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ORDINANCE NO. O-1415-42

ITEM NO. 10

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	EAT-1403, L.L.C. (a.k.a. Millennium Apartments, L.L.C.)
REQUESTED ACTION	Amendment of the signage approved with the Planned Unit Development established by Ordinance No. O-1314-18
EXISTING ZONING	PUD, Planned Unit Development
SURROUNDING ZONING	North: R-2, Two Family Dwelling District, R-1, Single Family District East: RM-6, Medium Density Apartment District, RM-2, Low Density Apartment District South: R-2, Two Family Dwelling District West: C-2, General Commercial District
LOCATION	900 East Lindsey Street
SIZE	6.85 acres, more or less
PURPOSE	Multi-Family Residential Community and Related Amenities
EXISTING LAND USE	Apartment Complex – Under Construction
SURROUNDING LAND USE	North: Single Family and Two Family East: Apartments South: Single Family and Two Family West: Commercial

**SYNOPSIS:** The owner previously submitted a land use plan amendment, rezoning and preliminary plat application for this site which was approved by Council in November, 2013. The applicant proposed to develop an undeveloped tract of land with a student based housing project and rezone from C-2, General Commercial District, RM-6, Medium Density Apartment District, and A-2, Rural Agricultural District to a PUD, Planned Unit Development. The approved NORMAN 2025 designation is High Density Residential.

**CURRENT PROPOSAL:** At the time of the original submittal and approval the signage proposal had not been fully vetted; the applicant was not sure of signage type and square footage. Since signage was undetermined the PUD moved forward with the standard reference that signage shall be in conformance with the City of Norman's Sign Ordinance. Since the adoption of the PUD, the owner has developed a signage proposal and realized the current Sign Ordinance does not allow what the owner is proposing. The guidelines for the allowed square footage of signage, location, setbacks and number of signs in the Sign Ordinance is determined by the land use on the site. This PUD is for a student based housing development, essentially RM-6, Medium Density Apartment District. The owner is requesting more signage area than that allowed in the RM-6 District so the owner is submitting the request to amend the PUD to allow the proposed attached sign package for the site, see Exhibit E.

This item is before you because the proposed signage included in the adopted PUD stated all signs for the site would conform to the existing Sign Code. This is an amendment to the adopted PUD so Planning Commission and City Council must review and approve.

Under the Sign Ordinance this use is allowed one ground sign per street frontage with a maximum height of 6 feet and 10 square feet per side or 20 square feet total. In addition to the ground signs the site is allowed a total of 20 square feet for wall signs, this is inclusive of all elevations.

The sign package proposes the following; One ground sign per street frontage with a 7 foot height and 35 square feet per side. This will allow one additional foot in height and 140 square feet of ground signs for the site where the Sign Code allows 40 square feet. The ground signs are proposed on Lindsey Street and Classen Boulevard, at the entrances. There are 3 wall signs proposed for this site; 2 logo only signs – one facing west with 25 square feet and one facing east with 9 square feet, both on the building face, and another wall sign to be placed on the front of the building canopy, facing Lindsey Street, with 32 square feet. This request for wall signs is 46 square feet over the allowed 20 square feet per the Sign Code.

No other signage will be installed on this site, except for temporary signs or banners as allowed by the Sign Code.

Typically, Zoning Ordinance and Sign Code variances appear before the Board of Adjustment; however, the Zoning Ordinance specifically states in Section 22:441 12. (h): "The Board of Adjustment shall not have the authority to grant any variance which would increase the maximum permitted sign area on a single lot or building as specified in this code."

**PUD AMENDMENT:** The below text will be added to the PUD Narrative governing the site, see Page 6 of the PUD.

***SIGNAGE: The signage for the Addition shall be allowed as set forth on attached Exhibit E. Signage shall be allowed within the building setback areas up to the property lines, except that signage shall not interfere with or obstruct the traffic visibility triangles.***

***Signs may be lit and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic sight lines.***

The following information is from the previous staff report for the PUD and included as supplementary information.

**ANALYSIS:** The particulars of this PUD include:

**USE:** The development as proposed will consist of 197 units and 705 beds for a student housing development. With the close proximity to the University the project will be focused on the University population. The location will be best suited for students, faculty and staff to walk or ride bicycles to the University.

**DESIGN:** This is a gated apartment community. The gates are designed to City standards. The structures may not exceed five stories of habitable space, plus the additional height needed for roof structure, any mechanical equipment and associated construction. Exterior materials will consist of eighty percent masonry on all elevations. The exterior material may include brick, stone, stucco or manufactured materials such as synthetic stone, panel stucco or cement board. There will be three access points for the development. There will be one access point on Lindsey Street, centered between Barkley Street and Virginia Street. The second and third access points will be off Classen Boulevard. There is an existing access point which flows into the commercial development to the west of this proposal; a small section of the development will be accessed from this point.

**OPEN SPACE:** In addition to the open spaces noted within the development there is a large open space area incorporated into the amenities/park area located along the southern portion of this development.

**PARKING:** There is a parking garage provided for this development. Some of the residents will be able to park in the parking garage and walk across the attached walkway to their building. In addition to the parking garage there is parking distributed throughout the development. There will be 731 parking spaces on-site, the PUD states there will be 1:1 bed to parking ratio. Proposed are twelve parking spaces for the clubhouse. The remaining parking is supplementary.

**LIGHTING:** The lighting proposed for the site shall be installed in conformance with the City of Norman Commercial Outdoor Lighting Standards.

**FENCING:** This development has included an area that was previously designated as parkland. That parkland was in a flood zone and also included a portion of a drainage system. Portions of that area were not adequately suited for a park. The western portion of the previous parkland not suitable for use as a park area will incorporate the needed detention for this site. With that said, this development has utilized this previous parkland for a new park area that the neighboring single-family and two-family, as well as adjacent multi-family developments benefits from. The area along the southern portion of the development abuts two-family homes with existing fences along the rear of their property. The Zoning Ordinance states these types of developments should screen/fence as a buffer between less intense zoning districts. In this case staff suggests the applicant not fence the south and east sides of the property as this will close off the proposed park/amenity area to adjacent residential developments. However, there is a wrought iron security fence, as shown on the site plan, which surrounds the apartment development; this will secure the gated community from visitors at the park.

**OTHER AGENCY COMMENTS**

- **PARKS BOARD** In addition to the proposed park area on-site Parks Board approved fee-in-lieu in place of parkland.
- **PUBLIC WORKS** Detention will be provided for storm water run-off. Water and sanitary sewer is available to the property. Interior sanitary sewer is private. Interior water lines will be installed per City standards to serve for fire protection. A portion of Classen Boulevard will be improved to City standards. Within that same location a five foot sidewalk will be installed adjacent to Classen Boulevard.
- **TRAFFIC** A Traffic Impact Study was submitted, reviewed by staff and found to be acceptable.

**STAFF RECOMMENDATION** This is an amendment to the existing PUD, adopted by City Council in November of 2013. This development fronts 2 Minor Urban Arterial street designations and consumes close to 7 acres, the signage and locations proposed for the site are appropriate. Staff recommends approval of Ordinance No. O-1415-42.