

**2013 Amendment to  
36 NORTH PUD Development Plan  
as approved by Norman City Council  
on January 8, 2008**

36 NORTH, LLC ("**36N**"), hereinafter referred to as "**Applicant**", respectfully submits this proposed Amendment to PUD Development Plan for approximately 20.5 acres, known as 36th NORTH BUSINESS PARK P.U.D. ("**PUD**"), located on the East side of 36<sup>th</sup> Avenue NW approximately one-half (½) mile north of Rock Creek Road, all as more particularly described on the previously approved (*now expired*) Preliminary Plat (hereinafter referred to as "the **Property**"). A PUD rezoning Application and a new Preliminary Plat are submitted concurrently with this Development Plan PUD Amendment request, along with related engineering documents approved in 2008.

**BACKGROUND:** The Preliminary Plat of the Property consists of two platted lots (*Lot 6, Block 1 of BROCE INDUSTRIAL PARK and Lot 1, Block 1 of SCMC ADDITION*), plus a 5.5 acre unplatted tract which adjoins said platted lots on the South. No part of the Property is within the 100 Year Flood Plain according to FEMA maps currently adopted by the City of Norman.

The following Exhibits are incorporated herein by reference:

Exhibit A – Preliminary Plat

Exhibit B - Preliminary Site Plan

Exhibit C - Landscape Site Plan

**USE and PLATS:** Under this PUD Amendment, the Property will remain a Mixed Use PUD for Office/Residential/Commercial purposes.

To further its plan, 36N replatted the two platted lots described above along with the 5.5 acre unplatted tract described above, into a new Final Plat named **36 NORTH BUSINESS PARK Addition**. That Final Plat was submitted and required improvements were installed and "as-builts" turned in, but that Final Plat has never been filed.

The West seven (7) acres of the Property will continue to be limited to buildings of no greater than two (2) stories, and Commercial uses will be restricted to the ground floor only, with Residential or Office uses being permitted on the second floor. Because the ultimate end users in the West seven acres (*other than a one-story bank*), and their respective uses, have not been identified, the PUD will continue to have the flexibility of having either Residential or Office uses on the second floors of the various buildings in the West seven acres of the Property.

The remaining 13.5 acres of the Property will consist of buildings with a maximum height of four (4) stories, with mixed Commercial, Office and Residential uses, with Commercial uses being restricted to the ground floor, only, in each building.

When the term "Commercial" is used in this document, it shall have the following meaning for the entire PUD: "The uses currently permitted as a matter of right under C-1 Local Commercial District in Norman Zoning Code Section 19-423.2.2(a), (b) and (c) except for theaters, assembly halls for non-profit corporations, churches and trade schools and schools for vocational training. In addition, one automobile service station will be permitted throughout the PUD, and it must be located in the West 7 acres."

When the term "Office" is used in this document, it shall have the following meaning for the entire PUD: "The uses currently permitted as

a matter of right under CO Suburban Office Commercial District in Norman Zoning Code Section 19-423.1.2(a) except for theaters, assembly halls for non-profit corporations, churches and trade schools and schools for vocational training. In addition, one (1) veterinary clinic and one (1) physical fitness facility may be permitted."

When the term "Residential" is used in this document, it shall have the following meaning for the entire PUD: Apartments.

Regardless of any other provision of this document, the following uses (as currently defined by Norman ordinances) are expressly prohibited anywhere in the PUD: "Bar"; "Tavern"; and "Adult Entertainment Uses".

Depending on market demand, the PUD may be developed in phases, with a separate Final Plat for each phase. All Final Plats and building permits will be subject to then-applicable ordinances and regulations of the City of Norman and to fees connected therewith.

**PARKING**: The amount of parking provided will meet or exceed the requirements of Norman ordinances for each use.

**WATER RIGHTS**: Applicant reserves and retains all rights to non-potable groundwater lying in and under and that may be produced from the entire Property, to be used for PUD irrigation and landscaping, provided that should the City need to include the acreage of platted property within this PUD to meet a Garber-Wellington Aquifer water allocation request with the Oklahoma Water Resources Board to meet municipal water supply demands and the City has extended municipal water supply to the platted property, then any groundwater use permits issued by the Oklahoma Water Resources Board for such platted

property shall be surrendered so as to not impede the City's request for use of said groundwater allocation. Should Applicant desire to use groundwater for irrigation, landscaping, or other non-potable purposes, Applicant will be required to obtain an appropriate City permit.

**LANDSCAPING/GREENWAY:** At least ten percent (10%) of the net area of the Property will be designated as open space. The project will fully comply with all Norman ordinances and regulations relating to landscaping and drainage. Landscaping and irrigation are shown on the Landscape Site Plan, Exhibit C. Actual construction of landscaping on a building site can be deferred to the time a building permit is issued for the building embraced in such Site Plan. Each building owner will always be responsible for the installation and maintenance of landscaping, plus the installation and maintenance of any detention area, for his/her/its building. 36<sup>th</sup> North LLC is responsible for all common areas, landscaping and bonding.

**PARKING AND OFF-STREET LOADING:** All uses within the PUD shall comply with the off-street parking and loading requirements, and related landscaping provisions, provided by applicable Norman ordinances for each use.

**BUILDING LIMITATIONS:** The setbacks and coverages for each building shall be shown on, and governed by, the Preliminary Site Plan, Exhibit B.

**DRAINAGE/DETENTION:** Drainage/Detention plans for the PUD were submitted and approved. The drainage/detention plans are on file with Public Works, Engineering Division.

**PROPERTY OWNERS ASSOCIATION and RESTRICTIONS:** For any common elements within the PUD which are owned by two (2) or more entities, a mandatory Property Owners Association ("POA") will be required. Installation and maintenance of landscaping for individual buildings will be the responsibility of the owner of each such building. If any part of the PUD is owned by two (2) or more entities, Restrictive Covenants will be prepared and filed with the Cleveland County Clerk.

**BUILDING DESIGN AND MATERIALS:** Buildings on the Property throughout the PUD are to be compatible in design, and in color, with each other and with adjoining Residential and Office uses. Buildings in the West seven acres of the PUD must have pitched 6/12 roofs and designs compatible with existing Residential uses on the West side of 36<sup>th</sup> Avenue NW and the existing Office complex located to the South of the Property. Buildings with metal exterior walls are prohibited in the PUD, except for ancillary storage buildings less than 108 s.f. All buildings will comply with the current Norman regulations relating to exterior building materials for Commercial buildings.

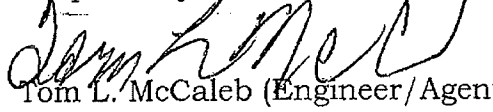
All exterior lighting shall be installed in conformance with the Commercial Outdoor Lighting standards.

**SIGNS:** Joint Identification Ground Signs: Signs may be installed along 36th Avenue NW, at the four locations shown on the Site Development Plan. Wall signs may be installed within the development at locations authorized under the Norman Sign Code (Chapter 18) and permitted as C-1 uses. Each sign must comply with the height and size limitations of the Norman Sign Code and other applicable regulations; with the exception of the square footage allowed for the Joint Identification Ground Signs as shown on the Site Development Plan. The maximum allowed area for all of the Joint Identification Ground Signs will be 1,250. As stated in the Sign Code, Section 18-504, the area noted

above for Joint Identification Ground Signs shall be in addition to the maximum allowed area under wall signs, marquee signs, suspended signs, window signs, time-temperature-date signs grand opening signs and address identification signs.

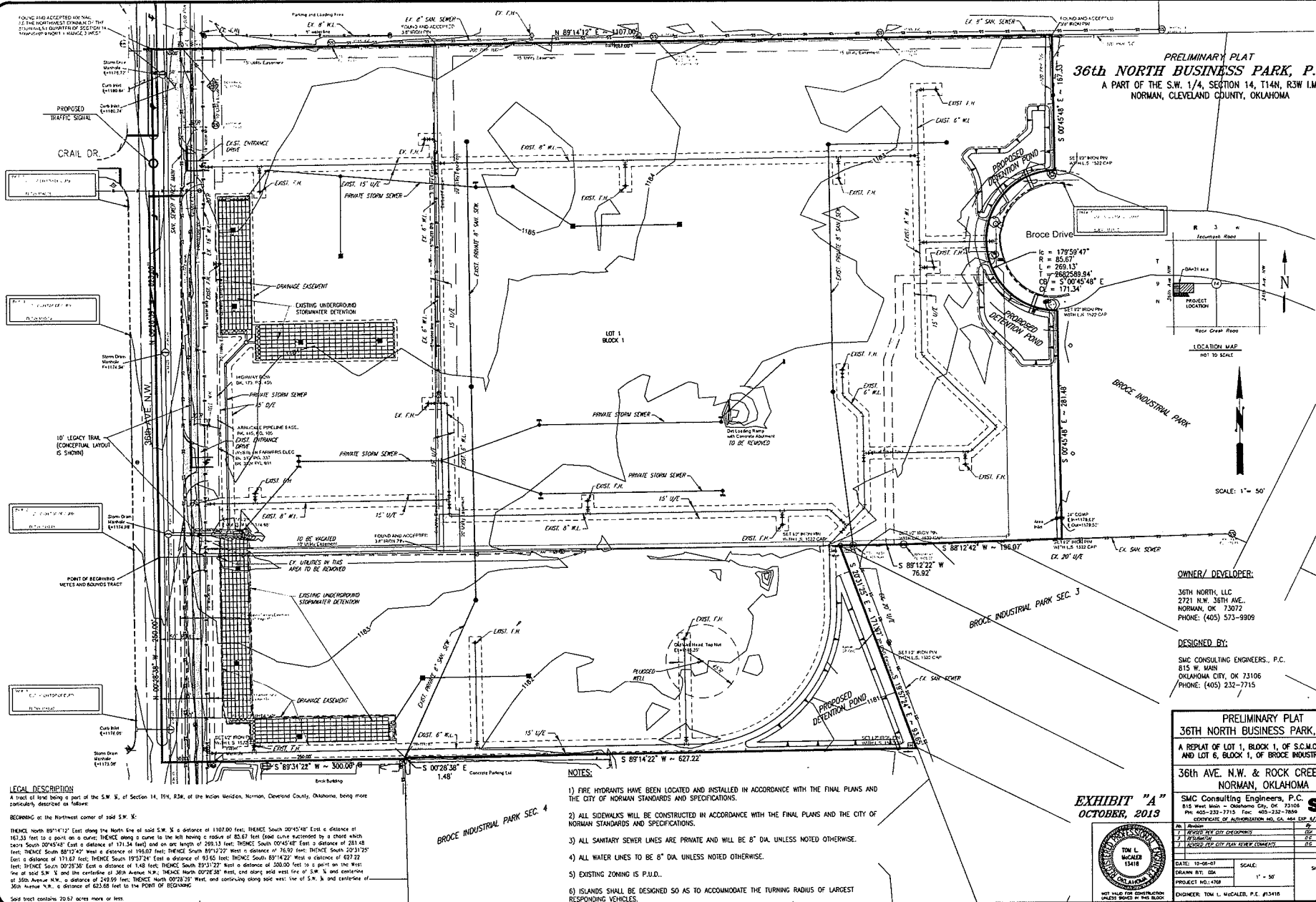
**STREET IMPROVEMENTS:** None required

Respectfully submitted,



Tom L. McCaleb (Engineer/Agent)  
SMC Consulting Engineers, P.C.  
815 West Main Street  
Oklahoma City OK 73106  
405-232-7715  
FAX 405-232-7859  
[www.smcokc.com](http://www.smcokc.com)

PRELIMINARY PLAT  
36th NORTH BUSINESS PARK, P.U.D.  
A PART OF THE S.W. 1/4, SECTION 14, T14N, R3W I.M.  
NORMAN, CLEVELAND COUNTY, OKLAHOMA



OWNER/ DEVELOPER:  
36TH NORTH, LLC  
2721 N.W. 36TH AVE.  
NORMAN, OK 73072  
PHONE: (405) 573-9909

DESIGNED BY:  
SMC CONSULTING ENGINEERS, P.C.  
815 W. MAIN  
OKLAHOMA CITY, OK 73106  
PHONE: (405) 232-7715

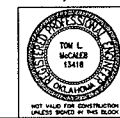
PRELIMINARY PLAT  
36TH NORTH BUSINESS PARK, P.U.D.  
A REPLAT OF LOT 1, BLOCK 1, OF S.C.M.C. ADDITION  
AND LOT 6, BLOCK 1, OF BROKE INDUSTRIAL PARK  
36th AVE. N.W. & ROCK CREEK RD.  
NORMAN, OKLAHOMA

SMC Consulting Engineers, P.C.  
815 West Main - Oklahoma City, OK 73106  
PH: 405-232-7715 Fax: 405-232-7858  
CORPORATE OF AUTHORIZATION NO. 04-445 EXP. 06/30/2015

DATE	BY	SCALE	SHEET NO.
10-20-07	SM	1" = 50'	1
10-20-07	SM	1" = 50'	1
10-20-07	SM	1" = 50'	1

ENGINEER: TOM L. WAGLER, P.E. #13410

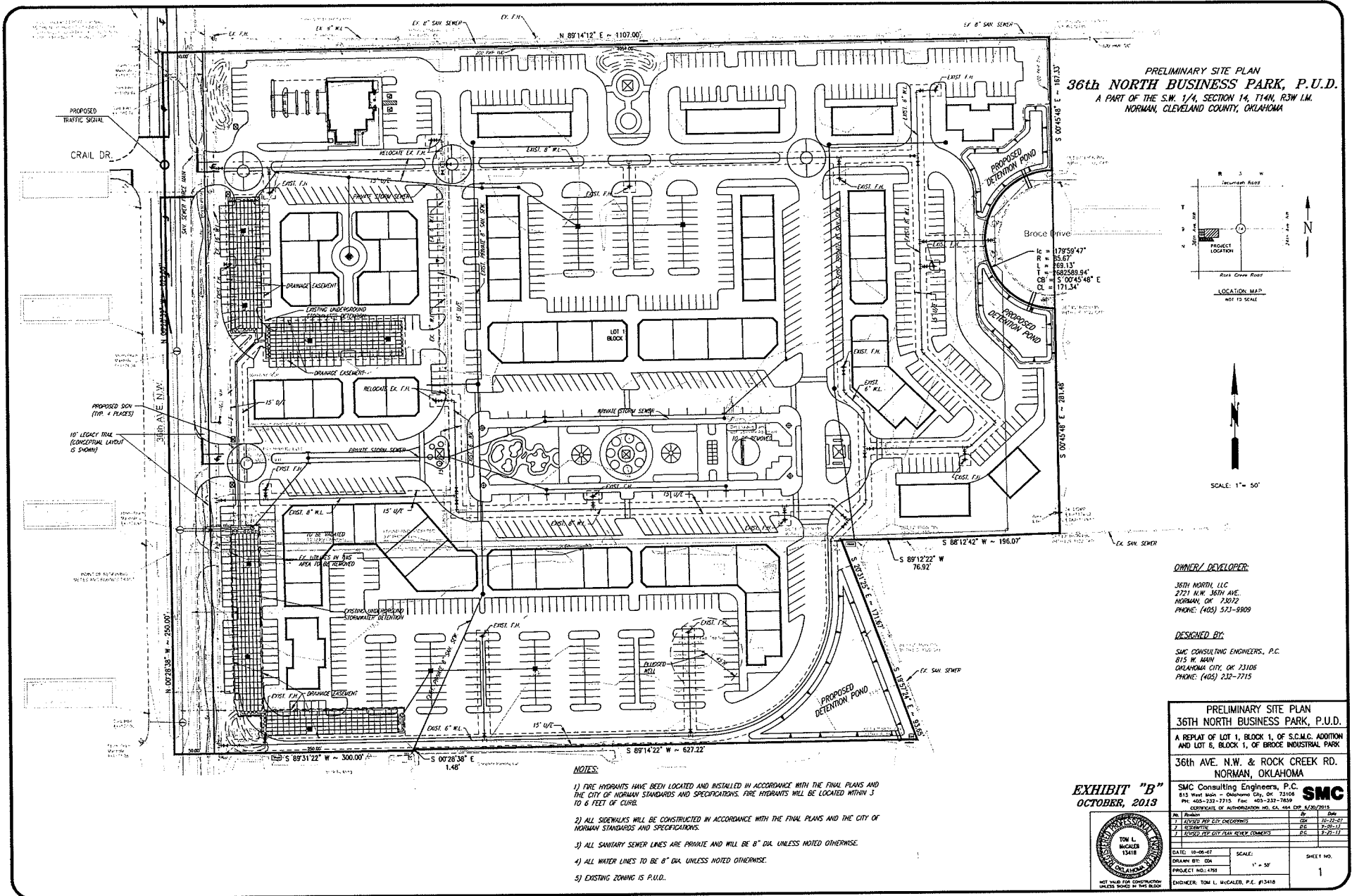
EXHIBIT "A"  
OCTOBER, 2013



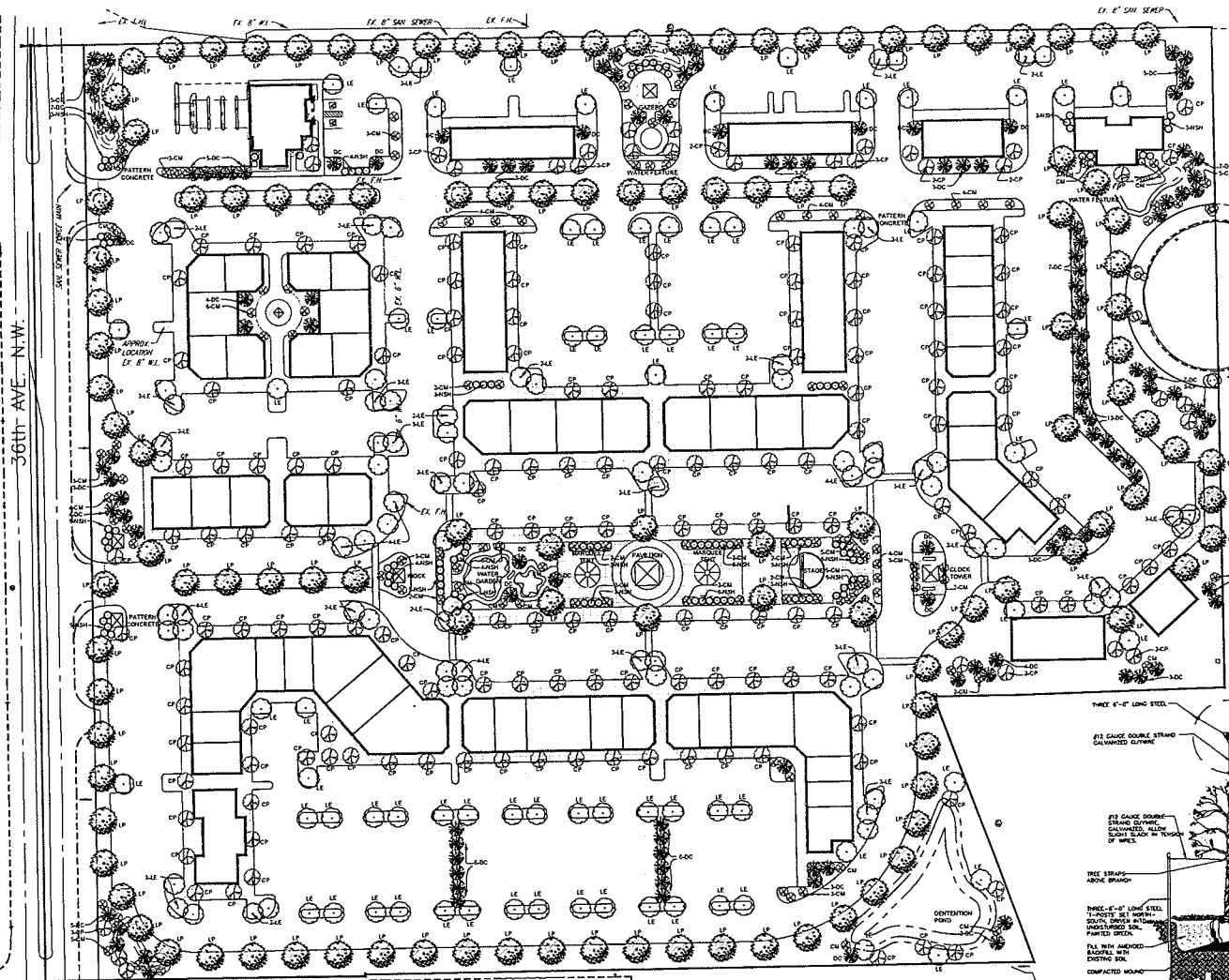
- NOTES:
- 1) FIRE HYDRANTS HAVE BEEN LOCATED AND INSTALLED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.
  - 2) ALL SIDEWALKS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.
  - 3) ALL SANITARY SEWER LINES ARE PRIVATE AND WILL BE 8" DIA. UNLESS NOTED OTHERWISE.
  - 4) ALL WATER LINES TO BE 8" DIA. UNLESS NOTED OTHERWISE.
  - 5) EXISTING ZONING IS P.U.D.
  - 6) ISLANDS SHALL BE DESIGNED SO AS TO ACCOMMODATE THE TURNING RADIUS OF LARGEST RESPONDING VEHICLES.

LEGAL DESCRIPTION

A tract of land being a part of the S.W. 1/4, of Section 14, T14N, R3W, of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:  
Beginning at the Northwest corner of said S.W. 1/4;  
THENCE North 89°14'12" East along the North line of said S.W. 1/4 a distance of 1107.00 feet; THENCE South 00°45'48" East a distance of 167.33 feet to a point on a curve; THENCE along a curve to the left having a radius of 85.67 feet (road curve subtended by a chord which bears South 00°45'48" East a distance of 171.34 feet) and on arc length of 209.13 feet; THENCE South 00°45'48" East a distance of 201.48 feet; THENCE South 88°12'22" West a distance of 108.07 feet; THENCE South 88°12'22" West a distance of 76.92 feet; THENCE South 20°31'25" East a distance of 171.67 feet; THENCE South 19°57'24" East a distance of 83.62 feet; THENCE South 89°14'22" West a distance of 627.22 feet; THENCE South 00°29'30" East a distance of 1.48 feet; THENCE South 89°14'22" West a distance of 200.00 feet to a point on the West line of said S.W. 1/4 and the centerline of 36th Avenue N.W.; THENCE North 00°00'00" West, and along said West line of S.W. 1/4, and centerline of 36th Avenue N.W., a distance of 249.99 feet; THENCE North 00°28'35" West, and continuing along said West line of S.W. 1/4, and centerline of 36th Avenue N.W., a distance of 623.68 feet to the POINT OF BEGINNING.  
Said tract contains 20.67 acres more or less.







# LANDSCAPE INSTRUCTIONS:

## PLANT MATERIAL INSTALLATIONS:

- 500: SOO IS TO BE Laid SHOOTLY, EDGE TO EDGE AND WITH STAGGERED JOINTS. PRESS FIRM INTO CONTACT WITH SOO BED BY TAMPING OR ROLLING. SOO ALL DISTURBED AREAS.
- 500 IS TO BE WATERED MANUALLY AFTER BEING INSTALLED. ALL SOOED AREAS ARE TO BE WATERED UNTIL GRASS IS ESTABLISHED. BARE AREAS ARE TO BE RE-SEEDING.
- ON SLOPES GREATER THAN 2:1 SOO SHALL BE STAKED IN PLACE UNTIL ROOT SYSTEM IS ESTABLISHED.

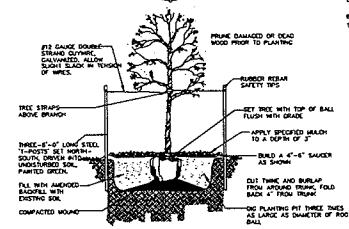
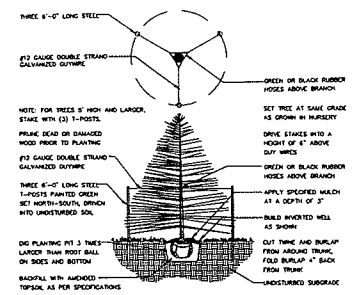
## TREES AND SHRUBS:

- A. PLANT PITS ARE TO BE STAKED PRIOR TO EXCAVATION.
- B. PLANT PITS ARE TO BE BACKFILLED WITH A SOIL MIXTURE OF 2/3 CLEAN EXCAVATED SOIL AND 1/3 BACKFILL-EARTH BY VOLUME WITH 3 LBS. FERTILIZER FOR EACH TREE AND 6 OZ. FERTILIZER FOR EACH SHRUB. BACKFILLING IS TO BE EXECUTED IN 4" LAYERS, EACH CAREFULLY TAMPED AND THOROUGHLY WATERED.
- C. ALL BACKFILL AND BACKFILL PLANTS ARE TO HAVE THE TOP ONE THIRD OF THE BACKFILL CUT BACK FROM THE TOP OF THE SOIL AFTER PLANT IS STABILIZED.
- D. OBSERVE BRANCH STRUCTURE TOWARD PUBLIC STREET AND PARKING AREAS VIEW FOR FULLEST APPEARANCE AND SYMMETRICAL FORM.
- E. FREESTANDING TREES AND SHRUBS ARE TO HAVE A 4" HIGH EARTH SAUCER, 4' IN DIAMETER, FORMED AROUND THE PIT AND FILLED WITH SOIL.
- F. ALL TREES 2" IN CALIPER OR LARGER ARE TO BE PROPERLY GUIDED AND STAKED. TREES ARE TO BE WATERED FROM THE GROUND UP TO THE FIRST LOWER BRANCHES.
- G. PRUNE ALL DEAD WOOD, BRANCHES BROKEN OR BADLY DAMAGED BRANCHES. PRUNE APPROXIMATELY 1/3 OF LAST SEASON'S GROWTH IF TREES OR SHRUBS ARE DAMAGED.
- H. TREES THAT NEED TO BE "LIMBED UP" SHALL BE OF SUFFICIENT SIZE AND HEALTH AS TO NOT HAVE GROWTH STRUCTURE AFFECTED. SEAL ALL GUTS OVER 3/4" IN DIAMETER WITH TREE PAINT. PAINT SHALL BE WATERPROOF, FREE OF KEROSENE, MEGALITE OR OTHER HARMFUL MATERIALS.

## REQUIREMENTS:

- A. CONTRACTOR SHALL MAINTAIN UNTIL SUBSTANTIAL COMPLETION IS ISSUED ALL LANDSCAPING (GRASSES, TREES, SHRUBS, ETC.) INCLUDING WATERING, RECORDS, SPRINKLING, PRUNING, CLEANING UP AND OTHER NORMAL CARE AS IS APPROPRIATE.
- E. CONTRACTOR SHALL WARRANT ALL WORK INCLUDING IRRIGATION SYSTEM, GRASS AREAS AND ALL PLANT MATERIALS IN WRITING FOR ONE YEAR. COMMENCEMENT OF THE FULL CALENDAR YEAR WHEN EXISTENCE IS LONGER THE WARRANTY PERIOD WILL COMMENCE ON THE DATE OF SUBSTANTIAL COMPLETION OF THE INSTALLATION OF THE LANDSCAPE AND IRRIGATION SYSTEMS.
- C. CONTRACTOR SHALL AT HIS EXPENSE TO THE OWNER REPLACE WITH LIKE MATERIAL, ANY DAMAGED, OVERGROWN OR DEAD PLANT OR GRASS AREAS WHICH OCCURS WITHIN THE WARRANTY PERIOD. ALL REPLACEMENT MATERIAL SHALL BE THE RESPONSIBILITY OF THE SAME ORIGINAL REQUIREMENTS BEGINNING WITH THE DATE OF ITS INSTALLATION.

SCALE: 1" = 50'



## NORMAN LANDSCAPE REQUIREMENTS

PERIPHERAL LANDSCAPE REQUIREMENTS	North Perimeter	1109 / 20	=	55	Trees
	South Perimeter	1465 / 20	=	73	Trees
	East Perimeter	620 / 20	=	31	Trees
	West Perimeter	873.7 / 20	=	44	Trees

Peripheral Trees Required: 203 Trees

OFF-STREET PARKING REQUIREMENTS EXCEEDING 30 SPACES  
820 Spaces x 15 = 12300 / 100 = 123 Trees

TOTAL TREES REQUIRED: 326 Trees

## PLANT MATERIAL SCHEDULE

Key	Quantity	Common Name	Botanical Name	Size	Comments
<b>TREES:</b>					
DC	128	Dodona Cedar	Cedrus deodara	6'-9" H	Strong central leader, full to ground.
CP	183	Chinese Pistache	Pistachia chinensis	3" cal	Straight trunk, balanced branching.
LE	150	Lacebark Elm	Ulmus parviflorus	3" cal	Straight trunk, balanced branching.
LP	121	London Plane Tree	Platanus occidentalis	3" cal	Straight trunk, balanced branching.
<b>SHRUBS:</b>					
NRS	101	Nelle R. Stevens Holly	Ilex x 'Nelle R. Stevens'	7'-8" H	Sheared pyramid, full to ground.
CM	116	Crape myrtle	Lagerstroemia indica	6'-10" H	Minimum 3 trunks, limb up to tree form.

**Mark H. Myers**  
Landscape Architect  
2112 Randolph Road  
Edmond, OK 73013

**EXHIBIT "C"**  
OCTOBER, 2013



LANDSCAPE SITE PLAN			
36th NORTH BUSINESS PARK, P.U.D.			
36th AVE. N.W. & ROCK CREEK RD.			
SMC Consulting Engineers, P.C. 815 West Main - Oklahoma City, OK 73106 PH: 405-232-7715 FAX: 405-232-7828		<b>SMC</b> CERTIFICATE OF AUTHORIZATION NO. 445 EXP. 6/30/2015	
DATE: 10-01-13	SCALE: 1" = 50'	SHEET NO. L-1	
DRAWN BY: MMW	PROJECT NO.: 1478	ENGINEER:	