKenzie Gardens, an affordable housing property located on land leased to by HUD and managed by the Norman Affordable Housing Corporation. The site,

about one-half mile from Downtown Norman, adjacent to Griffin Community Park and Sutton Wilderness Park, and convenient to major community commercial services, offers a unique opportunity for developing a new city neighborhood that both offers significant amenities and features and contributes substantially to meeting Norman's housing goals and demands. In order to meet its potential, the site must remain a unified parcel and be developed following a specific master plan. This plan should integrate the Griffin site with adjacent neighborhoods and become a figurative bridge between the eastern and western parts of the larger city. Major features of the master plan and the development that it generates include:

- Residential development with a variety of urban housing types, capable of accommodating between 5 and 10% of Norman's 20-year housing demand.
- Medium and high density housing types that include small-lot single-family detached, semi-attached, and twin home configurations; rowhomes; and mid-rise, high coverage multi-family development.
- Preservation of significant historical buildings where feasible and elements
  of the original campus design concept, with highest priority placed on
  reuse of the American Legion Memorial Chapel.
- Strong relationship to Downtown Norman, continuing the Main Street axis as an important urban design feature.
- A high degree of connectivity to surrounding neighborhoods and within the project using a local street grid and a network of greenways, paths, urban open spaces, existing area parks, and connections to community trails.
- Potential use of visual and performing arts facilities and working space into the overall project concept.
- Sustainable and market supported retail, entertainment, and enterprise uses into the overall concept, grouped and connected to be major activity focuses.
- Best Management Practices (BMPs) for stormwater and integration of drainageways as neighborhood amenities. Creation of a major retention facility both for stormwater management and as an amenity in the southwestern portion of the site.

Under this contract, additional work on the site specific Master Plan, which has been conducted under the AIM Norman endeavor, will serve as the visionary guide for this important location within the city.

RECOMMENDATION: Staff recommends approval of Contract K-2425-93 with RDG in for an amount not to exceed \$49,500.00 for the development of a site specific Master Plan for the Griffin Memorial Hospital Site for the City of Norman.

# Agreement Between CITY OF NORMAN, OKLAHOMA and RDG Planning & Design, Inc. for Master Planning Services

This Agreement, made and entered into this \_\_\_\_21\_ day of January, 2025, by and between the City of Norman, a municipal corporation ("CITY") and RDG Planning & Design, Inc., a Iowa corporation having a primary place of business at 301 Grand Avenue, Des Moines, IA 50309, registered to do business in Oklahoma ("RDG").

#### **RECITALS**

WHEREAS CLIENT requires planning services in order to develop a Master Plan to guide future potential development of property within the City of Norman identified as follows: bounded on the West by N. Carter Avenue, on the East by 12<sup>th</sup> Avenue NE, on the North by E. Robinson Street, and on the South by E. Main Street ("Griffin Property"). These planning services are more fully described in this Agreement (hereinafter referred to as "Project Services"); and

**WHEREAS**, RDG, itself and through its subcontractors, has offered to provide the Project Services defined herein;

**NOW, THEREFORE**, the parties hereby agree as follows:

#### **AGREEMENT**

- 1. Term of Agreement. This Agreement shall cover services as set forth in Exhibit A.
- 2. RDG's Services. RDG, itself and through its subcontractors, agrees to provide services described in Attachment A, which is attached hereto and incorporated by reference into this Agreement.
  - 2.1 RDG an Independent Contractor. The parties agree that RDG shall act and be an independent contractor and not an employee of the CLIENT, and shall obtain no rights to any employee benefits which accrue to CLIENT's employees. All services performed pursuant to this Agreement shall be performed by RDG as an independent contractor. RDG shall not have the power to bind or obligate the CLIENT except as set forth in this Agreement or as otherwise approved by the CLIENT in writing.
  - 2.2 RDG Personnel and Subcontractors. RDG has been selected to provide the Project Services with a certain team of consultants or personnel and no identified subcontractors. Thus, no RDG subcontractors shall be consider a party to this Agreement, nor shall any be considered to take rights hereunder. Additionally, RDG's known and identified team is a material factor in RDG's selection for this Project, and RDG will work in consultation with the CLIENT regarding any team member substitutions, additions or

removals. RDG shall be solely responsible for the payment of wages, salaries, fringe benefits and other compensation of, or claimed by, RDG's personnel in the performance of the Project Services, including, without limitation, contributions to any employee benefit plans and all payroll taxes. RDG shall be further be solely responsible for the payment of compensation claimed by its subcontractors in the performance of Project Services.

- 2.3 Additional Services. If, during the progress or upon completion of the work outlined in Exhibit A to this Agreement, it is desirable or necessary to the CLIENT, RDG may perform additional services other than those outlined in therein, an hourly schedule and reimbursable expense schedule may apply based upon the rates included in Attachment A, or a fee may be negotiated at a later time. Additional Services shall not be performed by RDG, or any of its personnel or subcontractors, except upon written direction of the CLIENT. Additional Services other than those currently identified in Attachment A may be added to this agreement by amendments(s) at such time the City is prepared to proceed with each Additional Service.
- 2.4 Professional Responsibility. RDG shall endeavor at all times to deliver the Project Services in a professional, effective, and timely manner pursuant to this Agreement and at all times provide the level of skill, care, and diligence in the performance of the Project Services hereunder in accordance with those customarily accepted in the respective profession(s). If RDG or its various contractors or subcontractors, including the RFP Subcontractors, fail to meet the foregoing standard, RDG will perform at its own cost, and without reimbursement from the CLIENT, the professional services necessary to correct errors and omissions that are caused by this failure.
- 2.5 Compliance with Laws. RDG shall comply with all known federal, state, and local laws, ordinances, and regulations applicable to the Project Services. RDG shall secure all licenses, permits, etc. from public and private sources necessary for the fulfillment of its obligations under this Agreement. To the extent a change in applicable law materially alters the services provided by RDG hereunder, RDG shall submit a proposal for Additional Services allowing RDG's compliance with said change in law.
- **2.6** Schedule. RDG's services shall be performed as expeditiously as is consistent with its professional skill and the Standard of Care stated herein, and according to the Schedule described in Exhibit A.
- 2.7 Safety. In the performance of the Project Services, RDG shall comply with the applicable provisions of the Federal Occupational Safety and Health Act, as well as any pertinent federal, state and/or local safety or environmental codes that are in effect at the time of this agreement.
- 3. Compensation. Excepting any Additional Services provided as set forth in Paragraph 2.3 or Reimbursables, RDG's compensation for Project Services shall be in an amount not to exceed \$49,500.00 as outlined in Exhibit A, attached hereto and incorporated by reference

into this Agreement. Including Additional Services and Reimbursables identified in Attachment C, the total contract amount shall not exceed \$49,500.00.

- 3.1 Reimbursable Expenses. All travel, printing/duplication, and additional meeting costs will be billed to the CLIENT at cost not to exceed those amounts set forth in Exhibit A, if any.
- **3.2 Deliverables.** The Consultant will provide deliverables as described in the attached Exhibit A.
- 3.3 Payment Terms. Payment for services shall be made per monthly invoices for services performed within 30 days of receipt of invoice. The CLIENT shall have the right to withhold payment to RDG for any work not substantially completed as outlined in the scope until such time as RDG completes such work. All services will be billed to the CITY according to the terms of this Agreement. For Additional Services not already set by this Agreement, and for any extra public meeting attendance, payment by CLIENT shall be based on hourly rates included in Exhibit A.

#### 4. CLIENT Responsibilities.

- 4.1 Access to Work. The CLIENT shall make best efforts to arrange access to and make provisions for RDG and its personnel, contractors or sub-contractors to enter upon public and private lands as required to perform such work as inventories, field surveys, and inspections in the development of the Project.
- 4.2 Records, Files, and Previous Planning Efforts. CLIENT agrees to provide RDG with all information, surveys, reports, CAD files, and professional recommendations and any other related items reasonably requested by RDG in order to provide its professional services to the extent CLIENT is legally permitted to do so. RDG may rely on the accuracy and completeness of these items, and additional or duplicative work necessitated by a failure of CLIENT under this provision may be billed by RDG as Additional Services, to the extent the additional or duplicative work is necessary, reasonable and results solely from the CLIENT's failure under this provision. CLIENT agrees to provide such items and to render decisions in a timely manner so as not to unduly delay the orderly and sequential progress of RDG's services.
- 4.3 Mapping. The CLIENT will provide all land use data in a GIS format. The collection of this necessary data through a land use inventory conducted by RDG will constitute additional services beyond the scope of work identified in Attachment A. The CLIENT will assist RDG in obtaining all available electronic maps in a form reasonably usable by RDG, including recent plats and other changes since the completion of the community comprehensive plans.

4.4 Consideration of RDG's Work. The CLIENT shall give thorough consideration to all reports, drawings, and other documents presented for review by RDG and shall inform RDG of all decisions in a reasonably timely manner avoid undue delays.

#### 4.5 [Reserved].

- **4.6 Meetings.** The CLIENT shall provide logistical support for all meetings, including arranging for meeting places and required public notifications. The CLIENT shall be responsible for any costs associated with required public meetings, public notices, and other meetings associated with the Project, excluding any items included within the scope outlined in Attachment A. RDG agrees to attend public meetings in Norman, OK as identified in Attachment A.
- **4.7 CLIENT's Representative.** The CLIENT's representative, the Director of Planning and Community Development, her designee, or such other person as designated by the CLIENT, shall be responsible for communications regarding the CLIENT's portion of the Project management.
- 5. Insurance Requirements. During the term of this Agreement, RDG shall maintain, and where work is subcontracted or sublet, RDG shall ensure its subcontractors (including the RFP Subcontractors) maintain, at a minimum, the following insurances:
  - **5.1 General Liability.** RDG shall maintain commercial general liability insurance in the amount of \$1,000,000 per occurrence/\$2,000,000 annual aggregate, which provides coverage for claims for claims arising from personal injury, bodily injury and property damage.
  - **5.2 Automobile Liability.** RDG shall maintain automobile liability coverage for non-owned and hired autos, in the amount of \$1,000,000.00 per occurrence which protects RDG from claims for bodily injury and property damage.
  - **5.3** Workers' Compensation Insurance. RDG shall obtain and maintain Workers' Compensation Insurance as required by all applicable State statutes, for all of their respective employees, and in case any work is sublet, RDG shall require any subcontractors to provide Workers' in compliance with Oklahoma law.
  - **5.4** Professional Liability. RDG shall maintain insurance protecting it from damages arising from its professional acts, errors and omissions in the amount of \$1,000,000 per claim and \$2,000,000 in the aggregate.
  - 5.5 Additional Terms. The CLIENT shall be listed as an additional insured as respects the General Liability and Automobile Liability policies required here. RDG hereby indemnifies the CLIENT for any damage resulting to it from failure of either RDG or any of its contractors or subcontractors to obtain and maintain such insurance according to the terms of this agreement. Prior to commencing services, and on an annual basis thereafter, RDG shall, if requested, provide CLIENT with certificates of insurance establishing and attesting to the existence of the insurance coverage required by this

Agreement. Such certificates shall provide that no coverage shall be cancelled without 10 days written notice to CLIENT. In the event RDG does not obtain or maintain the coverage required by this Agreement, CLIENT may, at its option, immediately terminate this Agreement.

- 6. Termination. Either party may terminate this Agreement at any time, with or without cause, by giving ten (10) calendar days' notice to the other party in writing. In the event of termination, all finished or unfinished reports, or other material prepared by RDG pursuant to this Agreement, shall be provided to the CLIENT. Upon termination the CLIENT shall pay RDG for all undisputed services rendered and costs incurred up through the termination date for any substantially complete work on the project prior to the date of termination.
- 7. Indemnification. To the extent allowed by law, including the Constitution of the State of Oklahoma, CLIENT and RDG agree to indemnify, and hold each other harmless from and against any and all claims, liabilities, suits, demands, losses, costs and expenses, including, but not limited to reasonable attorneys' fees and all legal expenses and fees incurred through appeal, and all interest thereon, resulting to any and all persons, firms or any other legal entities on account of any damages or losses to property or persons, including injuries or death, arising out of the Project and/or this Agreement, to the extent such damages or losses are found by a court or forum of competent jurisdiction to be caused by that party's negligent errors or omissions arising during performance of this Agreement.
- 8. Ownership of Work Product. Upon receipt of valid payment, all documents and materials prepared pursuant to this Agreement are the property of the CLIENT, although the RDG may retain physical possession of them for the convenience of the CLIENT. CLIENT shall have the unrestricted authority publish, disclose, distribute, and otherwise use, in whole or in part, any reports, data, or other materials prepared under this agreement. Unless, otherwise specified in writing by the CLIENT. RDG may presume that any document delivered to the CLIENT is a public document. To the extent allowed under applicable law, CLIENT shall indemnify and hold harmless RDG and its subconsultants against all claims, losses, damages, injuries, and expenses, including reasonable attorneys' fees arising out of change to, or re-use of deliverables by an authorized third party consultant of the CLIENT for any other project.
- 9. Disputes and Mediation. In the event of a dispute between the CLIENT and RDG arising out of or related to this Agreement, the aggrieved party shall notify the other party of the dispute within a reasonable time after such dispute arises in an effort to resolve the dispute by direct negotiation or mediation. During the pending of any dispute, the parties shall continue diligently to fulfill their respective obligations hereunder. CLIENT and RDG agree that any Party initiating a claim relating to the services provided by this agreement shall be entitled, but not obligated in all cases, to demand mediation of the claim before pursuing any other types of relief or litigation. The mediation shall be conducted by a third party mediator acceptable to the parties located in the Norman or Oklahoma City areas. The aggrieved party shall make a demand for mediation within a reasonable time after a

City of Norman Contract No. K-2425-93

claim or dispute arises, and the parties agree to mediate in good faith. In no event shall any demand for mediation be made after such claim or dispute would be barred by applicable law. Excepting particular or unusual circumstances or other agreements between the parties, mediation fees shall generally be shared equally.

10. Notices. All notices here under shall be given in writing and mailed postage prepaid, addressed as follows:

#### A. To CLIENT:

#### (All Notices sent to ALL listed persons)

Shannon Stevenson Assistant City Manager 201 W. Gray Norman, OK 73069

Rick Knighton City Attorney 201 W. Gray Norman, OK 73069

#### B. To RDG:

RDG Planning & Design, Inc. Attn: Amy Haase 1302 Howard St. Omaha, NE 68102 ahaase@rdgusa.com

Nothing contained in this section shall be construed to restrict the transmission of routine communications between representatives of the CLIENT and RDG.

- 11. Waiver. A waiver by any party of any breach of this Agreement by any other party shall only be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach or the same kind of breach on another occasion.
- 12. Force Majeure. No Party will be liable for inadequate performance to the extent caused by a condition (for example, natural disaster, act of terrorism, riot, labor condition) that was beyond the Party's reasonable control.
- 13. Severability. The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement. Any invalid, illegal or unenforceable provision shall be

deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if it did not contain the particular portion or provision held to be invalid, illegal or unenforceable. The parties further agree to amend this Agreement to replace any stricken provision with a valid, legal and enforceable provision that comes as close as possible to the intent of the stricken provision. The provisions of this Section shall not prevent this entire Agreement from being invalidated should a provision which is of the essence of this Agreement be determined to be invalid, illegal or unenforceable.

- 14. Assignments. No Party shall assign any rights or duties under this Agreement without the prior written consent of the other Party, which consent may be granted or withheld in such other party's absolute discretion. Nothing contained in this Section shall prevent RDG from engaging independent consultants, associates, and subcontractors to assist in performance of the Project Services. Each Party binds itself and its successors and assigns to all provisions of this Agreement.
- 15. No Third Party Rights. The provisions of this Agreement shall not be deemed to create any third party benefit hereunder for any member of the public or to authorize any one, not a party hereto, to maintain suit pursuant to the terms of this Agreement.
- 16. Changes to this Agreement. Except as provided herein, this Agreement may be modified only by a written agreement executed by CLIENT and RDG.
- 17. Governing Law, Situs and Forum. The parties agree that the situs of the Project subject to this Agreement is Norman, Cleveland County, State of Oklahoma. This Agreement shall be construed, interpreted and applied in accordance with the laws of the State of Oklahoma and any action shall be properly brought in the Oklahoma District Court in and for Cleveland County or the United States District Court for the Western District of Oklahoma.
- 18. Entire Agreement. This Agreement, and its Attachments A, B and C incorporated by this reference, represents the entire and integrated agreement between CLIENT and RDG and supersedes all prior negotiations, statements or agreements, either written or oral. There are no conditions, agreements or representations between the parties except as expressed herein. Nothing in this Agreement shall be construed as creating a contractual relationship for the benefit of any third party.
- 19. Equal Employment Opportunity. RDG affirms its policy to recruit and hire employees without regard to race, age, color, religion, sex, sexual preference/orientation, gender identity and expression, marital status or familial status, including marriage to a person of the same sex, citizen status, national origin or ancestry, place of birth, presence of a disability or status as a Veteran of the Vietnam era or any other legally protected status, including receipt of public assistance.
- 20. Authority. Each Party represents to the other Party that it has the power and authority to enter into this Agreement and that the person(s) executing it on its behalf has the power to do so and to bind it to the terms of this Agreement. RDG represents that it has taken all

City of Norman Contract No. K-2425-93

- action necessary or appropriate to authorize it to execute, deliver and perform this Agreement and to cause it to be binding upon RDG.
- 21. Covenant Against Contingent Fees. RDG warrants that RDG has not employed or retained any company or person, other than a bona fide employee working for RDG, to solicit or secure this Agreement, and that RDG has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gifts, or any other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, the CLIENT shall have the right to annul this Agreement without liability or, at its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.
- 22. Public and Media Relations. RDG shall be permitted to identify CLIENT as a customer, to use CLIENT's name in connection with proposals to prospective customers, to reference CLIENT on the RDG website and to otherwise refer to CLIENT in print or electronic form for marketing, publicity or reference purposes. However, RDG shall not publish CLIENT's confidential or proprietary information, including where the CLIENT has previously advised RDG in writing of the specific information considered by CLIENT to be confidential or proprietary. RDG shall coordinate all publicity efforts relating to the work covered in this Agreement with CLIENT and shall include in all such communications the City's Chief Communications Officer, as available. Each party agrees to assist the other party in seeking to promote the work completed under this Agreement and to mention the other party in press and promotional materials. CLIENT agrees to credit and reference RDG in all material (print or electronic) relating to the work covered in this Agreement and to seek prior written approval for content that makes reference to RDG beyond simple mention.

[Remainder of Page Left Intentionally Blank]

City of Norman Contract No. K-2425-93

IN WITNESS WHEREOF, RDG and the CLIENT have executed this Agreement as of the Effective Date.

### RDG Planning & Design, Inc. (RDG):

By:	Amy Haase (4sr 14, 2025 11:50 CDT)
	Amy Haase, Board Chair
Date	ed;
АТТ	rest: Shum.

Scott, Crawford, Board Secretary

## City of Norman Contract No. K-2425-93

**CLIENT:** 

Darrel Pyle, City Manager

Dated: 03-21-25

Brenda Hall, City Clerk

OF NOR CORPORATE DAY SELL

Approved as to legality and form this  $19^{1}$ 

day of *Merch*, 2025.

City Attorney's Office

# K-2425-93 - Griffin Master Plan RDG - signed

Final Audit Report 2025-03-14

Created: 2025-03-14

By: Amy Haase (ahaase@rdgusa.com)

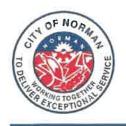
Status: Signed

Transaction ID: CBJCHBCAABAAYk0nyegcQ1V3DMN3Pcx7Yw42-dd4tGxT

## "K-2425-93 - Griffin Master Plan RDG - signed" History

- Document created by Amy Haase (ahaase@rdgusa.com) 2025-03-14 4:48:39 PM GMT
- Document emailed to Amy Haase (ahaase@rdgusa.com) for signature 2025-03-14 4:48:43 PM GMT
- Document emailed to Scott Crawford (scrawford@rdgusa.com) for signature 2025-03-14 4:48:44 PM GMT
- Document e-signed by Amy Haase (ahaase@rdgusa.com)

  Signature Date: 2025-03-14 4:50:42 PM GMT Time Source: server
- Email viewed by Scott Crawford (scrawford@rdgusa.com) 2025-03-14 9:32:20 PM GMT
- Document e-signed by Scott Crawford (scrawford@rdgusa.com)
  Signature Date: 2025-03-14 9:32:53 PM GMT Time Source: server
- Agreement completed. 2025-03-14 - 9:32:53 PM GMT



## CITY OF NORMAN, OK STAFF REPORT

**DATE:** 3/28/25

TO: Shannon Stevenson, City Manager

**FROM:** Anthony Purinton, Assistant City Attorney

SUBJECT: Addendum #2 to contract K-2324-94 Disposition and Development

Agreement Between the City of Norman Oklahoma and Milestone Property

Development, LLC.

#### **BACKGROUND AND DISCUSSION:**

The City of Norman received funding under the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, as authorized by the American Rescue Plan Act (ARPA). The City allocated 6.4 million dollars of its SLFRF award to be used for Affordable Housing. On 11/14/23, Norman City Council entered into an Agreement with Milestone Property Development LLC to develop real property located on the NE Corner of Imhoff and Oakhurst for an affordable housing development using a combination of City SLFRF and Low Income Housing Tax Credit (LIHTC) funding.

The attached Addendum #2 allows for greater flexibility in choosing a title and closing company. After speaking with the developers, it was suggested that a title company with greater experience with LIHTC developments would be more appropriate, given the complexity of the transaction.

#### **RECOMMENDATION:**

Staff recommends approval of the Addendum #2 to contract K-2324-94.

#### **CONTRACT ADDENDUM NO. 2**

THIS CONTRACT ADDENDUM NO. 2, dated the 26 day of March, 2025 (the "Effective Date"), is between the City of Norman, Oklahoma, a municipal corporation ("City"), and Milestone Property Development, LLC, an Oklahoma limited liability company (along with any subsidiary companies or related companies controlled by Milestone Property Development, LLC, or its principals, used for financing or tax credit purposes, "Developer") (City and Developer, together, the "Parties").

WHEREAS, the Parties entered into a Disposition and Development Agreement ("DDA") on November 14, 2023, for the purpose of conveying certain property owned by the City to the Developer and imposing obligations on the Developer related to the development of a low- and moderate-income housing development on that property ("Project"); and

WHEREAS, the Parties desire to amend the DDA to allow for greater flexibility in choosing a closing and title company.

NOW, THEREFORE, in consideration of the Parties agreeing to amend their obligations in the existing DDA, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

SECTION 1. Section 2.6 of the DDA (Time and Place for Delivery of Deed), is hereby amended to read as follows:

2.6. Time and Place for Delivery of Deed. Provided this Agreement has not been previously terminated, the Closing shall occur on a date designated by the City, but not later than thirty (30) days following the satisfaction of the Conditions Precedent described in Sections 3.3 through 3.16 of this Agreement ("Closing Date"). The City will deliver the Deed and possession of the Property to the Developer on the Closing Date, provided the conditions precedent in Section 3 of this Agreement have been satisfied. The Deed will be delivered at the principal office of the Title Company, and the Developer (or designee) will accept such conveyances. On the Closing Date, Developer shall pay to the City the Purchase Price for the Property. As used herein, "Title Company" means Chicago Title Oklahoma, 3401 N.W. 63rd Street, Suite 300, Oklahoma City, Oklahoma 73116, or another title company mutually selected by the Parties.

SECTION 2. Except as otherwise provided in this Addendum, all of the terms and conditions of the DDA, as amended by the prior adopted addenda, remain unchanged and in full force and effect.

SECTION 3. Capitalized terms not otherwise defined in this Addendum will have the meanings ascribed to them in the DDA, as amended.

[SIGNATURE PAGES FOLLOW]

K-2324-94 Addendum No. 2

IN WITNESS WHEREOF, the Developer has caused this Addendum No. 2 to be duly executed in its name and behalf by its Manager.

MILESTONE PROPERTY DEVELOPMENT, LLC, an Oklahoma limited liability company

By:

Thomas A. Gorman, Manager

**ACKNOWLEDGEMENT** 

STATE OF OKLAHOMA ) ss.

COUNTY OF Washington )

Witness my hand and official seal the day and year above written.

LOU ANN MCCREARY
Notary Public, State of Oklahoma
Commission # 18003127
My Commission Expires 03-28-2026

Notary Public McCreary

My Commission Expires: My Commission Number:

18003127

IN WITNESS WHEREOF, the City has caused this Addendum No. 2 to be duly executed in its name and behalf by its City Manager.

OF NORTH	CITY OF NORMAN, OKLAHOMA, a municipal corporation  By: Shannon Stevenson, Assistant City Manager
City Clerk	
Reviewed for form and legalit	ty this 28th day of March, 2025.  City Attorney
A	ACKNOWLEDGEMENT
STATE OF OKLAHOMA COUNTY OF CLEVELAND	) ) ss. )
day of, 20, identical person who executed the fore Oklahoma, and acknowledged to me the	Notary Public in and for said County and State, on this personally appeared Darrel Pyle, to me known to be the egoing instrument as the City Manager of the City of Norman, nat he executed the same as his free and voluntary act on behalf the uses and purposes therein set forth.
Witness my hand and official seal the	day and year above written.
	Notary Public
My Commission Expires: My Commission Number:	

#### File Attachments for Item:

7. CONSIDERATION OF AWARDING, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2425-41 SUBMITTED BY RCC TRAFFIC, L.L.C., FOR INSTALLED PAVEMENT MARKINGS FOR THE TRAFFIC CONTROL DIVISION AS OUTLINED IN THE STAFF REPORT.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Katherine Coffin

**PRESENTER:** David Riesland, Transportation Engineer

**ITEM TITLE:** CONSIDERATION OF AWARDING, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF BID-2425-41 SUBMITTED BY RCC TRAFFIC, L.L.C., FOR INSTALLED PAVEMENT MARKINGS FOR THE TRAFFIC CONTROL DIVISION AS OUTLINED IN THE STAFF

REPORT.

#### **BACKGROUND:**

The Traffic Control Division is responsible for the installation and maintenance of pavement markings on more than 200 miles of public roadways within the corporate limits of the City of Norman. Four primary types of materials are utilized for this purpose; waterborne paint, thermoplastic, multi-polymer, and raised pavement markers. City forces concentrate most of their efforts on the application of waterborne paint while private contractors do the majority of the thermoplastic and multi-polymer markings, and all of the raised pavement markers.

City staff and equipment are used each year to provide pavement markings on approximately 100 miles of rural roadways as well as numerous crosswalks and stop bars in the urban area, including painted curbs at many of the intersections in the vicinity of the University of Oklahoma Campus. This work is accomplished with an annual budget of \$49,000 for materials (e.g., paint and glass beads), the salary and benefits of a four person crew and the equipment cost associated with the use of one striping truck and one support vehicle.

The City has also been successful in securing federal funds through the Association of Central Oklahoma Governments that pay for 100% of the cost to stripe urban roadways over the past seven years. The typical project cost has been approximately \$200,000, and has included the application of center lines, edge lines, crosswalks, stop bars, arrows, bicycle lanes and other markings on two to three miles of urban arterial roadways.

In addition, the City uses private striping contractors for the application of markings on most of the urban roadways and the higher volume rural streets. For instance, during the last twelve months, private contractors applied approximately 60,000 feet of four-inch wide stripe, 4,000 feet of 6-inch wide stripe, 1,600 feet of 24-inch wide stripe, nearly 100 left turn arrows and the removal of 25,000 feet of 4-inch stripe, for a total cost of approximately \$65,000.

The total estimated value of the pavement markings that have been applied throughout the City exceeds \$ 2.5 million. Depending on the material, applications can last anywhere between one and six years. The attached maps depict the roadways that are currently striped in the City.

In order to expedite and streamline the process involved in the application of markings by private contractors, staff developed specifications for an annual contract that gives the Public Works Department a dependable source for the installation of markings at guaranteed unit prices. This item asks Council to consider awarding a bid for the accomplishment of this work for the remainder of the fiscal year and the first half of next fiscal year.

#### **DISCUSSION:**

The specifications have two distinct sections: Section I for the installation of thermoplastic and multi-polymer markings, and for the removal of existing pavement markings, and Section II for the installation of raised pavement markers. Bidders were asked to submit unit prices on individual items within each section based upon the estimated quantities that were provided.

Bid No. 2425-41 was opened on Thursday, March 20, 2025, and will provide contractors that can be available to install thermoplastic and multi-polymer striping and raised pavement markers to the City on an as needed basis. Bids were received from two of the four companies who were sent bid packages.

Staff will closely monitor expenditures for these items, and will adjust quantities as necessary to remain within the budgeted amount. Most of these contracted pavement markings will be installed at locations where markings no longer have night-time retro-reflectivity. Specific locations will be chosen based on the level of wear, winter time damage due to snow plowing operations, and the amount of supplemental funding secured through the Association of Central Oklahoma Governments (ACOG). The majority of the work will be completed during the months of May through October of 2025.

The following funds are currently available in FYE 2025 and anticipated in FYE 2026:

FYE 2025:

\$51,168 - General Fund, Pavement Marking (10550223-44235)

\$127,902 - Capital Fund, Street Striping (50594406-46101; project TC-0270)

Proposed for FYE 2026:

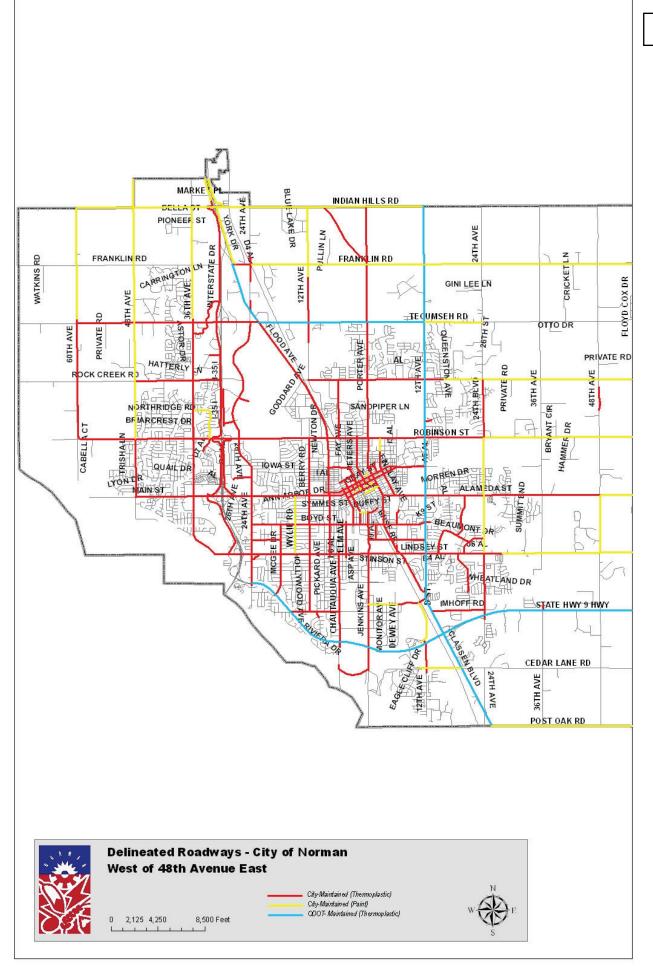
\$90,686 - General Fund, Pavement Marking (10550223-44235)

\$50,000 - Capital Fund, Street Striping (50594406-46101; project TC-0270)

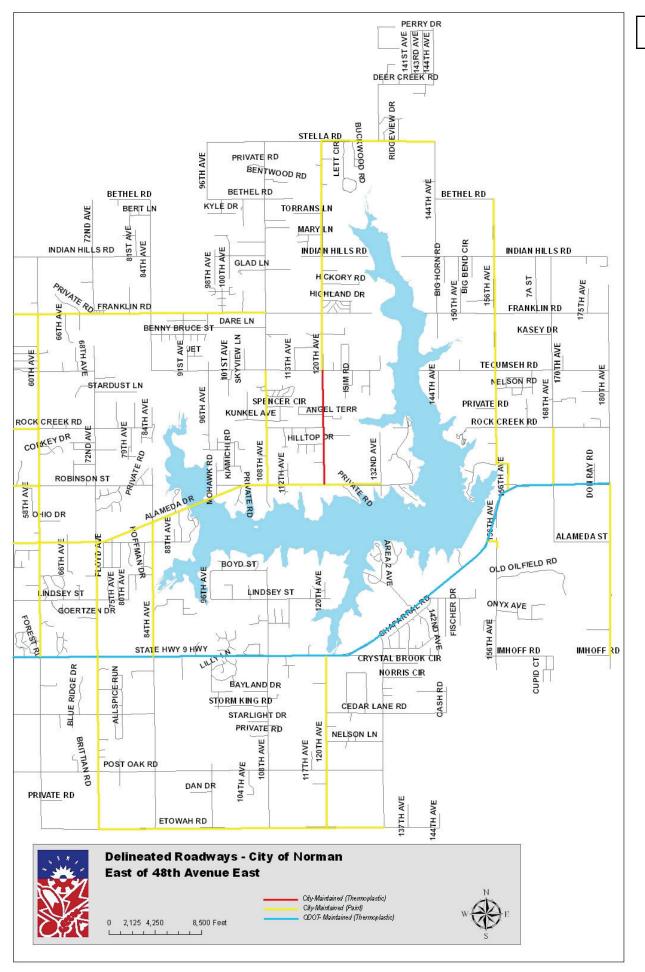
Other Departments and Divisions in the City use the services of the selected contractor to apply markings after a street overlay or a water line installation.

### **RECOMMENDATION:**

Staff recommends that Bid 2425-41 (Sections I and II) be awarded to RCC Traffic, LLC, (Oklahoma City, Oklahoma) as the lowest bidder meeting specifications.



Item 7.



#### **CITY OF NORMAN**

Office of the Purchasing Division Norman, Oklahoma

#### **INVITATION TO BID #2425-41**

The City of Norman, Oklahoma will open sealed bids in the Conference Room of City of Norman, 225 N. Webster Avenue on the below listed item at 2:00 P.M. on <u>Thursday, March 20, 2025.</u>

## Hot Applied Thermoplastic Pavement Markings and Multi-Polymer Pavement Markings and Raised Pavement Marker Installation

All bids **must** be in the Office of the Purchasing Division, 225 N. Webster Ave., Norman, Oklahoma, 73069, **BEFORE THE FINAL CLOSING HOUR** as shown on the Invitation to Bid. If bid is mailed, to be considered it **should** be addressed as follows: Attention: Purchasing Division, Opening of Bids, City of Norman, P. O. Box 370, Norman, Oklahoma, 73070. In addition, the bid envelope **should** be plainly marked on both sides indicating the bid number.

The unit price **must** be stated on all items and all totals extended, if required. **BIDDER GUARANTEES UNIT PRICES TO BE CORRECT**. To receive consideration, bids **must** be submitted on the City of Norman "Form for Bidders" and "Bidders Proposal" (if applicable), which are hereby made part of this Invitation to Bid.

Alternate bids **may** be considered. If bidding an alternate, so state on the face of the Form for Bidders and fully describe the merchandise and include Manufacturer's literature. Unless the bidder identifies on the Form for Bidders that an alternate is being bid, the vendor **will** be expected to deliver merchandise as specified. Alternate bids **shall** not be submitted to circumvent the specifications.

The Affairs of the City of Norman, whether in the conduct of its governmental or proprietary functions, involve the health, safety, and welfare of the public; and because the item(s) specified are necessary and proper for the conduct of said affairs, any delay in the delivery of the item(s) being bid can jeopardize the health, safety, and welfare of the public, and can result in the incurring of additional expenses to the City. For these reasons, it is understood by the bidder the date of delivery of the item(s) being bid herein is considered to be an integral part of this bid and **may** be considered in awarding the contract.

Discount and delivery date must be plainly stated on the Form for Bidders and Bidders Proposal. Use ink pen or typewriter in filling in quotation and initial any corrections. Bid and Affidavit must be signed in ink by an authorized representative of the company making the bid. Bidders should submit one original and one duplicate Form for Bidders and Proposals. All bids will be awarded by Section or Sections whichever is in the best interest of the City. Any bidder who fails to return the third consecutive invitation will be removed from the bid list. If the above procedures are not followed, bids may be disqualified. The right is reserved by the City to reject any or all bids or parts of bids. All bids are public records and are available during regular office hours

#### **CONTRACT PROPOSAL**

March 20 2025

Purchasing Agent City of Norman PO Box 370 Norman, OK 73070

Dear Purchasing Agent:

**GENERAL** 

The undersigned proposes to furnish by contract the following supplies, f.o.b., Norman, Oklahoma, on an as needed basis ready for immediate use as follows:

## HOT APPLIED THERMOPLASTIC AND MULTI-POLYMER PAVEMENT MARKINGS AND RAISED PAVEMENT MARKER INSTALLATION

And according to the following specifications:

#### BIDDER SHALL RESPOND IN BIDDER'S PROPOSAL

## **BIDDER'S PROPOSAL** The Oklahoma Department of Transportation (ODOT) Standard Specifications for Highways Construction, 2009 Edition and any subsequent supplements shall apply. The work shall consist of furnishing and applying necessary to produce thermoplastic and multi-polymer pavement markings and raised pavement markers on the roadway in accordance with these specifications and in reasonably close conformity with locations, lines dimensions and color as requested by the City of Norman. The work shall also consist of the proper removal of old pavement markings, as well as, the removal and reinstallation of raised pavement markers. All assignments shall be performed in a professional workmanlike manner. So as not to impede rush hour traffic, no work shall be performed between 7:30am until 8:30am or any other hours that may be deemed necessary depending upon project location, as determined by the City of Norman. Total amount of contract is estimated at no less than \$100,000.00 per fiscal year.

MATERIALS, EQUIPMENT AND CONSTRUCTION METHODS
Plastic Pavement Markings, SPFHC Section 855 and ODOT Special Provisions for Plastic Traffic Stripe shall apply.
Multi-polymer Pavement Markings, SPFC Section 856 and ODOT Special Provision for Multi-polymer Pavement Traffic Stripe shall apply.
SURFACE PREPARATION
On existing pavements and when removal of existing pavement markings is required, remove existing pavement markings in accordance with SPFHC Section 805 – Removal of Pavement Markings. Remove loose particles, dirt, tar, grease, residue of previous pavement markings and other deleterious material from surfaces to be striped. Removal shall take place the same day the pavement markings are to be applied.
TEMPORARY TRAFFIC CONTROL (TTC)
Appropriate advance warning signs and other TTC devices shall be installed prior to beginning assignments as necessary or required. A temporary traffic control plan shall be submitted to the City Transportation Engineer a minimum of 72 hours prior to the beginning of any work.
METHOD OF MEASUREMENT
Stripe will be measured by the linear foot of 4 inch, 6 inch, 8 inch, 12 inch or 24 inch wide traffic stripe material actually installed.  Arrows, words, and symbols installed will be measured by each unit.
APPLICATION SCHEDULE
Weather permitting; each assignment shall be completed within  30 days after an assignment is received from the City of  Norman. The City of Norman assures that striping assignments  will total a minimum amount of \$3,500.00.
CONTRACT PERIOD

Date approved by the City Council until December 31, 2025 or until 30 days after notice has been given by the City of Norman of its

desire to terminate the contract.

\*Estimated quantities shown are for information only and are not to be construed as actual amounts to be purchased.

## **SECTION 1**

PAVEMENT MARKINGS	PLASTIC Unit Bid Price	Estimated Quantity	MULTI- POLYMER Unit Bid Price
• White (W) / Yellow (Y)			
A. 4 inch wide W/Y line per linear foot	\$0.05	70,000 LF	\$0.70
B. 4 inch wide black line per linear foot	<b>s</b> –	10,000 LF	\$ 3.60
C. 6 inch wide W/Y line per linear foot	\$1.00	40,000 LF	\$ 1.50
D. 6 inch wide black line per linear foot	s –	10,000 LF	\$ 5.00
E. 8 inch wide W/Y line per linear foot	\$ 1.26	3,000 LF	\$2.00
F. 12 inch wide W/Y line per linear foot	\$2.50	500 LF	\$3.00
G. 24 inch wide white line per linear foot	\$ 6.00	4,000 LF	\$4.00
H. ONLY 8ft. x 5.9ft. (MUTCD Fig. 3B-23)	\$126.00	10 EA	\$ 126.00
I. Grade Crossing (RXR) 8ft. x 20ft. (MUTCD Fig. 8B-7(A))	\$200.00	10 EA	\$200.00
J. Turn Lane-Use Arrow 8ft. (MUTCD Fig. 3B- 24(B) full-sized)	\$75.00	60 EA	\$75.00
K. Through Lane-Use Arrow 9.5ft. (MUTCD Fig. 3B-24(A) full-sized)	\$75.00	10 EA	\$75.00
L. Turn and Through Lane-Use Arrow 12.75ft. (MUTCD Fig. 3B(C) full-sized)	\$150,00	10 EA	\$ 150.00
M. Speed Hump Marking (MUTCD Fig. 3B-29(A))	\$125.00	100 EA	\$55.00
N. Bicycle Lane Marking (MUTCD Fig. 9C-3(A), Bike Symbol)	\$250.00	60 EA	\$260.00
O. Shared Lane Marking (MUTCD Fig. 9C-9)	\$250.00	40 EA	\$260.00
P. Yield Line Marking 12in. x 18in. segment (MUTCD Fig. 3B-16(a))	\$26.00	60 EA	\$26.00

<ul> <li>Q. Yield Line Marking 24in. x 36in. segment (MUTCD Fig. 3B-16(b))</li> <li>R. Two-Lane SCHOOL Marking (MUTCD Fig.7C-1)</li> <li>THERMOPLASTIC REMOVAL</li> </ul>	\$50.00 30 EA \$50.00 \$375.00 4 EA \$375.00
Cleanup and proper disposal of debris is the responsibility of the contractor.	PLASTIC Estimated POLYMER Unit Bid Price Quantity Unit Bid Price
S. Removal of pavement markings based on a 4" wide line per linear foot	\$0.50 75,000 LF \$0.50
T. Removal of "Arrow" pavement marking symbol	\$20.00 50 EA \$20.00
U. Removal of "Only" pavement marking legend	\$20.00 20 EA \$20.00
SECTION II RAISED PAVEMENT MARKERS	
A. Installation of Ennis-Flint Lens Cradle Casting, Model 201 and retro-reflective marker lens, or approved equal	s - 400 EA \$40.00
B. Replacement of retro-reflective marker lens in model 201	s — 50 EA \$20.00
C. Removal of raised pavement marker casting and patch pavement where marker existed.	\$ 100 EA \$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\

#### AFFIDAVIT OF NON-COLLUSION

COUNTY OF OLLOWOOD SS

Show the first duly sworn, on oath says, that (s) he is the agent authorized by the bidder to submit the attached bid. Affidavit further states that the bidder has not been a party to any collusion among bidders in restraint to freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any city official or employee as to quantity, quality, or price in the prospective contract, or any other terms of prospective contract; or in any discussion between bidders and any city official concerning exchange of money or other thing of value for special consideration in the letting of a contract; that the bidder/contractor has not paid, given or donated or agreed to pay, give or donate to any officer or employee of the City of Norman, Oklahoma any money or other thing of value, either directly or indirectly, in the procuring of the award of a contract pursuant to this bid.

Bidder

By:

Subscribed and sworn to before me on this 20 day of 20 26

EXP. 09/24/26

My Commission Expires (2012)

If awarded this contract on the basis of the above bid, we agree to provide all materials to the City of Norman within the delivery time specified as soon as the contract is awarded.

The bidder guarantees the bid prices for 45 days subsequent to the date of the bid; or if awarded, according to the expiration of the contract.



Signed:

By: Shane Allen, VICE President

Address: 3101 NE Usrd Street

City / State: OKC OK

Zip: 73/2/

Telephone: 405-478-0900

Any exceptions to the specifications must be clearly detailed and described. In the event clarification of specifications is required, please contact:

Dennis Davis
Traffic Control Supervisor
PO Box 370
Norman, OK 73070

Office: 405-329-0528 Direct: 405-307-7241

#### **CERTIFICATE OF NONDISCRIMINATION**

In connection with the performance of work under this contract, the contractor agrees as follows:

- A. The contractor agrees not to discriminate against any employee or applicant for employment because of race, color, religion, ancestry, national origin, age, place of birth, disability, sex, sexual orientation, gender identity or expression, familial status, or marital status, including marriage to a person of the same sex. The Contractor shall take affirmative action to ensure that employees are treated without regard to their race, color, religion, ancestry, national origin, age, place of birth, disability, sex, sexual orientation, gender identity or expression, familial status, or marital status, including marriage to a person of the same sex. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruiting or recruitment, advertising, lay-off, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Contractor and Subcontractor shall agree to post in a conspicuous place, available to employees and applicants for employment, notices setting forth the provisions in this section.
- B. In the event of the Contractor's noncompliance with this nondiscrimination clause, the contract may be canceled or terminated by the City Council. The Contractor may be declared by the City Council ineligible for further contracts with the said agency until satisfactory proof of intent to comply shall be made by the Contractor.
- C. The Contractor agrees to include this nondiscrimination clause in any subcontracts connected with the performance of this agreement.

I have read the above stated clauses and agree to abide by their requirements.

Logan Grew Offs. Munuger

ATTEST:

Contractor

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Removal of "Only" pavement marking legend	Removal of "Arrow" pevement marking symbol	Removal of pavement markings based on a 4" wide line per linear foot	Thermoplastic Removal		Two Lane SCHOOL Marking	Yield Line Marking (EA) 24 in, X 36 in.	Yield Line Marking (EA) 12 in. X 18 in.	Shared Lane Marking (EA)	Bicycle Lane Marking (EA)	Speed Hump Marking (EA)	Turn and Through Lane-Use Arrow (EA)	Through Lane-Use Arrow (EA)	Turn Lane-Use Arrow (EA)	Grade Crossing (RXR)	ONLY 8ft. X 5.9ft. (EA)	24" Wide White Line (LF)	12" Wide W / Y Line (LF)	8" Wide W / Y Line (LF)	6" Wide Black Line (LF)	6" Wide W / Y Line (LF)	4" Wide Black Line (LF)	4" Wide W/Y Line (LF)	Pavement Markings	ITEM		
20	50	75,000	(Cleanup and		4	30	60	40	60	100	10	10	8	10	10	4,000	500	3,000			10,000	70,000		ESTIMATED QUANTITY		
\$30.00	\$30.00	\$1.15	d proper dis		\$405.00	\$32.50	\$26.00	\$195.00	\$195,00	\$162.50	\$78.00	\$71.50	\$71.50	\$325.00	\$52.00	\$13.00	\$2.60	\$2.45	NA	\$1.65	NA	\$1.25		PRICE	PI	
\$600.00	\$1,500.00	\$86,250.00	(Cleanup and proper disposal of debris is the responsibility of the contractor.)	П	si.	\$975.00		\$7,800.00	\$11,700.00	\$16,250.00	\$780.00	\$715.00	\$4,290.00	\$3,250.00	\$520.00		\$1,300.00	\$7,350.00	NA		N <sub>A</sub>	\$87,500.00		TOTAL	Plastic	Action Safety Supply Oklahoma City, OK
\$30.00	\$30.00	\$1.15	ris is the re		\$405.00	\$32.50	\$26.00	\$195.00		\$162.50	\$78.00	\$71.50	\$71.50	\$325.00	\$52.00	\$13.00	\$2.60	\$2,40	\$2.60	\$1.15	\$15.00	\$1.00		PRICE	Hulti-I	ety Supply City, OK
\$600.00	\$1,500.00	\$86,250.00	sponsibility		\$1,240.00	\$975.00	\$1,560.00	\$7,800.00	\$11,700.00	\$16,250.00	\$780.00	\$715.00	\$4,290.00	\$3,250.00	\$520.00	\$52,000.00	\$1,300.00	\$7,200.00	\$26,000.00		\$150,000.00	\$70,000.00		TOTAL	Multi-Polymer	
\$20.00	\$20.00	\$0.50	of the contr	$\overline{}$		\$50.00	\$25.00	\$250.00	\$250.00	\$65.00	\$150.00	\$75.00	\$75.00	\$200.00	\$125.00	\$6.00	\$2.50	\$1.25		5	ž	\$0.65		PRICE	Ţ	
\$400.00	\$1,000.00	\$37,500.00	actor.)		\$1,500.00	\$1,500.00	\$1,500.00	\$10,000.00	\$15,000.00	\$6,500.00	\$1,500.00	\$750.00	\$4,500.00	\$2,000.00	\$1,250.00	\$24,000.00	\$1,250.00	\$3,750.00	NA.	\$40,000.00	N	\$45,500.00		TOTAL	Plastic	RCC Traffic, LLC (Rudy) Oklahoma City, OK
\$20.00	\$20.00	\$0.50		$\overline{}$		\$50.00		\$250.00	\$250.00	\$55.00	\$150.00	\$75.00	\$75.00	\$200.00	\$125.00	\$6.00	\$3.00		П		\$3.50	\$0.70		PRICE	Multi	CC Traffic, LLC (Rud Oklahoma City, OK
\$400.00	\$1,000.00	\$37,500.00			\$1,500.00	\$1,500.00	\$1,500.00	\$10,000.00	\$15,000.00	\$5,500.00	\$1,500.00	\$750.00	\$4,500.00	\$2,000.00	\$1,250.00	\$24,000.00	\$1,500.00	\$6,000.00	\$50,000.00	\$60,000.00	\$35,000.00	\$49,000.00		FOTAL	Multi-Polymer	χ)
No Bid	No Bid	No Bid			No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid		No Bid	No Bid		NO BID	Plastic	Direct Tra:
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No Bid	No Bid	No Bid			No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid		NO BID	Multi- Polymer	RoadSafe Traffic Systems, Inc. Oklahoma City, OK
No Bád	No Bid	No Bid			No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No BM	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid		NO BID	Plastic	
No Bid	No Bid	No Bid			No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid		NO BID	Multi- Polymer	sharonp@ eplanning.com
No Bid	No Bid	No Bid			No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid		NO BID	Plastic	bids@av
No Bid	No Bid	No Bid			No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid		NO BID	Multi- Polymer	bids@aw-inccom

Ite			ACTION SAFETY SUPPLY Oklahoma City, OK	ETY SUPS		RCC Traffic, L (Rud)	effic, LLC Oklahoma ( (Rudy Construction)	tion)	DIRECT TR	RCC Traffic, LLC Oklahoma City, OK DIRECT TRAFFIC CONTROL, (Rudy Construction) INC.	Roadsafe Traffic Systems, Inc. Oldahoma City, OK	In Ci	ystems, Inc. by, OK		ystems, Inc. sharonp@eplanning.com by, OK	
8	33		Plastic	Multi	Multi-Polymer	Plastic	Multi	Multi-Polymer	Plastic	Multi- Polymer	Plastic	ı	Multi- Polymer	Multi- Polymer Plastic		Plastic
ITEM	QUANTITY PRICE	PRICE	TOTAL	PRICE	TOTAL	PRICE TOTAL PRICE	PRICE	TOTAL	_	NO BID		N.	NO BID		NO BID NO BID	
A.) Installation of Ennis- Flint Model 201		400 \$100 00	\$40,000.00	\$100.00	\$100.00 \$40,000.00		\$40.00	\$16,000.00 NO BID	NO BID	NO BID	NO BID		NO BID	NO BID NO BID		NO BID
B.) Replacement of lens Ennis-Flint Model 201	50	\$20 00	\$1,000 00	\$20 00	\$1,000 00		\$20.00	\$1,000.00	NO BID	NO BID	NO BID		NO BID	NO BID NO BID		NO BID
C.) Removal of raised pavement marker casting and patch pavement where marker existed.		100 \$100.00	\$10,000.00	\$100.00	\$10,000.00		\$100.00	\$10,000.00	No BED	NO BID	NO BID		NO BIO	NO BID		NO BID
GRAND TOTAL			\$51,000.00		\$51,000.00	\$0.00	_	\$27,000.00								

#### **File Attachments for Item:**

8. CONSIDERATION OF ACCEPTANCE AND APPROPRIATION OF A DONATION IN THE AMOUNT OF \$500 FROM THE NATIONAL WILDLIFE FEDERATION'S TREES FOR WILDLIFE PROGRAM



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Michele Loudenback

**PRESENTER:** Michele Loudenback, Environmental & Sustainability Manager

ITEM TITLE: CONSIDERATION OF ACCEPTANCE AND APPROPRIATION OF A

DONATION IN THE AMOUNT OF \$500 FROM THE NATIONAL WILDLIFE

FEDERATION'S TREES FOR WILDLIFE PROGRAM

#### **BACKGROUND:**

Section 12-110 of the City Code requires that the City Council accept all donations valued greater than \$250 received by the City prior to the use or disbursement of same. Therefore, it is requested that Council review and consider the following item for acceptance and use by the Norman Utilities Authority - DoERS.

#### **DISCUSSION:**

DoERS has received a donation of \$500 from the National Wildlife Federation's Trees for Wildlife Program. The money will be deposited into the DoERS Other Supplies – Materials – Agriculture and Biota account to be used to purchase trees to giveaway at the Earth Day Festival.

#### **RECOMMENDATION:**

It is recommended that City Council accept the donation of \$500 from the National Wildlife Federation's Trees for Wildlife Program to be used to purchase trees to give away during the Earth Day Festival and the money be deposited into Donations-Organizations (account 109-363373) and appropriated to DoERS – Other Supplies – Materials – Agriculture and Biota (account 10110343-43102).

#### File Attachments for Item:

9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DONATION OF 0.39 ACRES OF REAL PROPERTY LEGALLY DESCRIBED AS SEQUOY TRAILS BLK A COMMON OPEN SPACE DETENTION POND, SECTION 17, RANGE 2 W, TOWNSHIP 9 N



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Michele Loudenback, P.E., Utilities Engineer

PRESENTER: Michele Loudenback, Environmental and Sustainability Manager

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF DONATION OF 0.39 ACRES OF REAL PROPERTY LEGALLY DESCRIBED AS SEQUOY TRAILS BLK A COMMON OPEN SPACE DETENTION POND, SECTION

17, RANGE 2 W, TOWNSHIP 9 N

#### **BACKGROUND:**

Lake Thunderbird, constructed in 1965 by the U.S. Bureau of Reclamation (BOR), is a vital water resource in central Oklahoma. It serves as the primary drinking water supply for Norman, Midwest City, and Del City and provides recreational opportunities such as fishing, boating, and water sports. Managed by the Central Oklahoma Master Conservancy District on behalf of the BOR, Lake Thunderbird is also subject to flood control oversight by the U.S. Army Corps of Engineers and recreational management by the Oklahoma Department of Tourism and Recreation.

Over the years, urban development has led to increased stormwater runoff, carrying pollutants—such as sediment, nitrogen, and phosphorus—into the lake. Excess sediment reduces water clarity and lake storage capacity, while nutrient loading contributes to harmful algal blooms. In recognition of these water quality concerns, the Environmental Protection Agency (EPA) designated Lake Thunderbird as an impaired waterbody on its 303(d) list in 2010. Subsequently, the Oklahoma Department of Environmental Quality (ODEQ) established a Total Maximum Daily Load (TMDL) in 2013 to set limits on pollutant levels and guide remediation efforts. In response, the City of Norman has implemented a monitoring and compliance program aimed at reducing nutrient and sediment loading into the lake.

#### **DISCUSSION:**

As part of its ongoing commitment to improving stormwater management and water quality, the City of Norman has identified an opportunity to enhance a detention pond located at the intersection of Sequoyah Trail and Wildwood Lane. Originally owned by the Sequoyah Trails Homeowners Association, the pond was transferred to Cleveland County in 2006 due to unpaid taxes. Currently, maintenance efforts are minimal, limited primarily to mowing.

The City of Norman contracted Freese and Nichols, Inc. to conduct a feasibility assessment of three sites, including this detention pond, within the Blue Neighborhood Pilot area. The assessment focused on identifying existing conditions and opportunities for stormwater improvements that would contribute to reducing sediment and nutrient loading into Lake Thunderbird.

The feasibility study outlines potential enhancements to the pond through the integration of green stormwater infrastructure (GSI). Sediment forebays and micro-pools can be incorporated to slow runoff and capture pollutants before they enter downstream waterways. Wetland vegetation can be established to enhance filtration and improve habitat. Controlled outlet structures can be installed to regulate water discharge, reducing erosion and improving water retention time.

The City has funding in the TMDL capital project fund to pay for the design and installation of the pond retrofit (estimated at \$284,000). Until the retrofitting project is officially designed and implemented, Stormwater Maintenance will be responsible for ongoing maintenance of the pond. Additionally, after retrofit implementation, educational signage will be installed to inform the public about the retrofit and the environmental benefits of improved stormwater management.

Implementing these improvements would help the City meet its pollutant reduction goals under the Lake Thunderbird TMDL by filtering stormwater before it reaches local streams. Additionally, the project complements other stormwater management initiatives, such as the Blue Neighborhood program and Artful Inlets, reinforcing a citywide strategy for reducing environmental impact.

#### **RECOMMENDATION:**

City staff recommend the acceptance of the deed for the detention pond property, with the understanding that further planning and budgeting will be required to implement retrofitting improvements. This property acquisition aligns with the City's long-term stormwater management goals and provides an opportunity to enhance water quality while supporting compliance with environmental regulations.

If accepted, staff will work to finalize design and implementation plans for the pond retrofit using available TMDL capital project funding, as well as continue maintenance of the pond through the Stormwater Maintenance division until retrofitting is complete. Additionally, we will explore additional grant opportunities and partnerships to enhance the scope of improvements and maximize community benefits.

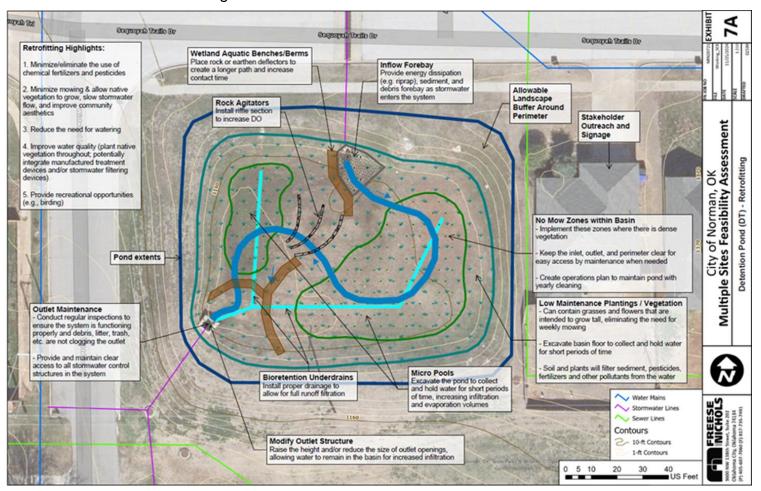
Photo 1: Blue Neighborhood Pilot Area



Photo 2: Pond under Discussion



Photo 3: Potential Design Elements



Doc # R2025-4282 BT: RB B: 6767 P: 1239 QC 02/21/2025 11:33:12 AM Pages: 1

Cleveland County Clerk, OK - Pam Howlett Fee: \$ 0.00

### Quit Claim Deed Individual

KNOW ALL MEN BY THESE PRESENTS:

THAT Board of Cleveland County Commissioners	
as Grantor(s), in the consideration of the sum ofdollars valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do hereby quitclaim, grasell, and convey unto:	s, and other ant, bargain,
City of Norman, PO Box 130, Norman, OK 73069	
as Grantee(s), the following described real property and premises situated in Cleveland County, State of Oklahoma	towit:
Sequoyah Trails BLK A Common Open Space Detention Pond	
0.39 acres, Section 17, Range 2W, Township 9	
together with all and singular the hereditaments and appurtenances thereunto belonging.	
TO HAVE AND TO HOLD the above described premises unto the said Grantee(s) and to the heirs, successors and forever.	assigns
Signed and delivered this 121 day of Fehruary	15
Signed and delivered this 21 day of February  Authority	_,20 <u>25</u> .
mild-	
<u>Individual Acknowledgement</u>	
State of Oklahoma ) ) ss.	
County of Cleveland )	
This document was acknowledged before me this 21 day of February	_20_25_
personally appeared Board of County Commission Sknown to be the identical person(s) who executed the within and foregoing document, and acknowledged such as voluntary act.	_to me a free and
Given under my hand and seal the day and year last above written.	
My commission expires: 6/1/25 NOTARY PUBLIC NOTARY PUBLIC	tu
NOTARY PUBLIC  NOTARY PUBLIC	
"////www.	

#### File Attachments for Item:

10. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-113: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY LEVI WILKINS UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF LEVI WILKINS V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE NO. 2019-05323 X, DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 4/08/25

**REQUESTER:** Jeanne Snider

**PRESENTER:** Jeanne Snider, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF RESOLUTION R-2425-113: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY LEVI WILKINS UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF LEVI WILKINS V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE NO. 2019-05323 X, DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL COSTS IN THE WORKERS' ATTENDANT COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA: AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

#### **BACKGROUND:**

Levi Wilkins filed an Oklahoma Workers Compensation Commission claim 2019-05323 X on August 22, 2019, alleging injury to the body as a whole (Cancer) as a result of cumulative trauma with the date of awareness of August 5, 2019 and date of last exposure of August 9, 2019. The claim was denied by the City. A trial was held October 6, 2022 and on November 3, 2022, the Court found the claim compensable. On November 17, 2022, the City filed an appeal and then on May 24, 2023, the Workers' Compensation Commission vacated the Court Order and remanded the matter for further proceedings.

On September 22, 2023, Mr. Wilkins passed away due to a cause unrelated to this claim. On April 2, 2024, the court ordered his surviving spouse, Emily Wilkins, as the proper party to be appointed the representative of the estate of Mr. Wilkins to pursue a revivor action.

Prior to a trial being held, a mediation was held on March 13, 2025 and Mrs. Wilkins agreed to settle the claim in a lump sum amount of \$50,000 for revivor benefits. The settlement offer is recommended and is being presented to the City Council for consideration.

#### **DISCUSSION:**

Mr. Wilkins, a former Fire Driver Engineer for the City of Norman's Suppression Division of the Fire Department, was hired as a Firefighter on January 3, 2012 and promoted to Fire Driver Engineer January 3, 2019.

#### Medical Treatment.

Mr. Wilkins was initially seen by his primary care provider, Dr. Connery, due to fatigue, flu like symptoms, and shortness of breath and found to be anemic and was sent to gastroenterologist and hematologist specialists. Following radiology imaging, he returned to Dr. Connery and was diagnosed with a mass and pleural effusion. After further evaluation by a pulmonologist and urologist, he was found to have cancer of the kidney or adrenal glands. Mr. Wilkins was referred to Dr. Karam at MD Anderson Cancer Center and found to have a large mass on the left adrenal gland and left-sided pleural effusion as well as a nodule. Dr. Karam recommended shrinking the mass and surgery. Mr. Wilkins was then referred to Dr. Varghese for urological evaluation. Mr. Wilkins continued to be seen locally and underwent thoracentesis approximately every two weeks between December 2019 and January 2020. He also continued to follow up with endocrinologist Dr. Varghese and oncologist Dr. Campbell at MD Anderson. Mr. Wilkins was diagnosed with metastatic adrenal cortical carcinoma and underwent four rounds of IV chemotherapy with Dr. Morton at Mercy in Oklahoma City. On January 24, 2020, Mr. Wilkins underwent left adrenal gland radical adrenalectomy, en bloc left radical nephrectomy, and en bloc lymph node dissection followed by radiation therapy. Mr. Wilkins was released to regular work without restrictions on May 18, 2020 and continued to follow-up with his treating physicians at MD Anderson and local oncologist.

<u>Issues for Trial</u>. The primary issue to be tried in this case before the Workers' Compensation Commission is whether the injury was compensable.

Mr. Wilkins was evaluated by Lance Rosson, D.O. on December 17, 2020, regarding the above claim. Dr. Rosson opined the major cause of injury, ongoing complaints, and symptomatology was a repetitive and cumulative trauma and repetitive exposure to smoke, chemicals, fumes, products of combustion, diesel exhaust, and multiple carcinogens with date of awareness of August 5, 2019 and last date of exposure of August 9, 2019. Dr. Rosson found Mr. Wilkins to be temporarily totally disabled until resolution of symptoms by additional testing and/or treatment or until reaching medical maximum improvement. He also opined continued care by his treating specialists at MD Anderson Cancer Center as well as Dr. Morton and other local treating physicians.

On October 22, 2020, Mr. Wilkins was re-evaluated by Dr. Rosson. Dr. Rosson opined ratings of 15 percent (\$18,900) permanent partial impairment (PPI) to the whole person as a result of the adrenal gland dysfunction, 10 percent (\$12,600) PPI to the whole person as a result of removal of the left kidney, 10 percent (\$12,600) PPI to the whole person as a result of metastatic lung disease, 7 percent (\$8,820) PPI to the whole person as a result of thyroid dysfunction, and 7 percent (\$8,820) PPI to the whole person as a result of liver dysfunction. He also opined the need for ongoing medication management and follow-up visits with his specialists indefinitely for monitoring the cancer for possible recurrence/progression.

Mr. Wilkins was evaluated by C. B. Pettigrew, D.O., the medical expert for the City, on March 5, 2021 and opined that his employment with the City of Norman as a firefighter was not the major cause of the adrenocortical cancer. Dr. Pettigrew also stated that this cancer was extremely rare, more common in children and adults over 50 years of age, and most likely caused by a hereditary predisposition and not his employment as a firefighter with the City of Norman. He also stated that there was no known cause for this particular cancer. The City's maximum exposure for total PPD would be \$61,740.

<u>Trial</u>. The case proceeded through the normal litigation process; however, Mrs. Wilkins has agreed to a settlement of this case as outlined below.

<u>Proposed Settlement.</u> The proposed settlement closes the case in a lump sum payment of \$50,000 (less 20% attorney fee) for revivor benefits.

It is felt that the settlement to close this case is fair and reasonable. A settlement is beneficial to the City in that it is a full, final and complete settlement of any and all claims. This settlement is beneficial to Mrs. Wilkins in that it provides certainty for an award and would be paid in a lump sum.

Furthermore, if this case were settled in this manner, the City would incur additional costs and fees of:

Special Occupational Health & Safety Tax in the amount of \$375 and Workers Comp Commission Filing fee in the amount of \$140.00. In addition, the City would incur an additional cost and fee for the Cleveland County Court Filing Fee in the amount of \$154.14.

These additional costs and fees total \$669.14, which brings the total cost of this settlement to the City to \$50,669.14. Adequate funds are available in the Order/Settlements Account (43330102-42131).

#### **RECOMMENDATION:**

For the reasons outlined above, it is believed this settlement is fair, reasonable, and in the best interest of the City. Acceptance of the settlement would require the payments as outlined above. If approved, the settlement amount for revivor benefits would be paid in a lump sum to Mrs. Wilkins and her attorney. The settlement would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85A O.S. § 107, 51 O.S. § 159, and 62 O.S. § 361, et seq. Certifying the order to the property tax rolls would, in effect, reimburse the City's Workers' Compensation Fund over the next three years.



R-2425-113

CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-56: RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN. OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY LEVI WILKINS UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF LEVI WILKINS V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION **CASE** X. NO. 2019-05323 DIRECTING THE DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY. OKLAHOMA: AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY **PURCHASE** SUCH **WORKERS'** COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

- §1. WHEREAS, Levi Wilkins, a former Fire Driver Engineer for the City of Norman's Suppression Division of the Fire Department, alleged injury to the body as a whole (Cancer) as a result of cumulative trauma with the date of awareness of August 5, 2019 and date of last exposure of August 9, 2019, and
- §2. WHEREAS, the City of Norman has negotiated settlement for the claim of Levi Wilkins against the City of Norman, under the Workers' Compensation Statutes for a total of \$50,000 in revivor benefits to be paid in a lump sum to Emily Wilkins, and such settlement is believed to be fair and reasonable; and
- §3. WHEREAS, the City shall incur additional costs for the settlement for payment of Workers Compensation Commission Case 2019-05323 X to the Special Occupational Health and Safety Fund in the amount of \$375; filing fee in the Workers' Compensation Commission in the amount of \$140; and filing fee in the Cleveland County District Court in the amount of \$154.14; and
- §4. WHEREAS, the Risk Management Insurance Fund of the City of Norman has heretofore appropriated funds for the payment of Workers' Compensation settlements covering injuries to qualified persons employed by the City of Norman; and



- §5. WHEREAS, the judgment and award should be transmitted and certified to the Workers' Compensation Commission, Oklahoma City, Oklahoma, which when filed will constitute judgment against the City of Norman, which it is entitled to purchase with funds out of the Risk Management Insurance Fund pursuant to Okla. Stat. tit. 85A, § 107, Okla. Stat. tit. 51, § 159, and Okla. Stat. tit. 62, § 361, et seq.; and
- §6. WHEREAS, the City Council finds it will be in the best interest of the City if the funds of the Risk Management Insurance Fund are invested in said judgment; and
- NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:
- §7. That the Legal Department is authorized to enter into settlement with one Emily Wilkins for not more than \$50,000 for any and all claims that Levi Wilkins has or may have against the City of Norman under the Workers' Compensation Statutes for any and all injuries known or unknown which occurred while working for the City of Norman; and
- §8. That the Legal Department is directed to hereinafter file such settlement in the Workers' Compensation Court, Oklahoma City, Oklahoma, along with all attendant costs therefore, as provided by law; and
- §9. That the Finance Director is authorized and directed to purchase such judgment of the Workers' Compensation Commission, Oklahoma City, Oklahoma, out of funds of the Risk Management Insurance Fund of the City of Norman.

PASSED AND ADOPTE	D this day of April, 2025.	
	Mayor	
ATTEST:		
City Clerk		

WILKINS, Levi (Emily Wilkins, Revivor)

CM3-2019-05323 X (BAW; Cancer)

SS# XXX-XX-0934 City Council Date 4/8/25 Atty: Jeffrey M. Cooper

Trial Date: NA Order Date: N/A DOH: 1/3/12 Separation: N/A RTW: 5/18/20 MMI: N/A

Revivor Benefit Settlement Attorney Fees (20% of PPD)

Net to Claimant

**Total Settlement** 

City's Settlement Costs (953-092)

Occupational & Health Trust Fund (0.75%)
Filing Fee - Workers Compensation Commission

Filing Fee - Cleveland County District Court

Total Settlement Cost (PPD, TTD, Costs)

Settlement forms:
-------------------

IF Compromise Settlement
Affidavit of Foreign Judgment
Assignment of Judgment
Checks with case name on them
Certificate of Mailing

#### File Closing procedure

Send Tax Roll Memo to Finance (1st) w/Agenda Approval
Send in Taxes to Tax Commission
Send filing fee to Comp Court
Mail Certified Copy of JP or CS - Maill to all providers
File Affidavit & Assignment in District Court
Send Tax Roll Memo to Finance (1nd) w/Aff & Assignment
Final Letter to Attorney (Sending Aff/Assignment)
Log onto Legal's tracking spreadsheet (Legal/WC/Audits)
Index in file list & place in storage
Send Closing Letter to Claimant's Attorney

Date of Injury: DOA: 8/5/19 DLE: 8/9/19 (CUM)

PPD Wage: \$350

Memo

Resolution R-2425-113 Purchase Requistions

\$50,000.00 \$ (10,000.00) \$40,000.00

\$50,000.00

	Vendor	
\$ 375.00	1950	43330102-42135
\$ 140.00	12122	43330102-44704
\$ 515.00		
\$ 154.14	434	43330102-44703

\$50,669.14

\$669.14

Copies	Filed in WCC	Filed in Dist.Ct		
11	Х			
4		Х		
4		Х		
1				
2	v			

Completion Date

#### File Attachments for Item:

11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT TWO TO CONTRACT K-2223-131: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND E & E LAWN CARE, L.L.C., FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE CODE COMPLIANCE DIVISION EXTENDING THE CONTRACT THROUGH MARCH 31, 2026.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Janita Hatley, Code Compliance Supervisor

**PRESENTER:** Janita Hatley, Code Compliance Supervisor

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF AMENDMENT TWO TO CONTRACT K-2223-131: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND E & E LAWN CARE, L.L.C., FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE CODE COMPLIANCE DIVISION EXTENDING THE CONTRACT THROUGH

MARCH 31, 2026.

#### **BACKGROUND:**

On March 26, 2024, the City Council approved a contract with E&E Lawn Care, LLC to provide abatement services related to mowing, securing of structures, and removal of health nuisances on private properties. Abatement work orders are issued upon failure of the property owners to abate nuisances after notification by the City Code Compliance Inspectors. Section 1) B. of the contract allows for renewal of the contract for additional one-year periods at the option of the City. Fees for service remain unchanged.

#### **DISCUSSION:**

The contractor submitted sealed qualifications in accordance with the terms of the Request for Qualifications in 2023. The City subsequently awarded the contract to E&E Lawn Care, LLC. The contractor has performed well and in a timely manner upon issuance of work orders. There were 427 work orders issued in 2024.

#### **RECOMMENDATION:**

Staff recommends that based on the merits and performance of the contract requirements from contract approval to present, that Contract K-2223-131 with E&E Lawn Care, LLC be renewed through amendment as the City of Norman mowing/securing/nuisance abatement contractor for the contract period April 8, 2025 through March 31, 2026. Funds are budgeted for nuisance abatement in Mowing Abatement (account number 10440152-44114).

#### File Attachments for Item:

12. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT TWO TO CONTRACT K-2223-132: BY AND BETWEEN GIVENS PROPERTY MAINTENANCE, L.L.C., FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE CODE COMPLIANCE DIVISION EXTENDING THE CONTRACT THROUGH MARCH 31, 2026.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Janita Hatley, Code Compliance Supervisor

**PRESENTER:** Janita Hatley, Code Compliance Supervisor

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF AMENDMENT TWO TO CONTRACT K-2223-132: BY AND BETWEEN GIVENS PROPERTY MAINTENANCE, L.L.C., FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE CODE COMPLIANCE DIVISION

EXTENDING THE CONTRACT THROUGH MARCH 31, 2026.

#### **BACKGROUND:**

On March 26, 2024, the City Council approved a contract with Givens Property Maintenance, LLC to provide abatement services related to mowing, securing of structures, and removal of health nuisances on private properties. Abatement work orders are issued upon failure of the property owners to abate nuisances after notification by the City Code Compliance Inspectors. Section 1) B. of the contract allows for renewal of the contract for additional one-year periods at the option of the City. Fees for service remain unchanged.

#### **DISCUSSION:**

The contractor submitted sealed qualifications in accordance with the terms of the Request for Qualifications in 2023. The City subsequently awarded the contract to Givens Property Maintenance, LLC. The contractor has performed well and in a timely manner upon issuance of work orders. There were 427 work orders issued in 2024.

#### **RECOMMENDATION:**

Staff recommends, based on the merits and performance of the contract requirements from contract approval to present, that Contract K-2223-132 with Givens Property Maintenance, LLC be renewed through amendment as the City of Norman mowing/securing/nuisance abatement contractor for the contract period April 8, 2025 through March 31, 2026. Funds are budgeted for nuisance abatement in Mowing Abatement (account number 10440152-44114).

#### File Attachments for Item:

13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CHANGE ORDER TWO TO CONTRACT K-2324-70: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND KRAPFF-REYNOLDS CONSTRUCTION CO., FOR THE FYE19 SEWER MAINTENANCE PROJECT AS OUTLINED IN THE STAFF REPORT.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2024

**REQUESTER:** Ken Giannone, Capital Projects Engineer

**PRESENTER:** Ken Giannone, Capital Projects Engineer

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT

AND/OR POSTPONEMENT OF CHANGE ORDER TWO TO CONTRACT K-2324-70: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND KRAPFF-REYNOLDS CONSTRUCTION CO., FOR THE FYE19 SEWER

MAINTENANCE PROJECT AS OUTLINED IN THE STAFF REPORT.

#### **BACKGROUND:**

In 2001, the citizens of Norman approved a five dollar per month sewer maintenance fee to provide for the systematic replacement of aged and deteriorating neighborhood sewer lines. The FYE19 Sewer Maintenance Project (SMP-19) study area is shown on the attached map. After extensive study by Norman Utilities Authority's (NUA's) Consultant, Parkhill, and by NUA Sewer Line Maintenance Division and Utilities Engineering staff, the sanitary sewer lines within the study area were categorized into segments requiring replacement, rehabilitation using pipe-bursting, rehabilitation using cured-in-place-piping, or no action due to the pipe and appurtenances being in good condition.

As illustrated on the map, the SMP-19 study area is generally bounded by Lindsey Street to the north, 24<sup>th</sup> Avenue SW to the west, Highway 9 and Westbrooke Terrace to the south, and Berry Avenue to the east. It will replace over 32,000 linear feet (6.1 miles) of old sewer lines and rehabilitate or replace more than 150 manholes. This project was advertised on September 14 and 21, 2023, and bids were opened on October 5, 2023. Krapff-Reynolds Construction Co (KRCC) of Oklahoma City, Oklahoma was deemed the lowest and best bidder, and a contract in the amount of \$5,468,900.50 was awarded on November 14, 2024. Notice to Proceed was issued to KRCC on February 15, 2024 (which results in a Contract Completion Date of August 18, 2025). Work on the project commenced immediately thereafter, and KRCC has continued to make consistent and steady progress on the work since then.

#### **DISCUSSION:**

In recent months, several potential changes in the work have been identified on this contract. These include the following:

- 1. The original contract included two (2) point repairs. However, during the course of the work to date, a total of four (4) locations within the project area have been identified as requiring point repairs so we propose adding two (2) additional point repairs to the contract so the remaining two (2) point repairs can be completed.
- At the northeast corner of W. Lindsey Street and S. Berry Road, there is a segment of 6" clay sanitary sewer pipe that is in poor condition and was scheduled for replacement in a future SMP project. However, construction recently started on a new restaurant at this location and, when

construction is complete, the manholes on this segment will be in the new parking lot. In order to avoid the expense and impact of excavating and repairing this new parking lot in the future, we propose adding 493.5 linear feet of pipe bursting to the contract so this segment can be replaced now before construction of the parking lot is complete.

- 3. The project includes the trenchless replacement of a segment of sanitary sewer running under W. Lindsey Street east of 24<sup>th</sup> Ave. SW. However, prior to the work on this segment, the pipe was determined to be steel instead of clay. Pipe bursting steel pipe requires static pipe bursting equipment, which was not part of the contract requirements. This equipment is more robust and requires additional efforts to operate on the part of the contractor. We propose reimbursing KRCC for these additional costs so this line segment can be replaced as intended.
- 4. The original contract identified a total of four (4) manholes requiring full replacement. Recently, another manhole (MH No. 208119) adjacent to the project area was discovered to be damaged and in need of immediate replacement. We propose to add the replacement of an additional manhole to the contract so this manhole can be replaced in the most timely and cost effective manner.

The table below summarizes the costs of the above-described items:

Item No.	Description	Units	Quan.	Unit Price	Total Cost	
4	Point Repair – 8"	EA	2	\$25,000.00	\$50,000.00	
9	Pipe Bursting – 8"	LF	493.5	\$96.00	\$47,376.00	
16	Construct new 4-foot diameter MH up to 6' deep	EA	1	\$3,000.00	\$3,000.00	
CO 2.1	Static Pipe Bursting Equipment	LS	1	\$32,050.00	\$32,050,00	
Total Co	Total Cost of Proposed Change Order No. 2 =					

If approved, proposed Change Order No. 2 would add a total of \$132,426.00 to the contract, or 2.42% of the original contract total. The combined value of Change Order Nos. 1 and 2 to the contract would be -\$47,910.00, or -0.88%, which would result in a revised contract amount of \$5,420,990.50. Funding for proposed Change Order No. 2 would come from funds already budgeted for Sewer Maintenance Project FY19 construction account (32193338-46101 / WW0321).

No time extension has been requested for any of the revisions contemplated by proposed Change Order No. 2 so, if approved, completion date of the contract would be unchanged at August 19, 2025.

#### **RECOMMENDATION:**

Staff recommends that Change Order No. 2 to Contract K-2324-70, Sewer Maintenance Project – 19 (Project WW0321), between Norman Utilities Authority and Krapff-Reynolds Construction Co. in the amount \$132,426.00 be approved.

#### NORMAN UTILITIES AUTHORITY CITY OF NORMAN CLEVELAND COUNTY, OKLAHOMA

DATE:	Ma	rch 24, 2025				
CHANGE ORDER NO.:	Tw	Two (2)				
CONTRACT NO.:	K-2	K-2324-70				
PROJECT:	WV	WW0321 - Sewer Maintenance Project (SMP) - 19				
CONTRACTOR:	Kra	pff-Reynolds Constru	iction Co			
2400 N.E. 4th Street, Oklahoma City, OK 73117						
		Contract Contract	Time		Contract Am	ount
ORIGINAL:		550	calendar days	\$5,4	68,900.50	
PREVIOUS CHANGE ORDERS:		0	calendar days	-\$1	80,336.00	-3.30%
THIS CHANGE ORDER:		0	calendar days	\$1	32,426.00	2.42%
REVISED AMOUNT:		550	calendar days	\$5,4	20,990.50	-0.88%
ORIGINAL START DATE:		February 15, 2024				
ORIGINAL COMPLETION DATE:		August 18, 2025				
PREVIOUS COMPLETION DATE:		August 18, 2025				
NEW COMPLETION DATE:		August 18, 2025				
	DESCRIPTION				INCREASE/I	DECREASE (\$)
<u>AM 2.1 - Increase Quantity of Line Is</u> discovered in project area on South		- <i>8-Inch</i> , by 2 units (f	or additional point re	pairs	\$50	,000.00
AM 2.2 - Increase Quantity of Line I	tem No. 9. Pipe Bursting	- 8-Inch by 493.5 LF (	for additional line se	gment at		
W. Lindsey and S. Berry between M	·			- 1	\$47	,376.00
AM 2.3 - Increase Quantity of Line II MH 208119 which was discovered to		-Foot ID Manhole TO	6' Deep by 1 Ea. (to	replace	\$3	,000.00
CO 2.1 - Furnish static pulling equipt that was determined to be steel pip		nt under Lindsey bet	ween MHs 281099 ar	nd 255065	\$32	,050.00
		TOTA	AL FOR CHANGE ORD	ER NO. 2 =	\$132	,426.00
Krapff-Reynolds Construction Co. a	grees to complete the w					
CONTRACTOR:	Krapff-Reynolds Const	2 /L ruction Co			Date:	'- 31- 25
RECOMMENDED BY ENGINEER:	Sara Senyondo, P.E.	nyon Lo			Date:	4/1/25
APPROVED AS TO FORM AND LEGALITY:	City Attorney	9	,		Date:	4/4/25
ACCEPTED BY NORMAN UTILITIES AUTHORITY:	Mayor (Chormo	n)			Date:	

Page 2 of Z

hange Order No. 2 bntract K-2

# Attachment 1

# **AMENDMENT ITEMS (Quantity Revisions to Orginal Bid Line Items):**

	AM 2.3	AM 2.2	AM 2.1	No.
	16	9	4	Bid Line Item
	Construct New 4-Foot ID Manhole TO 6' Deep (to replace MH 208119)	Pipe Bursting - 8" (for line segment on north side of Lindsey east of Berry between MHs 257072 and 257075 where a new restaurant is being constructed).	Point Repair - 8" (for additional point repairs identified at S. Berry between MHs 282041 & 282037 and MHs 282036 & 282032	Description
	EA	뉴	ΕA	Units
	4	26,083 *	2	Original Contract Quantity
	\$3,000.00	\$96.00	\$25,000.00	Unit Price
Subtotal Ame	\$12,000.00	\$96.00 \$2,503,968.00 *	\$50,000.00	Original Contract Amount
Subtotal Amendment Items =	1.0	493.5	2.0	Proposed Qty Increase/ Decrease
\$100,376.00 1.84%	\$3,000.00 25.00%	\$47,376.00 1.89%	\$50,000.00 100.00%	Cost Increase /
1.84%	25.00%	1.89%	100.00%	Percent Change

and Contract amount by 1,389 LF and \$133,344.00, respectively. \*This is actually the Contract Quantity and Contract Amount after Amendment No. 1, which was approved and executed on October 8, 2024 and increased the Contract Quantity

# CHANGE ORDER ITEMS (New Line Items with Estimated Quantities):

		CO 2.1			No.
		N/A			Bid Line Item
		determined to be steel pipe.	Lindsey between MHs 281099 and 255065 that was	Furnish static pulling equipment to burst line segment under	<u>Description</u>
			Z		<u>Units</u>
			0		Original Contract Quantity
			\$32,050.00		Unit Price
Net Total for Change Order No. 2 =	Subtotal Change Order Line Items =		\$0.00		Original Contract Amount
ge Order No. 2 =	der Line Items =		1.0		Proposed Quantity Increase/ Decrease
\$132,426.00 2.42%	\$32,050.00 0.59%		\$32,050.00		Cost Increase / Decrease
2.42%	0.59%		N/A		Percent Change

Revised Contract Amount	Net Total for Change Order No. 2/Amendment No. 2	Net Total for Change Order No. 1/Amendment No. 1	Original Contract Amount
\$5,420,990.50	\$132,426.00	-\$180,336.00	\$5,468,900.50
99.12%	2.42%	-3.30%	



## **SEWER MAINTENANCE PROGRAM (SMP) - 19**



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.

500 1000 feet **Existing Manholes** 

Sanitary Sewer To Be Rehabilitated -

Manholes To Be Rehabilitated



April 2, 2024

#### File Attachments for Item:

14. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2425-109: BY AND BETWEEN THE CITY OF NORMAN AND MENTAL HEALTH ASSOCIATION OKLAHOMA FOR THE ADMINISTRATION OF THE "A BETTER WAY – OPPORTUNITY KNOCKS" PROGRAM AND BUDGET APPROPRATION.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Michele Loudenback, Environmental and Sustainability Manager

**PRESENTER:** AshLynn Wilkerson, Assistant City Attorney

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2425-109: BY AND BETWEEN THE CITY OF NORMAN AND MENTAL HEALTH ASSOCIATION OKLAHOMA FOR THE ADMINISTRATION OF THE "A BETTER WAY – OPPORTUNITY KNOCKS" PROGRAM AND BUDGET

APPROPRATION.

#### **BACKGROUND:**

The State of Oklahoma entered into a settlement agreement on June 24, 2022 with McKesson Corporation, Cardinal Health, Inc., and Cencora, Inc. (f/k/a AmerisourceBergen Corporation) to resolve opioid-related claims against such opioid distributors. Although the City of Norman did not participate in the litigation, the City elected to participate in the Distributor Settlement Agreement as a Non-Litigating Political Subdivision (NLPS) on August 18, 2022. Such participation required the City to agree to be bound by the terms of the Distributor Settlement and release the three distributors mentioned above from any claims the City had or may have against them related to the State's opioid litigation.

The three distributors have paid, and will continue to make annual payments to the State over an eighteen (18) year period, for Opioid Remediation purposes, as defined in the Distributor Settlement Agreement. In pursuit of local programs consistent with these authorized uses, the City issued Request for Proposal RFP-2324-34 to solicit a professional organization to develop and operate a daily work and wrap-around service program for individuals experiencing homelessness, with a focus on those at risk of or experiencing Opioid Use Disorder (OUD) or co-occurring Substance Use Disorder (SUD) and mental health conditions.

After reviewing and scoring all responses to RFP-2324-34, Mental Health Association Oklahoma (MHAO) was selected as the top candidate based on its proposal and its experience with similar programs in Tulsa and Oklahoma City.

#### **DISCUSSION:**

Contract K-2425-109 would establish an agreement with MHAO to administer the "A Better Way – Opportunity Knocks" program in Norman. This program will provide employment opportunities

and social services targeted toward individuals experiencing homelessness with a focus on those individuals impacted by OUD, SUD, and/or co-occurring mental health conditions.

Under this program, a City-owned van will operate three days per week, collecting up to eight participants per day from various locations within Norman for the day labor beautification initiative. Priority for participation will be given first to individuals experiencing or recovering from OUD, SUD, and/or co-occurring mental health conditions. Participants will be transported to predetermined City-owned sites to perform community beautification tasks, such as litter removal. They will receive wages for their labor, meals, and opportunities for engagement with a Case Manager and Employment Specialist who will offer wrap-around social services, connections to care, and employment support. Additionally, the Case Manager and Employment Specialist will have flexibility to interact with participants outside the scheduled work activities, facilitating services in public spaces and other convenient locations.

The agreement includes an initial one-year term, with provisions for up to four additional one-year renewals, for a maximum of five years. MHAO will oversee daily operational activities, including transportation, supervision, wage payments, and coordination of social services. Required reporting includes monthly and annual updates on participant outcomes related to performance metrics for program evaluation. The total contract amount for the first year is \$383,633, and it would be primarily funded through the City's opioid settlement funds.

#### **RECOMMENDATION:**

Staff recommends approval of Contract K-2425-109 in the amount of \$383,633, with an appropriation of \$333,633 from Opioid Settlement Funds (Account No. 22-11015), to Professional Services-Other (Account No. 22122371-44099) for the allowable program expenses and \$50,000 from the Sanitation Fund Balance (33-29000) to Professional Services-Other (Account No. 33955164-44099) for sanitation-related program expenses.

### PROFESSIONAL SERVICES AGREEMENT FOR THE ADMINISTRATION OF THE "A BETTER WAY – OPPORTUNITY KNOCKS" PROGRAM

This Agreement is a contract, made and entered into this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_ 2025 (the "Effective Date") by and between the City of Norman, a municipal corporation, hereinafter called the "City," and Mental Health Association Oklahoma, a not-for profit corporation, hereinafter called "MHAO,"

#### WITNESSETH:

WHEREAS, on June 24, 2022, the State of Oklahoma entered into a settlement agreement (the "Distributors Oklahoma Settlement Agreement") with three opioid distributors: McKesson Corp., AmerisourceBergen Corp., and Cardinal Health, Inc.; and

WHEREAS, on August 23, 2022, the Norman City Council authorized the City to participate in the Distributor Oklahoma Settlement Agreement as a Non-Litigating Political Subdivision by completing the Distributors Oklahoma Settlement Agreement Subdivision Settlement Participation Form; and

WHEREAS, the Oklahoma Attorney General determined that the City was eligible for roughly a four million dollar disbursement over eighteen years from the Distributor Oklahoma Settlement Agreement based on: 1) the number of people per capita suffering from Opioid Use Disorder (OUD) in the City, 2) the number of opioid overdose deaths in the City, and 3) the amount of opioids distributed within the City; and

WHEREAS, based on the determination by the Oklahoma Attorney General and the disbursements under the Distributor Oklahoma Settlement, the City is an area blighted by the Opioid Epidemic; and

WHEREAS, the City seeks to expend the Distributor Oklahoma Settlement disbursements in accordance with the Distributor Oklahoma Settlement Agreement for opioid remediation purposes and pursuant to the City's agreement with the State (Contract K-2425-44); and

WHEREAS, the City issued a Request for Proposal (RFP No. 2324-34) to solicit a professional organization to administer the City's "Opportunity Knocks" program; and

WHEREAS, MHAO responded to RFP No. 2324-34 with a proposal that satisfied the requirements and qualifications of the City's RFP and was selected as the best proposal after reviewing and scoring all submissions; and

WHEREAS, MHAO has successfully operated their "A Better Way" program in Tulsa, Oklahoma since 2018 and Oklahoma City, Oklahoma since 2021; and

WHEREAS, the "A Better Way - Opportunity Knocks" program is designed to assist individuals experiencing mental health conditions and/or homelessness, with a specific emphasis on: 1) individuals experiencing OUD, Substance Use Disorder (SUD) and/or co-occurring mental health conditions by delivering connections to care and wrap-around services, 2) the prevention of opioid

and substance use, abuse, and overdose deaths by targeting an at-risk population (persons experiencing homelessness) through education efforts and provision of and connection to resources, and 3) gathering valuable data regarding opioid and substance use in the City and the effects this program has on reduction and abatement; and

WHEREAS, the "A Better Way – Opportunity Knocks" program will provide qualifying individuals with connections to care and resources, while also providing an opportunity to earn a day's wages by working on sanitation and beautification efforts in the community; and

WHEREAS, the "A Better Way – Opportunity Knocks" program is a combination of two different services: 1) the provision of social services, and 2) City sanitation and beautification efforts; as such, each respective service will be funded by: 1) the Distributor Oklahoma Settlement disbursements received by the City for the social service elements, and 2) City sanitation funds for the sanitation and beautification elements.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties hereto agree as follows:

1. **TERM:** The Initial Term of this Agreement shall be from the Effective Date to the date one (1) year thereafter. This Agreement may be renewed, upon the written agreement of both parties, for additional one (1) year terms (each a "Renewal Term"), unless terminated pursuant to the provisions set forth herein, for a maximum contract Term of five (5) years from the Effective Date. MHAO understands that this Agreement and any continuation of this Agreement through Renewal Term(s) is subject to sufficient annual appropriations by the City for the fiscal year (July 1 to June 30) in which the Agreement is to be active.

#### 2. MHAO RESPONSIBILITIES:

- A) MHAO agrees to provide the Services described in "Exhibit A," attached hereto and made a part hereof.
- B) MHAO warrants its performances of all Services by the use of personnel of required skill, experience, and qualification, and in a professional and competent manner, in accordance with generally recognized industry standards for similar services.
- C) MHAO shall comply with the guidelines described in "Exhibit B," attached hereto and made a part hereof, concerning its use of the City's passenger van/equipment trailer. MHAO understands that these guidelines may be amended administratively from time to time, and thereby agrees that such administrative amendments will not require a formal amendment to this Agreement. Amended guidelines, if any, will be immediately provided to MHAO.

#### 3. CITY'S RESPONSIBILITIES:

A) The City agrees to pay MHAO an amount not to exceed \$383,633.00 for the Services under this Agreement, in accordance with the Annual Program Budget detailed in "Exhibit C," attached hereto and made a part hereof. MHAO shall submit monthly invoices to the City that include details for Services rendered within the invoice period. The City shall pay invoices within thirty (30) days of

receipt.

B) The City will provide a City owned passenger van and equipment trailer for MHAO to use only during the provision of the Services under this Agreement. The City shall be responsible for the maintenance of such items.

#### 4. RECORDKEEPING AND REPORTING:

- A) MHAO shall supply monthly reports to the Director of the City of Norman's Utilities Department. The monthly reports shall include the following: 1) number of persons contacted and their location, 2) number of participants experiencing OUD, SUD, and/or co-occurring mental health conditions, 3) number of participants accepting employment services, 4) number of participants engaging in case management services and the type of case management services provided, 4) number of participants accepting compensation for day labor, 5) number of participants who obtained permanent employment, 7) Anonymized Homeless Management Information System (HMIS) data, and 8) detailed accounting of program expenditures.
- B) MHAO shall supply an annual report to the Director of the City of Norman's Utilities Department and the Norman City Council within forty-five (45) days of the end of each annual contract term. The annual report shall include a summary of all activity, along with revenue and expenditure summaries for MHAO's administration of the "A Better Way Opportunity Knocks" program for the preceding year. This annual report shall also include a report of the data collected through the program regarding: 1) opioid use, substance use, and/or co-occurring mental health rates, 2) the number of individuals experiencing OUD, SUD, and/or co-occurring mental health conditions served by the program, 3) the number of individuals who were connected to care and/or engaged in the provision of wraparound services (individuals who gained job training, steady employment, secured housing, received therapeutic care, etc.), 4) an evaluation of the impact the program has had on opioid and substance use reduction and abatement, and 5) the overall benefit of the program to the City.
- C) All detailed records associated with the administration of the "A Better Way Opportunity Knocks" program shall be made available for review within ten (10) days by MHAO upon request from the City. MHAO agrees to maintain all records associated with the administration of the "A Better Way Opportunity Knocks" program for a period of seven (7) years. Financial records shall be maintained in such detail as to account for gross receipts and expenditures for all significant operation activity.
- 5. INSURANCE: MHAO shall, at its own expense, keep in force liability insurance, naming the City as co-insured, and in an amount no less than the limits prescribed by the Oklahoma Governmental Tort Claims Act (51 O.S. § 151 et seq.) and subsequent revisions thereto, issued by a company or companies licensed to do business in Oklahoma and is of sound and adequate financial responsibility, against all liabilities for accidents arising out of or in connection with MHAO's administration of the "A Better Way Opportunity Knocks"

program, except when caused by the City's negligence or that of its agents or employees, and shall furnish to the City certificates evidencing such insurance subject to the limitations set forth above in respect to the City's sole negligence, and MHAO shall furnish a certificate to the effect that such insurance shall not be changed or cancelled without ten (10) days prior notice to the City, said notice shall be written and given by MHAO. MHAO shall be solely responsible for any Worker's Compensation and/or Employer's Liability Insurance.

- 6. INDEMNIFICATION: MHAO agrees to indemnify and hold harmless the City, its officers, agents and employees from and against all liability for injuries or death to persons, legal expense or damage to property caused by MHAO's, its agents or employees administration of the "A Better Way Opportunity Knocks" program; provided, however, that MHAO shall not be liable for injury, damage or loss occasioned by the sole negligence of the City, its agents or employees. MHAO shall indemnify and hold harmless the City, its officers, agents and employees from and against all claims, damages, suits, expenses, liability or proceedings of any kind whatsoever, including, without limitation, Worker's Compensation claims of or by anyone whomever, in any way resulting from, or arising out of, MHAO's acts, omissions or operations under or in connection with this Agreement or the administration of the "A Better Way Opportunity Knocks" program. Further, the City shall not be liable or responsible to MHAO for any loss or damage to any property or person occasioned by a third party or any Force Majeure event. It is understood that this indemnity and hold harmless provision is not limited by the insurance required under this Agreement.
- 7. FORCE MAJEURE: Neither party shall be responsible nor liable for any delays or failures in performance from any cause beyond its reasonable control, including, but not limited to acts of God, changes to law or regulations, embargoes, war, terrorist acts, acts or omissions of a third party, riots, fires, earthquakes, floods, power blackouts, strikes, or weather events.

#### 8. TERMINATION:

- A) For Cause: This Agreement may be terminated by either party, upon written notice, in the event of substantial failure by the other party to perform in accordance with its material duties or obligations under this Agreement. The defaulting party shall have sixty (60) days after written notice is given, specifying the event of default under the Agreement, to cure the default. If the default is not cured to the complete satisfaction of the non-defaulting party, such party may terminate the Agreement.
- B) For Convenience: The City may terminate this Agreement for any reason upon thirty (30) days' written notice to MHAO.
- 9. NOTICE: Any notice, demand, or other communication under this Agreement shall be sufficiently given or delivered when it is delivered personally, or within three (3) business days after it is deposited in the United States mail, registered or certified mail, postage prepaid, return receipt requested, to:

Contract K-2425-109

City:

Director of Utilities 225 N. Webster Ave. Norman, OK 73069

With a copy to:

Michele Loudenback Environmental and Sustainability Manager 225 N. Webster Ave. Norman, OK 73069

MHAO:

Izetta Gibson
Director of Clinical Services
5530 E. 31<sup>st</sup> St., Suite 1000
Tulsa, OK 74135

#### 10. MISCELLANEOUS:

- A) Counterparts: This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute the same instrument.
- B) Severability: If any provision of this Agreement is determined to be unenforceable, invalid, or illegal, then the enforceability, validity, and legality of the remaining provisions will not in any way be affected or impaired, and such provision will be deemed to be restated to reflect the original intentions of the parties as nearly as possible in accordance with applicable law.
- C) Governing Law; Venue: This Agreement shall be governed and construed in accordance with the laws of the United States of America and the State of Oklahoma. The venue for any action under this Agreement shall be in the District Court of Cleveland County, Oklahoma, or the United States District Court for the Western District of Oklahoma. The parties agree to submit to the subject matter and personal jurisdiction of said court.
- D) Compliance with Laws: MHAO shall be responsible for complying with all applicable federal, state, and local laws, rules, and regulations.
- E) Binding Effect: All the terms, covenants and conditions hereof shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.
- F) Authority: Each party hereto has the legal right, power and authority to enter into this Agreement. Each party's execution, delivery and performance of this

Agreement has been duly authorized, and no other action is requisite to the valid and binding execution, delivery and performance of this Agreement, except as expressly set forth herein

- G) Relationship of Parties: This Agreement does not create any partnership or joint venture between the parties hereto, or render any party liable for any of the debts or obligations of the other party. Neither party shall be deemed to be an agent or representative of the other.
- H) Entire Agreement; Amendments: This Agreement constitutes the entire agreement among the parties hereto and may not be amended or modified, except in writing, signed by each of the parties hereto.
- I) Assignment: This Agreement shall not be assigned by either party without prior written consent of the other party, said consent not to be unreasonably withheld.
- J) Non-waiver: No failure on the part of either party to exercise, and no delay in exercising, any right hereunder shall operate as a waiver thereof; nor shall any single or partial exercise by either party of any right hereunder preclude any other or future exercise thereof or the exercise of any other right. The remedies herein provided are cumulative and not exclusive of any remedy available to either party at law or in equity.
- K) Nondiscrimination: MHAO agrees further that it will not discriminate against any persons on the basis of race, color, religion, ancestry, national origin, age, place of birth, disability, sex, sexual orientation, gender identity or expression, familial status, or marital status, including marriage to a person of the same sex.

[Remainder of page intentionally left blank]

In Witness Whereof, the parties hereunto set their hands and seals the date first above written. The parties agree that they may conduct the transaction by electronic means and hereby state that electronic signature is valid and shall have the same force and effect as an original signature.

MENTAL HEALTH ASSOCIATION OKLAHOMA
BY: Mental Health Association Oktahoma  By: Title: Chief Programs Officer
A CHECKLOSTIE THE CHIRACTER
STATE OF <u>OLIAHOMA</u> ) ss:
COUNTY OF TUISA ) ss:
Before me, the undersigned, a Notary Public in and for said County and State, this
WITNESS my hand and seal the day and year last above written.
Yalash Unette Jones
My commission expires:  NATASHA YVETTE JONES Notary Public
Commission # 25002278
02-26-2029 My Commission Expires 02-26-2029
CITY OF NORMAN
APPROVED this day of, 2025 by the Norman City Council.
ATTEST:  Larry Heikkila, Mayor
Brenda Hall, City Clerk
APPROVED as to form and legality this day of, 2025.
City Attorney

Page 7 of 12

#### **EXHIBIT A**

#### Program Objectives and Overview:

The "A Better Way – Opportunity Knocks" program will prioritize support for individuals experiencing homelessness that have or are currently experiencing or recovering from Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder (SUD) and mental health conditions. Evidence-based strategies will be used to provide support in all areas of life, empowering individuals on their journey toward stability and wellness. The goals of the program are to:

- 1. Reduce or prevent both the misuse of opioids and other substances as well as the overdose and other opioid and substance related harms in an at-risk community;
- 2. Research and collect data regarding OUD, SUD, and co-occurring mental health in the community and the effectiveness of this program in mitigation and abatement;
- 3. Connect as many participants as possible to appropriate support services within the community; and
- 4. Connect participants to permanent employment opportunities.

A City of Norman Van will visit various locations throughout Norman three (3) days per week to collect daily participants for the day labor program. The maximum occupancy per day for the day labor program is eight (8) individuals. Priority will first be given to those individuals expereincing or recovering from OUD, SUD and/or any co-occurring mental health conditions, and then to first-time van riders.

The van will transport the daily participants to locations predetermined by MHAO and the City to spend the day beutifying the community. The participants will recieve wages for the day's work, a meal, and the opportunity to meet with a Case Manager and Employment Specialist for wrap-around services and connections to care. Both the Case Manager and the Employment Specialist will have the ability to work with participants outside of the confines of the day labor program, meeting them where they are or at various frequented public locations to provide services. Citizens of Norman will be able to request the "Opportunity Knocks – A Better Way" program services via MHAO's website at <a href="https://www.mhaok.org/services/employment-support">www.mhaok.org/services/employment-support</a>.

MHAO shall be solely responsible for the daily employment activities of the program participants, including, but not limited to, the provision of their day's wages and meal, and documentation and data collection efforts.

#### Program Staff and Responsibilities:

#### 1. Van Driver:

This individual will be responsible for transportation of the participants to and from the work site, as well as recording any demographic information of the participants, as required. The

van driver will stay on-site with the program participants as they complete their daily program responsibilities.

Minimum requirements include: high school diploma or equivalent; current CPR/First Aid certification or ability to obtain within three (3) months of hire date; current, valid Oklahoma Driver's License; reliable vehicle with proper insurance; good driving record.

#### 2. Case Manager:

This individual will assess and deliver on needs of the participants by providing comprehensive wrap-around services, which includes but is not limited to: housing, mental health services, opioid and substance use services, other mental health services, physical health care needs, federal and state benefits, childcare, clothing, transportation, education/training, and employment. Wrap-around services include services offered through MHAO, such as case management, Mental Health Assistance Center, virtual support groups, prevention education, etc., as well as a warm hand-off to other local agencies that can best meet the individuals' needs.

Minimum requirements include: Bachelor's Degree in Social or Human Services, or a relevant combination of education and experience; current Oklahoma license in Social Work or Case Management preferred; valid Oklahoma Driver's License; clean Motor Vehicle Record.

#### 3. Employment Specialist:

This individual will work directly with participants to assess and deliver needs based on employment. Using the Individual Placement and Support (IPS) Model, the Employment Specialist's job will be: 1) to network with the community and cultivate diverse and strong relationships with employers and local decision makers, and 2) to outreach and build rapport with the target population, assessing their needs and strengths to make successful employment placements within the community. Additionally, the Employment Specialist will work with participants on job skills, such as resume-building, interviewing, communication and teamwork.

Minimum requirements include: Bachelor's Degree in Mental Health, Social Services or Business, or a relevant combination of education and experience.

#### 4. Program Manager:

This individual will provide oversight to the employment program and ensure good outcomes by providing training, supervision and working alongside employment team (field mentoring). Monitors outcomes, implements quality improvement plans, and acts as a liaison to other departments and agencies. Cultivates partnerships within the City to coordinate services for program participants. Promotes employment and mental health services as a vital part of recovery.

Minimum requirements include: Bachelor's Degree in Mental Health, Social Services or Business; supervisory experience.

Contract K-2425-109

MHAO shall be solely responsible for the hiring, supervision, and coordination of the above described staff and for the provision of their compensation and/or benefits.

#### **EXHIBIT B**

#### Passenger van/equipment trailer guidelines:

- 1. The passenger van and equipment trailer will be stored at the City's Northbase facility located at 1301 Da Vinci Street, Norman, OK 73069. MHAO authorized staff shall receive and return the passenger van/equipment trailer from the Northbase facility each program operation day within the facility operating hours, 6:30am-5:15pm, Monday-Friday. MHAO will also be provided one key fob to access the Northbase facility outside of operating hours. If the key fob is lost, MHAO will be responsible for paying a reasonable replacement fee determined by the City.
- 2. MHAO must follow the City of Norman's Vehicle Policy and Procedure Manual Guidelines.
- 3. MHAO staff will be responsible for the cleaning, both inside and outside, of the passenger van/equipment trailer, as needed, at the provided City wash station in the Northbase facility.
- 4. MHAO staff shall also be responsible for fueling the passenger van at the City's fueling facility in the Northbase station.
- 5. MHAO staff shall complete a thorough walk-around inspection of the passenger van/equipment trailer and check the fluids of the passenger van prior to each program operation day. Any discrepancies shall be immediately reported to the Transit Shop Supervisor in writing or by email, and any damage found shall be reported to same in writing with pictures attached.
- 6. Collisions shall be reported to the City Safety Manager and Transit Maintenance office immediately.
- 7. Repairs will be made on the following basis:
  - a. Non-urgent repairs will be scheduled within forty-eight (48) hours of requested repairs.
  - b. Urgent repairs with safety-related items will require the passenger van to be out of operation until the repairs can be completed.
  - c. Only City of Norman Fleet Maintenance staff are authorized to make repairs.
- 8. Any exterior alterations, including but not limited to logos, decals, and exterior magnets, shall be requested in writing prior to any such alterations.

#### Contract K-2425-109

#### **EXHIBIT C**

#### **Annual Program Budget:**

Program Expenses	Estimated Cost
Program Manager	\$60,000.00
Program Manager Fringe	\$14,560.00
Case Manager	\$44,100.00
Case Manager Fringe	\$12,348.00
Employment Specialist	\$44,100.00
Employment Specialist Fringe	\$12,348.00
Van Driver	\$34,582.00
Van Driver Fringe	\$9,683.00
Salary and Fringe Total	\$231,721.00
Technology	\$3,600.00
Mileage and Cell	\$3,286.00
Continued Education & Training	\$2,000.00
Participant Day Labor Pay	\$75,000.00
Client Food	\$12,000.00
Program Supplies & Individual Assistance	\$15,000.00
Miscellaneous	\$3,000.00
Van Wrapping	\$3,150,00
Total Direct Expenses	\$348,757.00
Administration 10%	34,876.00
Total Program Expenses	\$383,633.00

#### File Attachments for Item:

15. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-117: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY, APPROPRIATING \$44,730.94 FROM WATER FUND AND \$111,745.42 FROM THE WATER RECLAMATION FUND TO FUND PAYMENT UNDER CONTRACT K-2324-19 FOR SUCCESSFUL TAX ASSISTANCE SERVICES.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Nathan Madenwald, P.E., Utilities Engineer

**PRESENTER:** Nathan Madenwald, P.E., Utilities Engineer

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF RESOLUTION R-2425-117: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY, APPROPRIATING \$44,730.94 FROM WATER FUND AND \$111,745.42 FROM THE WATER RECLAMATION FUND TO FUND PAYMENT UNDER CONTRACT K-

2324-19 FOR SUCCESSFUL TAX ASSISTANCE SERVICES.

#### **BACKGROUND:**

On January 12, 2021, the City Council adopted Ordinance O-2021-28, which amended the City Code, Section 8-204 to allow performance-based efficiency contracts as an exception to competitive bidding requirements for City contracts. Performance-based efficiency contracts are contracts "for the design, development, financing, installation and service of any improvement, repair, alteration or betterment of any building or facility owned, operated or planned by a public entity; or any equipment, fixture or furnishing to be added or used in any such building or facility; or any maintenance or operational strategy that is designed and implemented that will reduce utility consumption or lower operating costs, result in annual cost savings, generate additional revenues or avoid capital cost incurrence" {Oklahoma Statutes, Title 62. Section 318(A)(2)}.

Performance-based Efficiency Contracts are designed for a certain type of project; primarily projects where benefit exists in the form of savings or reduction in costs that offset the cost of the contract or service. The current version of Section 318 was adopted by the State Legislature in 2018 and made these types of contracts available to political subdivisions and public trusts, operating essentially as an exception to competitive bidding requirements.

With performance-based efficiency contracts, the public entity enters into a contract with a provider deemed by the public entity to be qualified to, among other things, finance performance-based efficiency projects for the greater of 20 years or the useful life of the project. In the case of a project that produces cost savings, the qualified provider must provide a guarantee of the anticipated savings over the term of the contract. If such savings are not achieved, the public entity is made whole by the payment of the difference between anticipated and guaranteed savings and the actual savings.

The City adopted Resolutions R-1718-119 and R-1718-120 on May 22, 2018. The first resolution (R-1718-119) was brought forth adopting the Environmental Control Advisory Board's (ECAB)

updated recommendations to implement the Mayors' Climate Agreement. One of the Mayors' Climate Agreement recommendations focused on increasing renewable energy throughout the city and its utility enterprises with a goal of reaching 100 percent renewable energy consumption by the year 2050. This goal seemed achievable in step with OG&E efforts to replace their electric generation efforts with renewable energy as their large facilities are updated and large existing machinery is retired.

The second resolution (R-1718-120) was brought forth by the Sierra Club's "Ready for 100". Their initiative is for the City and its utility enterprises to achieve 100 percent renewable energy by the year 2035. This initiative is more aggressive and, either way, the City of Norman is heading towards utilizing more renewable energy as we go into the future.

On March 2, 2021, the Norman Utilities Authority (NUA) received a presentation from Connor Energy of San Diego, California, and BioStar Renewables, LLC of Overland Park, Kansas, regarding a proposal to locate solar energy production facilities at the NUA's Water Treatment and Water Reclamation facilities. On May 11, 2021, the NUA approved Contract K-2021-121 with BioStar E Light JV, LLC, (BioStar E Light) for the design, construction, operation and maintenance of a solar photovoltaic system to provide energy savings and production guaranty at the Water Reclamation Facility (WRF) and the Water Treatment Plant (WTP). As the result of this contract, approximately 36 and 21 percent of the electrical usage will be offset at the WRF and WTP facilities, respectively.

On April 26, 2022, the NUA approved Amendment No. 1 with BioStar E Light to authorize completion of site preparation work at the WRF that was not included within the original contract but was separately budgeted by the City. As design progressed, City staff and BioStar E Light determined that including this work in BioStar E Light's scope would be the most efficient method to accomplish the work by only having one civil contractor working at the site. Costs for this work were to be excluded from the performance guaranty calculation. On June 27, 2023, Amendment No. 2 is proposed for approval by NUA to reduce the scope of the project in regards to replanting of materials for erosion control and final acceptance of the project.

In August 2022, the federal government passed the Inflation Reduction Act of 2022. Included within this legislation are tax incentives for solar projects with the NUA project potentially capable of recovering an estimated 30 percent of the eligible project costs which could be in excess of \$1 million. Contract K-2324-19 was approved by the NUA on July 11, 2023.

#### **DISCUSSION:**

BioStar E Light JV, LLC completed the work in accordance with Contract K-2324-19 and funds were received from IRS on March 25, 2025, in the amount of \$1,564,763.64. This amount included the 30 percent credit plus interest. Compensation for Biostar E Light JV, LLC under Contract K-2324-19 is ten percent of the reimbursement received that amounts to \$156,476.36.

The original deposit was proportioned based on the expended construction cost for the respective arrays and was received as follows:

- 1. Water Fund –Refunds and Reimbursements (Account No. 319-364251) \$447,309.40; and
- 2. Water Reclamation Fund Refunds and Reimbursements (Account No. 329-364251) \$1,117,454.24.

To fund the compensation for Biostar E Light JV, LLC, appropriations are proposed as follows:

		Receiving	Current	Amount	Justification
Project Number	Description	Account	Account		
WA0370-Const	WTP Solar	31993395-46101	319-364251	\$44,730.94	Payment under Contract K-2324-19
WW0331-Const	WRF Solar	32999911-46101	329-364251	\$111,745.42	Payment under Contract K-2324-19
TOTAL TRANSFE	R	\$156,476.36			

Payment under Contract K-2324-19 will be made upon receipt of the claim.

#### **RECOMMENDATION:**

Staff recommends adopting Resolution R-2425-117 to transfer \$44,730.94 from Water Refunds and Reimbursements Revenue Account (Account No. 319-364251) into Water Treatment Solar Construction Account (Project WA0370; Account No. 31993395-46101) and to transfer \$111,745.42 from Water Reclamation Refunds and Reimbursements Revenue Account (Account No. 329-364251) into Water Reclamation Solar Construction Account (Project WW0331; Account No. 32999911-46101).

### Resolution

R-2425-117

A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY, APPROPRIATING \$44,730.94 FROM WATER FUND PAYMENT AND \$111,745.42 FROM WATER RECLAMATION FUND TO FUND PAYMENT UNDER CONTRACT K-2324-19 FOR SUCCESSFUL TAX ASSISTANCE SERVICES.

- § 1. WHEREAS, in August 2022, the federal government passed the Inflation Reduction Act of 2022, which included within this legislation are tax incentives for solar projects; and
- § 2. WHEREAS, on July 11, 2023, Contract K-2324-19 was approved between the Norman Utilities Authority (NUA) and BioStar E Light JV, L.L.C.; and
- § 3. WHEREAS, BioStar E Light JV, LLC completed the work in accordance with the contract and funds were received from Internal Revenue Service (IRS) on March 25, 2025, in the amount of \$1,564,763.64; and
- WHEREAS, this amount included the 30 percent credit plus interest and compensation for Biostar E Light JV, L.L.C. under the contract is ten percent of the reimbursement received which amounts to \$156,476.36.

#### NOW, THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF THE NORMAN UTILITIES AUTHORITY:

§ 5. That the following transfers and appropriation be made for the reason stated above:

Losing Account	Gaining Account	Amount
Water Refunds and Reimbursements	Water Treatment Solar Construction	\$44,730.94
Revenue Account	Account - WA0370- 31993395-46101	
319-364251		
Water Reclamation Refunds and	Water Treatment Solar Construction	\$111,745.42
Reimbursements Revenue Account	Account - WW0331 - 32999911-46101	, , , , , , , , , , , ,
329-364251		

PASSED AND ADOPTED this 8th day of April, 2025.	
ATTEST:	Chairman (Larry Heikkila)
Secretary	



#### File Attachments for Item:

16. CONDSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-118: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING AN INTERNAL AUDIT CHARTER TO FORMALIZE A WRITTEN AGREEMENT BETWEEN THE CITY COUNCIL AND THE FINANCE COMMITTEE REGARDING THE PURPOSE, AUTHORITY, AND RESPONSIBILITIES OF THE OFFICE OF THE CITY AUDITOR.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Shaakira Calnick

**PRESENTER:** Shaakira Calnick, City Auditor

**ITEM TITLE:** CONDSIDERATION OF ADOPTION, REJECTION, AMENDMENT,

AND/OR POSTPONEMENT OF RESOLUTION R-2425-118: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING AN INTERNAL AUDIT CHARTER TO FORMALIZE A WRITTEN AGREEMENT BETWEEN THE CITY COUNCIL AND THE FINANCE COMMITTEE REGARDING THE PURPOSE, AUTHORITY, AND RESPONSIBILITIES OF THE OFFICE OF THE CITY

AUDITOR.

#### **BACKGROUND:**

The Internal Audit Charter is an internal formal document that defines the Office of the City Auditor's purpose, authority, and responsibility. The Internal Audit Charter establishes the Office of the City Auditor's position within the City; authorizes access to records, personnel, and physical properties relevant to the performance of engagements; and defines the scope of internal audit activities. Final approval of the Internal Audit Charter resides with the City Council.

#### **DISCUSSION:**

The formal Internal Audit Charter is critical in managing the Office of the City Auditor. The Internal Audit Charter provides a recognized statement for review and acceptance by management and for approval, as documented in the minutes, by City Council. It also facilitates a periodic assessment of the adequacy of the Office of the City Auditor's purpose, authority, and responsibility, which establishes the role of the Office of the City Auditor within the City of Norman. If a question should arise, the Internal Audit Charter provides a formal, written agreement with City Council, and the Finance Committee, about how the City of Norman's Office of the City Auditor will be managed.

#### Fiscal Impact:

There are no anticipated significant fiscal impacts associated with adopting internal audit charter. The Resolution will primarily require administrative efforts to implement.

### **RECOMMENDATION:**

The Adoption of Resolution R-2425-118 for the Internal Charter is essential to the effective operation of the Office of the City Auditor. It is recommended that the City Council approve this Resolution to ensure a structured, transparent, and accountable internal auditing function within the City.

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING AN INTERNAL AUDIT **CHARTER** TO **FORMALIZE** A WRITTEN AGREEMENT BETWEEN THE CITY COUNCIL AND THE **FINANCE** COMMITTEE REGARDING THE PURPOSE. AUTHORITY, AND RESPONSIBILITIES OF THE OFFICE OF THE CITY AUDITOR.

- § 1. WHEREAS, Article V, Section 3, of the Charter of the City of Norman provides that the City Auditor shall be selected by the City Council; and
- § 2. WHEREAS, the Office of the City Auditor is established within the City of Norman, and its duties delineated, by Article V, Section 3 of the City of Norman Charter; and
- § 3. WHEREAS, Mayor and City Council adopt the Internal Audit Charter in the above regard by resolution as deemed necessary; and
- § 4. WHEREAS, recognizing the requirement of the City Auditor to develop and maintain an Internal Audit Charter that specifies the purpose of the Office of the City Auditor; affirms its commitment to adhering to the Global Internal Audit Standards; references its mandate as set forth in Article V, Section 3, of the Charter of the City of Norman; outlines the scope and types of services provided; and establishes City Council's responsibilities and expectations regarding management's support of the Office of the City Auditor; and defines the Office of the City Auditor's organizational position and reporting relationships; and
- § 5. WHEREAS, the City Auditor has developed and the Finance Committee has reviewed the attached Internal Audit Charter which is incorporated herein and made a part hereof.
- NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:
- § 6. That City Council, having carefully considered all of the information above and do hereby adopt and direct the City Auditor to implement the attached Internal Audit Charter for the Office of the City Auditor.

ASSED AND ADOPTED THIS	day of	, 2025.
ATTEST:	Larry Heikkila, N	Mayor
Brenda Hall, City Clerk	_	

### CITY OF NORMAN'S INTERNAL AUDIT CHARTER

### 1. Purpose

The purpose of the Internal Audit Charter is to define the purpose, authority and responsibilities of the Office of the City Auditor and the submission of reports to the Finance Committee (Interim Audit Committee) and City Council for recommending improvements to the operations of the City and strengthen the overall governance mechanism of the City.

The purpose of the Office of the City Auditor is to strengthen the City of Norman's ("The City") ability to create, protect, and sustain value by providing City Council and Management (Department Heads, Division Managers, and Supervisors) with independent, risk-based, and objective assurance, advice, insight, and foresight, under the governance of City Council, in the effective discharge of its responsibilities. Specifically, internal audit provides independent and objective assurance on the adequacy and effectiveness of the internal control structure, the safeguarding of assets, compliance with applicable laws, regulations, City ordinances, and City policies and the achievement of City objectives. Internal Audit also provides reasonable assurance to Management and City Council that the City's financial and operational controls, designed to manage the organization's risks and achieve the City's objectives, are operating in an efficient, effective, ethical, and equitable manner.

### 2. Commitment to Adhering to the Global Internal Audit Standards

The City of Norman's Office of the City Auditor will govern itself by adherence to the mandatory elements of The Institute of Internal Auditors' International Professional Practices Framework (IPPF), including the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics, the *International Standards for the Professional Practice of Internal Auditing* (the Standards), and the Definition of Internal Auditing. The City Auditor will report quarterly to the City Council and senior management regarding the Office of the City Auditor's conformance with the *Standards*, which will be assessed through a quality assurance and improvement program (QAIP).

### **Definition of Internal Auditing**

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

### 3. Mandate

The City of Norman's Office of the City Auditor mandate is found in Article V, Section 3 of the City of Norman Charter which states: "It shall be the City Auditor's duty to advise the Council and each member thereof, and the City Manager, of operational and financial audits relating to the efficient and economical operation of Norman City government, and other related matters as may be

required by the Council or the City Manager. The foregoing provisions shall not be deemed to prevent the City Manager, with the approval of a majority of the City Council, from employing private auditors as it is deemed necessary."

### **Authority**

The City of Norman's Office of the City Auditor's authority is created by its direct reporting relationship to the City Council. Subject to the Open Meetings Act (O.S. Title 25, Sections 301-314), such authority allows for unrestricted access to the City Council and Finance Committee, including private meetings without Management present. The Office of the City Auditor may conduct formal or informal one-on-one meetings with members of City Council to discuss the management, expectations, goals, and other matters related to the operations of the Office of the City Auditor. Methods of meeting with members of City Council include one-on-one phone, web-hosted video, email, and in-person meetings.

City Council authorizes the Office of the City Auditor, with City Council's express approval by Resolution (R-2425-67), to:

- Have full and unrestricted access to, and perform examination of, functions, records, information, policies, procedures, processes, employees, and facilities relevant to performing audit engagements (assurance engagements, advisory engagements and fraud engagements), pursuant to Article V, Section 3 and Article III, Section 6 of the City of Norman Charter, of the City of Norman Charter.
- Allocate resources, set frequencies, select subjects, determine scopes of work, apply techniques required to accomplish audit objectives, and issue reports.
- Obtain assistance, as it relates to audit engagements, from the appropriate employees of the City of Norman, as well as other specialized services from within or outside the City of Norman, in order to complete internal audit services; pursuant to the mandate set forth in Article V, Section 3 and Article III, Section 6 of the City of Norman Charter.

### Independence, Organizational Position, and Reporting Relationships

The City Auditor will be positioned at a level in the City that enables internal audit services and responsibilities to be performed without interference from Management (See Mandate Section). The City Auditor will report functionally to City Council and the Finance Committee, and report administratively (day-to-day operations) to the City Manager. This positioning provides the organizational authority and status to bring matters directly to the City Manager and escalate matters to the City Council, when necessary, without interference and supports the internal auditors' ability to maintain objectivity.

The City Auditor will confirm to City Council, at least annually, the organizational independence of the Office of the City Auditor. If the governance structure does not support organizational independence, the City Auditor will document the characteristics of the governance structure limiting independence and any safeguards employed to achieve the principle of independence. The

City Auditor will disclose to the City Council and the Finance Committee any interference internal auditors' encounter related to the scope, performance, or communication of internal audit work and results of internal auditing, performing work, and/or communicating results. The disclosure will include communicating the implications of such interference on the Office of the City Auditor's effectiveness and ability to fulfill its mandate.

### Changes to the Mandate and Internal Audit Charter

Circumstances may justify a follow-up discussion between the City Auditor, City Council, and senior management on the internal audit mandate to other aspects of the internal audit charter. Such circumstances may include, but are not limited to:

- A significant change in the Global Internal Audit Standards.
- A significant reorganization within the City.
- Significant changes in the City Auditor, City Council, and/or senior management.
- Significant changes to the City's strategies, objectives, risk profile, or the environment in which the City operates.
- New laws or regulations that may affect the nature and/or scope of internal audit services.

### 4. City Council Oversight

To establish, maintain, and assure that the City of Norman's Office of the City Auditor has authority to fulfill its duties, City Council has authority to:

- Discuss with the City Auditor and senior management the appropriate authority, role, responsibilities, scope, and services (assurance and/or advisory) of the Office of the City Auditor.
- Ensure the City Auditor has unrestricted access to and communicate and interacts directly with City Council, including in private meetings without senior management present, subject to the Oklahoma Open Meetings Act (O.S. Title 25, Sections 301-314).
- Discuss with the City Auditor and senior management other topics that should be included in the internal audit charter.
- Participate in discussions with the City Auditor and senior management about the "essential conditions," described in Standard 8.1 of Principle 8 of the Global Internal Audit Standards, which establish the foundation that enables an effective Office of the City Auditor.
- Approve the Office of the City Auditor's charter, which includes the internal audit mandate and the scope and types of internal audit services.
- Review the internal audit charter annually with the City Auditor to consider changes affecting the organization, such as the employment of a new City Auditor or changes in the type,

severity, and interdependencies of risks to the organization; and approve the internal audit charter annually.

- Approve the risk-based triennial internal audit plan.
- Provide input to the Office of the City Auditor's human resources administration and budgets.
- Review the Office of the City Auditor's expenses.
- Provide input to senior management on the appointment and removal of the City Auditor, ensuring adequate competencies and qualifications and conformance with the Global Internal Audit Standards.
- Review and provide input to senior management on the City Auditor's performance.
- Receive communications from the City Auditor about the Office of the City Auditor including its performance relative to its plan (Annual Update on the Triennial Audit Plan).
- Ensure a quality assurance and improvement program (QAIP) has been established and review the results annually.
- Make appropriate inquiries of the City Manager and the City Auditor to determine whether
  any restrictions on the internal audit function's scope, access, authority, or resources limit
  the function's ability to carry out its responsibilities effectively.

### 5. City Auditor Roles and Responsibilities

### **Ethics and Professionalism**

The City Auditor will ensure that internal auditors:

- Conform to the Global Internal Audit Standards, including the principles of Ethics and Professionalism: integrity, objectivity, competency, due professional care, and confidentiality, with the following qualifications:
  - If the Office of the City Auditor is prohibited by law or regulation from conformance with certain parts of the *Standards*, the City Auditor will ensure appropriate disclosures and will ensure conformance with all other parts of the *Standards*.
  - o If the Standards are used in conjunction with requirements issued by generally accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States, the City Auditor will ensure that the Office of the City Auditor conforms with the Standards, even if the Office of the City Auditor also conforms with the more restrictive requirements of Government Auditing Standards issued by the Comptroller General of the United States.

- Understand, respect, meet, and contribute to the legitimate and ethical expectations of the organization and be able to recognize conduct that is contrary to those expectations.
- Encourage and promote an ethics-based culture in the organization.
- Report organizational behavior that is inconsistent with the organization's ethical expectations, as described in applicable policies and procedures.

### Objectivity

To permit the maintenance of a fully independent and objective approach, the City Auditor will ensure that the Office of the City Auditor remains free from all conditions that threaten the ability of internal auditors to carry out their responsibilities in an unbiased manner, including matters of audit selection, scope, procedures, frequency, timing, and report content. If the City Auditor determines that independence or objectivity may be impaired, in fact or appearance, the details will be disclosed to the appropriate parties.

Internal auditors will exhibit professional objectivity in gathering, evaluating and communicating information about the activity or process being examined. Internal auditors will maintain an unbiased mental attitude that allows them to perform engagements objectively and in such a manner that they believe their work product, that no quality compromises are made, and that they do not subordinate their judgement on audit matters to others.

Internal auditors will have no direct operational responsibility or authority over any of the activities (departments, divisions, programs, functions, contracts, employees, systems, and policies) audited. Accordingly, internal auditors will not design, implement or monitor internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair their judgement, including:

- Assessing specific operations for which they had responsibility within the previous year.
- Performing any operational duties for the City of Norman or its affiliates. Affiliates of the
  City of Norman (Norman Municipal Authority) include, but may not be limited to, the
  Norman Utilities Authority and Norman Tax Increment Finance Authority, outside
  contractors, and subcontractors.
- Initiating or approving transactions external to the Office of the City Auditor.
- Directing the activities of any City of Norman employee not employed by the Office of the
  City Auditor, except to the extent that such employees have been appropriately assigned to
  auditing teams, or to otherwise assist internal auditors.

Where the City Auditor has, or is expected to have, roles and/or responsibilities that fall outside of internal auditing, safeguards will be established to limit impairments to independence or objectivity.

Internal auditors will:

- Disclose any impairment of independence or objectivity, in fact or appearance, to appropriate parties.
- Exhibit professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined.
- Make balanced assessments of all available and relevant facts and circumstances.
- Take necessary precautions to avoid being unduly influenced by their own interests or by others in forming judgements.

### Managing the Office of the City Auditor

The City Auditor has the responsibility to:

- Develop a risk analysis to identify the higher risk activities of the City.
- At least triennially, develop a risk-based internal audit plan that considers the input of the City Council and City Manager. Discuss the plan with the City Council and City Manager and submit the plan to the City Council for review and approval.
- Submit, at least annually, to City Council, Finance Committee and the City Manager an update to the triennial risk-based internal audit plan for review and approval.
- Communicate to the City Manager and City Council the impact of resource limitations on the triennial internal audit plan.
- Review and adjust the triennial internal audit plan, as necessary, in response to changes in City of Norman's business risks, operations, programs, systems, and controls.
- Communicate with City Council and the City Manager if there are any significant interim changes to the triennial internal audit plan.
- Ensure internal audit engagements are performed, documented, and communicated in accordance with the Global Internal Audit Standards, GAGAS and laws and/or regulations.
- Follow up on engagement findings and corrective actions, and report periodically to senior management and the City Council any corrective actions not effectively implemented.
- Ensure the Office of the City Auditor collectively possess or obtains the knowledge, skills, and other competencies and qualifications needed to meet the requirements of the Global Internal Audit Standards and fulfill the internal audit mandate.
- Ensure trends and emerging issues that could impact City of Norman are identified, considered, and communicated to City Council and the City Manager, as appropriate.
- Ensure emerging trends and successful practices in internal auditing are considered.

- Establish and ensure adherence to policies and procedures designed to guide the Office of the City Auditor.
- Ensure adherence to City of Norman's relevant policies and procedures, unless such policies and procedures conflict with the Internal Audit Charter. Any such conflicts will be resolved or otherwise communicated to City Council and the City Manager.
- Coordinate activities and consider relying upon the work of other internal and external
  providers of assurance and advisory services. If the City Auditor cannot achieve an
  appropriate level of coordination, the issue must be communicated to the City Manager,
  and if necessary escalated to the City Council.

### Communication with the City Council and Senior Management

The City Auditor will report annually to City Council and senior management regarding:

- The Office of the City Auditor's mandate.
- The triennial internal audit plan and performance relative to its plan.
- The Office of the City Auditor's budget.
- Significant revisions to the triennial internal audit plan and budget.
- Potential impairments to independence, including relevant disclosures as applicable.
- Results from the quality assurance and improvement program (QAIP), which include the
  Office of the City Auditor's conformance with The IIA's Global Internal Audit Standards and
  action plans to address the Office of the City Auditor's deficiencies and opportunities for
  improvement.
- Significant risk exposures and control issues, including fraud risks, governance issues, and other areas of focus for the City Council that could interfere with the achievement of City of Norman's strategic objectives.
- Results of assurance and advisory services.
- Resource requirements.
- Management's responses to risk that the Office of the City Auditor determines may be
  unacceptable or acceptance of a risk that is beyond City of Norman's risk appetite. This risk
  acceptance could be a result of funding restrictions impacting management's ability to
  respond to risks toward strategic objectives.

The Office of the City Auditor may perform advisory and related client service activities, the nature and scope of which will be agreed with the client, provided the Office of the City Auditor does not assume management responsibility.

Opportunities for improving the efficiency of governance, risk management and control processes may be identified during engagements. These opportunities will be communicated to the appropriate level of Management.

### **Quality Assurance and Improvement Program**

The City Auditor will establish and maintain a quality assurance and improvement program (QAIP) that covers all aspects of the Office of the City Auditor. The program will include an evaluation of the Office of the City Auditor's conformance with the Standards and an evaluation of whether internal auditors apply The IIA's Code of Ethics. The program will also assess the efficiency and effectiveness of the Office of the City Auditor and identify opportunities for improvement.

The City Auditor will communicate to City Council and senior management about the Office of the City Auditor's quality assurance and improvement program (QAIP), including the results of internal assessments (both ongoing monitoring and periodic self-assessments) and external assessments. External assessments will be conducted at least once every three (3) years by a qualified, independent assessor or assessment team from outside the City of Norman; qualifications must include at least one assessor holding an active Certified Internal Auditor® credential.

The City's Office of the City Auditor has become a member of the Association for Local Government Auditors (ALGA), and will enlist services through ALGA to conduct the triennial external assessment.

### 6. Scope and Types of Internal Audit Services

### Scope of Internal Audit Activities

The scope of internal audit services covers the entire breadth of the organization, including all of City of Norman's policies, procedures, processes, functions, programs, grants, contracts, activities, facilities, and employees. The scope of internal audit activities also encompasses, but is not limited to, objective examinations of evidence for the purpose of providing independent assurance and advisory services to the City Council and management on the adequacy and effectiveness of the City of Norman's governance, risk management, and control processes for the City of Norman.

The nature and scope of advisory services may be agreed with the party requesting the service, provided the internal audit function does not assume management responsibility. Opportunities for improving the efficiency of governance, risk management, and control processes may be identified during advisory engagements. These opportunities will be communicated to the appropriate level of management.

Internal audit engagements may include evaluating whether:

- Risks relating to the achievement of the City of Norman's strategic objectives are appropriately identified and managed.
- The actions of City of Norman's officers, directors, employees, and contractors or other relevant parties comply with the City of Norman's policies, procedures, applicable laws, regulations, and governance standards.
- The results of operations or programs are consistent with established goals and objectives.
- Operations or programs are being carried out effectively, efficiently, ethically, and equitably.
- Established processes and systems enable compliance with the policies, procedures, and applicable laws, regulations that could significantly impact the City of Norman.
- The integrity of information and the means used to identify, measure, analyze, classify and report such information is reliable.
- Resources and assets are acquired economically, used efficiently and sustainably, and protected adequately.

### 7. Occupational Fraud

City employees have a duty to report instances of suspected theft, fraud, or misuse of public funds or assets to Office of the City Auditor who will coordinate internal investigations with the appropriate officials (e.g. City Manager, City Attorney, and City Council). Other options to anonymously report instances of suspected theft, fraud, or misuse of public funds or assets is to contact the City of Norman Fraud Hotline operated by Eide Bailly at 866-912-5378.

Approved by the City Council at its meeting on April, 202	<b>'5.</b>
Acknowledgments/Signatures	
City Auditor	Date
City Mary and a	
City Manager	Date
Mayor (Chair of Finance Committee)	 Date

### File Attachments for Item:

17. CONDSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A RESOLUTION R-2425-119: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE TRIENNIAL AUDIT PLAN, A COMPREHENSIVE AUDIT FRAMEWORK COVERING THREE FISCAL YEARS ENDING JUNE 30, 2027.



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Shaakira Calnick

**PRESENTER:** Shaakira Calnick, City Auditor

**ITEM TITLE** CONDSIDERATION OF ADOPTION, REJECTION, AMENDMENT,

AND/OR POSTPONEMENT OF A RESOLUTION R-2425-119: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE TRIENNIAL AUDIT PLAN, A COMPREHENSIVE AUDIT FRAMEWORK COVERING THREE FISCAL

YEARS ENDING JUNE 30, 2027.

### **BACKGROUND:**

The purpose of this staff report is to present the proposed Triennial Audit Plan for the upcoming three-year period, outlining the key audit areas, objectives, and methodology to be applied to internal audits within the City of Norman. As part of the City's ongoing efforts to ensure transparency, accountability, and efficiency, a structured approach to internal audits is crucial to maintaining and improving the effectiveness of City operations.

The Triennial Audit Plan is designed to align with the City's strategic goals, address areas of high risk, and comply with legal and regulatory requirements. The internal audit function is an integral element of the City's governance framework and supports ongoing efforts to optimize operations, manage risk, and enhance public trust.

### **DISCUSSION:**

### Purpose & Scope

The proposed Triennial Audit Plan covers the period from FY2025 to FY2027 and will focus on a range of key audit areas, including:

Financial Audits: Ensuring the accuracy and transparency of financial reporting, including expenditures, such as overtime & P-Card usage.

Operational Audits: Reviewing the effectiveness and efficiency of City operations, particularly in areas with city-wide impact, such as overtime, payroll, and city policies.

Compliance Audits: Assessing adherence to local, state, and federal regulations, as well as internal policies and procedures.

### Benefits of the Triennial Audit Plan

The Triennial Audit Plan will provide several key benefits to the City:

Enhanced Accountability: Regular audits ensure that all departments remain accountable for their financial and operational performance.

*Improved Efficiency*: Audits often reveal opportunities for cost savings and operational improvements, contributing to more efficient use of public funds.

Compliance Assurance: Ensures the City is compliant with applicable laws and regulations, reducing the risk of legal or regulatory penalties.

*Increased Public Trust*: Transparent audits demonstrate the City's commitment to governance, transparency, and responsible management of taxpayer dollars.

### Fiscal Impact:

Budget has been sufficiently allocated for one (1) staff member of the Office of the City Auditor and audit case management software. There are no other anticipated significant fiscal impacts associated with adopting the Triennial Audit Plan for FY2025 to FY2027. The Resolution will primarily require administrative efforts to implement.

### **RECOMMENDATION:**

It is recommended that the City Council Adopt Resolution R-2425-119 for the proposed Triennial Audit Plan for the period FY2025 to FY2027. Upon Adoption, the Office of the City Auditor will proceed with the necessary steps to initiate the first year of audits as outlined in the plan.

Additionally, it is recommended that the City Council direct the Office of the City Auditor to provide an annual update on the progress of the audit plan and any significant findings.

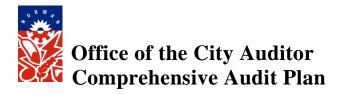
# CITY AUDITOR Shaakira Calnick, CFE

### Comprehensive Audit Plan

For the Three Fiscal Years Ending June 30, 2027

### MAYOR AND CITY COUNCIL

Larry Heikkila	Audit Committee, Mayor
Austin Ball	Ward 1
Mathew Peacock	Ward 2
Bree Montoya	Audit Committee, Ward 3
Helen Grant	Audit Committee, Ward 4
Michael Nash	Audit Committee, Ward 5
Joshua Hinkle	Ward 6
Stephen Holman	Ward 7
Scott Dixon	Audit Committee, Ward 8



## Executive Summary FY 2025 -2027

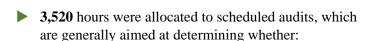
The Office of the City Auditor has prepared a risk-based Comprehensive Audit Plan for the three fiscal years ending 2027. The following process was used in developing the Audit Plan:

### **Risk Assessment**

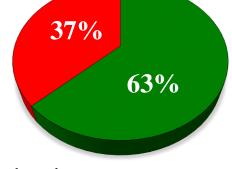
- We defined 235 auditable units, primarily consisting of lines of business identified in City departmental strategic business plans.
- City department managers completed self-assessment questionnaires to identify potential control weaknesses and/or other financial or operational deficiencies.
- We interviewed City Council members and executive managers to obtain input on risks, difficulties, and concerns within City operations.
- We assessed risk for each auditable unit using financial/operating information; City Council and management feedback; and six risk criteria factors.
- The Finance Committee reviewed a draft of the Audit Plan.

### **Available Hours Allocation**

We estimated **5,592** audit hours will be available during the three-year Audit plan period. <sup>1</sup>



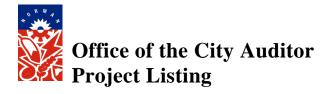
- programs are achieving desired results
- operations are efficient
- ▶ internal controls exist and are functioning together
- expenditures are valid and compliant with laws, regulations, and policies



- operating and financial records/reports are accurate and complete
- ▶ fraud, waste, and abuse are prevented and/or detected
- recommendations from previously issued audit reports have been addressed
- **2,072** hours were allocated to other audit services including unscheduled audit requests, investigations, committee participation, audit plan development, and the Fraud Program.

*Scheduled* and *Other* audit service hours are detailed on page 2. Descriptions of new Scheduled audit projects are provided beginning on page 3.

<sup>&</sup>lt;sup>1</sup> Available audit hours exclude leave, administrative and training time.



FY 2025 -2027

		stimated
Audit Area	Hours	
► Scheduled Audit Services:		3,520
City Wide - Credit Card Usage	480	
City-Wide - Credit Card Process	480	
City-Wide - Timekeeping Operations	480	
City-Wide - Payroll Process	480	
City-Wide Overtime Usage	960	
Human Resources - Policy Compliance Audit	640	
► Other Audit Services		2,072
Unscheduled Audits & Investigations	800	
Risk Assessment/Audit Plan Development	600	
Committees & Advisory Services	400	
Fraud Training Program	272	
Total Estimated Hours Available		5,592

### FY 2025 -2027

Audit Area	Objective/Significance	Anticipated Value	Estimated Hours
City Wide Credit Card Usage	Internal control effectiveness - evaluate approval workflows, transaction monitoring, and segregation of duties to prevent misuse or fraud. Credit Cards are issued to department/divisions without a clear owner.	Enhanced internal controls	480
City-Wide Credit Card Process	Policy and procedure compliance - Assess whether credit card procedures align with city policies, procurement rules, and regulatory requirements. 50+ Credit Card issued department/division-wide without an implemented P-Card Program and/or Comprehensive P-Card Policy.	Implementation of Comprehensive P- Card Policy and enhanced compliance with the City's Purchasing, Code of Ethics (301) and Code of Conduct Policies (302).	480
City-Wide - Timekeeping Operations	Internal Control Effectiveness  – Evaluate controls for preventing fraud, unauthorized changes, or errors in timekeeping data. Timekeeping data is recorded in the timekeeping software and then manually uploaded	Enhanced internal controls	480
City-Wide - Payroll Process	into Payroll software.  Process Efficiency – Evaluate whether timekeeping data flows seamlessly into payroll systems, reducing manual input and errors. Payroll may have to temporarily perform manual edits/corrections before time data is uploaded into payroll. Payroll process requires manual data imports which increases the risk of human error and/or fraud.	Enhanced process efficiency	480
			100

Audit Area		A 4 4 1 <b>T</b> 7 1	Estimated
City-Wide Overtime Usage	Objective/Significance  Cost Control & Budget  Impact – Assess the financial impact of overtime on department budgets and identify opportunities for cost reduction. Four (4)  Departments account for a deficit of \$8.97M in the Actual expenditures recorded in the OT account from FY22-	Anticipated Value  Cost avoidance/savings	Hours
	FY24.		960
Human Resources - Policy Compliance Audit	Policy & Procedure Alignment – Verify that internal HR policies (e.g., recruitment, hiring, termination, and leave management) are up-to-date and consistently applied. Adherence to, or departures from, HR policies and procedures are based on discretion of the respective	Enhanced compliance with city-wide HR policies.	
	department director/manager.		640

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE TRIENNIAL AUDIT PLAN, A COMPREHENSIVE AUDIT FRAMEWORK COVERING THREE FISCAL YEARS ENDING JUNE 30, 2027.

- § 1. WHEREAS, Article V, Section 3, of the Charter of the City of Norman provides that the City Auditor shall be selected by the City Council; and
- § 2. WHEREAS, the Office of the City Auditor is established within the City of Norman, and its duties delineated, by Article V, Section 3 of the City of Norman Charter; and
- § 3. WHEREAS, Mayor and City Council adopt the Comprehensive Audit Plan for the Three Fiscal Years Ending June 30, 2027, in the above regard by resolution as deemed necessary; and
- § 4. WHEREAS, recognizing that the establishment of a triennial audit plan provides a strategic framework for the work of Office of the City Auditor, and that many audits and special projects span multiple fiscal years, it is reasonable to require an audit plan covering a three year period be submitted for review and approval by the Finance Committee and Mayor and Council; and; and
- § 5. WHEREAS, the Office of the City Auditor has developed and the Finance Committee has reviewed the attached Comprehensive Audit Plan for the Three Fiscal Years Ending June 30, 2027, which is incorporated herein and made a part hereof
- NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:
- § 6. That City Council, having carefully considered all of the information above and do hereby adopt and direct the City Auditor to implement the attached Comprehensive Audit Plan for the Three Fiscal Years Ending June 30, 2027 for the City of Norman.

PASSED AND ADOPTED THIS	day of	, 2025
ATTEST:	Larry Heikkila, Mayor	
Brenda Hall, City Clerk		

### File Attachments for Item:

18. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-81: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE OFFICE DESIGNATION. (2710 36TH AVENUE NW)



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Jonathan & Stacia Dowell

**PRESENTER:** Jane Hudson, Planning & Community Development Director

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-81: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE OFFICE DESIGNATION. (2710 36TH AVENUE NW)

APPLICANT/REPRESENTATIVE Jonathan & Stacia Dowell

**LOCATION** 2710 36<sup>th</sup> Avenue NW

WARD 8

CORE AREA No

**REQUESTED ACTION**Amendment from Low Density Residential to

Office Designation

LAND USE PLAN DESIGNATION Low Density Residential

GROWTH AREA DESIGNATION Current Urban Service Area

BACKGROUND: The subject parcel covers 0.40 acres of land with frontage to 36<sup>th</sup> Avenue NW along the eastern side of the parcel. Across 36<sup>th</sup> Avenue NW, several properties are zoned I-1, Light Industrial District. Abutting to the north and west are residential zoned properties, RM-6, Medium-Density Apartment District, and RM-2, Low-Density Apartment District respectively. Although the land to the west is zoned for residential uses, the directly adjacent parcel is part of an easement for detention. To the south, the subject parcel is abutted by a property zoned PUD, Planned Unit Development, as defined by O-1718-12. The permitted uses outlined in PUD Narrative for the adjacent property are CO, Suburban Office Commercial, and C-1, Local Commercial Districts. Currently, no structures exist on the abutting parcel to the south.

The applicant requests a rezoning from A-2, Rural Agricultural District, to O-1, Office-Institutional District, with intentions to construct a one-story, 3,000 square foot office building for use as a dental office. Staff notes that upon receiving amendments from the applicant the proposed building design has changed since being reported to Planning Commission, which included a two-story structure for dental and construction office uses. The proposal requires an amendment to the NORMAN 2025 Land Use & Transportation Plan from Low Density Residential Designation to Office Designation for the subject property.

**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 area surrounding the subject parcel had been widely developed before the life of the NORMAN 2025 Plan, excluding the undeveloped property to the south. The PUD, Planned Unit Development, zoning on the property to the south will allow for commercial and office uses, if developed. The environs do not reflect the current agricultural zoning for the property, as a majority of the area operates at an urban level.
- 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?

  The proposed use does not substantially deviate from the provious use as a landscaping.

The proposed use does not substantially deviate from the previous use as a landscaping business and traffic patterns in the surrounding area. Medium-density residential, light industrial, and office uses exist within the immediate vicinity and operate similarly to the proposed dental use in terms of activity and intensity. The impact of the Office Designation on neighboring properties should be negligible. The City Traffic Engineer expressed that reduction in curb cuts, reducing arterial access from two drive points to a singular point for ingress/egress, is favorable.

**CONCLUSION:** Staff forwards this request for amendment of the NORMAN 2025 Land Use Plan Amendment from Low Density Residential Designation to Office Designation for the subject property as Resolution R-2425-81 for consideration by City Council.

<u>PLANNING COMMISSION RESULTS</u>: At their meeting of March 13, 2025, Planning Commission recommended approval of Resolution R-2425-81 by a vote of 7-0.

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE OFFICE DESIGNATION. (2710 36<sup>TH</sup> AVENUE NW)

- WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and
- § 2. WHEREAS, the City Council at its meeting of November 16, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan, with an effective date of December 16, 2004; and
- § 3. WHEREAS, Russell Ventures, LLC has requested that the following described property be moved from the Low Density Residential Designation and placed in the Office Designation for the hereinafter described property, to wit:

Part of the North Half (N/2) of the Southeast Quarter (SE/4) of Section Fifteen (15), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows: BEGINNING at a point which is the Southeast corner of said North Half (N/2) of the Southeast Quarter (SE/4); Thence North 87 feet; Thence West 250 feet; Thence South 87 feet; Thence East 250 feet to the Point of Beginning.

LESS AND EXCEPT a part of the North Half (N/2) of the Southeast Quarter (SE/4) of Section Fifteen (15), Township Nine (9) North, Range Three (3) West of the Indian Meridian, being more particularly described as follows: COMMENCING at the Southeast corner of said N/2 of the SE/4; Thence North for a distance of 87.0 feet; Thence South 89°52'34" West for a distance of 246.65 feet to the Point or Place of Beginning; Thence continuing South 89°52'34" West for a distance of 3.35 feet; Thence South 00°50'20" West for a distance of 85.25 feet; Thence North 89°52'34" East for a distance of 3.35 feet; Thence North 00°50'20" East for a distance of 85.25 feet to the Point or Place of Beginning.

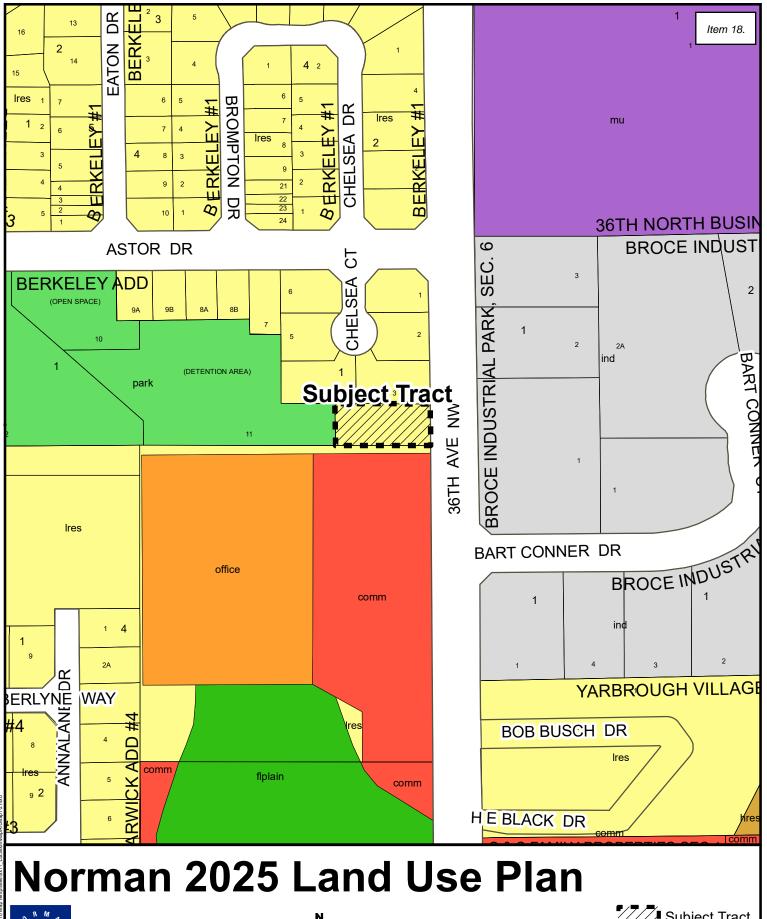
Said tract of land containing 0.49 acres, more or less.

Resolution R-2425-81 Page 2

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

§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this	day of	, 2025.
ATTEST:	(Mayor)	
(City Clerk)		

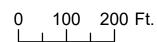




Map Produced by the City of Norman Geographic Information System. The City of Norman assumes no responsibility for errors or omissions in the information presented.



January 3, 2025



//// Subject Tract

314

### **City of Norman Predevelopment**

January 23, 2025

**Applicant:** Jonathan & Stacia Dowell

**Project Location:** 2710 36<sup>th</sup> Ave. NW

Case Number: PD25-02

**Time:** 5:30 PM

### **Applicant/Representative:**

Jonathan Dowell

### Attendees:

Kenny Orr

### **City Staff**

Destiny Andrews, Planner II

### **Application Summary:**

Rezoning from A-2, Rural Agricultural District to O-1, Office-Institutional District, with intentions to construct a single-story, 5,500 square foot office building for use as a dental office and construction office.

### Neighbor's Comments/Concerns/Responses

Mr. Orr introduced himself as a representative of the adjoining Homeowners Association (HOA) on the north side of the property. He had several questions about the project.

- Parking Lot Lighting
  - The applicant assured that sufficient lighting would be provided via wall packs, which could make use of covers and shields to ensure it does not impact the neighbors.
- Detention
  - The applicant stated his associates have reached out to the Berkeley HOA and that the intent would be to purchase detention rights to the HOA's pond. In the case that this was not approved by the HOA, the applicant intends to place detention along the western property line.
- Landscaping
  - The applicant assured landscaping would be installed to meet all applicable City requirements. Further, the existing trees along the northern property line will remain, aside from two dead trees which will be removed.



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 03/13/2025

**REQUESTER:** Jonathan & Stacia Dowell

**PRESENTER:** Destiny Andrews, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-81: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE OFFICE DESIGNATION. (2710 36TH AVENUE NW)

APPLICANT/REPRESENTATIVE Jonathan & Stacia Dowell

**LOCATION** 2710 36<sup>th</sup> Avenue NW

WARD 8

CORE AREA No

**REQUESTED ACTION**Amendment from Low Density Residential to

Office Designation

LAND USE PLAN DESIGNATION Low Density Residential

GROWTH AREA DESIGNATION Current Urban Service Area

BACKGROUND: The subject parcel covers 0.40 acres of land with frontage to 36<sup>th</sup> Avenue NW along the eastern side of the parcel. Across 36<sup>th</sup> Avenue NW, several properties are zoned I-1, Light Industrial District. Abutting to the north and west are residential zoned properties, RM-6, Medium-Density Apartment District, and RM-2, Low-Density Apartment District respectively. Although the land to the west is zoned for residential uses, the directly adjacent parcel is part of an easement for detention. To the south, the subject parcel is abutted by a property zoned PUD, Planned Unit Development, as defined by O-1718-12. The permitted uses outlined in PUD Narrative for the adjacent property are CO, Suburban Office Commercial, and C-1, Local Commercial Districts. Currently, no structures exist on the abutting parcel to the south.

The applicant requests a rezoning from A-2, Rural Agricultural District, to O-1, Office-Institutional District, with intentions to construct a two-story, 5,430 square foot office building for use as a dental office and construction office. The proposal requires an amendment to the NORMAN 2025 Land Use & Transportation Plan from Low Density Residential Designation to Office Designation for the subject property.

**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 area surrounding the subject parcel had been widely developed before the life of the NORMAN 2025 Plan, excluding the undeveloped property to the south. The PUD, Planned Unit Development, zoning on the property to the south will allow for commercial and office uses, if developed. The environs do not reflect the current agricultural zoning for the property, as a majority of the area operates at an urban level.
- 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?

The proposed use does not substantially deviate from the previous use as a landscaping business and traffic patterns in the surrounding area. Medium-density residential, light industrial, and office uses exist within the immediate vicinity and operate similarly to the proposed dental use in terms of activity and intensity. The impact of the Office Designation on neighboring properties should be negligible. The City Traffic Engineer expressed that reduction in curb cuts, reducing arterial access from two drive points to a singular point for ingress/egress, is favorable.

<u>CONCLUSION:</u> Staff forwards this request for amendment of the NORMAN 2025 Land Use Plan Amendment from Low Density Residential Designation to Office Designation for the subject property as Resolution R-2425-81 for consideration by Planning Commission and recommendation to City Council.

### NON-CONSENT ITEMS

### 2710 36th Ave NW Rezoning and NORMAN 2025 Amendment

4. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-81: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE OFFICE DESIGNATION. (2710 36TH AVENUE NW)

### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. 2025 Land Use Map
- 3. Pre-Development Summary
- 5. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-24: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE O-1, OFFICE-INSTITUTIONAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2710 36TH AVENUE NW)

### ITEM SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map
- 3. Site Plan
- 4. Estimated Elevations

### **Staff Presentation**

Destiny Andrews, Planner II, presented the staff report.

### **Applicant Presentation**

Applicant elected not to present on the item.

### **Public Comment**

There were no public comments.

**Motion** by Commissioner McKown to recommend approval of Resolution R-2425-81 and Ordinance O-2425-24; **Second** by Commissioner Kindel.

Item 18.

### File Attachments for Item:

19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-24 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE O-1, OFFICE-INSTITUTIONAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2710 36TH AVENUE NW)



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** Jonathan & Stacia Dowell

**PRESENTER:** Jane Hudson, Planning & Community Development Director

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF ORDINANCE O-2425-24 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE O-1, OFFICE-INSTITUTIONAL DISTRICT; AND PROVIDING FOR THE

SEVERABILITY THEREOF. (2710 36TH AVENUE NW)

APPLICANT/REPRESENTATIVE Jonathan & Stacia Dowell

**LOCATION** 2710 36<sup>th</sup> Ave. NW

WARD 8

CORE AREA No

**REQUESTED ACTION**Rezoning from A-2, Rural Agricultural

District, to O-1, Office-Institutional District

LAND USE PLAN DESIGNATION Low Density Residential

GROWTH AREA DESIGNATION Current Urban Service Area

**BACKGROUND:** The subject parcel covers 0.40 acres of land. The applicant requests a rezoning from A-2, Rural Agricultural District, to O-1, Office-Institutional District, with intentions to construct a single-story, 3,000 square foot office building for use as a dental office. Staff notes that upon receiving amendments from the applicant, the proposed building design has changed since being reported to Planning Commission which included a two-story structure for dental and construction office uses. The applicant has been informed that the project must meet all pertinent Zoning Ordinance requirements for commercial projects, including landscaping, building requirements, and commercial outdoor lighting standards.

### PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GBC25-02 January 21, 2025

A Greenbelt Enhancement Statement was required with this request. The Commission forwarded the application with a recommendation of approval.

PRE-DEVELOPMENT: PD25-02 January 23, 2025

One member of the public, a member of the adjoining Homeowners Association, attended this meeting and asked several questions regarding the projects' lighting, detention, and landscaping.

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

This request did not require an application to the Board of Parks Commissioners.

### **ZONING ORDINANCE CITATION:**

**SECTION 36-522, O-1, Office-Institutional District**: This district is intended to provide a place for those types of institutional and office activities that require separate buildings and building groups surrounded by landscaped yards and open area. Land, space and aesthetic requirements of these uses allow them to be located at the perimeter of residential neighborhoods. The district can be an effective buffer between less intensive residential areas and the retail, wholesale and industrial areas of the community.

Uses permitted. Property and buildings in O-1, Office-Institutional District shall be used only for the following purposes:

- 1) Any of the following uses:
  - a) Art gallery.
  - b) Assembly halls.
  - c) Laboratories for research and testing, including medical marijuana testing laboratories, as allowed by State law, where all work is housed in buildings.
  - d) Libraries.
  - e) Museums.
  - f) Music conservatories.
  - g) Office buildings and offices for such professional services as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicists, linguist, landscape architect, optometrist, optician, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse; provided, however, that no retail sales nor stock of goods shall be permitted other than the incidental sale of merchandise within the above professional offices or a pharmacy which may be located only in a building providing space for medical offices. Funeral homes and mortuaries shall not be considered professional services permitted in this district.
  - h) Public and private schools and college with students in residence and dormitories associated therewith.
  - i) Trade schools and schools for vocational training.
  - j) Churches, temples or other places of worship.
  - k) Fraternal service organization not conducted for profit.

- 2) Recreation uses associated with any of the uses listed under subsection (a) of this section and maintained primarily for the benefit and use of the occupants thereof.
- 3) Shops and stores associated with and incidental to the uses listed subsection (a) of this section maintained for serving only the occupants thereof.
- 4) Buildings and structures and uses customarily incidental to the above uses.
- 5) Short-term rentals.

STAFF ANALYSIS: The subject parcel covers 0.40 acres of land with frontage to 36<sup>th</sup> Avenue NW along the eastern side of the parcel. Across 36<sup>th</sup> Avenue NW, several properties are zoned I-1, Light Industrial District. Abutting to the north and west are residentially zoned, RM-6, Medium-Density Apartment District, and RM-2, Low-Density Apartment District respectively. Although the land to the west is zoned for residential uses, the directly adjacent parcel is part of an easement for detention. To the south, the subject parcel is abutted by a property zoned PUD, Planned Unit Development, as defined by O-1718-12. The permitted uses outlined in O-1718-12 include CO, Suburban Office Commercial, and C-1, Local Commercial Districts. Currently, no structures exist on the abutting parcel to the south.

**USE:** The applicant proposes to construct a single-story, 3,000 square foot (office building for dental office use on the subject property. Staff notes that upon receiving amendments from the applicant the proposed building design has changed since being reported to Planning Commission, which included a two-story structure for dental and construction office uses. The proposed building will front 36<sup>th</sup> Avenue NW along the eastern side of the property and include fourteen parking spaces, as displayed on the submitted site plan. Office buildings for professional use, including dentists and offices, are an appropriate use within the O-1, Office-Industrial District.

**PARKING:** The number of recommended parking spaces for medical and dental offices, as outlined in Section 36-548 (c) of the Zoning Code is three per treatment room and one per each doctor or dentist. The related site plan displays fourteen parking spaces.

**LANDSCAPING:** Landscaping is required for this project, as outlined in Section 36-551 of the Zoning Code. The applicant has clearly labelled proposed landscaping areas on the submitted site plan.

**SIGNAGE:** No deviations from signage requirements are associated with this application. The applicant will meet the requirements of Chapter 28, Signage Regulations, for office uses.

**LIGHTING:** No deviations from lighting requirements are associated with this application. The applicant will meet the requirements of the Commercial Outdoor Lighting Standards, Section 36-549.

**SANITATION/UTILITIES:** The applicant will connect to City of Norman water and wastewater systems, as well as Oklahoma Electric Cooperative services. A dumpster is required, and is clearly labeled on the proposed site plan.

**FENCING/WALLS:** As the subject parcel abuts two parcels zoned for residential uses, Section 36-552 (d) of the Zoning Code will require opaque fencing at least six (6) feet in height

along the northern and western property lines. An existing fence along the northern border sits on the residentially zoned property to the north and is clearly labelled on the site plan. The applicant has been advised that, if the existing fencing is ever removed and not replaced, the property owner of the subject parcel must install fencing meeting the provisions of Section 36-552. The applicant has also clearly labelled fencing along the western boundary on the site plan.

**EXTERIOR MATERIALS:** Section 36-547, Exterior Appearance, of the Zoning Code requires 80 percent of all facades on buildings within O-1, Office-Institutional Districts to be masonry. The applicant has proposed a stucco façade, which is an approved masonry material under this section.

### **ALTERNATIVES/ISSUES:**

**IMPACTS**: Development of an office building for dental and office uses would be similar in scale and intensity to the surrounding uses.

### **OTHER AGENCY COMMENTS:**

### FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:

Items regarding fire hydrants and fire/building codes will be considered at the building permit stage.

### **PUBLIC WORKS/ENGINEERING:**

The applicant will be required to submit a Short Form Plat after the adoption of the proposed zoning by City Council in order to obtain a building permit.

### TRANSPORTATION ENGINEER:

The Transportation Engineer expressed that reduction in curb cuts, reducing arterial access from two drive points to a singular point for ingress/egress, is favorable.

### **UTILITIES:**

- Water
  - Show existing and proposed water services with size and type of use.
  - o Existing water service, if not to be used, must be abandoned at the main.
  - Confirm if property will have fire suppression system.
- Sanitary Sewer
  - Show existing and proposed sewer services.
- Sanitation
  - No recycling since proposed use is non-residential.

**CONCLUSION:** Staff forwards this request for rezoning from A-2, Rural Agricultural District, to O-1, Office-Industrial District, and Ordinance O-2425-24 for consideration by City Council.

<u>PLANNING COMMISSION RESULTS:</u> At their meeting of March 13, 2025, Planning Commission recommended approval of Ordinance O-2425-24 by a vote of 7-0.

#### O-2425-24

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE THE SAME IN THE O-1, OFFICE-INSTITUTIONAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2710 36<sup>TH</sup> AVENUE NW)

- § 1. WHEREAS, Russell Ventures, LLC has made application to have the property described below removed from the A-2, Rural Agricultural District, and to have the same placed in the O-1, Office-Institutional District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing on March 13, 2025 as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

§ 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the A-2, Rural Agricultural District, and to place the same in the O-1, Office-Institutional District, to wit:

Part of the North Half (N/2) of the Southeast Quarter (SE/4) of Section Fifteen (15), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows: BEGINNING at a point which is the Southeast corner of said North Half (N/2) of the Southeast Quarter (SE/4); Thence

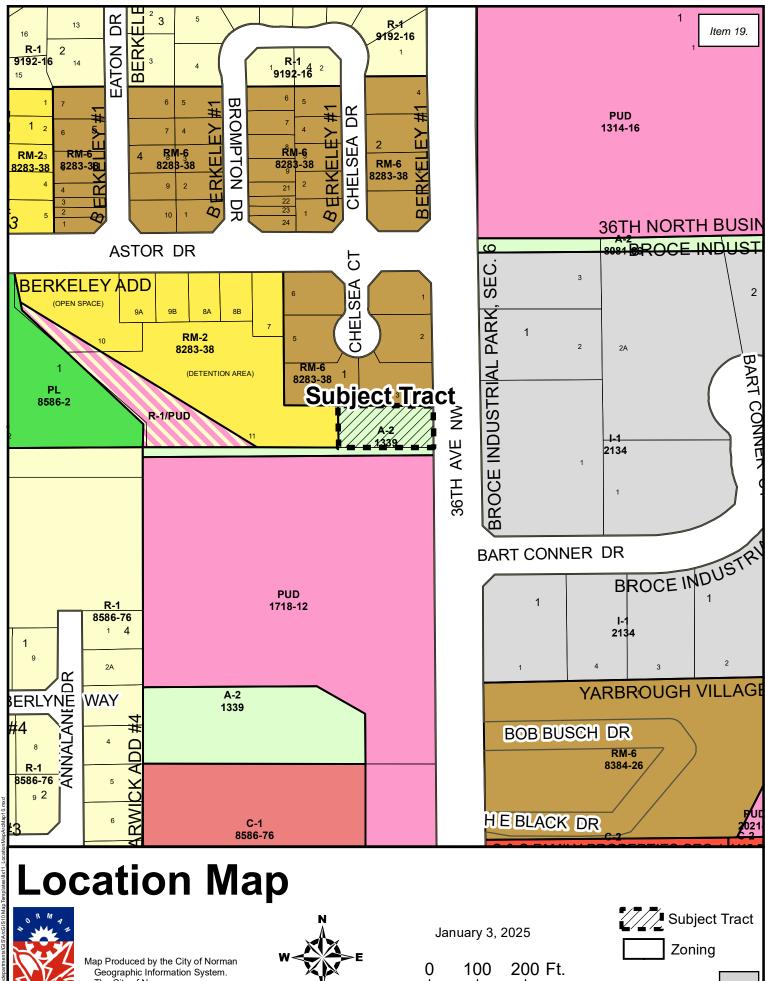
North 87 feet; Thence West 250 feet; Thence South 87 feet; Thence East 250 feet to the Point of Beginning.

LESS AND EXCEPT a part of the North Half (N/2) of the Southeast Quarter (SE/4) of Section Fifteen (15), Township Nine (9) North, Range Three (3) West of the Indian Meridian, being more particularly described as follows: COMMENCING at the Southeast corner of said N/2 of the SE/4; Thence North for a distance of 87.0 feet; Thence South 89°52'34" West for a distance of 246.65 feet to the Point or Place of Beginning; Thence continuing South 89°52'34" West for a distance of 3.35 feet; Thence South 00°50'20" West for a distance of 85.25 feet; Thence North 89°52'34" East for a distance of 3.35 feet; Thence North 00°50'20" East for a distance of 85.25 feet to the Point or Place of Beginning.

Containing 0.49 acres, more or less.

§ 5. <u>Severability</u>. 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.

ADOPTED this	day of	NOT ADOPTED this	day of
	, 2025.		, 2025.
(Mayor)		(Mayor)	
ATTEST:			
(City Clerk)			



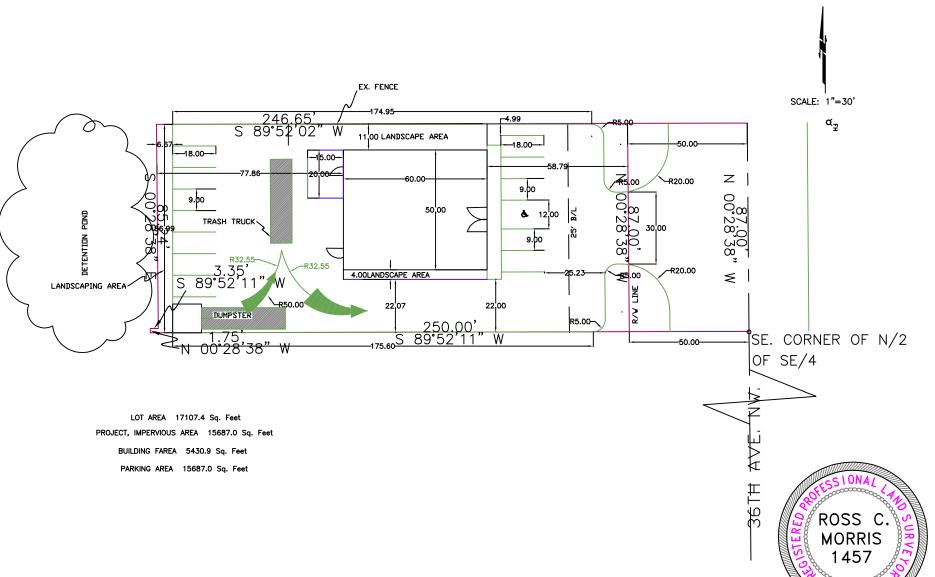
The City of Norman assumes no responsibility for errors or omissions in the information presented.

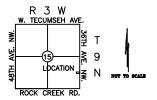


327

## SITE PLAN

DOWELL PROPERTY
PART OF THE SE/4, SEC. 15, T9N,
R3W, I.M., CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA





#### LEGEND

SET IRON PIN

FOUND IRON PIN

\_\_\_ X \_\_\_ FENCE

#### BEFORE YOU DIG

ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD

FLAGGED BY LOCATION SERVICES. LOCATION OF

UDERGROUND UTILISES OR STRUCTURE MAY VARY FROM
LOCATIONS SHOWN HEREON. ADDITIONAL BURBED UTILITIES OR

STRUCTURES MAY BE RECOUNTERED. CONTACT THE ORLAHOMA
ONE-CALL SYSTEM BEFORE EXCAVATING.

CALL OKIE 8-1-1 www.okle811.org 1-800-522-6543 405-840-5032

OKLAHOMA ONE—CALL SYSTEM IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND PRESERVE ALL UTILITY SERVICES. IT IS ALSO THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL UTILITY COMPANIES PRIOR TO CONSTRUCTION.

## SITE PLAN

TO SERVE

# DOWELL PROPERTY 2710 36TH AVE. NW.

JON DOWELL 617 NW 27TH MOORE, OK 73160 CLEVELAND COUNTY, OK.

BASIS OF BEARING: EAST LINE OF SE/4

LAST SITE VISIT:

12/3/24



617 N.W. 27th STREET MOORE, OK 73160 (405) 912-2775 (405) 912-2322 FAX

DATE: 12/10/24 SCALE:
DRAWN BY: 1"=30'

SURVEYOR:

SHEET NO.

1 of 328





# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 03/13/2025

**REQUESTER:** Jonathan & Stacia Dowell

**PRESENTER:** Destiny Andrews, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-24: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE O-1, OFFICE-INSTITUTIONAL DISTRICT; AND PROVIDING FOR THE

SEVERABILITY THEREOF. (2710 36TH AVENUE NW)

APPLICANT/REPRESENTATIVE Jonathan & Stacia Dowell

**LOCATION** 2710 36<sup>th</sup> Ave. NW

WARD 8

CORE AREA No

**REQUESTED ACTION** Rezoning from A-2, Rural Agricultural

District, to O-1, Office-Institutional District

LAND USE PLAN DESIGNATION Low Density Residential

GROWTH AREA DESIGNATION Current Urban Service Area

**BACKGROUND:** The subject parcel covers 0.40 acres of land. The applicant requests a rezoning from A-2, Rural Agricultural District, to O-1, Office-Institutional District, with intentions to construct a two-story, 6,000 square foot (3,000 square foot building footprint) office building for use as a dental office and construction office. The applicant has been informed that the project must meet all pertinent Zoning Ordinance requirements for commercial projects, including landscaping, building requirements, and commercial outdoor lighting standards.

#### PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GBC25-02 January 21, 2025

A Greenbelt Enhancement Statement was required with this request. The Commission forwarded the application with a recommendation of approval.

PRE-DEVELOPMENT: PD25-02 January 23, 2025

One member of the public, a member of the adjoining Homeowners Association, attended this meeting and asked several questions regarding the projects' lighting, detention, and landscaping.

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

This request did not require an application to the Board of Parks Commissioners.

#### **ZONING ORDINANCE CITATION:**

**SECTION 36-522, O-1, Office-Institutional District**: This district is intended to provide a place for those types of institutional and office activities that require separate buildings and building groups surrounded by landscaped yards and open area. Land, space and aesthetic requirements of these uses allow them to be located at the perimeter of residential neighborhoods. The district can be an effective buffer between less intensive residential areas and the retail, wholesale and industrial areas of the community.

Uses permitted. Property and buildings in O-1, Office-Institutional District shall be used only for the following purposes:

- 1) Any of the following uses:
  - a) Art gallery.
  - b) Assembly halls.
  - c) Laboratories for research and testing, including medical marijuana testing laboratories, as allowed by State law, where all work is housed in buildings.
  - d) Libraries.
  - e) Museums.
  - f) Music conservatories.
  - g) Office buildings and offices for such professional services as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicists, linguist, landscape architect, optometrist, optician, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse; provided, however, that no retail sales nor stock of goods shall be permitted other than the incidental sale of merchandise within the above professional offices or a pharmacy which may be located only in a building providing space for medical offices. Funeral homes and mortuaries shall not be considered professional services permitted in this district.
  - Public and private schools and college with students in residence and dormitories associated therewith.
  - Trade schools and schools for vocational training.
  - j) Churches, temples or other places of worship.
  - k) Fraternal service organization not conducted for profit.

- 2) Recreation uses associated with any of the uses listed under subsection (a) of this section and maintained primarily for the benefit and use of the occupants thereof.
- 3) Shops and stores associated with and incidental to the uses listed subsection (a) of this section maintained for serving only the occupants thereof.
- 4) Buildings and structures and uses customarily incidental to the above uses.
- 5) Short-term rentals.

STAFF ANALYSIS: The subject parcel covers 0.40 acres of land with frontage to 36<sup>th</sup> Avenue NW along the eastern side of the parcel. Across 36<sup>th</sup> Avenue NW, several properties are zoned I-1, Light Industrial District. Abutting to the north and west are residentially zoned, RM-6, Medium-Density Apartment District, and RM-2, Low-Density Apartment District respectively. Although the land to the west is zoned for residential uses, the directly adjacent parcel is part of an easement for detention. To the south, the subject parcel is abutted by a property zoned PUD, Planned Unit Development, as defined by O-1718-12. The permitted uses outlined in O-1718-12 include CO, Suburban Office Commercial, and C-1, Local Commercial Districts. Currently, no structures exist on the abutting parcel to the south.

**USE:** The applicant proposes to construct a two-story, 6,000 square foot (3,000 square foot building footprint) office building for dental and office uses on the subject property. The proposed building will front 36<sup>th</sup> Avenue NW along the eastern side of the property and include fourteen parking spaces, as displayed on the submitted site plan. Office buildings for professional use, including dentists and offices, are an appropriate use within the O-1, Office-Industrial District.

**PARKING:** The number of recommended parking spaces for medical and dental offices, as outlined in Section 36-548 (c) of the Zoning Code is 3 per treatment room and one per each doctor or dentist. The related site plan displays fourteen parking spaces.

**LANDSCAPING:** Landscaping is required for this project, as outlined in Section 36-551 of the Zoning Code. The applicant has clearly labelled proposed landscaping areas on the submitted site plan.

**SIGNAGE:** No deviations from signage requirements are associated with this application. The applicant will meet the requirements of Chapter 28, Signage Regulations, for office uses.

**LIGHTING:** No deviations from lighting requirements are associated with this application. The applicant will meet the requirements of the Commercial Outdoor Lighting Standards, Section 36-549.

**SANITATION/UTILITIES:** The applicant will connect to City of Norman water and wastewater systems, as well as Oklahoma Electric Cooperative services. A dumpster is required, and is clearly labeled on the proposed site plan.

**FENCING/WALLS:** As the subject parcel abuts two parcels zoned for residential uses, Section 36-552 (d) of the Zoning Code will require opaque fencing at least six (6) feet in height along the northern and western property lines. An existing fence along the northern border sits on the residentially zoned property to the north and is clearly labelled on the site plan. The

applicant has been advised that, if the existing fencing is ever removed and not replaced, the property owner of the subject parcel must install fencing meeting the provisions of Section 36-552. The applicant has also clearly labelled fencing along the western boundary on the site plan.

**EXTERIOR MATERIALS:** Section 36-547, Exterior Appearance, of the Zoning Code requires 80 percent of all facades on buildings within O-1, Office-Institutional Districts to be masonry. The applicant has proposed a stucco façade, which is an approved masonry material under this section.

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

**IMPACTS**: Development of an office building for dental and office uses would be similar in scale and intensity to the surrounding uses.

#### **OTHER AGENCY COMMENTS:**

#### FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:

Items regarding fire hydrants and fire/building codes will be considered at the building permit stage.

#### **PUBLIC WORKS/ENGINEERING:**

The applicant will be required to submit a Short Form Plat after the adoption of the proposed zoning by City Council in order to obtain a building permit.

#### TRAFFIC ENGINEER:

The Traffic Engineer expressed that reduction in curb cuts, reducing arterial access from two drive points to a singular point for ingress/egress, is favorable.

#### **UTILITIES:**

- Water
  - Show existing and proposed water services with size and type of use.
  - Existing water service, if not to be used, must be abandoned at the main.
  - Confirm if property will have fire suppression system.
- Sanitary Sewer
  - Show existing and proposed sewer services.
- Sanitation
  - No recycling since proposed use is non-residential.

<u>CONCLUSION:</u> Staff forwards this request for rezoning from A-2, Rural Agricultural District, to O-1, Office-Industrial District, and Ordinance O-2425-24 to the Planning Commission for consideration and recommendation to City Council.

#### 2710 36th Ave NW Rezoning and NORMAN 2025 Amendment

4. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-81: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE OFFICE DESIGNATION. (2710 36TH AVENUE NW)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. 2025 Land Use Map
- 3. Pre-Development Summary
- 5. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-24: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE NORTH HALF (N/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIFTEEN (15), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE O-1, OFFICE-INSTITUTIONAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2710 36TH AVENUE NW)

#### ITEM SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map
- 3. Site Plan
- 4. Estimated Elevations

#### **Staff Presentation**

Destiny Andrews, Planner II, presented the staff report.

#### **Applicant Presentation**

Applicant elected not to present on the item.

#### **Public Comment**

There were no public comments.

**Motion** by Commissioner McKown to recommend approval of Resolution R-2425-81 and Ordinance O-2425-24; **Second** by Commissioner Kindel.

Item 19.

#### File Attachments for Item:

20. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-93: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE COMMERCIAL DESIGNATION AND PLACE THE SAME IN THE INSTITUTIONAL DESIGNATION. (2919 CLASSEN BLVD.)



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** NOR Realty, LLC

**PRESENTER:** Jane Hudson, Planning & Community Development Director

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-93: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE COMMERCIAL DESIGNATION AND PLACE THE SAME IN THE INSTITUTIONAL

DESIGNATION. (2919 CLASSEN BLVD.)

APPLICANT/REPRESENTATIVE NOR Realty, LLC/Wallace Design Collective

**LOCATION** 2919 Classen Blvd.

WARD 1

CORE AREA No

REQUESTED ACTION Land Use Designation amendment from

Commercial Designation to Institutional

Designation.

**CURRENT ZONING DESIGNATION** C-2, General Commercial District

PROPOSED ZONING DESIGNATION PUD, Planned Unit Development

GROWTH AREA DESIGNATION Current Urban Service Area

#### **BACKGROUND:**

The proposed Land Use amendment application includes one (1) of two (2) parcels included on concurrent rezoning application (O-2425-28): the subject parcel is a 0.42 acre property currently designated Commercial. Not included, is an 18.19 acre property currently designated, in parts, Industrial and Institutional. A concurrent lot line adjustment is being pursued by the applicant, which would result in one (1), 18.61 acre parcel.

In 2016, Life.Church applied for Special Use for a Place of Worship and requested a 2025 Land Use Plan amendment from Industrial to Institutional Designation. In 2017, Life.Church applied for an update to the Special Use for a Place of Worship within an I-1, Light Industrial District for the existing 18.19 acre parcel. City Council instead approved a PUD, Planned Unit Development with a sign package on the property. The church currently has access from Imhoff Rd. The applicant has purchased the smaller, 0.42 acre parcel with intentions of installing a secondary access point along Classen Blvd. on the southwest side of the property. This request requires a change in Land Use Designation for the property to properly reflect the Institutional Land Use on site.

**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?

In 2016, the Life.Church was approved, and has been operating as a church since that time. The proposed project includes the installation of an additional ingress/egress access point along Classen Blvd. on the southwest side of the property. Due to the limited scope of changes proposed to the project, the proposed change is not foreseen to be contrary to public interest.

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?

The proposed change will affect internal circulation on the property, and may improve ingress/egress to the site by providing an additional access point. As such, there are no foreseen adverse land use or traffic impacts to surrounding properties or the vicinity.

The applicant has approval from ODOT for the right-in/right-out access point on Classen Blvd.

<u>CONCLUSION:</u> Staff forwards this request for a change in Land Use Designation from Commercial to Institutional, and Resolution R-2425-93 consideration by City Council.

<u>PLANNING COMMISSION RESULTS:</u> At their meeting of March 13, 2025, Planning Commission recommended approval of Resolution R-2425-93 by a vote of 7-0.

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE COMMERCIAL DESIGNATION AND PLACE THE SAME IN THE INSTITUTIONAL DESIGNATION. (2919 CLASSEN BLVD.)

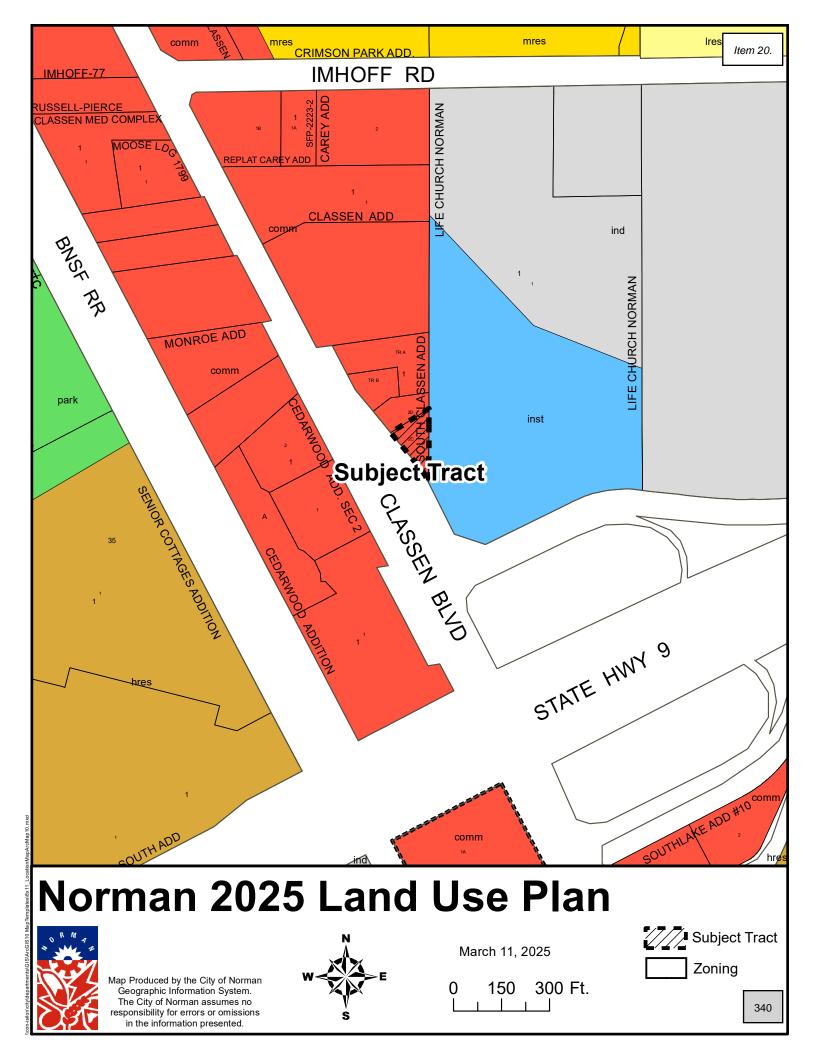
- WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and
- § 2. WHEREAS, the City Council at its meeting of November 16, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan, with an effective date of December 16, 2004; and
- § 3. WHEREAS, NOR Realty, LLC has requested that the following described property be moved from the Commercial Designation and placed in the Institutional Designation for the hereinafter described property, to wit:

LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, RECORDED IN BOOK 2605 PAGE 1045.

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

§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this	day of	, 2025.
	(Mayor)	
ATTEST:  (City Clerk)		



## **City of Norman Predevelopment**

**February 27, 2025** 

**Applicant:** NOR Realty, LLC/Wallace Design Collective

**Project Location:** 1500 E Imhoff Rd. & 2919 Classen Blvd.

Case Number: PD25-06

<u>Time:</u> 6:00 PM

## **Applicant/Representative:**

Colton Wallace

#### Attendees:

Helen Todd Allen Ahlert Jimmy Womack Donna Randall

## **City Staff**

Destiny Andrews, Planner II

#### **Application Summary:**

Rezoning from C-2, General Commercial District to PUD, Planned Unit Development, with intentions to construct a right-in, right-out driveway serving the existing church along Classen Boulevard.

#### **Neighbor's Comments/Concerns/Responses**

Due to the nature of the project including two parcels, the project was described in detail, along with confirmation that no additional changes were being made to the property, outside of the new driveway installation and associated signage. The applicant's representative clarified that the Oklahoma Department of Transportation (ODOT) required the new installation to be right-in, right-out for safety purposes. Neighbors, including Hitachi representatives and adjacent property owner Helen Todd, expressed positive feedback at the probable reduction in traffic along Imhoff Road before and after church services and events.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 03/13/2025

**REQUESTER:** NOR Realty, LLC

**PRESENTER:** Destiny Andrews, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-93: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE COMMERCIAL DESIGNATION AND PLACE THE SAME IN THE INSTITUTIONAL

DESIGNATION. (2919 CLASSEN BLVD.)

APPLICANT/REPRESENTATIVE NOR Realty, LLC/Wallace Design Collective

**LOCATION** 2919 Classen Blvd.

WARD 1

CORE AREA No

REQUESTED ACTION Land Use Designation amendment from

Commercial Designation to Institutional

Designation.

**CURRENT ZONING DESIGNATION** C-2, General Commercial District

PROPOSED ZONING DESIGNATION PUD, Planned Unit Development

GROWTH AREA DESIGNATION Current Urban Service Area

#### **BACKGROUND:**

The proposed Land Use amendment application includes one (1) of two (2) parcels included on concurrent rezoning application (O-2425-28): the subject parcel is a 0.42 acre property currently designated Commercial. Not included, is an 18.19 acre property currently designated, in parts, Industrial and Institutional. A concurrent lot line adjustment is being pursued by the applicant, which would result in one (1), 18.61 acre parcel.

In 2016, Life.Church applied for Special Use for a Place of Worship and requested a 2025 Land Use Plan amendment from Industrial to Institutional Designation. In 2017, Life.Church applied for an update to the Special Use for a Place of Worship within an I-1, Light Industrial District for the existing 18.19 acre parcel. City Council instead approved a PUD, Planned Unit Development with a sign package on the property. The church currently has access from Imhoff Rd. The applicant has purchased the smaller, 0.42 acre parcel with intentions of installing a secondary access point along Classen Blvd. on the southwest side of the property. This request requires a change in Land Use Designation for the property to properly reflect the Institutional Land Use on site.

**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?

In 2016, the Life. Church was approved, and has been operating as a church since that time. The proposed project includes the installation of an additional ingress/egress access point along Classen Blvd. on the southwest side of the property. Due to the limited scope of changes proposed to the project, the proposed change is not foreseen to be contrary to public interest.

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?

The proposed change will affect internal circulation on the property, and may improve ingress/egress to the site by providing an additional access point. As such, there are no foreseen adverse land use or traffic impacts to surrounding properties or the vicinity.

The applicant has approval from ODOT for the right-in/right-out access point on Classen Blvd.

<u>CONCLUSION:</u> Staff forwards this request for a change in Land Use Designation from Commercial to Institutional, and Resolution R-2425-93 to the Planning Commission for consideration and recommendation to City Council.

#### Life.Church Norman Rezoning and NORMAN 2025 Amendment

12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-93: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE COMMERCIAL DESIGNATION AND PLACE THE SAME IN THE INSTITUTIONAL DESIGNATION. (2919 CLASSEN BLVD.)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. 2025 Land Use Map
- 3. Pre-Development Summary
- 13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-28: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE LOT 1, BLOCK 1, LIFE.CHURCH NORMAN AND LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2919 CLASSEN BLVD. AND 1500 E. IMHOFF RD.)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map
- 3. PUD Narrative
- 4. PUD Site Plan
- 5. Open Space Plan

#### **Staff Presentation**

Destiny Andrews, Planner II, presented the staff report

#### **Applicant Presentation**

Colton Wayman, Representative of Applicant, presented on the proposed item.

Mr. Wayman clarified that this application is strictly for the addition of a driveway off Classen Blvd.

#### **Public Comment**

Helen Todd, 1600 E. Imhoff Rd (Support)

Item 20.

**Motion** by Commissioner Kindel to recommend approval of Resolution R-2425-93 and Ordinance O-2425-28; **Second** by Commissioner McDaniel

The motion passed unanimously with a vote of 7-0.

**ADJOURNMENT** 

Planning Commission Officer

#### MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF

Lora Hoggatt, Planning Services Manager, announced that the AIM Norman Steering Committee recommended approval to Planning Commission at their March 12, 2025 meeting. She also notified Commissioners that there would be a City Council and Planning Commission Joint meeting on April 9<sup>th</sup> and that they will vote on April 10<sup>th</sup>.

The meeting was adjourned at 7:40	) p.m.		
Passed and approved this	day of	2025.	

PLANNING COMMISSION MEETING - Thursday, March 13, 2025

#### File Attachments for Item:

21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE LOT 1, BLOCK 1, LIFE.CHURCH NORMAN AND LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2919 CLASSEN BLVD. AND 1500 E. IMHOFF RD.)



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 04/08/2025

**REQUESTER:** NOR Realty, LLC

**PRESENTER:** Jane Hudson, Planning & Community Development Director

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF ORDINANCE O-2425-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE LOT 1, BLOCK 1, LIFE.CHURCH NORMAN AND LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2919 CLASSEN

BLVD. AND 1500 E. IMHOFF RD.)

APPLICANT/REPRESENTATIVE NOR Realty, LLC/Wallace Design Collective

**LOCATION** 1500 E Imhoff Rd. & 2919 Classen Blvd.

WARD 1

CORE AREA No

**REQUESTED ACTION**Rezoning from C-2, General Commercial

District, and PUD, Planned Unit Development, to PUD, Planned Unit

Development.

**CURRENT LAND USE PLAN DESIGNATION** Commercial, Institutional, and Industrial

PROPOSED LAND USE PLAN DESIGNATION Institutional and Industrial

GROWTH AREA DESIGNATION Current Urban Service Area

#### **BACKGROUND:**

The proposed rezoning application includes multiple parcels: one (1), 18.19 acre property currently zoned PUD, Planned Unit Development, and an additional, 0.42 acre property currently

zoned C-2, General Commercial District. A concurrent lot line adjustment is being pursued by the applicant, which would result in one (1), 18.61 acre parcel (further "subject property").

In 2017, Life.Church applied for a Special Use for a Place of Worship within an I-1, Light Industrial District, for the existing 18.19 acre parcel. City Council instead approved a PUD, Planned Unit Development on the property. The church currently has access from Imhoff Rd. The applicant has purchased the smaller, 0.42 acre parcel with intentions for installing a secondary access point along Classen Boulevard on the southwest side of the subject property. This request requires a change in Zoning Designation to bring the smaller, C-2 property into alignment with the existing PUD, and to reflect the changes to the existing PUD accordingly.

#### **PROCEDURAL REQUIREMENTS:**

GREENBELT MEETING: GBC 25-06 February 18, 2025

This meeting was cancelled due to inclement weather.

PRE-DEVELOPMENT: PD25-06 February 27, 2025

Due to the nature of the project including two parcels, the project was described in detail, along with confirmation that no additional changes were being made to the property, outside of the new driveway installation and associated signage. The applicant's representative clarified that the Oklahoma Department of Transportation (ODOT) required the new installation to be right-in, right-out for safety purposes. Neighbors, including Hitachi representatives and adjacent property owner, expressed positive feedback at the probable reduction in traffic along Imhoff Road before and after church services and events.

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

This request did not require platting and thus did not require an application to the Board of Parks Commissioners.

#### **ZONING ORDINANCE CITATION:**

#### 36-509 PUD, Planned Unit Development

(a) 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:
(1) A maximum choice in the types of environment and living units available to the public.

- (2) 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.
- (3) Maximum enhancement and minimal disruption of existing natural features and amenities.
- (4) 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.
- (5) More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
- (6) 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.

#### Existing PUD - Ordinance O-1617-27

- 7. That the Planned Unit Development (PUD) for the property shall allow for the following uses on said property and is hereby attached to the zoning of this tract:
  - a. The site shall be developed in accordance with the previously approved site plan (PP-1516-56) for the church; and
  - b. Signage for the property shall be consistent with the sign package (originally presented with this application) and attached hereto; and
  - c. The remainder of the property not shown as being developed on the previously approved site plan, or as now shown as developed for signage purposes will remain undeveloped outside of church use; and
  - d. No other uses will be allowed without proper application to the City Council to amend this Planned Unit Development.

**STAFF ANALYSIS:** The subject parcel covers 18.61 acres of land with frontage to Imhoff Rd. and is bounded by:

- Imhoff Road to the north, across which lies a PUD, platted as The Cottages at Norman.
- Hitachi Products, zoned I-1, Light Industrial District to the east,
- Highway 9 to the south, and
- Commercial properties zoned C-2, General Commercial District to the west.

The following information is outlined in the PUD Narrative:

#### **USE:**

Permitted Uses:

- Church, temple or other place of worship;
- Off-street parking lot to be used for vehicular parking;

Accessory buildings and uses customarily incidental to any of the above uses. Examples
include recreational activities, and other church-related indoor/outdoor activities and
events.

#### **PARKING:**

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

#### LANDSCAPING:

All landscaping shall comply with the requirements outlined in the City of Norman's Zoning Ordinance, Chapter 36-551 (Landscaping Requirements for Off-Street Parking Facilities), as amended from time to time, subject to changes allowed by Chapter 36-509(g).

Areas designated as open space are clearly shown in the Open Space Plan (Exhibit "B"). The Open Space Plan attributes approximately 70% of the property as open space.

#### SIGNAGE:

Only Life.Church signage shall be permitted. All Life.Church signage shall comply with the sign package as shown on Exhibit "C": Sign Package. The number of standalone Life.Church signs allowed on each frontage shall be the following:

- One (1) sign shall be allowed on Imhoff Road.
- One (1) sign shall be allowed on Classen Boulevard.

In the event Lot 2C, Block 1 of South Classen Addition (2919 Classen Boulevard) is a separate parcel from Lot 1, Block 1 of Life.Church Norman (1500 East Imhoff Road), Life.Church shall be allowed one (1) off-premises sign on said property along Classen Boulevard.

Staff notes that off-premises signage is not allowed unless within 660 feet from the center line of Interstate Highway 35 and placed in C-2 and I-2 zoning districts.

#### LIGHTING:

All exterior lighting shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards (Chapter 36-549), as amended from time to time.

#### **SANITATION/UTILITIES:**

Trash dumpsters will be located in locations approved by the City of Norman. Dumpster enclosures shall be required and will completely hide the refuse area(s).

#### **FENCING/WALLS:**

All fencing and screening shall comply with the requirements outlined in the City of Norman's Zoning Ordinance, Chapter 36-552 (Fencing, Walls, and Screening), as amended from time to time, subject to changes allowed by Chapter 36-509(g).

Additionally, the PUD Narrative includes the following provisions:

**MINIMUM WIDTH:** There shall be no minimum lot width.

#### **MINIMUM BUILDING SETBACKS:**

- Front Yard: 25 feet.
- Side Yard: No side yard shall be required except on the side of a lot adjoining a residential zoning district in which case there shall be a side yard of not less than five feet.
- Rear Yard: None except where the rear yard adjoins a residential zoning district, the minimum rear yard for principal and accessory buildings shall be 30 feet.

**MAXIMUM HEIGHT:** No building shall exceed 50 feet in height.

**IMPERVIOUS COVERAGE:** There shall be a 50% maximum impervious coverage requirement.

**EXTERIOR BUILDING MATERIALS:** Exterior building materials shall be in conformance with the requirements outlined in the City of Norman Zoning Ordinance, Chapter 36-547 (Exterior Appearance), as amended from time to time.

**VEHICULAR ACCESS AND CIRCULATION:** Access to the property shall be permitted in the manner depicted on the attached Site Plan. Existing access to the site will continue to be provided off East Imhoff Road. Additional access will be provided along Classen Boulevard. All improvements to the site shall be in accordance with City of Norman and ODOT requirements.

**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 of Norman codes, ordinances, and regulations.

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

**IMPACTS**: Since a majority of the project is pre-existing, an additional driveway is foreseen to have minimal impact on the surrounding area and should allow ingress/egress for the site to disperse more quickly during times of high traffic volume.

#### **OTHER AGENCY COMMENTS:**

#### FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:

Items regarding fire hydrants and fire/building codes will be considered at the building permit stage.

#### **PUBLIC WORKS/ENGINEERING:**

It is recommended that a sidewalk be installed along W Tecumseh Road during development of this project.

#### TRANSPORTATION ENGINEER:

The applicant has approval from ODOT for the right-in/right-out access point on Classen Blvd.

#### **UTILITIES:**

No comments were received from Utilities on this project.

<u>CONCLUSION:</u> Staff forwards this request for rezoning from C-2, General Commercial District, and PUD, Planned Unit Development, to PUD, Planned Unit Development, and

Ordinance O-2425-28 to the Planning Commission for consideration and recommendation to City Council.

<u>PLANNING COMMISSION RESULTS:</u> At their meeting of March 13, 2025, Planning Commission recommended approval of Ordinance O-2425-28 by a vote of 7-0.

#### O-2425-28

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION AND LOT 1, BLOCK 1, LIFE.CHURCH NORMAN OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2919 CLASSEN BLVD. AND 1500 E. IMHOFF ROAD)

- § 1. WHEREAS, NOR Realty, LLC, the owners of the hereinafter described property, have made application to have the subject properties removed from the C-2, General Commercial District and PUD, Planned Unit Development District, and placed in the PUD, Planned Unit Development District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing on March 13, 2025 as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

§ 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the C-2, General Commercial District, and PUD, Planned Unit Development District, and place the same in the PUD, Planned Unit Development District, to wit:

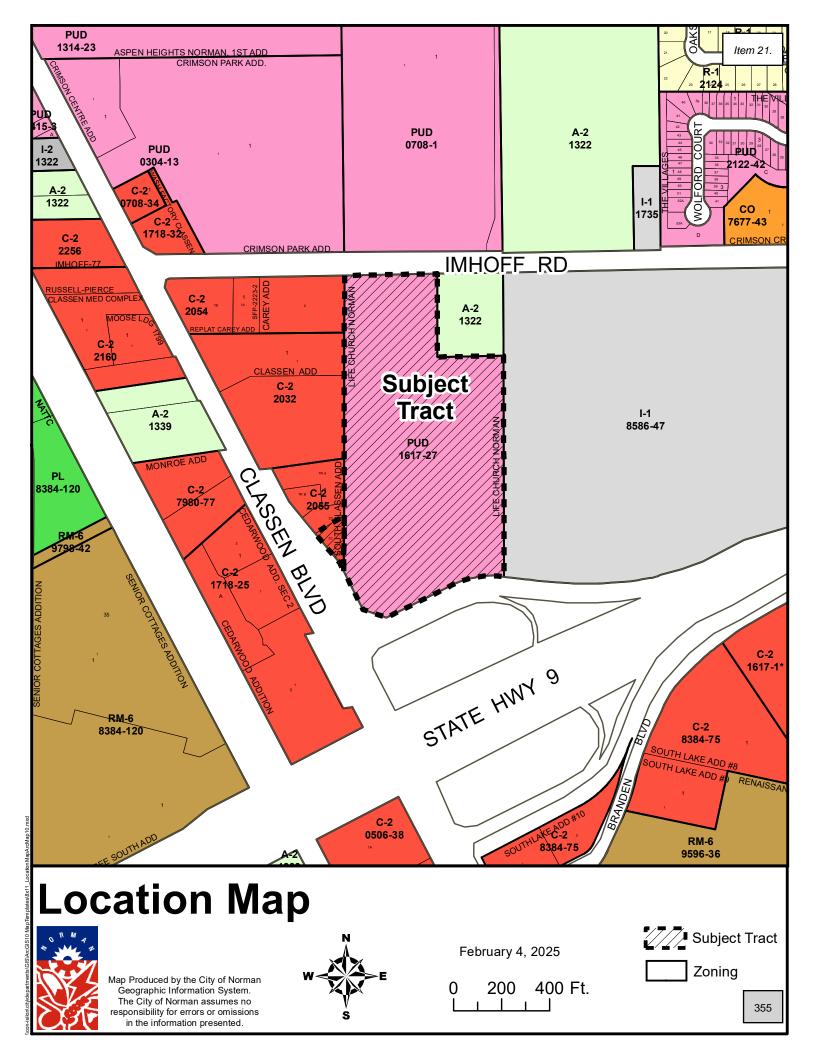
LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, RECORDED IN BOOK 2605 PAGE 1045.

AND

LOT 1, BLOCK 1, LIFE.CHURCH NORMAN, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

- § 5. Further, pursuant to the provisions of Section 36-509 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:
  - a. The site shall be developed in accordance with the PUD Narrative, Site Development Plan, and supporting documentation, which are made a part hereof.
- § 6. <u>Severability</u>. 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.

ADOPTED this	day of	NOT ADOPTED this	day of
	, 2025.		, 2025.
(Mayor)		(Mayor)	
ATTEST:			
(City Clerk)			



# LIFE.CHURCH NORMAN 1500 EAST IMHOFF ROAD

A Planned Unit Development Norman, OK

Applicant: NOR Realty, LLC

Prepared by:

Wallace Design Collective, PC 410 N. Walnut Avenue, Suite 200 Oklahoma City, OK 73104

#### **TABLE OF CONTENTS**

1.	PROPERTY DESCRIPTION	1
2.	DEVELOPMENT CONCEPT	1
3.	DEVELOPMENT STANDARDS	2
	3.A. Development Standards Matrix	
	3.B. Parking and Loading Requirements	
	3.C. Sanitation	
	3.D. Exterior Building Materials	
	3.E. Signage	
	3.F. Landscaping/Tree Preservation	
	3.G. Lighting	
	3.H. Open Space	
	3.I. Fencing and Screening	
4.	ACCESS AND FIRE PROTECTION	4
	4.A. Vehicular Access and Circulation	
	4.B. Fire Protection Services	
5.	EXHIBIT LIST:	
	Exhibit "A": Site Plan	
	Exhibit "B": Open Space Plan	
	Exhibit "C": Sign Package	
	Exhibit "D": Permitted Uses	

#### 1. PROPERTY DESCRIPTION

The properties included as part of this rezoning request are approximately 19 acres in total, located at 1500 East Imhoff Road and 2919 Classen Boulevard. The property addressed as 1500 East Imhoff Road is located in the Life.Church Norman Plat, while 2919 Classen Boulevard is located in the South Classen Addition. The aforementioned properties are surrounded by commercial uses, apartments, and the Hitachi International Supply Chain Center.

1500 East Imhoff Road is utilized as a church with associated parking and detention ponds. The Church's recently-acquired property, 2919 Classen Boulevard, is a vacant parcel previously used as an automobile repair shop. Neither property is within the 100-year floodplain.

**Legal Description:** LOT 1, BLOCK 1, LIFE.CHURCH NORMAN, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

AND

LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, RECORDED IN BOOK 2605 PAGE 1045.

**Existing Zoning:** Current zoning is PUD, Planned Unit Development, and C-2, General Commercial District.

**Comprehensive Plan:** 1500 East Imhoff Road is designated as Industrial and Institutional per the Norman 2025 Land Use Plan. 2919 Classen Boulevard is designated as Commercial. An amendment to the Land Use Plan will be required as part of this request to Institutional.

#### 2. DEVELOPMENT CONCEPT

Life.Church was established in 1996, and today is a diverse group of Christians meeting in cities across the United States. At the time of this narrative, Life.Church has locations in twelve states, serving thousands of people across the Midwest, New York, Florida, and elsewhere. In 2017, Life.Church built their Norman campus at 1500 East Imhoff Road after City Council approved a rezoning to PUD, Planned Unit Development.

The Norman campus includes close to 40,000 square feet of building space in addition to parking and detention areas to the north. In 2024, Life.Church purchased the lot directly to the west to provide access to/from Classen Boulevard. Life.Church proposes to update the previous PUD site plan and combine all lots into a single parcel to facilitate a cohesive development that allows for desired access to/from Classen Boulevard. A site plan depicting the site layout and design features is provided as Exhibit "A": Site Plan.

See Exhibit "A": Site Plan

#### 3. DEVELOPMENT STANDARDS

**3.A.** Development Standards Matrix: The property shall be developed in accordance with the below use and development regulations:

## **Use and Area Regulations**

Net Land Area:	18.80 acres	
Permitted Uses (See Exhibit "D" for complete list):	<ul> <li>Church, temple or other place of worship;</li> <li>Off-street parking lot to be used for vehicular parking;</li> <li>Accessory buildings and uses customarily incidental to any of the above uses. Examples include recreational activities, and other church-related indoor/outdoor activities and events.</li> </ul>	
Minimum Width:	There shall be no minimum lot width.	
Minimum Building Setbacks:	<ul> <li>Front Yard: 25 feet.</li> <li>Side Yard: No side yard shall be required except on the side of a lot adjoining a residential zoning district in which case there shall be a side yard of not less than five feet.</li> <li>Rear Yard: None except where the rear yard adjoins a residential zoning district, the minimum rear yard for principal and accessory buildings shall be 30 feet.</li> </ul>	
Maximum Height:	No building shall exceed 50 feet in height.	
Impervious Coverage:	There shall be a 50% maximum impervious coverage requirement.	
Landscaping Requirements:	Landscaping shall be provided in accordance with the City of Norman Zoning Ordinance, as amended from time to time.	

- 3.B. Parking and Loading Requirements: The property shall comply with Norman's applicable parking ordinances, as amended from time to time.
- **3.C.** Sanitation: Trash dumpsters will be located in locations approved by the City of Norman. Dumpster enclosures shall be required and will completely hide the refuse area(s).
- 3.D. Exterior Building Materials: Exterior building materials shall be in conformance with the requirements outlined in the City of Norman Zoning Ordinance, Chapter 36-547 (Exterior Appearance), as amended from time to time.
- **3.E.** Signage: Only Life.Church signage shall be permitted. All Life.Church signage shall comply with the sign package as shown on Exhibit "C": Sign Package. The number of standalone Life. Church signs allowed on each frontage shall be the following:
  - One (1) sign shall be allowed on Imhoff Road.
  - One (1) sign shall be allowed on Classen Boulevard.

In the event Lot 2C, Block 1 of South Classen Addition (2919 Classen Boulevard) is a separate parcel from Lot 1, Block 1 of Life. Church Norman (1500 East Imhoff Road), Life. Church shall be allowed one (1) off-premises sign on said property along Classen Boulevard.

See Exhibit "C": Sign Package

- 3.F. Landscaping/Tree Preservation: All landscaping shall comply with the requirements outlined in the City of Norman's Zoning Ordinance, Chapter 36-551 (Landscaping Requirements for Off-Street Parking Facilities), as amended from time to time, subject to changes allowed by Chapter 36-509(g), as amended from time to time.
- 3.G. Lighting: All exterior lighting shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards (Chapter 36-549), as amended from time to time.
- 3.H. Open Space: Areas designated as open space are clearly shown in the Open Space Plan. The Open Space Plan attributes approximately 70% of the property as open space.

See Exhibit "B": Open Space Plan

3.I. Fencing and Screening: All fencing and screening shall comply with the requirements outlined in the City of Norman's Zoning Ordinance, Chapter 36-552 (Fencing, Walls, and Screening), as amended from time to time, subject to changes allowed by Chapter 36-509(g), as amended from time to time.

Life.Church Norman 3/3/2025 Project #2480123

360

#### 4. ACCESS AND FIRE PROTECTION

**4.A. Vehicular Access and Circulation:** Access to the property shall be permitted in the manner depicted on the attached Site Plan. Existing access to the site will continue to be provided off East Imhoff Road. Additional access will be provided along Classen Boulevard. All improvements to the site shall be in accordance with City of Norman and ODOT requirements.

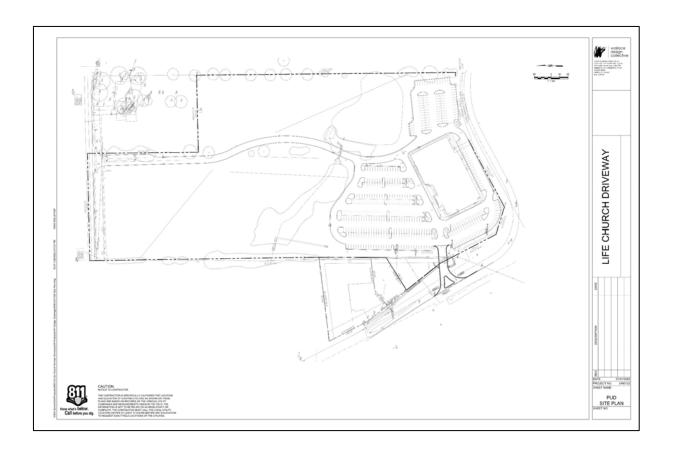
See Exhibit "A": Site Plan

**4.B. 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 of Norman codes, ordinances, and regulations.

Life.Church Norman Project #2480123

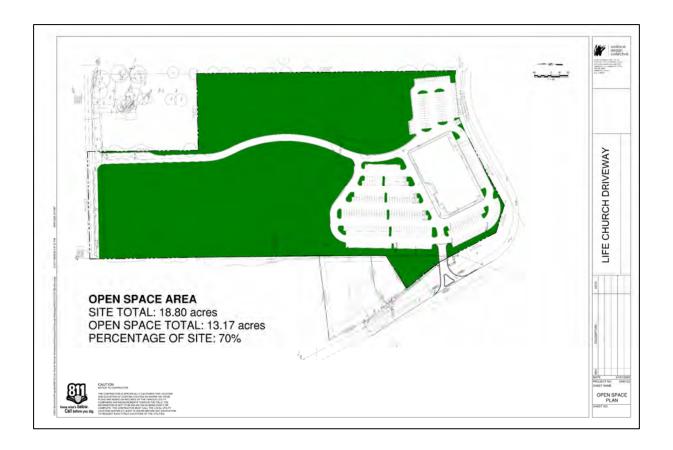
# EXHIBIT A – SITE PLAN

# Full Size Plan Submitted to City Staff



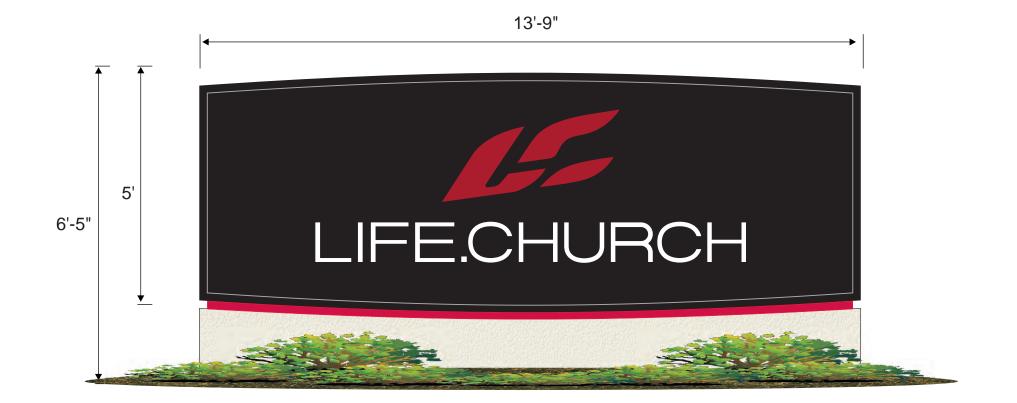
# **EXHIBIT B – OPEN SPACE PLAN**

Full Size Plan Submitted to City Staff



Life.Church Norman Project #2480123

# **EXHIBIT C - SIGN PACKAGE**





# **DESCRIPTION**

ONE NEW MONUMENT WITH ROUTED FACES & PLEX BACKING. PAINTED BLACK CABINET WITH TEXTURED POLE COVER.

INTERNALLY ILLUMINATED WITH WHITE LEDS.

SET ON TWO NEW SQUARE STEEL POLES SET IN CONCRETE.

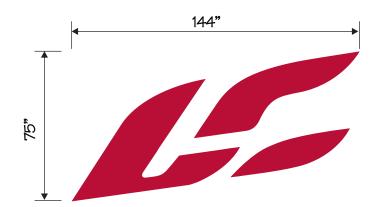
CLIENT LIFE.CHURCH
JOB NORMAN, OK.

SALESMAN BRIAN ELLIOTT
SCALE 1/2" = 1'

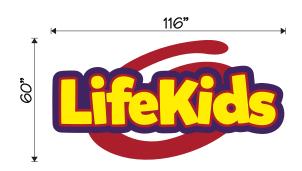
**DESIGNER** REX-2016

APPROVAL

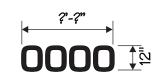


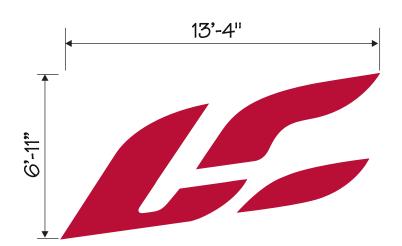






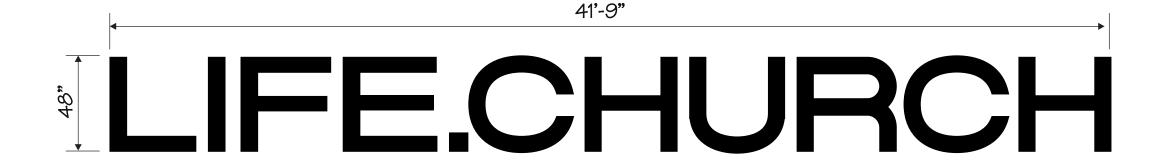






# LIFE.CHURCH!

31'-4"





#### **DESCRIPTION**

NEW ALUM. CHANNEL LETTERS
WITH WHITE PLEX FACES & RED
OVERLAY ON LC FACES, BLACK
PERF OVERLAY ON LETTERS.
BLACK PAINTED RETURNS & BLACK
TRIMCAP ON CHANNEL LETTERS.
RED PAINTED RETURNS AND RED
TRIMCAP ON LC LOGO. INTERNALLY
ILLUMINATED WITH WHITE LEDS.

LIFE KIDS CHANNEL CAN TO HAVE A LEXAN FACE & DIGITAL PRINT.
PURPLE TRIMCAP & RETURN.
INTERNALLY ILLUMINATED WITH
WHITE TD-3 USLEDS.

ONE 12" FCO 1/4" ALUM. ADDRESS

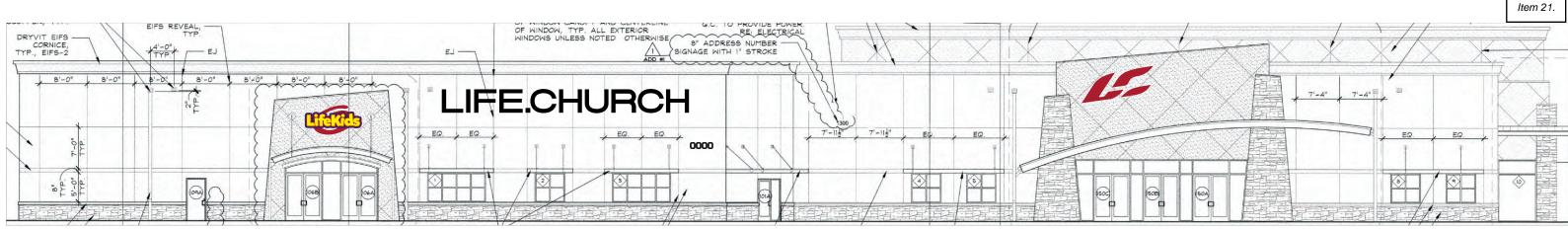
CLIENT LIFE.CHURCH
JOB NORMAN, OK.

SALESMAN BRIAN ELLIOTT
SCALE 1/4" = 1'

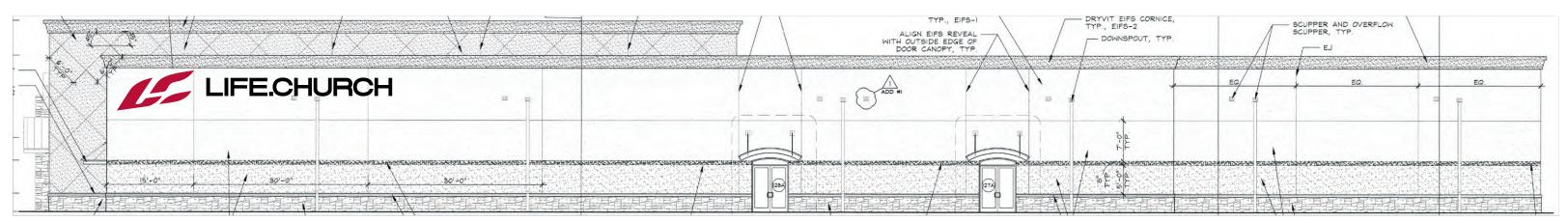
**DESIGNER** REX-2016

APPROVAL

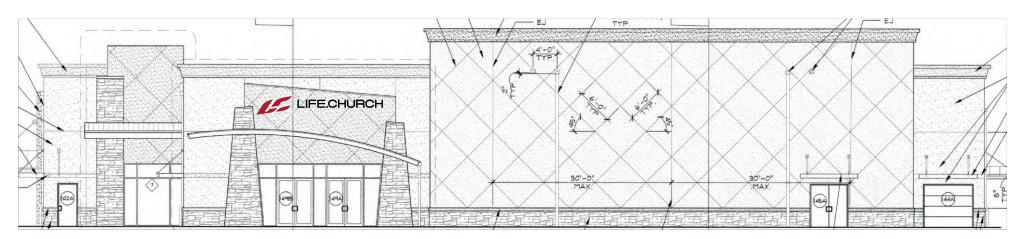




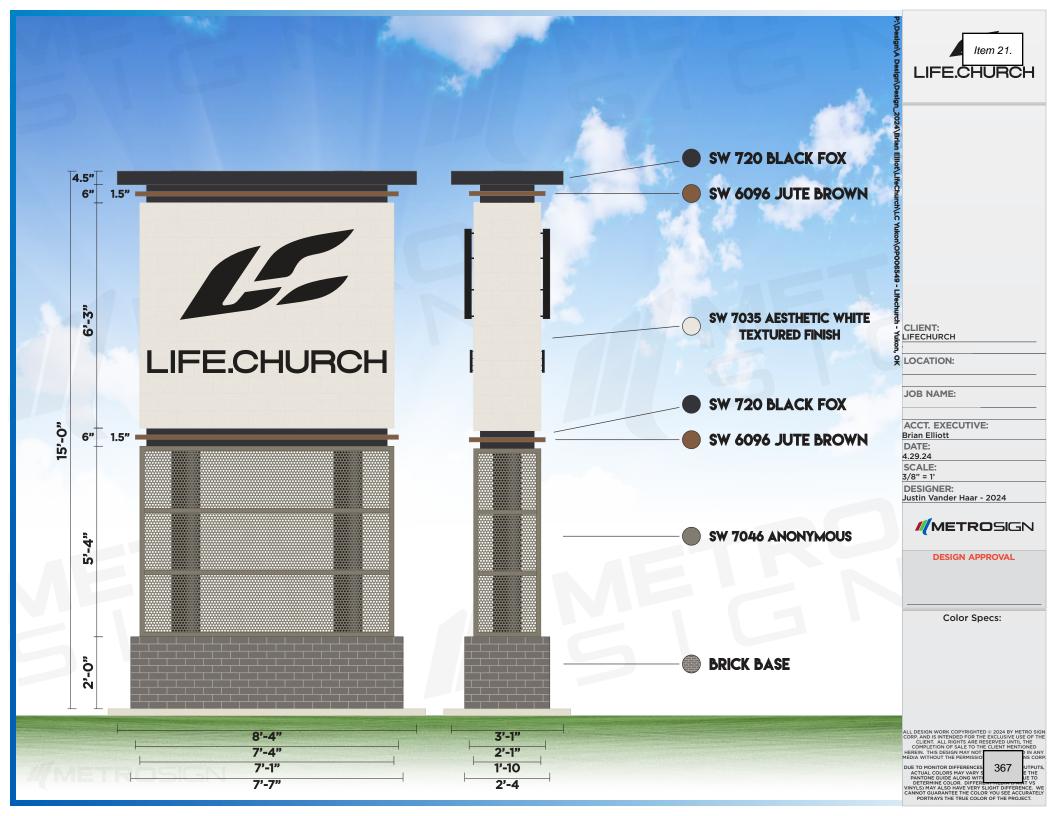
FRONT ELEVATION SCALE 1/16" = 1'



REAR ELEVATION SCALE 1/16" = 1°



EAST SIDE ELEVATION SCALE 1/16" = 1'







# LIFE.CHURCH

JOB DESCRIPTION ~FABRICATION~

•ONE NEW D/S CUSTOM MONUMENT.

•MAIN BODY FILLER IS NICHIHA WOOD PANELS ON FACES AND ON ONE END.

•ALUMINUM FRAME WITH PERFORATED ALUMINUM FILLER AT OPPOSED END.

•RAISED ALUMINUM BACKER WRAPPED AROUND MAIN BODY. •PAINTED FINISH TO MIMIC CMU

BLOCK

•ALUMINUM TOPPER AND BASE WITH
PAINTED FINISH.

-LC-

•TWO SETS OF REVERSE ALUMINUM CHANNEL LETTERS.

•ILLUMINATED FOR HALO EFFECT.

-LIFE.CHURCH-

•TWO SETS OF SLIM S ACRYLIC LETTERS.

•ILLUMINATED WITH LED's.

•ALL MOUNTED TO RAISED BACKER.
•CUSTOM ALUMINUM BASE AND

CUSTOM ALUMINUM BASE AND TOPPER WITH PAINTED FINISH.

ALL DEBIGN WORK COPYRIGHTED © 2020 BY METRO SIGN CORP. AND IS INTENDED FOR THE DISCUSSIVE USE OF THE CLIENT. ALL RIGHTS ARE RESERVED UNIT. THE COMMETION OF SALE TO THE CUENT MENTIONED HEREIN. THIS DEBIGN MAY NOT BE REPRODUCED IN ANY MEDIA WITHOUT THE PERIABISION OF METRO SIGNS CORP. PASSWORD PROTECTION ONE LAYER OF PROTECTION.

DUE TO MONITOR DIFFERENCES AND VAXIOUS OUTFUTS, ACTUAL COLORS MAY VAXY SUGHTLY. WE USE THE PANTONE GUIDE, CAYYL AND THE HEX CODE VAULE TO DETERMINE COLOR. DIFFERENT MEDIA (ANN'T SYNITA'S) MAY ALSO HAVE VERY SUGHT DIFFERENCE. WE CANNOT GUARANTEE THE COLOR YOU SEE ACQUARATEE THAT THE THE THE THE COLOR YOU

CLIENT LIFE CHURCH -

NEW MONUMENT SIGN

SALESMAN BRIAN ELLIOTT

DATE 06.02.20

SCALE 3/8" = 1'

DESIGNER greg roesch- 2020

APPROVAL



# **EXHIBIT D**

# **Permitted Uses**

- Church, temple or other place of worship;
- Off-street parking lot to be used for vehicular parking;
- Accessory buildings and uses customarily incidental to any of the above uses. Examples
  include recreational activities, and other church-related indoor/outdoor activities and
  events.

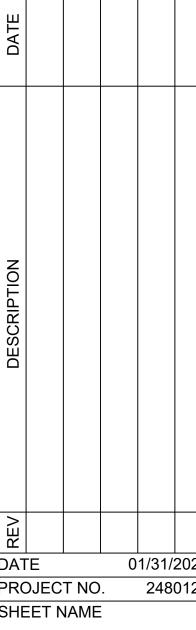
Life.Church Norman Project #2480123

COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY

LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES.

Call before you dig.

design collective



SHEET NO.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 03/13/2025

**REQUESTER:** NOR Realty, LLC

**PRESENTER:** Destiny Andrews, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-28: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE LOT 1, BLOCK 1, LIFE.CHURCH NORMAN AND LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2919 CLASSEN BLVD. AND 1500

E. IMHOFF RD.)

APPLICANT/REPRESENTATIVE NOR Realty, LLC/Wallace Design Collective

**LOCATION** 1500 E Imhoff Rd. & 2919 Classen Blvd.

WARD 1

CORE AREA No

**REQUESTED ACTION**Rezoning from C-2, General Commercial

District, and PUD, Planned Unit Development, to PUD, Planned Unit

Development.

**CURRENT LAND USE PLAN DESIGNATION** Commercial, Institutional, and Industrial

PROPOSED LAND USE PLAN DESIGNATION Institutional and Industrial

GROWTH AREA DESIGNATION Current Urban Service Area

## **BACKGROUND:**

The proposed rezoning application includes multiple parcels: one (1), 18.19 acre property currently zoned PUD, Planned Unit Development, and an additional, 0.42 acre property currently

zoned C-2, General Commercial District. A concurrent lot line adjustment is being pursued by the applicant, which would result in one (1), 18.61 acre parcel (further "subject property").

In 2017, Life.Church applied for a Special Use for a Place of Worship within an I-1, Light Industrial District, for the existing 18.19 acre parcel. City Council instead approved a PUD, Planned Unit Development on the property. The church currently has access from Imhoff Rd. The applicant has purchased the smaller, 0.42 acre parcel with intentions for installing a secondary access point along Classen Boulevard on the southwest side of the subject property. This request requires a change in Zoning Designation to bring the smaller, C-2 property into alignment with the existing PUD, and to reflect the changes to the existing PUD accordingly.

### PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: GBC 25-06 February 18, 2025

This meeting was cancelled due to inclement weather.

PRE-DEVELOPMENT: PD25-06 February 27, 2025

Due to the nature of the project including two parcels, the project was described in detail, along with confirmation that no additional changes were being made to the property, outside of the new driveway installation and associated signage. The applicant's representative clarified that the Oklahoma Department of Transportation (ODOT) required the new installation to be right-in, right-out for safety purposes. Neighbors, including Hitachi representatives and adjacent property owner, expressed positive feedback at the probable reduction in traffic along Imhoff Road before and after church services and events.

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

This request did not require platting and thus did not require an application to the Board of Parks Commissioners.

# **ZONING ORDINANCE CITATION:**

#### 36-509 PUD, Planned Unit Development

(a) 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:
(1) A maximum choice in the types of environment and living units available to the public.

- (2) 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.
- (3) Maximum enhancement and minimal disruption of existing natural features and amenities.
- (4) 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.
- (5) More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
- (6) 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.

# Existing PUD - Ordinance O-1617-27

- 7. That the Planned Unit Development (PUD) for the property shall allow for the following uses on said property and is hereby attached to the zoning of this tract:
  - a. The site shall be developed in accordance with the previously approved site plan (PP-1516-56) for the church; and
  - Signage for the property shall be consistent with the sign package (originally presented with this application) and attached hereto; and
  - c. The remainder of the property not shown as being developed on the previously approved site plan, or as now shown as developed for signage purposes will remain undeveloped outside of church use; and
  - d. No other uses will be allowed without proper application to the City Council to amend this Planned Unit Development.

**STAFF ANALYSIS:** The subject parcel covers 18.61 acres of land with frontage to Imhoff Rd. and is bounded by:

- Imhoff Road to the north, across which lies a PUD, platted as The Cottages at Norman.
- Hitachi Products, zoned I-1, Light Industrial District to the east,
- Highway 9 to the south, and
- Commercial properties zoned C-2, General Commercial District to the west.

The following information is outlined in the PUD Narrative:

#### USE:

Permitted Uses:

- Church, temple or other place of worship;
- Off-street parking lot to be used for vehicular parking;

Accessory buildings and uses customarily incidental to any of the above uses. Examples
include recreational activities, and other church-related indoor/outdoor activities and
events.

#### **PARKING:**

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

#### LANDSCAPING:

All landscaping shall comply with the requirements outlined in the City of Norman's Zoning Ordinance, Chapter 36-551 (Landscaping Requirements for Off-Street Parking Facilities), as amended from time to time, subject to changes allowed by Chapter 36-509(g).

Areas designated as open space are clearly shown in the Open Space Plan (Exhibit "B"). The Open Space Plan attributes approximately 70% of the property as open space.

#### SIGNAGE:

Only Life.Church signage shall be permitted. All Life.Church signage shall comply with the sign package as shown on Exhibit "C": Sign Package. The number of standalone Life.Church signs allowed on each frontage shall be the following:

- One (1) sign shall be allowed on Imhoff Road.
- One (1) sign shall be allowed on Classen Boulevard.

In the event Lot 2C, Block 1 of South Classen Addition (2919 Classen Boulevard) is a separate parcel from Lot 1, Block 1 of Life.Church Norman (1500 East Imhoff Road), Life.Church shall be allowed one (1) off-premises sign on said property along Classen Boulevard.

Staff notes that off-premises signage is not allowed unless within 660 feet from the center line of Interstate Highway 35 and placed in C-2 and I-2 zoning districts.

#### LIGHTING:

All exterior lighting shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards (Chapter 36-549), as amended from time to time.

#### **SANITATION/UTILITIES:**

Trash dumpsters will be located in locations approved by the City of Norman. Dumpster enclosures shall be required and will completely hide the refuse area(s).

#### **FENCING/WALLS:**

All fencing and screening shall comply with the requirements outlined in the City of Norman's Zoning Ordinance, Chapter 36-552 (Fencing, Walls, and Screening), as amended from time to time, subject to changes allowed by Chapter 36-509(g).

Additionally, the PUD Narrative includes the following provisions:

**MINIMUM WIDTH:** There shall be no minimum lot width.

#### **MINIMUM BUILDING SETBACKS:**

- Front Yard: 25 feet.
- Side Yard: No side yard shall be required except on the side of a lot adjoining a residential zoning district in which case there shall be a side yard of not less than five feet.
- Rear Yard: None except where the rear yard adjoins a residential zoning district, the minimum rear yard for principal and accessory buildings shall be 30 feet.

**MAXIMUM HEIGHT:** No building shall exceed 50 feet in height.

**IMPERVIOUS COVERAGE:** There shall be a 50% maximum impervious coverage requirement.

**EXTERIOR BUILDING MATERIALS:** Exterior building materials shall be in conformance with the requirements outlined in the City of Norman Zoning Ordinance, Chapter 36-547 (Exterior Appearance), as amended from time to time.

**VEHICULAR ACCESS AND CIRCULATION:** Access to the property shall be permitted in the manner depicted on the attached Site Plan. Existing access to the site will continue to be provided off East Imhoff Road. Additional access will be provided along Classen Boulevard. All improvements to the site shall be in accordance with City of Norman and ODOT requirements.

**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 of Norman codes, ordinances, and regulations.

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

**IMPACTS**: Since a majority of the project is pre-existing, an additional driveway is foreseen to have minimal impact on the surrounding area and should allow ingress/egress for the site to disperse more quickly during times of high traffic volume.

#### **OTHER AGENCY COMMENTS:**

# FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:

Items regarding fire hydrants and fire/building codes will be considered at the building permit stage.

#### PUBLIC WORKS/ENGINEERING:

It is recommended that a sidewalk be installed along W Tecumseh Road during development of this project.

#### TRANSPORTATION ENGINEER:

The applicant has approval from ODOT for the right-in/right-out access point on Classen Blvd.

#### **UTILITIES:**

No comments were received from Utilities on this project.

**CONCLUSION:** Staff forwards this request for rezoning from C-2, General Commercial District, and PUD, Planned Unit Development, to PUD, Planned Unit Development, and

Ordinance O-2425-28 to the Planning Commission for consideration and recommendation to City Council.

# Life.Church Norman Rezoning and NORMAN 2025 Amendment

12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-93: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE COMMERCIAL DESIGNATION AND PLACE THE SAME IN THE INSTITUTIONAL DESIGNATION. (2919 CLASSEN BLVD.)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. 2025 Land Use Map
- 3. Pre-Development Summary
- 13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-28: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE LOT 1, BLOCK 1, LIFE.CHURCH NORMAN AND LOT 2C, BLOCK 1, SOUTH CLASSEN ADDITION OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2919 CLASSEN BLVD. AND 1500 E. IMHOFF RD.)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map
- 3. PUD Narrative
- 4. PUD Site Plan
- 5. Open Space Plan

#### **Staff Presentation**

Destiny Andrews, Planner II, presented the staff report

#### **Applicant Presentation**

Colton Wayman, Representative of Applicant, presented on the proposed item.

Mr. Wayman clarified that this application is strictly for the addition of a driveway off Classen Blvd.

#### **Public Comment**

Helen Todd, 1600 E. Imhoff Rd (Support)

Item 21.

**Motion** by Commissioner Kindel to recommend approval of Resolution R-2425-93 and Ordinance O-2425-28; **Second** by Commissioner McDaniel

The motion passed unanimously with a vote of 7-0.

**ADJOURNMENT** 

Planning Commission Officer

#### MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF

Lora Hoggatt, Planning Services Manager, announced that the AIM Norman Steering Committee recommended approval to Planning Commission at their March 12, 2025 meeting. She also notified Commissioners that there would be a City Council and Planning Commission Joint meeting on April 9<sup>th</sup> and that they will vote on April 10<sup>th</sup>.

The meeting was adjourned at 7:40 p.m.		
Passed and approved this	day of	_2025.