

HOLLYWOOD CORNERS SPUD

NORMAN, OKLAHOMA

**SIMPLE PLANNED UNIT DEVELOPMENT
SPUD NARRATIVE
SPUD SITE DEVELOPMENT PLAN MAP**

OWNER:

HOLLYWOOD CORNERS STATION LLC

**SIMPLE PLANNED UNIT DEVELOPMENT
APPLICATION FOR REZONING
And APPLICATION FOR NORMAN 2025 PLAN CHANGE**

8 January 2018

Prepared by:

**SEAN PAUL RIEGER, OBA #18817
Attorney for Applicant**

**RIEGER LAW GROUP PLLC
136 Thompson Drive
Norman, Oklahoma 73069-5245
Phone: 405.329.6070
Fax: 405.329.7103
Email: sp@riegerllc.com**

INTRODUCTION

The Hollywood Corners (the “**Property**”) is proposed as a Simple Planned Unit Development (SPUD) in the City of Norman. The Property is generally located at 4712 North Porter Avenue, Norman, Oklahoma.

This is an application that is being submitted as an effort to formalize zoning to match the many City, County, and State permits and licenses that were previously issued for this Property in its current form, and which already allow for uses such as a strong wine/beer bar and restaurant, Class I and II beer licenses, food service for deli and bar, cigarette and tobacco licenses, commercial addition and alteration permit for permanent engineered roof over outdoor performance stage and categorized on the City’s issued permit as an A-5 Assembly Occupancy (A-5 is the code category for “assembly uses intended for participation in or viewing outdoor activities”).

Therefore, through a good faith effort to work with other property owners in the general area, the Applicant sets forth this Simple Planned Unit Development (SPUD) as requirements to be followed in order to formalize the permits and issuances already provided by the City.

The Property is already developed and constructed and no physical changes are proposed to the Property at this time, except that additional sound buffering treatments, and barriers will be provided around the outdoor stage in order to direct and control sound transmission during events.

The Property is proposed as a SPUD in order to provide a superior built environment through a unified development that provides design ingenuity. The project will maximize the unique location and physical features of the Property and produce a unique, creative, progressive, and quality development. Further, this will provide a continued efficient and innovative use of the land.

This SPUD Narrative, along with the EXHIBITS hereto, will put forth the requirements of the SPUD district adopted herewith for this Property.

I. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

A. Location

The Property is generally located on the southwest corner of the intersection of West Franklin Road and North Porter Avenue, at 4712 North Porter Avenue, Norman, Oklahoma.

B. Existing Land Use and Zoning

The Property is currently designated as Very Low Density Residential on the 2025 Land Use and Transportation Plan. The Property is currently zoned A-2, Rural Agricultural District. However, the Property has operated as Commercial uses for

many decades, and has been issued extensive commercial permits and licenses by the City, County, and State over many years.

C. Elevation and Topography

The site is fully developed and is of low slope with paving and structures throughout the Property. No part of the Property lies within any flood plain.

D. Drainage

No changes are proposed to the existing drainage on the Property.

E. Utility Services

The Property is already developed, functioning, and operating with all necessary utilities.

F. Fire Protection Services

Fire Protection services will be provided by the City of Norman Fire Department and otherwise required per code.

G. Traffic Circulation and Access

No changes are proposed to the existing traffic access and circulation on or to the Property.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Addition is planned to accommodate commercial uses as already operate on the Property.

A. Commercial Uses

The proposed improvements in the SPUD are generally as already constructed on the attached SPUD Site Development Plan, which is the existing site as shown on **EXHIBIT A** hereto.

1. Uses

The purpose for the SPUD is to allow for continued commercial uses under the following development regulations:

- a. Uses: The uses permitted will be any permitted use allowed as listed below (which are existing uses already previously issued permits on the Property, or uses that could be provided on the Property without any additional improvements and as are found in the TC, TOURIST

COMMERCIAL District under Section 22:424.2.2, which is a district that exists across the street):

- i. Restaurant
 - ii. Bar, Lounge, Nightclub, or Tavern
 - iii. Gift, novelty, or souvenir store
 - iv. Ice dispensing machines
 - v. Offices accessory to main use
 - vi. Pre-packaged food store
 - vii. Service station (gas station)
 - viii. Sporting goods store, including the sale of live bait
 - ix. Live Entertainment Venue. The Live Entertainment Venue may be allowed as exterior and interior live entertainment, which it is noted already operates on the exterior stage (which was previously permitted by the City in a building permit on 3/3/16).
- b. Live Entertainment Venue: In regard to the Live Entertainment Venue, on the exterior of the Property, the following provisions shall apply at such times when exterior amplification of sound is utilized:
- a. Live exterior amplified music events shall be restricted to not exceed the maximum permissible sound limits as currently adopted under Sec. 10-304 of the City of Norman code, the Use district noise levels, as found in the “commercial” category of 10-304(a)(2) district noise levels, as shown on attached **EXHIBIT B**. Notwithstanding any provisions herein, the additional noise Exemptions and Permit allowances as found in Section 10-308 and 10-309 of the Norman City Code shall remain in effect and available as to the Property.
 - b. The determination of sound level being produced on the Property, and as to whether it has exceeded the “commercial” category sound decibel limits shown on **EXHIBIT B**, shall be measured at locations as shown on attached **EXHIBIT C**.
 - c. A decibel graphic is attached as **EXHIBIT D** hereto for reference as to relative magnitude of decibels.
 - d. The exterior performance stage shall be enhanced with sound barriers along the rear and sides of the stage such that amplified sound shall be directed to the northeast direction of the stage and shall be diminished from the rear and sides of the stage.
- c. Area Regulations: The area regulations of TC, TOURIST COMMERCIAL District, Section 22:424.2.4 are adopted herein, **EXCEPT THAT**:
- a. The Front Yard setback, as it fronts North Porter Avenue shall be ten feet from the 33’ Statutory Right of Way boundary (in order to accommodate the existing commercial building and gas pumps that are located on the Property).
 - b. The Rear Yard setback, shall be a minimum of twenty five (25) feet (in order to accommodate the existing stage and roof that has already been permitted on the Property).

- c. The existing improvements meet these Area Regulations, and any new improvements forward would meet the regulations as well.
- d. Height: The Area Regulations of TC, TOURIST COMMERCIAL District, Section 22:424.2.5 are adopted herein.

2. Parking

No changes are proposed to the existing parking on the Property, except that the parking is shown as to layout on attached **EXHIBIT A**. To the extent that any changes are made in the uses on the Property, all uses within the Property shall be provided parking in quantities that conform to the City of Norman Off-Street Parking Requirements of 22:431.5. The existing hard pack gravel surface of the parking area is approved as part of this SPUD for the existing uses.

Overflow parking on a temporary basis will be arranged and provided for on adjacent property, or property across the street from the Subject Property.

3. Sanitation

Location of sanitation will be as approved by the City of Norman Sanitation department. Trash facilities will conform to city standards.

B. Miscellaneous Development Criteria

1. Site Plan

No changes are proposed to the existing site plan on the Property, and thus the existing site plan as shown on attached **EXHIBIT A** shall remain unchanged.

2. Open Space

No changes are proposed to the existing open space on the Property, and thus the existing open space requirements shall remain unchanged.

3. Signage

The existing signage as constructed and where constructed on the Property as of the date of this SPUD submittal on January 25, 2018 is approved within this SPUD. The signage consists of signage on the main building gable and a marquee sign on North Porter Avenue frontage.

All future signage, if any, shall be in conformance with the City of Norman's sign codes, as amended from time to time.

4. Screening Requirements

No changes are proposed to the existing site plan on the Property, and thus the existing fencing shall remain unchanged.

5. Traffic access/circulation/parking and sidewalks

No changes are proposed to the existing traffic access, circulation or parking on the Property, except that the parking is planned to be accommodated as shown on attached **EXHIBIT A**.

6. Lighting

All exterior lighting shall be installed in conformance with the City of Norman Commercial Outdoor Lighting Standards, as amended from time to time.

7. Landscaping

No changes are proposed to the existing landscaping on the Property.

EXHIBIT B

Applicable excerpt from the City of Norman Noise Ordinance as to Use District Noise Levels as to be applied herein this SPUD during times that outdoor amplified Live Entertainment music:

Chapter 10 - HEALTH AND SAFETY

Sec. 10-304. - Use district noise levels.

(a) *Maximum permissible sound levels.* It shall be a violation of this article for any person to operate or permit to be operated any stationary source of sound which either:

- (1) Creates a sound level greater than 15dB(A) above the ambient sound level (L_{90}) within any land use district during any measurement period; or
- (2) Creates a ninetieth percentile sound level (L_{90}), a tenth percentile sound level (L_{10}) or a first percentile sound level (L_1) for any measurement period which exceeds the limits set forth for the following receiving land use districts when measured at the boundary or at any point within the property affected by the noise:

Use District	L_{90}		L_{10}		L_1	
	9pm— 7am	7am— 9pm	9pm— 7am	7am— 9pm	9pm— 7am	7am— 9pm
Commercial	55dB(A)	60dB(A)	65dB(A)	70dB(A)	70dB(A)	75dB(A)

This SPUD Ordinance sets forth the precise locations at the boundary at which the sound shall be measured in regards to this subject Property.

EXHIBIT C

Locations at which to measure sound readings for determination of decibel level and whether sound has exceeded the maximum permissible sound levels set forth in **EXHIBIT B** (LOCATIONS ARE SHOWN BY THE BLACK CIRCLE  BELOW):

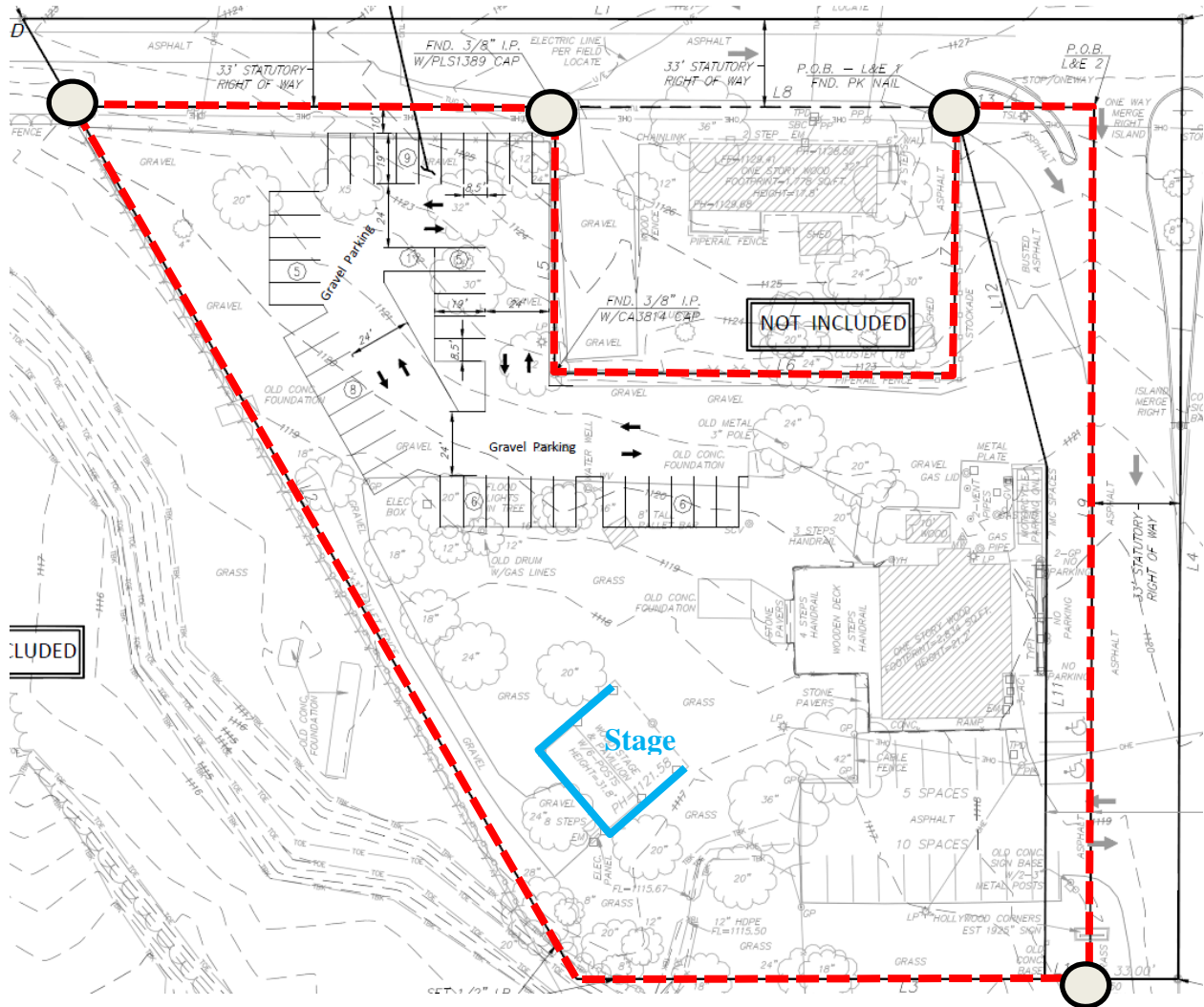
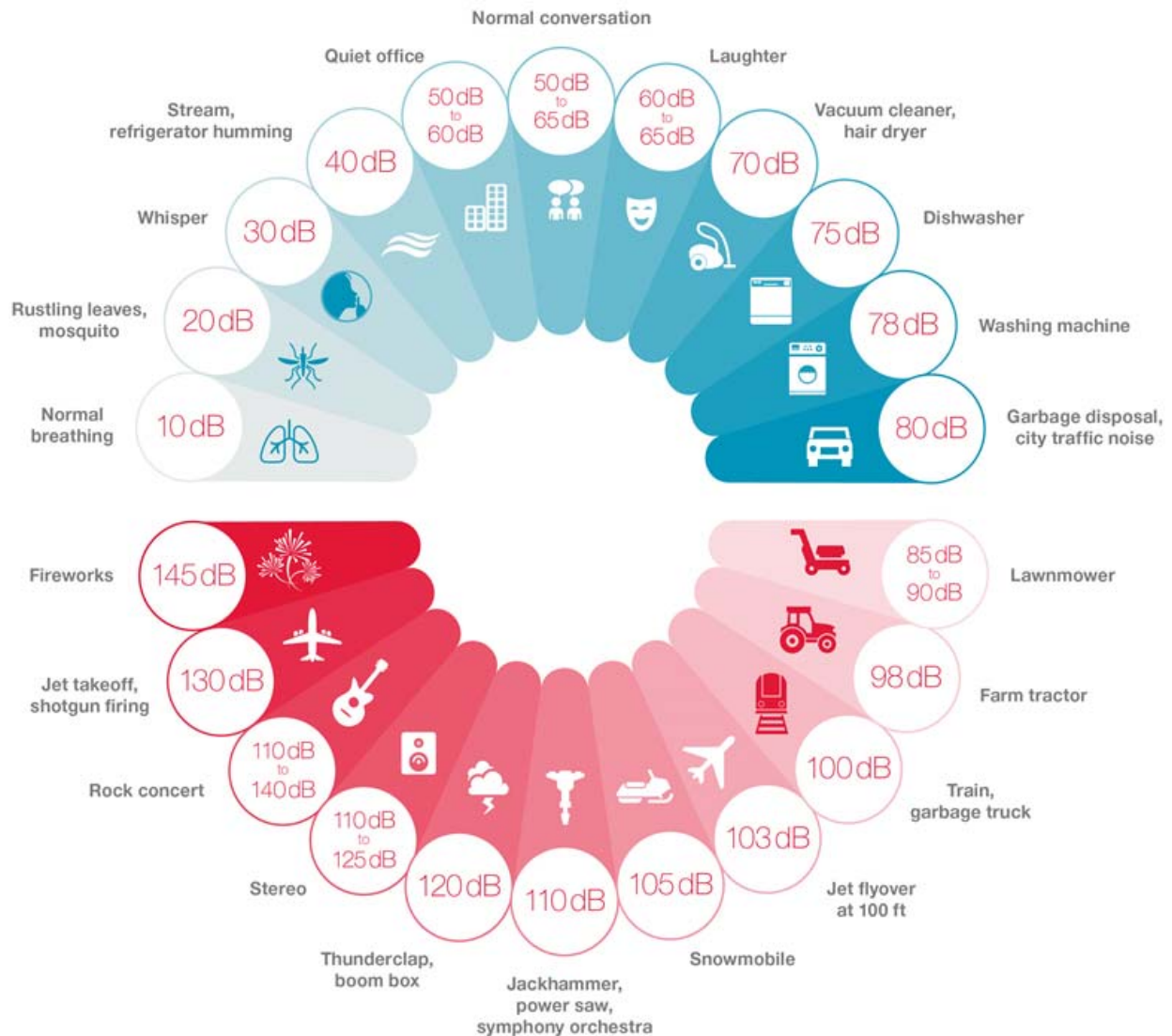


EXHIBIT D

Decibel Levels for typical noises



- It is further noted that per Ordinance O-1718-14, adopted by Norman City Council on November 28, 2017, Wind Turbines are allowed in RE, A-1, and A-2 zoning districts and all such turbines are provided with the noise limitation as follows: ***“In all residential districts the maximum decibel level at the property line shall be sixty-five (65) decibels.”***
 - all day, every day, 24/7/365.