

THE NOUN

A BOUTIQUE HOTEL DEVELOPMENT BY 2ND ACT LLC

**542 & 534 S. UNIVERSITY BLVD.,
NORMAN, OKLAHOMA**

Application for:
Center City Planned Unit Development
Submitted April 6, 2020
Revised June 16, 2020

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

TABLE OF CONTENTS

I. INTRODUCTION

- A. Background and Intent
- B. Development Team

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

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

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Permissible Uses
- B. Development Criteria

EXHIBITS

- A. Site Development Plan
- B. Exterior Renderings
- C. Allowable Uses
- D. Additional Signage
- E. Allowable Tree Species List

I. INTRODUCTION

A. **Background and Intent.** The Noun is a boutique hotel development proposed by 2nd Act LLC (the “**Applicant**”) as a Center City Planned Unit Development (“**CCPUD**”) located at 542 and 534 South University Boulevard, Norman, Oklahoma (collectively, the “**Property**”). The Property contains approximately 1.22 acres (as combined across two parcels of 542 and 534 University). This CCPUD is intended to put forth the parameters for which the Property shall be developed in order to facilitate the construction and operation of the Noun, as well as other compatible uses as more specifically described herein. The Property is located in the Campus Corner area and offers a unique opportunity for a boutique hotel to serve the City of Norman’s thriving Downtown, Campus Corner Restaurants and Merchants, the University of Oklahoma, and the City’s numerous festivals and events, including but not limited to the Norman Music Festival, OU gamedays and events, and various other gatherings. The Noun will present an extraordinary opportunity for Norman to return to an era of many decades ago when a quality hotel was available in central Norman to support the thriving districts of the core area.

B. **Development Team.** The Applicant is 2nd Act LLC. The architects for the project are GH2 Architects. SMC Consulting Engineers are serving as the civil engineers for the project. Traffic Engineering Consultants, Inc. are providing traffic analysis for the project.

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

- A. **Location.** The Property is situated West of University Boulevard, North of Boyd Street, East of Elm Avenue, and touches the corner of Toberman Drive and Park Drive. The specific location is illustrated on the Site Development Plan, attached hereto as “**Exhibit A.**”
- B. **Existing Land Use and Zoning.** The Property is located in the Center City Form Based Code (“**CCFBC**”) District. 542 South University was used as multi-family residential property prior to the Applicant’s acquisition of the property. 534 South University is currently used as residential property.
- C. **Elevation and Topography.** The Property is essentially flat with little elevation change throughout the entirety of the development. 542 South University is almost entirely paved with little to no pervious surface, as was the case for decades through its use as a multifamily apartment complex. 534 South University contains a residential home.
- D. **Drainage.** The Applicant proposes stormwater and drainage management systems that meet or exceed the City’s applicable ordinances and regulations, and that will include features of Low Impact Development and Best Management Practices. The project will also retain the existing building coverage or impervious areas as they exist on 534 South University.

- E. **Utility Services.** All necessary utilities for this project (including water, sewer, gas, telecommunications, and electric) are currently located within the necessary proximity to serve the Property, or they will be extended by the Applicant, as necessary.
- F. **Fire Protection Services.** Fire protection services will be provided by the City of Norman Fire Department and by the Owner of the Property where required by building and fire protection codes in the structures.
- G. **Traffic Circulation and Access.** An additional curb cut is proposed at the south boundary of the Property at S. University Blvd., which shall serve as the two-way entrance and exit to the Property, and serve as the primary access point to the hotel. The curb cut on the north end of 542 South University and South of 534 South University shall remain, but will be reduced in function to merely a one-way service road exiting the Property. The existing access to 534 South University shall remain.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Property shall be developed in substantial compliance with the Site Development Plan, attached as **Exhibit A**, and the development criteria contained herein. The Exhibits attached to this CCPUD narrative are incorporated herein by reference.

A. **Permissible Uses.**

The Property is situated within the Center City Form Based Code District. This CCPUD is sought in order to allow for more flexible development, in fulfillment of the stated goals of the Center City Area of the Property, than what would be allowed under the applicable provisions of the Center City Form Based Code. Each respective lot shall retain its current allowable uses and shall add the additional uses stated below. An exhaustive list of the allowable uses is shown below and duplicated as attached hereto as **Exhibit C**.

542 South University Boulevard Additional Permissible Uses:

- Hotel/Overnight Lodging and related support services and amenities (limited to the hotel and restaurant/bar operations)
- Banquet Hall, Conference Center, Reception Area, and/or Meeting Space, and associated activities (limited to the hotel and restaurant/bar operations)
- Restaurant and/or Bar
- Art Gallery or Display Space (limited to the hotel and restaurant/bar operations)
- Office Uses (limited to the hotel and restaurant/bar operations)
- Fitness (limited to hotel guests and hotel operations)
- It is noted that the Center City Code already allows for this Property to be used as: “*residential/overnight lodging and related support services, such as lobbies, leasing offices, resident exercise facilities, etc.*” Therefore, much of the requested uses herein are already allowed under the existing CCFBC.

534 South University Boulevard Additional Permissible Uses:

- Thrift Store/Donation Center as an ancillary function of a church
- It is noted that this is proposed as a relocation of the existing First Presbyterian Church Thrift Store on Toberman Drive. With the sole exception of the additional allowable use of a Thrift Store/Donation Center as an ancillary function of a church, the 534 S. University Blvd. property shall have the allowable uses as designated in the CCFBC.

B. Development Criteria.

- 1. Area Regulations.** The development shall comply with the setbacks shown on the Site Plan. Original documents will be provided in large scale to better read the setbacks shown.
- 2. Building Height.** The development of the hotel structure shall be tiered so that the height of the tier closest to the residential neighbors to the Northwest border shall fit well within the Center City Area and not exceed three (3) stories (as planned, the height of the nearest structure to the Toberman and Park Drive residential area is intentionally kept at only one (1) story tall). The hotel shall be allowed to reach a maximum height of four stories and 54' at roof deck, excluding any necessary mechanical units, equipment, screening, or parapet walls. It is noted that the CCFBC allows for 46 feet in height on the west side of University Blvd. Thus this request is a mere 8 feet more in height, and only in the area of the Property that directly fronts the east and south sides of the Property – the areas of the Property along the northwest are kept at a height of 16 feet to the roof deck as shown on the Site Development Plan.
- 3. Exterior Materials.** The exterior of the building shall be constructed in substantial compliance with the Exterior Renderings, attached hereto as **Exhibit B**. The exterior materials of the building to be constructed on the property may be brick, stone, synthetic stone, high impact quality stucco or EIFS, masonry, metal accents, and any combination thereof. The project shall comply with the materials requirements of CCFBC under 402. General Provisions; J. Architectural Materials (exteriors).
- 4. Sanitation.** Trash dumpster will be located as depicted on the Site Development Plan or in locations approved by City sanitation services and will be screened with similar materials similar in character as the hotel building. The location of the dumpster is located more than thirty feet from the nearest property line.
- 5. Signage.** Signage for the Property shall be allowed in the locations and manners depicted on the Exterior Renderings. Additional signage on the

Property shall be allowed to comply with the restrictions and provisions attached hereto as **Exhibit D**.

- 6. Traffic access/circulation and sidewalks.** Access to the Property shall be in the locations and in the manner depicted on the Site Development Plan. Sidewalks will be constructed along University Boulevard and Toberman Drive in accordance with applicable City of Norman standards. Landscaping shall accommodate all City of Norman traffic sight triangle requirements. The existing curb cut located on Toberman Drive shall be closed by the Applicant. A paved Pedestrian Pathway shall run along the north border of the hotel site. A portion of the Pedestrian Pathway will run along the north fire/service exit lane but shall be separated from the vehicular traffic through the use of a mountable curb or similar safety measures in order to allow fire access to the north portion of the building in the event of an emergency.
- 7. Lighting.** All exterior lighting shall comply with the City of Norman commercial lighting ordinance, including the submission of a photometric lighting plan at time of building permit review. Lighting of the Northwest side of the hotel structure shall be limited to the extent practicable, and as necessary for safety considerations, in order to be sensitive to the nearby residences. Streetlights shall be installed along the portion of South University Boulevard abutting the Property at a distance of 140' feet apart due to the proposed drop-off location on the east side of the Property. Ample exterior lighting will also be provided in the street frontage area around the drop off to assist with use of that area after dark.
- 8. Open Space.** Open space shall be utilized on the Property in the locations and manners depicted on the Site Development Plan. Open Space for the project shall not be less than 15%. The development will incorporate features of low impact development (LID) solutions, allowing for a maximum impervious area for the project of 85%. Applicant shall provide street furniture on the Property in the form of multiple tables, chairs, benches, and a seat wall on the Property.
- 9. Landscaping; Fencing.** Landscaping shall be provided and maintained on the Property. In lieu of Street Trees along S. University Boulevard, the Applicant is proposing large landscaping beds and potted large Holly Trees. Landscaping, to include trees, and new fencing and wall for perimeter treatment as shown in attached **EXHIBIT F** shall be featured along the North and West borders of the Property to provide a buffer to the residential neighborhood to minimize light, noise and other effects to the residentially zoned properties. The fencing as shown on **EXHIBIT F**, along the western border of the parking lot, shall be eight foot high wood cedar lapped fencing, but shall be coordinated with the City Forester as to best manner of size and installation in order to preserve the

existing mature trees along the boundary to the extent reasonably possible. All trees to be planted on the Property shall be of a minimum of 2-inch caliper and shall be of the type listed on the tree species list attached hereto as **Exhibit E**. Except for instances in which repairs are needed due to causation of damage by neighboring property owners or their guests, invitees, agents, or contractors, Applicant shall be responsible to maintain the perimeter fencing and wall, landscaping, and trees; and, as necessary, to replace any perimeter fencing and wall, landscaping, or trees to ensure compliance with the requirements herein. Perimeter fencing and wall is to be constructed prior to an occupancy permit being issued for the hotel.

10. Parking. Parking will meet or exceed 94 parking spaces, which is the required minimum under the CCFBC for this project. Parking will be as depicted on the Site Development Plan and the Applicant will participate in shared parking with the owner of the parking lot located to the South of the Property for additional parking for the hotel guests. Bike parking shall be provided on the Property, with a minimum of 12 bike racks. Applicant shall be responsible for maintaining the stormwater infrastructure to ensure its proper operation as proposed.

11. Outdoor Space. As shown on the Site Plan, an open-air, outdoor space is proposed that connects to the hotel that will be used to support meetings, events, and other functions at the hotel. The outdoor space will not be utilized for any functions later than 9:00 pm on Sunday through Wednesday, and 10:00 pm on Thursday through Saturday. No amplified live instruments shall be used in the outdoor space. No drums, amplified or not, shall be used in the outdoor space. No televisions or video screens may be located or oriented in a manner that can be seen from abutting residentially zoned properties. No loudspeakers, televisions, phonographs, radios, or other audio devices shall be used in a manner to be heard in excess of noise ordinance limits, from neighboring residentially zoned properties. Any speakers or audio devices shall be oriented and directed only in a direction that is away from abutting residentially zoned properties. The Applicant may obtain noise variances as is allowed by the City of Norman ordinances. A six (6) foot masonry (or similar wall, such as a living wall, etc.) will enclose the outdoor space to reduce any effects of noise, light, and other issues to the abutting residentially zoned properties. This paragraph 11, and the restrictions herein as to operations of the outdoor space, shall not be in effect on days in which the University of Oklahoma is having a regular season, or playoff, home football game.

EXHIBIT A

SITE DEVELOPMENT PLAN Full Size Document Submitted to City Staff

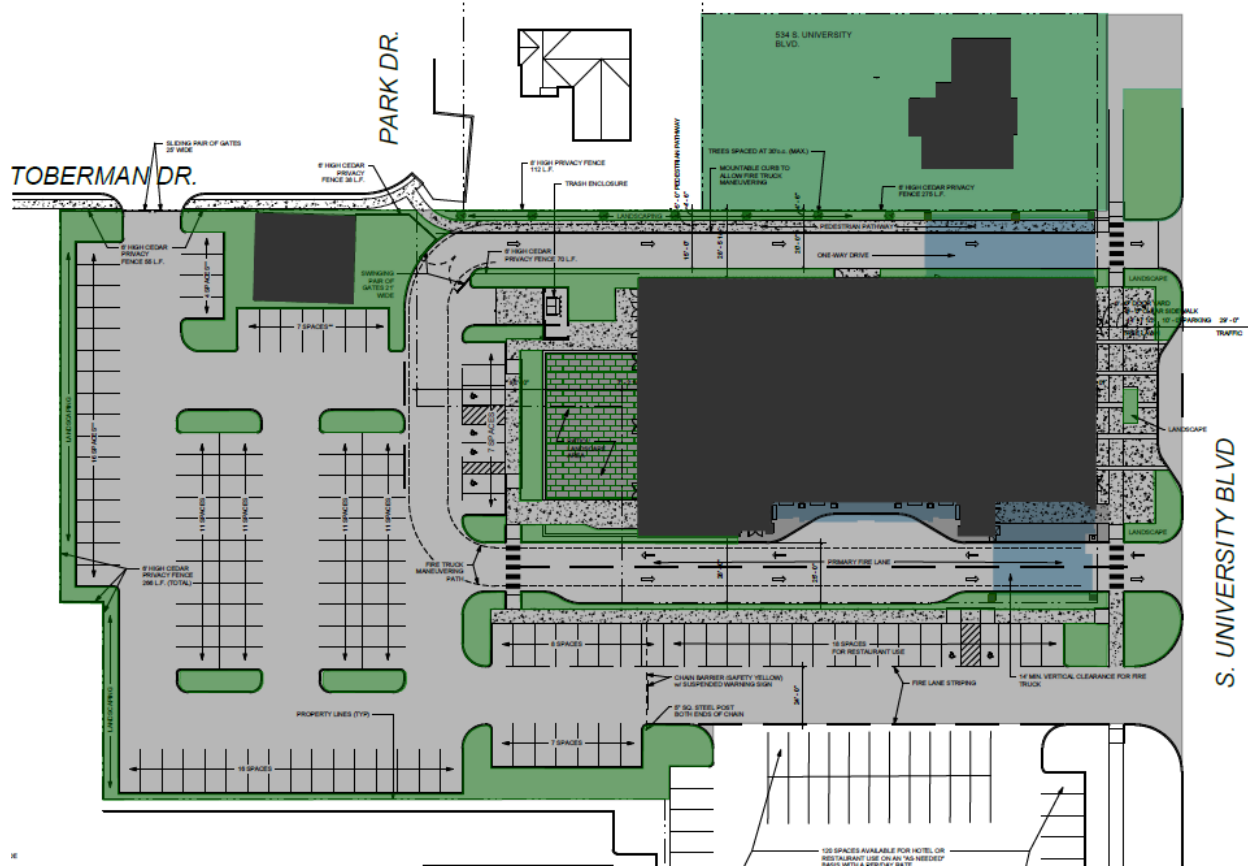


EXHIBIT B

EXTERIOR RENDERINGS
Full Size Documents Submitted to City Staff



EXHIBIT C

Allowable Uses

The intent is to keep the existing allowable uses for each property under the CCFBC and add the additional uses enumerated in this CCPUD. In the event of an ambiguity or conflict, this list shall control the allowable uses for the Property.

542 South University Boulevard Additional Permissible Uses:

- Hotel/Overnight Lodging and related support services and amenities (limited to the hotel operations)
- Banquet Hall, Conference Center, Reception Area, and/or Meeting Space, and associated activities (limited to the hotel and restaurant/bar operations)
- Restaurant and/or Bar
- Art Gallery or Display Space (limited to the hotel and restaurant/bar operations)
- Office Uses (limited to the hotel and restaurant/bar operations)
- Fitness (limited to hotel guests and hotel operations)
- It is noted that the Center City Code already allows for this Property to be used as: “*residential/overnight lodging and related support services, such as lobbies, leasing offices, resident exercise facilities, etc.*” Therefore, much of the requested uses herein are already allowed under the existing CCFBC.

534 South University Boulevard Additional Permissible Uses:

- Thrift Store/Donation Center as an ancillary function of a church
It is noted that this is proposed as a relocation of the existing First Presbyterian Church Thrift Store on Toberman Drive. With the sole exception of the additional allowable use of a Thrift Store/Donation Center as an ancillary function of a church, the 534 S. University Blvd. property shall have the allowable uses as designated in the CCFBC.

EXHIBIT D

Additional Signage Provisions

Any signage additional to the signage shown on the Exterior Renderings shall comply with the provisions contained herein:

[This is based on the Signage language of the CCFBC, but in the event of ambiguity or conflict, this exhibit shall control]

1. Intent and Guiding Illustrations

Signs along commercial and mixed-use frontages should be clear, informative and should weather well. Signage is desirable for advertising shops and offices, and as decoration. Signs should be scaled to the District: mixed-use, pedestrian-oriented, with slow-moving automobile traffic. Signage that is glaring or too large creates distraction, intrudes into, and lessens the district experience, and creates visual clutter.

2. General Standards

- a. Wall signs are permitted within the area between the second story floor line and the first-floor ceiling with a horizontal band not to exceed 2 feet in height. In no case shall this band be higher than 20 feet or lower than 11 feet above the adjacent sidewalk.
- b. Letters shall not exceed 18 inches in height or width. Signs shall not come closer than 2 feet to an adjacent common lot line.
- c. Additionally company logos or names may be placed within this horizontal band or placed or painted within ground floor or second story windows.
- d. A masonry or bronze plaque bearing an owner's or building's name may be placed in the building's cornice/parapet wall or under the eaves, and above the upper story windows. Any such plaque shall be no larger than a rectangle of 18 square feet.
- e. Blade signs (perpendicular to the required building line) not more than 5 feet wide containing a maximum of 25 square feet per side and minimum 9 feet clear height above the sidewalk may be hung from the facade, or from an overhang or awning. Vertically oriented blade signs less than 30 inches wide may contain up to 30 square feet per side.
- f. Neon signs are allowed within shopfront windows throughout the Property.
- g. No more than 25% of a shop or store window may be covered by signage.
- h. Temporary sidewalk easel signs of up to 36" in height are permitted within the dooryard area. They may also be considered a permitted obstruction to the sidewalk or right-of-way, with prior approval from the City.

i. All illumination of signs and buildings shall be by constant light—flashing, traveling, animated, or intermittent lighting shall not be mounted on the exterior of any building, whether such lighting is temporary or permanent.

3. Prohibited Signs

Outdoor advertising signs, roof signs, free-standing pole signs, monument signs, any kind of animation, and signs painted on the exterior walls of buildings. No digital, flashing, scrolling, traveling, animated, or intermittent lighting shall be on the exterior of any building whether such lighting is of temporary or long-term duration. Portable or wheeled signs and advertising located outside any building are not allowed.

EXHIBIT E

Allowable Tree Species List

This list is based on the City of Norman's allowable tree species lists contained in the CCFBC. In the event of ambiguity or conflict, this list shall control.

The following trees species shall be allowable on the Property. The Applicant shall consider size, location, and surrounding area in determining which of the following species shall be used throughout different locations of the Property.

<i>Carya illinoensis</i>	Pecan
<i>Cerus canadensis</i> var. <i>texensis</i>	Texas Redbud
<i>Cerus x texensis</i>	Oklahoma Redbud
<i>Juglans nigra</i>	Black Walnut
<i>Magnolia grandiflora</i>	Magnolia
<i>Quercus macrocarpa</i>	Bur Oak
<i>Quercus muhlenbergii</i>	Chinquapin Oak
<i>Taxodium ascendens</i>	Pond Cypress
<i>Taxodium distichum</i>	Bald Cypress

<i>Celtis occidentalis</i>	Common Hackberry
<i>Ginkgo biloba</i>	Ginkgo (male only)
<i>Gleditsia triacanthos</i> var. <i>inermis</i>	Thornless Honey Locust
<i>Platanus acerifolia</i> 'Yarwood'	Yarwood Plane tree
<i>Platanus occidentalis</i> 'Bloodgood'	London Plane tree
<i>Quercus acutissima</i>	Sawtooth Oak
<i>Quercus alba</i>	White Oak
<i>Quercus coccinea</i>	Scarlet Oak
<i>Quercus muhlenbergii</i>	Chinquapin Oak
<i>Quercus palustris</i>	Pin Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus buckleyi shumardii</i>	Red Oak
<i>Quercus velutina</i>	Black Oak
<i>Tilia Americana</i>	Basswood/American Linden
<i>Ulmus hollandica</i> 'Groenveldt'	Groenveldt Elm
<i>Ulmus americana</i> "libertas"	Liberty Elm
<i>Ulmus parvifolia</i>	Chinese/Lacebark/Drake Elm

EXHIBIT F

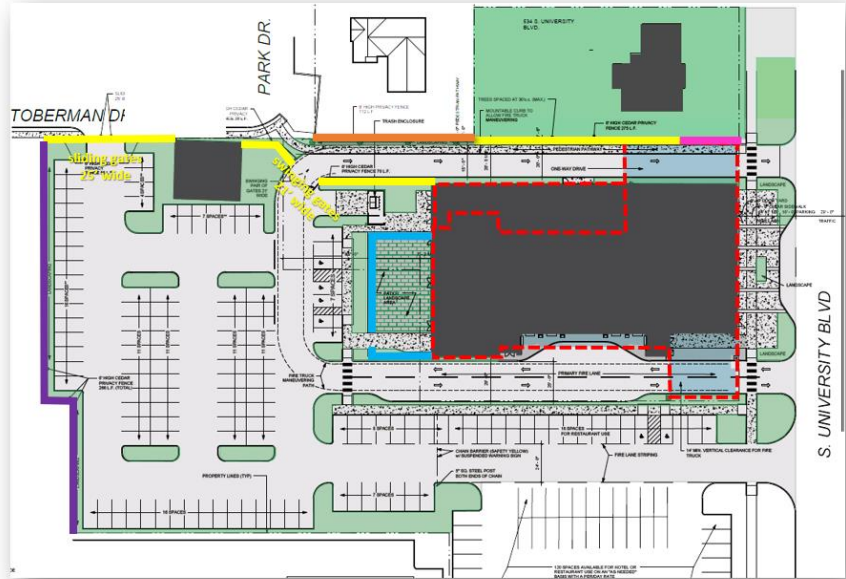
PERIMETER TREATMENT

38

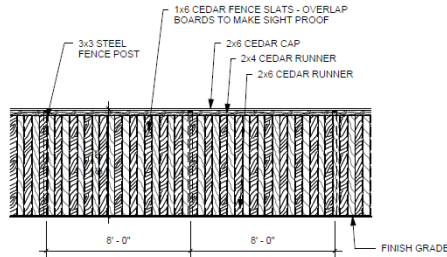
- 4-ft solid wood stockade
- 6-ft solid wood stockade, lapped
- 8-ft solid wood stockade, lapped



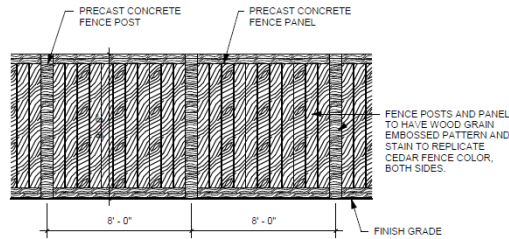
- 6-ft solid masonry
- 8-ft solid precast/concrete Garden Wall



The NOUN Hotel
542 and 534 South University Boulevard



C CEDAR FENCE ELEVATION
1/4" = 1'-0"



B PRECAST FENCE ELEVATION
1/4" = 1'-0"