



CITY OF NORMAN, OK PLANNING COMMISSION MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Thursday, September 09, 2021 at 6:30 PM

AGENDA

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

*

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

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

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PUBLIC WIFI – CONNECT TO CITYOFNORMANPUBLIC – PASSWORD: April1889.

*

Planning Commissioners: Erin Williford, Nouman Jan, Steven McDaniel, Erica Bird, Lark Zink, Dave Boeck, Sandy Bahan, and Michael Jablonski

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ROLL CALL

CONSENT ITEMS

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

1. Approval of the July 8, 2021 Planning Commission Regular Session Minutes and the August 12, 2021 Planning Commission Regular Session Minutes

Action Needed: Approve the minutes of the July 8, 2021 Planning Commission Regular Session and the August 12, 2021 Planning Commission Regular Session as presented, or as amended.

2. COS-2122-2 -- Consideration of a Norman Rural Certificate of Survey submitted by Brandon Stephens (Pollard & Whited Surveying, Inc.) for LITTLE RIVER ESTATES for approximately 180.842 acres of property generally located at the northwest corner of Cedar Lane Road (closed) and 120th Avenue S.E.

Action Needed: Recommend approval, or rejection, of COS-2122-2 for LITTLE RIVER ESTATES to City Council.

3. COS-2122-3 -- Consideration of a Norman Rural Certificate of Survey submitted by Tony Waggoner (Kent Mace, MacBax) for CEDAR CREEK RANCH for approximately 30 acres of property generally located 1/2 mile north of Etowah Road on the east side of 132nd Avenue S.E.

Action Needed: Recommend approval, or rejection, of COS-2122-3 for CEDAR CREEK RANCH to City Council.

4. COS-2122-5 -- Consideration of a Norman Rural Certificate of Survey submitted by Pristine, L.L.C. (Dodson-Thompson-Mansfield, P.L.L.C.) for THE SPORTING CLUB for approximately 74.28 acres of property generally located south of W. Indian Hills Road between 72nd Avenue N.W. and 60th Avenue N.W.

Action Needed: Recommend approval, or rejection, of COS-2122-5 for THE SPORTING CLUB to City Council.

5. PP-2122-2 -- Consideration of a Preliminary Plat submitted by Farzaneh Development Group, L.L.L.P. (SMC Consulting Engineers, P.C.) for DESTIN LANDING, A Planned Unit Development, for approximately 90.68 acres of property generally located south of E. Cedar Lane Road and 1/4 mile west of 36th Avenue S.E.

Action Needed: Recommend adoption, or rejection, of PP-2122-2 for DESTIN LANDING, A Planned Unit Development, to City Council.

6. SFP-2122-2 -- Consideration of a Short Form Plat submitted by Oklahoma Investment Group (Ronald D. Smith, L.S.) for CINNAMON CREEK ADDITION for approximately 5.59 acres of property generally located south of E. Brooks Street to the east of Oklahoma Avenue.

Action Needed: Approve, or reject, SFP-2122-2 for CINNAMON CREEK ADDITION.

7. SFP-2122-3 -- Consideration of a Short Form Plat submitted by Osborn Properties, Inc. (MacBax Land Surveying) for OSBORN PROPERTIES located at 1511 24th Avenue S.W.

Action Needed: Approve, or reject, SFP-2122-3

NON-CONSENT ITEMS

Sooner Traditions SPUD

- [8.](#) R-2122-31 -- Sooner Traditions, L.L.C. and Hunter Miller Family, L.L.C. request amendment of the NORMAN 2025 Land Use and Transportation Plan from Office Designation and Low Density Residential Designation to Commercial Designation for 1.33 acres of property located at the northeast corner of S. Berry Road and W. Lindsey Street (1027 & 1035 S. Berry Road).
- [9.](#) O-2122-15 -- Sooner Traditions, L.L.C. and Hunter Miller Family, L.L.C. request rezoning from R-1, Single Family Dwelling District, and CO, Suburban Office Commercial District, to SPUD, Simple Planned Unit Development, for approximately 1.33 acres of property located at the northeast corner of S. Berry Road and W. Lindsey Street (1027 and 1035 S. Berry Road).

Action Needed: Postpone Resolution No. R-2122-31 and Ordinance No. O-2122-15 to the October 14, 2021 Planning Commission meeting.

Food & Shelter SPUD

- [10.](#) O-2122-14 -- Food and Shelter, Inc. requests rezoning from PUD, Planned Unit Development, to SPUD, Simple Planned Unit Development, for approximately 1.07 acres of property generally located immediately south of Lot 1, Block 1, FOOD & SHELTER SECTION 1.
- [11.](#) PP-2122-5 -- Consideration of a Preliminary Plat submitted by Food and Shelter, Inc. (SMC Consulting Engineers, P.C.) for FOOD AND SHELTER PHASE 2, A Simple Planned Unit Development for approximately 1.07 acres of property generally located east of Reed Avenue and approximately 717' south of E. Main Street.

Action Needed: Recommend adoption, or rejection, of Ordinance No. O-2122-14 and PP-2122-5, the Preliminary Plat for FOOD AND SHELTER PHASE 2, A Simple Planned Unit Development, to City Council.

Geoffrey Arce PUD

- [12.](#) R-2122-21 -- Geoffrey Arce requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Country Residential Designation to Mixed Use Designation for approximately 5 acres of property located at 3766 E. Robinson Street.
- [13.](#) O-2122-10 -- Geoffrey Arce requests rezoning from A-2, Rural Agricultural District, to PUD, Planned Unit Development, for approximately 5.0 acres of property located at 3766 E. Robinson Street.

Action Needed: Recommend adoption, or rejection, of Resolution No. R-2122-21 and Ordinance No. O-2122-10 to City Council.

Siena Springs PUD

- [14.](#) O-2122-13 -- Skyridge Homes, Inc. requests amendment of the existing PUD, Planned Unit Development (O-0607-9) for approximately 24.80 acres of property generally located 1/4 mile west of 36th Avenue S.E. and 1/4 mile north of E. Lindsey Street.
- [15.](#) PP-2122-4 -- Consideration of a Preliminary Plat submitted by Skyridge Homes, Inc. (Grubbs Consulting, L.L.C.) for SIENA SPRINGS ADDITION SECTION 2, A Planned Unit Development for 24.80 acres of property generally located 1/4 mile west of 36th Avenue S.E. and 1/4 mile north of E. Lindsey Street.

Action Needed: Recommend adoption, or rejection, of Ordinance No. O-2122-13 and PP-2122-4, for SIENA SPRINGS ADDITION SECTION 2, A Planned Unit Development, to City Council.

CCPUD

- [16.](#) O-2122-8 -- Jim Holmes Investments, L.L.C. requests rezoning from CCFBC, Urban General Frontage to CCPUD, Center City Planned Unit Development, for approximately 0.22 acres of property located at 453 W. Gray Street.

Action Needed: Recommend adoption, or rejection, of Ordinance No. O-2122-8 to City Council.

East Village SPUD

- [17.](#) O-2122-9 -- East Village at 12th Avenue, L.L.C. requests rezoning of a portion of the existing PUD, Planned Unit Development (O-0405-43), to SPUD, Simple Planned Unit Development, for 2.75 acres of property located at the southwest corner of E. Lindsey Street and 12th Avenue S.E.

Action Needed: Recommend adoption, or rejection, of Ordinance No. O-2122-9 to City Council.

Trailwoods West PUD

- [18.](#) O-2122-12 -- Sweetgrass Partners, L.L.C. requests rezoning from R-1, Single Family Dwelling District, to PUD, Planned Unit Development, for 10.48 acres of property generally located 1/2 mile south of Tecumseh Road on the east side of 12th Avenue N.W. (Trailwoods West Addition).

Action Needed: Recommend adoption, or rejection, of O-2122-12 to City Council.

Zoning Code Amendments

- [19.](#) O-2122-6 -- AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 (ZONING ORDINANCE), SECTION 431.5, OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL AND MULTI-FAMILY AND ALL OFFICE, COMMERCIAL AND INDUSTRIAL DISTRICTS, LESS C-3, INTENSIVE COMMERCIAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Action Needed: Recommend adoption, or rejection, of Ordinance No. O-2122-6 to City Council.

- [20.](#) O-2122-7 -- AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 22-431.2 (COMMUNICATION FACILITIES) OF ARTICLE XII OF CHAPTER 22 (ZONING ORDINANCE); TO ESTABLISH AND FURTHER DEFINE ADDITIONAL STANDARDS FOR SMALL CELL APPLICATIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Action Needed: Recommend adoption, or rejection, of Ordinance No. O-2122-7 to City Council.

- [21.](#) O-2122-16: CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT OR POSTPONEMENT OF AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 13-108, IN ARTICLE I OF CHAPTER 13 (LICENSES AND OCCUPATIONS); AMENDING ARTICLE XXXIV, SECTION 13-3401, IN CHAPTER 13 (LICENSES AND OCCUPATIONS); AMENDING SECTION 424.1 (C-2, GENERAL COMMERCIAL DISTRICT), AND SECTION 426.1 (I-1, LIGHT INDUSTRIAL DISTRICT), BOTH IN ARTICLE XI OF CHAPTER 22 (ZONING ORDINANCE); AND AMENDING SECTION 450 (DEFINITIONS), IN ARTICLE XIV OF CHAPTER 22 (ZONING ORDINANCE); IN ORDER TO ADD PERMITTED AND SPECIAL USES FOR MEDICAL MARIJUANA WASTE FACILITIES, AND TO IMPLEMENT CHANGES AND RESOLVE INCONSISTENCIES RESULTING FROM 2021 STATE LAW UPDATES REGARDING MEDICAL MARIJUANA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Annual Report

22. Annual 2020 Status Report on Development and the NORMAN 2025 Plan, August 2021

This report will be printed and bound separately.

Withdrawn Item

- [23.](#) O-2122-3 -- Cox Brothers Holdings, L.L.C. requests Special Use for an Agri-Wedding Event Venue for approximately 68.8 acres of property zoned A-2, Rural Agricultural District, generally located at the southwest corner of 72nd Avenue N.E. and Tecumseh Road.

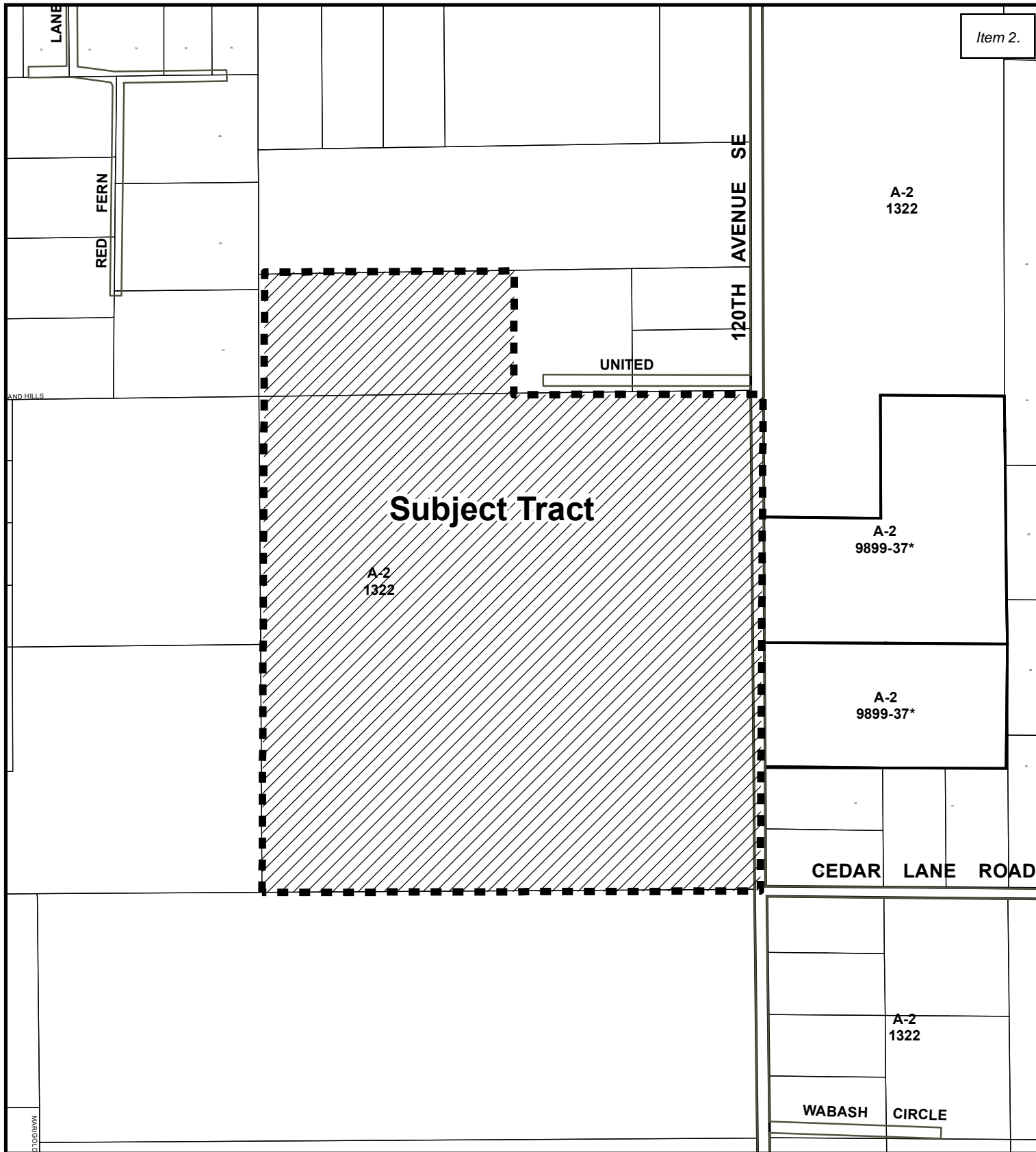
This item has been withdrawn by the applicant.

It appears on the agenda because it was postponed at a prior meeting.

No action is necessary.

MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF

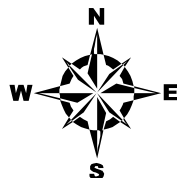
ADJOURNMENT



Location Map




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



July 6, 2021

0 350 700 Ft.

 Subject Tract

 Zoning

Planning Commission Agenda
September 9, 2021

CERTIFICATE OF SURVEY
COS-2122-2

ITEM NO. 2

STAFF REPORT

ITEM: Consideration of **NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-2122-2 FOR LITTLE RIVER ESTATES.**

LOCATION: Located at the northwest corner of Cedar Lane Road (closed) and 120th Avenue S.E.

INFORMATION:

1. Owners. Brandon Stephens as Trustee.
2. Developer. Brandon Stephens.
3. Surveyor. Pollard and Whited Surveying, Inc.

HISTORY:

1. October 21, 1961. City Council adopted Ordinance No. 1318 annexing this property into the Norman Corporate City Limits without zoning.
2. October 30, 1961. Planning Commission recommended to City Council that this property be placed in A-2, Rural Agricultural District.
3. December 12, 1961. City Council adopted Ordinance No.1322 placing this property in A-2, Rural Agricultural District.

IMPROVEMENT PROGRAM:

1. Fire Protection. Fire protection will be provided by the Norman Fire Department.
2. Sanitary Sewer. Individual sanitary sewer systems will be installed in accordance with City and Oklahoma Department of Environmental Quality standards. There is an existing system on Tract 1.
3. Water. Individual water wells will be installed in accordance with City and Oklahoma Department of Environmental Quality standards. There is an existing water well on Tract 1.

4. Acreage. This property consists of 180.843 acres. Tract 1 consists of 27.327 acres, Tract 2 consists of 12.961 acres, Tract 3 consists of 10.043 acres, Tract 4 consists of 10.031 acres, Tract 5 consists of 10.019 acres, Tract 6 consists of 10.007 acres, Tract 7 consists of 10.014 acres, Tract 8 consists of 16.520 acres, Tract 9 consists of 13.666 acres, Tract 10 consists of 10.039 acres, Tract 11 consists of 10.014 acres, Tract 12 consists of 10.10.086 acres, Tract 13 consists of 10.062 acres, Tract 14 consists of 10.039 acres and Tract 15 consists of 10.015 acres.
5. Private Road. There are proposed private roads to serve this property. They will be constructed to the City's private road standard at a width of 20-feet. At the request of the Traffic Engineer, a private road connecting to 120th Avenue S.E. was relocated. As a result, a flood plain permit was required. Flood Plain Permit No. 640 was approved by the Flood Plain Permit Committee on August 16, 2021, addressing the size of culvert and grade of the private road.
6. WQPZ. Water Quality Protection Zone (WQPZ) is located on Tracts 1,2,3,4,5,6,8 and 13. However, there is sufficient area for residential structures and private utilities. The owners will be required to protect these areas.
7. Flood Plain. There is flood plain located within Tracts 1, 2, 3, 4, 5 and 6. However, there is sufficient area for residential structures and private utilities to stay out of those areas.
8. Covenants. Covenants addressing the WQPZ are being reviewed as to form by City Legal staff.
9. Easements. No additional roadway, drainage and utility easement is required for 120th Avenue S.E. With the Comprehensive Transportation Plan, 120th Avenue S.E. is classified as a rural collector street. Cedar Lane Road is a "closed" section. Drainage easements covering the WQPZ are required.

SUPPLEMENTAL MATERIAL: Copies of a location map and Norman Rural Certificate of Survey No. COS-2122-2 for Little River Estates are included in the Agenda Book.

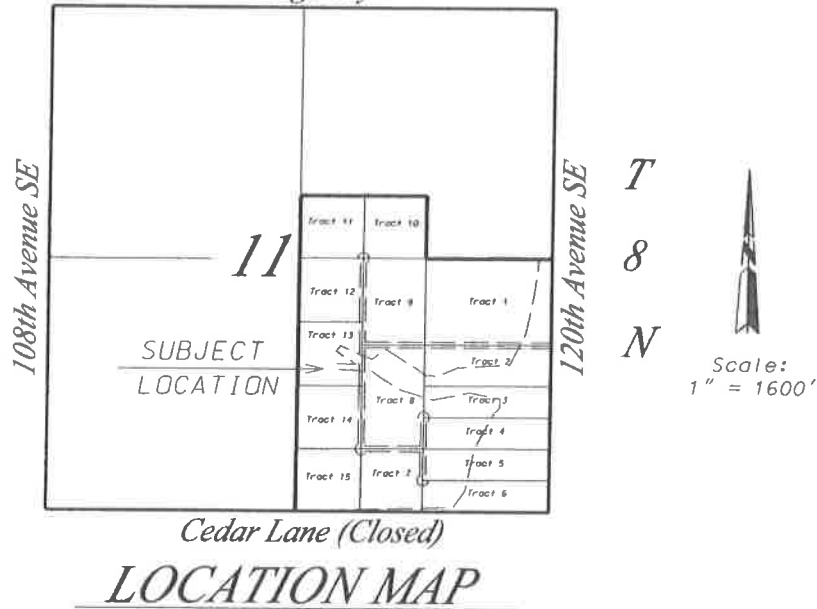
STAFF COMMENTS AND RECOMMENDATION: There are existing structures on Tract 1. The remaining tracts will be utilized for single-family dwelling structures. Staff recommends approval of Norman Rural Certificate of Survey No. COS-2122-2 for Little River Estates.

ACTION NEEDED: Recommend approval or disapproval of Norman Rural Certificate of Survey No. COS-2122-2 for Little River Estates to City Council.

ACTION TAKEN: _____

LITTLE RIVER ESTATES
A NORMAN RURAL CERTIFICATE OF SURVEY SUBDIVISION
 PART OF THE E1/2 OF SECTION 11, T8N, R1W, I.M.
 NORMAN, CLEVELAND COUNTY, OKLAHOMA
COS 2122-2

R 1 W
State Highway 9

**NOTE:**

Bearings shown are based on a Bearing of S00°19'44"W between existing monuments on the East line of the SE1/4 of Section 11, T8N, R1W, I.M. Norman, Cleveland County, Oklahoma.

(●) - Indicates Existing 1/2" Iron Pin Or Monument As Noted Hereon.

(○) - Indicates Set 1/2" Iron Pin With Plastic Cap Marked "Pollard PLS 1474" Or Set PK Nail With Shiner Marked "P&W Surveying CA 2380".

(OCCR) - Indicates Oklahoma Certified Corner Record on File With The Oklahoma Department of Libraries, Archives Division.

The Subject Property Is Located in Zone "X" and Zone "A" according to FEMA's FIRM Map/Panel Number 40027C0320H with an effective Date of 09/26/2008.

Zone "X" is defined as "Areas of Minimal Flood Hazards".

Zone "A" is defined as "Areas of Special Flood Hazards". Zone "A" areas are contained within the WQPZ areas as shown hereon.

(WQPZ) -Indicates the Water Quality Protective Zone. There shall be no clearing, grading, construction or disturbance of vegetation in this area except as as permitted by the Director of Public Works, unless such disturbance is done in accordance 19-514(E) of the Norman City Code. The WQPZ is subject to protective covenants that may be found in the Land Records and that may restrict disturbance and use of these areas.

POLLARD & WHITED SURVEYING, INC.

2514 Tee Drive Norman, OK 73069

405-366-0001 Off.

CA 2380 exp.6-30-23

405-443-8100 Cell

tim@pwsurveying.com

Little River Estates

Norman Rural Certificate of Survey Subdivision

Part E1/2 of Section 11, T8N, R1W, I.M.

Norman, Cleveland County, Oklahoma

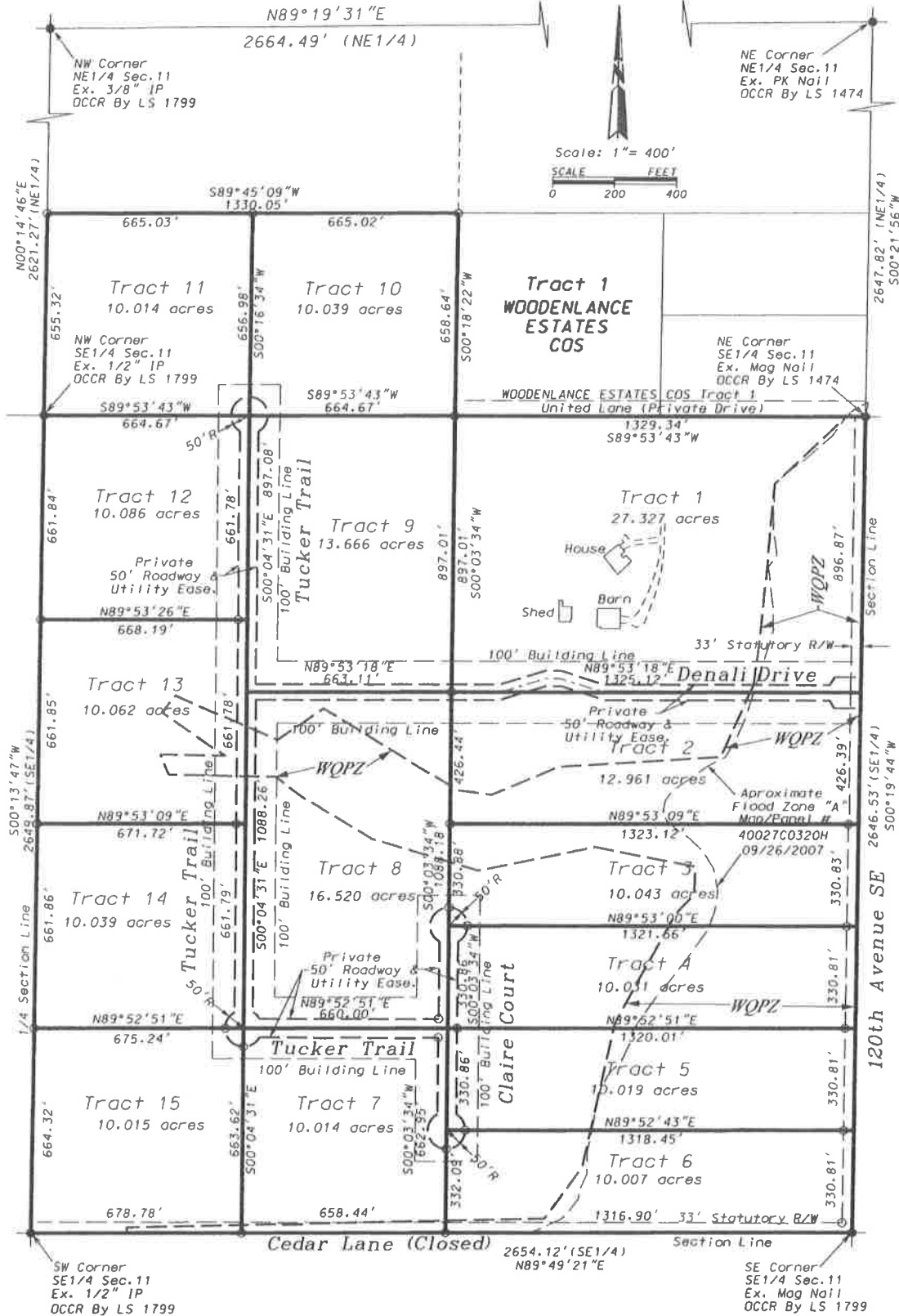
June 21, 2021

Drawn By: T. Pollard

11a8n1w.dgn

Sheet 1 of 16

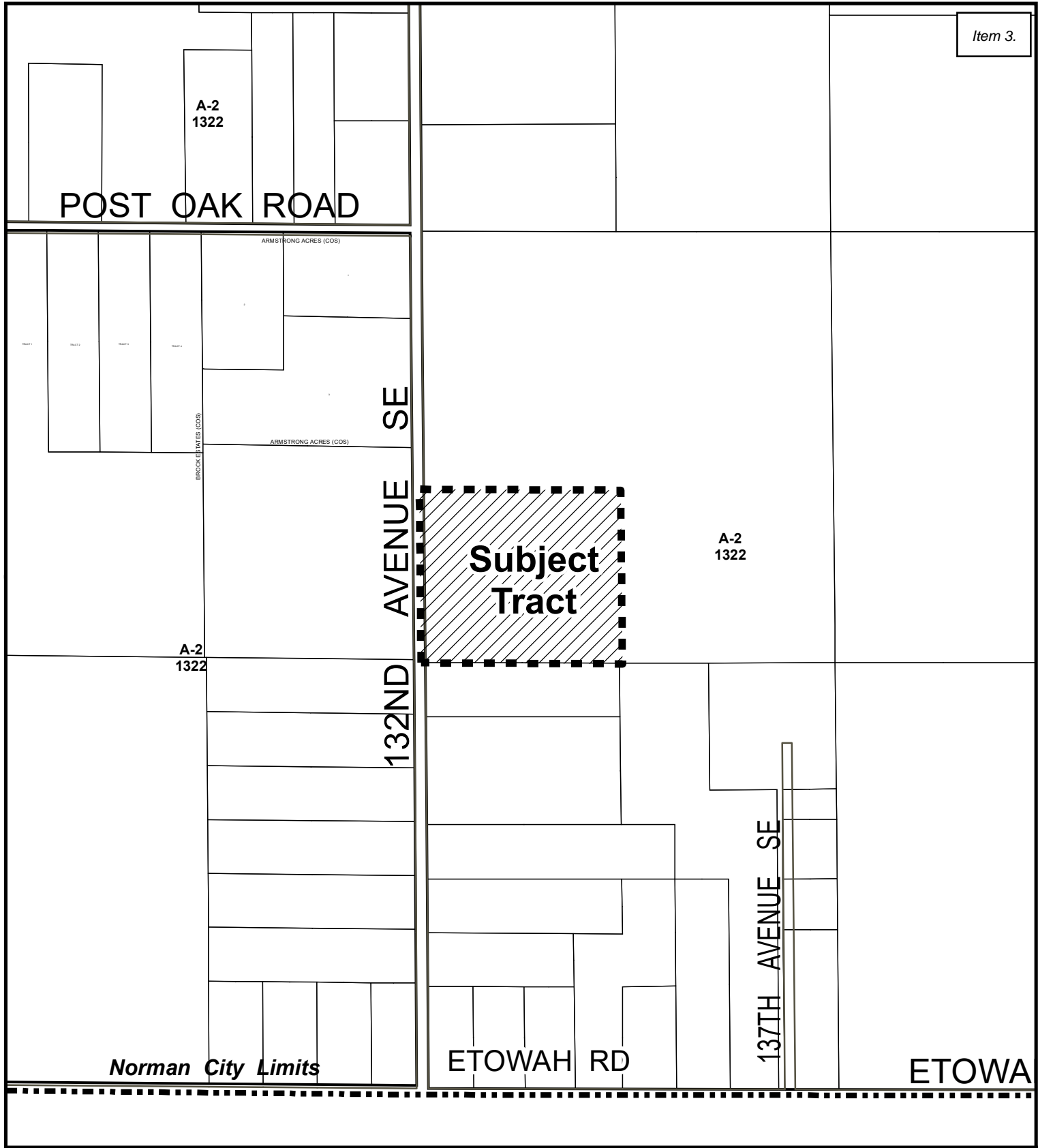
LITTLE RIVER ESTATES
A NORMAN RURAL CERTIFICATE OF SURVEY SUBDIVISION
 PART OF THE E1/2 OF SECTION 11, T8N, R1W, I.M.
 NORMAN, CLEVELAND COUNTY, OKLAHOMA



POLLARD & WHITED SURVEYING, INC.

2514 Tee Drive Norman, OK 73069
 405-366-0001 Off.
 405-443-8100 Cell
 CA 2380 exp. 6-30-23 tim@pwsurveying.com

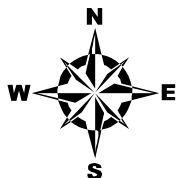
Little River Estates
 Norman Rural Certificate of Survey Subdivision
 Part SE1/4 of Section 11, T8N, R1W, I.M.
 Norman, Cleveland County, Oklahoma
 June 20, 2021
 11a8n1w.dgn
 Drawn By: T. Pollard
 Sheet 2 of 16



Location Map



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



August 3, 2021

0 400 800 Ft.



Subject Tract



Zoning

Planning Commission Agenda
September 9, 2021

CERTIFICATE OF SURVEY
COS-2122-3

ITEM NO. 3

STAFF REPORT

ITEM: Consideration of **NORMAN CERTIFICATE OF SURVEY NO. COS-2122-3 FOR CEDAR CREEK RANCH.**

LOCATION: Generally located on the east side of 132ND Avenue S.E. approximately ½ mile south of Post Oak Road.

INFORMATION:

1. Owners. Tony Waggoner.
2. Developer. Tony Waggoner.
3. Engineer/Surveyor. MacBax Land Surveying, PLLC.

HISTORY:

1. October 21, 1961. City Council adopted Ordinance No. 1318 annexing this property into the Norman Corporate City Limits without zoning.
2. October 30, 1961. Planning Commission recommended to City Council that this property be placed in A-2, Rural Agricultural District.
3. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in A-2, Rural Agricultural District.

IMPROVEMENT PROGRAM:

1. Fire Protection. Fire protection will be provided by the Norman Fire Department.
2. Sanitary Sewer. Individual septic systems will be installed in accordance with City and Oklahoma Department of Environmental Quality standards.
3. Water. Individual water wells will be installed in accordance with City and Oklahoma Department of Environmental Quality standards.
4. Easements. No additional roadway, drainage and utility easement is required for 132nd Avenue S.E. With the Comprehensive Transportation Plan, 132nd Avenue S.E. is classified as a rural collector street.

5. Acreage. There is a total of 30 acres. Tract 1 consists of 10 acres, Tract 2 consists of 10 acres and Tract 3 consists of 10.00 acres.

SUPPLEMENTAL MATERIAL: Copies of a location map and Norman Rural Certificate of Survey No. COS-2122-3 are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: The proposed three tracts will be used for single-family dwelling structures. Staff recommends approval of Certificate of Survey No. COS-2122-3 for Cedar Creek Ranch.

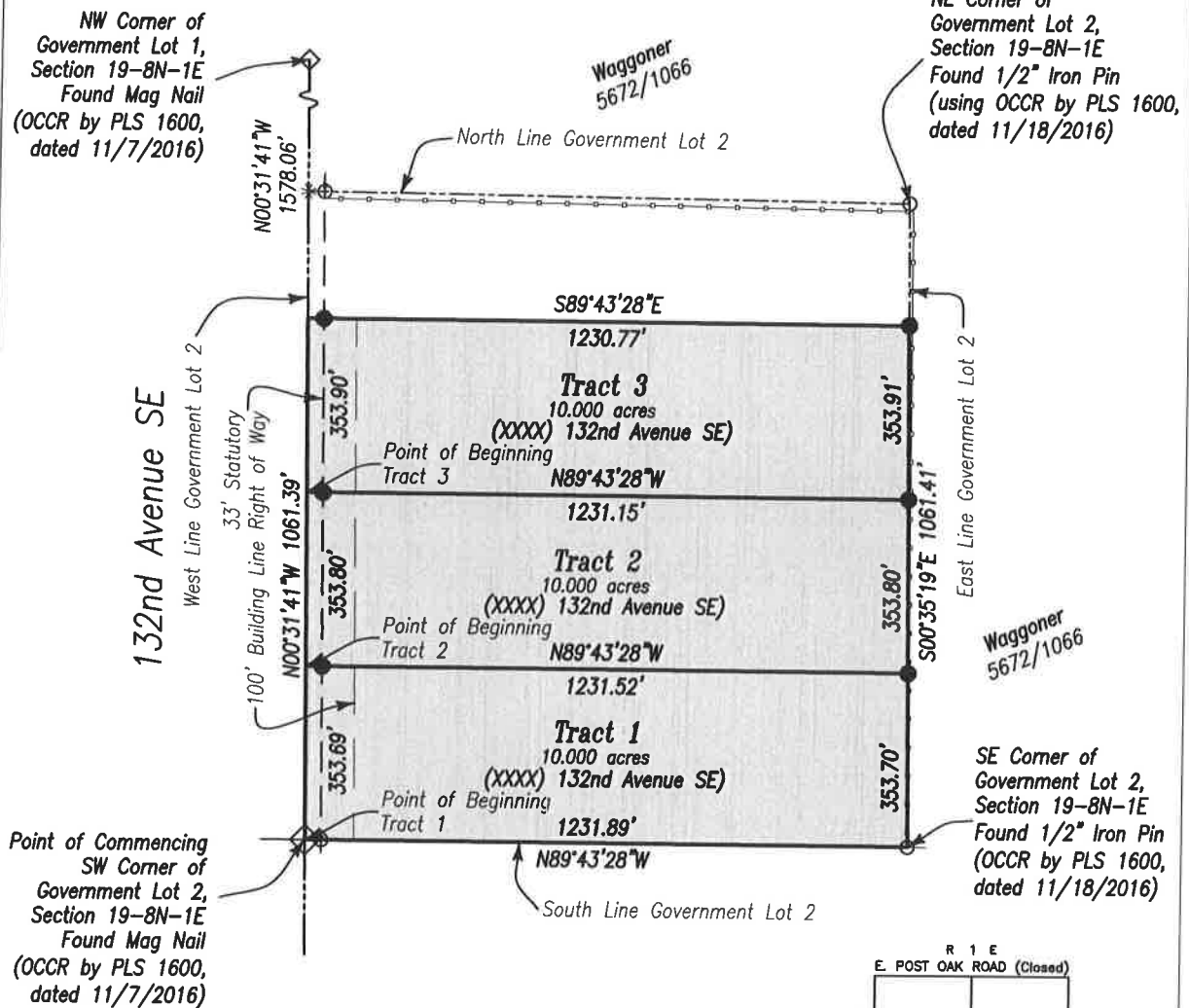
ACTION NEEDED: Recommend approval or disapproval of Certificate of Survey No. COS-2122-3 for Cedar Creek Ranch to City Council.

ACTION TAKEN: _____

CEDAR CREEK RANCH
 NORMAN RURAL CERTIFICATE OF SURVEY
 COS 2021-XX
 PART OF GOVERNMENT LOT 2,
 SECTION 19, T8N, R1E, IM,
 CITY OF NORMAN,
 CLEVELAND COUNTY, OKLAHOMA

NW Corner of
 Government Lot 1,
 Section 19-8N-1E
 Found Mag Nail
 (OCCR by PLS 1600,
 dated 11/7/2016)

NE Corner of
 Government Lot 2,
 Section 19-8N-1E
 Found 1/2" Iron Pin
 (using OCCR by PLS 1600,
 dated 11/18/2016)

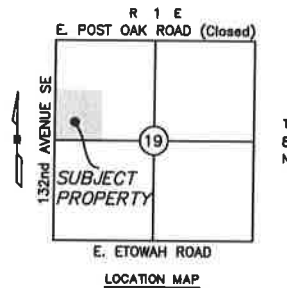


LEGEND

- SET 1/2" IRON PIN WITH
CAP "MACBAX CA 8137"
- ⊙ SET MAG NAIL WITH
SHINER "MACBAX CA 8137"
- ▲ SET RAILROAD SPIKE
- * FOUND MAG NAIL CA 1816
- FOUND IRON PIN WITH
CAP "MACBAX CA 8137"
- ◇ FOUND PLSS MONUMENT
- SECTION LINE
- QUARTER SECTION LINE
- QUARTER-QUARTER SECTION LINE
- 33' STATUTORY RIGHT OF WAY
- FENCE
- BOUNDARY LINE
- LOT LINE
- 40' BUILDING LINE



Bearings are Based on the
 Oklahoma State Plane
 Coordinate System Grid.



Tony Waggoner
 OWNER/SUBDIVIDER

COS 2021-XX

SURVEY FOR
 CEDAR CREEK RANCH
 NORMAN RURAL CERTIFICATE OF SURVEY

DATE 8/2/2021 SCALE 1" = 300'

PROJECT NO. MB-21142

REVISED 8/30/21
 Page 1 of 4

LOCATION
 Part of Government Lot 2
 Section 19, T8N, R1E, I.M.
 Cleveland County, Oklahoma

MB MacBax Land
 Surveying, PLLC

Certificate of
 Authorization
 No. 8137

4716 Stonegate Drive
 Norman, OK 73072
 Phone 405-872-7594
 Kent @MBLS.us



72ND AVENUE NW

Norman City Limits

INDIAN HILLS ROAD

60TH AVENUE NW

Subject Tract

A-2
1339

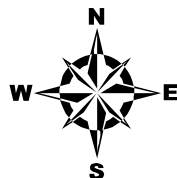
A-2
1339

Norman City Limits

Location Map



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



August 3, 2021

0 400 800 Ft.



Subject Tract



Zoning

CERTIFICATE OF SURVEY
COS-2122-5

ITEM NO. 4

STAFF REPORT**ITEM:** Consideration of **NORMAN CERTIFICATE OF SURVEY NO. COS-2122-5 FOR THE SPORTING CLUB.****LOCATION:** Generally located on the south side of Indian Hills Road and one-half mile west of 60th Avenue N.W.**INFORMATION:**

1. Owners. Pristine, L.L.C.
2. Developer. Sporting Oklahoma, Inc.
3. Surveyor. Dodson-Thompson-Mansfield, P.L.L.C.
4. Engineer. Garver, L.L.C.

HISTORY:

1. October 21, 1961. City Council adopted Ordinance No. 1320 annexing this property into the Norman Corporate City Limits without zoning.
2. December 19, 1961. Planning Commission recommended to City Council that this property be placed in A-2, Rural Agricultural District.
3. January 23, 1962. City Council adopted Ordinance No. 1339 placing this property in A-2, Rural Agricultural District.

IMPROVEMENT PROGRAM:

1. Fire Protection. Fire protection will be provided by the Norman Fire Department.
2. Sanitary Sewer. At such time as structures are constructed, sanitary systems will be installed in accordance with Oklahoma Department of Environmental Quality standards.
3. Water. Water wells will be installed in accordance with City and Oklahoma Department of Environmental Quality standards.

4. Easements. With the Comprehensive Transportation Plan, Indian Hills Road is classified as a Principal Urban Arterial. A 17' roadway, drainage and utility easement will be required.
5. Flood Plain. The property contains flood plain. The parking lot and any proposed structures will require a flood plain permit. The applicant has submitted Flood Plain Permit No. 642 covering soccer fields, parking lot, structures and detention ponds. It is to be considered by the Flood Plain Permit Committee on September 7, 2021.
6. Acreage. There is a total of 74.28 acres. Tract 1 consists of 22.2817 acres and Tract 2 consists of 52 acres.

SUPPLEMENTAL MATERIAL: Copies of a location map and Norman Rural Certificate of Survey No. COS-2122-5 are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: It has been determined the proposed project is by right in the A-2, Rural Agricultural District. There is no proposal for Tract 1. Currently an oil well sits on a portion of that property. The proposal for Tract 2 consists of soccer fields, offices, restrooms, concessions, parking lot and indoor soccer complex. Staff recommends approval of Certificate of Survey No. COS-2122-5 for The Sporting Club.

ACTION NEEDED: Recommend approval or disapproval of Certificate of Survey No. COS-2122-5 for The Sporting Club to City Council.

ACTION TAKEN: _____

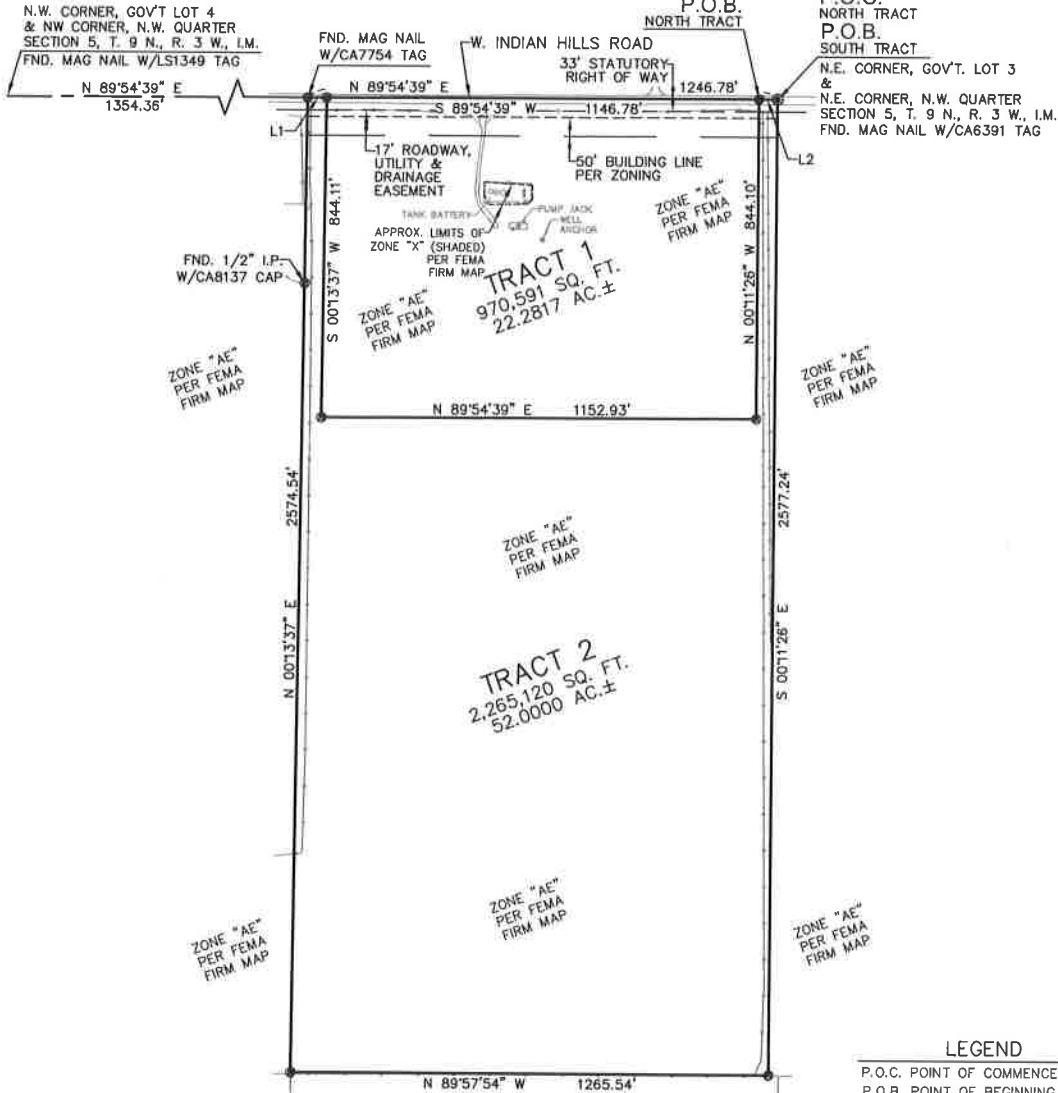
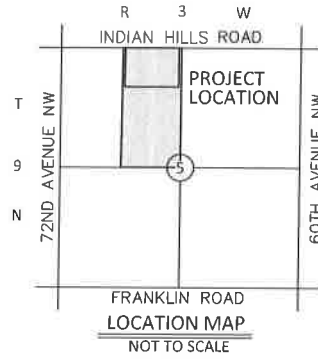
THE SPORTING CLUB

A Norman Rural Certificate of Survey Subdivision
A Part of the Government Lots 3 & 4
& the E/2 of the Northwest Quarter
Section 5, T-9-N, R-3-W, I.M.
City of Norman, Cleveland County, Oklahoma
COS-2122-2

Item 4.



SCALE
1" = 400'



LEGEND

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
● MONUMENT - FOUND OR SET
⊙ SECTION/QUARTER CORNER

MONUMENTATION NOTE

1/2" IRON PIN W/CA6391 CAP
OR
MAG NAIL W/CA6391 TAG
SET AT ALL PROPERTY CORNERS
UNLESS OTHERWISE NOTED.

Line Table		
Line #	Direction	Length
L1	N 89°54'39" E	50.00
L2	N 89°54'39" E	50.00

ZONE "AE"
PER FEMA
FIRM MAP

A Norman Rural Certificate of Survey Subdivision

A Part of the Government Lots 3 & 4 & the S/2 of the Northwest Quarter
Section 5, T-9-N, R-3-W, I.M.
City of Norman, Cleveland County, Oklahoma



DODSON - THOMPSON - MANSFIELD, PLLC

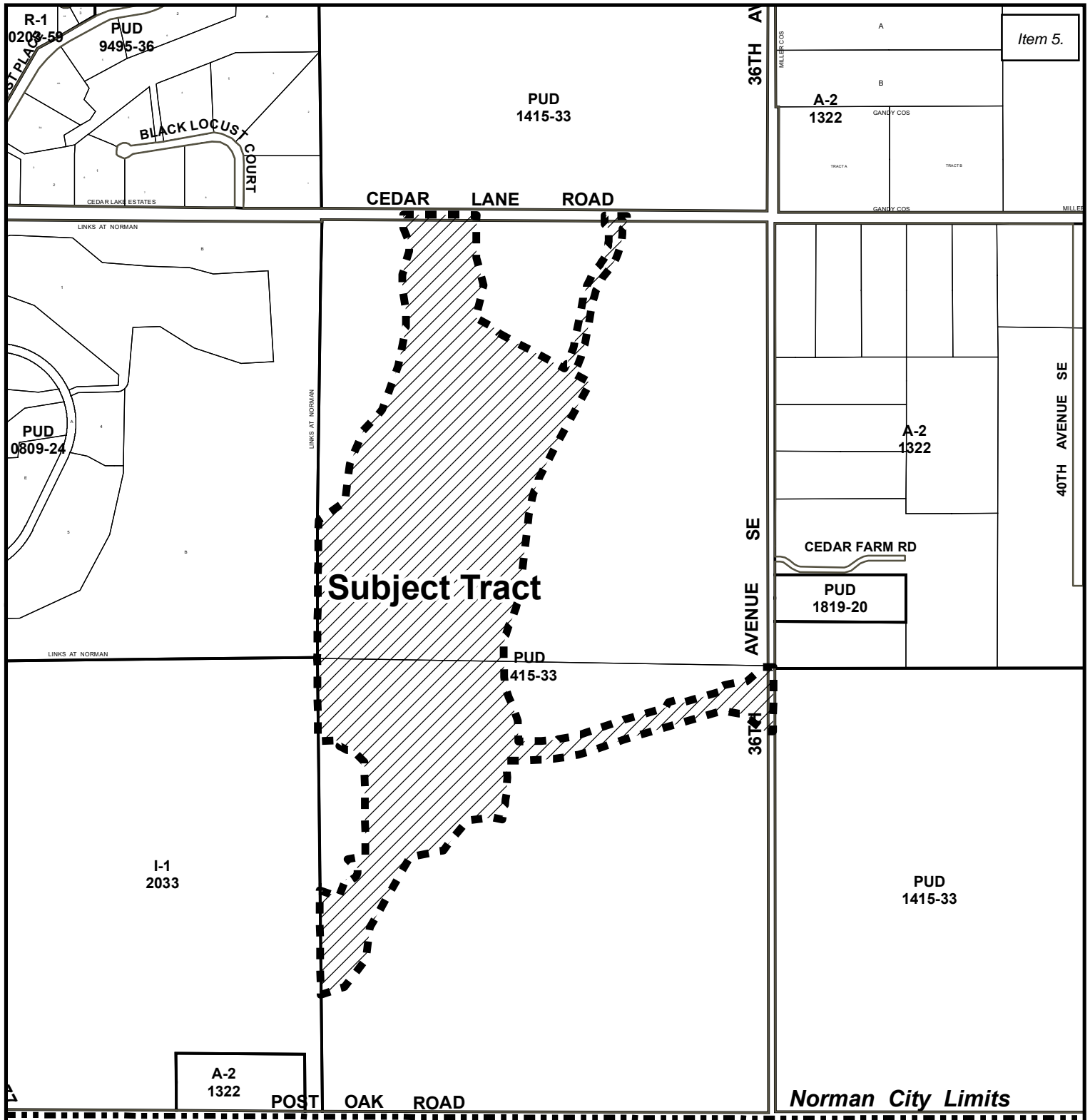
20 NE 38th Street Phone: 405-601-7402 email: randym@dtm-ok.com
Oklahoma City, OK 73105 Fax: 405-601-7421

Surveying - Engineering - Earthwork

CERTIFICATE OF AUTHORIZATION NO: 6391 EXPIRES JUNE 30, 2022

Pristine, LLC
705 Scotts Bluff
Norman, Oklahoma 73072

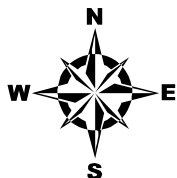
Project No. 13,690
Date: 6-11-2021
Sheet: 1 of 4



Location Map





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



July 6, 2021

0 400 800 Ft.

 Subject Tract

 Zoning



Planning Commission Agenda
September 9, 2021

PRELIMINARY PLAT
PP-2122-2

ITEM NO. 5

STAFF REPORT

ITEM: Consideration of a **PRELIMINARY PLAT FOR DESTIN LANDING ADDITION, A PLANNED UNIT DEVELOPMENT.**

LOCATION: Generally located south of Cedar Lane Road and one-quarter mile west of 36th Avenue S.E.

INFORMATION:

1. Owners. Farzaneh Development Group, LLLP.
2. Developer. Farzaneh Development Group, LLLP.
3. Engineer. SMC Consulting Engineers P.C.

HISTORY:

1. October 21, 1961. City Council adopted Ordinance No. 1318 annexing this property into the Norman Corporate City Limits without zoning.
2. October 30, 1961. Planning Commission recommended to City Council that this property be placed in A-2, Rural Agricultural District.
3. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in A-2, Rural Agricultural District.
4. October 1, 2016. The Norman Board of Parks Commissioners accepted the Destin Landing Master Plan.
5. February 11, 2016. Planning Commission, on a vote of 6-0, recommended to City Council amending the NORMAN 2025 Land Use and Transportation Plan from Very Low Density Residential Designation to Mixed Use Designation.
6. February 11, 2016. Planning Commission, on a vote of 6-0, recommended to City Council that this property be removed from A-2, Rural Agricultural District to PUD, Planned Unit Development.

7. April 12, 2016. City Council amended the NORMAN 2025 Land Use and Transportation Plan placing this property in the Mixed Use Designation and removing it from Very Low Density Residential Designation.
8. April 12, 2016. City Council adopted Ordinance No. O-1415-33 placing this property in the PUD, Planned Unit Development and removing it from A-2, Rural Agricultural District. The Destin Landing Master Plan was included with the rezoning.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. The Norman Fire Department will review their locations.
2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
3. Sanitary Sewers. Sanitary sewer improvements will be constructed in accordance with approved plans and City and State Department of Environmental Quality standards. A proposed lift station will be installed north of Cedar Lane Road and west of 36th Avenue S.E. Utilities Department supports the sanitary sewer solution as long as the developer and City Council approve a Lift Station Agreement and Fee to be included on future utility bills for this development.
4. Sidewalks. Sidewalks will be deferred with final platting adjacent to a 36th Avenue S.E. and Cedar Lane Road. The developer will construct sidewalks adjacent to all interior streets including open space properties.
5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately maintained detention facilities will be constructed for the conveyance of storm water.
6. Streets. Streets will be constructed in accordance with approved plans and City paving standards. Street paving will be deferred for Cedar Lane Road and 36th Avenue S.E.
7. Water Mains. Water mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards. There is an existing 12" water main west of this property. The developer will extend a 16" water main adjacent to Cedar Lane Road to the entry of the development. A 16" water main will be installed adjacent to 36th Avenue S.E. at the entry of the development.
8. Trails. Trail systems are shown on the preliminary plat. This meets the requirements of the Master Plan as approved by City Council.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on a final plat.
2. Rights-of-Way. Street rights-of-way will be dedicated to the City on a final plat.

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

STAFF COMMENTS AND RECOMMENDATION: This property consists of 90.68 acres including 36.50 acres of open space/park land. There are 301 single-family residential lots. At the time the PUD zoning was approved, City Council approved an overall Master Plan. Within the Master Plan included Parks decision, Storm Water Master Plan, Transportation Impacts, Traffic Impact Analysis, Water Distribution Report, Wastewater Collection System and Phase 1A and 1B Utilities Map. Staff can support the preliminary plat for Destin Landing Addition, a Planned Unit Development based on the fact it follows the guidelines of the Master Plan previously approved by City Council.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat and preliminary site development plan to the City Council.

ACTION TAKEN: _____



CITY OF NORMAN

Development Review Form

Transportation Impacts

DATE: September 1, 2021

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

PROJECT NAME: Destin Landing **PROJECT TYPE:** Residential
Owner: Farzaneh Developmet Group, L.L.L.P.
Developer's Engineer: SMC Consulting Engineers, P.C.
Developer's Traffic Engineer: Traffic Engineering Consultants, Inc. (TEC)

SURROUNDING ENVIRONMENT (Streets, Developments)

The areas surrounding this site are generally low and very low density residential with some Commercial uses to the west. Cedar Lane Road and Post Oak Road are the main east/west roadways, and 36th Avenue SE is the main north/south roadway.

ALLOWABLE ACCESS:

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

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

Cedar Lane Road: 2 lanes (existing and future). Speed Limit— 50 mph. Some sight distance problems. No median.

Post Oak Road: 2 lanes (existing and future). Speed Limit— 50 mph. Some sight distance problems. No median.

36th Avenue SE: 2 lanes (existing and future). Speed Limit— 50 mph. Some sight distance problems. No median.

ACCESS MANAGEMENT CODE COMPLIANCE: YES ☒ NO ☐

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

TRIP GENERATION

	Total	In	Out
Weekday	2,866	1,433	1,433
A.M. Peak Hour	220	55	165
P.M. Peak Hour	292	184	108

TRANSPORTATION IMPACT STUDY REQUIRED? YES ☒ NO ☐

The Destin Landing Master Plan Traffic Study stipulates that a separate traffic impact analysis is to be submitted with each new Preliminary Plat. The study, as submitted, determined that no immediate improvements were needed based on the project development trip generated traffic volumes. However, the development will push traffic through the intersection of Classen Boulevard/US-77 and Post Oak Road which has been previously identified as a candidate intersection for future signalization as development in the area continues. The development is proposed for location along the south side of Cedar Lane Road and to the west of 36th Avenue SE.

RECOMMENDATION: **APPROVAL** ☒ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

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

The proposed addition will access Cedar Lane Road with Drive #1, as it is currently identified in the traffic impact analysis and Drive #2 which connects to 36th Avenue SE. Capacity exceeds current demand in this area. As such, no off-site improvements are anticipated. However, the developer will be required to pay \$5,505.29 in traffic impact fees toward future signalization of the Classen Boulevard and Post Oak Road intersection. This fee is required to be paid with the filing of the Final Plat.

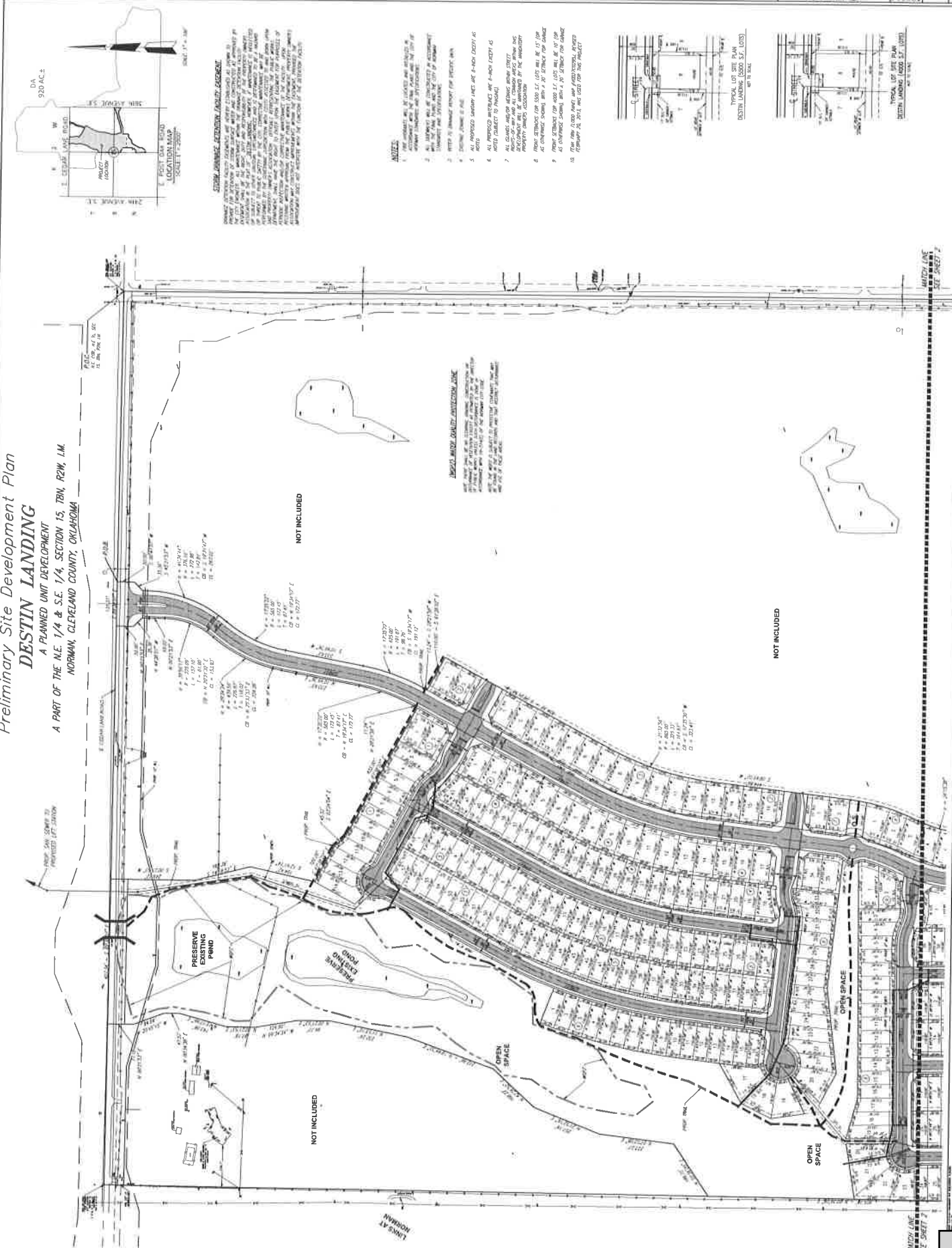
OWNER / DRIVER
 CAROL ANN DEAN, LLP
 2200 N. UNIVERSITY ST.
 ANN ARBOR, MI 48106-1000
 734.769.1800

RENTER
 22 ANN M. ST.
 ANN ARBOR, MI 48106-1000
 734.769.1800

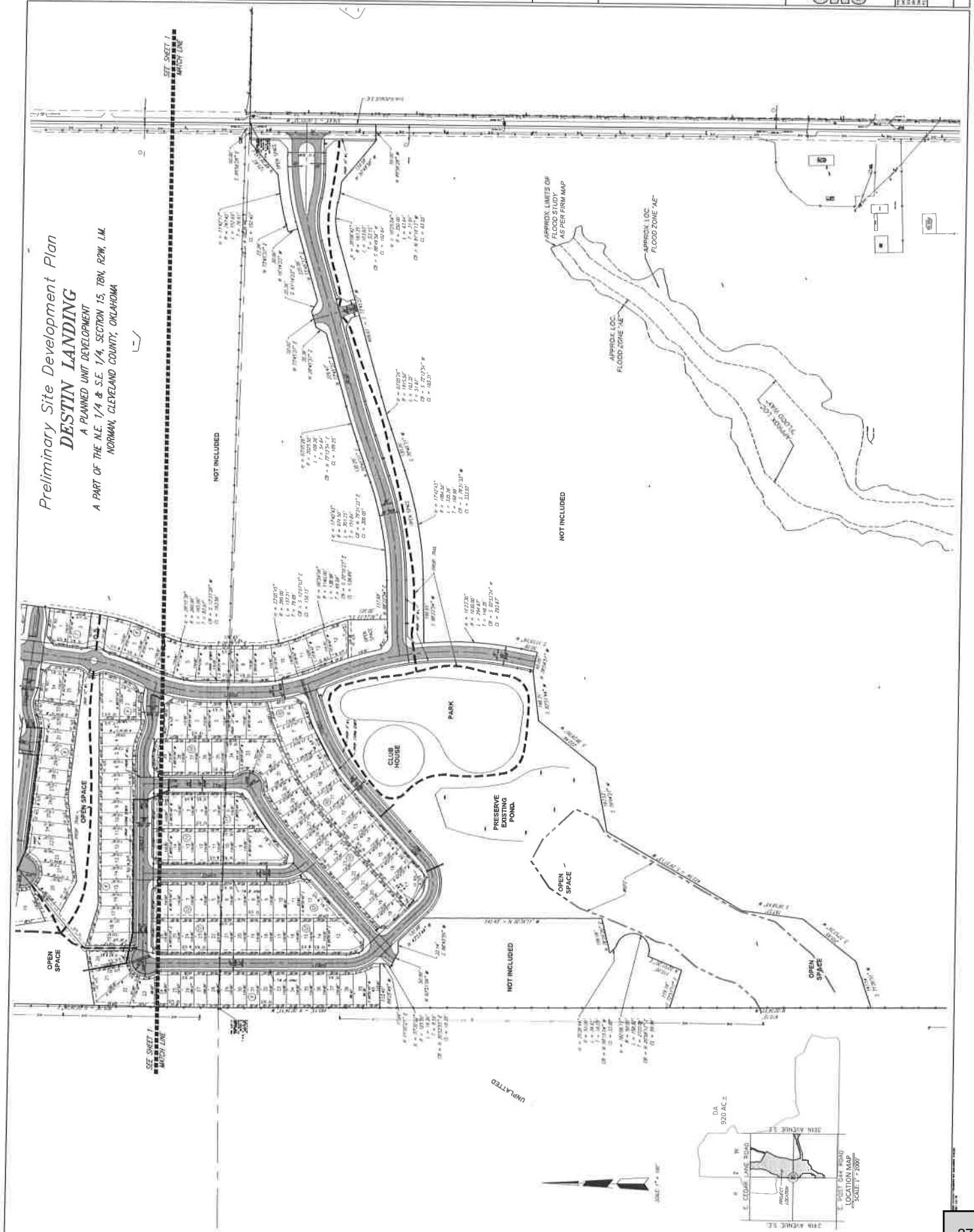
DESTIN LANDING

SMC Consulting Engineers, P.C.
 415 West 14th Street, Suite 1000
 New York, NY 10011
 Tel: 212-368-1111
 Fax: 212-368-1112
 E-Mail: info@smc.com

Item 5.



Preliminary Site Development Plan
DESTIN LANDING
 A PLANNED UNIT DEVELOPMENT
 A PART OF THE N.E. 1/4 & S.E. 1/4, SECTION 15, T8N, R2W, 14M.
 NORMAN, CLEVELAND COUNTY, OKLAHOMA



DESTIN LANDING
 E. CEDAR LANE & 36TH AVE. S.E.
 NORMAN, OKLAHOMA

SMC
 SMC Consulting Engineers, P.C.
 315 West Main Street, Suite 200
 Norman, Oklahoma 73069
 Phone: (405) 833-1111
 Fax: (405) 833-1112
 Email: info@smc-engineers.com
 Website: www.smc-engineers.com

Item 5.

Applicant: Farzaneh Development, LLLP.

Project Location: South side of Cedar Lane Road approximately 1/4 mile west of 36th Ave SE

Case Number: PD21-26

Time: 5:30 p.m.

Applicant/Representative

Gunner Joyce, Attorney
Chris Anderson, Engineer

Attendees

The following attendees were in person

Paul & Julie Warren
Charlene Hartzog
Gary Wittmer
Charles Browning
Rick Brown
Vicki Maenza

Eli Bridge
Aysha Prather
Roxanne Mountford
Danny Marler
Michael Gentry

City Staff

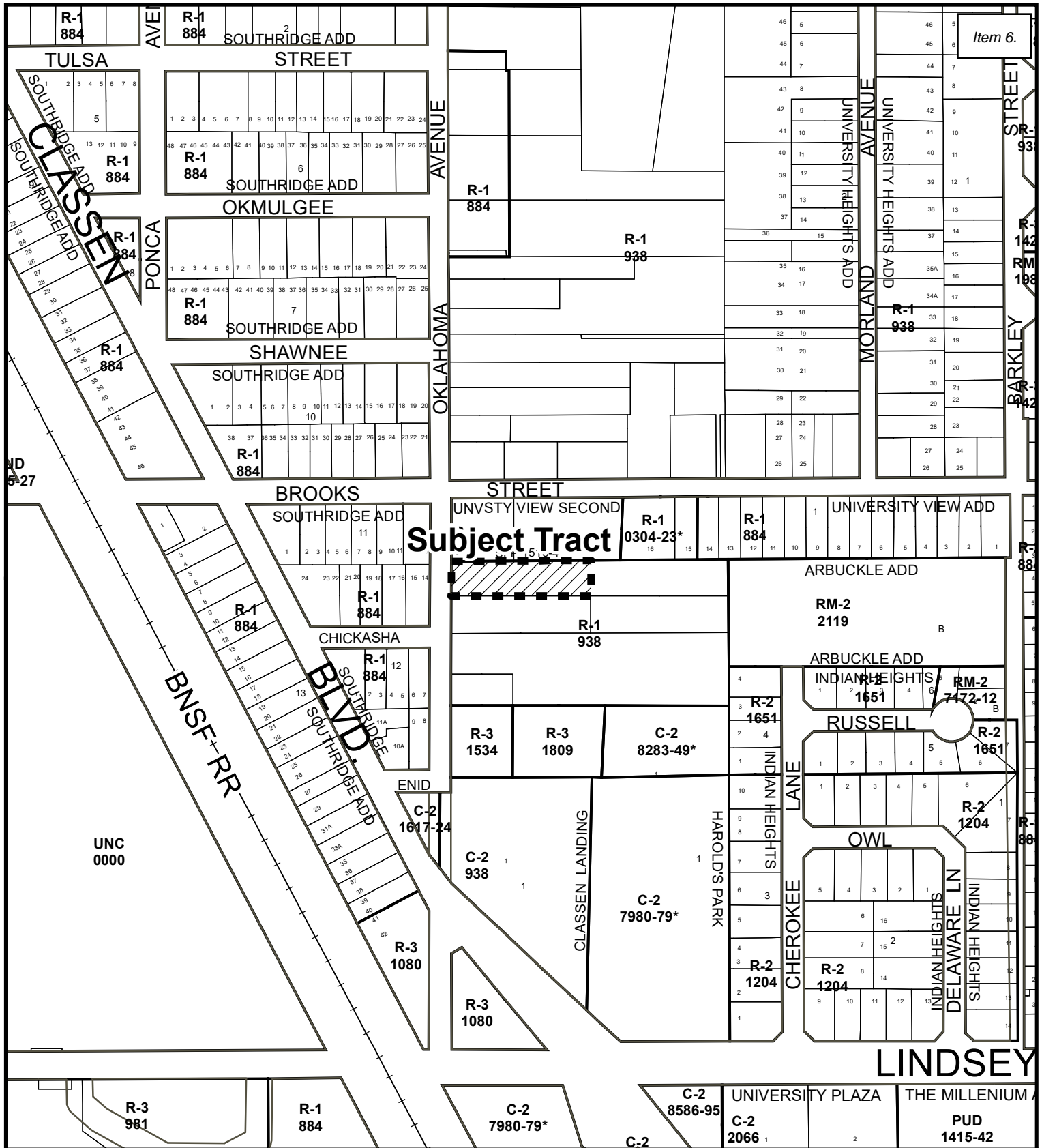
Beth Muckala, Assistant City Attorney
Ken Danner, Subdivision Development Manager
Todd McLellan, Development Engineer

Application Summary

The applicant is requesting a preliminary plat for Destin Landing.

Neighbor's Comments/Concerns/Responses

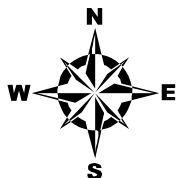
Neighbors in the Cedar Lake Estates were concerned with stormwater impacting their development. In addition, they were concerned with traffic. The remaining neighbors in the area were concerned with the lack of street improvements for Cedar Lane Road, unsafe conditions for the two-lane road and traffic. In addition, the neighbors felt there were too many residential lots served with two-lane roads (Cedar Lane Road and 36th Avenue S.E. The applicant's representative responded to the stormwater question stating the developer would be using several detention facilities meeting the predevelopment runoff rate before it goes under Cedar Lane Road to the north. Also, none of the stormwater would enter Cedar Lake Estates development.



Location Map



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



September 2, 2021

0 150 300 Ft.



Subject Tract



Zoning

Planning Commission Agenda
September 9, 2021

SHORT FORM PLAT
SFP NO. 2122-2

ITEM NO. 6

STAFF REPORT

ITEM: Consideration of a **SHORT FORM PLAT NO. SFP-2122-2 FOR CINNAMON CREEK ADDITION.**

LOCATION: Located at 1811 Oklahoma Avenue.

INFORMATION:

1. Owners. Cinnamon Creek, L.L.C.
2. Developer. Cinnamon Creek L.L.C.
3. Surveyor. Centerline Services.

HISTORY:

1. March 25, 1949. City Council adopted Ordinance No. 759 annexing this property into the City of Norman.
2. July 13, 1954. City Council adopted Ordinance No. 884 placing this property in R-1, Single-Family Dwelling District.
3. December 10, 2020. Planning Commission, on a vote of 6-0, postponed the preliminary plat for Cinnamon Creek Addition at the request of the applicant.
4. January 14, 2021. Planning Commission, on a vote of 8-0, recommended to City Council the preliminary plat for Cinnamon Creek Addition be approved.
5. July 13, 2021. City Council approved Resolution No. R-2122-15 granting a partial exemption of sidewalks and curb and gutter in connection with Oklahoma Avenue.
6. July 13, 2021. City Council approved the preliminary plat for Cinnamon Creek Addition.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants are existing.
2. Sanitary Sewers. Sanitary sewer main is existing.

3. Drainage. Drainage is existing.
4. Sidewalks. City Council approved Resolution No. R-2122-15 exempting sidewalks adjacent to Oklahoma Avenue.
5. Streets. City Council approved Resolution No. R-2122-15 exempting curb and gutter in connection with Oklahoma Avenue..
6. Water Mains. Water main is existing.

PUBLIC DEDICATIONS:

1. Easements. Easements are existing.
2. Rights-of-Way. Street right-of-way is existing.
3. Flood Plain. The property contains flood plain however there are no proposed structures within the flood plain.

SUPPLEMENTAL MATERIAL: Copies of a location map and short form plat are included in the Agenda Book.

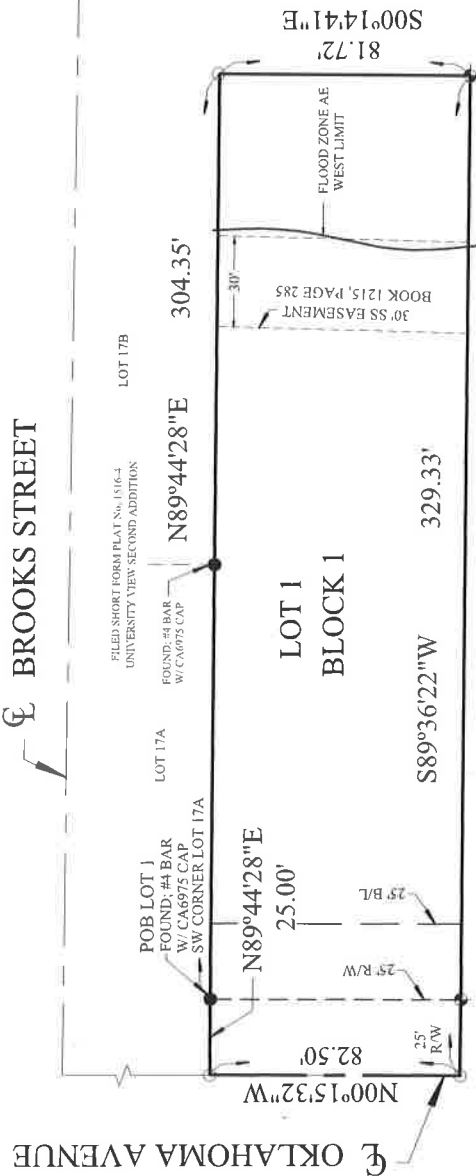
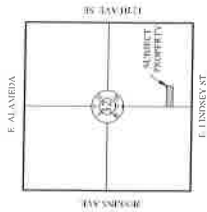
STAFF COMMENTS AND RECOMMENDATION. This project consists of one (1) single-family residential lot separating property to the east to make it a more viable lot to sell. This property has never been platted. Staff recommends approval of Short Form Plat No. SFP-2122-2.

ACTION NEEDED: Approve or disapprove Short Form Plat No. SFP-2122-2 for Cinnamon Creek Addition, and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

**CINNAMON CREEK ADDITION
TO NORMAN, OKLAHOMA
SHORT FORM PLAT No. SFP-2122-2
SECTION 32, T9N, R2W**

FLOOD STATEMENT
The Property described on this Survey does lie within a Special Flood Hazard Area as defined by the Federal Emergency Management Agency, the Property lies within Zone AE of the Flood Insurance Rate Map identified as Community Panel No. 40027C 385H bearing an effective date of 09/26/2008



LOT 1 - LEGAL DESCRIPTION

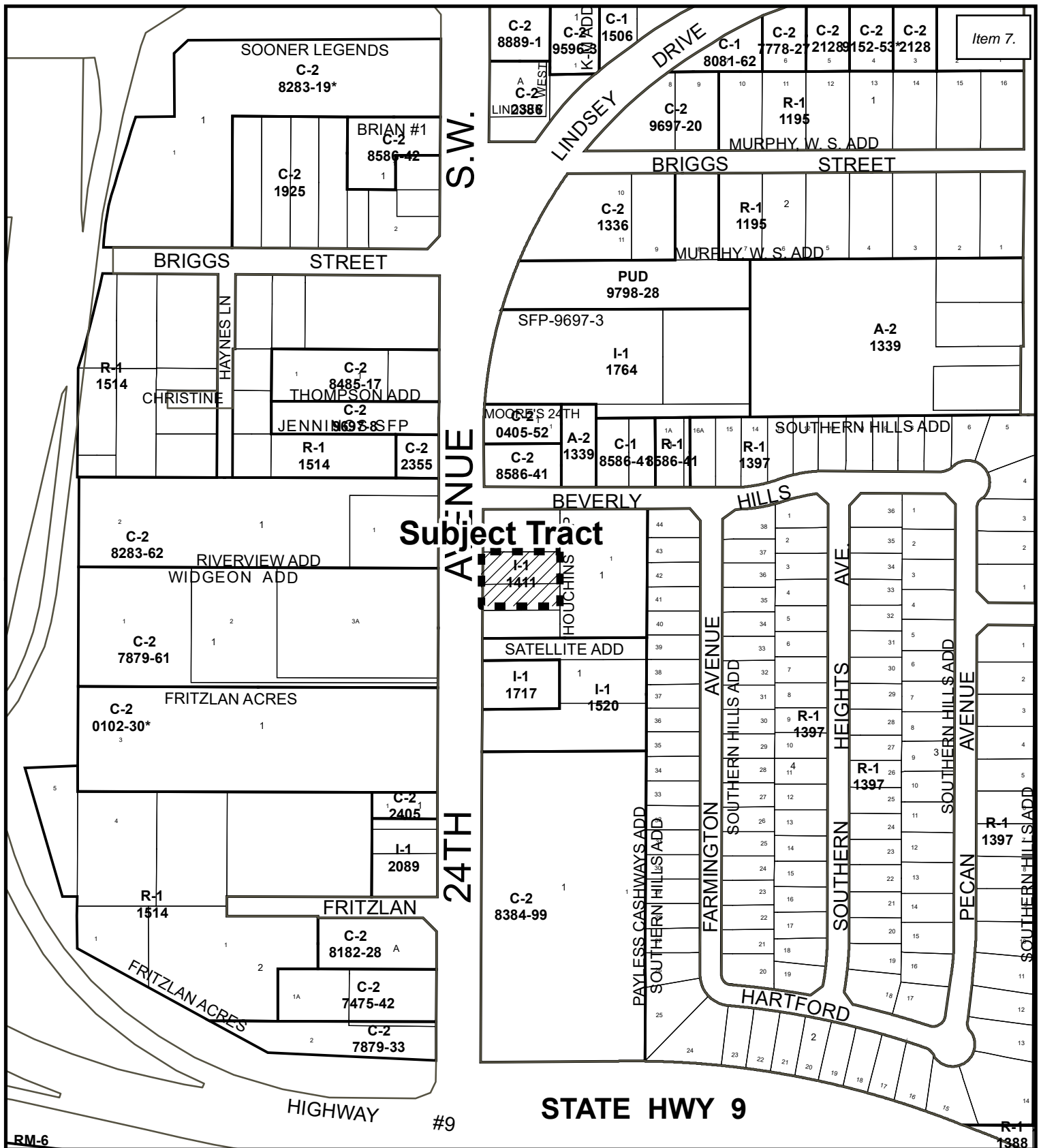
A tract of land in the Southeast Quarter of Section 32, T9N, R2W, I.M., City of Norman, Cleveland County, Oklahoma, more particularly described by metes and bounds as follows:
Beginning at the Southwest Corner of Lot 17A of UNIVERSITY VIEW SECOND ADDITION, Short Form Plat No. 1516-4
Thence along the south line of said Lot 17A and Lot 17B N89°44'28"E a distance of 304.35 feet;
Thence S00°14'41"E a distance of 81.72 feet;
Thence S89°36'22"W a distance of 329.33 feet;
Thence N00°15'32"W a distance of 82.50 feet;
Thence N89°44'28"E a distance of 25 feet to the Point of Beginning.
Said Lot 1 containing 0.62 Acres, more or less.

LEGEND:

- SET 3/8" I.P.
- FOUND 3/8" I.P.
- CALCULATED POINT
- PROPERTY LINE
- UTILITY EASEMENT

Basis of Bearing is N89°44'28"E between found #4 bars on North Property line

CENTRINE SERVICES L.L.C.		C.A. # 4557 L.S. & M.H. 13		12,424	
DRAWN BY: TJS		APPROVED BY: RS		DATE: 08/02/2021	
PROJECT No. 12,424		SCALE: 1" = 50'		SHEET NUMBER 1 OF 1	
LOCATION: CANNON CREEK ADDITION		NORMAN, OKLAHOMA		1	



Location Map



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



August 17, 2021

0 150 300 Ft.



Subject Tract



Zoning

SHORT FORM PLAT

ITEM NO. 7

SFP NO. 2122-3

STAFF REPORT

ITEM: Consideration of a **SHORT FORM PLAT NO. SFP-2122-3 FOR OSBORN PROPERTIES.**

LOCATION: Located at 1511 24th Avenue S.W.

INFORMATION:

1. Owners. Osborn Properties, Inc.
2. Surveyor. MacBax Land Surveying.

HISTORY:

1. October 21, 1961. City Council adopted Ordinance No. 1319 annexing this property into the Norman Corporate City limits without zoning.
2. March 27, 1962. City Council adopted Ordinance No. 1357 placing this property in I-1, Light Industrial District and removing it from R-1, Single-Family Dwelling District. However, this property had never been previously zoned. It was discovered the legal description was not accurate.
3. August 14, 1962. City Council adopted Ordinance No. 1411 placing this property in the I-1, Light Industrial District and removing it from A-2, Rural Agricultural District. However, this property had never been previously zoned.

IMPROVEMENT PROGRAM:

1. All required public improvements are existing.

PUBLIC DEDICATIONS:

1. Easements. Easements are existing.
2. Rights-of-Way. Right-of-way is existing.

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

STAFF RECOMMENDATION: This property has never been platted. The owner desires to construct an additional structure south of the main structure. An existing metal structure will be removed. Staff recommends approval of Short Form Plat No. SFP 2122-3 for Osborne Properties.

ACTION NEEDED: Approve or disapprove Short Form Plat No. SPF-2122-3 for Osborne Properties, and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____



Property Description

Part of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section One (1), Township Eight (8) North, Range Three (3) West of the Indian Meridian, Cleveland County, Oklahoma, more particularly described as follows: Beginning at a point 50.00 feet East and 75.00 feet South of the Northwest Corner of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4); Thence East 180.00 feet; Thence South 60.00 feet; Thence West 180.00 feet; Thence North 60.00 feet to the Point of Beginning.

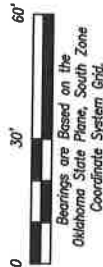
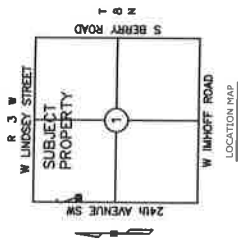
AND

Part of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section One (1), Township Eight (8) North, Range Three (3) West of the Indian Meridian, Cleveland County, Oklahoma, more particularly described as follows: Beginning at a point 135.00 feet South and 50.00 feet East of the Northwest Corner of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4); Thence South 65.00 feet; Thence East 180.00 feet; Thence North 65.00 feet; Thence West 180.00 feet to the Point of Beginning.

Basis of Bearing is Grid North-Oklahoma State Plane Coordinate System, South Zone.

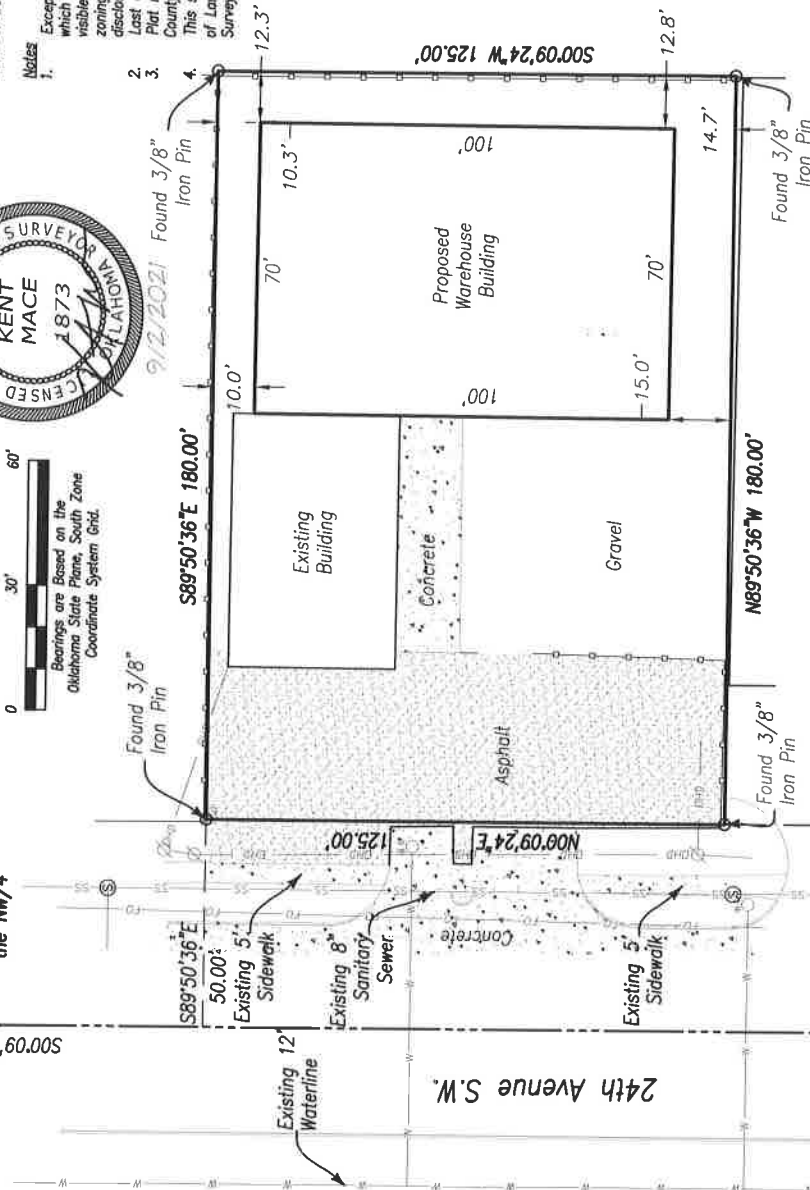
Notes

1. Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements which were visible at the time of making this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations; and any other facts which an accurate and current title search may disclose.
2. Last date of field work: August 25, 2021.
3. Plat represents an survey of lands described in Warranty Deed recorded at Book 5806, Page 660 in Cleveland County, Oklahoma.
4. This survey meets or exceeds the requirements set forth by the "Oklahoma Minimum Standards for the Practice of Land Surveying" as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.



NW Corner of NW/4,
Section 1-BN-3W
Found Brass Cap
(OCCR by PLS 1371,
dated 12/23/2011)

Point of Commencing
NW Corner of the SW/4 of
the NW/4



LEGEND

- SET 1/2" IRON PIN WITH CAP "MACBAX CA 8137"
- SET MAG NAIL WITH SHINER "MACBAX CA 8137"
- ▲ SET COTTON SPINDLE WITH SHINER "MACBAX CA 8137"
- * FOUND MAG NAIL WITH FOUND SURVEY MARKER
- ◇ FOUND PLSS MONUMENT
- ⊙ SANITARY SEWER MANHOLE
- ⊕ FIRE HYDRANT
- ⊖ WATER METER
- ⊗ POWER POLE
- ⊘ GAS METER
- SECTION LINE
- QUARTER SECTION LINE
- - - RIGHT OF WAY
- FENCE
- BOUNDARY LINE
- LOT LINES
- FO UNDERGROUND FIBER OPTIC LINE
- W WATER LINE
- SS SANITARY SEWER LINE
- OH-O OVERHEAD ELECTRIC LINE

SFP # 2122-3

LOCATION

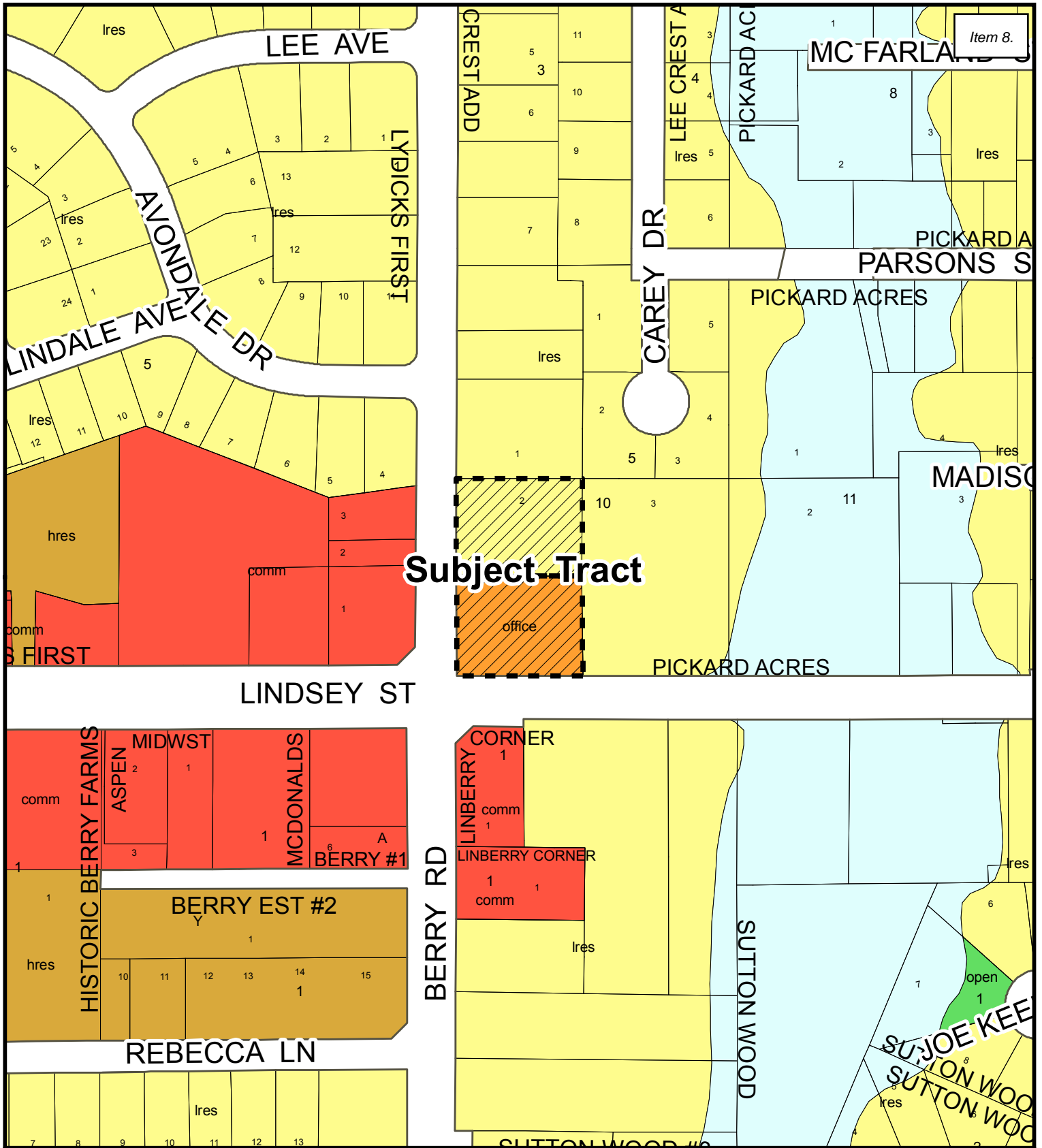
Proposed Site Plan
Part of the SW/4, NW/4,
Section 1, T8N, R3W, I.M.,
Cleveland County, Oklahoma

SURVEY FOR

MB
MacBax Land
Surveying, PLLC
civil engineering & land surveying services
323-B South Main
Noble, OK 73068
Phone 405-872-7594
Kent@MacBax.net
Certificate of Authorization No. 8137

Osborn Properties, Inc.

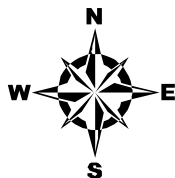
DATE 9/2/2021 SCALE 1" = 30'
REVISED PROJECT NO.
PAGE 1 of 1 MB-21149



Norman 2025 Land Use Plan



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
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in the information presented.

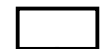


May 5, 2020

0 100 200 Ft.



Subject Tract



Zoning

Rone Tromble

From: Gunner Joyce <gjoyce@riegerlawgroup.com>
Sent: Friday, August 27, 2021 2:50 PM
To: Jane Hudson
Cc: Rone Tromble; Ken Danner; Lora Hoggatt; David Riesland; Todd McLellan; Sean Rieger
Subject: EXTERNAL EMAIL : Sooner Traditions LLC - Request for Postponement to October Planning Commission

Good afternoon Jane,

We are requesting to postpone the Sooner Traditions LLC application for one month to the October Planning Commission meeting as we are waiting on updated plans and renderings for the project. Please let me know if you need anything from us.

Have a great weekend,

Gunner



Gunner Joyce

Attorney | **Rieger Law Group**

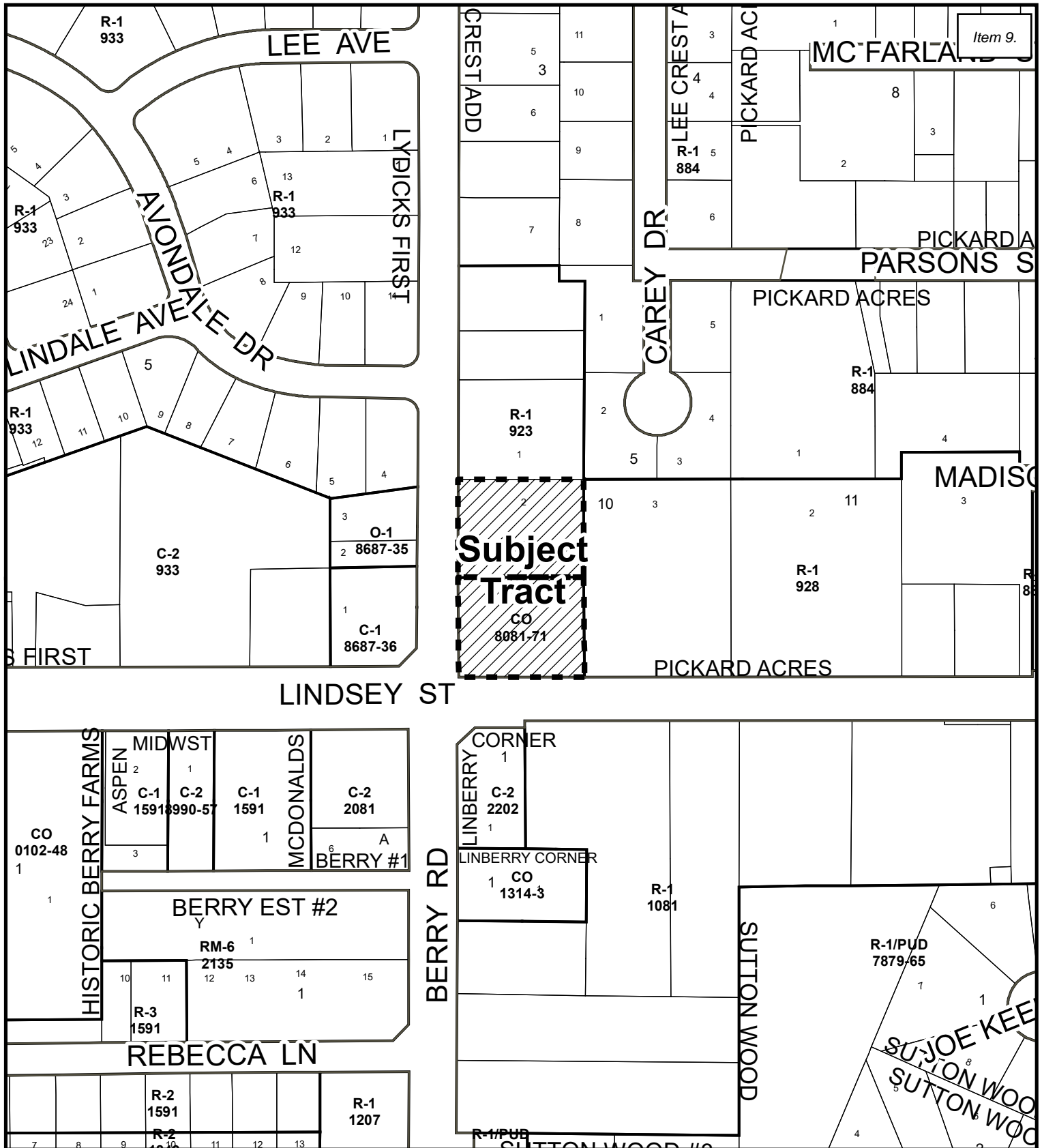
A: 136 Thompson Dr., Norman, OK 73069

P: 405.310.5274 E: gjoyce@riegerlawgroup.com

W: www.RiegerLawGroup.com



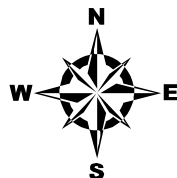
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Location Map



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in the information presented.



June 8, 2021

0 100 200 Ft.



Subject Tract



Zoning

Rone Tromble

From: Gunner Joyce <gjoyce@riegerlawgroup.com>
Sent: Friday, August 27, 2021 2:50 PM
To: Jane Hudson
Cc: Rone Tromble; Ken Danner; Lora Hoggatt; David Riesland; Todd McLellan; Sean Rieger
Subject: EXTERNAL EMAIL : Sooner Traditions LLC - Request for Postponement to October Planning Commission

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Have a great weekend,

Gunner



Gunner Joyce

Attorney | **Rieger Law Group**

A: 136 Thompson Dr., Norman, OK 73069

P: [405.310.5274](tel:405.310.5274) E: gjoyce@riegerlawgroup.com

W: www.RiegerLawGroup.com



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UNC
0000

MAIN STREET

PUD
1415-41
FOOD & SHELTER ADD SEC 1

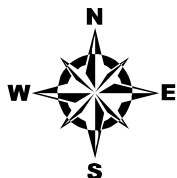
Subject
Tract

UNC
884

Location Map



Map Produced by the City of Norman
Geographic Information System.
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responsibility for errors or omissions
in the information presented.



June 8, 2021

0 125 250 Ft.



Subject Tract



Zoning

ORDINANCE NO. O-2122-14

ITEM NO. 10

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	Food and Shelter, Inc.
REQUESTED ACTION	Amending existing PUD Narrative, Food and Shelter Addition
EXISTING ZONING	Planned Unit Development District, Ordinance No. O-1415-41
SURROUNDING ZONING	North: Planned Unit Development District East: Unclassified – State of Oklahoma Property South: Unclassified – State of Oklahoma Property West: R-2, Two-Family Dwelling
LOCATION	East side of Reed Avenue approximately 717' feet south of East Main Street
SIZE	1.07 acres, more or less
PURPOSE	Food and Resource Center
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Food and Shelter Office and Transitional Housing East: Vacant - State of Oklahoma Property South: Vacant - State of Oklahoma Property West: Single Family Homes

SYNOPSIS: The applicant, Food and Shelter, is proposing an amendment to the existing PUD Narrative, Food and Shelter Addition, adopted for this site in August of 2015 to a SPUD, Simple Planned Unit Development, Food and Shelter, Phase 2. The applicant plans to amend the use for this subject property to allow for development of a Food & Resource Center to provide additional access to food and groceries. The proposed site plan shows the structure south of the existing housing/office use developed with the first PUD.

HISTORY: The property Food and Shelter purchased from the Oklahoma Department of Mental Health and Substance Abuse Services in 2015 was approximately three-acres. The north two-acres was fully developed with the existing permanent supportive and transitional residential cottages and a single main building that may offer an office area, cafeteria, laundry, and warming shelter services if needed in emergency situations. This first phase of the Food and Shelter PUD included this subject tract; however, the use was planned for family cottages. With this new proposal there will be additional community services provided.

ZONING ORDINANCE CITATION: SEC. 420.05 SIMPLE PLANNED UNIT DEVELOPMENTS

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

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

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

Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of comprehensive plan of record. In addition, the SPUD provides for the following:

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

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

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

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

ANALYSIS: This Simple Planned Unit Development is for the expansion of the Food and Shelter services located at 201 Reed Avenue. The proposed expansion will be directly south of the existing Food and Shelter development. This proposed expansion seeks to allow for a Food and Resource Center to provide additional access to food, groceries, and additional resources to the community.

The particulars of this SPUD include:

USE: The below uses are proposed for this site.

- Food & Resource Center.
- Homeless Shelter.
- Non-Profit Discount Community Grocery Store/Food Pantry.
- Residential Dwelling Units.
- Churches and Similar Religious Services.
- The following uses so long as they are ancillary to the operation of a Food & Resource Center and/or Homeless Shelter and are not standalone uses on the Property:
 - Intake and Assessment Services.
 - Case Management Services.
 - Resource Development Services.
 - Community Education Services.
 - Job Placement Services.
 - Volunteer Training.
 - Internship Programs.
 - Professional Development Programs and Services.
 - Housing Support Services.
 - Emergency Support Services for Guests/Patrons of the Property.
 - Office Uses.
 - Counseling Services.
 - Professional Support Services.
 - Education Classes and Services.
 - Medical Care Clinics and Services.
 - Non-Profit/Ancillary Child Care Services.

OPENSOURCE/GREENSPACE: The site is 1.07 acres and the open area/greenspace shown is .43 acres or 40% of the site.

PARKING: The site is proposed with 28 parking spaces.

FENCING: A solid and opaque fence, similar to the existing perimeter fence around the Applicant's adjoining property to the North, shall be installed and maintained along the Property's Northern perimeter. This fence will provide a buffer between the proposed parking lot and the rear of the residential cottages.

LANDSCAPING: Landscaping for the site will be completed as proposed on Exhibit B, attached to the SPUD Narrative. A two-foot (2') landscape strip will be located between the perimeter fence on the north side of this proposal and the parking spaces, as shown on the Preliminary Site Development Plan. The tree species will consist of those currently adopted in the Zoning Ordinance, Appendix F and as shown on Exhibit E of the SPUD Narrative.

PHASES: There are no phases planned for this portion of the development – a single structure is proposed.

SIGNAGE: All signage shall comply with the applicable requirements contained in the City of Norman Sign Code, Chapter 18, for office use, as amended from time to time.

LIGHTING: All commercial exterior lighting on the Property shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards, contained in Section 431.6 of the Zoning Ordinance.

HEIGHT: No building on the Property shall exceed two and one-half (2.5) stories or thirty-five (35') feet in height.

EXTERIOR MATERIALS: The exterior materials of the proposed building to be constructed may be of brick, stone, synthetic stone, stucco, EIFS, masonry, metal accents and any combination thereof.

SANITATION: The Property will utilize double load trash dumpsters in the location shown on the Preliminary Site Development Plan. The dumpster shall be screened within an enclosure that is constructed with materials that are compatible with the main building's exterior.

ALTERNATIVES/ISSUES:

IMPACTS: Reed Avenue is a local street. Street paving improvements for this property were included with platting requirements for Food and Shelter Section 1.

SITE PLAN: Access for this site will be from Reed Avenue. There are two points of access from Reed Avenue. The site plan depicts the location of the proposed facility/office located directly adjacent to Reed Avenue with a 6' front building setback shown on the preliminary plat. The applicant has stated in the SPUD Narrative, the front door of the new facility will be oriented on the north side of the building, facing away from the residential use across Reed Avenue.

OTHER AGENCY COMMENTS:

GREENBELT COMMISSION MEETING 21-23

August 16, 2021

Greenbelt Commissioners forward this item with no additional comments.

PRE-DEVELOPMENT MEETING 21-20

June 24, 2021

Neighbor's Comments/Concerns/Responses

- The current site is not being maintained/properly cleaned.
- The current management is not taking care of the existing issues at the site; how do we know this new project will be managed?
- This facility should be built on Main Street, next to the bus stop.
- No security at the existing facility, this new facility will bring more people and still no security.
- No management.
- The current tenants don't pay rent.
- All the promises made to the community have not been done.

Applicant's representative: The applicant was not able to attend the meeting tonight but all of your comments and concerns will be passed along. The overall plan for the site is much bigger than just a food pantry – this is to serve the community in ways not currently offered.

BOARD OF PARKS: This proposal is considered an institutional use; there is no requirement for parkland dedication.

PUBLIC WORKS: The applicant has submitted everything needed to adequately address the platting requirements. All public improvements including street paving, drainage, sanitary sewer and water with fire hydrants are existing for this portion of the development. Sidewalk improvements will be required as part of the platting process.

STAFF RECOMMENDATION: Staff forwards this request for rezoning from a PUD, Planned Unit Development to a SPUD, Simple Planned Unit Development as Ordinance No. O-2122-14 for consideration by the Planning Commission.

FOOD AND SHELTER PHASE 2

SIMPLE PLANNED UNIT DEVELOPMENT
(AN AMENDMENT TO THE EXISTING PUD)

APPLICANT:

FOOD AND SHELTER, INC.

APPLICATION FOR:

SIMPLE PLANNED UNIT DEVELOPMENT
PRELIMINARY PLAT

August 2, 2021
Revised September 2, 2021

PREPARED BY:

RIEGER LAW GROUP PLLC
136 Thompson Drive
Norman, Oklahoma 73069

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- B. Site Development Plan
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I. INTRODUCTION

This Simple Planned Unit Development (the “**SPUD**”) is being submitted for an expansion of the existing Food and Shelter development located at 201 Reed Avenue. The proposed expansion will take place directly to the south of the existing Food and Shelter development, which was originally zoned and preliminary platted for additional dwelling units. This proposed expansion seeks to allow for a Food and Resource Center to provide additional access to food, groceries, and additional resources to the community. The legal description of the parcel sought to be rezoned and developed as described herein is attached as **Exhibit A** (the “**Property**”). This SPUD seeks to amend the existing PUD, O-1415-41, in order to allow for the development of the Food and Resource Center.

II. PROPERTY DESCRIPTIONS; EXISTING CONDITIONS

A. Location

The Property is located immediately south of the existing Food and Shelter development, which is located at 201 Reed Avenue. The Property is located East of Reed Avenue and South of Main Street.

B. Existing Land Use and Zoning

The existing zoning is PUD, and the existing NORMAN 2025 Land Use Plan designation is Institutional. The properties to the west are zoned R-2, Two-Family Dwelling and have a NORMAN 2025 Land Use Plan designation of low density residential.

C. Elevation and Topography; Drainage

The Property is unimproved and essentially flat with little to no elevation change on the site. Stormwater will be conveyed to an existing detention facility located on the East side of the Property.

D. Utility Services

The necessary utility services for this project are already located on or near the Property. Utilities will be extended to the Property as necessary.

E. Fire Protection Services

Fire protection services will be provided by the City of Norman Fire Department and per the City of Norman regulations for such.

F. Traffic Circulation and Access

The Property will be served with primary vehicular access by way of the immediately adjacent Reed Avenue right-of-way on the West, as more particularly shown on the attached Site Plan.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

A. Permitted Uses

The allowable uses for the Property are attached as **Exhibit C**.

B. Site Development Plan

The proposed Preliminary Site Development Plan for the Property is concurrently submitted with this PUD as **Exhibit B** and shall be incorporated herein as an integral part of this PUD. The Property shall be developed in substantial conformance with the Preliminary Site Development Plan, subject to final design development and the changes allowed by Section 22.420.05(11) of the City of Norman's SPUD Ordinance, as may be amended from time to time.

C. Miscellaneous Development Criteria

1. Traffic Access/Circulation/Sidewalks/Main Entrance

Traffic access and circulation will be from Reed Avenue, as shown on the Site Plan. Sidewalks will be installed along Reed Avenue. Street paving for Reed Avenue is existing. The main entrance to the building to be constructed on the Property shall be located on the north side of the structure.

2. Signage

All signage shall comply with the applicable requirements contained in the City of Norman Sign Code, Chapter 18, for office use, as amended from time to time.

3. Lighting

All commercial exterior lighting on the Property shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards, contained in Section 431.6 of the City of Norman's Zoning Ordinance, as amended from time to time.

4. Height

No building on the Property shall exceed two and one-half (2.5) stories or thirty-five (35') feet in height.

5. Parking

The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

6. Sanitation

The Property will utilize trash dumpsters in the location shown on the Preliminary Site Development Plan. The dumpsters shall be screened within an enclosure that is constructed with materials that are compatible with the main building's exterior.

7. Landscape Buffer/Fencing

A solid and opaque fence, substantially similar to the existing perimeter fence around the Applicant's adjoining property to the North, shall be installed and maintained along the Property's Northern perimeter. An open space landscaping strip will be located between the perimeter fence discussed above and the parking spaces for the Property, as shown on the Preliminary Site Development Plan. All trees to be planted on the Property shall be of the type listed on the tree species list attached hereto as **Exhibit E**. An exhibit showing the total open space for the Property is attached hereto as **Exhibit F**.

8. Exterior Materials

The exterior materials of the building to be constructed on the Property may be brick, stone, synthetic stone, stucco, EIFS, masonry, metal accents, and any combination thereof.

EXHIBIT A

Legal Description of the Property

**LEGAL DESCRIPTION
FOOD & SHELTER ADDITION SECTION 2
NORMAN, CLEVELAND COUNTY, OKLAHOMA**

A TRACT OF LAND LYING IN THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-NINE (29), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST, OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SE/4; THENCE SOUTH 89°24'23" WEST ALONG THE NORTH LINE OF SAID SE/4, A DISTANCE OF 1641.99 FEET; THENCE SOUTH 00°00'55" EAST A DISTANCE OF 50.00 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF REED AVENUE AND THE SOUTH RIGHT OF WAY LINE OF MAIN STREET; THENCE SOUTH 00°00'55" EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 667.57 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89°59'05" EAST A DISTANCE OF 260.80 FEET;
THENCE SOUTH 00°00'55" EAST A DISTANCE OF 179.52 FEET;
THENCE SOUTH 89°59'05" WEST A DISTANCE OF 260.80 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE;
THENCE NORTH 00°00'55" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 179.52 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINS 1.07 ACRES, MORE OR LESS.

EXHIBIT B **Preliminary Site Development Plan** *Full Size PDF Submitted to City Staff*

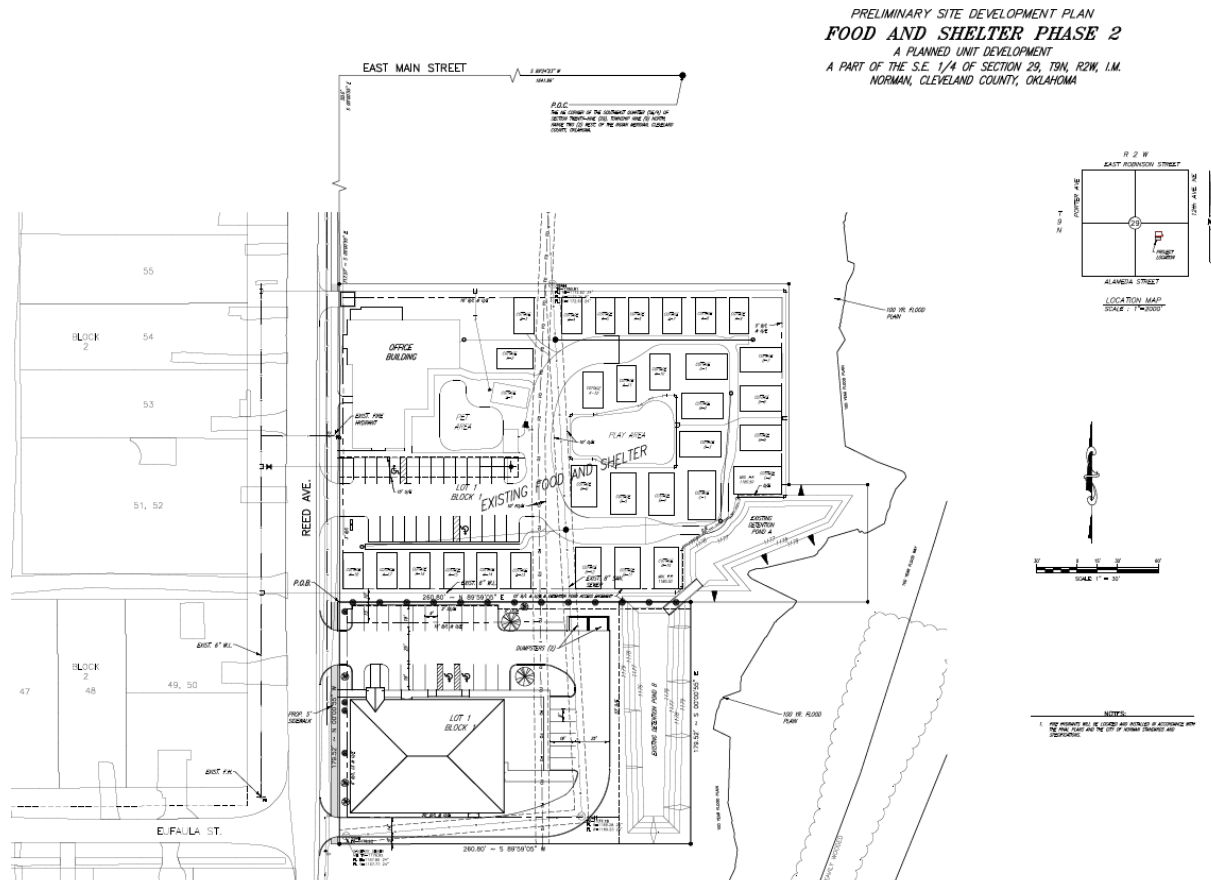


EXHIBIT C
Permitted Uses

Permitted Uses:

- Food & Resource Center.
- Homeless Shelter.
- Non-Profit Discount Community Grocery Store/Food Pantry.
- Residential Dwelling Units.
- Churches and Similar Religious Services.
- The following uses so long as they are ancillary to the operation of a Food & Resource Center and/or Homeless Shelter and are not standalone uses on the Property:
 - Intake and Assessment Services.
 - Case Management Services.
 - Resource Development Services.
 - Community Education Services.
 - Job Placement Services.
 - Volunteer Training.
 - Internship Programs.
 - Professional Development Programs and Services.
 - Housing Support Services.
 - Emergency Support Services for Guests/Patrons of the Property.
 - Office Uses.
 - Counseling Services.
 - Professional Support Services.
 - Education Classes and Services.
 - Medical Care Clinics and Services.
 - Non-Profit/Ancillary Child Care Services.

EXHIBIT E**Tree Species List**

Item 10.

Plant species that DO MEET required cultural characteristics suitable for Norman's climate and landscaping requirements.

***OKLAHOMA PROVEN SPECIES NOTED IN CHARACTERISTICS = OP.**

DECIDUOUS TREES	HEIGHT	SPACE	CHARACTERISTICS
<u>Acer ginnala</u> Amur Maple	15-25'	15-20'	Drought tolerant
<u>Acer rubrum</u> Red Maple	50'	30'	Drought tolerant
<u>Acer saccharum</u> Caddo Sugar Maple	50-75'	30-50'	Drought tolerant *OP
<u>Betula nigra</u> River Birch	60-70'	40'	Drought tolerant
<u>Cercis Canadensis</u> 'Oklahoma' Oklahoma Redbud	15-30'	10-15'	Drought tolerant *OP
<u>Chilopsis linearis</u> Desert Willow	15-20'	10-15'	Drought tolerant
<u>Eleagnus angustifolia</u> Russian Olive	25'	15'	Drought tolerant, very tough
<u>Fraxinus pennsylvanica lanceolata</u> Urbanite Ash	40-70'	20-30'	Drought tolerant
<u>Ginkgo biloba</u> Chinese Maidenhair	20-40'	15-25'	Drought tolerant
<u>Gleditsi triacanthos</u> Thornless Honeylocust	40-60'	30'	Drought tolerant
<u>Gymnocladus dioica</u> Kentucky Coffee Tree	60'	30'	Drought tolerant *OP
<u>Koelreuteria paniculata</u> Goldenrain Tree	40-60'	30-40'	Drought tolerant
<u>Malus spp.</u> 'Prairifire' Crabapple	20'	15'	Drought tolerant *OP
<u>Nyssa sylvatica</u> Black Gum	80'	40'	Drought tolerant *OP
<u>Pistache chinensis</u> Chinese Pistache	30-50'	15-25'	Drought tolerant *OP
<u>Platanus acerifolia</u> London Planetree	65-90'	25-50'	Drought tolerant
<u>Quercus macrocarpa</u> Bur Oak	70'	50'	Drought tolerant *OP
<u>Quercus nigrea</u> Water Oak	40-90'	20-40'	Drought tolerant

DECIDUOUS TREES	HEIGHT	SPACE	CHARACTERISTICS
<u>Quercus rubra</u> Northern Red Oak	60-80'	25-30'	Drought tolerant
<u>Quercus shumardii</u> Shumard Oak	40-90'	20-40'	Drought tolerant *OP
<u>Sapindus drummondi</u> Western Soapberry	25-40'	15-25'	Drought tolerant
<u>Taxodium distichum</u> Bald Cypress	70'	35'	Drought tolerant *OP
<u>Ulmus Americana</u> var. American Elm-Dutch Elm resist	60'	40'	Drought tolerant
<u>Ulmus crassifolia</u> Cedar Elm	60'	30'	Drought tolerant *OP
<u>Ulmus parvifolia</u> Lacebark Elm	40-60'	30-40'	Drought tolerant

DECIDUOUS SHRUBS	HEIGHT	SPACE	CHARACTERISTICS
<u>Berberis thunbergii</u> Barberry	1-2'	3-5'	Semi-Drought tolerant
<u>Buddleia davidii</u> Butterfly Bush	4-10'	10'	Drought tolerant
<u>Euonymus alata</u> Burning Bush	2'	4-5'	Drought tolerant
<u>Forsythia spp.</u> Forsythia	4-10'	Spreading 4-6'	Drought tolerant, Tolerates range of soil
<u>Hibiscus syriacus</u> Rose-of-Sharon	6-10'	4-6'	Drought tolerant Tolerates range of soil
<u>Lagerstroemia indica</u> Crape myrtle	8-15'	4-6'	Drought tolerant *OP
<u>Viburnum carlesii</u> Korean spice Viburnum	4-8'	5'	Drought tolerant *OP

EVERGREEN TREES	HEIGHT	SPACE	CHARACTERISTICS
<u>Cedrus atlantica</u> Atlas Cedar	15-25'	12-15'	Drought tolerant
<u>Cupressus arizonica</u> Arizona Cypress	20-40'	6-8'	Drought tolerant *OP
<u>Euonymus kiautschovicus</u> Spreading Euonymus	4-7'	3-4'	Drought tolerant
<u>Ilex cornuta</u> Chinese Holly	6-8'	4-5'	Drought tolerant
<u>Ilex opaca</u> American Holly	12-25'	6-8'	Semi-Drought tolerant
<u>Ligustrum lucidum</u> Wax Leaf Privet	5-6'	3-4'	Drought tolerant
<u>Pinus ponderosa</u> Ponderosa Pine	20-25'	6-10'	Drought tolerant
<u>Pinus taeda</u> Loblolly Pine	60-80'	30-50'	Drought tolerant

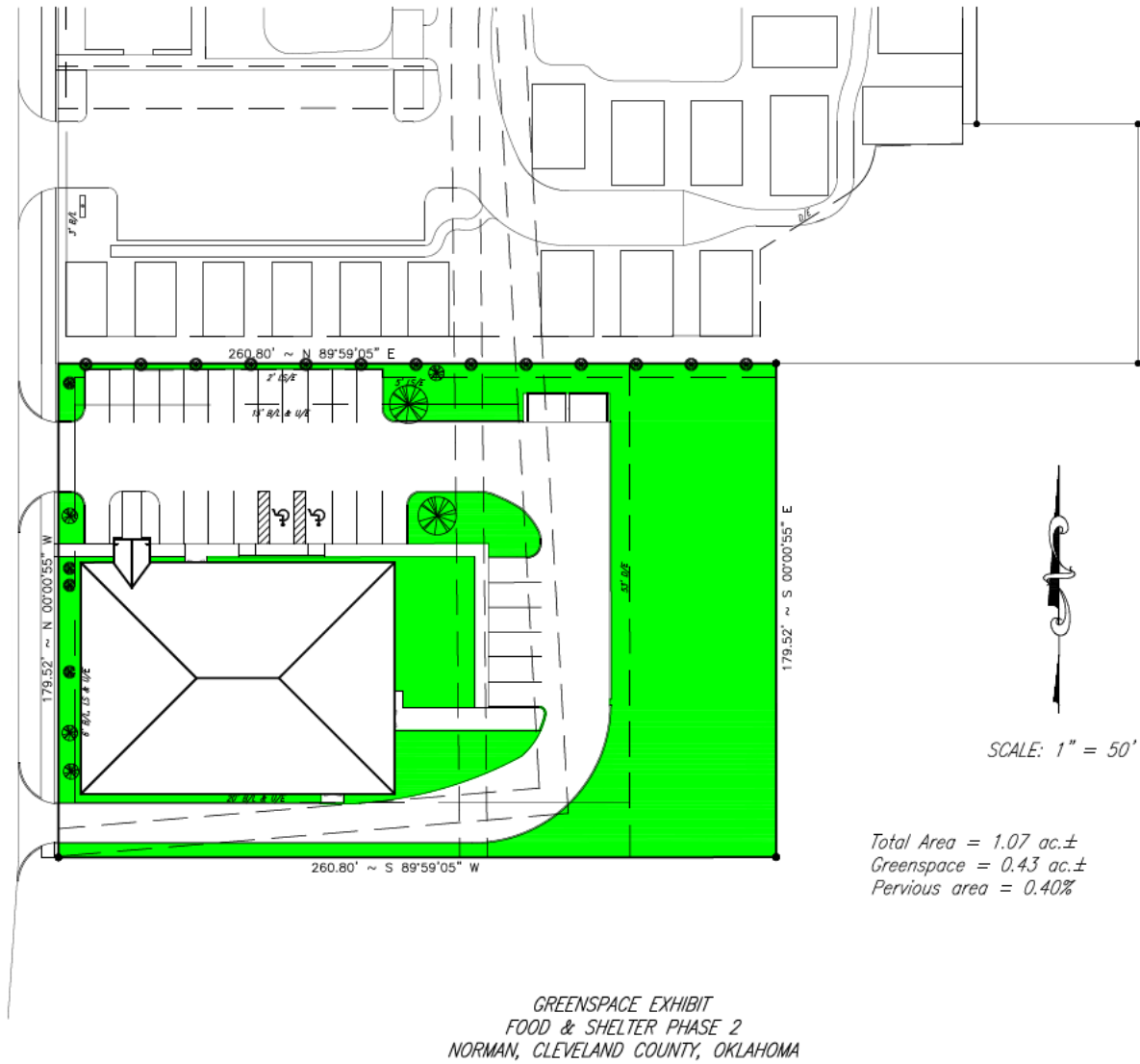
EVERGREEN SHRUBS	HEIGHT	SPACE	CHARACTERISTICS
<u>Euonymus japonicus</u> Evergreen Euonymus	6-8'	2-4'	Drought tolerant, Very tough
<u>Ilex vomitoria</u> Yaupon Holly	6-10'	4-6'	Drought tolerant
<u>Juniperus chinensis</u> Pfitzer Juniper	3-6'	4-6'	Drought tolerant, tough plant
<u>Juniperus sabina</u> Savin Juniper	spreading	3-5'	Drought tolerant
<u>Ligustrum japonicum</u> Wax Leaf Ligustrum	12-15'	10-12'	Drought tolerant, tolerates all soils
<u>Ligustrum sinense</u> Privet	4-6'	5-6'	Drought tolerant, tolerates all soils
<u>Lonicera fragrantissima</u> Winter Honeysuckle	8' climbing	6'	Drought tolerant
<u>Lonicera xylosteum</u> Dwarf Honeysuckle	Climbing 4'	4-5'	Drought tolerant
<u>Mohonia bealei</u> Leatherleaf Mahonia	5'	3'	Drought tolerant, range of soils
<u>Myrica cerifera</u> Southern Wax Myrtle	8'	4'	Drought tolerant *OP
<u>Nandina domestica</u> Nandina	3-10'	2-4'	Drought tolerant, very tough
<u>Pyracantha coccinea</u> Scarlet Firethorn	7-10'	5-8'	Drought tolerant

The following list details Ornamental Perennial species designed to supplement the landscape with drought tolerant species that provide seasonal interest and require very low maintenance.

Item 10.

<u>PERENNIALS</u>	<u>HEIGHT</u>	<u>SPACE</u>	<u>CHARACTERISTICS</u>
Autumn Sage	2'	2'	Drought tolerant, red or pink flower *OP
Black Eyed Susan	2'	spreads	Drought tolerant, bright yellow flower with black center
Cone Flower	2' Clumping	1'	Drought tolerant, purple and white flower *OP
Coreopsis	1'	1'	Drought tolerant, yellow flower
Gaura	2'	2'	Drought tolerant, pink and white flower *OP
Lantana	3'	3'	Drought tolerant, pink and yellow or orange, white flowers
Maiden Hair Grass	5'	3'	Drought tolerant, feathery plumes
Maiden Hair Grass 'Hamlin'	2'	1'	Drought tolerant, compact small Plumes
Mexican Feather Grass	1'	1'	Drought tolerant, stays green seasonally *OP
Red Yucca	2'	3'	Drought tolerant, red spike flower
Russian Sage	3'	2'	Drought tolerant, purple flower on stem
White Yucca	2-4'	2-3'	Drought tolerant

EXHIBIT F
Open Space Exhibit
Full Size PDF Submitted to City Staff



Applicant: Food and Shelter

Project Location: Area immediately south of the existing Food and Shelter site.

Case Number: PD21-20

Time: 6:30 p.m.

Applicant/Representative

Sean Rieger, Rieger Law, PLLC

Gunner Joyce, Rieger Law, PLLC

Attendees

Rick Hoover

Debbie Hoover

Councilmember Lee Hall

Jessica Rosson

Elizabeth Gohl

City Staff

Brevin Ghoram, Planner I

Jane Hudson, Director, Planning & Community Development

Beth Muckala, Assistant City Attorney

Heather Poole, Assistant City Attorney

Ken Danner, Subdivision Development Manager

Application Summary

The applicant plans to amend the existing PUD, Planned Unit Development for this property to allow for development of a Food & Resource Center to provide additional access to food and groceries. The proposed site plan shows the structure south of the existing housing/office use. The site will need to be preliminary platted as the application process begins.

Neighbor's Comments/Concerns/Responses

- The current site is not being maintained/properly cleaned.
- The current management is not taking care of the existing issues at the site; how do we know this new project will be managed?
- This facility should be built on Main Street, next to the bus stop.
- No security at the existing facility, this new facility will bring more people and still no security.
- No management.
- The current tenants don't pay rent.
- All the promises made to the community have not been done.

Applicant's representative: The intent is a much larger operation of a food pantry. The applicant was not able to attend the meeting tonight but the plan for the site is much bigger than just a food pantry – this is to serve the community.

UNC
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MAIN STREET

PUD
1415-41
FOOD & SHELTER ADD SEC 1

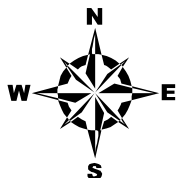
Subject
Tract

UNC
884

Location Map



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



June 8, 2021

0 125 250 Ft.



Subject Tract



Zoning

Item 11.

Planning Commission Agenda
September 9, 2021

PRELIMINARY PLAT
PP-2122-5

ITEM NO. 11

STAFF REPORT

ITEM: Consideration of a **PRELIMINARY PLAT FOR FOOD AND SHELTER PHASE 2 ADDITION, A SIMPLE PLANNED UNIT DEVELOPMENT.**

LOCATION: Generally located on the east side of Reed Avenue approximately 717' south of East Main Street.

INFORMATION:

1. Developer. Food and Shelter, Inc.
2. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. This property was previously owned by the State and contains no zoning but has been used as institutional.
2. June 11, 2015. Planning Commission, on a vote of 5-2, recommended to City Council that this property be placed in the PUD, Planned Unit Development.
3. June 11, 2015. Planning Commission, on a vote of 5-2, recommended to the City Council the approval of the preliminary plat for Food and Shelter Addition, a Planned Unit Development.
3. August 25, 2015. City Council adopted Ordinance No. O-1415-41 placing this property in PUD, Planned Unit Development.
4. August 25, 2015. City Council approved the preliminary plat for Food and Shelter Addition, a Planned Unit Development.
5. September 9, 2021. The applicant has made a request to remove this property from PUD, Planned Unit Development and place it in the SPUD, Simple Planned Unit Development.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants are existing.

IMPROVEMENT PROGRAM (CON'T.)

2. Permanent Markers. Permanent markers will be installed prior to City acceptance of street improvements.
3. Sanitary Sewers. Public sanitary sewer is existing.
4. Sidewalks. Sidewalks will be constructed adjacent to Reed Avenue.
5. Storm Sewers. Storm sewer and appurtenant drainage structures are existing including detention pond to serve this property.
6. Streets. Reed Avenue is existing.
7. Water Mains. Public water main is existing.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat.
2. Rights-of-Way. Reed Avenue right-of-way is existing.

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

STAFF COMMENTS AND RECOMMENDATION: This proposal consists of 1.07 acres and one (1) lot. The applicant is proposing a food pantry. Staff recommends approval of the preliminary plat subject to the approval of Ordinance No. O-2122-14.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Food and Shelter Phase 2 Addition, a Simple Planned Unit Development to City Council.

ACTION TAKEN: _____



CITY OF NORMAN

Development Review Form

Transportation Impacts

DATE: August 20, 2021

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

PROJECT NAME: Food and Shelter Phase 2 PUD

PROJECT TYPE: Commercial PUD

Owner: Food and Shelter, Inc.
Developer's Engineer: SMC Consulting Engineers
Developer's Traffic Engineer: Traffic Engineering Consultants, Inc.

SURROUNDING ENVIRONMENT (Streets, Developments)

The areas surrounding this site are generally medium density residential to the west and park land surrounding the remaining sides with phase 1 of Food and Shelter to the north. Reed Avenue connects to Main Street to the north.

ALLOWABLE ACCESS:

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

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

Reed Avenue: 2 lanes (existing and future). Speed Limit—25 mph. No sight distance problems. No median.

ACCESS MANAGEMENT CODE COMPLIANCE: YES ☒ NO ☐

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

TRIP GENERATION

	Total	In	Out
Weekday	142	71	71
A.M. Peak Hour	17	14	3
P.M. Peak Hour	22	7	15

TRANSPORTATION IMPACT STUDY REQUIRED? YES ☐ NO ☒

Obviously being below the threshold for when a traffic impact study is required (>100 peak hour trips is the threshold), the developer submitted a traffic impact memorandum documenting the trip generation information for this PUD. The development is proposed for location at the northeast corner of the intersection of Reed Avenue and E. Eufaula Street with access to Main Street by Reed Avenue to the north.

RECOMMENDATION: APPROVAL ☒ DENIAL ☐ N/A ☐ **STIPULATIONS** ☐

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

The proposed phase 2 will access Reed Avenue to the west and Main Street to the north via Reed Avenue. Capacity exceeds demand in this area. As such, no off-site improvements are anticipated.

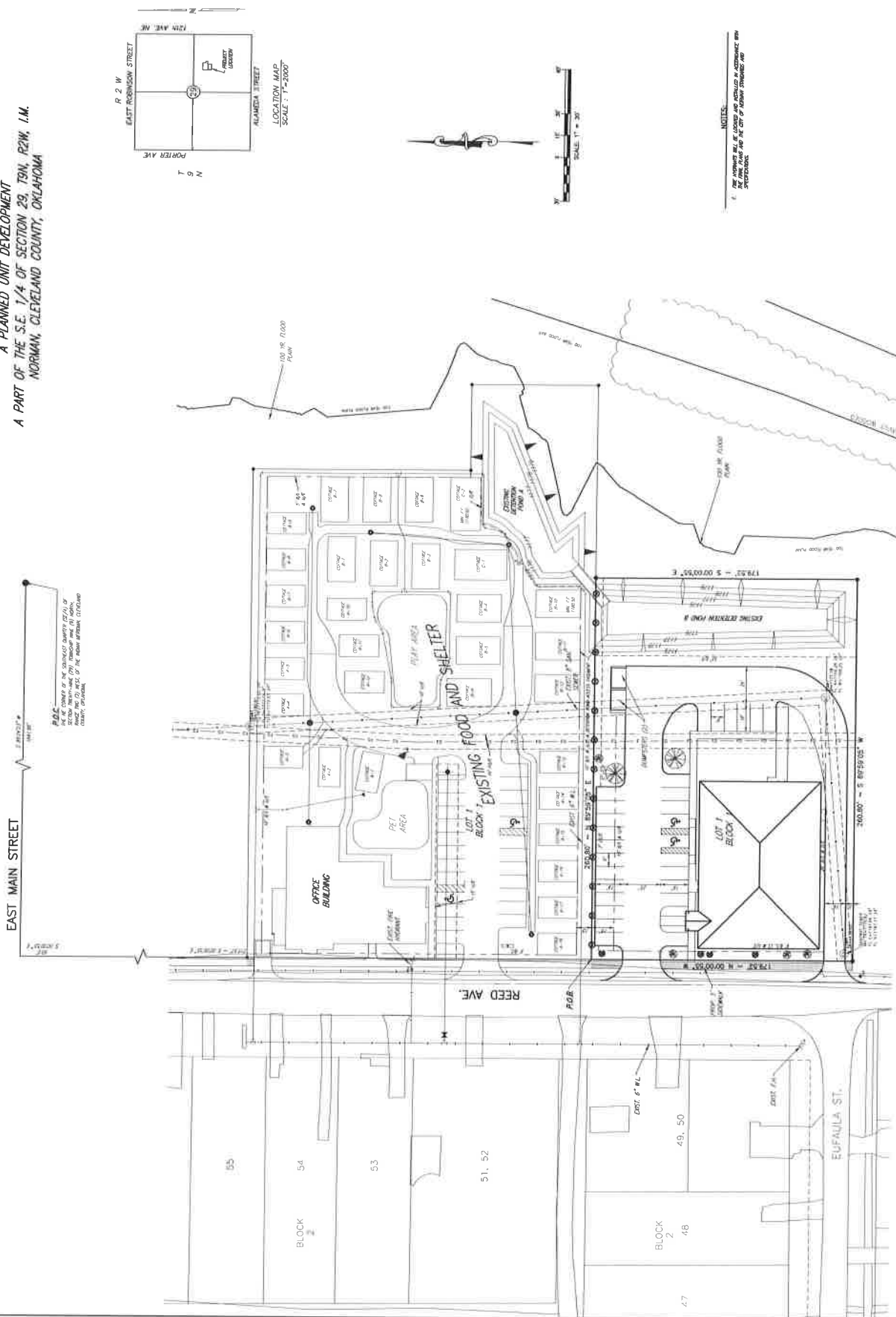
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FOOD AND SHELTER PHASE 2
A PLANNED UNIT DEVELOPMENT
REED AVE. & E. MAIN STREET
NORMAN, OKLAHOMA

SMS

PRELIMINARY
SITE DEVELOPMENT PLAN

Item 11.



Applicant: Food and Shelter

Project Location: Area immediately south of the existing Food and Shelter site.

Case Number: PD21-20

Time: 6:30 p.m.

Applicant/Representative

Sean Rieger, Rieger Law, PLLC

Gunner Joyce, Rieger Law, PLLC

Attendees

Rick Hoover

Debbie Hoover

Councilmember Lee Hall

Jessica Rosson

Elizabeth Gohl

City Staff

Brevin Ghoram, Planner I

Jane Hudson, Director, Planning & Community Development

Beth Muckala, Assistant City Attorney

Heather Poole, Assistant City Attorney

Ken Danner, Subdivision Development Manager

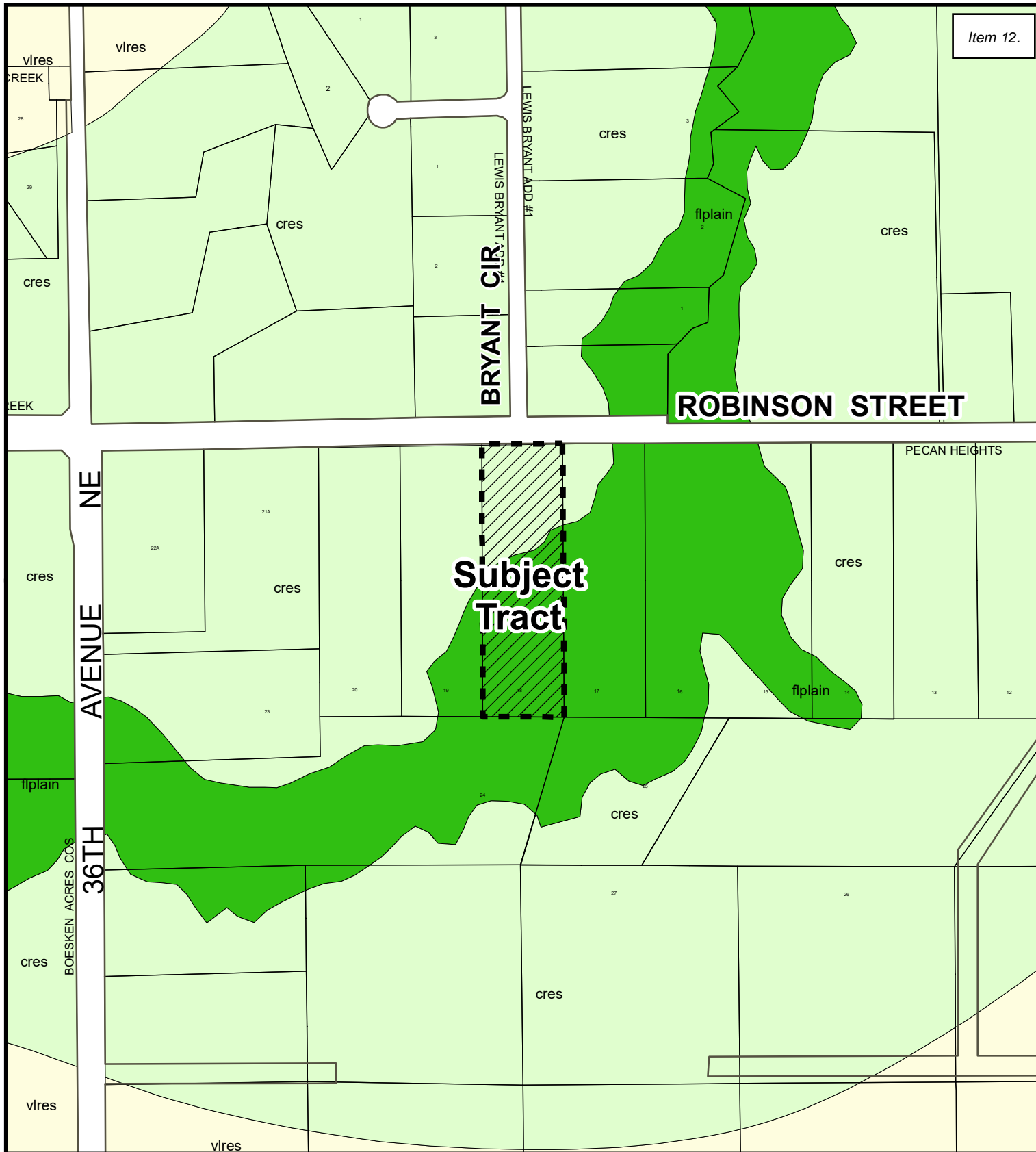
Application Summary

The applicant plans to amend the existing PUD, Planned Unit Development for this property to allow for development of a Food & Resource Center to provide additional access to food and groceries. The proposed site plan shows the structure south of the existing housing/office use. The site will need to be preliminary platted as the application process begins.

Neighbor's Comments/Concerns/Responses

- The current site is not being maintained/properly cleaned.
- The current management is not taking care of the existing issues at the site; how do we know this new project will be managed?
- This facility should be built on Main Street, next to the bus stop.
- No security at the existing facility, this new facility will bring more people and still no security.
- No management.
- The current tenants don't pay rent.
- All the promises made to the community have not been done.

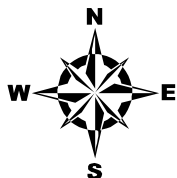
Applicant's representative: The intent is a much larger operation of a food pantry. The applicant was not able to attend the meeting tonight but the plan for the site is much bigger than just a food pantry – this is to serve the community.



Norman 2025 Land Use Plan



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



March 12, 2021

0 200 400 Ft.



Subject Tract



Zoning

RESOLUTION NO. R-2122-21

ITEM NO. 12

STAFF REPORT

ITEM: Geoffrey Arce requests Amendment to the NORMAN 2025 Land Use & Transportation Plan from Country Residential Designation to Mixed Use Designation for approximately 5 acres of property located at 3766 E. Robinson Street.

SUMMARY OF REQUEST: Geoffrey Arce is requesting to amend the current NORMAN 2025 Land Use and Transportation Plan designation of Country Residential to Mixed Use Designation for the subject tract located at 3766 E. Robinson and in Ward 5 of the City of Norman.

The applicant intends to develop the site in phases. The phased development may begin with removal of the existing mobile home on the site and move forward with the needed remodeling of the existing barn/storage building that contains an apartment. In the future the applicant plans to construct a new storage building for the sale of vehicles and vehicle parts. Through the application of a PUD, Planned Unit Development, the applicant is proposing a mixed-use development for this site. The PUD will outline all uses planned for the 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. ***There has 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 2017, at the request of City Staff, the applicant for the property to the east of this subject tract, 3900 E. Robinson, requested a Land Use Plan amendment – removing that property from the Special Enterprise Area designation as a Wedding Venue. City Staff requested this change because the proposed residential medical facility for those suffering from eating disorders no longer fit under guidelines to allow the Special Enterprise Area designation. The Country Residential designation remained on the site with the removal of the Special Enterprise Area. Country Residential designation is in place for those areas not served by city water and sewer and will remain on this site.

Under the guidelines of the NORMAN 2025 – Special Enterprise Areas are those areas accommodating limited commercial opportunities in rural, east Norman (on 20-acre minimum lots), where service oriented tourist facilities relating to Lake Thunderbird as a

destination can capitalize on the rural, pastoral qualities identified and sought maintained in the area.

The proposal for the inpatient residential treatment facility was not a tourist facility, limited commercial opportunity; therefore, this site could not be recognized as a Special Enterprise Area.

Aside from the above discussed NORMAN 2025 Land Use amendment, there have been no other NORMAN 2025 Land Use amendments in recent years in this general area. This property and the surrounding area continue to be designated as Country Residential.

The NORMAN 2025 Land Use was not amended for that site due to the nature of the use – it is considered residential in nature as the patients live on-site for extended periods of time. The patients' activities are extremely monitored so there is limited to no time permitted outside. There is very limited traffic for the site except for nurses/caregivers staying at the site with patients.

There are large-tract single-family homes and two churches in the general vicinity.

2. *There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.*

The applicant stated the majority of the sales will take place on-line. There will be traffic from the clients delivering/picking up their vehicles and/or parts.

The traffic impacts at this point are uncertain as the impacts will be determined with the possible uses/the number of deliveries/clients coming to the site.

The property is already platted; there was no requirement for a Traffic Impact Analysis (TIA) or a Traffic memo.

The access to the site will be from a new drive to be located across from Bryant Circle at the request of the applicant. The existing access to the site is located on the east side of the property and the Traffic Engineer required this drive access be removed. The existing drive was a common drive with the connection at E. Robinson St. As a result, a new drive for the east property owner will be constructed for the lot east of this property. A dirt driveway has been installed on the west side of the property without approval. It will need to be removed.

CONCLUSION: Staff forwards this request and Resolution No. R-2122-21 for your consideration.

Applicant: Geoffrey Arce

Project Location: 3766 E. Robinson St.

Case Number: PD21-28

Time: 5:30 p.m.

Applicant/Representative

Geoffrey Arce

Attendees

No neighbors attended

City Staff

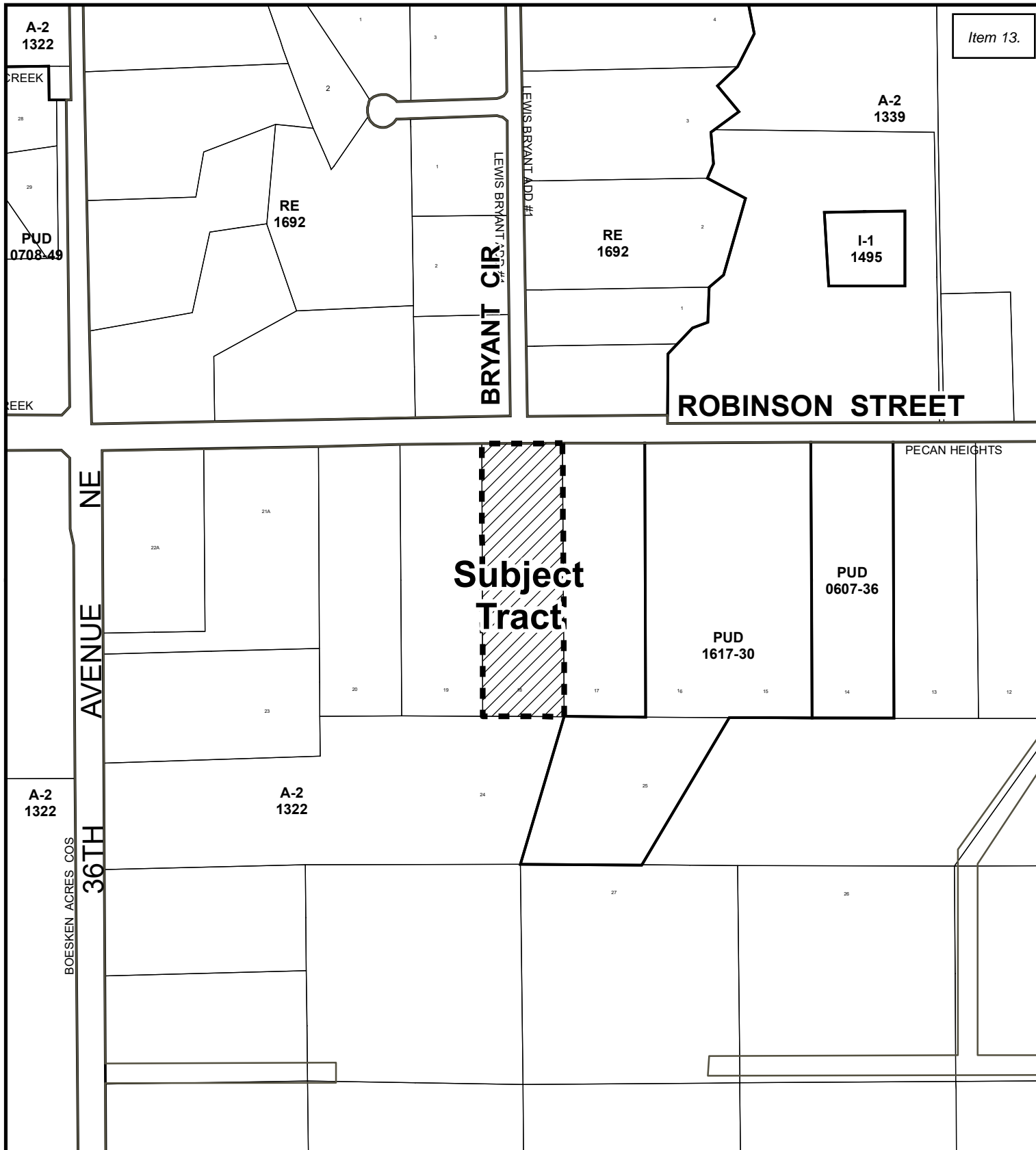
Lora Hoggatt, Planning Services Manager
Beth Muckala, Assistant City Attorney
Ken Danner, Subdivision Development Manager

Application Summary

The applicant is requesting to amend the NORMAN 2025 designation from Country Residential to Mixed Use and rezone the property to a PUD, Planned Unit Development, to allow for a commercial business.

Neighbor's Comments/Concerns/Responses

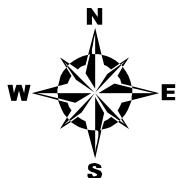
No neighbors attended this meeting.



Location Map



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



March 12, 2021

0 200 400 Ft.



Subject Tract



Zoning

ORDINANCE NO. O-2122-10

ITEM NO. 13

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	Geoffrey Arce
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	A-2, Rural Agricultural District
SURROUNDING ZONING	North: RE, Residential Estates District East: A-2, Rural Agricultural District, and PUD, Planned Unit Development O-1617-30 South: A-2, Rural Agricultural District West: A-2, Rural Agricultural District
LOCATION	3766 E. Robinson Street
SIZE	5.0 acres, more or less
PURPOSE	Used or unused vehicle sales, vehicle parts and accessory sales, residential uses
EXISTING LAND USE	Residential
SURROUNDING LAND USE	North: Residential East: Vacant/Floodplain, Residential treatment facility South: Vacant/Floodplain West: Residential

SYNOPSIS: The applicant, Geoffrey Arce, is requesting to rezone from A-2, Rural Agricultural District, to PUD, Planned Unit Development, for approximately 5 acres to allow for a mix of uses including used or unused vehicle sales, vehicle parts and accessories sales, and uses permitted in the A-2, Rural Agricultural District.

HISTORY: The subject property has been zoned A-2, Rural Agricultural District, in December 1961. This area is predominantly zoned for residential and agricultural purposes with the exception of the property at 3900 E. Robinson St. The property at 3900 E. Robinson St. was rezoned to a PUD in 2017 to allow for the Living Hope Eating Disorder Treatment Center. This

residential treatment facility and program provides meal support and dietitian and therapy groups. The patients do not have private vehicles at the facility and there is a maximum of ten patients at a time.

ZONING ORDINANCE CITATION:

SEC. 420 – PLANNED UNIT DEVELOPMENT

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

Specifically, the purposes of this section are to encourage:

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

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

EXISTING ZONING: The existing zoning for this property is A-2, Rural Agricultural. This district allows for residential and agricultural uses by right with a list of Special Use options which require approval by City Council. The property's current zoning would not allow for a used or unused vehicle or parts dealership.

ANALYSIS: The particulars of this PUD include:

USE: The PUD Narrative lists the following uses as allowed on site:

1. Vehicle Sales (Used or Unused) of the following types (definitions in PUD Narrative):
 - a. All-Terrain Vehicle
 - b. Motorcycle
 - c. Low-Speed Electrical Vehicle
 - d. Medium-Speed Electrical Vehicle
 - e. Off-Road Motorcycle
 - f. Recreation Vehicle
 - g. Personal Watercraft
2. Parts & Accessories (for the above vehicle types) Sales
3. Detached one family dwelling
4. Church, temple or other place of worship
5. Public school or school offering general educational courses the same as ordinarily given in the public schools and having no rooms regularly used for housing or sleeping
6. Agricultural crops
7. The raising of farm animals
8. All of the following uses:
 - Country club.
 - Family day care home.
 - Golf course (excluding miniature golf courses).
 - Home occupation.
 - Library.
 - Park or playground.
 - Plant nursery.
9. Accessory buildings, including barns, sheds and other farm buildings which are not part of the main building. One guest house may be utilized provided (a) it is clearly secondary to the larger main dwelling; (b) the structure is not rented or leased, nor used as a permanent dwelling; and (c) is not a mobile home.
10. Type 2 mobile home.
11. Medical Marijuana Commercial Grower, as allowed by state law. (O-1920-4)
12. Medical Marijuana Education Facility (cultivation activities only), as allowed by state law. (O-1920-4)
13. Short-term rentals. (O-1920-56)
14. Only one main dwelling permitted.

The applicant has stated that there will be only one main dwelling unit permitted.

It is unclear what percentage of sales will take place online and what percentage will be conducted in person. Hours of operation are not specified in the PUD Narrative. The applicant will need to seek a license to become a Used Motor Vehicle Dealer through the State of Oklahoma's Used Motor Vehicle and Parts Commission in order to operate as a dealership.

OPEN SPACE: The open space will be as shown on the site plan. A percentage was not provided by the applicant.

PARKING: The PUD Narrative states the following as the "Parking Proposal" for the project: "There will be 8 available gravel parking spots for customer use (utilizing existing residential parking area)."

The Zoning Ordinance states, "All off-street parking spaces and their access roads shall be paved with an all-weather surface of asphaltic concrete, Portland cement concrete or any equivalent material acceptable to the City Engineer, and maintained such that no dust will result from continued use." This proposal is requesting gravel parking areas and driveways.

SITE PLAN/ACCESS: The subject property will have one access point off E. Robinson Street. There is a proposed building to be used for the vehicle and parts sales business. A customer parking lot is proposed east of this building. There is also a proposed location for a new single-family dwelling unit. A parking area is proposed on the south side of the property to be used for the storage of available vehicles. The dumpster enclosure location has been approved by the City Sanitation Division. There are no structures proposed within the floodplain area, as shown on the site plan.

AREA REGULATIONS: The PUD Narrative states all structures will meet current A-2, Rural Agricultural District, setback requirements as outlined in Section 420.2 of the Zoning Ordinance.

LANDSCAPING: The PUD Narrative states all landscaping will meet the requirements of Section 431.8, Landscaping Requirements for Off-Street Parking Facilities.

SIGNAGE: Allowed signage for the proposed development will follow Office sign standards in Chapter 18, Sign Regulations. The PUD Narrative goes on to say the location of the sign is on the site plan and "signage will be a 4'x5' horizontally oriented 2'x4' framed plywood sign, with low intensity LED strips attached to the inside of the frame so that light is emitted onto painted, non-reflective, signage image."

LIGHTING: The PUD Narrative says all lighting will follow Section 431.6, Commercial Outdoor Lighting Standards, and will be directed inward and away from adjacent properties.

FENCING: The PUD Narrative states, "Fencing shall meet residential zoned height requirements according to Section 431.9, Fencing, Walls, and Screening, in the Zoning Ordinance." The residential requirements only apply to fence height in the front yard or overall height and locating a fence in an easement.

Commercial uses are required to follow Section 431.9, Fencing, Walls, and Screening, subsection 2. Section 431.9.2, requires that side and rear property boundaries of all lots used for commercial, industrial, and multi-family uses be screened from any abutting lot used for single-family or two-family purposes by a solid opaque fence of at least 6' in height. It is unclear if the applicant intends to install fencing along the rear or side property lines abutting residential uses. If a fence is proposed within the floodplain, a floodplain permit will be required.

ALTERNATIVES/ISSUES:

IMPACTS: The proposed commercial use for this property is more intensive than the currently allowed uses. The use of motor vehicle dealership will create more traffic and noise than would be created by a residential or agricultural use.

OTHER AGENCY COMMENTS:

GREENBELT GBC21-08

March 15, 2021

The March meeting of the Greenbelt Commission did not have a quorum.

PUBLIC WORKS: This property is part of Pecan Heights Addition. The property is currently served by private utilities, water and sanitary sewer. The southern portion of the subject property is in the floodplain; any development in this area would require a Floodplain Permit. No Traffic Impact Analysis was required for this development because it was already platted. The access to the site will be from a new drive to be located across from Bryant Circle at the request of the applicant. The existing access to the site is located on the east side of the property and the Traffic Engineer required this drive access be removed. The existing drive was a common drive with the connection at E. Robinson St. As a result, a new drive for the east property owner will be constructed for the lot east of this property. A dirt driveway has been installed on the west side of the property without approval. It will need to be removed.

There are two raw water mains located in easements located adjacent to Robinson Street right-of-way. The raw water lines are 30" and 48" in size. The owner will need to work out requirements from the Central Oklahoma Master Conservancy District for the 30" raw water line and the City for the 48" raw water line before the new driveway is constructed.

PREDEVELOPMENT 21-28

August 26, 2021

No neighbors attended this meeting.

CONCLUSION: Staff forwards this request for rezoning and O-2122-10 to Planning Commission for your consideration.

“Geoffrey Arce PUD, Planned Unit Development”

Owner: Geoffrey Arce

Address: 3766 E Robinson Norman OK 73026

Tel: (405) 761-4422

Email: geoffrey@ecrasystems.com

April 8, 2021

Revised August 30th 2021

PUD, PLANNED UNIT DEVELOPMENT REQUEST:

Geoffrey Arce is requesting rezoning used vehicle and parts sales, and residential use.

PROPERTY LEGAL:

Property Legal & Site Description: 3766 E Robinson St. 26 9 2W 5.005 AC TR 18 PECAN HTS SUR PRT N/2 BEG 3806.83`W NE/C S872` W250` N872 E250`

BACKGROUND:

I (Geoffrey Arce) have been involved in the automotive industry since 2010. This is my passion and I have built up a significant client base over the years of people who rely on me to assist them in finding a reliable vehicle.

We are quickly becoming a legitimate operation and therefore must do our diligence to satisfy all surrounding authorities and residents.

EXISTING CONDITIONS/LOCATION & FACILITIES:

There is currently a mobile home on this site, as well as a shop with living quarters (Accessory Dwelling Unit).

Total space: 2400 sq. Ft. of living and office/work space existing on 5~ acres.

Number of Beds: 1 bedroom, 1 full bath.

Number of Offices: One, located inside Barn.

Built in 1985.

FUTURE RESIDENCE:

After removal of manufactured home, a new residence will be planned and constructed.

PARKING PROPOSAL:

There will be 8 available gravel parking spots for customer use (Utilizing existing residential parking area).

SIGNAGE:

Allowed signage for the site will follow office sign standards in Chapter 18, Sign Regulations. Location depicted on site plan, signage will be a 4'x5' horizontally oriented 2'x4' framed plywood sign, with low intensity LED strips attached to the inside of the frame so that light is emitted onto painted, non-reflective, signage image.

LIGHTING:

Lighting will be directed inward and away from adjacent properties, all new fixtures will be full cut-off, and will follow Sec. 431.6 – Commercial Outdoor Lighting Standards.
All lights will be adequately shielded to avoid glare and light spillover on adjacent properties.

OPEN SPACE:

Open space areas will remain as currently shown on the site plan.

USES PERMITTED ON-SITE:

Uses allowed on-site for the subject tract will be as follows:

- Vehicle Sales (Used or Unused) of the following type (Definitions attached):
 - All-Terrain Vehicle
 - Motorcycle
 - Low-Speed Electrical Vehicle
 - Medium-Speed Electrical Vehicle
 - Off-Road Motorcycle
 - Recreational Vehicle
 - Personal Watercraft
- Parts & Accessories (for the above vehicle types) Sales
- Detached one family dwelling
- Church, temple or other place of worship
- Public school or school offering general educational courses the same as ordinarily given in the public schools and having no rooms regularly used for housing or sleeping
- Agricultural crops
- The raising of farm animals
- All of the following uses:
 - Country club.
 - Family day care home.
 - Golf course (excluding miniature golf courses).
 - Home occupation.
 - Library.
 - Park or playground.
 - Plant nursery.
- Accessory buildings, including barns, sheds and other farm buildings which are not part of the main building. One guest house may be utilized provided (a) it is clearly secondary to the larger main dwelling; (b) the structure is not rented or leased, nor used as a permanent dwelling; and (c) is not a mobile home.
- Type 2 mobile home.
- Medical Marijuana Commercial Grower, as allowed by state law. (O-1920-4)

- Medical Marijuana Education Facility (cultivation activities only), as allowed by state law. (O-1920-4)
- Short-term rentals. (O-1920-56)
- Only one main dwelling permitted.

SETBACKS FOR STRUCTURES:

Setbacks for all new structures will meet existing A-2, Rural Agricultural District requirements per Section 420.2 of the Zoning Ordinance.

Front Yard shall be 100 feet from the center line of Robinson St.

Side Yards shall be 25' minimum.

Rear Yard shall be 50' minimum.

ACCESS FOR DUMPSTER:

Accommodations have been coordinated with sanitation division and location denoted on site plan.

SITE ACCESS:

Access to the site will be by way of new gravel driveway proposed in site plan, adhering to city driveway requirements. All landscaping shall meet requirements of section 431.8, Landscaping Requirements for Off-Street Parking.

FENCING:

Fencing shall meet Residential zoned height requirements according to section 431.9 of Norman Zoning Ordinance

Vehicle Type Definitions

"All-terrain vehicle" means a vehicle manufactured and used exclusively for off-highway use traveling on four or more non-highway tires, and being fifty (50) inches or less in width;

"Motorcycle" is any motor vehicle having:

1. A seat or saddle for the use of each rider;
2. Not more than three wheels in contact with the ground, but excluding a tractor; and
3. A combustion engine with a piston or rotor displacement of one hundred fifty cubic centimeters (150 cu cm) or greater.

"Low-speed electrical vehicle" means any four-wheeled electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour and is manufactured in compliance with the National Highway Traffic Safety Administration standards for low-speed vehicles in 49 C.F.R. 571.500;

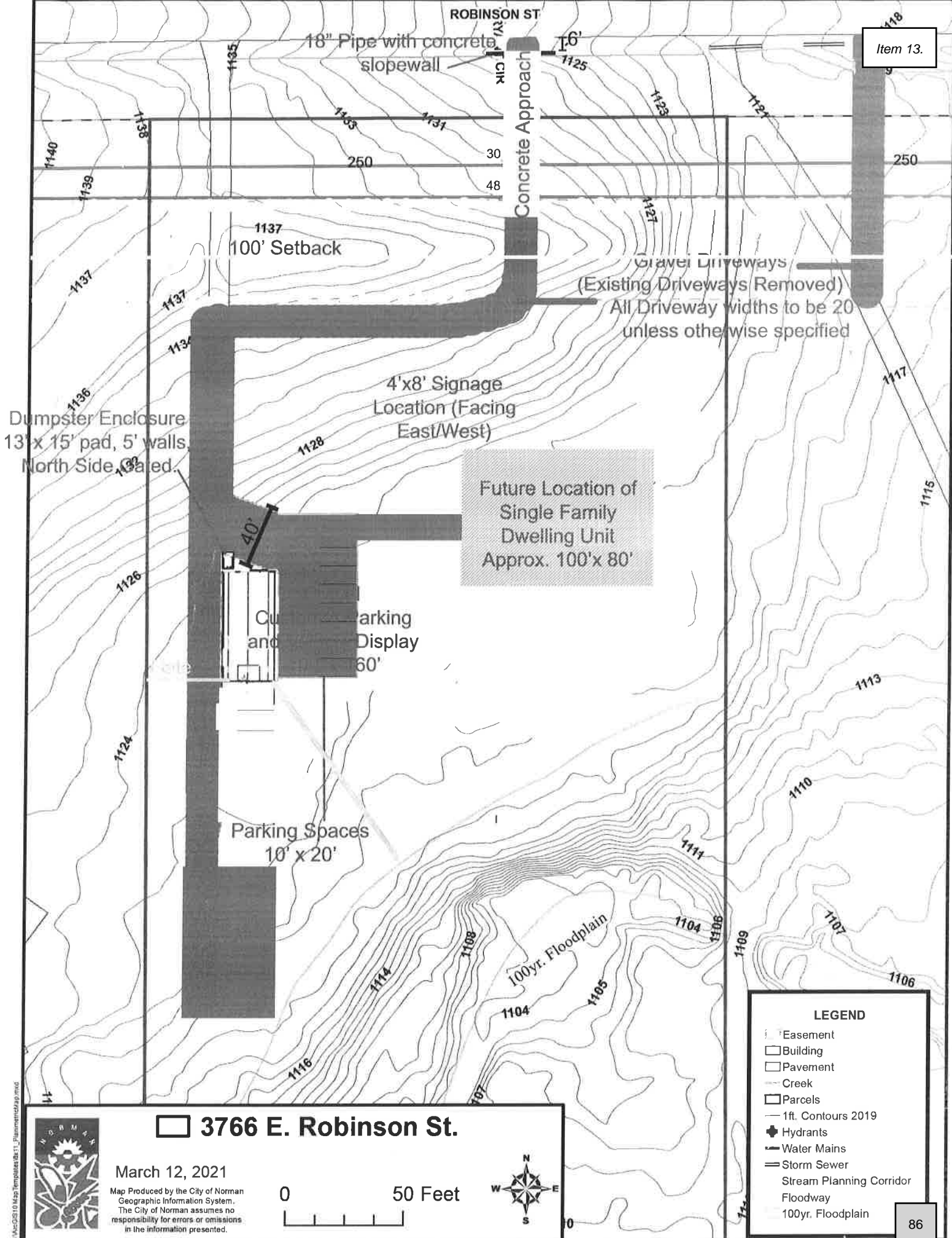
"Medium-speed electrical vehicle" means any self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one (1) mile is more than thirty (30) miles per hour but not greater than thirty-five (35) miles per hour;

"Off-road motorcycle" means any motorcycle, as defined in Section 1-135 of OK Title 47, when such motorcycle has been manufactured for and used exclusively off roads, highways and any other paved surfaces;

"Recreational vehicle" means every vehicle which is built on or permanently attached to a self-propelled motor chassis or chassis cab which becomes an integral part of the completed vehicle and is capable of

being operated on the highways. In order to qualify as a recreational vehicle pursuant to this paragraph such vehicle shall be permanently constructed and equipped for human habitation, having its own sleeping and kitchen facilities, including permanently affixed cooking facilities, water tanks and holding tank with permanent toilet facilities. Recreational vehicle shall not include manufactured homes or any vehicle with portable sleeping, toilet and kitchen facilities which are designed to be removed from such vehicle;

"Personal watercraft" means a vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing or kneeling on the vessel, rather than the conventional manner of sitting or standing inside the vessel, or a vessel which is similar in appearance and operation to a personal watercraft but which is powered by an outboard or propeller driven motor, or a vessel less than sixteen (16) feet in length which travels across the water above or on a cushion of air provided by engines, propellers or other means of propulsion;



Item 13.

3766 E. Robinson St.

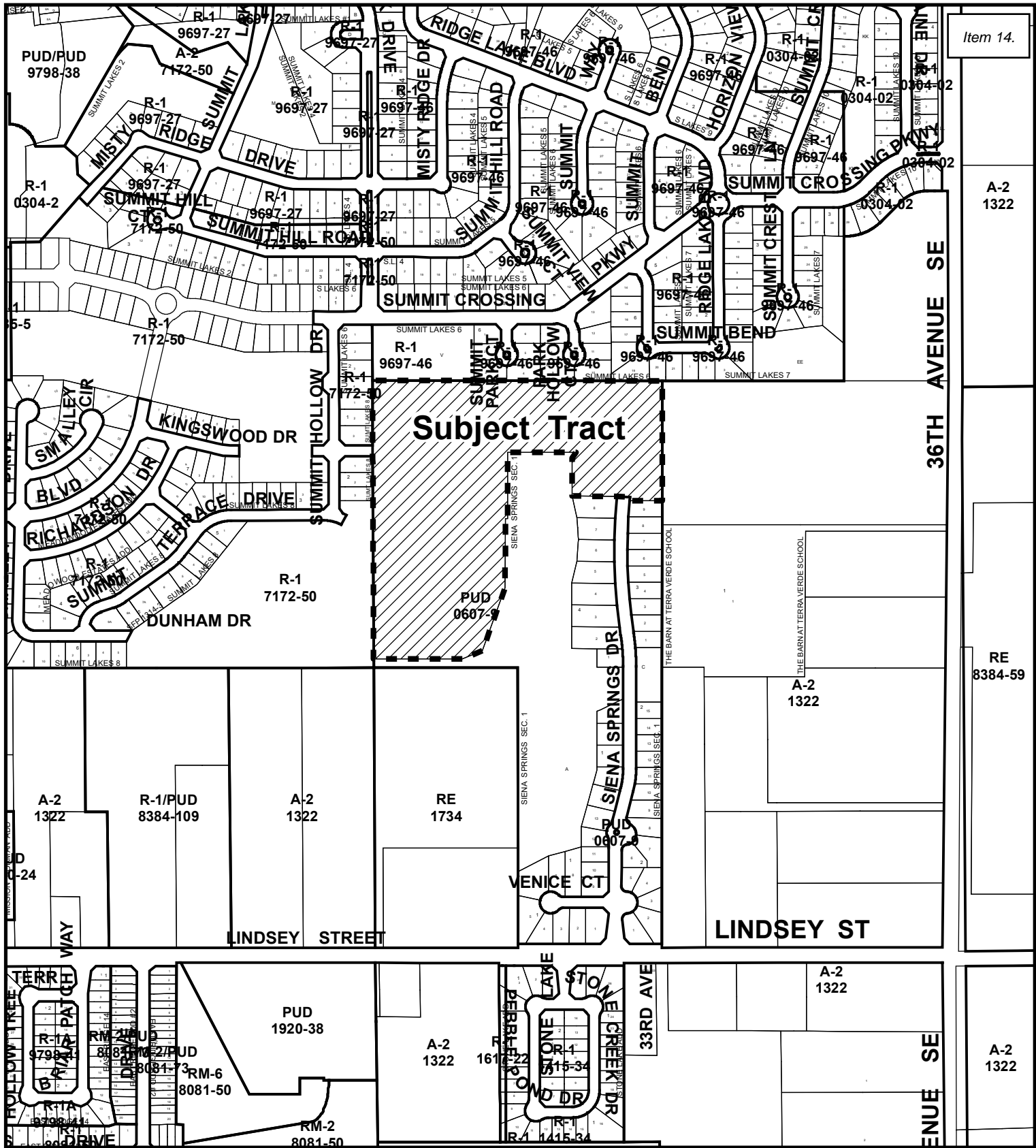
March 12, 2021

Map Produced by the City of Norman
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in the information presented.



LEGEND

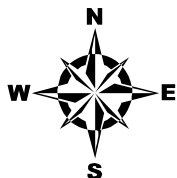
- Easement
- Building
- Pavement
- Creek
- Parcels
- 1ft. Contours 2019
- Hydrants
- Water Mains
- Storm Sewer
- Stream Planning Corridor
- Floodway
- 100yr. Floodplain



Location Map



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



May 4, 2021

0 300 600 Ft.



Subject Tract



Zoning

ORDINANCE NO. O-2122-13

ITEM NO. 14

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	Skyridge Homes, Inc.
REQUESTED ACTION	Amendment of the Planned Unit Development established by Ordinance No. O-0607-9
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: R-1, Single Family Dwelling District East: A-2, Rural Agricultural District South: PUD O-0607-9 and RE, Residential Estates District West: R-1, Single Family Dwelling District
LOCATION	North of East Lindsey Street and approximately ½ mile east of 24 th Avenue S.E.
SIZE	24.80 acres, more or less
PURPOSE	Amend PUD to change site development plan and update area regulations
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Single-family residential East: Single-family residential South: Single-family residential West: Single-family residential
2025 LAND USE PLAN DESIGNATION	Low Density Residential Designation

SYNOPSIS: The applicant is requesting to amend the existing Planned Unit Development containing approximately 24.80 acres to change the Site Development Plan and update the area regulations.

HISTORY: In 2006, this property was rezoned from RE, Residential Estates District, to PUD, Planning Unit Development, with Ordinance No. O-0607-9. The PUD allowed for development

in three phases. The first phase of the development is mostly built out. The preliminary phase two and three has expired and the new owner/developer is requesting to change the street layout and add a rear yard setback regulation to this PUD Narrative; the rear yard setback regulation was inadvertently left off the first PUD.

ZONING ORDINANCE CITATION:

SEC. 420 – PLANNED UNIT DEVELOPMENT

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

Specifically, the purposes of this section are to encourage:

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

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

EXISTING ZONING: The existing PUD allows for the development of a single-family residential neighborhood. The PUD was created with the intent to be environmentally sensitive and have large lots focused around the lake amenity.

ANALYSIS: The particulars of this PUD include:

USE: The PUD Narrative allows for single-family residences.

OPEN SPACE: The open space for the development is shown on Exhibit F. The open space surrounds the perimeter of the lake with an additional retention pond on the east side of the development. The developer shows proposed trails around the perimeter of the lake on the site development plan; these are also part of the PUD Narrative.

PHASES: This rezoning and preliminary plat request is for the final phase of the development, phases two and three.

SITE PLAN/ACCESS: The site development plan shows three access points for phase two of Siena Springs. The first is Siena Springs Dr. off E. Lindsey St. The second and third access points, Kingswood Dr. and Florence Terr., are from the Summit Lakes addition to the west. The site development plan shows 81 lots; all lots have a minimum of 8,200 square feet which is consistent with the original PUD.

AREA REGULATIONS: The area regulations for the PUD amendment remain the same with the exception of the rear yard setback, which was missing from the 0607-9 PUD. The proposed rear yard setback is 20' or 20% of the lot, whichever is smaller. The applicant is also proposing to include the maximum allowed lot coverage of 65%, this also was not included in the previous PUD Narrative. This is consistent with the regulations for the R-1, Single-Family Dwelling District area regulations.

STORMWATER: The stormwater pollution prevention plan was submitted in full to City staff. The 182-page document was not included in the Planning Commission Agenda packet to save paper and file size. The document is available for review; please reach out to City Planning staff to review.

ALTERNATIVES/ISSUES:

IMPACTS: The amendments to the site development plan are consistent with the original proposal for the subject property. This area has recently developed with more single-family residential properties and the public infrastructure is sufficient for this proposal. The existing and amended PUD contain measures to ensure the development is environmentally sensitive.

OTHER AGENCY COMMENTS:

PUBLIC WORKS: The applicant has submitted a preliminary plat for consideration concurrently with the PUD amendment. Sidewalks and public streets for the development will be constructed to City standards. Stormwater runoff will be conveyed to an existing privately-maintained detention facility. Water and sanitary sewer are available to the site.

GREENBELT COMMISSION GB 21-26

August 16, 2021

The item is being sent forward with no additional comments.

PREDEVELOPMENT PD21-15

May 27, 2021

At the time of the predevelopment meeting, the developer was considering amending the PUD to allow for smaller lot sizes. The applicant has since decided to keep the lot sizes the

same as the existing PUD. Neighbors were concerned about water runoff, detention discharge into the pond, number of swales, increased impervious coverage, and protecting the environment/open area concept. The neighbors want any new development to follow the existing covenants for the subdivision. The applicant will not be changing any covenants for the property.

CONCLUSION: Staff forwards this rezoning request and Ordinance No. O-2122-13 to the Planning Commission for your consideration.

SIENA SPRINGS PH II TABLE OF CONTENTS

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EXHIBITS attached hereto and made a part hereof

EXHIBIT A – LEGAL DESCRIPTION/PRELIMINARY SITE DEVELOPMENT PLAN
EXHIBIT B – TOPOGRAPHY MAPS
EXHIBIT C – STORM WATER PREVENTION PLANS
EXHIBIT D – PRELIMINARY PLAT
EXHIBIT E – BASE LINE RESULT REPORTS
EXHIBIT F – OPEN SPACE

June 29, 2006 – FINAL DRAFT

***SIENA SPRING
PLANNED UNIT DEVELOPMENT***

1.0 Introduction.

This Planned Unit Development (“PUD”) is proposed to comply with the spirit, intent and letter of Sec. 420 of the Norman City Code, which provides for unified developments in accord with the Norman 2025 Land Use and Transportation Plan. This PUD is intended to provide for greater flexibility in the design of buildings, yards, courts, circulation, open space and the ongoing protection of the environment, especially with respect to an existing Lake and dam. When implemented, it will offer more usable and suitably located open space, recreation areas and common facilities than would otherwise be required under conventional land development regulations.

In the interest of efficiency, both in terms of time and money it is agreed, that minor modifications to this PUD, agreed to in writing and signed by both Siena Springs LLC and Danny & Cinda Sullivan, adjacent land owners to the south and southwest of the site (herein referred to as Sullivan) may be adopted by the City of Norman Planning Division, without the PUD being represented to City Council. The City of Norman Planning Division will have the sole responsibility of determining if the agreed to modification may be enacted without going before City Council.

2.0 Physical Description of the Development Site

The proposed site is located within Norman City limits. It is an undeveloped 60-acre tract of rolling land, forested with hard wood trees. The site traditionally has been used for raising cattle.

A twelve acre Lake exists along the entire interior perimeter of the site and extends approximately 5 acres to the south and west beyond the site. (herein referred to as Lake). The five-acre southwestern portion of the Lake is owned by two separate landowners, Sullivan and Tietsworth, whose property is adjacent to the site. The dam impounding this Lake was constructed in the Dave Blue Creek watershed. The dam is jointly owned by Siena Springs LLC, and Sullivan. The Oklahoma Water Resources Board has regulatory jurisdiction over the dam.

Currently, the only access to the proposed site is from East Lindsey Avenue approximately seven tenths (7/10th) of a mile east from the intersection of Lindsey and 24th Avenue SE.

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3.0 Legal Description

The site is located within Section 34, Township 9 North, Range 2 West, Indian Meridian, Cleveland County. The specific legal description of the property comprising this PUD is set forth at Exhibit “A” hereto and made a part hereof.

4.0 The Developer

The Developer of this PUD is Siena Springs, LLC, the principals J. Mertens Construction and William Greeson.

5.0 Site and Surrounding Area Zoning

The site is currently zoned RE. The property surrounding the site is zoned and used as follows:

- North: Zoned R-1; includes a part of the Summit Lakes Addition.
- South: Zoned A-2; includes undeveloped land with some private homes; also zoned RE with the owners of part of the Lake residing south and south of the site.
- East: Zoned A-1; the land is unplatted and mostly undeveloped and includes approximately 4 private homes
- West: Zoned R-1; will become part of the Summit Lakes Addition at some time in the future.

6.0 Drainage and Storm Water Retention

6.1 General Concept. A topographic map of the PUD site is attached hereto as Exhibit “B” and made a part hereof. The northern and eastern portions of the site drain towards the Lake. The southern portion drains to the south and southwest towards Lindsay Street.

The Sullivans and Teitsworts as co-owners of the Lake have agreed that Siena Springs LLC may use the Lake to retain storm water runoff as long as the filtration systems set out within this PUD are installed and maintained in accordance with this PUD so as to remove the pollutants from the runoff prior to entering Lake.

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Storm water runoff from the northern and eastern portions and a part of the western portions of the site will continue to be routed to the Lake. The runoff shall travel through mechanical filtration systems and or swales specifically designed to remove the pollutants and contaminates prior to draining into the Lake.

Runoff from Lots 4-15 of Block 2 will either drain to a pre-stabilization natural retention area located on the east side of the site, (depicted as "Common Area "C" on Exhibit D.) and then travel through the filtration system located between Lot 18 of Block 1 and Lot 1 of Block 5, prior to being released into the Lake, drain through a drainage swale located between Lots 16 and 17 of Block 1.

6.2 Specific Drainage and Filtration Requirements. The following are requirements for the construction and installation of improvements intended to protect the quality of the Lake and its environs. The Developer will conform to these requirements in the design and construction of the Siena Springs residential subdivision.

6.2.1 Best Management Practices. The Developer and its agents and independent contractors shall at a minimum employ the best management practices as defined in Oklahoma Department of Environmental Quality regulations for storm water management. Such practices shall include, but not be limited to, construction of sedimentation and filtration facilities for runoff across all parts of the Properties reaching the Lake.

Riparian areas adjacent to the Lake shall not be built on or physically modified, except as provided for within this PUD, during construction. Riparian areas adjacent to the Lake and areas along streams and drainage swales leading to the Lake shall be protected during construction in accordance with a Stormwater Pollution Prevention Plan ("SWP3"), attached hereto as Exhibit "C" and incorporated herein by reference, and shall be maintained and restored as necessary in order to enhance its effectiveness for runoff filtration.

(Language in 6.2.2 - 6.2.5 may need minor modifications based on forthcoming engineering reports. The runoff will travel through eight different drainage swales, each one using natural filtration of rocks and grasses and distance. It may be necessary to use mechanical filtration devices on some of these swales.)

6.2.2 Mechanical Filtration Treatment. Where overland runoff buffers extend less than 75 feet from the normal-pool water surface, mechanical treatment as set out in 6.2.5 shall be installed in addition to the swales. Where concentrated discharge points exist, as shown on the attached plat, runoff treatment shall be applied.

(Design specifications for each individual swale will be added to 6.2.3 once the drainage

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report is completed by the engineers)

6.2.3 Design of Swales. Treatment shall incorporate grassed and stoned swales in all eight (8) drainage easements identified in 6.3.1. These swales shall be designed to maximize the removal of pollutants and contaminants contained in the stormwater runoff, from all pavements, roofs and lawn areas, etc. prior to the runoff reaching the Lake. Swales shall be designed at grades which will limit velocities at full flow to not more than 2.0 feet per second. Retention time through the swale shall not be less than 5 minutes. Plant species selected for use within the swales shall include switchgrass and other species commonly applied in erosion control and pollution control systems. Ground cover shall be established via seeding and/or sodding. Rip-rap installed within the swale systems shall be sized appropriate to calculated runoff volumes and placed in such a way as to achieve required velocities and detention times. Geotechnical fabric shall be installed along swales as may be necessary to minimize erosion. Swales shall be regularly maintained at all times. Maintenance shall include removal of debris and/or sediment as well as restoration of any areas damaged. Drainage swales lying within dedicated drainage easements shall not be fenced or otherwise disturbed.

6.2.4 Sedimentation Basins. Sedimentation basins shall be incorporated at the east arm of the Lake in Common Block C; and at the northwest corner of Common Block A. Design of sedimentation basins shall create detention times of not less than 45 minutes.

6.2.5 Mechanical Filtration Devices. When required by Section 6.2.2 mechanical separation and filtration devices shall be installed. If a drainage swale design does not meet the requirements in 6.2.3 a mechanical filtration device will be installed. Installation shall be as recommended by the manufacturer of the device. Sizing of the separator and filtration device shall be as recommended by the manufacturer. Calculations regarding the sizing and design criteria shall be provided to the adjoining land owner (Sullivans) along with shop drawings for the device(s).

6.3 Common Area Maintenance. The Developer will organize as a non-profit corporation the Siena Springs Homeowners Association (“the HOA”). The HOA shall own, control and maintain Common Block “A”, the Lake area and the Greenway area around the perimeter of the Lake up to the Lot lines of the houses which abut the Lake; Block “B”, the temporary lift station; Common Block “C”, the drainage / retention area between Lot 15 Block 2 and Lot 1 Block 3; and all, medians and landscaping and structures; provided, however, that title to Common areas “A” through “C” shall remain in the name of the HOA and Siena Springs

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LLC jointly until development of the entirety of Siena Springs is completed. Any proposed improvements to these Common Areas will comply with all applicable provisions of the Norman City Code and shall receive approval of the HOA's Architectural Committee prior to installation or construction.

6.3.1 Maintenance of Lake and Surrounding Greenway. The HOA shall be responsible for maintaining the eight drainage swales, mechanical filtration systems, overland buffers, grass and plant materials, rip-rap, and geotechnical fabric all of which is used to remove pollutants and contaminants from storm water runoff prior to entering into the Lake. Such responsibilities will include but not be limited to the following: (1) Quarterly inspections of all drainage structures, including filtration boxes and outlet swales (2) replacement of filters in accordance with manufacturer's instructions (3) maintenance and replacement of grasses and plants in the drainage swales and at the base of the drainage swales if damaged or dying (4) and cleaning out drainage swales when rocks are covered over 1/3 with dirt and or debris.

The eight drainage swales/easements will be located at the following areas: (#1) between lot 18 of Block 1 and lot 1 of Block 5 off of Siena Springs Drive (#2) between lots 6 and 7 of Block 5 off of Siena Springs Drive (#3) between lots 11 and 12 Block 5 off of Pescara Drive (#4) between lots 14 and 15 of Block 5 off Pescara Drive (#5) between lots 27 and 28 of Block 5 off Manzano Court, (#6) between lots 36 and 35 of Block 5 off Rome Court, (#7) between lots 42 and 41 Block 5 off Florence Court and (#8) between Lots 16 and 17 of Block 1 off of Siena Springs Drive.

6.3.2 Quality of Lake Water. The HOA will be responsible for maintaining the quality of the Lake water. The developer shall prior to having this PUD voted on by City Council have a certified laboratory take 3 samples from the Lake and test each sample for the following: dissolved solids, dissolved oxygen, e-coli, phosphates, detergents, herbicides and pesticides. The average of the three samples for each individual item tested shall service as the baseline for that respective item, said baselines shall be attached hereto as exhibit E.

Once construction is started on the site the HOA or developer shall have a certified laboratory take grab samples from the Lake every 4 months for the following items: Dissolved Solids, Dissolved Oxygen, E-coli, phosphates & detergents. The certified laboratory shall also take grab samples every 6 months and test for pesticides and herbicides. The HOA shall provide copies of all test results to the Sullivans as co-owners of the Lake. If any of the Lake water grab samples reflect an increase of 10% above the established baseline, for any of the above listed items an additional sample shall be collected by the lab within 5 days and retested, to confirm the results. If the test result reflects an increase over the

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baseline by 10% or greater then the HOA shall within 30 days retain a water engineer to determine what is necessary to reduce the pollutant(s) to the baseline levels. The HOA shall implement the recommendations of the engineer within 30 days of receipt of that recommendation.

6.3.3 Greenway Grass. The HOA shall be responsible for maintaining the grasses covering the Greenway around the Lake, i.e. the area from the Lake to the back Lot lines of the homes abutting the Lake.

6.3.4 Retention Area. The HOA shall be responsible for maintaining the retention area located on the east side of the Addition between lot 15 block 2 and lot 1 block 3 off Siena Springs Drive (Common Block C). When the capacity of the retention pond is reduced by one-third then the HOA shall cause the retention area be dredged or trenched restoring it back to full capacity. In order to gage the capacity of the retention area the Developer shall place a pole in the retention area which has marker indicating when the retention area has been reduced by 1/3. Within thirty (30) days reach that mark the HOA shall have the area dredged or trenched back to original capacity.

6.3.5 Dam Maintenance. The HOA and the adjoining landowner of the dam (Sullivan) will each be responsible for one-half of the expenses associated with maintenance of the dam located on the south side of the Lake. The HOA and the adjoining landowner jointly own the dam, which falls under the regulatory jurisdiction of the Oklahoma Water Resources Board. The HOA and the adjoining landowner will equally share the expense of all repairs performed on the dam. Such repairs will be those determined necessary by the Oklahoma Water Resources Board or by a third party engineer retained for inspection purposes by the HOA and the adjoining landowner. Either the Sullivans or the HOA may at their respective discretion call for an inspection on the dam. When either party requests an inspection of the dam it shall notify the other in writing 10 days prior to the scheduled inspection.

7.0 Topography and Construction of Residences.

7.1 According to a general soil map of Cleveland County, the soils on the PUD site are generally classified as erosive. To eliminate any potential adverse effect on the Lake, the soil located between the Lake and the back Lot lines of the homes which abut the Lake will not be scalped, built on, or modified/disturbed, during construction or thereafter pursuant to a Stormwater Pollution Prevention Plan ("SWP3"), incorporated herein by reference. See Exhibit "D" hereto, the Plat which reflects the areas around the Lake which will not be disturbed. Because of the erosive nature of the soil, fill material may be imported to achieve adequate compaction for a sound base for roadways and homes. Such fill material may include fly ash, lime and/or cement. In order to assure the fill material will not enter the Lake, all fill material brought in shall not be used

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beyond the utility easements running behind the lots abutting Common Area A, as shown on the Plat set out in Exhibit "D".

7.2 Siena Springs LLC has caused to be prepared the SWP3, a copy of which is attached as Exhibit "C". It will be implemented to reduce or eliminate any erosion of the soil on this site. The Developer, Siena Springs LLC, has prepared and executed a Declaration of Covenants, Conditions and Restrictions ("the Covenants") which shall be filed of record before this PUD is voted on by City Council. The Covenants will also incorporate the SWP3 by reference.

7.3 The soil, trees and grass located between the Lake shore and the back Lot lines of the homes abutting the Lake, will not be scalped, built on or modified/ disturbed in order to preserve the health of the Lake. This excludes the construction of the eight drainage swales and the lying of utilities within the utility easements, as reflected on the Plat attached as Exhibit "D". Lot lines will be set back in accordance with the Plat and the measurements set out therein at Exhibit "D". This PUD is not located in a flood plain area.

8.0 Concept

The Siena Springs PUD will be a single-family residence addition consisting of 131 medium to large sized lots. This PUD is intended to create an environmentally sensitive and inviting residential neighborhood in which the Lake is the focal point of the addition. This will be accomplished by not disturbing, or modifying the natural areas around the Lake, by providing undisturbed green space around the Lake and other areas, and by leaving trees and high sloping areas undisturbed.

This PUD is intended to allow the flexibility needed to create a distinctive and environmentally protective addition. Construction of roads and lots sizes which conform to the natural features of existing topography, using the natural features of the land to control runoff, and creating a large amount of natural open space areas, will assure protection of the Lake from contaminated runoff and erosion.

9.0 Specifications of Residential Lots

Siena Springs will consist of one hundred thirty one (131) single-family residences. The lot sizes will vary from approximately 8,400 square feet to 20,000 square feet. No lot will be smaller than 8,200 square feet. No home will exceed three stores in height. No residence which contains less than 2,400 square feet, exclusive of basements, open porches, attached carports, attached garages, and detached structures, shall be built on Lots 2 - 9 of Blocks 5 or Lots 12 - 17 of Block 1. For all remaining Lots no residence shall be built which contain less than 2,100 square feet, exclusive of basements, open porches, attached carports, attached garages, and detached structures. Each residence shall be built with a covered front porch area. The Covenants will, among other matters, provide restrictions on house placement.

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10.1 Streets. Street access to the PUD will be via a north/south drive coming off Lindsey Street approximately seven tenths (7/10th) of a mile east of SE 24th Avenue. The proposed north/south drive will be used as a collector street with a width of 34 feet. This street will run the entire east side of the addition as depicted on the Plat attached hereto as Exhibit “D”. At some time in the future Siena Springs will connect to two platted roads in the Summit Lakes Addition, Hollow Summit Drive and Kingwoods Drive, both of these roads are located on the west of the PUD.

10.2 Water & Sewer. Siena Springs will construct a temporary lift station to service all the homes in Phase one of the development. The City will be responsible for maintenance of the lift station once it is placed in service. Each member of the HOA will be obligated under the terms of the Covenants to pay a fee to the City for it to maintain the temporary lift station. The maintenance fee will be charged on each home owner’s individual utility bill. Lots in Phase 2 and Phase 3 of the development will be served by gravity sewers connecting with Summit Lakes Addition.
discretionary

10.3 Fire Protection Services. Fire protection for the homes in this PUD will be provided by the City of Norman Fire Department. The closest fire station to the addition is Station No. 3 located at Lindsay & George, approximately 3 miles from the site. Siena Springs will install the necessary fire hydrants and ingress and egress for fire trucks in accordance with the Norman City Code.

11.0 Perimeter Treatment

Siena Springs, LLC will construct a fence along the exterior perimeter of the PUD facing Lindsey Street. The fence will be constructed of wood, brick, stucco or similar material, and shall be maintained by the HOA. In addition Siena Springs will construct a fence behind Lots 5 & 6 of Block 1. The material of this fence will be agreed upon between Siena Springs LLC and the adjacent landowners (Sullivans). All fences abutting Common Area A (See Exhibit D Plat) shall be uniform in height, four foot, and be constructed of black wrought iron, or black aluminum. All other fences shall be of a type commonly known as wood privacy fences with a minimum height of six feet as measured from the ground and a maximum height of eight feet, and constructed with treated lumber to resist rot and decay.

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12.0 Open Space

The PUD will include an open area which will surround the perimeter of the Lake, extending from the Lake shore to the Lot lines of the Lots abutting the Lake. This area will, excluding the exception set forth within this PUD, be undeveloped and undisturbed and planted with native grasses to aid in filtration of storm water runoff from yards and homes. The depth of the open area will be no less than 60 feet on the west side of the Lake and 75 feet on the east side of the Lake. The area attached hereto as Exhibit F depicts the specific boundaries for the open area. There will also be an open area on the east side of the addition where a natural retention pond area will be located. This area will be used to collect waters from the east section of the addition. In addition, there will be a 35 foot buffer running towards the north east corner between lots 11 and 12, of Block 5. The purpose of this buffer is to protect the creek which runs into the Lake and as a drainage easement.

13.0 Maintenance By Home Owners Association

The HOA will be responsible for maintaining the retention ponds, the entirety of the Lake, its tailwaters, the existing dam (except as indicated in section 6.3.5) and the eight drainage swales / easements and any additional stormwater runoff filtration systems located within the drainage easements / systems. The HOA shall have a certified laboratory take grab samples from the Lake every 4 months for the following items: Dissolved Solids, DO, E-coli, phosphates & detergents. The lab shall take grab samples every 6 months and test for pesticides and herbicides. If any of the grab samples taken from the Lake reflect an increase of 10% over the established baseline (See Exhibit E – Base Line Results) in any of the above listed items then the laboratory shall within 5 days, take an additional grab sample from the same general area as the prior sample and retest the sample, to confirm the results. If the test result is confirmed then the HOA shall within 30 days retain a certified water engineer to determine what is necessary to reduce the pollutant(s). The HOA shall implement the recommendations of the engineer within 30 days of receipt of the recommendation.

The Covenants will set out additional HOA requirements for maintaining all retention ponds, open areas, the dam, the Lake, and the filtration system. Such specifications will include requirements as to financing, maintenance scheduling, preventive restrictions, and liability insurance.

The Covenant will provide for the types of herbicides, pesticides and fertilizer which can be used in the addition.

14.0 Development Phases

The development of Siena Springs will be undertaken in three phases. The first phase will consist of approximately 50 Lots and Common Block C. It will include the homes located on Venice Court and some of the homes on Siena Springs Drive, specifically Lots 1-18 of Block 1, Lots 1 - 15 of Block 2, Lots 1 - 8 of Block 5, Lots 1 - 9 of Block 3 and Common Block "C" (See Exhibit D - Plat). Phase One be contingent on and require the construction of the lift station and force main, associated gravity sewers, the on-site 12" waterline, and the off-site 12' waterline.

Phase Two will consist of 37 Lots, located on Siena Springs Drive, Pescara Dive, and Manzano Drive, specifically Lots 1 - 24 Block 5 and Lots 1 - 13 Block 6. Phase Two will be contingent on and require the construction of the gravity sewers and waterlines connecting with Summit Lakes Addition. No cleaning, grubbing and grading for Lots will occur on Phase Two until the completion and acceptance of public improvements in Phase One.

Phase Three will consist of the 44 remaining Lots. Lots 14 - 34 of Block 6, Lots 1 – 14 of Block 7 and Lots 1 – 9 of Block 8. Phase Three will require the construction of the remaining gravity sewers connecting to Phase One and Phase Two. No cleaning, grubbing and grading for Lots will occur on Phase Three until the completion and acceptance of public improvements in Phase Two.

15.0 Housing Construction

Homes in the addition will meet or exceed the minimum side yard requirement of 5 feet. The minimum front setback will be 25 feet with the exception of the cul-de-sac lots which will have a 20-foot setback. There shall be a rear yard having a depth of not less than twenty feet or twenty percent of the lot, whichever is smaller; unattached one-story buildings of accessory use shall set back one foot from the utility easement. Houses will be constructed of brick, masonry, Masonite siding, or stucco as more specifically provided in the Covenants. The maximum impervious area for each individual lot shall be no more than sixty-five percent (65%) of the total lot area.

17.0 Entryway Signs

The entrance into Siena Springs from Lindsey will include a sign designating the addition. The sign will be constructed of masonry or stone. The sign may be lighted. The island in the entry will be landscaped with appropriate vegetation, boulders, and landscape timbers so as not to interfere with traffic site lines. The HOA will be reasonable for the upkeep and maintenance of the sign and island.

June 29, 2006 – FINAL DRAFT

18.0 Traffic

All lots within the Siena Springs PUD will have access via public streets. The collector street will be off Lindsey street approximately seven tenths (7/10th) of a mile of SE 24th Avenue. The collector street will be 34 feet wide and will run the length of the addition on the east side. The remainder of the addition will be serviced with local streets, which will be 26 feet wide. There will be two points of access on the west side of the addition, via Summit Lakes Addition, when it is constructed.

All internal streets will provide adequate circulation in accordance with the Norman City Code for Fire Department and City Waste Management Services.

19.0 Sidewalks

There will be a pedestrian path walkway along the north half of the Lake. The pathway will not be paved, but will be comprised of 3/8 inch crusher run material over geotechnical fabric. The HOA will be responsible for maintaining the walkway. The walkway will be lighted. Both the walkway and the lighting will be installed during phase two. The walkway is depicted on the plat (Exhibit D)

SIENA SPRINGS ADDITION SECTION 2

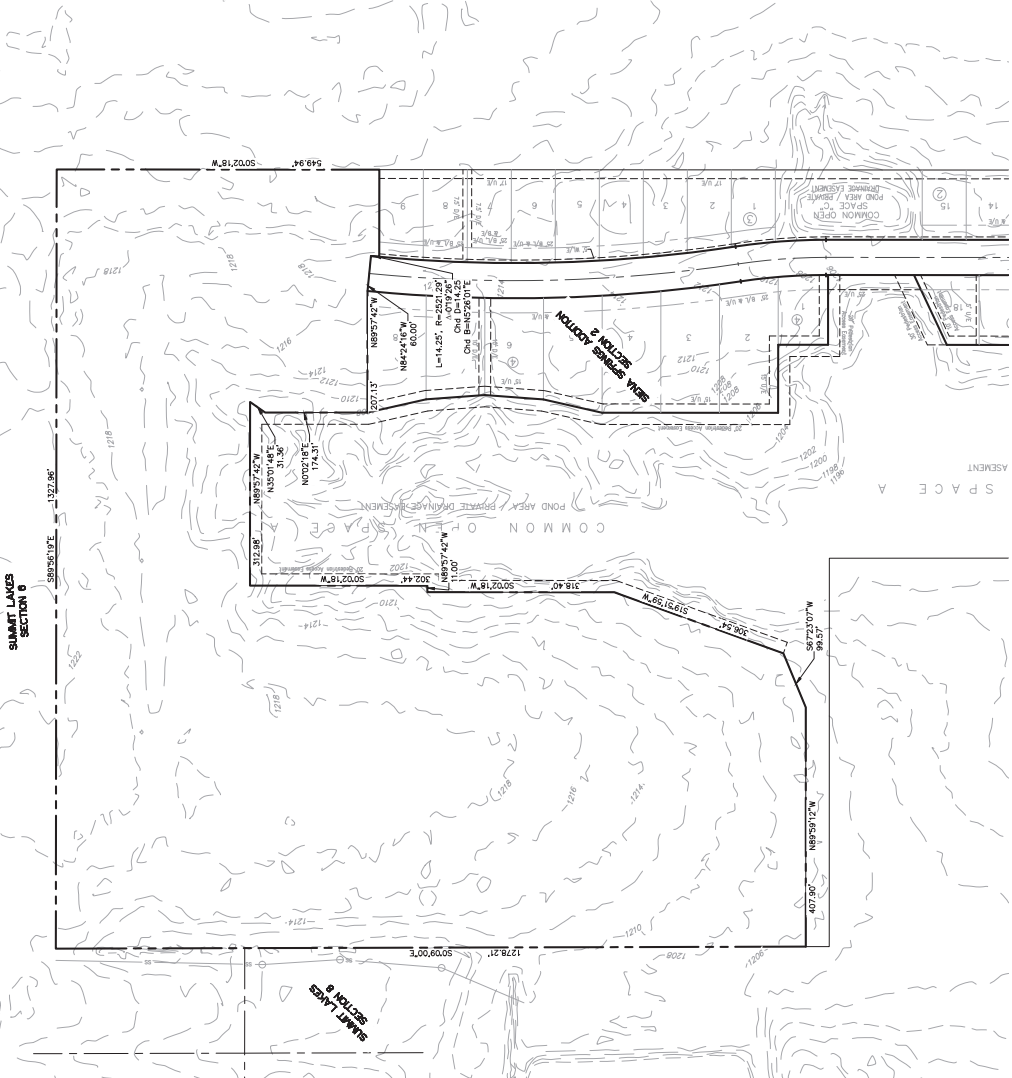
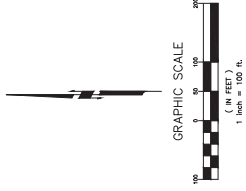
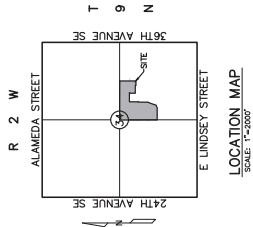
EXHIBIT B - TOPOGRAPHY MAP

A PLANNED UNIT DEVELOPMENT

BEING A PART OF THE COURTESY QUARTER (SECTION THIRTY-FOUR (34), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA.

DEVELOPER:
GRUBBS CONSULTING, LLC
2100 OJAIL CREEK
NORMAN, OK 73068
(405) 285-0641

OWNER:
GRUBBS CONSULTING, LLC
2100 OJAIL CREEK
NORMAN, OK 73068
(405) 285-0641



GRUBBS CONSULTING, LLC
CIVIL ENGINEERING & LAND PLANNING
2100 OJAIL CREEK
NORMAN, OK 73068
(405) 285-0641
GRUBBS CONSULTING, LLC CERTIFICATE OF AUTHORIZATION NO. CA 5118 EXP. 06/2022

EXHIBIT C

Stormwater Prevention Plan

[Full 182 page document submitted to City Staff with application]

**EXHIBIT E - BASE LINE RESULTS
PUD OF SIENA SPRINGS**

Laboratory Analytical Report

21 July 2021

Mr. Mark Cox

Enviro Group LLC

1800 N. Interstate Dr. Ste 124
Norman, OK 73072

WO: E1G0166

RE: Sienna Springs

Enclosed are the results of analyses for samples received by the laboratory on 7/12/2021. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

DRAFT REPORT





4619 N. Item 14.
Oklahoma C
405.488.2400 Phone
405.488.2404 Fax
www.etilab.com

Enviro Group LLC
1800 N. Interstate Dr. Ste 124
Norman OK, 73072

Project: Sienna Springs
Project Number: [none]
Project Manager: Mr. Mark Cox

Reported:
07/21/21 12:41

South 01

E1G0166-01 (Aqueous) - Sampled: 07/12/21 08:30

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Analyst	Analyzed	Method	Qualifiers
---------	--------	-----------------	-------	----------	-------	---------	----------	--------	------------

Conventional Chemistry Parameters by Standard Methods

Dissolved Oxygen	6.11	1.00	mg/L	1	EJG0213	LDH	07/12/21 15:35	SM 4500-O G-2001	H-03
Orthophosphate as P	<0.200	0.200	mg/L	1	EJG0218	LDH	07/13/21 11:40	SM 4500-P E-2011	
pH	8.70		pH Units	1	EJG0321	LDH	07/16/21 11:45	SM 4500-H+ B-2011	H-03
Total Dissolved Solids	210	100	mg/L	1	EJG0287	BT	07/16/21 13:25	SM 2540 C-2011	
Turbidity	2.40	1.15	NTU	1	EJG0193	BT	07/12/21 13:50	SM 2130 B-2001	

Microbiological Parameters by IDEXX Methods

E. Coli, MPN	10	10	MPN/100mL	10	EJG0209	BT	07/13/21 14:00	SM 9223 B (Colilert-18)-2004	
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Anions by EPA Method 300.0

Nitrate as N	<0.0726	0.0726	mg/L	1	EJG0331	JMG	07/19/21 09:57	EPA 300.0 1993	H-01
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The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.





4619 N. Item 14.
Oklahoma C
405.488.2400 Phone
405.488.2404 Fax
www.etilab.com

Enviro Group LLC
1800 N. Interstate Dr. Ste 124
Norman OK, 73072

Project: Sienna Springs
Project Number: [none]
Project Manager: Mr. Mark Cox

Reported:
07/21/21 12:41

Middle 02

E1G0166-02 (Aqueous) - Sampled: 07/12/21 08:30

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Analyst	Analyzed	Method	Qualifiers
Conventional Chemistry Parameters by Standard Methods									
Dissolved Oxygen	5.47	1.00	mg/L	1	EJG0213	LDH	07/12/21 15:35	SM 4500-O G-2001	H-03
Orthophosphate as P	<0.200	0.200	mg/L	1	EJG0218	LDH	07/13/21 11:40	SM 4500-P E-2011	
pH	8.68		pH Units	1	EJG0321	LDH	07/16/21 11:45	SM 4500-H+ B-2011	H-03
Total Dissolved Solids	242	100	mg/L	1	EJG0287	BT	07/16/21 13:25	SM 2540 C-2011	
Turbidity	1.80	1.15	NTU	1	EJG0193	BT	07/12/21 13:50	SM 2130 B-2001	
Microbiological Parameters by IDEXX Methods									
E. Coli, MPN	50	10	MPN/100mL	10	EJG0209	BT	07/13/21 14:00	SM 9223 B (Colilert-18)-2004	
Anions by EPA Method 300.0									
Nitrate as N	<0.0726	0.0726	mg/L	1	EJG0331	JMG	07/19/21 10:16	EPA 300.0 1993	H-01

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4619 N. Item 14.
Oklahoma C
405.488.2400 Phone
405.488.2404 Fax
www.etilab.com

Enviro Group LLC
1800 N. Interstate Dr. Ste 124
Norman OK, 73072

Project: Sienna Springs
Project Number: [none]
Project Manager: Mr. Mark Cox

Reported:
07/21/21 12:41

North 03

E1G0166-03 (Aqueous) - Sampled: 07/12/21 08:30

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Analyst	Analyzed	Method	Qualifiers
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Conventional Chemistry Parameters by Standard Methods

Dissolved Oxygen	6.28	1.00	mg/L	1	EJG0213	LDH	07/12/21 15:35	SM 4500-O G-2001	H-03
Orthophosphate as P	<0.200	0.200	mg/L	1	EJG0218	LDH	07/13/21 11:40	SM 4500-P E-2011	
pH	8.62		pH Units	1	EJG0321	LDH	07/16/21 11:45	SM 4500-H+ B-2011	H-03
Total Dissolved Solids	258	100	mg/L	1	EJG0287	BT	07/16/21 13:25	SM 2540 C-2011	
Turbidity	1.50	1.15	NTU	1	EJG0193	BT	07/12/21 13:50	SM 2130 B-2001	

Microbiological Parameters by IDEXX Methods

E. Coli, MPN	<10	10	MPN/100mL	10	EJG0209	BT	07/13/21 14:00	SM 9223 B (Colilert-18)-2004	
--------------	-----	----	-----------	----	---------	----	----------------	---------------------------------	--

Anions by EPA Method 300.0

Nitrate as N	<0.0726	0.0726	mg/L	1	EJG0331	JMG	07/19/21 10:34	EPA 300.0 1993	H-01
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The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.



Laboratory Analytical Report



13 July 2021

Russell Britten

Environmental Testing Inc.
4619 N. Santa Fe
Oklahoma City, OK 73118

WO: P1G0037

RE: E1G0166

Enclosed are the results of analyses for samples received by the laboratory on 7/12/2021. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Jorge Gamarra For Russell Britten
President

Original (P)





4619 N. Santa Fe
Oklahoma City, OK 73118
405.488.2400 Phone
405.488.2404 Fax
www.oilab.com

Environmental Testing Inc.

4619 N. Santa Fe

Oklahoma City OK, 73118

Project Number: E1G0166

Project Manager: Russell Britten

Reported:

07/13/21 16:58

P1G0037-01 (Aqueous)

Sampled: 7/12/2021 8:30:00AM

Sample Name: E1G0166-01

Parameter	Result	Reporting Limit	Units	Analyzed	Method	Qualifiers
-----------	--------	-----------------	-------	----------	--------	------------

Conventional Chemistry Parameters by Standard Methods

MBAS (Surfactants)	<0.02	0.02	mg/L	07/13/21	SM 5540 C-2000	
--------------------	-------	------	------	----------	----------------	--

ETI-Oilab, LLC

Jorge Gamarra For Russell Britten, President

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.



OIL_OKC

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Page 6 of 21



4619 N. Santa Fe
Oklahoma City, OK 73118
405.488.2400 Phone
405.488.2404 Fax
www.oilab.com

Environmental Testing Inc.

4619 N. Santa Fe

Oklahoma City OK, 73118

Project Number: E1G0166

Project Manager: Russell Britten

Reported:

07/13/21 16:58

P1G0037-02 (Aqueous)

Sampled: 7/12/2021 8:30:00AM

Sample Name: E1G0166-02

Parameter	Result	Reporting Limit	Units	Analyzed	Method	Qualifiers
-----------	--------	-----------------	-------	----------	--------	------------

Conventional Chemistry Parameters by Standard Methods

MBAS (Surfactants)	<0.02	0.02	mg/L	07/13/21	SM 5540 C-2000	
--------------------	-------	------	------	----------	----------------	--

ETI-Oilab, LLC

Jorge Gamarra For Russell Britten, President

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.



OIL_OKC

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Page 7 of 21



4619 N. Santa Fe
Oklahoma City, OK 73118
405.488.2400 Phone
405.488.2404 Fax
www.oilab.com

Environmental Testing Inc.

4619 N. Santa Fe
Oklahoma City OK, 73118

Project Number: E1G0166
Project Manager: Russell Britten

Reported:
07/13/21 16:58

P1G0037-03 (Aqueous)

Sampled: 7/12/2021 8:30:00AM

Sample Name: E1G0166-03

Parameter	Result	Reporting Limit	Units	Analyzed	Method	Qualifiers
-----------	--------	-----------------	-------	----------	--------	------------

Conventional Chemistry Parameters by Standard Methods

MBAS (Surfactants)	<0.02	0.02	mg/L	07/13/21	SM 5540 C-2000	
--------------------	-------	------	------	----------	----------------	--

ETI-Oilab, LLC

Jorge Gamarra For Russell Britten, President

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.



OIL_OKC

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Page 8 of 21



Sample Receipt Form: P1G0037



ETI-Oilab, LLC

Printed: 7/13/2021 9:22:42AM

P-1-G-0037

Client: Environmental Testing Inc.
Project: Oilab Testing

Project Manager: Russell Britten
Project Number: E1G0166

Report To:

Environmental Testing Inc.
Russell Britten
4619 N. Santa Fe
Oklahoma City, OK 73118
Phone: (405) 488-2400
Fax: (405) 488-2404

Invoice To:

Environmental Testing Inc.
Russell Britten
4619 N. Santa Fe
Oklahoma City, OK 73118
Phone: (405) 488-2400
Fax: (405) 488-2404

Date Due: 07/19/21 17:00 (5 day TAT)

Received By: Jorge Gamarra

Date Received: 07/12/21 10:30

Samples Received at:	20°C				
Custody seals	No	Received on ice	No	Sufficient sample	Yes
Containers intact	Yes	Sample or temp blank frozen	No		
COC/Labels agree	Yes	Headspace in VOA vials	No		
Preservation confirmed	No	Correct containers	Yes		

Analysis	Due	TAT	Expires	Comments
----------	-----	-----	---------	----------

P1G0037-01 E1G0166-01 [Aqueous] Sampled 07/12/21 08:30 CST

(oil) Surfactants SM5540	07/16/21 15:00	5	07/14/21 08:30	
--------------------------	----------------	---	----------------	--

P1G0037-02 E1G0166-02 [Aqueous] Sampled 07/12/21 08:30 CST

(oil) Surfactants SM5540	07/16/21 15:00	5	07/14/21 08:30	
--------------------------	----------------	---	----------------	--

P1G0037-03 E1G0166-03 [Aqueous] Sampled 07/12/21 08:30 CST

(oil) Surfactants SM5540	07/16/21 15:00	5	07/14/21 08:30	
--------------------------	----------------	---	----------------	--

ENVIRONMENTAL TESTING, INC.

P160037

Item 14.

SUBCONTRACT ORDER

Sending Laboratory:

Environmental Testing, Inc.
4619 N Santa Fe Ave
Oklahoma City, OK 73118
Phone: (405) 488-2400
Fax: (405) 488-2404

Project Manager: Russell Britten

Subcontracted Laboratory:

ETI-Oilab LLC
4619 N. Santa Fe
Oklahoma City, OK 73118
Phone: (405) 528-8378
Fax:

Please report to: reports@etilab.com

Work Order: E1G0166

Analysis	Requested TAT	Expires	Comments
Sample ID: E1G0166-01 Aqueous Sampled: 07/12/21 08:30			
(oil) Surfactants SM5540	5	07/14/21 08:30	
Containers Supplied: Amber Unpres - 1000mL (C)			
Sample ID: E1G0166-02 Aqueous Sampled: 07/12/21 08:30			
(oil) Surfactants SM5540	5	07/14/21 08:30	
Containers Supplied: Amber Unpres - 1000mL (C)			
Sample ID: E1G0166-03 Aqueous Sampled: 07/12/21 08:30			
(oil) Surfactants SM5540	5	07/14/21 08:30	
Containers Supplied: Amber Unpres - 1000mL (C)			

Released By

Date/Time

Received By

Date/Time





Enviro Group LLC
1800 N. Interstate Dr. Ste 124
Norman OK, 73072

Project: Sienna Springs
Project Number: [none]
Project Manager: Mr. Mark Cox

Reported:
07/21/21 12:41

QUALITY CONTROL

Conventional Chemistry Parameters by Standard Methods Environmental Testing, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Qualifiers
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	------------

Batch EJG0193 - General Prep - Wet Chem (Aq)

Blank (EJG0193-BLK1)

Prepared & Analyzed: 07/12/21

Turbidity	<1.15	1.15	NTU
-----------	-------	------	-----

LCS (EJG0193-BS1)

Prepared & Analyzed: 07/12/21

Turbidity	90.0	1.15	NTU	100.0	90	80-120
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Duplicate (EJG0193-DUP1)

Source: E1G0083-01

Prepared & Analyzed: 07/12/21

Turbidity	6.90	1.15	NTU	6.70	3	20
-----------	------	------	-----	------	---	----

Batch EJG0213 - General Prep - Wet Chem (Aq)

Duplicate (EJG0213-DUP1)

Source: E1G0166-03

Prepared & Analyzed: 07/12/21

Dissolved Oxygen	6.29	1.00	mg/L	6.28	0.2	20
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Batch EJG0218 - General Prep - Wet Chem (Aq)

Blank (EJG0218-BLK1)

Prepared & Analyzed: 07/13/21

Orthophosphate as P	<0.200	0.200	mg/L
---------------------	--------	-------	------

LCS (EJG0218-BS1)

Prepared & Analyzed: 07/13/21

Orthophosphate as P	0.410	0.200	mg/L	0.4000	102	80-120
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Matrix Spike (EJG0218-MS1)

Source: E1G0166-01

Prepared & Analyzed: 07/13/21

Orthophosphate as P	0.469	0.208	mg/L	0.4167	0.0300	105	80-120
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Matrix Spike Dup (EJG0218-MSD1)

Source: E1G0166-01

Prepared & Analyzed: 07/13/21

Orthophosphate as P	0.458	0.208	mg/L	0.4167	0.0300	103	80-120	2	20
---------------------	-------	-------	------	--------	--------	-----	--------	---	----

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Enviro Group LLC
1800 N. Interstate Dr. Ste 124
Norman OK, 73072

Project: Sienna Springs
Project Number: [none]
Project Manager: Mr. Mark Cox

Reported:
07/21/21 12:41

QUALITY CONTROL

Conventional Chemistry Parameters by Standard Methods
Environmental Testing, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Qualifiers
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	------------

Batch EJG0287 - General Prep - Wet Chem (Aq)

Blank (EJG0287-BLK1)

Prepared: 07/15/21 Analyzed: 07/16/21

Total Dissolved Solids	<50.0	50.0	mg/L							
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LCS (EJG0287-BS1)

Prepared: 07/15/21 Analyzed: 07/16/21

Total Dissolved Solids	1030	100	mg/L	1000		103	80-120			
------------------------	------	-----	------	------	--	-----	--------	--	--	--

Duplicate (EJG0287-DUP1)

Source: E1G0102-09

Prepared: 07/15/21 Analyzed: 07/16/21

Total Dissolved Solids	240	100	mg/L		264			10	10	
------------------------	-----	-----	------	--	-----	--	--	----	----	--

Duplicate (EJG0287-DUP2)

Source: E1G0195-01

Prepared: 07/15/21 Analyzed: 07/16/21

Total Dissolved Solids	3180	200	mg/L		3150			1	10	
------------------------	------	-----	------	--	------	--	--	---	----	--

Batch EJG0321 - General Prep - Wet Chem (Aq)

LCS (EJG0321-BS1)

Prepared & Analyzed: 07/16/21

pH	7.02		pH Units	7.000		100	99-101			
----	------	--	----------	-------	--	-----	--------	--	--	--

Duplicate (EJG0321-DUP1)

Source: E1G0173-01

Prepared & Analyzed: 07/16/21

pH	7.27		pH Units					200	20	
----	------	--	----------	--	--	--	--	-----	----	--

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4619 N
Oklahoma C
405.488.2400 Phone
405.488.2404 Fax
www.etilab.com

Enviro Group LLC
1800 N. Interstate Dr. Ste 124
Norman OK, 73072

Project: Sienna Springs
Project Number: [none]
Project Manager: Mr. Mark Cox

Reported:
07/21/21 12:41

QUALITY CONTROL

Microbiological Parameters by IDEXX Methods
Environmental Testing, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Qualifiers
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	------------

Batch EJG0209 - General Prep - Microbiology

Blank (EJG0209-BLK1)

Prepared: 07/12/21 Analyzed: 07/13/21

E. Coli, MPN	<1	1	MPN/100mL
--------------	----	---	-----------

Duplicate (EJG0209-DUP1)

Source: E1G0166-01RE1 Prepared: 07/12/21 Analyzed: 07/13/21

E. Coli, MPN	<100	100	MPN/100mL	ND	200
--------------	------	-----	-----------	----	-----

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4619 N
Oklahoma C
405.488.2400 Phone
405.488.2404 Fax
www.etilab.com

Enviro Group LLC
1800 N. Interstate Dr. Ste 124
Norman OK, 73072

Project: Sienna Springs
Project Number: [none]
Project Manager: Mr. Mark Cox

Reported:
07/21/21 12:41

QUALITY CONTROL

Anions by EPA Method 300.0
Environmental Testing, Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Qualifiers
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	------------

Batch EJG0331 - General Prep - Wet Chem (Aq)

Blank (EJG0331-BLK1)

Prepared & Analyzed: 07/18/21

Nitrate as N	<0.0726	0.0726	mg/L
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LCS (EJG0331-BS1)

Prepared & Analyzed: 07/18/21

Nitrate as N	0.442	0.0726	mg/L	0.4520	98	90-110
--------------	-------	--------	------	--------	----	--------

Matrix Spike (EJG0331-MS1)

Source: E1G0166-01RE1

Prepared & Analyzed: 07/18/21

Nitrate as N	2.22	0.363	mg/L	2.260	ND	98	80-120
--------------	------	-------	------	-------	----	----	--------

Matrix Spike Dup (EJG0331-MSD1)

Source: E1G0166-01RE1

Prepared & Analyzed: 07/18/21

Nitrate as N	2.21	0.363	mg/L	2.260	ND	98	80-120	0.3	20
--------------	------	-------	------	-------	----	----	--------	-----	----

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Enviro Group LLC
1800 N. Interstate Dr. Ste 124
Norman OK, 73072

Project: Sienna Springs
Project Number: [none]
Project Manager: Mr. Mark Cox

Reported:
07/21/21 12:41

Certifications

Code	Description	Number	Expires
NELAP/OK	NELAP Accredited (ODEQ)	2020-069	08/31/2021
TCEQ	Texas Accredited (TCEQ)	T104704498-21-11	03/31/2022

Qualifiers and Definitions

Abbreviation	Description
DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference
x	Non-Certified analyte
NA	Not Applicable
Qualifier	Description
H-01	Sample analysis was performed past the method holding time.
H-03	Sample was received and analyzed past the method holding time.

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.





E1G0166

Printed: 7/12/2021 9:52:37AM

E-1-G-0166

Environmental Testing, Inc.

Client: Enviro Group LLC
Project: Sienna Springs

Project Manager: Mr. Mark Cox
Project Number: [none]

Report To:

Enviro Group LLC
Mr. Mark Cox
1800 N. Interstate Dr. Ste 124
Norman, OK 73072
Phone: (405) 740-2225
Fax: (405) 329-3130

Invoice To:

Enviro Group LLC
Mr. Mark Cox
1800 N. Interstate Dr. Ste 124
Norman, OK 73072
Phone: (405) 740-2225
Fax: (405) 329-3130

Date Due: 07/19/21 17:00 (5 day TAT)

Received By: Stephanie Saul

Date Received: 07/12/21 09:41

Logged In By: Andra Hoot

Date Logged In: 07/12/21 09:46

Samples Received at:	6.2°C		
Custody seals	No	Received on ice	Yes
Containers intact	Yes	Sample or temp blank frozen	No
COC/Labels agree	Yes	Headspace in VOA vials	No
Preservation confirmed	No	Correct containers	Yes

Sufficient sample Yes

Notes:

Preservation Confirmation

Container ID	Container Type	pH	Date/Time	Lot #
E1G0166-01 A	BOD Bottle	N/A		
E1G0166-02 A	BOD Bottle			
E1G0166-03 A	BOD Bottle			

Preservation Confirmed By

Date

Reviewed By

Date

CHAIN OF CUSTODY RECORD

Item 14.

ENVIRONMENTAL
TESTING, INC.4619 NORTH SANTA FE AVE.
OKLAHOMA CITY, OK 73118
(405) 488-2400
FAX: (405) 488-2404PAGE: 124 OF 124
SAMPLE SERIES # 416101
SHADED AREAS FOR LABORATORY USE ONLY

COMPANY: ENVUISO GROUP

ADDRESS: 4004 Hatterly Ln

PHONE #: 405 740 2225

EMAIL: mma2017@gmail.com

P.O. #:

CLIENT CONTACT: Mark Cox

PROJECT #: /MANAGER:

SITE LOCATION: Siena Springs

SAMPLE TYPE

1. WATER
2. SOIL
3. SLUDGE
4. OIL
5. OTHER

CONTAINER TYPE

- P-PLASTIC
G-GLASS
V-VOA
O-OTHER
T-TEFLON

ANALYSIS

LAB
COMMENTSETI
SAMPLE # CLIENT SAMPLE IDENTIFICATIONSAMPLE
TYPECONTAINER
TYPE

DATE TIME

PRESERVATIVES

1	South 01	W			6	7.12.24	8:30	
2	Middle 02	W						
3	North 03	W						

See list

RECEIVED ON ICE:



4.9 + 11.3 ~

EQUIPMENT #:

1000043

REQUESTED TURNAROUND TIME:

☒ REGULAR (5 DAYS)

RUSH REQUIRED: (ADDITIONAL FEES MAY APPLY)

☐ 3 DAYS ☐ 2 DAYS ☐ 1 DAY

SAMPLER:

FIELD PH:

TEMP:

TIME:

CALIB:

☐ 4

☐ 7

☐ 10

COND:

RELINQUISHED BY:

Mark Cox

RECEIVED BY:

Steph Savel

DATE: 7.12.24

TIME: 9:41

COMMENTS:

RELINQUISHED BY:

DATE:

TIME:

RECEIVED BY:

DATE:

TIME:

RELINQUISHED BY:

DATE:

TIME:

RECEIVED BY:

DATE:

TIME:

LOG IN REVIEW:

ENVIRONMENTAL TESTING, INC.

SUBCONTRACT ORDER

Item 14.

Sending Laboratory:

Environmental Testing, Inc.
4619 N Santa Fe Ave
Oklahoma City, OK 73118
Phone: (405) 488-2400
Fax: (405) 488-2404

Project Manager: Russell Britten

Subcontracted Laboratory:

ETI-Oilab LLC
4619 N. Santa Fe
Oklahoma City, OK 73118
Phone: (405) 528-8378
Fax:

Please report to: reports@etilab.com

Work Order: E1G0166

Analysis	Requested TAT	Expires	Comments
Sample ID: E1G0166-01 <i>Aqueous</i> <i>Sampled: 07/12/21 08:30</i>			
(oil) Surfactants SM5540	5	07/14/21 08:30	
<i>Containers Supplied:</i> Amber Unpres - 1000mL (C)			
Sample ID: E1G0166-02 <i>Aqueous</i> <i>Sampled: 07/12/21 08:30</i>			
(oil) Surfactants SM5540	5	07/14/21 08:30	
<i>Containers Supplied:</i> Amber Unpres - 1000mL (C)			
Sample ID: E1G0166-03 <i>Aqueous</i> <i>Sampled: 07/12/21 08:30</i>			
(oil) Surfactants SM5540	5	07/14/21 08:30	
<i>Containers Supplied:</i> Amber Unpres - 1000mL (C)			

Released By

Date/Time

Received By

Date/Time



ENVIRONMENTAL TESTING, INC.

SUBCONTRACT ORDER

Sending Laboratory:

Environmental Testing, Inc.
4619 N Santa Fe Ave
Oklahoma City, OK 73118
Phone: (405) 488-2400
Fax: (405) 488-2404

Project Manager: Russell Britten

Subcontracted Laboratory:

Ana-Lab Corporation
2600 Dudley Road, PO Box 9000
Kilgore, TX 75663
Phone: (903) 984-0551
Fax: (903) 984-5914

Please report to: reports@etilab.com

Work Order: E1G0166

Analysis	Requested TAT	Expires	Comments
Sample ID: E1G0166-01 Aqueous Sampled: 07/12/21 08:30			
(sub) 8151 Herbicides (Aq)	5	07/19/21 08:30	
<i>Containers Supplied:</i> Amber Unpres - 1000mL (D)			
Sample ID: E1G0166-02 Aqueous Sampled: 07/12/21 08:30			
(sub) 8151 Herbicides (Aq)	5	07/19/21 08:30	
<i>Containers Supplied:</i> Amber Unpres - 1000mL (D)			
Sample ID: E1G0166-03 Aqueous Sampled: 07/12/21 08:30			
(sub) 8151 Herbicides (Aq)	5	07/19/21 08:30	
<i>Containers Supplied:</i> Amber Unpres - 1000mL (D)			

Released By

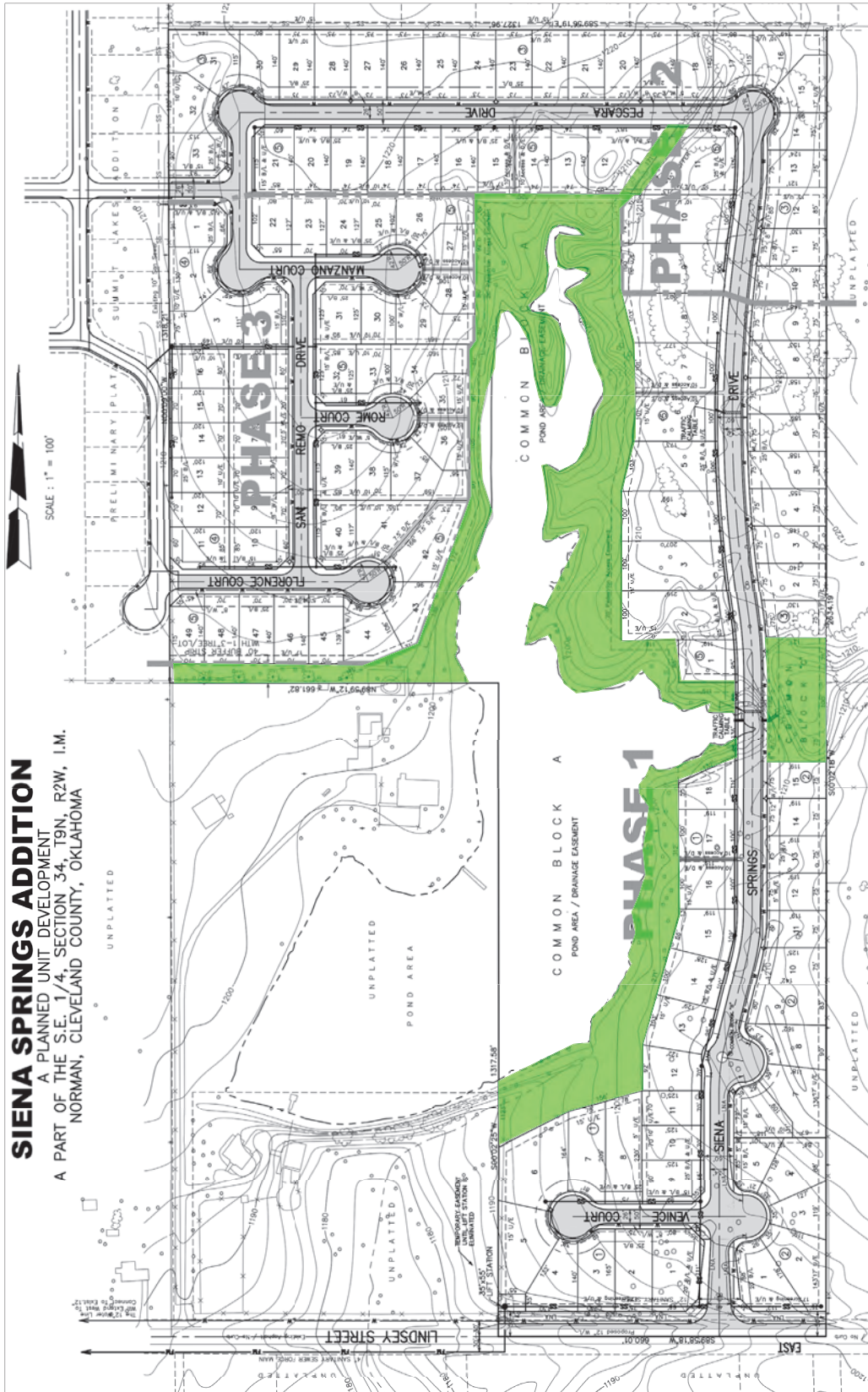
Date/Time

Received By

Date/Time



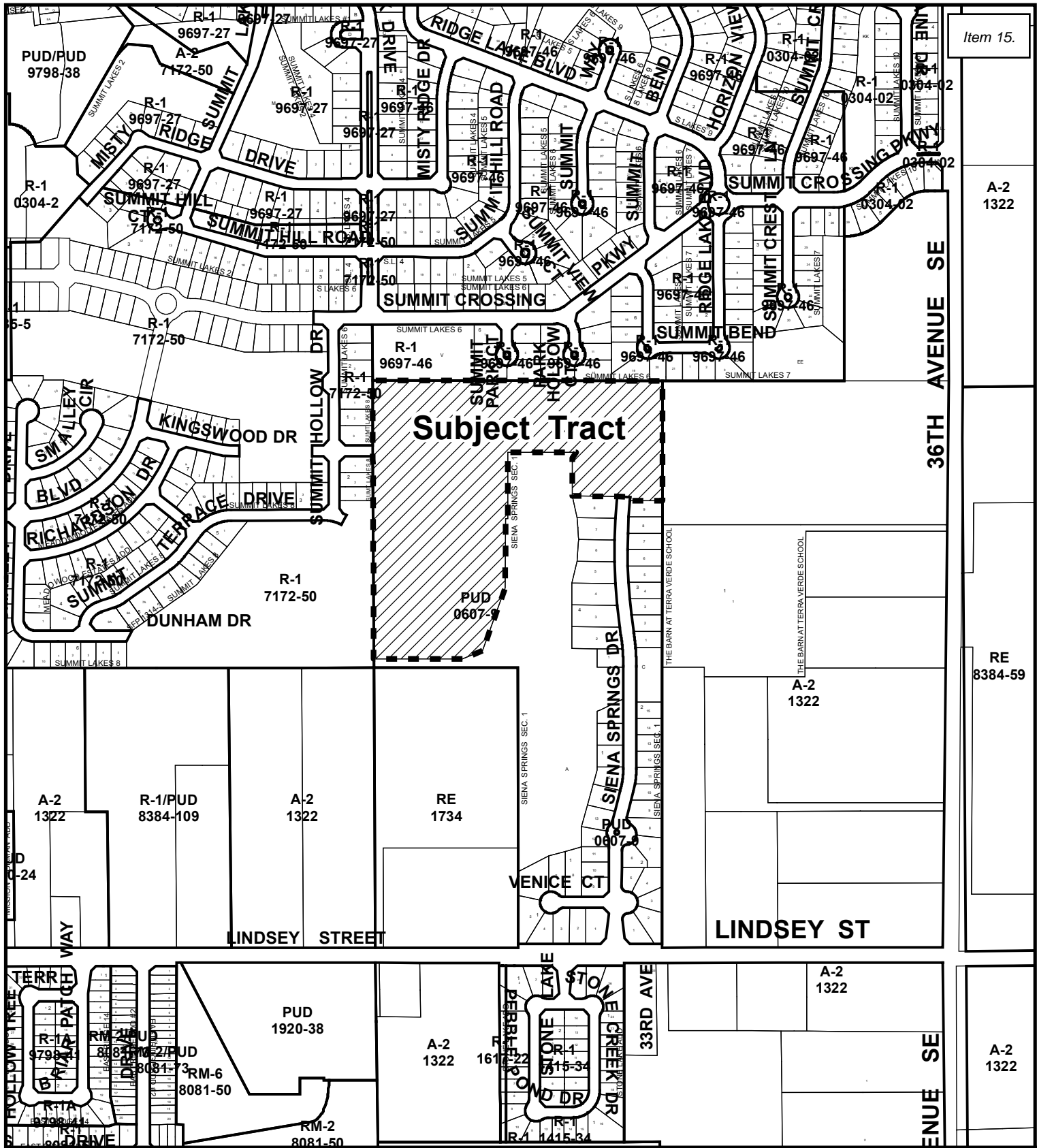
SIENA SPRINGS ADDITION
 A PLANNED UNIT DEVELOPMENT
 A PART OF THE S.E. 1/4, SECTION 34, T9N, R2W, I.M.
 NORMAN, CLEVELAND COUNTY, OKLAHOMA



OPEN SPACE

EXHIBIT F - OPEN SPACE

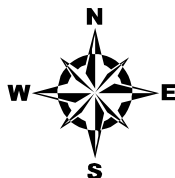
Item 14.



Location Map



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



May 4, 2021

0 300 600 Ft.



Subject Tract



Zoning

128

Planning Commission Agenda
September 9, 2021

PRELIMINARY PLAT

ITEM NO. 15

PP-2122-4

STAFF REPORT

ITEM: Consideration of a **PRELIMINARY PLAT FOR SIENA SPRINGS ADDITION, SECTION 2, A PLANNED UNIT DEVELOPMENT.**

LOCATION: Generally located approximately one quarter of a mile west of 36th Avenue S. E. and a quarter of a mile north of East Lindsey Street.

INFORMATION:

1. Owner. Skyridge Homes, Inc.
2. Developer. Skyridge Homes, Inc.
3. Engineer. Grubbs Consulting L.L.C.

HISTORY:

1. October 18, 1961. City Council adopted Ordinance No. O-1312 annexing this property into the Norman Corporate City Limits without zoning.
2. October 30, 1961. Planning Commission recommended to City Council that this property be placed into the A-2, Rural Agricultural District.
3. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in A-2, Rural Agricultural District.
4. February 19, 1963. Planning Commission, on a vote of 6-1, recommended that this property be placed in R-1, Single-Family Dwelling District and removed from A-2, Rural Agricultural District.
5. March 26, 1963. City Council adopted Ordinance No. 1458 placing this property in R-1, Single-Family Dwelling District and removing it from A-2, Rural Agricultural District.

HISTORY (CON'T):

6. December 15, 1964. Planning Commission on, a vote of 7-0, recommended that this property be placed in RE, Residential Estates District and removed from R-1, Single-Family Dwelling District.
7. January 12, 1965. City Council adopted Ordinance No. 1734 placing this property in RE, Residential Estates District and removing it from R-1, Single-Family Dwelling District.
8. December 2, 2004. The Norman Board of Parks Commissioners, on a vote of 7-0, recommended to City Council that a private park be utilized for Siena Springs Addition.
9. January 13, 2005. Planning Commission, on a vote of 4-2-1, recommended to City Council that the Norman 2025 Land Use and Transportation Plan be amended from the Future Urban Service Area to the Current Urban Service Area.
10. January 13, 2005. Planning Commission, on a vote of 4-2-1, recommended to City Council that this property be placed in R-1, Single-Family Dwelling District and removed from RE, Residential Estates District.
11. January 13, 2005. Planning Commission, on a vote of 4-2-1, recommended to City Council that the preliminary plat for Siena Springs addition be approved.
12. March 8, 2005. City Council postponed amending the Norman 2025 Land Use and Transportation Plan from Future Urban to Current Urban Area.
13. March 8, 2005. City Council postponed Ordinance No. O-0405-28 placing this property in R-1, Single-Family Dwelling District and removing it from RE, Residential Estates District.
14. March 8, 2005. City Council postponed the preliminary plat for Siena Springs Addition.
15. March 22, 2005. City Council postponed amending the Norman 2025 Land Use and Transportation Plan from Future Urban to Current Urban Area.
16. March 22, 2005. City Council postponed Ordinance No. O-0405-28 placing this property in R-1, Single-Family Dwelling District and removing it from RE, Residential Estates District.

HISTORY (CON'T):

17. March 22, 2005. City Council postponed the preliminary plat for Siena Springs Addition.
18. April 12, 2005. The request to amend the Norman 2025 Land Use and Transportation Plan failed.
19. April 12, 2005. City Council rejected Ordinance No. O-0405-28 placing this property in the R-1, Single-Family Dwelling District and removing it from RE, Residential Estates District.
20. April 12, 2005. City Council disapproved the Preliminary Plat for Siena Springs Addition.
21. August 10, 2006. Planning Commission, on a vote of 8-0, recommended to City Council the amendment of the Norman 2025 Land Use and Transportation Plan to place this property in Current Urban Service Area and remove it from the Future Urban Service Area.
22. August 10, 2006. Planning Commission, on a vote of 8-0, recommended to City Council that this property be placed in the PUD, Planned Use Development, and removed from RE, Residential Estates District.
23. August 10, 2006. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for Siena Springs Addition, a Planned Unit Development be approved.
24. September 26, 2006. City Council amended the NORMAN 2025 Land Use and Transportation Plan to place this property in Current Urban Service Area and remove it from the Future Urban Service Area.
25. September 26, 2006. City Council adopted Ordinance No. 0-0607-9 placing this property in the Planned Unit Development and removing it from RE, Residential Estates District.
26. September 26, 2006. City Council approved the preliminary plat for Siena Springs Addition, a Planned Unit Development, and the temporary emergency access easement across Summit Lakes Park allowing a final plat of up to fifty (50) lots.
27. September 26, 2011. The preliminary plat approval became null and void.

HISTORY (CON'T):

28. September 9, 2021. The applicant has made a request to amend the PUD, Planned Unit Development (Ordinance No. O-0607-9).

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.
2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.
4. Sidewalks. Sidewalks will be constructed on each lot prior to occupancy.
5. Storm Sewers. Storm water and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Runoff will be conveyed to an existing privately-maintained detention facility.
6. Streets. Streets will be constructed in accordance with approved plans and City paving standards.
7. Water Main. Water mains will be installed in accordance with approved plans and City and Department of State Environmental Quality standards. There is an existing looped water line that connects with Summit Lakes, Section 6.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat.
2. Rights-of-Way. Street rights-of-way will be dedicated to the City on the final plat.

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

STAFF COMMENTS AND RECOMMENDATION: This property consists of 35.29 acres and 81 single-family residential lots. Staff can support the preliminary plat for Siena Springs Addition, Section 2, a Planned Unit Development subject to the approval of Ordinance No. O-2122-13.

ACTION NEEDED: Recommend approval or disapproval of preliminary plat for Siena Springs Addition, Section 2, a Planned Unit Development to City Council.

ACTION TAKEN: _____



CITY OF NORMAN

Development Review Form

Transportation Impacts

DATE: August 20, 2021

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

PROJECT NAME: Siena Springs Phase 2 **PROJECT TYPE:** Residential

Owner: Skyridge Homes, Inc.
Developer's Engineer: Grubbs Consulting, LLC
Developer's Traffic Engineer: Traffic Engineering Consultants, Inc.

SURROUNDING ENVIRONMENT (Streets, Developments)

The areas surrounding this site are generally low and very low density residential with some Institutional and Commercial uses to the west and south west. Lindsey Street is the main east/west roadway, and 24th Avenue SE is the main north/south roadway.

ALLOWABLE ACCESS:

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

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

Lindsey Street: 2 lanes (existing and future). Speed Limit—45 mph. No sight distance problems. No median.

24th Avenue SE: 4 lanes (existing and future). Speed Limit—40 mph. No sight distance problems. No median.

ACCESS MANAGEMENT CODE COMPLIANCE: YES ☒ NO ☐

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

TRIP GENERATION

	Total	In	Out
Weekday	765	382	383
A.M. Peak Hour	60	15	45
P.M. Peak Hour	80	50	30

TRANSPORTATION IMPACT STUDY REQUIRED? YES ☒ NO ☐

The developer's engineer was asked to submit a traffic impact analysis even though the volumes are below the threshold due to a need to determine if two specific traffic related issues need to be addressed. One, is the need for a left-turn lane onto Siena Springs Drive from Lindsey Street, and the other is whether or not signalization of the 24th Avenue SE intersection with Meadowood Boulevard is warranted. The development is proposed for location along the north side of Lindsey Street approximately three-quarters of a mile east of 24th Avenue SE and to the north and northwest of phase 1 of the development.

RECOMMENDATION: APPROVAL ☒ DENIAL ☐ N/A ☐ STIPULATIONS ☐

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

The proposed addition will access Siena Springs Drive, which connects to Lindsey Street, as well as Kingswood Drive near the northwest corner of phase 2 of the development, which provides access to 24th Avenue SE by way of Meadowood Boulevard. Capacity exceeds demand in this area. As such, no off-site improvements are anticipated. However, the developer is required to pay \$2,832.57 in traffic impact fees toward future signalization of the 24th Avenue SE and Meadowood Boulevard intersection.

Applicant: Skyridge Homes, Inc.

Project Location: North of E. Lindsey Street and approx.. ½ mile east of 24th Ave SE

Case Number: PD21-15

Time: 5:30 p.m.

Applicant/Representative

Mark Grubbs, Grubbs Consulting
Yosef Hooshyar

Attendees

This was a virtual meeting on Zoom. The following attendees were in person and via Zoom.

Colleen Bennett
Mike Avey
Robin Wagner
Gary Cero
Brandon Bednar
Zach Lawrence
Owen Love
Al Harris
Cox3454

Janie Avery
Julianne Price
Kari Moyer
Katherine Cocks
Lee Anne Sallee
Song
Sonya Harris
Whitney Lawrence

City Staff

Jane Hudson, Planning and Community Development Director
Lora Hoggatt, Planning Services Manager
Beth Muckala, Assistant City Attorney
Ken Danner, Subdivision Development Manager
Todd McLellan, Development Engineer
Heather Poole, Assistant City Attorney
Logan Hubble, Planner I
Brevin Ghoram, Planner I

Application Summary

The applicant is requesting a preliminary plat and amending the existing Planned Unit Development zoning.

Neighbor's Comments/Concerns/Responses

Neighbors were concerned about adding 18 lots to the development. They wanted to know if the minimum house size would change. Neighbors were concerned about water runoff, detention, discharge into the pond, number of swales, increased impervious coverage, and protecting the environment/open area concept. The neighbors want any new development to follow the existing covenants for the subdivision.

ORDINANCE NO. O-2122-8

ITEM NO. 16

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	Jim Holmes Investments, L.L.C.
REQUESTED ACTION	Rezoning to CCPUD, Center City Planned Unit Development
EXISTING ZONING	Center City Form-Based Code, Urban General Frontage
SURROUNDING ZONING	North: R-1, Single Family Dwelling District East: CCFBC, Urban General South: CCFBC, Urban General West: CCFBC, Urban General
LOCATION	453 W. Gray Street
SIZE	0.22 acres, more or less
PURPOSE	Medical Marijuana Dispensary with Tier I and Tier II processing
EXISTING LAND USE	Commercial Strip Center with three tenant spaces, one of which is occupied by Jim Holmes Insurance
SURROUNDING LAND USE	North: Single Family Residential East: Betty Lou's Flower Shop South: Sprouts Grocery Store West: Vacant Tenant Space
LAND USE PLAN DESIGNATION	Floodway

SYNOPSIS: The applicant is requesting to rezone this property from Center City Form Based Code, Urban General (CCFBC) to Center City Planned Unit Development, CCPUD. They are seeking a CCPUD in order to utilize CCFBC uses, which allow for Medical Marijuana dispensary and Tier I and II processing without complying with the required CCFBC form standards for the existing building. The applicant is requesting to maintain and/or replace existing signs with a sign of the same square footage. Any new signs will comply with 704 (N) of the CCFB Code.

CCPUD BACKGROUND: During the review of the Center City Form Based Code question was asked, what to do with applications that need or want an option to vary from the regulations within the CCFBC? The option, establish Appendix B, Sec. 520 Center City Planned Unit Development, within the Center City Form-Based Code. Appendix B was included to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This process of requesting a CCPUD gives Planning Commission and City Council the opportunity to review the proposal within the Center City area.

Appendix B

Sec. 520 Center City Planned Unit Development

A. Statement of Purpose: *It is the intent of this section to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This Center City Planned Unit Development District (CCPUD) is specifically catering to the Center City Area because of the size of lots, the lack of vacant land and other distinguishing characteristics in this area that make the use of the existing PUD regulations not feasible. The CCPUD encourages developments that create the character of development envisioned in the CCFBC.*

Specifically, the purposes of this section are to:

- 1. Provide an alternative zoning district to the CCFBC where a property owner proposes a development that does not meet the strict regulations required in the CCFBC.*
- 2. Provide open space/street space that is compatible with the concepts of the CCFBC.*
- 3. Provide comprehensive and innovative planning and design for a development which is consistent and compatible with surrounding developments.*
- 4. Provide more efficient and economic use of land resulting in an urban/pedestrian environment.*
- 5. Provide complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.*
- 6. Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affording housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.*

ANALYSIS: The applicant provided a CCPUD Narrative which outlines the proposed uses and applicable regulations for this property.

PARTICULARS OF THIS CCPUD:

1. **USES** The CCPUD Narrative states that the property's allowable uses shall be as follows:
 - Medical Marijuana Dispensary,
 - Tier I Medical Marijuana Processor, as allowed by state law,
 - Tier II Medical Marijuana Processor, as allowed by state law,
 - Office Uses as listed in Exhibit C,
 - Bar, lounge, or tavern, subject to the applicable requirements of Section 704.F of the CCFBC, as may be amended from time to time,

- Restaurant. A restaurant 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, and
- Variety of Commercial and Civic use as listed in Exhibit C.

It should be noted that the property is currently allowed these uses under the Urban General Frontage of the Center City Form Based Code District. As mentioned earlier in this report, in order to utilize the medical marijuana uses afforded under the CCFBC District, the structure must comply with the form requirements of the code but the applicant wishes to utilize the existing building.

2. **SITE PLAN AND ACCESS** The existing structure and parking lot at 453 W Gray Street is to remain as is, with interior remodeling as needed. Access to the parking will remain off of Gray Street as well as the alleyway behind the building.
3. **HEIGHT** The CCPUD Narrative states that the existing building will remain in its current configuration of one story. It further states that if redevelopment occurs the property shall comply with the CCFBC regarding building height requirements.
4. **ELEMENTS** The CCPUD Narrative states the existing building will remain in its current condition, but if redevelopment occurs, it will comply with the Element aspects as required in the CCFBC.
5. **PARKING** The existing parking lot at 453 W Gray Street is to remain.
6. **LANDSCAPING/OPEN SPACE** The CCPUD Narrative states that if redevelopment occurs, the property will then comply with the open space requirements of CCFBC Urban General Frontage.
7. **SIGNAGE** The CCPUD Narrative states that the existing signs on the building shall be allowed to remain. It additionally states that the existing signs shall be allowed to be repaired, updated or replaced as long as the area for the sign remains the same. All other new signs shall comply with the signage provisions Section 402.N of the CCFBC.

DISCUSSION: Staff reviewed this CCPUD and does not see a negative impact on the intent of the CCFBC. The existing building has been vacant for some time and the applicant's proposed use will help bring commercial activity back to this section of Gray Street. The applicant will be housing all activities within the existing building with no outside storage or activity beyond the customer and employee parking lot.

OTHER AGENCY COMMENTS:

- **PUBLIC WORKS** Water, sewer and drainage infrastructure are existing for this site. If the property is redeveloped, it will have to meet floodplain ordinance requirements since it is located in the Imhoff Creek floodplain. It should also be noted that due to floodway restrictions, this lot can never be redeveloped outside the current footprint of the existing building.

• **PREDEVELOPMENT PD21-21** **June 24, 2021**

No neighbors attended the predevelopment meeting for this proposal.

CONCLUSION: Staff forwards this request and Ordinance No. O-2122-8 for your consideration.

453 W GRAY

A Center City Planned Unit Development

Applicant: Jim Holmes Investments LLC

453 W Gray Street
Norman, Oklahoma

Application for:

Center City Planned Unit Development

Submitted July 2, 2021

Revised August 3, 2021

PREPARED BY:

RIEGER LAW GROUP PLLC

136 Thompson Drive
Norman, Oklahoma 73069

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- A. Permissible Uses
- B. Development Criteria

EXHIBITS

- A. Legal Description of the Property
- B. Site Development Plan
- C. Allowable Uses

I. INTRODUCTION

A. **Background and Intent.** This Center City Planned Unit Development (“CCPUD”) is proposed by Jim Holmes Investments LLC (the “**Applicant**”) for the property located at 453 W. Gray Street, Norman, Oklahoma, more particularly described on **Exhibit A** (the “**Property**”). The Property contains approximately 0.22 acres. This CCPUD seeks to allow for the existing building to remain on the Property as a non-conforming structure while utilizing the allowable uses under the existing CCFBC designation for the Property. This CCPUD will allow for an existing building to remain in its current location, instead of requiring demolition and redevelopment of the Property as required by a strict reading of the CCFBC in order for the Applicant to utilize the Property’s allowable uses under its current CCFBC designation. By allowing the current building to remain, this CCPUD will allow for relaxed development and design criteria on the Property in furtherance of the stated goals of the Project Plan that could not otherwise occur under the applicable provisions of the Norman Center City Form-Based Code (“CCFBC”).

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

- A. **Location.** The Property is situated at the Northeast Corner of West Gray Street and North Lahoma Avenue intersection.
- B. **Existing Land Use and Zoning.** The Property is located in the Center City Form Based Code (“CCFBC”) District. The Property located within the CCFBC Urban General Building Form Standard. The Property is improved with the office building this CCPUD seeks to preserve.
- C. **Elevation and Topography.** The Property is essentially flat with little elevation change throughout the entirety of the development. The Property is covered with pavement and the existing structure with little to no pervious surface.
- D. **Drainage.** The drainage on the Property shall remain unchanged. In the event of redevelopment, the Property shall meet or exceed all applicable drainage ordinances.
- E. **Utility Services.** No change to utility services is necessary. All necessary utilities for the Property (including water, sewer, gas, telecommunications, and electric) are currently located within the necessary proximity to serve the Property.
- F. **Fire Protection Services.** No change is necessary. Fire protection services will be provided by the City of Norman Fire Department and by the Owner of the Property where required by building and fire protection codes in the structures.
- G. **Traffic Circulation and Access.** No change to traffic circulation or access is requested.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

A. Permissible Uses.

The Property is currently zoned CCFBC, Urban General BFS designation, with a CCFBC Legacy Zoning of C-1, Local Commercial District. This CCPUD seeks to utilize the allowable uses for the CCFBC Urban General BFS designation, while retaining the existing building on the Property. Therefore, the allowable uses are attached hereto as Exhibit C.

In the event of redevelopment in compliance with the then applicable requirements of CCFBC Urban General designation, the Property may be used for any then existing allowable uses under the Urban General designation.

B. Development Criteria.

1. **Siting.** The existing building shall be allowed to remain in its existing location on the Property. In the event of redevelopment, the new building shall be required to comply with the then existing applicable siting requirements of CCFBC Urban General designation and applicable restrictions of the Flood Hazard District.
2. **Building Height.** The existing building is single story. In the event of redevelopment, the new building shall comply with the building height requirements applicable to CCFBC Urban General designation, as may be amended from time to time.
3. **Elements.** The existing building shall be allowed to remain in its existing condition. In the event of redevelopment, the new building shall be required to comply with the then existing applicable element requirements of CCFBC Urban General designation.
4. **Signage.** Unless expressly allowed herein, all new signage for the Property shall comply with Section 402(N), Signage, of the CCFBC, as amended thereafter. Existing signage, including, but not limited to, the existing Jim Holmes Insurance sign, shall be allowed to remain. The existing signage may be repaired, updated, renovated, or replaced so long as the replacement signage contains substantially the same footprint as the existing signage being repaired, updated, renovated, or replaced, as the case may be. Additionally, each individual leasable unit within the Property shall be allowed to have its own identification sign similar to the signs that currently exist on the building. An example of an allowable identification sign is attached as **Exhibit D**. New tenant identification signage or replacement of existing identification signage may be allowed to exceed the height and/or size restrictions of Section 402(N) of the CCFBC, so long as the new or replacement identification does not

substantially exceed the size or square footage of the existing identification signage on the building. For clarity purposes, it is the intent of this provision to allow each Tenant to have an identification sign similar to the sign attached as **Exhibit D**.

5. **Traffic access and sidewalks.** Access to the Property shall remain as it is currently existing. In the event of redevelopment, traffic access and sidewalks on the Property shall comply with the then existing applicable requirements of CCFBC Urban General designation.
6. **Open Space.** Open space for the Property shall remain as currently exists. In the event of redevelopment, the Property shall comply with the then existing applicable open space requirements of CCFBC Urban General designation.
7. **Parking.** The Property shall utilize its current parking layout. In the event of redevelopment, the Property shall comply with the then existing applicable parking requirements of CCFBC Urban General designation.

EXHIBIT A**LEGAL DESCRIPTION OF THE PROPERTY**

The East $\frac{1}{2}$ of Lot Twenty (E $\frac{1}{2}$ 20), all of Lots Twenty-One (21), and Twenty-Two (22), and the West 8.75 feet of Lot Twenty-Three (W 8.75 feet of Lot 23), in Block Four of W.B. Birchum's First Addition to the City of Norman, according to the recorded plat thereof.

EXHIBIT B**SITE DEVELOPMENT PLAN**

No change to the site is proposed. An existing aerial is included here. In the event of redevelopment of the Property, any new construction shall comply with the then applicable provisions of the CCFBC.



EXHIBIT C
ALLOWABLE USES

- Art Gallery.
- Amusement/Entertainment/Recreation Enterprises.
- Assembly Halls of non-profit corporations.
- Libraries.
- Museums.
- Music Conservatories.
- Office buildings and office uses.
- Trade schools and schools for vocational training.
- Churches.
- Child Care Center.
- Antique shop.
- Appliance Store.
- Artist materials supply, or studio.
- Automobile parking lots.
- Automobile supply store.
- Automobile sales and service.
- Baby shop.
- Bar, lounge, or tavern, subject to the applicable requirements of Section 704.F of the CCFBC, as may be amended from time to time.
- Bakery goods store/ Bakery.
- Bank.
- Barber shop, or beauty parlor.
- Book or stationery store.
- Camera shop.
- Candy store.
- Carpenter Shop.
- Catering establishment.
- Childcare establishment.
- Cleaning and/or dyeing shop or service.
- 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.
- Electric Sales or Services.

- Electric Transmission Station.
- Feed and Fuel Store.
- Frozen Food locker.
- Fabric or notion store.
- Fitness/Gym.
- Florist.
- Furniture Store.
- Glass Shop.
- Gift Shop.
- Grocery or supermarket.
- Hardware store.
- Heating, ventilating, plumbing, or similar service, sales, or supply store.
- Hotel or motel.
- Interior decorating store.
- Jewelry shop.
- Key shop.
- Leather Store and/or Leather Goods Store.
- Medical Marijuana Dispensary, as allowed by state law.
- Music, Radio, Electronics, or Television Store.
- Outdoor advertising signs.
- Painting and decorating shop.
- Pawn Shop.
- Printing Plant or Shop.
- Pet shop.
- Pharmacy.
- Photographer's studio.
- Research and Development.
- Restaurant. A restaurant 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.
- Sign painting shop.
- Self-service laundry.
- Sewing machine sales.
- Sporting goods sales.
- Shoe store or repair shop.
- Small animal hospital/vet.
- Storage warehouse.
- Tailor shop.

- Theater (excluding drive-in theaters), including one that sells alcoholic beverages in compliance with state law.
- Tier I Medical Marijuana Processor, as allowed by state law.
- Tier II Medical Marijuana Processor, as allowed by state law.
- Toy store.
- Trade Shops or Services.
- Used auto sales.
- Wholesale distributing center.

EXHIBIT D
Examples of Allowable Tenant Identification Signs



Applicant: Jim Holmes Investments, L.L.C.

Project Location: 453 W. Gray Street

Case Number: PD21-21

Time: 6:00 p.m.

Applicant/Representative

Jim Holmes

Attendees

Lee Hall

Brenda Parker

Chris Martin

City Staff

Application Summary

Neighbor's Comments/Concerns/Responses

There were not any neighbors in attendance at the Pre-Development meeting.

ORDINANCE NO. O-2122-9

ITEM NO. 17

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	East Village at 12 th Avenue, L.L.C.
REQUESTED ACTION	Simple Planned Unit Development (SPUD) to amend the approved uses with the Planned Unit Development established by Ordinance No. O-0405-43
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: Planned Unit Development, PUD, O-0405-43 East: C-2, General Commercial District South: R-1, Single Family Dwelling District West: RM-6, Medium Density Apartment District and RM-2, Low Density Apartment District
LOCATION	Near the southwest corner of Lindsey Street and 12 th Avenue S.E.
SIZE	2.75 acres, more or less
PURPOSE	Allow for more commercial uses
EXISTING LAND USE	Mixed Use
SURROUNDING LAND USE	North: Commercial East: Commercial South: Residential West: Residential
2025 LAND USE PLAN DESIGNATION	High Density Residential and Commercial

SYNOPSIS: The applicant is requesting a SPUD, Simple Planned Unit Development, to amend a portion of the existing PUD, Planned Unit Development, O-0405-43 (the "NOAH PUD"). This amendment will allow for additional commercial uses on the ground floor retail units.

HISTORY: The City of Norman rezoned the 2.75-acre property to a Planned Unit Development, Ordinance No. O-0203-24, in 2003. 78 Robinson, L.L.C., amended the PUD to its

current permitted uses and Site Development Plan, Ordinance No. O-0405-43, in 2000. The original PUD was approved before the addition of the SPUD, Simple Planned Unit Developments, section in the City Zoning Ordinance.

ZONING ORDINANCE CITATION:

SEC. 420.05 SIMPLE PLANNED UNIT DEVELOPMENTS

2. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of comprehensive plan of record. In addition the SPUD provides for the following:

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

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

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

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

EXISTING ZONING: The property is currently zoned PUD, Planned Unit Development. This PUD District allows for mixed uses on the east side of the site, consisting of retail uses on the ground floor and three stories of multi-family residential uses above. The west side of the site allows for three story, single-family, owner-occupied town homes.

ANALYSIS: The particulars of this SPUD include:

1. **USE** The SPUD Narrative includes a mixture of office and commercial uses with three stories of multi-family residential use above. The full list of allowed office and commercial uses can be found in Exhibit C of the SPUD Narrative.
2. **OPEN SPACE** The applicant is requesting no change to open space.
3. **PARKING** The SPUD Narrative states that the property shall comply with Norman's parking standards, as amended from time to time.
4. **SITE PLAN/ACCESS** The applicant is not requesting a change to the site plan or traffic access. The developed site can be seen in Exhibit B of the SPUD Narrative.
5. **AREA REGULATIONS** The development's setbacks and coverages will continue to be governed by the existing Site Development Plan and Design Criteria. The applicant is not requesting a change to area regulations. This site is completely developed out.

6. **LANDSCAPING** The landscape will remain in its existing layout. The applicant is not requesting a change to landscape requirements.
7. **SIGNAGE** The applicant is not requesting a change to signage requirements. All signage will continue to comply with the requirements of the City of Norman Sign Code for commercial uses.
8. **LIGHTING** All new exterior lighting will comply with the Commercial Outdoor Lighting Standards, as amended from time to time.
9. **HEIGHT** The mixed-use buildings will remain at their current heights, which do not exceed four stories. The applicant is not requesting a change to existing buildings.

ALTERNATIVES/ISSUES:

- **IMPACTS** This amendment will not increase the intensity of uses allowed on the site. The applicant is attempting to amend the PUD (as a SPUD) to allow for the same local commercial uses allowed by the City of Norman Zoning Ordinance. The change in allowed uses is not expected to increase traffic for surrounding properties.

OTHER AGENCY COMMENTS:

- **PUBLIC WORKS** The property is platted. Rights-of-way and easements have been dedicated. All public improvements are installed and accepted. Access locations are existing.
- **PRE-DEVELOPMENT PD21-22** **June 24, 2021**
One neighbor attended only to hear the applicant's proposed plans and did not have any issues with the application.

CONCLUSION: Staff forwards this request and Ordinance No. O-2122-9 for Planning Commission's consideration.

EAST VILLAGE RETAIL

**SIMPLE PLANNED UNIT DEVELOPMENT
(AN AMENDMENT TO THE EXISTING PUD)**

APPLICANT:

EAST VILLAGE AT 12TH AVENUE, LLC

APPLICATION FOR:

SIMPLE PLANNED UNIT DEVELOPMENT

July 2, 2021

Revised August 4, 2021

PREPARED BY:

RIEGER LAW GROUP PLLC
136 Thompson Drive
Norman, Oklahoma 73069

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- F. Traffic Circulation and Access

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Permitted Uses
- B. Development Criteria

EXHIBITS

- A. Legal Description
- B. Site Plan
- C. Allowable Uses

I. INTRODUCTION

This Simple Planned Unit Development (the “SPUD”) is being submitted for the existing mixed-use buildings generally located at the Southwest corner of the 12th Avenue SE and Lindsey Street intersection, as more particularly described on **Exhibit A** (the “Property”). This SPUD solely seeks to amend the existing PUD, O-0405-43 (the “NOAH PUD”), in order to provide additional allowable uses for the ground floor retail units existing on the Property. The Property is currently zoned PUD, pursuant to the NOAH PUD, and the only change to the Property’s current zoning is for additional allowable uses, as enumerated herein. No new buildings or improvements are contemplated at this time.

II. PROPERTY DESCRIPTIONS; EXISTING CONDITIONS

A. Location

The Property is located at the Southwest corner of the 12th Avenue SE and Lindsey Street intersection.

B. Existing Land Use and Zoning

The existing zoning is PUD, and the existing NORMAN 2025 Land Use Plan designation is Commercial and High Density Residential. No change is requested to the NORMAN 2025 designation.

C. Elevation and Topography; Drainage

The Property is improved with three existing mixed-use structures. The topography and drainage of the Property will remain unchanged.

D. Utility Services

The necessary utility services for this project are already located on or near the Property as this is an already developed location. No change to the existing utility services is necessary.

E. Fire Protection Services

Fire protection services are as provided by the City of Norman Fire Department and per the City of Norman regulations for such. No change to the existing services is necessary.

F. Traffic Circulation and Access

Traffic circulation and access on the Property shall remain in its current condition.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

A. Uses Permitted

The Property is already developed as a mixed-use development with retail uses along the bottom floor and three stories of multi-family residential uses above. The only requested change is to allow for additional retail uses on the ground floor. Therefore, the upper stories shall retain their current multi-family residential allowable uses. The allowable uses for the ground floor units are enumerated on Exhibit C.

B. Site Plan

The existing developed site is shown on **Exhibit B**. The open space and landscaping shall remain in its current existing layout.

C. Traffic access/circulation/sidewalks

No change to the Property's existing traffic access, circulation, or sidewalks is requested.

D. Signage

All signage shall comply with the applicable requirements contained in the City of Norman Sign Code, Chapter 18, for the commercial uses, as amended from time to time.

E. Lighting

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

F. Height

The mixed-use retail/residential buildings will remain at their current heights, which do not exceed four stories in height. No change to the existing buildings is contemplated at this time.

G. Parking

The Property shall comply with Norman's applicable parking ordinances, as amended from time to time.

EXHIBIT A

Legal Description of the Property

All of Lots One (1), Two (2) and Three (3) of East Village, a planned unit development, a replat of Lots 29, 30 & 31 of block 1, Boyd View Addition No 2, to the City of Norman, Cleveland County, Oklahoma, according to the recorded plats thereof.

EXHIBIT B**Existing Site Plan**

No change to the site is proposed. An existing aerial is included here.

Lots 1 – 3 of East Village,
a Planned Unit Development



EXHIBIT C
Allowable Uses

Ground Floor Retail Uses

- 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.
- Child Care Center.
- Short-term rentals.
- Antique shop.
- Appliance Store.
- Artist materials supply, or studio.
- Automobile parking lots.
- Automobile supply store.
- Baby shop.
- Bakery/Baked Goods store.
- Bank.
- Barber shop, or beauty parlor.
- 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.
- Florist/Flower Shop.
- Furniture Store.
- Gift Shop.

- Grocery or supermarket.
- Hardware store.
- Hotel or motel.
- Interior decorating store.
- Jewelry shop.
- Key shop.
- Leather Store and/or Leather Goods Store.
- Locksmith.
- Medical Marijuana Dispensary, as allowed by state law.
- Music, Radio, Electronics, Telephone, or Television Store.
- 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.
- 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.
- Tier I Medical Marijuana Processor, as allowed by state law.
- Tier II Medical Marijuana Processor, as allowed by state law.
- Toy store.

Residential Uses for Upper Stories

- Multifamily Residential Units are allowed on the upper stories.

Applicant: East Village at 12th Avenue, LLC

Project Location: Near the SE corner of Rock Creek Road and 36th Avenue NW

Case Number: PD21-22

Time: 6:30 p.m.

Applicant/Representative

Gunner Joyce, Rieger Law Group

Attendees

Mustafa Ali

City Staff

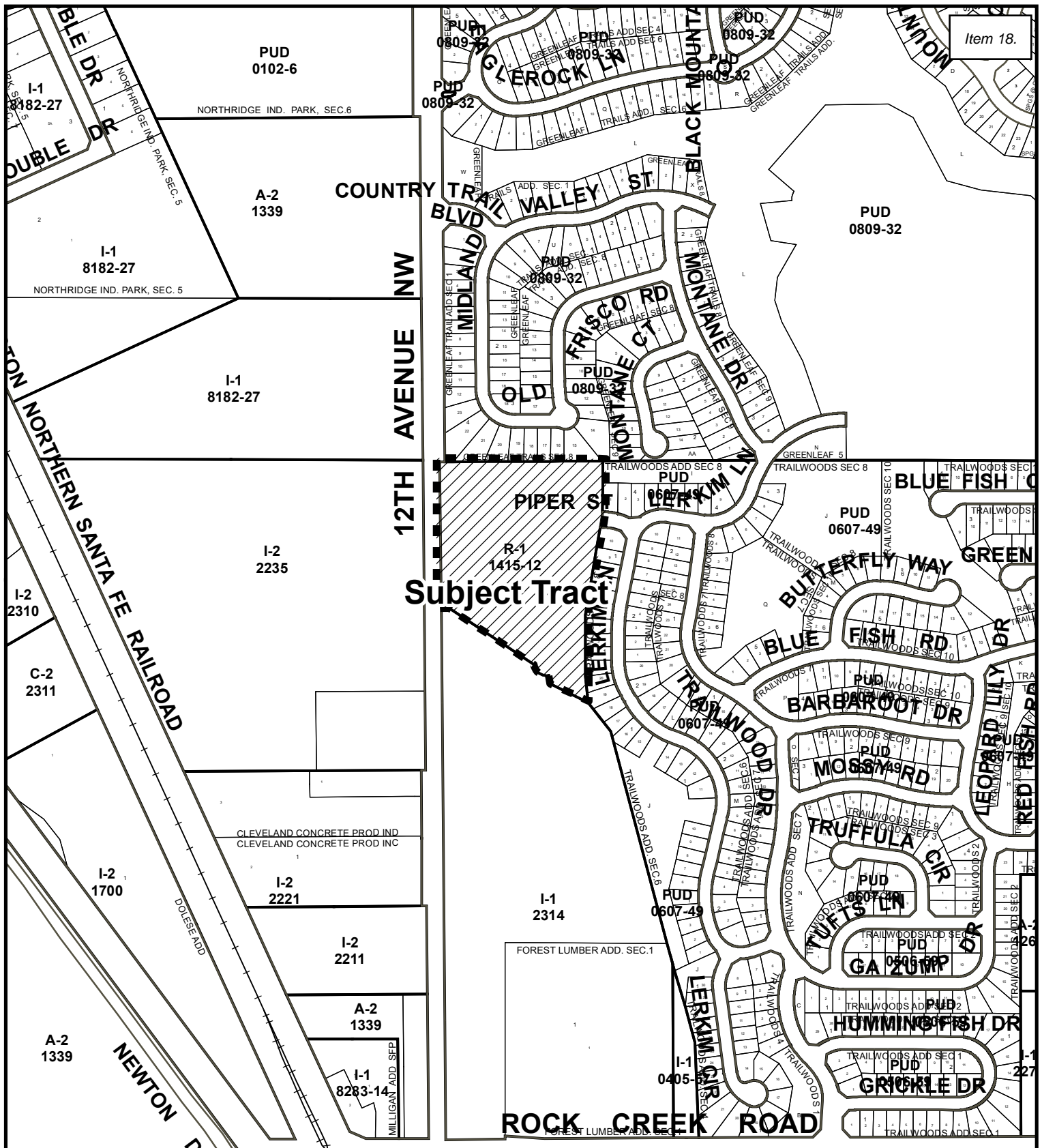
Brevin Ghoram, Planner I

Application Summary

The applicant is considering an amendment of the existing PUD, Planned Unit Development.

Neighbor's Comments/Concerns/Responses

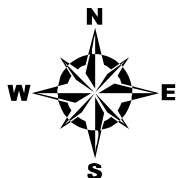
One neighbor attended only to hear the applicant's proposed plans and did not have any issues with the application.



Location Map



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



August 17, 2021

0 250 500 Ft.



Subject Tract



Zoning

ORDINANCE NO. O-2122-12

ITEM NO. 18

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	Sweetgrass Partners, L.L.C.
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	R-1, Single Family Dwelling District
SURROUNDING ZONING	North: Planned Unit Development O-0809-32 East: Planned Unit Development O-0607-49 South: I-1, Light Industrial West: I-2, Heavy Industrial
LOCATION	East side of 12 th Avenue N.W. and ½ mile south of Tecumseh Road
SIZE	10.48 acres, more or less
PURPOSE	Single-family residential neighborhood
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Residential East: Residential South: Vacant West: Industrial

SYNOPSIS: The applicant is requesting to rezone property containing approximately 10.48 acres from R-1, Single-Family Dwelling District, to PUD, Planned Unit Development, to allow for a single-family residential development. This PUD is requested to allow for setbacks, allowable lot coverages, and lot sizes that differ from the R-1, Single-Family Dwelling District, requirements.

HISTORY: In 2014, this property was rezoned from I-1, Light Industrial District, to R-1, Single-Family Dwelling District, despite the fact that the preliminary plat showed lot sizes that were too small for the R-1 zoning district. By rezoning to PUD, Planned Unit Development, the applicant will be able to utilize smaller lots. The applicant intends to match the design of the existing Trailwoods plats to the east.

ZONING ORDINANCE CITATION:**SEC. 420 – PLANNED UNIT DEVELOPMENT**

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

Specifically, the purposes of this section are to encourage:

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

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

EXISTING ZONING: The existing zoning for the subject property is R-1, Single Family Residential District. The R-1 District allows for single-family homes and home uses such as gardens or family day cares.

ANALYSIS: The particulars of this PUD include:

USE: The PUD Narrative includes the following uses:

- Detached single family dwellings;

- Family day care home;
- General purpose farm or garden;
- Home occupations;
- Municipal recreation or water supply;
- Accessory buildings;
- Model homes and/or sales office, subject to the applicable permit; and
- Temporary parking lot.

OPEN SPACE: The proposed open space and green space areas are shown on Exhibit B, the Site Development Plan, in the PUD Narrative.

PHASES: Streets and public improvements have already been built. Homes will be built as the market allows.

SITE PLAN/ACCESS: The Site Development Plan is shown in Exhibit B. This development has one access point on 12th Avenue N.W. and another access point on Piper Street. The Site Development Plan shows 42 single-family residential lots and 1.45 acres of green space. The applicant has previously paid parkland fees with the Trailwoods West Addition.

AREA REGULATIONS: The applicant is requesting the following area regulations for the development:

- Front yard setback: 15' from front property line, garages shall observe a 20' setback from front property line;
- Side yard setback: 5' from side property line, roof overhangs shall be allowed to encroach upon the side yard setback by 2' 6";
- Rear yard setback: 15' from rear property line, with the allowance for covered, unenclosed patio structures to extend to the rear property line;
- Coverage: maximum lot coverage for all structures and impervious area shall be not more than 75%; and
- Height: maximum building height shall be three stories.

SIGNAGE: Signage for the development and each individual lot will comply with the applicable signage restrictions in Chapter 18 of the City of Norman's Sign Code for low density residential properties. A subdivision identification sign at the entrance of the development will be allowed.

ALTERNATIVES/ISSUES:

IMPACTS: The location of this PUD is zoned R-1, Single-Family Dwelling District, and has been platted for this use. This PUD, while changing the setback and coverage requirements, will still allow for uses consistent with the existing zoning. This development will essentially be an extension of the existing single-family residential neighborhoods to the north and east of the property.

OTHER AGENCY COMMENTS:

PUBLIC WORKS: Sanitary sewer, water, street paving, and drainage exist on the site.

CONCLUSION: Staff forwards this rezoning request from R-1, Single-Family Dwelling District, to PUD, Planned Unit Development, as Ordinance No. O-2122-12 to the Planning Commission for your consideration.

TRAILWOODS ADDITION SECTION 12

**A PLANNED UNIT DEVELOPMENT
NORMAN, OKLAHOMA**

**APPLICANT:
*IDEAL HOMES / SWEETGRASS PARTNERS, LLC***

**APPLICATION FOR:
PLANNED UNIT DEVELOPMENT**

Submitted August 2, 2021
Revised September 2, 2021

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

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 - C. Miscellaneous Development Criteria

EXHIBITS

- A. Legal Description of the Property
- B. Site Development Plan
- C. Allowable Uses

I. INTRODUCTION

This Planned Unit Development seeks to rezone a tract of property, containing approximately 10.84 acres, located in Ward 6 of the City of Norman. The site will be an expansion of the existing Trailwoods development. The property is located East of 12th Avenue NW and about half a mile North of W Rock Creek Road. The property is more particularly described on the attached **Exhibit A** (the “**Property**”). The Property is currently zoned R-1, Single Family Residential and has been final platted as Trailwoods West Addition. However, the lots in the final plat did not meet the Property’s existing single family lot size requirements. Therefore, the Applicant seeks to rezone the Property to continue the design of the prior sections of the Trailwoods Addition.

The Applicant seeks to rezone the Property to this Planned Unit Development (“PUD”) in order to put forth the parameters for which the development of the Property may be phased over time. The intent is to mirror the existing PUD for Trailwoods in order to develop the Property in a manner that is consistent with the design of the prior sections of the Trailwoods Addition.

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

A. Location

The Property is generally located East of 12th Avenue NW and North of W. Rock Creek Road.

B. Existing Land Use and Zoning

The Property is currently zoned R-1, Single Family Residential and the Property’s NORMAN 2025 Land Use Plan Designation is Low Density Residential. The properties to the North and East of the Property are zoned PUD with a NORMAN 2025 Land Use Plan Designation of Low Density Residential. The properties to the South and West of the Property are zoned I-1; Light Industrial and I-2; Heavy Industrial, respectively. Both properties have a NORMAN 2025 Land Use Plan Designation of Industrial.

C. Elevation and Topography

The Property has been developed with streets and utilities. The Property slopes from the Northeast to the Southwest.

D. Drainage

Stormwater is conveyed to an existing off plat detention pond located South of the Property.

E. Utility Services

The necessary utility services for this development are existing.

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. Required fire hydrants are existing.

G. Traffic Circulation and Access

There is existing access to the Property, in the manner previously approved with the final plat for Trailwoods West Addition. Streets are existing.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Property is planned to accommodate a single-family residential development. The Property shall be developed in general compliance with the Site Development Plan, attached hereto. The Exhibits attached hereto, and as submitted on behalf on the Applicant, are incorporated herein by reference and further depict the development criteria for the Property. 42 single family residential lots are anticipated in this development.

A. Uses Permitted:

The allowable uses for the Property shall be those uses that are allowed in the City of Norman's R-1, Single-Family Dwelling zoning district. A complete list of the allowable uses for the Property is attached as Exhibit C.

B. Area Regulations:

The lots within the Property shall comply with the following regulations:

Front Yard: The minimum depth of the front yard setback shall be fifteen (15') feet provided that all garages shall have a minimum twenty (20') foot front yard setback. The lot width at the front setback line does not have to be fifty (50') feet.

Side Yard: The minimum depth of the side yard setback shall be five (5') feet provided that roof and gutter overhangs shall be allowed to encroach upon the side yard setback, up to a maximum of 2 feet six inches (2' 6").

Rear Yard: The minimum depth of the rear yard setback shall be fifteen (15') feet, with the allowance for covered unenclosed patio structures to be ten (10)

feet from the rear property line. Porches may be located anywhere along the rear of the structure, but may not exceed sixteen (16') feet in width.

Lot Coverage & Height: The maximum lot coverage for all structures, as well as impervious area, shall be no more than seventy-five percent (75%) of the total lot area. It is currently anticipated that 42 single family dwelling units will be developed within the Property, as approximately shown on the Site Development Plan. Houses will not exceed three (3) stories in height.

C. Miscellaneous 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 generally constructed as presented thereon, subject to final design development and the changes allowed by Section 22.420(7) of the City of Norman's PUD Ordinance.

2. Open Space/Common Area

Open space and green space areas are located throughout the Property, as shown on the Site Development Plan. Additionally, the neighborhood will be connected to Trailwoods as an extension thereof, in order to allow for shared use of the amenities and open spaces.

3. Signage

The entrance to the Property from 12th Ave. N.W. may contain entryway signage and associated walls, fences, and decorative features, similar in size and materials to the existing entryway signage for the Trailwoods Addition, in order to identify the Addition. The signage may be lighted and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic sight lines.

4. Traffic Access/Circulation and Sidewalks

Access to the Property is existing. Sidewalks will be installed in compliance with the City's standards.

5. Landscaping/Parkland

Landscaping shall be installed in order to meet or exceed the City of Norman's applicable landscaping requirements for development of single-family residential lots. The Applicant previously paid park land fees with the Trailwoods West Addition plat.

6. Roll Off Dumpsters

Roll off dumpsters shall be allowed for temporary construction purposes on the Property.

EXHIBIT A
Legal Description of the Property

A tract of land lying in the Southwest Quarter (SW/4) of Section Eighteen (18), Township Nine North (T9N), Range Two West (R2W), of the Indian Meridian, Norman, Cleveland County Oklahoma and being more particularly described as follows:

COMMENCING at the Southwest corner of said SW/4; THENCE North 00°02'10" East along the West line of said SW/4 a distance of 2058.59 feet to the POINT OF BEGINNING;

THENCE continuing North 00°02'10" East a distance of 573.73 feet to the Northwest corner of said SW/4; THENCE South 89°47'15" East along said North line a distance of 648.10 feet; THENCE South 00°22'57" West a distance of 204.29 feet; THENCE South 09°42'51" West a distance of 388.78 feet; THENCE South 00°15'01" East a distance of 338.40 feet; THENCE North 65°42'39" West a distance of 163.74 feet; THENCE North 08°08'11" West a distance of 30.54 feet to a point on a non-tangent curve; THENCE around a curve to the right having a radius of 50.00 feet (said curve subtended by a chord which bears North 53°01'11" West, a distance of 70.85 feet) and an arc length of 78.74 feet; THENCE North 56°25'08" West a distance of 387.47 feet; THENCE North 89°57'50" West a distance of 50.00 feet to the POINT OF BEGINNING.

Said tract contains 456,497 square feet, or 10.480 acres, more or less.

EXHIBIT C
Allowable Uses

- Detached single family dwellings;
- Family day care home;
- General purpose farm or garden;
- Home occupations;
- Municipal recreation or water supply;
- Accessory buildings;
- Model homes and/or Sales Office, subject to the applicable permits; and
- Temporary Parking Lots.

ORDINANCE NO. O-2122-6

ITEM NO. 19

STAFF MEMO

ITEM: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 (ZONING ORDINANCE), SECTION 431.5, OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL AND MULTI-FAMILY AND ALL OFFICE, COMMERCIAL AND INDUSTRIAL DISTRICTS, LESS C-3, INTENSIVE COMMERCIAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: Over the last several years Planning staff has presented to the Community Planning and Transportation Committee (CPTC) various options for parking regulations; both minimum and maximum requirement discussions have occurred. There are and have been many opinions of how to develop (pervious/impervious/bio-swales) parking lots and how many parking spaces should be required for specific uses within the City of Norman.

Included in these discussions, most recently, was the discussion of reviewing the Engineering Design Criteria (EDC) and establishing LID (Low Impact Development)/green building codes, regulations/guidelines for developing parking areas that can be more environmentally friendly while still providing adequate parking for the associated businesses. Attached as Exhibit A, is the summary of the continued work of staff regarding the "green building codes". At the April 22, 2021 Community Planning and Transportation Committee meeting staff briefed Council on the current status of their work on this proposal. The EDC/LID discussion and presentation will be forwarded for review at a later date. The minutes from that meeting are attached as Exhibit B.

Staff presented information to Community Planning and Transportation Committee Members on April 22, 2021 and August 16, 2019, regarding parking regulations - for commercial businesses, more specifically, the discussion of larger retail/commercial establishments having excessively large parking lots – and typically utilized only a few times a year/seasonally, as well as other non-residential uses. More recently, July 20, 2021, staff presented possible parking ordinance changes to the City Council Study Session. (Minutes attached as Exhibit E.)

DISCUSSION: As stated, the Zoning Ordinance establishes the minimum number of parking spaces required as determined by specific uses; this is the standard for many cities. Off-street parking standards are an attempt to minimize spillover parking on public streets, residential neighborhoods and ensure safe and efficient movement of traffic by requiring the supply of parking at the site of the development is adequate to meet demand. The parking requirements adopted in the Z.O. have not seen much change in the last five decades.

While parking minimums require a certain number of parking spaces for a specific use there can be other alternatives to the traditional minimum parking requirement. Some developments do not need the required minimum parking established/determined by the Z.O. so they are "over-parked". In other cases, some uses need what is designated as a minimum in the Z.O. and even more in some cases.

The parking requirements adopted by cities over the years are one of, if not the most significant impacts on city form. In some cases, but not all, the adopted parking requirements can limit or restrict what an individual can do on the lot they are planning to develop. Money is tight, we all know and recognize this but so is the supply of land. We can all drive around Norman and other communities and see large, underutilized parking lots. So what can the City of Norman do to alleviate the requirements on businesses/developers to construct large parking facilities?

WHAT/WHO DETERMINES PARKING NEEDS FOR A USE?

Use. Different types of buildings require different parking levels. A restaurant with tightly packed tables needs more parking than a warehouse that is filled with boxes and very few employees. Offices tend to fall in the middle of industrial and dense retail uses.

Local regulations. Most building and zoning codes specify parking ratios. Before a developer can construct a building, they have to submit plans that describe the size of the building and of its parking lot. If the two do not align with local regulations, the property can't be built.

Market reality. Finally, the needs of the market also determine how much parking a building may need. If you are in an automobile driver heavy city -- like many suburbs -- or an area with limited public transportation options tenants will demand ample parking, even if it's in excess of what the local code requires.

PARKING "RECOMMENDATION" V. REQUIRED.

An opportunity the City has is to amend the current Zoning Ordinance to convert the existing "required" parking ratio regulation to a "recommended" parking ratio on a lot. This option will not only offer flexibility to smaller developers but also benefit the city with storm water runoff concerns while also creating more green space/open space.

A recommended parking ratio allows the developer to customize the development to their specific needs for the use, while not negatively impacting the community with additional runoff -- i.e., creating a large parking lot only to remain vacant the majority of the year.

Moving forward, after changing from "required to recommended", another option still may be to actually change the parking ratios across the board for all uses currently listed in the Z.O. and create maximum parking ratios, following suit with the EDC. However, at this point, with the EDC still in review, staff would like to give the EDC the opportunity to establish guidelines so that any Zoning Ordinance amendments will coordinate with the newly-adopted EDC/LID options.

It is possible establishing a "parking maximum" may be useful. Establishing parking maximums has been used most extensively in central business districts where there is an existing built environment. Establishing a maximum parking standard can be an effective tool for communities interested in maximizing green space, managing stormwater runoff, increasing densities and utilizing sustainable land development management tools while meeting transportation and parking demand throughout the community. Again, this possibility will be discussed/reviewed after the EDC is completed and adopted by City Council.

A variety of stakeholders may wish to be involved in the discussions leading to decisions on off-street parking requirements. Those include local developers, business owners and their employees and patrons, community residents as well as the general public, all of whom have an interest in many development aspects: providing adequate parking to keep their business successful, mobility within the city and in developing an attractive physical environment where automobile traffic is not overwhelming.

Parking literature argues that excessive parking supply discourages alternative modes of transportation, reduces density, increases the cost of development, creates an uninviting built environment, and degrades the natural environment. Sources that are commonly used to determine off-street parking requirements include the Institute of Transportation Engineers (ITE) and often zoning ordinances from other cities.

Parking is an important component to zoning and land use decisions. Parking availability affects trip generation, mode of transportation, urban form, as well as economic development. For decades, parking regulations in ordinances have made generous allowances for automobiles, as car ownership, driving and parking have become essential elements of the transportation system. A 2011 study conducted by the University of California estimated there is an average 3.4 parking spaces per vehicle and around 800 million parking spaces existing in the United States, covering approximately 25,000 square miles of land.

In addition, modes of transportation are changing and are expected to continue to change in years to come; evidence of these changing trends has never been more apparent than with the recent 2020/COVID year. The nation saw an increase in changes of modes of transportation; ride share, Uber, Lyft, scooters, buses, and bicycles; as well as shopping trends. With the recent shift to on-line shopping, with delivery or quick-stop pickup of orders, not all businesses need the amount of parking we have seen historically. Many communities will be in a stage of transition until transportation behaviors level off at some point in the future. After transportation behaviors become more consistent the parking ratios can be further studied and the minimum parking ratios in the Z.O. may be revised. The proposed amendment to go from "minimum required" to "recommended" is intended to provide an opportunity for discussion to determine what Council wants to see amended as an interim solution, providing more flexibility during this period of transition.

Ultimately, business owners know their needs; if a business does not have adequate parking they may lose business and the community may lose a business. In addition, we never want spillover parking to negatively impact the adjacent residential neighborhoods; therefore, further assessment may be a point of discussion.

Allowing a recommended parking count will undoubtedly reduce a great number of parking spaces. While setting the maximum parking count allowed with the existing requirement will allow businesses to develop to their needs while not allowing them to go over the City's already established parking requirements. Determining new maximum ratios across the board would prove a hefty endeavor at this time, and city staff recommends that implementation of such a change is best undertaken upon completion of the amended EDCs, receipt of stakeholder input, and professional study of industry mechanisms for these newer theories of parking controls and guidelines.

PROPOSED CHANGES: The single and two-family dwellings, fraternity or sorority houses, mobile home parks/subdivisions will see no change in the proposed amendments – they will still be required to provide the minimum parking as adopted in the Z.O.

The apartments and apartment hotels, boarding or rooming houses and hotels or motels are proposed to change as follows, with the below ratios proposed as recommended:

Apartments and apartment hotels;	1.8/du – 1.2/du
Boarding or rooming houses:	1.8/boarding or rooming unit – 1/boarding or rooming unit
Hotels or motels:	1.2/room – 1/room (in addition to spaces “recommended” for restaurant facilities)

The attached Exhibit D is the proposed amendments to the parking regulations, going from “required minimums” to “recommended” parking ratios for the overall majority of the uses – except as noted above. Attached as Exhibit C is copy of the current required parking requirements.

CONCLUSION: Several cities across the nation have already removed minimum parking requirements and many more are looking at the possibility of removing minimum requirements. Locally, the City of Edmond and City of Guthrie are reviewing possible changes to their parking requirements.

Staff presents this proposal and Ordinance NO. O-2122-6 to Planning Commission for discussion and consideration.

Exhibits:

Exhibit A – Green Building Code Update

Exhibit B - CPTC Meeting Minutes, April 22, 2021

Exhibit C – Existing Zoning Code Ordinance - Parking

Exhibit D – Annotated Zoning Code Ordinance - Parking

Exhibit E – Council Study Session, July 20, 2021

Exhibit A – Staff Update (2 Pages)

GREEN BUILDING CODES – UPDATE.

The City Council identified incentivizing optional “green building codes” as a secondary destination short-term goal (1-2 years) during the August 2017 Council Retreat. Since that time, the Council Community Planning and Transportation Committee (CPTC) has engaged in discussions regarding incentive programs for incentivizing green building practices and green infrastructure/low impact development (GI/LID) in the City of Norman. During this time, staff, private developers and experts in the field have also presented the CPTC with information and discussed potential options and ideas related to incentives for GI/LID and reduction to City parking requirements.

At the May 23, 2019 CPTC meeting, staff proposed to the CPTC that we explore a more comprehensive approach to parking and landscape requirements together with another Council request to pursue GI/LID incentives. Following discussion at CPTC staff was directed to obtain a third party for assistance to explore how to implement these changes into our development requirements. This memo and presentation is a follow-up to the previous CPTC meetings.

On May 28, 2019 and July 12, 2019, staff met with Dr. Jason Vogel, OU College of Civil Engineering and Environmental Science Associate Professor and the Director of the Oklahoma Water Survey. Dr. Vogel recently worked with the City of Tulsa to develop a guide to implement GI/LID incentives and requirements into their development regulations.

The Engineering Design Criteria (EDC) and Standard Specifications and Construction Drawings (Specifications) were adopted by the City Council in 1996 and were last updated in 2006. The City’s EDC and Specifications provide key technical guidance for the design and construction of public infrastructure including roads, bridges, stormwater systems, water lines, sewer lines, traffic signals, street lights, and others. The current need is to update these documents to incorporate new technologies and ordinances to provide better guidance to developers, consultants and contractors. City Council has appropriated funding in the Fiscal Year Ending (FYE) 2020 and 2021 Capital Improvement Program for an update of the EDC and Specifications. Staff has identified the opportunity to combine the GI/LID Incentives Program and EDC and Specifications Update into one project to save effort and duplication.

On February 25, 2020, City Council approved Contract No. K-1920-114 by and between the City of Norman and Freese and Nichols, Inc. in the amount of \$125,000.00 for Phase I of the EDC and Standard Specifications and Construction Drawings Update and City Ordinance Review project. The purpose of the project is to conduct a comprehensive review of the City’s ordinances, standards, and guidance documents, such as the Engineering Design Criteria, Center City Form Based Code, Wichita/Sedgwick County LID Manual, Norman 2025 Plan, parking requirements, landscaping/irrigation requirements, and others, identify potential barriers to implementation of GI/LID; and recommend potential changes to incentivize GI/LID; including but not limited to variances to parking and landscaping requirements. This will be incorporated in the review and update of the EDC and Specifications as outlined below to complete one document.

Phase I consisted of a diagnostic analysis and report of the City’s existing EDC, Specifications, Standards, applicable City ordinances, and policy documents. This phase resulted in the definition of problems and issues arising from the City’s current documents as defined by staff. The issues were compared against the backdrop of comments and interviews of a technical Advisory

Exhibit A – Staff Update (2 Pages)

Committee, select City staff and stakeholders. Phase I also included a community benchmarking report to assist in establishing best management practices by reviewing these practices in comparable and aspirational communities to the City's current practices. The diagnostic report focused on updates to the current documents and procedures and identified barriers to adopting requirements for Green Stormwater Infrastructure Criteria.

On March 9, 2021, City Council approved Amendment No. 1 to Contract No. K-1920-114 by and between the City of Norman and Freese and Nichols, Inc., for Phase II of this project. Phase II began in March 2021 and includes preparation of the updated EDC and Standard Specifications, including a Green Stormwater Infrastructure (GSI) Criteria section. Updated construction drawings will be provided to reflect new and updated design criteria. Recommendations for proposed ordinance language based on the Diagnostic Report produced in Phase I will also accompany the updated criteria documents. Input from City staff and stakeholders will support the development of user-friendly documents; therefore, stakeholder involvement will continue throughout this phase. This phase will include workshops and hearings necessary to refine the final draft documents, verify that the final products are reflective of the community's needs and desires, and adoption of the EDC, Specifications, Standards and GSI Criteria documents.

Phase III of this project will be the implementation phase and may include development of additional documentation such as checklists, design guides and smaller publications/pamphlets. These materials will assist staff and stakeholders in the transition to the new EDC, Specifications, Standards and GSI Criteria documents and streamline the review and development process.

The scope of services for Phases III is dependent on the results of Phase II efforts, and separate City Council authorization will be required prior to initiation of Phase III services.

While the above process is still on-going and a proposed draft will be presented to Community Planning and Transportation Committee at some point in the future, staff is coming back to you now to discuss possible amendments to the current parking regulations in the Zoning Ordinance (Z.O.), Chapter 22. Currently, the Z.O. requires a minimum number of parking spaces, determined by use. Aside from a development meeting the detention/drainage requirements, there is no regulation on a maximum coverage per lot for non-residential developments. This can allow larger developments, more impervious area and more parking spaces on a lot. (See Exhibit C City of Norman Parking Requirements). A key element to incentivizing GSI is the ability to offer modifications to current parking and landscaping requirements.

Exhibit B - CPTC Meeting Minutes, April 22, 2021 (14 Pages)

CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES

April 22, 2021

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:00 p.m. in a virtual meeting hosted in the Council Chambers on the 22nd day of April, 2021, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Hall, Peacock, Nash, and
Chairman Holman

ABSENT:

OTHERS PRESENT: Mr. Taylor Johnson, Public Transit Coordinator
Mr. Shawn O'Leary, Director of Public Works
Ms. Brenda Hall, City Clerk
Ms. Jane Hudson, Director of Planning and
Community Development
Ms. Carrie Evenson, Stormwater Program
Manager
Ms. Lora Hoggatt, Planning Services Manager
Ms. Breea Clark, Mayor
Ms. Beth Muckala, Assistant City Attorney
Ms. Kathryn Walker, City Attorney
Ms. Brenda Wolf, Permit Services Supervisor

Item 1, being:

PUBLIC TRANSIT RIDERSHIP REPORT FOR THE MONTH OF MARCH 2021.

(Minutes on file for this item, removed to save paper.)

Item 2, being:

DISCUSSION REGARDING OFF-STREET PARKING REQUIREMENTS AND POTENTIALLY COMPLIMENTARY CITY EFFORTS, INCLUDING ENGINEERING DESIGN CRITERIA UPDATES.

Jane Hudson – Afternoon everyone. It's good to be back in a meeting. It's like you don't see anybody very much. But welcome.

If you had the opportunity to read the memo, in the very beginning of the memo we have an outline there regarding what efforts Dr. Evenson and her crew are working on for the green incentives. If you have any questions about that first part of the memo, we're happy to talk about it. Carrie, if you want to give them a brief summary, that's great, as well. I know really we want to be talking about parking, but I didn't want that to go unnoticed because they are continuing to work on that.

Chairman Holman – I would definitely agree that parking has a major impact on stormwater. They're absolutely related.

Carrie Evenson – I'll just give you a little bit of information on where we're at with the EDC update. I, along with numerous other City staff – because it's really a Citywide project working on the EDC update, because it's been a while since we had done that, and it needs to be done. One of the things that we're doing as part of that is we're reviewing our requirements, we're reviewing our ordinance language as well to make sure we don't have any barriers to green infrastructure or low-impact development in the City. We're also looking at ways – at Council direction – that we can incentivize the use of green infrastructure and the installation of green infrastructure across the City. Through this process, one of the things that our contractor, Freese and Nichols, has been tasked with is to look at ways that we can either modify our ordinances or put in some other requirements or avenues for folks to add green infrastructure or we can incentivize it. Some of that is through potentially offering or allowing reduced parking or landscaping requirements, things like that. So that's part of the process that we're working through right now. Council approved the contract amendment with Freese and Nichols recently to begin Phase 2, where we start to actually make the language changes to the EDC, and we are including external stakeholders, members of the community, in that process right now. That's where we are going to be looking at the parking requirements and looking at is there a way that we can use those requirements to incentivize green infrastructure. So that's kind of where this ties into this discussion that you're also having with Jane about are our current parking requirements.

Chairman Holman – Thank you, Dr. Evenson. Appreciate that. Councilmember Hall.

Councilmember Hall – Thank you, Dr. Evenson. I'm curious about the stakeholder piece that you just mentioned. Can you expand a little bit more on where we are on that? How are we identifying the stakeholders? Roughly who they are, because this seems like – first of all, I just want to say I want to thank all of you for the staff report because it was really helpful to me to get a summary of all of the different parts of this that have been ongoing for the last couple years. I think with having to cancel so many meetings this year, that I have sort of lost track of all the meeting pieces here. So this is really an excellent summary of all of the different things that we're taking under consideration. So I just did want to mention how appreciative I am of getting that focus back to where we are right now.

Carrie Evenson – Absolutely. With the external stakeholder group, basically we have talked to City staff to try to identify those builders, developers, engineers, contractors that frequently interact with the City and our engineering design criteria, and we have a list of folks that we've identified, both in Phase 1 and in response to some comments that

we got during the diagnostic report discussion, to try to make that as complete as we can. I was just going through that today to send to Freese and Nichols so that we can start to contact those folks and begin those stakeholder meetings. We're going to divide up into smaller committees, so there will be some discussion on stormwater in a smaller group, there'll be discussion of traffic control in a smaller group, streets, development issues. So depending on how the external stakeholders want to divide themselves, we'll divide up into those groups and have particular discussions on what we see as the changes that are necessary to bring us up to date with technology and materials and things like that. Some other issues that we and they have run into throughout the development process. Some things that need to be tweaked. Then we'll have those discussions and then hopefully have a finished product to you in about a year or so with those changes, and get that moving forward.

Councilmember Hall – Will those be virtual meetings? In-person meetings? Yet to be determined? And how many people are we talking about?

Carrie Evenson – It's still to be determined, as far as how we're going to do those meetings. It may end up being kind of a hybrid, which a lot of our meetings are going to now, where there are some people in the room and there are other people who are not yet comfortable being in the room that we can bring in virtually. Or if they're out of state, or out of town, or whatever at the time, they can always Zoom in and join us that way. So we're still working that out. I didn't put a count to the list right now, but I would guess between 25 and 30 people have been identified. Now, we'll split up into smaller groups to make that a little bit more manageable. But we have quite a few people on there. There are private citizens as well, particularly on the stormwater side that have knowledge of stormwater and want to be involved on that and have reached out and asked.

Councilmember Hall – Excellent. I like the fact that we have a large group and that we will have the ability to really focus in on certain categories. That sounds good. Thank you.

Chairman Holman – Thank you, Councilmember Hall.

Jane Hudson – Moving forward into the discussion, parking has always been a hot topic and how much someone needs or how much they don't need. I put the memo together – Dr. Evenson, thank you so much for all the information you gave me on your update. I really wanted this to be an opportunity for us to just really have a lot of dialogue and figure out which direction you really want to go with this. I visited with Legal on this as well, so we can look at the possibility of taking the required parking that's in the ordinance right now and we can establish that as a recommended maximum. One thing that does concern me about that – and I don't really think we would run into this, because it would negatively impact someone's business if they tried to short themselves on parking. Parking space is about \$6,000, I think, per parking space. It does get expensive when you're developing an entire parking lot. So someone would look to save money and cut back on their parking. Again, if they do that, that's going to negatively impact their business, and I don't think somebody is really going to want to do that. I wanted to have this discussion and see what you thought. Do you like the idea of making that a

recommended maximum, and then if someone does need additional parking, they can submit a request to staff. One of the ideas I had was that if someone can demonstrate, through a request, through a memo that they would submit to City staff, and we could take that to our Development Review Team, which is the same DRT that reviews the preliminary plats, certificates of survey, and stuff like that that come forward for development. Everybody that's on that committee is already very familiar with how a parking lot – the runoff would need to be accommodated for if someone was wanting to go over what we've established in the Zoning Code as their recommended maximum. I guess I want to open it up and see what questions you have, and thoughts you have from the memo, and see which direction you want to go.

Chairman Holman – Thank you, Jane. For me, and we talked about this issue before – it's come up in various Council discussions over the years, and Councilmember Peacock had this as one of the top issues of his agenda to address. So, from my standpoint, I want us to be in a position where nobody in Norman ever says, "Well, I only have that much parking because the City made me do it." I want that to not be a factor, basically. The goal I have is that the City has made somebody put an excessive amount of parking for the type of business they have. I know businesses can change based on buildings – all that stuff. But I'm looking for something that we're not requiring a lot of parking, but people can apply to have more, but make the case for why they need more if we have a minimum or a maximum why they would need more. I would like to see a way that parking – I would rather save a tree than meet a parking standard. So they're going to get rid of the tree because they have to fit this many parking spaces on there. Inevitably it can be a headache in some places where there's not very much parking, but in the places in Norman where parking is limited, those are the most attractive and active and we're able to charge money for the parking spots because they're so valuable. That's kind of been my thought over the years about where I want to get with parking in Norman, was that the City is not the ones responsible if there's a giant parking lot. And if there is a really giant parking lot, then there was good reason or a stated reason for that and that we have best practices to reduce the impact of all that impervious surface and things like that. So those are kind of my thoughts on it. I think Councilmember Peacock has a few of his own. Go ahead.

Councilmember Peacock – This is a subject that I have a lot of strong opinions on. So I've been looking forward to this conversation for a long time. We're talking about maximums right now, but to me the important switch is to get rid of the minimum requirements. We as a City I don't think should be – we shouldn't be in the business of telling the market how to function. We shouldn't be telling developers that you need to buy X amount of land for your building, X amount of land for the parking, and then X amount of land for the stormwater solution to offset the parking that we require. I think right now we're seeing a product of that in that we're only getting large corporations, large parcel projects because those are the only entities that can really build according to our ordinance. So this subject touches on so many things for me. There's stormwater we've talked about. Also sales tax collection, walkability, urbanism, density. It really checks a lot of boxes. So I think every day that we wait to amend this or to make a change we're only doing ourselves a disservice. Like I said, I know we're talking about maximums, but to me the crux of the issue is the minimums. So if we could just change the required minimums to be recommended minimums, I think that's a great first step, and then that

gives us the time to kind of tease out some of the variables for the maximums. I've got a lot more thoughts. I've got a lot of graphics that I can show. I'm happy to share my screen and kind of go through some of this stuff, but I don't want to dominate the conversation, so I'm happy to open it up to somebody else, or answer questions, or whatever.

Councilmember Holman – Any other Committee members have comments or questions about this? Yes, Councilmember Hall.

Councilmember Hall – Yes, Councilmember Peacock, let's see those graphics of how much parking lot and concrete we have in Norman, Oklahoma, because I know you've already shared those with me, so let's just start there.

Councilmember Peacock – This is University North Park. You can see up here this is going to be Target. This is going to be Crest. You can see our parking to built footprint is literally 3:1. So not only is there a massive stormwater implication there, but sales tax collections. You know you're spending all of that real estate what we've given up for something that has no return on investment. Jane threw out a \$6,000 per spot figure, and just look at the amount of money that we put into infrastructure that really, like I said, has no return. And not only that, you look at the distance created between the buildings now. So we're talking about public infrastructure – roads, water, sewer – just the amount of distance we have to go now to start connecting our places. That's the crux of the issue for me, is the City is the one who is responsible for maintaining all that stuff. It's not the private businesses. It's not any of these land owners – it's the City. So when we're looking 20 to 30 years down the road on replacement costs, every mile of water line, sewer line, roadway that we have created, we have to maintain. That's something that's affecting our bottom line of the general fund. I think there's real financial arguments to be made there.

Another quick little graphic that shows basically what our current ordinance requires and what size building you're actually able to put in per the parking ordinance. You can see office, retail, restaurant, bar. The thing that really stands out to me is that we're – I hate to say we're advocating, but we're really setting it up to where we're promoting drunk driving with this ordinance, by saying we're requiring 64 spaces around a 3,200 sq. ft. bar. That right there is the most egregious one. But you can go and start to look at how any developer is going to get a 10,000 sq. ft. office in, you've got to have a 30,000 sq. ft. lot, and that doesn't even account for the stormwater solution. So really we're talking about you're probably only going to be able to fit a 5,000 sq. ft. office on a 30,000 sq. ft. lot. To me, it's pretty straightforward what the issue is and what the negative fallout is. Again, I want this to be a discussion. So I'm interested to hear everybody else's thoughts.

Chairman Holman – Thank you, Councilmember Peacock. I can't see everybody else. That's pretty helpful right there. I'm definitely surprised about the bar. Something I've noticed recently actually over in Ward 8 on Tecumseh Road by the Healthplex – I was visiting that new Wendy's over there, and I pulled into the Dental Depot next door to eat the meal I just got and I don't know if the Dental Depot is closed or not but there aren't any cars in the parking lot, but the entire building is surrounded by parking. I was kind of surprised. It's like just all parking. I couldn't imagine that Dental Depot needed that much

parking. I know the one on Main Street doesn't have that much. I know that was an older existing parcel and they rebuilt on it. It's not as big as the new greenfield development. But I don't want to require more parking just because it's a greenfield that's got endless space to build compared to building in Central Norman. I agree about the bar issue, too, requiring a lot of parking at a bar does seem counter-intuitive. The Deli, for example, being on Campus Corner, there, of course, is parking on Campus Corner, but a lot of people that come to the Deli – there's 2 parking spots in the front on Wyatt Street that are parallel and that's it. So you've got to walk either from your house in one of the neighborhoods around, or you're getting a taxi, an Uber, or friends all came down there. That's what I see a lot down there when I've been working is a lot of people walking in because you just – 1) I can't tell you how many people I've seen that just cannot do the parallel parking right there. I've seen so many people over the years making the attempt. They stop, they sort of back up, and then quickly realize I don't think I can do it and go on. I would not want to be incentivizing or requiring that a small building be completely surrounding by a parking lot, unless that applicant made some sort of case for why they needed that much. I definitely agree with Councilmember Peacock. We want to see maybe some follow-up meeting – maybe come back next month with some possible changes that maybe we've seen some other cities do – maybe it's like we often do, look at some of the Big 12 cities – the other college towns like Norman – Boulder and Lawrence and others – that maybe they developed some policy on this that we can look at and get some suggestions, or at least something to look at, and then continue the discussion. I see Councilmember Hall's hand up.

Councilmember Hall – I was really looking forward to this agenda item. There's been a lot of discussion as we've been reminded from the staff report. I can remember the conversations that we had a few years ago about just the LID – all the things that Dr. Evenson just outlined with the changing times that we're in and having all this excess parking that we all recognize and can see and drive by all the time. Yes, I'm in support, the same as Councilmembers Peacock and Holman on addressing these issues, which we're certainly in the middle of and we're addressing with investing our money with working with a consultant on the engineering design standards. Definitely interested in pursuing all that.

The other interesting aspect of all of this to me is just the shifting attitudes of what people are looking for and what they want. We have talked in many meetings over the last few years about placemaking and being a walkable city and walk scores and multi-modal transportation and all those things. And you touched on it a little in your report, Ms. Hudson, but looking forward over the next 10 years, the way we use cars and the need for the kind of parking we had in the past I believe is really going to change dramatically. You raised a really good point, Councilmember Holman, about even college students and how comfortable they are with ride shares and not having a car and calling to get rides home when they've been out late or they've been at the bar. So I think we have – the way people move themselves around is definitely changing and we're definitely in transition. So fully in support of continuing this conversation.

The other thing I wanted to throw out there, because Ms. Hudson and I actually had this conversation yesterday, is when we're considering – however we move ahead to reduce the number of parking places, which I think we're all interested in and in support of, we also have a very interesting conundrum with our Center City Form-Based Code in Core Norman. We have struggled mightily to hit the sweet spot on the number of parking

spaces required for the kind of single housing type that we're getting – we're just kind of in conflict, because we want less parking, yet we're requiring developers to basically just cover their lots with impervious surfaces to make room for cars and having the need for a walkable urban core, but also parking your car or truck once and getting out of your car. So I also want to be mindful of whatever kind of changes how that's going to impact this peculiar boundary that we have in Core Norman and what those parking minimums and maximums are going to look like, which also get into the discussion of off-street parking and the need for parking structures in Core Norman, which we've recognized for years.

And, finally, we have Cleveland County, gratefully, that will probably be coming forward with a parking structure fairly soon, but I think we recognize the need for that. I know there's been some discussion about having a parking authority that can maybe create the parking structures that we need in the urban core that would also reduce the impervious surface and the number of parking places that we have just at the ground level. So these are all the kinds of things that I'm thinking about as well, and definitely the ultimate goal would be to reduce the number of parking places. I know we're in the middle of a pretty big giant study, and I know we had updates time to time, but I'm thinking maybe it will be useful to also have an update from our consultants concerning where we are in Phase 1 and Phase 2 and maybe some of the things that they are discovering that they could share with us right now that might help us define how we move forward.

Chairman Holman – Thank you, Councilmember Hall. I absolutely agree as well, and especially about Center City. One of the major topics of Center City in the beginning was trying to reduce the number of parking lots between Campus Corner and Main Street, and trying to encourage the people that owned those parking lots to, over time, build on them – build apartments, build homes, build retail commercial storefronts – almost anything but parking lots. First Baptist was the biggest one that people talked about during the charrette process because it is the kind of biggest parking lot in between Campus Corner and Main Street. What would it take for one day for them to build onto that parking lot and help better connect the areas? Like Councilmember Peacock pointed out in his slide, parking creates massive distance between buildings. Buildings are where people are at. And what we talked about in Center City years ago was how – the consultants we brought had talked about how walking from Campus Corner to Main Street was not particularly enticing to a lot of people, even though it was only 6 blocks. It's only a 5 to 10 minute walk, but it's not particularly well-lit in between and there are several empty parking lots. At night they're completely empty; they're not used at all. The church ones and a couple other ones that have just been around. So what the consultants talked about was that we – somebody is not going to walk from Campus Corner to Main Street down Asp when there's 3 or 4 very large empty dark parking lots in between, and there's no activity, there's no storefronts, there's no stoops from apartments or houses. So getting those parking lots reduced and filled with useable space – buildings and activity – is definitely a goal of Center City, but also is really relevant in suburban parts of the City which, as Councilmember Peacock's slide shows, is one of the major problems with suburban development over the last 50-60 years is the spreading out of everything. You'll build a whole building just for one thing and then have a whole bunch of parking around it, and then there'll be another building just for one thing – instead of having a whole long, like we have on Main Street from block to block, buildings

go from one block to the other and there's a whole bunch of different storefronts. It's all connected. But places like UNP, people don't generally walk from Target over to any other store. People, if they go to Target, if they have anywhere else to go in the UNP, they're going to get back in their car and they're going to drive, because the distance is so far, and the perception of distance is very far in areas like that because the buildings are so set back from the street because of the massive parking lots that separate the street from the buildings and then in between the buildings and then you're out there on a human scale, everything looks like it's very far away – farther than you would feel comfortable walking on a not perfect weather day. I think urban and suburban parking issues are similar in a lot of ways and have their own issues in a lot of ways, too. So I definitely would like for us to continue this discussion next month and, if possible – staff, let us know what you might need when it comes to finding some other examples on policy. I would encourage other committee members – I'm sure Councilmembers Peacock and Hall might have some suggestions, too, for policy for staff that they could put together and present to us next time, or whenever staff might be ready.

Ms. Hudson – So can I ask a question, real quick? So in doing the research that I've done, just a little bit so far, just as an example, our office parking is actually less than what I was seeing as a national average when I was reading one of the articles. I just want to clarify, is one of the ideas that you have is possibly cutting the parking requirement that's in the zoning ordinance right now? Are you looking at cutting it in half? Because with what we're saying when we said the recommended maximum – they don't have to put that many in. I mean, that's just the maximum that we would let them go to with this change. But you're wanting to see it actually cut in half?

Chairman Holman – Well, I don't know about necessarily in half. I would call on the other Councilmembers about it. But I don't know about necessarily half, and necessarily what that number would be. But I definitely want to make sure that we're not encouraging them to build more, and that our recommended max – is that too high? And if we say, well, you can build up to this much, and people just say okay I'll build up to that much, and maybe it's not necessary to build up to whatever that is. Councilmember Peacock?

Councilmember Peacock – I think my vision is a little different. I want to make the minimums the recommendation. So there is no required minimum. On the max, I want that to be a hard cap, and every space you build over that hard cap you pay a luxury fee, and that luxury fee goes into stormwater or some other community fund. There's obviously offsetting mechanisms to that, if you install X amount of bike spaces or X amount of electric vehicle charging stations, or whatever. There's ways to offset the maximum cap, but that hard maximum is to keep from what we just saw in University North Park, from Target from building 1,000 spaces, because I guarantee you they have a corporate policy that says they know how many spaces they need to make that development work and they build however much we let them build, which is kind of an infinite amount right now.

Kind of further to that point, stores, churches – they're usually designed for kind of that worst case scenario, whether that's Black Friday in terms of retail or that's Christmas day in terms of church – they build their lot to accommodate that one day a year and the rest of the year it's at 50%, 75%. Yes, minimums recommended, but I'd like to throttle those minimums as well to bring them down quite a bit, because I think they're still

overbuilt. I think in the staff report it said something like there's 3.5 parking spaces for every car in America, so to me that means we're 3.5 times overbuilt in our parking infrastructure.

There's a couple other things. Sorry, I'm going to get on my soapbox for a second. There's this myth out there if you don't have enough parking people won't come to your establishment, and I think that's the furthest thing from the truth. I think if you draw is enough of a draw, people will find a way to park and walk there. I think OU football is a perfect example of this. We don't have massive parking lots around the stadium; people still find a way to get 100,000 people in there. I think, in terms of Ed Noble Parkway, Sooner Mall – once you repeal these required minimums, that just opens up all of that parking space for redevelopment. So you think of a thing like the Mall, which is struggling and dying right now – if you were able to infuse the perimeter around the Mall with, say, multi-family or some other use that essentially doubles the useable square footage of that area – I think that's a really good approach to kind of saving the Mall. Ed Noble Parkway is the same idea; if you're able to take all that wasted parking and put some other use in there, once those minimums are no longer required it just opens up a whole 'nother redevelopment opportunity.

And, Councilmember Hall, you spoke to kind of one of my favorite new things is the future of the car and self car ownership. I think with the rise of autonomous vehicles and electric vehicles, we're just going to see single car ownership just, I think, plummet over the next decade or two and the need to build parking lots to the scale we've built them is going to be a thing of the past, and quickly, in my opinion. I might be kind of a future thinker in that terms, but I really think it's coming quicker than we realize.

Chairman Holman – Councilmember Peacock, I agree; I do want to get away from the minimums and policy that's geared toward encouraging maximums. When it comes to minimum parking, in being able to evaluate projects individually – maybe this building doesn't need all this parking – this minimum amount. I know you have issues when an area doesn't have enough parking – people want more parking. But, like I said, I think the best places are always the places that don't have it available everywhere. I know for a fact a building in a location generates a lot more revenue and activity than a parking lot does. So I would absolutely agree. I'd like to see us focused on no minimums, necessarily, and focusing on maximums. If you want to go over that maximum, I would agree with that as well, but a reason and maybe there is a fee that you'd have to pay into in order to be able to go over whatever the maximum may be. Any other comments or questions from Committee?

Councilmember Peacock – That's the part, I think, that you really need to have a lot of community or developer buy-in. We don't want to create a condition that incentivizes people from wanting to come here and starting a business. The idea is you lower the barrier to entry, so that we're able to get more small developers, small local entrepreneurs building buildings, not just in the core area. As you alluded to, kind of curbing that sprawl that we're seeing on the periphery everywhere in the community. I think somebody like Councilmember Nash and how it pertains to Ward 5. I think that's a really hot topic.

Chairman Holman – I was going to mention, too – I know that you and Councilmember Hall are familiar with Strong Towns. Every Black Friday they do a photo series where they

go around the nation and they set up a lawn chair in a parking lot of a big box retail store and they take pictures of how empty it is, even on Black Friday. That's just a fun thing they do every year to show that there's over-built parking in the United States; even on the busiest day of the year, we have parking lots that are so massive that they never get full. Or never even get close. Councilmember Hall?

Councilmember Hall – I'm glad you mentioned that, because I was thinking about that, too, and what a dramatic visual display that is on the busiest days of the year. I know we've talked – you've already brought up, Councilmember Peacock, about University North Park and being massive, massive parking lots around Crest and why it turned out that way. So I fully support the direction that all of this is going and I really like the idea of the incentives being tied to green infrastructure and LID. If you do those things, you might be able to do something else. We actually built that in to some of the amendments for Center City Form-Based Code and I definitely like that direction as far as incentivizing, and I just wanted to talk about two particular instances that came to mind about the parking dilemmas that we have.

The kind of urban legend about Campus Corner is that there's no place to park, and the City invested in a City lot a couple of years ago – very convenient, right there, you don't have to walk any farther than driving up to a business, and it's not very heavily utilized. It's a great asset to have to Campus Corner, but we still have that mental idea that it's really hard to park on Campus Corner and it really isn't. And this is pre-Covid. We've got a crazy year where we can't use anything as an example.

The other thing – the development that I'm seeing again in Center City that I think is just completely counter to what we're trying to accomplish and talk about today is a very recent practice that we're seeing, and that the Planning Department is seeing, where the very place where we want to increase density and have that active sidewalk, we now have developers that are tearing down structures and putting a parking lot instead next to a 3-story unit, and this is coming up more and more and more, and so this is a really good time to be recognizing that the way we're doing it right now is not actually getting the result that we want.

Chairman Holman – Thank you, Councilmember Hall. I appreciate that. In regard to UNP as well – I'm going to call on Mayor Clark – I feel some real regret about our recent decision to build that new parking lot at Legacy Park. I felt that Legacy Park did need ADA parking, but every time I've seen people post about or complain about a lack of parking at Legacy Park it really just drives me crazy, because outside of Lloyd Noble Center, there is nowhere else in the City of Norman that has more parking around it than Legacy Park. And it's a less than 2 minute walk from the parking lot in front of Academy over to the park. And that park had a limited green space and we had to take some of the very limited greenspace that park had and add a new parking lot to it, which has several ADA spaces, which again we did need over there, but there's a bunch – most of the spaces are not ADA, they're just regular parking spaces so people could park an extra 50' or whatever closer to the park. So that's something that's kind of had me feeling upset lately. I did vote for it, but I've felt regret about it actually every time I drive down the Interstate and I look at it, and I hardly ever see anybody park there since we built it. That's kind of the stuff I do want to get away from is this perception of the parking – we have to have a whole lot of it and it's got to be right in front of whatever you're trying to go to. Mayor Clark, you had your hand up.

Mayor Clark – I really appreciate the conversation and, Councilmember Peacock, I like your suggestions. I'm sure there will be some pushback, so creating buy-in is going to be very important. I do like that we're creating parking garages, but you've all touched on many things.

The only thing that I would add would be that, as we come out of Covid-19, it's a different world. You guys have touched on the vehicles, but also like curbside; people aren't – you know, they want the convenience, so I think that is another reason to be forward thinking in how we offer parking. I know this is how we've always done it and we're going to get a lot of that, but it's just different now, and the next generation expects it to be different and I think the college students do as well. So I'm excited to see the continued conversation on this.

Councilmember Peacock – I'll just draw one more quick example. Downtown Oklahoma City – they did their streetcar. Really the idea with that wasn't really to get cars off the street; it was that when you come to Oklahoma City, you park your car once, you stay in downtown Oklahoma City, you get on a streetcar and you spend all your sales tax dollars in downtown Oklahoma City -- you never get in your car -- and you leave. So, to me, that is kind of the goal in the future – the long-term vision of this – is that we've incentivized people so much to not drive your car that they're instead now walking from place to place or getting in a ride share and just staying in this community and spending their tax dollars in this community, not driving north to the city.

Chairman Holman – I think you made a good point, Mayor Clark, about curbside – increase in curbside services, so quick in and out, and also we've talked about this before on Campus Corner, the ride share. There have been some real issues with the increase in ride share, which is a good thing, but we've seen on Campus Corner – and I see it every time I work at the Deli – is that it's a little bit chaotic, because Uber and Lift just stop right in the middle of the road, put their hazards on, and they'll wait there, and there's cars behind them and they're honking at them, and there's no designated places. We don't have infrastructure or lanes or dedicated spots, or anything like that to address this type of thing. We dealt with similar issues with the scooters and these different ways that people are moving around and getting their services delivered to them as well. It's absolutely right that things like the way we've always done them may not translate very well into the way we're seeing things change.

Councilmember Peacock – The last thing I'll say – I promise – it's why Main Streets are so attractive, because they were built before the automobile was really a thing, at least before massive car ownership was a thing. So you look at how buildings on Main Street literally share bricks – they are built on top of each other. There is no room for a space in between. That is the kind of walkable, healthy active sidewalk environment that I'm looking to create all across the City, not just the Core area.

Chairman Holman – Absolutely. Councilmember Hall?

Councilmember Hall – Well, I was just going to add to your comments, Councilmember Holman, about the ride share thing. There have actually been several different plans considered on Campus Corner that, to my knowledge, have not really been

implemented yet. One of those being using that City lot as the drop-off and pick-up point, but that takes funding from the Campus Corner merchants. But I think that's a point well-taken, as well as you, Mayor Clark. We are entering into a whole new world now, and the way that we're going to go to work and play and all of those things is being altered dramatically. We just need to really be mindful of that, in these ride share services, driverless cars, all of the things that are coming. I think we're definitely in a transition and we need to be looking forward to make sure that we're ready to make those transitions as easily as we can.

Chairman Holman – Councilmember Nash?

Councilmember Nash – How do the parking regulations – how do they vary with situations where you have businesses next door to each other that might share a parking spot? Does that have any affect on the maximum? Or does every business in that strip have to have its individual maximum?

Councilmember Peacock – To me, it absolutely factors into the equation. I think that's what we want. We want shared parking for all our businesses. It's incentivizing – maybe disincentivizing is a better word – businesses from building these massive lots and actually finding a way to be cooperative with their neighbors.

Councilmember Nash – Do we have any language in our ordinances that lend to those scenarios?

Ms. Hudson – No, not in the standard parking regulations. Within the mixed use zoning ordinance, there is a chart for shared parking, but as it stands right now, if you have a strip mall, we're looking at the uses that are within that strip mall and do you have enough parking to accommodate those uses within the strip mall.

Chairman Holman – Currently, though, like on Campus Corner and on Main Street – the ___ area is a good example of a new building that's taller than the building that was there before. There still is only one business that operates in it, but it's a 4-story building compared to the 1-story building that was there before it, and because it's a commercial building, it did not require any additional parking. The developer – the owner did not have to build more parking somewhere on Campus Corner or a parking lot. They didn't have to contribute to any kind of parking fee or system, so where they're at – basically, you could build Devon Tower in the middle of Campus Corner without adding any additional parking, as long as it was just a commercial building. But if you wanted to build a strip mall on a greenspace, like Ms. Hudson was saying, you've got to build enough parking for each individual storefront, basically, what could be in there instead of the less parking and just assuming that they'll all share that parking like we do on Main Street and Campus Corner.

Ms. Hudson – I was just going to say, so Main Street and some of the areas on Gray and some of the side streets, as well as the Campus Corner area – those are all zoned C-3, and so within the zoning ordinance those districts zoned C-3 they don't have a parking requirement because of the on-street parking that has historically been in place.

Councilmember Hall – Well, I also was just thinking – many of us attended the groundbreaking today for The Noun Hotel, which is going to be a 92-room hotel with a restaurant, and literally that property will have zero parking places and it's a great example of shared parking, because, you know, to make that work, they have a long-term lease with the First Presbyterian Church, who really only needs their parking lot on Sundays and for smaller meetings held during the week, so that hotel is completely dependent on shared parking.

Chairman Holman – Absolutely. Okay. Any other comments, questions from committee members? I don't see any currently. So I think – like I said, continue this discussion, maybe have some potential policy changes that we want to maybe advance after the next meeting. Like I said, if any committee members want to send staff whatever suggestions or research you might have about what you want to see, and maybe we can get some further suggestions from staff about what they might have seen around and then maybe after the next meeting we can move some suggestions on to the full Council and we can get some changes. Mayor Clark?

Mayor Clark – One quick note, which we have no control over – we just want to throw out there as we're day-dreaming about our potential for changing parking for the better – some universities don't allow freshmen to bring cars. I dare to dream. Just wanted to share that in case you didn't know that that existed.

Chairman Holman – Well, the way I understand it, part of the history of Campus Corner – why it even exists – is because in the early days of OU students – back then a lot of families wouldn't have had multiple cars anyway, but the students weren't allowed to have cars, and since a lot of the student housing and fraternities and sororities were over where Campus Corner is currently, that it developed into an entertainment district because nobody had cars. Main Street was just a few blocks further away from campus, I guess, and people wanted to travel back then, too.

Okay. Well, I think we've covered today – given some good direction, I think, for staff. Hopefully can continue this conversation either next month or wait for staff if they feel like more time might be needed on their end to bring some stuff forward. We'll plan on CPTC next month firing up and then if we come to any consensus we may end up moving some stuff forward from there. Anything else? Any other comments, questions from committee, staff?

Item 3, being:

MISCELLANEOUS COMMENTS.

Chairman Holman – The last item is just miscellaneous comments. Is there anything from anybody? Anybody have anything? I'm not seeing anything. Okay. Well, in that case, I appreciate everybody being here this afternoon. I appreciate staff and all your work keeping us up-to-date on these committees. It definitely is exciting to get back into this. Looking forward to when we'll start being able to meet in person again and all that as well. Thanks everybody for watching at home. Remember if public transit or any of these issues are important to you, please tune in every third Thursday of the month at 4:00 p.m. and contact your Councilmember, contact me even if I'm not your Councilmember,

since I'm the chair of the committee. We will be more than happy to discuss any issues you might have noticed or being having, or if you just have any questions about anything that might be going on, this is the committee for you. Thank you everybody. This meeting is adjourned and we'll see you next time.

Exhibit C – Existing Zoning Code – Parking (4 Pages)

SEC. 431.5 - OFF-STREET PARKING REQUIREMENTS

(As amended by Ord. No. O-7576-60 -- March 1, 1977; O-8687-48 -- March 24, 1987; O-9596-28 -- March 26, 1996; O-9697-51 -- June 10, 1997; O-0405-30 -- January 24, 2006; O-1213-17 -- November 27, 2012)

1. Duty to Provide and Maintain Off-Street Parking. The duty to provide and maintain the off-street parking spaces herein required shall be the joint and several responsibility of the operator and owner of the use and the operator and owner of the land on which, or the structure or structures in which, is located the use or uses for which off-street parking space is required to be provided and maintained. Each parking space shall have minimum dimensions of eight and one-half (8-1/2) feet by nineteen (19) feet plus adequate space for ingress and egress. No land shall be used or occupied, no structure shall be designed, erected, altered, used, or occupied, and no use shall be operated unless the off-street parking space herein required is provided in at least the amount specified, and maintained in the manner herein set forth; provided, however, that where off-street parking space is not provided or maintained for land, structures, or uses actually used, occupied, and operated as of July, 1966 it shall not be required under this ordinance. (O-0405-30)
2. Number of Off-Street Parking Spaces Required. Except for lots in the C-3, Intensive Commercial District, off-street parking spaces for motor vehicles shall be provided in at least the amount shown in the following list:

<u>USE</u>	<u>SPACES REQUIRED</u>
<u>DWELLINGS & LODGINGS</u>	
Single & two-family dwellings	2 per dwelling unit (du)
Apartments & apartment hotels	1.8 per du
Boarding or rooming houses	1.8 per boarding or rooming unit
Fraternity or sorority houses	1 for each accommodation
Hotels or motels	1.2 each room in addition to spaces required for restaurant facilities
Mobile homes (park/subdivision)	2 per mobile home
<u>RETAIL TRADE</u>	
Department & variety stores	1 per 200 sq. ft. customer service area (CSA) ¹
Food & drug stores	6 + 1 per 200 sq. ft. CSA over 1,000 sq. ft.
Furniture store, motor vehicle sales	1 per 500 sq. ft. gross floor area (GFA)
Liquor stores	3 + 1 per 300 sq. ft. GFA over 500 sq. ft.

Exhibit C – Existing Zoning Code - Parking

Item 19.

Night club or tavern	1 per 50 sq. ft. CSA
Radio & television sales and/or repair	1 per 200 sq. ft. CSA or 1 per 175 sq. ft. GFA, whichever is greater
Restaurants, drive-in & fast-food takeout	1 per 100 sq. ft. GFA
Restaurants (except above)	1 per 50 sq. ft. CSA
Shopping Centers: (including up to 10% office use)	
(a) 25,000 - 400,000 Gross Leasable Area (GLA)	4 spaces per 1,000 sq. ft. GLA
(b) 400,000 - 600,000 GLA	4.5 spaces per 1,000 sq. ft. GLA
(c) over 600,000 GLA	5.0 spaces per 1,000 sq. ft. GLA
In addition to the base ratio, for Theaters - when in conjunction with a shopping center:	
(a) Less than 100,000 GLA	3 per 100 seats
(b) 100,000 - 200,000 GLA	3 per 100 seats (over 450)
(c) over 200,000 GLA	3 per 100 seats (over 750)
In addition to the basic ratio, for Food Services when in conjunction with a shopping center (but not more than 10% of GLA). Food Services does not include grocery stores:	
(a) 25,000 - 100,000	10 per 1,000 sq. ft. of food service tenant
(b) 100,000 - 200,000	6 per 1,000 gross sq. ft. of food service tenant
(c) 200,000 - 600,000	no additional parking (other than basic index)
(d) over 600,000	reduction of 4 spaces per 11,000 gross sq. ft. of food service tenant
Various Specialty shops (camera, gifts, jewelry, etc.	3 + 1 per 200 sq. ft. CSA over 500, or 1 per 275 sq. ft. GFA over 400, whichever is greater.

SERVICES

Amusement establishments	1 per ea. 4 patrons (capacity)
Automobile service stations	2 per service bay and 1 each service vehicle and 1 each 2 employees
Banks or savings & loan companies	1 per 150 sq. ft. CSA

Exhibit C – Existing Zoning Code - Parking

Item 19.

Barber shops	1.5 per chair and 1 per each 2 employees
Beauty parlor	2 per operator station & 1 per each 2 employees
Bowling alleys	5 per lane and spaces required for affiliated uses
Churches	1 per 4 seats in sanctuary
Clubs or lodges (private, nonprofit)	1 per 50 sq. ft. of assembly area
Crematorium	1 per 1,000 sq. ft. of floor area or portion thereof (O-1213-17)
Funeral parlors or mortuaries	5 and 1 per 5 seats in largest chapel
Hospitals and Sanitariums	1 per 1 bed, 1 per hospital or staff doctor, and 1 per each employee at maximum shift (O-9697-51)
Medical or dental clinics or offices	3 per treatment room and 1 each doctor or dentist
Nursing, convalescent, or rest homes	1 per 4 beds and 1 per each 2 employees
Offices, business or professional	1 per 300 sq. ft. GFA
Private Schools:	
Nursery school, day care center, or elementary school	1 per employee and adequate off-street area for pick-up and delivery of children
Nonboarding Junior & Senior high schools	1 per employee and 1 per each 8 students

USE

SPACES REQUIRED

SERVICES

Self-service laundries, dry cleaning	.5 per machine
Theaters, auditoriums	1 per 4 seats

MANUFACTURING, STORAGE, & WHOLESALE

Manufacturing	2 + 1 per 3 employees and 1 per company vehicle*
Printing & publishing	1 per 2 employees

Exhibit C – Existing Zoning Code - Parking

Item 19.

Warehousing (mini-storage)	1 per 8 rental units
Warehousing (general)	10% GFA
Wholesale establishments	2 + 1 per 3 employees and 1 per company vehicle

**NOTE: Spaces required for company vehicles shall vary as to size so as to adequately accommodate the vehicle usually occupying the spaces.*

FOR USES NOT COVERED ABOVE, THE REQUIREMENTS LISTED BELOW ARE APPLICABLE:

<u>USE</u>	<u>SPACES REQUIRED</u>
Retail stores and service establishments	1 per 200 sq. ft. CSA or 1 per 275 sq. ft. GFA, whichever is greater
Other commercial and industrial	.75 x maximum number of employees on premises at any one time.

3. Other Factors Determining Off-Street Parking Requirements.

- (a) Fractional Spaces. When determination of the number of spaces required by this ordinance results in a requirement of a fractional space, any fraction less than 1/2 shall be disregarded and any fraction of 1/2 or more shall require one space.
- (b) Enlarged/Changed Use.
 - (1) Residential Uses: Whenever there occurs a change in residential use, by either an increase or a decrease in the number of units or by a change in the type of residential use, all the required off-street parking, including the parking provided for the existing use, shall conform to the requirements herein established.
 - (2) Non-residential Use: Whenever non-residential land, structures, or uses are enlarged, expanded, or changed there shall be provided for the increment only of such land, structures, and uses enlarged, expanded or changed and maintained as herein required, at least the amount of off-street parking space that would be required hereunder if the increment were a separate land, structure, or use. However, where a lot with an existing structure is cleared and a new structure is erected thereon, there shall be provided and maintained off-street parking space as required herein.
- (c) Joint Use. When an off-street parking space is used jointly by two or more uses with different requirements, or two or more uses having the same requirements, an area shall be provided equal to the total of requirements of all uses.
- (d) Landscaping of Existing Parking Lots. A ten (10) percent reduction in the number of spaces required by this ordinance is permitted when landscaping as required by Section 22-431.8 is provided for existing parking lots that are not subject to landscaping requirements. Landscaping improvements must be acceptable to the Director of Planning.

O-2122-6

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 (ZONING ORDINANCE), SECTION 431.5, OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL AND MULTI-FAMILY AND ALL OFFICE, COMMERCIAL AND INDUSTRIAL DISTRICTS, LESS C-3, INTENSIVE COMMERCIAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

* * * * *

- § 1. THAT Section 431.5 of Chapter 22 Zoning Code of the City of Norman shall be amended to read as follows:

SEC. 431.5 - OFF-STREET PARKING REQUIREMENTS

* * *

2. Number of Off-Street Parking Spaces Required. ~~Except for lots in the C-3, Intensive Commercial District,~~ Off-street parking spaces for motor vehicles shall be provided in at least the amount shown in the following list:

<u>USE</u>	<u>SPACES REQUIRED</u>
<u>DWELLINGS & LODGINGS</u>	
Single & two-family dwellings	2 per dwelling unit (du)
Apartments & apartment hotels	1.8 per du
Boarding or rooming houses	1.8 per boarding or rooming unit
Fraternity or sorority houses	1 for each accommodation
Hotels or motels	1.2 each room in addition to spaces required for restaurant facilities
Mobile homes (park/subdivision)	2 per mobile home

3. Number of Off-Street Parking Spaces Recommended. ~~Except for lots in the C-3, Intensive Commercial District,~~ off-street parking spaces for motor vehicles are recommended to be the amount shown in the following list:

<u>USE</u>	<u>SPACES REQUIRED</u> <u>MINIMUM RECOMMENDED</u>
<u>DWELLINGS & LODGINGS</u>	

<u>Apartments & apartment hotels</u>	<u>1.2 per du</u>
<u>Boarding or rooming houses</u>	<u>1 per boarding or rooming unit</u>
<u>Hotels or motels</u>	<u>1 each room in addition to spaces recommended for restaurant facilities</u>

RETAIL TRADE

Department & variety stores	1 per 200 sq. ft. customer service area (CSA)
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* * *

FOR USES NOT COVERED ABOVE, THE REQUIREMENTS LISTED BELOW ARE APPLICABLE:

<u>USE</u>	<u>SPACES REQUIRED</u> <u>MINIMUM RECOMMENDED</u>
Retail stores and service establishments whichever is greater	1 per 200 sq. ft. CSA or 1 per 275 sq. ft. GFA,
Other commercial and industrial	.75 x maximum number of employees on premises at any one time.

* * *

34. Other Factors Determining Off-Street Parking Requirements.

- (a) Fractional Spaces. When determination of the number of spaces required by this ordinance results in a requirement of a fractional space, any fraction less than 1/2 shall be disregarded and any fraction of 1/2 or more shall require one space.

* * *

45. Bicycle Parking Facilities

- (a) For all buildings and structures erected and all uses of land established after the effective date of this ordinance (July 23, 2009), accessory bicycle parking shall be provided as required by these regulations. Where a building permit has been issued prior to the effective date of this ordinance, and provided that construction is begun within one hundred eighty (180) days of such effective date, bicycle parking facilities in the amounts required for the issuance of said building permit are not required.

* * * * *

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

§ 3. Effective date. The effective date of the Ordinance shall be _____, 2021.

ADOPTED this _____ day

NOT ADOPTED this _____ day

of _____, 2021.

of _____, 2021.

Brea Clark, Mayor

Brea Clark, Mayor

ATTEST:

Brenda Hall, City Clerk

2. DISCUSSION REGARDING POTENTIAL CHANGES IN MINIMUM PARKING REQUIREMENTS

Ms. Hudson – You received your agenda packet and you have the staff report as well as the existing zoning for the parking requirements and then there was also included in there the recommended changes. I just wanted to go over a couple of things. This is really just more of a discussion, because there's really not a lot of a PowerPoint that I could do on this. I know Councilmember Peacock had some images from some of the larger parking lots that we have – University North Park, Ed Noble Parkway, and places like that. But we are looking at going from the required minimum to a recommended from what's already in the Zoning Ordinance right now. At this point, going from a required to a recommended, we can kind of look at this as a transitional stage. At the last meeting when we were talking about the parking, there was also the discussion about the EDC that's currently going on and how, in the future, we might look for additional solutions for stormwater runoff and accommodating some different requirements within these parking lots moving forward. I know one of the other things that we're looking at is the recent changes – we can't ignore 2020 and how we've all gone to pick up our groceries now instead of going in and shopping and stuff like that. We run a bus system now, so that's a change. We've got the scooters, we've got Uber, we've got Lyft, which we had those before, and also, of course, bicycles and walking and stuff like that. There are a lot of changes going on. This reduction in the parking requirement could bring us to allow additional development on lots. There are some developments that are already platted as a single lot, so if they want to come back in and actually sell a piece of property we'd have to be looking at replatting. But if they were just going to do a lease pad site they could do that, and I think that's what Scooters did, if everybody has seen Main Street. We could have more development. We could have some mixed use coming into some of these larger parking lots and getting residents closer to some of those amenities that we already have in place. I'm thinking Main Street, University North Park – just those areas that are very developed. Another thing that we're looking at is the cost to build. When we have some of the smaller businesses developers that come in and we have that parking requirement in place – it's a lot of money to buy that land to accommodate the parking requirements that we have. So this might help us bring in some of the smaller businesses, local developers, local businesses and stuff like that. There's a lot of positives. In doing some of this research, I was reading an article and I thought this was interesting, and I think it was a bit extreme, but I think they could have done something else. But in one of the cities where they were looking at the parking requirements, they actually lost a lot of their older buildings because they could not reuse them and then also meet that parking requirement that they had in place. So that's kind of sad. I already mentioned the runoff issues – the stormwater and stuff like that. We don't have to look very far, like I said, to see how the local retailers are bringing your groceries out to you. I have to say I finally did that. It was the first time I'd done it, so it was probably faster. If you're used to doing it and you log in and everything – 4 minutes to get my groceries and I was gone. So it was pretty cool. I thought that was awesome. I guess in closing I just want to say a developer knows what they need. They know what they need to get the customers in there, get them serviced, and get them out. I know that there's probably the concern

of what if we have somebody come in and they just do not put enough parking in? Well, that's going to be a detriment to their business; they know what they need. We also might be facing people come in and they still put in that parking amount that's already required in here right now. It may be a little bit of time before people come in and say, oh, I don't have to put 50 in; I can put 35, and then I can still do something else with that other area. I'm excited about it. I think it's a good step forward.

Mayor Clark – Have we heard any complaints about this change?

Ms. Hudson – I have heard nothing.

Councilmember Holman – It looks like the only two that I don't – or I guess three – is there would still be 2 parking spaces required for single and two-family dwellings, and one each – or one parking space for each bedroom in a fraternity or sorority.

Ms. Hudson – Right.

Councilmember Holman – And then two parking spots per mobile home.

Ms. Hudson – Correct. We kept those in there, but it's up for discussion if you guys are not comfortable with that. But the single family, two-family – I think that's important. I really think the fraternity and sorority, because those are centrally located around our core area and they're right in the residential neighborhoods, so until we can figure something else out, I think we need to keep that in place. And the mobile homes – the subdivisions of the mobile home parks, they're pretty tight anyway, so I think we need to keep that in as well.

Councilmember Holman – One parking space for each bedroom in a fraternity or sorority seems reasonable to me living over there. I don't really see any of their parking lots empty, except when they're not there. But during the school year, they don't have extra parking in their spots, I noticed. Don't really know about mobile home parks, if that's an issue at all. And in single family homes and duplexes mostly all have a driveway. I think the biggest concern has been commercial strip malls, big box stores having seas of parking lots.

Councilmember Peacock – And on the flip side of that, I don't think we want to do anything that negatively impacts neighborhoods. So we don't want to create a condition that people are just parking wherever they can on neighborhood streets.

Councilmember Holman – Agree. I guess the rest of it is all required marked out, minimum recommended. So we'll still recommend 1.2 for apartments, hotels.

Ms. Hudson – And that will give people a guideline of which direction they can go. As I said, they may go less; they may stay with that.

Councilmember Holman – This is pretty good to me. I think it's what we've been trying to get towards.

Councilmember Studley – I know we've seen a lot of businesses, more in residential neighborhoods, so what if it is in a residential neighborhood and they didn't do the recommended parking, and then you're going to be parking on the streets in front of houses and stuff like that?

Ms. Hudson – I think we'll be back here at this table if that happens. We'll hear from the neighborhoods.

Councilmember Studley – I mean is there something that we could do, like if it's in a residential neighborhood that they would still be required instead of a recommended?

Councilmember Peacock – I think it would still have to come to Council for a zoning change at that point, probably.

Mayor Clark – I'm thinking of the coffee shop that we just approved by the courthouse.

__ -- I'm thinking of the one over here – the little house that was a church that was now a business.

Ms. Hudson – We would have to determine the areas that would be the residential that we would – I guess really it would be the core area that we're most concerned with, so we could ...

Councilmember Peacock – Correct me if I'm wrong, but we're still looking at minimums and maximums with our Engineering Design Criteria.

Ms. Hudson – That is what they're still working on.

Councilmember Peacock – So I think in terms of that conversation, I think maximums would definitely come into play there, and we could structure it in such a way that you wouldn't be able to provide, say, more than 2 parking spaces for your neighborhood business if that were the situation. I think there's ...

Ms. Hudson – That is later.

Councilmember Peacock – That is later. The devil is in the details, obviously. I think getting that process fully flushed out and getting all the feedback on that is going to be really important.

Councilmember Hall – So I'm completely onboard when applying to commercial and all of that. But on the draft, single and two-family dwellings, I'm wondering specifically how this overlays with Center City Form-Based Code.

Ms. Hudson – The Center City Form-Based Code has their own.

Councilmember Hall – Okay, so this exempts that.

Ms. Hudson – Right.

Councilmember Hall – And is a two-family dwelling – that's what we're calling a duplex? So there are duplexes that – that's my only heartburn, is we define a duplex that can have 8, 10, 12 bedrooms and the way I look at this, it would be now they only need 2 parking places per unit. So instead of requiring parking for the bedrooms, but if Center City is exempted, I feel better about that. But it's also going to apply to ...

Ms. Hudson – South of Boyd.

Councilmember Hall – I mean, just outside the boundary in the core, where we're seeing continued density that we're calling a duplex that we've all had heartburn over. So that's my only sort of concern.

Ms. Hudson – All of the duplexes that we've seen so far – granted, they could be 5 on each side – 5 bedrooms on each side, so 10 bedrooms. We're still looking at about 8 parking spaces for some of the older ones that we had, and the newer ones that we're seeing, they've got 12, 14 parking places in the back off of the alley on most of those. Again, it goes back to the kids – you know, the parents come in and they're like you're going to live here but where are you going to park. I don't want my daughter walking. So I think there's that control mechanism there, too.

Councilmember Hall – For the developer to understand why they might need more parking. I just have a little tinge there of ... but we can come right back to the table.

Councilmember Holman – I think part of the goal, too, is to make it so that if somebody did open a – apply and get approved to open a commercial business in a residential area, that the parking minimum wouldn't require them to buy the lot next to them and tear the house down and build a parking lot. Trees, too. We've seen project after project over the years where they've removed trees so they could meet the parking threshold. But they're like I don't really need this parking, but this is how many I've got to have for the building, so I can't fit it in without getting this tree out of here. So that, but then I agree – part of me is just like you build these bedrooms and you're only allowed to have this many parking spaces and we're going to enforce the parking restriction on the streets, so you move in here you know that's the situation. Move into it or don't move into it, but that's the situation. I have the same concern if there's only 2 parking spots and 10 bedrooms. Let's eliminate the on-street parking and enforce it, if that becomes a thing.

Councilmember Hall – Overall, I'm really feeling positive about moving in this direction.

Councilmember Holman – That is true. Over the years, I've had several developers say I don't think I need this many, but ...

Councilmember Hall – I've said before I drank the Peacock Kool-Aid of there's going to be less cars in our future anyway.

Mayor Clark – Any other questions or comments for Ms. Hudson.

Councilmember Peacock – I've got a comment. I just want to say that you guys did a fabulous job on the staff report. Very concise.

Ms. Hudson – It will be the same steps for this one as the small cell, so August 12th and then for City Council in September.

Mayor Clark -- I will second the compliments. I think we're on the right track and being very forward-thinking in planning for our community. So well done. Alright. That's it. This meeting is adjourned.

ORDINANCE NO. O-2122-7

ITEM NO. 20

STAFF REPORT

ITEM: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 22-431.2 (COMMUNICATION FACILITIES) OF ARTICLE XII OF CHAPTER 22 (ZONING ORDINANCE); TO ESTABLISH AND FURTHER DEFINE ADDITIONAL STANDARDS FOR SMALL CELL APPLICATIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: "Small cells" is a new technology that is installed on street lights, electric poles, and structures to enhance the cellular network and provide faster download speeds. Small cells are critical to the implementation of a new fifth generation (5G) cellular network. The Oklahoma Municipal League formed a working group of municipal attorneys and municipal electric utility providers to work on legislation with cell service providers at the request of AT&T. The efforts of the working group culminated in Senate Bill 1388, which was signed by Governor Fallin on April 26, 2018.

The Federal Communications Commission ("FCC") issued a Declaratory Ruling on September 26, 2018 in the matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment. This ruling included adoption of Final Rules for Streamlining State and Local Review of Wireless Facility Siting Applications. Norman's small cell ordinance took Oklahoma's Small Wireless Facilities Deployment Act and the FCC ruling into account to have an ordinance that addressed small cell facilities and complied with both State and federal law.

Norman had received 75 applications from AT&T and requested information on several. After meeting with AT&T and OG&E representatives in June 2021 staff has drafted the attached amendments to Norman's small cell ordinance to meet City, resident and small cell vendors' concerns.

DISCUSSION: Currently under the city's ordinance small cell facilities constructed in accordance with the new regulations will be allowed in any zoning category as a permitted use. An applicant desiring to have a small cell facility placed in the right-of-way would submit a Siting Application to the City and provide a map of all proposed small cell locations (up to 25 can be included in one application), as well as construction and engineering drawings for each location that are sufficient to demonstrate compliance with all applicable codes, including codes adopted by the City of Norman and any FAA regulations that may impact pole height near the Westheimer Airport. If the applicant proposes to add a small cell facility to an existing pole (collocation), the applicant must provide an engineering analysis that demonstrates conformance with applicable codes, as well as stamped construction drawings that together will demonstrate the pole can accommodate the additional facility.

In regard to application fees, the City requires \$200 for the first five facilities and \$100 for each one thereafter on the same application, and \$350 per each pole replacement or modification.

When a siting application is received, the City has 20 days to notify the applicant in whether the application is complete. If it is incomplete, the City must specifically identify the missing information. Once a complete application is received, the City has 60 days to issue a written decision for a collocation siting application, and 75 days to issue a written decision for an application to install, modify or replace a utility pole. If a siting application is denied, the applicant can either cure the deficiencies in the application within 30 days of the denial or file an appeal with the Board of Adjustment consistent with appeals from other zoning ordinance determinations.

Each new or modified pole in the right-of-way cannot exceed the greater of 10 feet above the tallest pole within 500 feet in the same right-of-way, or 50 feet from ground level. Each new small wireless facility installed on an existing pole cannot exceed 10 feet above the existing pole. Additionally, small cell facilities are required to blend in with the poles and surrounding area to the maximum extent possible.

In the case of decorative poles, the small cell facility components should be contained within the pole as much as possible. Both state and federal law recognize the right of a city to enact reasonable spacing requirements to avoid a proliferation of poles. In the proposed ordinance, poles cannot be placed within a 500 foot radius of another small cell structure. If the City needs access to the right-of-way and needs the facilities to be relocated or modified, the proposed ordinance requires the wireless provider to make such modifications or relocate within 60 days of receiving written notice. In the case of an emergency, the City can move or cut any small wireless facility if necessary. Any damage to the right-of-way caused by the wireless provider shall be repaired within 2 weeks of written notice issued by the City. If the provider doesn't make such repairs, the City can make them and charge the provider for it.

Staff is proposing changes that include no other small cell towers within 500 feet of other small cell towers/structures, the vendor provide an affidavit that sets out exceptions to requirement to collocate on other towers as often as possible, and an additional requirement that new facilities and poles cannot block or encroach sidewalks or walkways. The changes were made based on other cities' ordinances and practices.

CONCLUSION: Staff recommends passing the amendments to Title 22 Section 431.2.

Ordinance No. O-2122-7

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 22-431.2 ("COMMUNICATION FACILITIES") OF ARTICLE XII OF CHAPTER 22 ("ZONING ORDINANCE"); TO ESTABLISH AND FURTHER DEFINE ADDITIONAL STANDARDS FOR SMALL CELL APPLICATIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 22-431.2(6) of the Code of the City of Norman shall read as follows:

SEC. 431.2 - COMMUNICATION FACILITIES

* * *

6. Small Cell Facilities

- (a) Permitted Use. Collocation of a small wireless facility or a new or modified utility pole or wireless support structure for the collocation of a small cell facility shall be a permitted use in all zoning categories subject to the provisions of this Section 6. However, any wireless provider that seeks to construct or modify a utility pole, wireless support structure or wireless facility that exceeds the height or size limits contained in this Section 6, shall be subject to applicable zoning requirements and Applicable Codes.
- (b) Permit Required. No person or entity shall place a small wireless facility in the right-of-way without first filing a small wireless facility siting application and obtaining a building permit.
- (c) Siting Applications.
 - i. The siting application shall be made by the wireless provider or its duly authorized representative and shall include the following:
 - 1. The applicant's name, address, telephone number, and email address;
 - 2. The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, acting on behalf of the applicant with respect to the filing of the application;
 - 3. A siting map depicting the location of proposed sites for small wireless facilities and related construction and engineering drawings for each location sufficient to demonstrate compliance with the provisions herein. Small cell facilities on existing poles, new poles, or modified poles shall not interfere with vehicular access to

adjacent property; nor shall they be placed in a location that would interfere with an existing individual tree's canopy; nor block or encroach upon any sidewalk or walkway. For applications to collocate on an existing pole, the applicant should provide an engineering analysis that demonstrates conformance with Applicable Codes, construction drawings stamped by a professional engineer licensed in Oklahoma, and a description of any make-ready work required, including any modification or replacement of the pole. Up to 25 proposed small cell facilities can be covered by one application.

4. If a small wireless facility is proposed to replace an existing pole, or be located on an existing pole, the application shall indicate the owner of said pole.
5. A statement of compliance with all Applicable Codes from a licensed engineer.
6. Siting Applications to Collocate Facilities: An application fee equal to \$200 each for the first five small wireless facilities on the same application and \$100 for each additional small wireless facility on the same application.
7. The new wireless support structure shall not be approved unless the person submits written documentation and an affidavit affirming that the small cell facility planned for the proposed wireless support structure cannot be accommodated on an existing or approved utility pole or electrical transmission tower or other existing structure with a height of fifty (50) feet or greater within a one-half mile radius of the proposed new wireless support structure due to one (1) or more of the following reasons:
 - a) The proposed small cell facility would exceed the structural capacity of existing or approved wireless support structures, utility poles, electrical transmission towers, and/or structures with a height of fifty (50) feet or greater as documented by a qualified and licensed professional engineer and that existing or approved wireless support structures, utility poles, electrical transmission towers, and structures with a height of fifty (50) feet or greater cannot be reinforced, modified, or replaced to accommodate the planned telecommunication equipment at a reasonable cost; or
 - b) The proposed small cell facility would cause interference impacting the usability of other existing telecommunications

equipment at the site if placed on existing or approved wireless support structures, utility poles, electrical transmission towers, and/or structures with a height of fifty (50) feet or greater as documented by a qualified and licensed professional engineer; and that that interference cannot be prevented at a reasonable cost; or

- c) Existing or approved wireless support structures, utility poles, and/or electrical transmission towers within a one-half (1/2) mile radius cannot accommodate the planned small cell facility at a height necessary to function reasonably as documented by a qualified and licensed professional engineer; or
- d) The owners of existing or approved wireless support structures, utility poles, electrical transmission towers, and structures with a height of fifty (50) feet or greater will not or are unable to enter into a commonly reasonable lease term with the applicant.

87. Siting Applications for Installation, Modification or Replacement of a Utility Pole and Associated Collocation: An application fee equal to \$350 per pole on the same application.

- ii. Within twenty (20) days of receiving an application, the City will determine and notify the applicant in writing whether the application is complete. If an application is incomplete, the City will specifically identify the missing information in its written communication to the applicant. The processing deadlines set forth herein will be tolled from the time the City sends the notice of incompleteness to the time the applicant provides the missing information. The processing deadline may also be tolled by agreement of the Applicant and the City.
- iii. An application shall not be required for routine maintenance, or the replacement of a small wireless facility with another small wireless facility that is substantially similar or smaller in size, weight and height, or for installation, placement, maintenance, operation or replacement of micro-wireless facilities that are strung on cables between existing utility poles in compliance with the National Electric Safety Code.
- iv. Review Time for Applications to Collocate Facilities: The City will issue a written decision in response to an application to collocate small cell facilities within 60 days of receipt of the application. If the written decision is to deny the application, reasons for such denial shall be included in the written communication to the applicant. If the City does

not issue a written decision within the prescribed timeframe, the application will be deemed approved.

- v. Review Time for Applications for Installation, Modification or Replacement of a Utility Pole and Association Collocation: The City will issue a written decision in response to an application to install, modify or replace a utility pole and any associated collocation within 75 days of receipt of the application. If the written decision is to deny the application, reasons for such denials shall be included in the written communication to the applicant. If the City does not issue a written decision within the prescribed timeframe, the application will be deemed approved.
- vi. Appeals from the Denial of a Siting Application. Upon receipt of a notice of the City's written decision to deny all or part of a Siting Application, the applicant may choose to cure the deficiencies in the application or may appeal the denial. If the applicant chooses to cure the deficiencies identified by the City, the application must be resubmitted within 30 days of the denial and will not require payment of an additional application fee. Upon receipt of a revised application, the City shall have an additional 30 days to approve or deny the revised application. Applicants may appeal the decision of an Administrative Official regarding a submitted Siting Application in accordance with Section 441(6) of the City of Norman Zoning Ordinance.

(d) Height of Small Wireless Facilities and Associated Poles and Support Structures.

- i. Small wireless facilities, and new or modified utility poles and wireless support structures for the collocation of small wireless facilities may be placed in the right-of-way as a permitted use subject to the following requirements:
 - 1. Each new or modified utility pole installed in the right-of-way shall not exceed the greater of ten (10) feet above the tallest existing utility pole as of November 1, 2018 located within 500 feet of the new pole in the same right-of-way, or 50 feet above ground level.
 - 2. Each new small wireless facility in the right-of-way shall not exceed ten (10) feet above an existing utility pole in place as of November 1, 2018, or for small wireless facilities on a new utility pole, above the height permitted for a new utility pole under Section (d)(i)(1). M
- ii. Small wireless facilities may be placed on property owned, leased, or otherwise controlled by the City of Norman only pursuant to a commercial lease approved by the Norman City Council.

(e) Small Wireless Facilities Standards.

- i. All small wireless facilities affixed to a utility pole which has exterior exposure shall be as close to the color of the utility pole as is commercially available to the wireless provider.
- ii. The design and maintenance of all small wireless facilities, cables, wires, appurtenances, and utility poles, shall include the use of materials, colors, textures, screening and landscaping that will blend the small wireless facilities, appurtenances and utility poles to the natural setting or the built environment of the primary use.
- iii. All small wireless facilities affixed to a decorative light pole must be installed in such a way that the cables, wires, appurtenances, and facilities are concealed within the pole to the maximum extent possible.
- iv. Spacing Requirements. No small cell facility shall be approved for placement on a new pole if the new pole is proposed to be located within a 500 foot radius ~~of from any an existing pole~~ other wireless support structure located on the same side of the street (or along the same side of closest street if located outside of the right-of-way).

* * *

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

§ 3. Effective date. The effective date of the Ordinance shall be _____, 2021.

ADOPTED this _____ day
of _____, 2021.

NOT ADOPTED this _____ day
of _____, 2021.

Breea Clark, Mayor

Breea Clark, Mayor

ATTEST:

Brenda Hall, City Clerk

City Council Study Session
July 20, 2021
5:30 p.m.
Municipal Building, Executive Conference Room

Minutes

1. DISCUSSION REGARDING PROPOSED AMENDMENTS TO SMALL CELL FACILITIES

Ms. Muckala – I'm filling in on this issue, but I have gotten as up-to-speed as I can, so I think I'll be able to answer most questions. As you're likely aware, we're here to discuss some amendments to our small cell ordinance that was passed a couple of years back. A lot of you may recall that it was passed just after Senate Bill 1388, which was implemented in State law November 1, 2018. Here is some background that a lot of you probably have seen fairly recently, so I'll just try to skip over it. A lot of that I already said but, obviously, this is federally regulated, in addition to State law. The FCC has a great interest in making sure that these small cell facilities, which enable 5G technology, that they get out there – that this gets proliferated. So we know there's strong federal support, strong State support. Cities were dealt in, as far as Senate Bill 1388, and we've been acting under those guidelines. Just for those of you who haven't seen them, here are some examples of small cell facilities – what they look like. I noticed all these examples are on light poles, but that's obviously not the only option. Here the last one is a good example of how they've tried to blend it into the decorative light pole a little bit. That's addressed in our ordinance. The thing about small cell technology is that they have a smaller range, obviously – 1500 feet is my understanding of the industry standard. So that's less flexible than the humongous towers, but they're better able to blend into the surroundings, so the idea is to get 5G in those dense areas, which is improving what's already there. It's not establishing new.

Here's a rundown of federal law. As I've said, there is a strong preference to make this happen, but the cities were given some leeway here to see how it's implemented, particularly in public rights-of-way. But, of course, we're all learning this area together. Obviously, there's going to be some impressions that cities are slowing down this process. We're reviewing, we're asking questions, and so we have to find a way to do that efficiently and effectively and to get the questions answered that are most important to the city, as well as its' residents. So here's what we can do. Obviously, we can regulate generally this placement, construction and modification, charge fair and reasonable compensation, and manage our public rights-of-way. All of that is already addressed in our current ordinance. Here's what we can't do. We just can't say no. OG&E, for instance, they can't say no if they need to locate on their poles – if they need to allow collocation, then they have to do it. So we have to accommodate that as well. We can't require too much documentation and, in particular, we can't act outside the boundaries of what we're allowed to look into, what we're allowed to ask about and do. The idea behind those restrictions being we just can't unduly say go away, we don't want you here. We can't do that. So our ordinance is already sensitive to that fact. Obviously, discrimination between providers – that's a no-brainer.

Here's a rundown of Senate Bill 1388 and, again, this is going to be repetitive to some or maybe most of you. It applies to both collocation and deployment of new poles or wireless support structures. Here is generally the parameters for permitting. There's a shot clock – I can run down this more particularly and how it was implemented into our own ordinance. Generally, once the application is complete, we're on a timeline to get things done. Obviously, moving through this process quickly is in everyone's interests. We want to know what plans are coming into Norman. We want to be able to address them swiftly and efficiently, and they want to get their technology in place. We can require permit in the case that we're already asking others to do it. That's going to be another common thing you hear. If we're asking it of others, we can ask it of them, as long as it's reasonable. Once approved, they must complete within a year, and then they're allowed to stay there for ten. Again, this is evaluation of permit applications and we can ask for reasonable information that demonstrates compliance with the act which, as you know, is incorporated into our ordinance in specific places. We cannot tell them, hey, you have to put it here. That's obvious. We can't say we'll give you this for that. And, obviously, we have to follow safety codes, and we have the ability to deny under certain circumstances. Aesthetics are obviously a big issue. A lot of this is already addressed in the State law. As you can see, it cannot be more than 10' taller than those around, or 50' above. They must be fitting the antenna within 6 cubic feet, the entire facility within 28. They must try to conceal. We can adopt reasonable and non-discriminatory spacing, so that's another way that we can control the aesthetics. As long as they're not interfering with other technology that's been placed, they can be located on the same pole, and that's a lot of what we'll be talking about tonight – collocation.

Here's what we're allowed as far as permit fees. Again, if we ask it of others, we can ask it of them; it must be reasonable. Collocation has a fee of \$200 for the first five, \$100 for each additional. With collocation and pole placement or installation, that's \$350 per pole – a cap of \$350 per pole. Then, of course, there's occupancy fee – if they're going to place it on City-owned poles, which would be \$20 per pole, and then \$20 per facility beyond that.

So we're here to discuss amendments to our ordinance, which was originally passed as Ordinance O-1819-18. Here is the information you've been given previously on our ordinance. The red is obviously what we're changing. As you can see, it's only one aspect, and that aspect is an important one. We're asking for information on the front end. As you know, and as I've laid out here, there's a lot of aesthetic concerns, there is location, spacing details. When we receive an application, our Public Works Department is looking very closely at this information, and we've found over and over they were asking the same questions. Why wasn't this considered? Is there a reason this one won't work? We were seeing situations with lots of poles already located, and we have the authority and the power to ask these questions and to vet these, but in a way it's also the duty to ask these questions so that we know the answers to the questions. So that's what we kept finding ourselves doing. So putting in a requirement for the affidavit saying we've already had these discussions and here's the reasons why we couldn't make it work – it simply shortens the process. You'll see in the shot clock – it's up here – it's coming up, I promise – I keep talking about it. We can say your application is not complete and

then we're pretty much at a standstill at that point. Once we've said we need this information, hey can you answer this, we really can't go anywhere. It's once the application is complete that things get moving. So until then, we're really at kind of an impasse. This is to avoid that; it's to speed things up. And, honestly, it gives them notice of the questions we now know we're going to be asking over and over.

This is all the same as before, and it's a repeat of a lot of what I just said from the State law. Here is some of the items in our ordinance already, with the red showing where we've tweaked it a bit. Again, aesthetics and just in general placement. We've already discussed the tree canopy, adjacent properties. We've looked at a lot of different ordinances and we saw consistently that other municipalities were obviously addressing sidewalks and walkways – matters of public egress. So it made sense; we've suggested that. And then we have suggested, again, a reasonable and non-discriminatory spacing requirement of a 500' radius, as long as it's on the same side of the street.

Councilmember Studley – Maybe I'm mistaken, but I thought that we reduced the number of feet. I thought that that's what we had talked about in the meeting before this whenever we were talking about the small cell facilities. Am I wrong in that? That we reduced the number of feet.

Mr. Sturtz – It looks like the decision here is actually to say if another small cell facility – and take out that restriction. So there's just a lot of different options and ways to go. I wasn't really involved directly in this decision-making, but that's the difference here. Instead of saying within any pole, it's 500' within a radius within another small cell facility.

__ -- Right. When they were here and did the presentation with us, they had wanted to do like – was it like 70 or 80, and then they reduced it. They sent us a new email where they reduced the number down to like 25.

Ms. Muckala -- Application numbers.

__ -- Yes. They weren't going to put as many in Norman as they originally had thought, but we had also talked in that meeting about reducing the number of feet between because it was just – once we started looking at things, we realized it was a little ...

__ -- I think the concern was not adding any more pole than were absolutely necessary.

Ms. Muckala – Did your packet materials include a copy of the redlined ordinance changes?

__ -- No.

Ms. Muckala – Okay. I think we can send those out, and that will address a little bit of this. But as Mr. Sturtz was saying, the language was changed from simply addressing a pole within a 500' radius, to a wireless support structure. Over this learning curve, we've realized there are other places where these can be placed and we didn't want to be

ruling out other options for placing them. So that's one change to the language here regarding spacing, but the 500' radius was already within there. The language that was added was a change to pole and then the change to located on the same side of the street. And, again, I apologize that the simple red-lines weren't sent; we can get those to you easily. And, in fact, that's what I thought I probably needed to go back to this slide for, because we are requiring an affidavit saying we've already discussed these things, but I noticed that there wasn't bullets here for the actual items that are being discussed. There are four topics that we find ourselves that we keep coming back to, and a lot of these are addressed in the State law. They're just within that pocket of authority we've been given to vet these things. So the first is a reason why they may not be able to collocate is when it exceeds the structural capacity of existing support structures already there. The second is when it might interfere with other existing telecommunications equipment in the area. And in the cases where this is happening, again, we're saying get us an engineer or someone who can explain it to us why this is the case. The third is when the facilities in place cannot accommodate a small cell facility at the height necessary for it to be effective. Then the fourth is where you have a situation where they simply couldn't come to terms with a third-party provider regarding commonly reasonable lease terms – essentially how much is going to be charged for that location – is it going to be feasible in terms of everything. We're using the words reasonable here, and those are always in the legal world going to be subject to interpretation, but, of course, again, we have federal guidance, we have state guidance – all of that plays into a determination of what reasonable really is going to end up being. So we do have parameters here. But those are the four you should know about.

Again, that's a repeat. We just discussed that. So the 78 number, Councilmember Studley, that's just applications received to date. Whether or not any applicants may have decided to consolidate or reduce, that could have happened. That's just literally the number that's been submitted through March of this year. Four of them were approved but, again, a lot of them went back as incomplete applications based on the fact that we just didn't have the feedback we needed in order to apply our ordinance. So this is designed to help us get off high center on some of this.

So we have some examples – some pictorials of just the best illustrations here. Again, some of you may have seen them. We'll try not to be repetitive. This is a location on Main Street where you can see street lights and utility poles were designated. In this particular case, within a 500' buffer, you can see 19 existing street lights, 8 existing utility poles, and 3 of them are easily right next to them. That obviously is going to make us ask why can't we find a solution here? So those are the kinds of questions you'll see on that one. This one is an example of a potential impact on a residential area. Again, there is a very high number of existing street lights in this area, two of which actually are already located in front of the particular residence in which this proposed structure is set. Here's a picture of the front. You can see the taller light pole on the left, the decorative one in center, and I'm thinking – I guess they want to place the other one about there. Another residential example, not as many in this case, but as you can see the language I just referenced, within 500' on the same side of the road we have two of those right here. So we're automatically asking the questions.

These amendments are not just pulled out of thin air, obviously. We looked at as many comparable situations as we could, obviously within the state because they're going off of the same state law – the exact same law. The Oklahoma Municipal League had some guidance that we gleaned, and then we really did take quite a bit from Bixby's ordinance, but also Little Rock, Owasso, Broken Arrow were looked at closely as well.

I did want to let you know the proposed schedule for moving this forward. I think the plan was August 12 for Planning Commission, and September 14 first reading, September 28 second. Again, if we can get it there. That's just the timeline that we thought might be able to work. So with that, I would invite any questions.

Councilmember Peacock – Just out of curiosity, I'm looking at this map here and I don't see anything submitted for south of Lindsey, west Classen. Is there any reason for that?

Mr. Sturtz – They really chose all the locations. We had no input in that. They came to us with those that they felt that they wanted to employ this new technology, and they actually came to us totally. So we didn't have any say or comment; we just received their applications, went out and checked the locations to meet our ordinances, and then submitted back to them whether it was a compliant application or not.

Councilmember Tortorello – Are there applications coming in for outside – like to Ward 5 and Ward 6 out that way?

Mr. Sturtz – Not at this time. What you see on that map is what has been submitted, and these were all submitted back in 2019. We've had maybe one or two since that timeframe. They've pretty much stopped their applications to try to resolve this item.

Councilmember Holman – Can you go back to the first residential picture, of the house, actually? So in committee, our concern was that this particular home has actually three poles already in the front yard. There's one that says no parking on this side of the street. So the three poles in their front easement there, this would propose to add a fourth pole to that property. So I felt that we were okay with eliminating the 500' radius thing, but we wanted to also make sure that somebody wasn't going to end up with four utility poles in their front yard either, especially since there's so many close by that it seems like they could get onto. Would that be resolved with this? Would we still be protecting the homeowner here by getting rid of the 500', which again, I'm fine with getting rid of the 500' but ...

Ms. Muckala – I'm sorry if I misspoke. I don't mean to imply that the 500' is going away. The 500' is still very much in there. What the new language would read, and I'll just read it verbatim – “No small cell facility shall be approved for placement on a new pole if the new pole is proposed to be located within a 500 foot radius from any other wireless support structure located on the same side of the street (or along the same side of closest street if located outside of the right-of-way).” And I think this is language that we drew directly from Bixby's ordinance, so we know that it's being used; we're not creating a

new standard here. Yes, that's exactly the type of thing that it should address. We have two light poles right there on the very same side of the street.

Councilmember Holman – So this would help protect that homeowner potentially from having a fourth pole in their yard, but also allow AT&T to accomplish what they're trying to do with the coverage.

Ms. Muckala – Or any applicant. Exactly. And that way they'll know the questions that we're going to be asking before essentially we get here and slow them down.

Councilmember Holman – That was the main concern that I recall from the committee.

Councilmember Studley – So the did send in some of the applications, and then according to Jason, he sent an email to me where they reduced the number to 27, and Brenda sent that out to everyone on June 16th. So because we were the last city to make a decision on this, and every other city in Oklahoma already has theirs done – they're complete in Oklahoma. So our 78 that they had submitted were denied; only four were approved, so now they've come back and reduced that even further to 27. So I don't know if you guys want to look at that later on, but it has the 27 blue dots in there. Did you get a copy of that by chance?

Ms. Muckala – Not me, no, but I can find it.

Councilmember Hall – I just wanted to make sure I really understood what you just said, because we've used this example now in two different settings. I think the language you just said was that 500' within another pole that had small cell technology on it. So would that actually help in this instance?

Mr. Sturtz – I don't think that would preclude them from being able to put one in this yard.

Councilmember Hall – So they could do another one, because it's not within 500' of another pole with the technology on it?

Mr. Sturtz – Another small cell facility.

Councilmember Hall – Yeah. That's the problem.

Ms. Muckala – So the language that's been proposed, though, is within a 500' radius of other wireless support structure, not necessarily the facility. That was replacing the word "pole", essentially, to make sure that we weren't limiting this buffer to only certain types of structures. If they have other options for collocation, that's what we want. So this spacing requirement is specific to the placement of a new pole, as opposed to a collocation, which is what we want to encourage.

Mayor Clark – Any other questions? Alright. I think we're ready to move it forward. Thank you, Ms. Muckala.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 9/14/2021

REQUESTER: Elisabeth Muckala

PRESENTER: Elisabeth Muckala, Asst. City Attorney

ITEM TITLE: O-2122-16: CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT OR POSTPONEMENT OF AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 13-108, IN ARTICLE I OF CHAPTER 13 (LICENSES AND OCCUPATIONS); AMENDING ARTICLE XXXIV, SECTION 13-3401, IN CHAPTER 13 (LICENSES AND OCCUPATIONS); AMENDING SECTION 424.1 (C-2, GENERAL COMMERCIAL DISTRICT), AND SECTION 426.1 (I-1, LIGHT INDUSTRIAL DISTRICT), BOTH IN ARTICLE XI OF CHAPTER 22 (ZONING ORDINANCE); AND AMENDING SECTION 450 (DEFINITIONS), IN ARTICLE XIV OF CHAPTER 22 (ZONING ORDINANCE); IN ORDER TO ADD PERMITTED AND SPECIAL USES FOR MEDICAL MARIJUANA WASTE FACILITIES, AND TO IMPLEMENT CHANGES AND RESOLVE INCONSISTENCIES RESULTING FROM 2021 STATE LAW UPDATES REGARDING MEDICAL MARIJUANA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

The 2021 Oklahoma State Legislative Session resulted in various updates to the state treatment of existing medical marijuana license categories and facilities. Some of these changes require alterations to our existing business license categories and zoning uses. Other changes that have occurred over the years on a state level also require small additions and updates to existing licenses and uses.

DISCUSSION:

House Bill 2646 is effective November 1, 2021 and implements various changes that implicate the City of Norman's provisions, processes or policies concerning Medical Marijuana:

- Addition of an allowance for Medical Marijuana Dispensaries to "prepare and package" pre-rolls and sell to holders of a Medical Marijuana Patient License, and corresponding changes to the definition of "Dispensary";

- Addition of an allowance for Medical Marijuana Growers to “prepare and package” pre-rolls and sell to Medical Marijuana Dispensaries, and corresponding changes to the definition of “Medical Marijuana Commercial Grower”;
- Permission for the Oklahoma State Department of Health to issue two types of Medical Marijuana Processor licenses: one for “Nonhazardous medical marijuana processors” and another for “Hazardous medical marijuana processors”; and
- Destruction of the requirement that a licensed facility obtain a new Certificate of Compliance; as of November 1, 2021, only licensed facilities undergoing a “change of use or occupancy” must get a new COC under state law.

A short summary of other changes within House Bill 2646 that do not directly implicate Norman’s provisions, processes or policies are:

- Addition of gram conversions to legal Medical Marijuana amounts;
- Alterations to the manner in which distance is measured between medical marijuana facilities and public and private schools;
- Heightened language meant to avoid or deter the unlawful diversion of medical marijuana by a licensed business;
- Additional sampling and testing requirements;
- Updates to the proposed makeup of the Medical Marijuana Advisor Council, formerly known as the Food Safety Standards Board; and
- Other minor or non-substantive language alterations to existing provisions.

Additionally, the last round of state updates occurred in 2019, at which time the provisions regarding Medical Marijuana Waste Facilities were established, but licenses had not yet begun to be issued by the Oklahoma Medical Marijuana Authority (“OMMA”). Since that time, licenses have begun to issue and City Staff recommends provisions regarding the local issuance of business licenses as well as the creation of zoning uses for such facilities.

Ordinance No. O-2122-16 alters the City of Norman’s pre-existing “Tier I” processor license category and zoning use to recognize that these activities are now covered by the state definition of “dispensary” and to establish that Tier I licenses will cease to be issued November 1, and that zoning uses after November 1 will be considered and treated the same as dispensaries.

O-2122-16 also contains language that will accommodate, by licensure and zoning, the state’s creation of hazardous/non-hazardous medical marijuana processor categories (including setting licensure fees based on similar existing licensure categories).

O-2122-16 adopts state law and definitions concerning Medical Marijuana Waste Facilities, and creates City of Norman licensure and zoning categories (also setting fees based on similar existing licensure categories) for these facilities.

Finally, O-2122-16 implements various other minor or non-substantive language changes meant to further align the zoning ordinance and Chapter 13's treatment of these facilities as licensed entities and zoning uses, and also to further ensure the City of Norman's treatment of these facilities/uses is consistent with state law as it evolves.

RECOMMENDATION:

City Staff recommends adoption of Ordinance No. O-2122-16.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 13-108, IN ARTICLE I OF CHAPTER 13 (LICENSES AND OCCUPATIONS); AMENDING ARTICLE XXXIV, SECTION 13-3401, IN CHAPTER 13 (LICENSES AND OCCUPATIONS); AMENDING SECTION 424.1 (C-2, GENERAL COMMERCIAL DISTRICT), AND SECTION 426.1 (I-1, LIGHT INDUSTRIAL DISTRICT), BOTH IN ARTICLE XI OF CHAPTER 22 (ZONING ORDINANCE); AND AMENDING SECTION 450 (DEFINITIONS), IN ARTICLE XIV OF CHAPTER 22 (ZONING ORDINANCE); IN ORDER TO ADD PERMITTED AND SPECIAL USES FOR MEDICAL MARIJUANA WASTE FACILITIES, AND TO IMPLEMENT CHANGES AND RESOLVE INCONSISTENCIES RESULTING FROM 2021 STATE LAW UPDATES REGARDING MEDICAL MARIJUANA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 13-108 of Chapter 13 shall be amended to read as follows:

SEC. 13-108 – Fee schedules for licenses and permits and occupational taxes.

* * *

- (s) Manufactured fertilizer 25.00
- (t) Marijuana Establishment
 - (1) Medical Marijuana Dispensary 600.00 initial/450.00 renewal
 - (2) Medical Marijuana Processor (a Tier I or II medical marijuana processor that also obtains a medical marijuana dispensary license for the location shall be issued a separate processor license, but shall not be required to pay duplicative initial or renewal fees) ...
 - a. Tier I (through November 1, 2021) and/or II medical marijuana processor ... 600.00 initial/450.00 renewal
 - b. Tier III Medical Marijuana Processor
 - i. Hazardous State Classification ... 900.00 (initial and renewal); or
 - ii. All Other Medical Marijuana Processors ... 900.00 (initial and renewal)
 - (3) Medical Marijuana Commercial Grower 900.00 (initial and renewal)
 - (4) Medical Marijuana Testing Laboratory 900.00 (initial and renewal)
 - (5) Medical Marijuana Research Facility 500.00 (initial and renewal)

- (6) Medical Marijuana Education Facility 500.00 (initial and renewal)
- (7) Medical Marijuana Storage Facility (only required for locations where no other Marijuana Establishment license is obtained)600.00 initial/450.00 renewal
- (8) Medical Marijuana Waste Facility 900.00 (initial and renewal)

* * *

§2. That Section 13-3401 of Chapter 13 shall be amended to read as follows:

Sec. 13-3401 – Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

Marijuana dispensary means an entity that has been licensed by the State of Oklahoma, ~~which allows the entity to purchase medical marijuana from a processor licensee or grower licensee and sell medical marijuana only to qualified patients, or their parents or legal guardian(s) if applicable, and caregivers~~ and as defined by applicable state law and regulation.

Marijuana establishment means those establishments listed in Section 13-108(t) herein, and including medical marijuana businesses, as defined by applicable state law and regulation.

Marijuana grower means an entity that has been licensed by the State of Oklahoma pursuant to Title 63 O.S. § 422, ~~which allows the entity to grow, harvest, and package medical marijuana according to OAC 310:681 for the purpose of selling medical marijuana to a dispensary, processor, or researcher~~, and as defined by applicable state law and regulation.

Marijuana processor means an entity that has been licensed by the State of Oklahoma pursuant to Title 63 O.S. § 423, ~~which allows the entity to: purchase marijuana from a commercial grower; prepare, manufacture, process, package, sell to, and deliver medical marijuana products to a dispensary licensee or other processor licensee; and may manufacture marijuana received from a qualified patient into a medical marijuana concentrate, for a fee~~, and as defined by applicable state law and regulation.

Marijuana researcher facility means an entity issued a license by the State of Oklahoma pursuant to ~~Subchapter 4 of OAC 310:681~~, and as defined by applicable state law and regulation.

Medical marijuana means marijuana that is grown, processed, dispensed, tested, possessed, or used for a medical purpose, as allowed by applicable state law and regulation.

Medical marijuana product means a product that contains cannabinoids that have been extracted from plant material or the resin therefrom by physical or chemical means and is intended for administration to a qualified patient, including but not limited to oils, tinctures, edibles, pills, topical forms, gels, creams, forms medically appropriate for administration by vaporization or a nebulizer, patches, tinctures, and liquids excluding live plant forms.

Medical marijuana storage facility means a facility where medical marijuana is being stored only, as permitted by applicable state law and regulation, and which facility is at a location for which any other marijuana establishment license has not already been obtained, and is not open to the general public. Those applicants with a state Transporter license that seek to maintain stand-alone licensed facilities for the storage of medical marijuana products transported shall be required to obtain a Medical Marijuana Storage Facility license.

Medical marijuana waste facility means an entity issued a license by the State of Oklahoma, and as defined by applicable state law and regulation ~~unused, surplus, returned or out-of-date marijuana; recalled marijuana; unused marijuana; plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts and roots; and any wastewater generated during growing and processing.~~

~~*Retailer* means a marijuana dispensary.~~

Tier I medical marijuana processor, prior to November 1, 2021, means ~~referred to~~ a facility located in the City of Norman defined and regulated by Oklahoma state law as a medical marijuana processor, and which engages in only the following activity(ies): the preparation (from medical marijuana grown off-site), including necessary grinding, of "pre-rolled" marijuana cigarettes, "joints" or "blunts" for sale on-site. On or after November 1, 2021, Tier I licenses will no longer be issued in order to implement new State of Oklahoma law and regulations concerning the preparation and packaging of pre-rolls. ~~Nothing in this Code affects state law license categories for medical marijuana establishments. Local zoning and licensing applicants may be required to seek multiple state licenses in order to comply with state law.~~

Tier II medical marijuana processor means a facility defined and regulated by Oklahoma state law as a medical marijuana processor, and which engages in Tier I medical marijuana processor activities and/or the following activities: the use of marijuana concentrate(s) (created off-site in compliance with state law and regulation), to make derivative infused products for sale on-site. Tier II medical marijuana processing does not include extraction processes of any kind. Examples of Tier II medical marijuana processing are the cooking, baking or preparation of medical marijuana edible products, or the addition of marijuana concentrate to products pre-manufactured off-site, such as lotions or soaps. Nothing in this Code affects state law license categories for medical marijuana establishments. Local zoning and licensing applicants may be required to seek multiple state licenses in order to comply with state law. Medical Marijuana Processors classified as a "hazardous medical marijuana processor" according to state law shall not be allowed as Tier II Medical Marijuana Processors.

Tier III medical marijuana processor means a facility defined and regulated by Oklahoma state law as a medical marijuana processor, and which engages in any type(s) of medical marijuana

processing, including all allowed extraction processes, except that on-site sales are not permitted. Nothing in this Code affects state law license categories for medical marijuana establishments. Medical Marijuana Processors classified as “nonhazardous medical marijuana processor” or “hazardous medical marijuana processor” according to state law are allowed as Tier III Medical Marijuana Processors.

(Ord. No. 0-1819-17, § 2; Ord. No. 0-1920-4, § 2; Ord. No. 0-1920-39, § 2)

* * *

§ 3. That Section 424.1 of Chapter 22 shall be amended to read as follows:

SEC. 424.1 – C-2, GENERAL COMMERCIAL DISTRICT

* * *

3. Special Use. The following uses may be permitted, after review, in accordance with Section 434.1:

* * *

(q) Tier III Medical Marijuana Processor, as allowed by state law.

(r) Medical Marijuana Waste Facility (incineration only), as allowed by state law.

* * *

§ 4. That Section 426.1 of Chapter 22 shall be amended to read as follows:

SEC. 426.1 – I-1, LIGHT INDUSTRIAL DISTRICT

* * *

1. Uses Permitted. Property and buildings in an I-1, Light Industrial District, shall be used only for the following purposes:

* * *

(b) The Following uses when conducted within a complete enclosed building:

* * *

(18) Medical Marijuana Storage Facility.

(19) Medical Marijuana Waste Facility (incineration and/or composting only), as allowed by state law.

* * *

§ 5. That Section 450 of Chapter 22 shall be amended to read as follows:

Sec. 450 – DEFINITIONS

* * *

(80.5) MARIJUANA DEFINITIONS. Those definitions set forth in ~~the applicable Oklahoma Medical Marijuana and Patient Protection Act, and found at 63 Okla. Stat. § 420 et seq.~~ law and regulation concerning medical marijuana, shall be incorporated and applicable within the Zoning Ordinance. Further, zoning uses shall be compatible with those licenses issued in Chapter 13 of the Norman Municipal Code. ~~Additionally, the following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:~~

* * *

Medical Marijuana Storage Facility: means a facility where medical marijuana is being stored only, as permitted by applicable state law and regulation, and which facility is at a location for which any other Marijuana Establishment license has not already been obtained, and is not open to the general public. Those with a state Transporter license that seek to maintain stand-alone facilities for the storage of medical marijuana products transported shall be considered a Medical Marijuana Storage Facility for the purposes of this Ordinance.

Tier I Medical Marijuana Processor: prior to November 1, 2021, means referred to a facility located in the City of Norman defined and regulated by Oklahoma state law as a Medical Marijuana Processor, and which engageds in only the following activity(ies): the preparation (from medical marijuana grown off-site), including necessary grinding, of “prerolled” marijuana cigarettes, “joints” or “blunts” for sale on-site. On or after November 1, 2021, any applicant proposing a use that meets the definition of “Tier I Medical Marijuana Processor” including on-site sales shall be considered and treated as a Medical Marijuana Dispensary use, and Tier I Medical Marijuana Processor licenses shall cease being issued pursuant to Chapter 13 of this Code on November 1, 2021. Nothing in this code affects state law license categories for Medical Marijuana Establishments. Local zoning and licensing applicants may be required to seek multiple state licenses in order to comply with state law.

Tier II Medical Marijuana Processor: means a facility defined and regulated by Oklahoma state law as a Medical Marijuana Processor, and which engages in Tier I Medical Marijuana Processor activities and/or the following activities: the use of Marijuana Concentrate(s) (created off-site in compliance with state law and regulation), to make derivative infused products for sale on-site. Tier II Medical Marijuana Processing does not include extraction processes of any kind. Examples of Tier II Medical Marijuana Processing are the cooking, baking or preparation of Medical Marijuana edible products, or the addition of Marijuana Concentrate to products pre-manufactured off-site, such as lotions or soaps. Nothing in this code affects state law license categories for Medical Marijuana Establishments. Local zoning and licensing applicants may be required to seek multiple state licenses in order to comply with state law. Medical Marijuana Processors classified as a “hazardous medical marijuana processor” according to state law shall not be allowed as Tier II Medical Marijuana Processors.

Tier III Medical Marijuana Processor: means a facility defined and regulated by Oklahoma state law as a Medical Marijuana Processor, and which engages in any type(s) of Medical Marijuana Processing, including all allowed extraction processes, except that on-site sales are not permitted. Nothing in this code affects state law license categories for Medical Marijuana Establishments. Medical Marijuana Processors classified as “nonhazardous medical marijuana processor” or

“hazardous medical marijuana processor” according to state law are allowed as Tier III Medical Marijuana Processors. (O-1920-39)

* * *

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

ADOPTED this _____ day

NOT ADOPTED this _____ day

of _____, 2021.

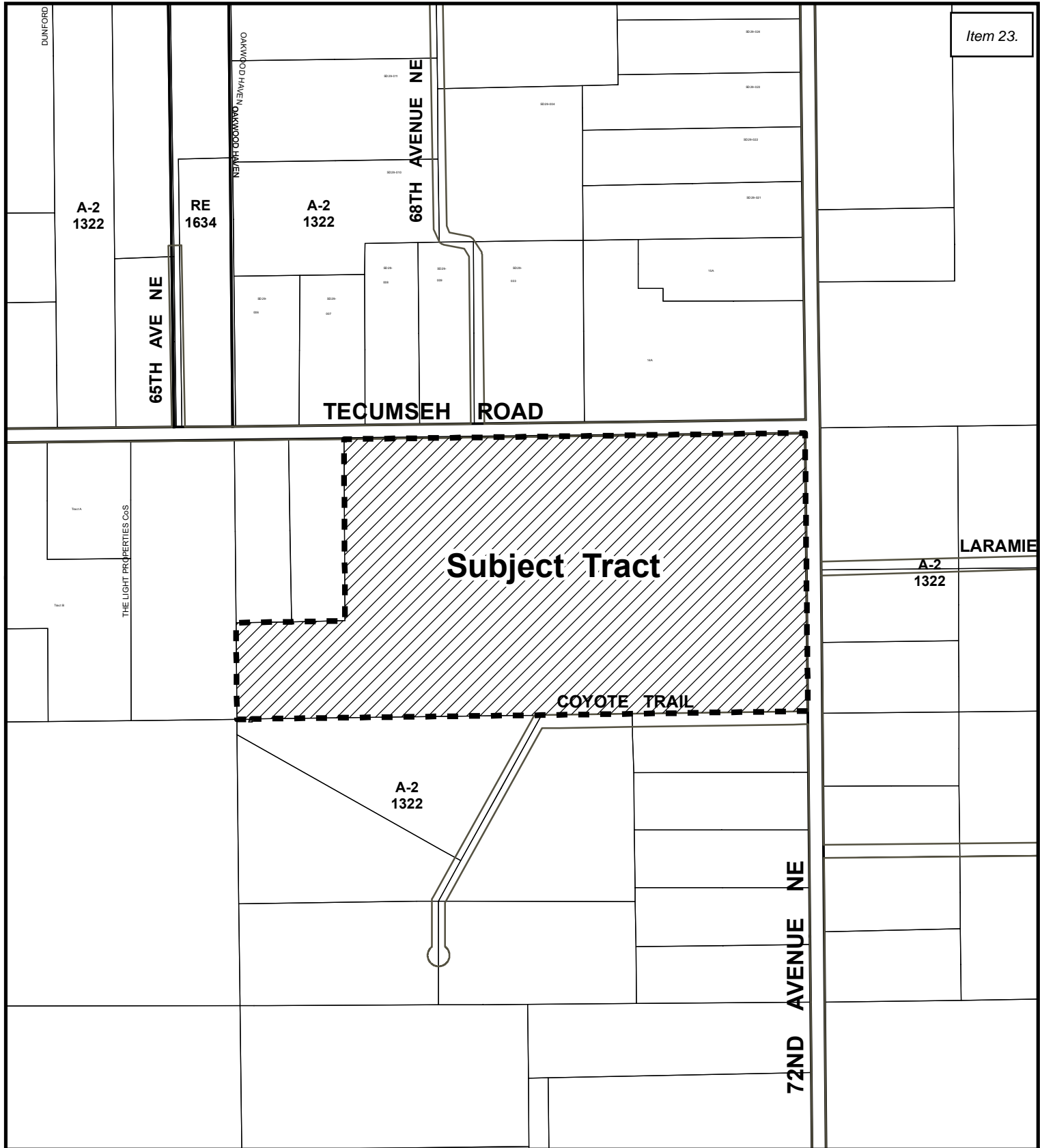
of _____, 2021.

Mayor

Mayor

ATTEST:

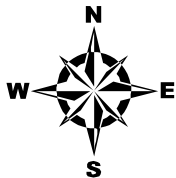
Brenda Hall, City Clerk



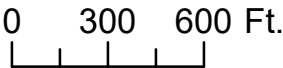
Location Map




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



June 8, 2021



 Subject Tract

 Zoning

Jane Hudson

Subject: FW: EXTERNAL EMAIL : Re: Decision

From: Benjamin Cox <bencoxmail@gmail.com>
Sent: Monday, August 30, 2021 5:11 PM
To: Jane Hudson <Jane.Hudson@NormanOK.gov>
Subject: Re: EXTERNAL EMAIL : Re: Decision

Yes ma'am, thanks for the follow-up.
With a heavy heart we are requesting to withdraw our special use application.

Respectfully
Ben

On Mon, Aug 30, 2021, 5:08 PM Jane Hudson <Jane.Hudson@normanok.gov> wrote:

Hi Ben,

Double checking on the application for the agri-wedding venue.

Have you made a decision on the next step?

Thanks,
Jane

Sincerely,

Jane Hudson

Director of Planning and Community Development

City of Norman

201 West Gray Street, Bldg. A

Norman, OK 73069

405-366-5344 (o)

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jane.hudson@normanok.gov

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