

ZONING REPORT

One on 4th

713 W 4th Avenue
Stillwater, Oklahoma 74074

Date of Report: April 11, 2022
Partner Project Number: 22-362181.1

Prepared for:

Versity

Aliso Viejo, California 92656



April 11, 2022

Jason Park
Versity
130 Vantis Avenue
Aliso Viejo, California 92656

Subject: **Zoning Report**
 One on 4th
 713 W 4th Avenue
 Stillwater, Oklahoma 74074
 Partner Project No. 22-362181.1

Dear Jason Park,

Partner Engineering and Science, Inc. (Partner) is pleased to provide you with the results of the Zoning Report performed on the above-referenced property.

The Zoning Report was performed utilizing methods and procedures consistent with good commercial or customary practices designed to conform to acceptable industry standards. The independent conclusions represent Partner's best professional judgment based upon existing conditions and the information and data available to us during the course of this assignment.

The Subject's use is considered to be Legal Conforming. The Subject's improvements are considered to be Legal Conforming.

We appreciate the opportunity to provide these services. If you have any questions concerning this report, or if we can assist you in any other matter, please contact Jenny Redlin at (310) 765-7243 or jredlin@partneresi.com.

Sincerely,

Partner Engineering and Science, Inc.

DRAFT

Jesse Tirado
Zoning Project Manager

DRAFT

Jenny Redlin
Relationship Manager

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1.0 INTRODUCTION

1.1 Purpose and Scope

The purpose of this Report and related analysis is to assist Versity (Client) in the evaluation of zoning requirements and/or violations relating to zoning requirements. This Report has been compiled using and interpreting current Building and Zoning requirements of the jurisdiction controlling the subject property.

1.2 Scope and Exceptions

This Report is based on the evaluation of local ordinances, codes, and laws of the city where the subject property is located, as well as any relevant figures, documents and permits obtained by Partner Engineering and Science, Inc. (Partner) for the purpose of this Report. Local ordinances, codes, and laws are interpreted and evaluated using the figures, documents, and permits to ascertain whether or not the subject property is in conformance with these regulations.

In evaluating conformance and compliance with local zoning codes and ordinances, Partner did not perform a physical inspection of this property. If Partner physically inspected the subject property to compile any other related or unrelated report, the fact that there may have been a physical inspection for those reports does not necessarily warrant that there was a physical inspection of the subject property for the purposes of this Zoning Report.

1.3 Statement of Limitations

This Report represents a statement of conformance with local building and zoning codes, ordinances, and laws based on an analysis of such regulations and related documentation and figures. No part of this Report is warranted to be compiled by way of physical or visual examination of any portion of the subject property.

1.4 Client Reliance

This analysis was undertaken at the request of the Client utilizing methods and procedures consisting of good commercial or customary practices designed to conform to acceptable industry standards. The independent conclusions represent Partner's best professional judgment based upon information available to us during the time this Report was compiled.

This Report is for the exclusive use of the Client and any and all holders of a note or notes secured by a mortgage, deed of trust or deed to secure debt encumbering the subject property, and their respective affiliates, designates, successors, and assignees, rating agencies and prospective bond holders, and no other party shall have any right to rely on any information provided by Partner without prior written consent.

2.0 PROPERTY SUMMARY

The following information was derived from a Partner PCA report dated April 11, 2022, and a client provided ALTA Survey dated October 2, 2020.

Property Data	
Name	One on 4th
Address	713 W 4th Avenue
City, State and Postal Code	Stillwater, Oklahoma 74074
Property Use	Student Housing (Multifamily residential)
Parcel Size (Acres)	2.14
Number of Buildings	One apartment building and one parking garage
Number of Stories	Five-stories
Year Built	2016
Number of Residential Units	198
Number of Student Beds	475 Beds
Number of Studio Bedroom Units	37
Number of One Bedroom Units	32
Number of Two Bedroom Units	55
Number of Four Bedroom Units	74
Gross Building Area (SF)	231,966
Net Rentable Area (SF)	190,621
Property Jurisdiction	City of Stillwater
Zoning Designation	T6, Transect 6
County	Payne
Parcel Number	600017895
Conformance Status Summary	
Use Conformance Status	The Subject's use is considered to be Legal Conforming.
Improvement Conformance Status	The Subject's improvements are considered to be Legal Conforming.

3.0 REGULATORY INQUIRIES

<i>Zoning Letter</i>	
Department Name:	Planning Division
Contact Name:	Rian Harkins
Contact Job Title:	Senior Planner
Telephone:	405-742-8212
Email:	rian.harkins@stillwater.org
Status:	Zoning Verification Letter has been provided.
Is documentation attached:	Yes, see Appendix C
<i>Certificates of Occupancy</i>	
Department Name:	Teresa Kadavy
Contact Name:	City Clerk
Contact Job Title:	City Clerk
Telephone:	405-742-8243
Email:	teresa.kadavy@stillwater.org
Status:	Certificate of Occupancy issued.
Is documentation attached:	Yes, see Appendix D
<i>Zoning Code Violations</i>	
Department Name:	City Clerk
Contact Name:	Teresa Kadavy
Contact Job Title:	City Clerk
Telephone:	405-742-8243
Email:	teresa.kadavy@stillwater.org
Status:	No open violations reported.
<i>Building Code Violations</i>	
Department Name:	City Clerk
Contact Name:	Teresa Kadavy
Contact Job Title:	City Clerk
Telephone:	405-742-8243
Email:	teresa.kadavy@stillwater.org
Status:	No open violations reported.
<i>Fire/Life Safety Code Violations</i>	
Department Name:	City Clerk
Contact Name:	Teresa Kadavy
Contact Job Title:	City Clerk
Telephone:	405-742-8243
Email:	teresa.kadavy@stillwater.org
Status:	No open violations reported.
<i>Public Improvement Projects / Condemnations</i>	
Department Name:	Current Infrastructure & Development Projects
Contact Name:	Interactive Project Map
Telephone:	405-533-8471
Email:	teresa.kadavy@stillwater.org
Status:	No, there are no known public improvements.

4.0 ZONING REQUIREMENTS

4.1 Zoning Regulations

<i>Zoning Regulations</i>	
Title of Ordinance	City of Stillwater Land Development Code
Date of Most Recent Revision	2022

4.2 Use Conformance

<i>Use Conformance</i>	
Current Use	Student Housing (Multifamily residential)
Use Permitted	The Subject's use is permitted within the Subject district.

Use Status: CONFORMING

4.3 Area Regulations

The following regulations are in accordance with the City of Stillwater Land Development Code. Status was determined by using a client provided ALTA Survey dated October 2, 2020.

<i>City of Stillwater T6, Transect 6</i>				
<i>Area Regulation</i>	<i>Code (§)</i>	<i>Requirement</i>	<i>Actual</i>	<i>Status</i>
Minimum Front Yard Setback	3.7.9	0 ft.	1 ft.	Conforming
Minimum Side Yard Setback	3.7.9	0 ft.	1 ft.	Conforming
Minimum Rear Yard Setback	3.7.9	10 ft.	11 ft.	Conforming
Minimum Lot Width	3.7.9	25 ft.	425 ft.	Conforming
Maximum Lot Coverage	3.7.9	90%	<90%	Conforming
Maximum Height	3.7.9	5-stories	5-stories	Conforming
Maximum Stories	3.7.9	65 ft.	±55 ft.	Conforming

Area Regulations Status: CONFORMING

5.0 PARKING

5.1 Number of Parking Spaces

Information on this chart was obtained using a client provided ALTA Survey dated October 2, 2020.

<i>Number of Parking Spaces</i>	
Number of Regular Parking Spaces	362
Number of Handicapped Parking Spaces	46
Total Number of Provided Parking Spaces	408

5.2 Parking Requirements

The following chart is in accordance with the City of Stillwater Land Development Code.

Code Section Referenced: 23-220

<i>Parking Requirements</i>		
<i>Area Regulation</i>	<i>Requirement</i>	<i>Equation</i>
For Each Studio and One Bedroom Units	1 space per unit	$66 \times 1 = 66$
For Each Two Bedroom Unit	2 spaces per unit	$55 \times 2 = 110$
For Each Four Bedroom Unit	3 spaces per unit	$74 \times 3 = 222$

Total Required Parking Spaces = 398

Parking Status: CONFORMING

6.0 RECONSTRUCTION

6.1 Site Restoration in the Event of a Casualty

The Subject's use is considered to be Legal Conforming. The Subject's improvements are considered to be Legal Conforming. In the event of a casualty, the Subject may be rebuilt pursuant to § 23-243.

6.2 Damage and Reconstruction (for reference)

In accordance with § 23-243:

- (c) Damage or destruction. In the event that any legally nonconforming structure is damaged or destroyed by any means to the extent of more than 50 percent of its current assessed value, such structure shall not be restored unless it shall thereafter conform to all regulations in the district in which it is located. When a structure is damaged to the extent of 50 percent or less of its current assessed value, the structure may be restored provided that such restoration is actually begun within one year after the date of such damage, is diligently pursued to completion, and any portion of the structure greater than the portion damaged or destroyed complies with the bulk standards of the applicable district.
- (d) Restoration. Whenever the legally nonconforming use of any structure is halted because of the damage, destruction or demolition of the structure by an act of nature or by fire, the structure involved may be reconstructed or repaired in conformance with the regulations set forth herein and the legally nonconforming use resumed, provided that such nonconforming use is not extended beyond the scope and area of its operation as it existed prior to such damage, destruction or demolition. The nonconforming use shall resume within one year of the date of damage, destruction or demolition to the structure in which the use existed.

7.0 SURVEY INFORMATION

<i>ALTA Survey</i>	
Title of Survey	ALTA/NSPS Land Title Survey
Survey Date of Last Revision	October 2, 2020
Survey Preparer Name	Carey E. Harris, Oklahoma PLS No. 1719

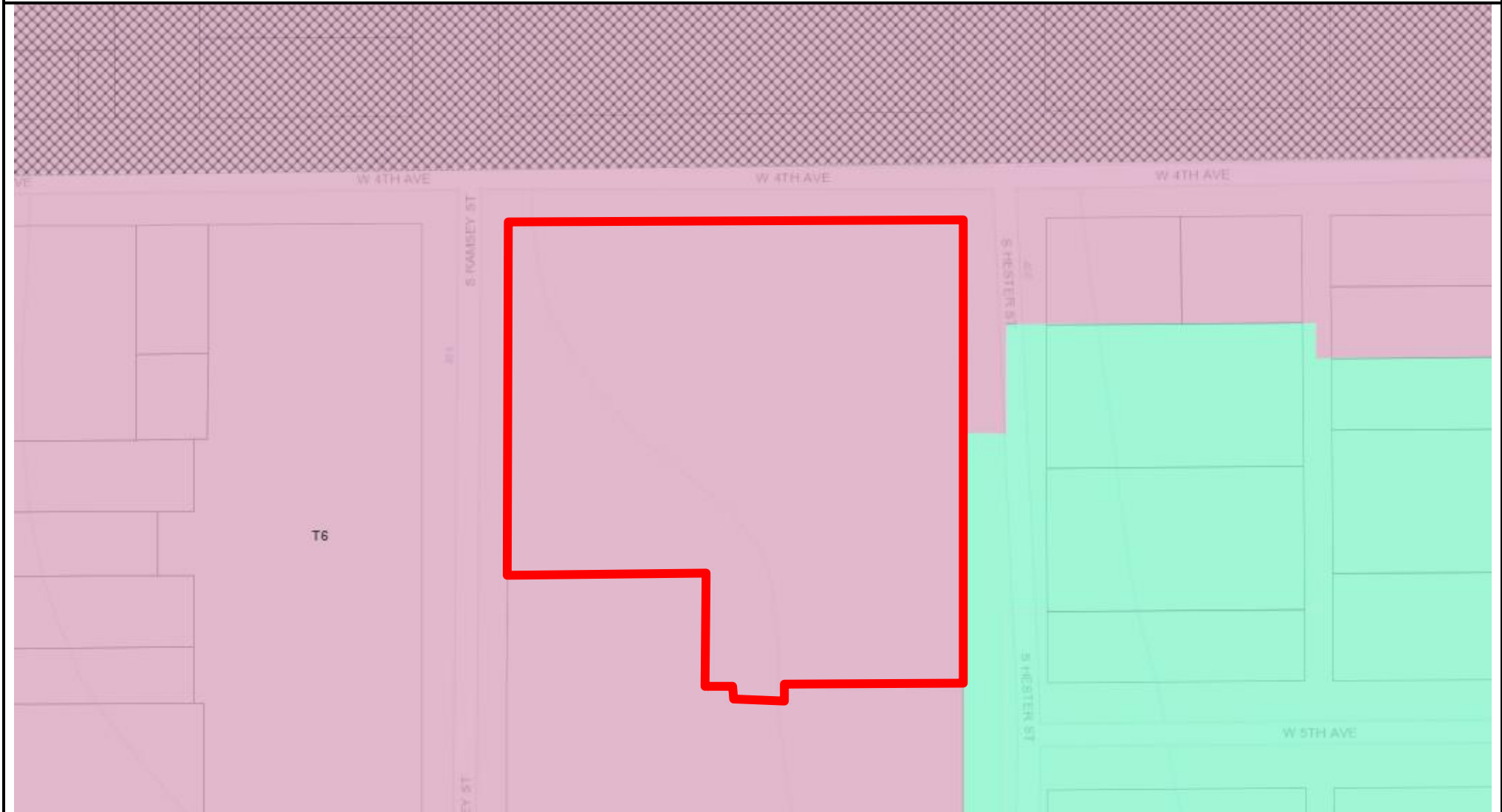
APPENDIX A: SITE LOCATION MAP



KEY:
Subject Property 

APPENDIX B: ZONING MAP

ZONING DESIGNATION: T6



KEY:
Subject Property 

APPENDIX C: ZONING LETTER



Community Development
723 S. Lewis St./P.O. Box 1449
Stillwater, OK 74076-1449
Office: 405.742.8213
Web: stillwater.org

March 18, 2022

RE: Zoning Compliance Letter for 713 W. 4th Avenue/410 S. Hester

To whom it may concern:

Be advised that the address 713 W. 4th Avenue aka 410 S. Hester Street is in the Form Based Code Area zoned Transect 6 (T6). There aren't any open building or zoning code violations associated with this property. There is not a special overlay or PUD associated with this property. There aren't any variances, special exceptions, conditions, or specific use permits associated with this property. A site plan and the Certificate of Occupancy was included in your open records request. 6th Avenue is planned to be reconstructed from Devon Street east to Perkins Road. It is 2 blocks south and does not require any right of way or easements from this property. There will be impacts to traffic in the area. Construction on this section is more than 2 years away. Per Stillwater City Code Part II, Chapter 23, Appendix I, Article III, Section 3.7.9, Table 5 Multi-Family is an allowed use by right. Please see attached Table 4 for design standards.

Sec. 23-241. - Abandonment and discontinuance of nonconformities.

Legally nonconforming status shall be forfeited under any of the following circumstances:

- (1) If the legally nonconforming lot/parcel is legally joined under common ownership with other adjoining land so that the total lot/parcel conforms with adopted regulations.
- (2) If a legally nonconforming use of land ceases for a period of 12 consecutive months.
- (3) If a legally nonconforming structure is brought into compliance with existing codes.
- (4) The legally nonconforming use is changed to a conforming use.

Sec. 23-220. - Required spaces.

(c) *Off-street parking.* Off-street motor vehicle and bicycle parking spaces accessory to the various land and building uses shall be provided to equal or exceed the minimum requirements set forth in table 4.2 in subsection (e) of this section less any applicable reduction.

Sec. 3.3. - Vehicle parking provisions.

Per [Chapter 23](#), Article VIII, Parking and Loading Standards, requirements set forth in [Section 23-220](#) Table 4.2 shall be reduced by 20% in the Form Based Code Area.

TABLE 4.2. REQUIRED MOTOR VEHICLE AND BICYCLE SPACES

USE	Motor Vehicles	Bicycles
Residential multifamily, one bedroom or studio	One space per dwelling unit	1 per dwelling unit
Residential multifamily, two bedroom	Two spaces per dwelling unit	1 per dwelling unit
Residential multifamily, three bedroom	2.33 spaces per dwelling unit	1 per dwelling unit
Residential multifamily, four or more bedrooms	Three spaces per unit	1.25 per dwelling unit

Transect 6 (T6) DESIGN FRAMEWORK

The land use in the T6 district shall consist of commercial, office and high density residential, typically associated with highly urbanized areas. The building design elements shall support and enhance retail uses along with being sensitive to the pedestrian environment. Parking structures are required to provide first-floor commercial service or office space.

Table 4. Design Standards

Private Realm — Building Design	
Building Placement and Height	5-stories, 65-foot height maximum, 65-foot height maximum in area adjacent to OSU, 2-stories minimum.
Lot Dimensions	25-feet width minimum, Maximum 90% lot coverage
Setbacks	Front: 0-feet minimum/10-feet maximum Side: 0-feet Rear: 10-feet
Parking	Per Code, minus 20%
Signage	Per Code
Building Elements (See Section 3.7 Architectural Provisions)	
Building Facade	Doors and windows on the primary frontage shall be symmetrical in design, blank walls are not allowed. There shall be no more than 25% of lineal frontage that is blank on secondary frontages.
Building Entrance	Primary entrance is required to front onto the addressed street and may use a stoop, or direct/angled staircase or be recessed.
Landscaping	Foundation plantings, planters, trees and groundcover (grass, or any ornamental cover), at least 5% of the private realm shall be landscaped.
Building Façade Materials	At least two of the following construction materials shall be used: brick, stone, masonry, stucco, faux brick/stone on the street fronting façade per section 3.7 . Accent materials may consist of architectural metal and wood.
Façade Transparency	Retail uses shall have 90% storefront façade transparency. Office uses shall have a minimum of 60% transparency. Residential uses shall have a minimum of 25% transparency.
Structured Parking	Parking structures may be a stand-alone structures placed on the property line or integrated into a larger structure with mixed uses and shall follow building material requirements. Ground floor of parking garages must reserve 25% of the total street frontage for commercial service, retail or office space. Upper floors must include architectural screening.
Surface Parking	Surface lots are not allowed to abut or face a primary street. On corner lots with secondary street frontages, surface parking lots must have landscaping and low decorative fencing to screen the surface parking lot from the right-of-way.

Please let us know if you have any additional questions.

Respectfully,

Josh Brown

Josh Brown
Planning Technician
Community Development

APPENDIX D: CERTIFICATE OF OCCUPANCY



Department of Development Services

CERTIFICATE OF OCCUPANCY

Issue Date: 2/12/2019
Property Address: 410 S HESTER ST
Owner:
Contractor: SHREVELAND
Job Number: BP-16-28479
Description of Work: 410 S. Hester Str. - Apartment building with parking garage.
Occupancy Type: R-2 MIXED USE
Occupancy Load: 3,248

 2.12.2019
Development Services Director

VOID UNLESS SIGNED BY CITY OFFICIAL

APPENDIX E: ORDINANCES

APPENDIX I. - FORM BASED CODES

Footnotes:

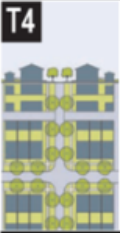
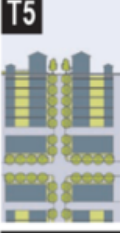
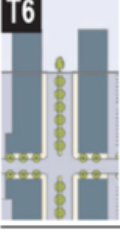
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Editor’s note— *Ord. No. 3439, § 1, adopted Sept. 16, 2019, repealed the former Ch. 23, App. I, Arts. I—IV. Section 2 of said ordinance enacted a new App. I as set out herein. The former App. I pertained to similar subject matter and derived from Ordinance No. 3300, adopted May 18, 2015; Ord. No. 3342, § 1, adopted June 6, 2016; Ord. No. 3343, §§ 1—4, adopted June 6, 2016; Ord. No. 3416, § 3, adopted Sept. 17, 2018.*

ARTICLE I. - TRANSECT ZONE DESCRIPTIONS

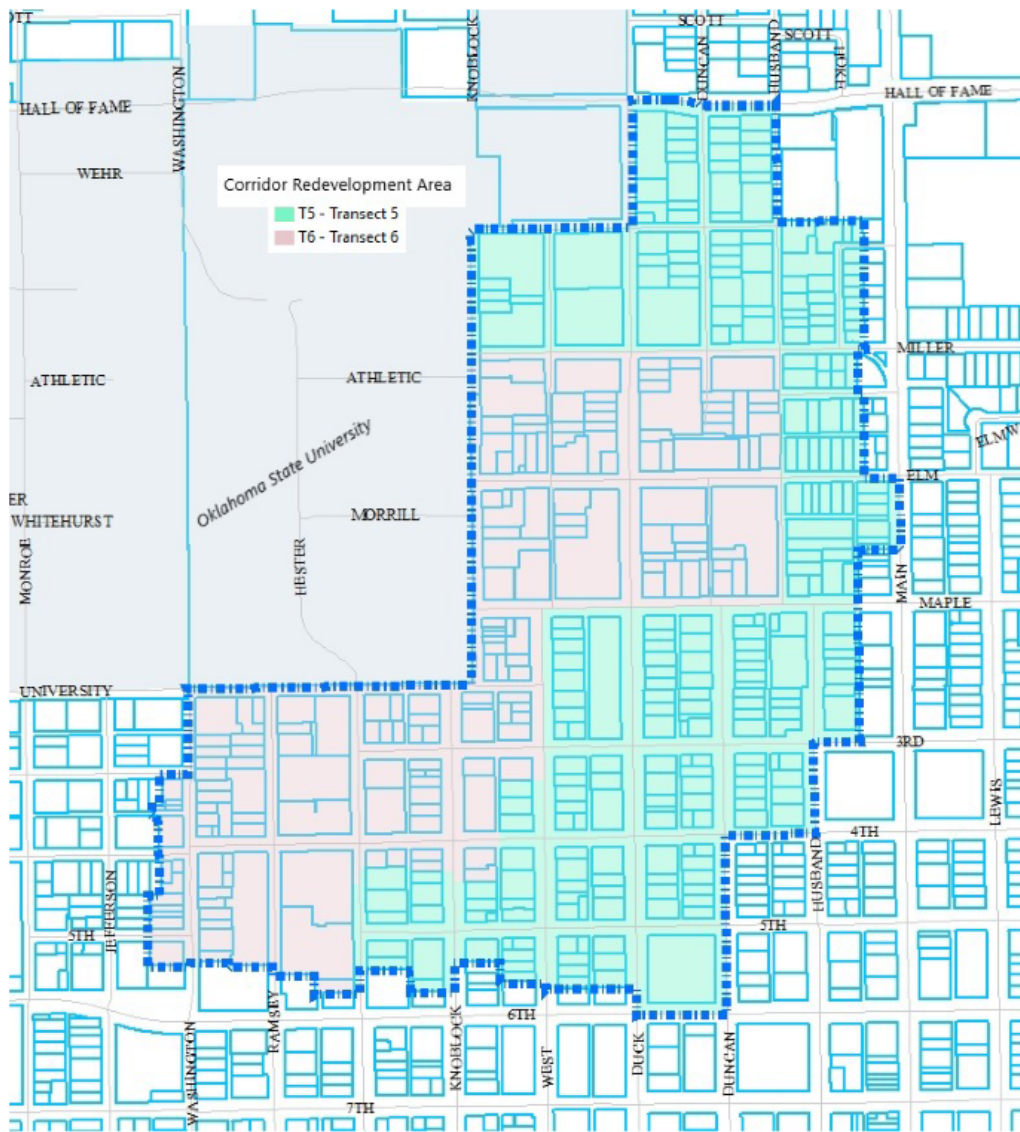
This table provides descriptions of the character of each transect zone. Transect 1, 2 and 3 have been omitted due to the non-applicability to the Corridor Redevelopment Area.

Table 1. Transect Zone Descriptions

	T-4 GENERAL URBAN T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, Sideyard, and Rowhouses. Setbacks and landscaping are variable. Streets with curbs and side-walks define medium-sized Blocks.	General Character: Mix of Houses, Townhouses and small Apartment buildings with scattered commercial activity; balance between landscape and buildings; presence of pedestrians Building Placement: Shallow to medium front and side yard Setbacks Frontage Types: Common yard, Porches and fence, Dooryards, Forecourt, Stoop Typical Building Height: 1 to 3-Story Type of Civic Space: Squares, Greens
	T-5 URBAN CENTER T-5 Urban Center Zone consists of higher density mixed use building that accommodate Retail, Offices, Row-houses and Apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.	General Character: Shops mixed with Townhouses, larger Apartment houses, Offices, work place and Civic buildings; predominantly attached buildings; trees within the public right-of-way; Shallow Setbacks or none; buildings oriented to street defining a street wall Building Placement: Dooryard, Forecourt, Stoops, Shopfronts, Galleries Frontage Types: Dooryard, Forecourt, Stoops, Shopfronts, Galleries Typical Building Height: 2- to 5-Story with some variation* * 1- story allowed in compliance with Section 23-451 Type of Civic: Parks, Plazas, and Squares, median landscaping
	T-6 URBAN CORE T-6 Urban Core Zone consists of the highest density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger Blocks; streets have steady street tree planting and buildings are set close to wide sidewalks.	General Character: Medium to high-Density Mixed Use buildings, entertainment, Civic and cultural uses. Attached buildings forming a continuous street wall; trees within the public right-of-way; Building Placement: Shallow Setbacks or none; buildings oriented toward the street, defining a street wall Frontage Types: Forecourt, Stoops, Shopfronts, Galleries Typical Building Height: 2- to 5-Story with some variation Type of Civic Space: Parks, Plazas and Squares; median landscaping

ARTICLE II. - REGULATING PLAN

Map 1. Regulating Plan for Corridor Redevelopment Area



ARTICLE III. - GENERAL PROVISIONS

The following requirements apply to all transects unless stated otherwise.

Note: Routine maintenance (as identified in the current/adopted building codes) of existing property will not trigger the provisions herein.

Note: Contents of Application and Development Plan (The Application and Development Plan process follows the established Commercial Use by Right (CUBR) submittal process).

Sec. 3.1. - Contents of application and development plan.

1. Completed application on form provided by development services department.
2. Completed checklist.
3. Full application fee.

4. Complete AutoCAD plan drawings for inclusion into GIS system.
5. Two sets of the development plan drawing providing accurate representation and explanation of any existing improvements or notable existing manmade or natural features currently existing on the subject property.
 - a. Title block with name of development, date of preparation, written scale, property address and revision date;
 - b. Name and address of property owner/developer and person or entity responsible for preparation of drawing;
 - c. Graphic scale, north point and legend;
 - d. Written legal description of the site including the size of the property;
 - e. Map showing location of subject proposal in relation to cross streets, schools, parks, other public areas within a one-half-mile area of the subject property;
 - f. Statement and signature by the preparer that the plan has, to the best of his knowledge, been designed in accordance with the applicable city ordinances and regulations;
 - g. Location, dimensions, and materials of fences and pedestrian ways;
 - h. Length of boundaries of the entire tract to the nearest foot;
 - i. Existing physiographic characteristics including contour lines at two-foot intervals and significant drainage features on and within 25 feet of the subject property;
 - j. Location, identification and width of existing and proposed public rights-of-way and existing public and private easements within a minimum of 25 feet of the subject property;
 - k. Location, orientation, dimension, area, height and general use of existing and proposed buildings and other structures, including dumpster;
 - l. Location, arrangement, and dimensions of off-street parking, access drives and loading spaces; and curb cuts within a minimum of 25 feet of the subject property;
 - m. Written narrative description of the proposed use of the property.
 - n. Location, size and orientation of any signs not attached to buildings;
 - o. Location and size of all driveways and streets within 75 feet of the subject property;
 - p. Location of all existing structures within 25 feet of the subject property.
6. Public utility plan identifying the location, type, size, whether a public or private utility, and other identifying characteristics of the nearest existing utilities and proposed utility extensions or upgrades, with easements, to serve the project as well as the proposed service lines.
7. Contract ready site development construction plans and applicable public improvement plans.
8. Final drainage study and plan.
9. Final grading plan.
10. Landscape Plan.

11. A color rendering of all façades.

Sec. 3.2. - Pedestrian environment provisions.

1. Primary sidewalks shall be no less than 6-feet wide and located on both sides of the street.
2. Sidewalks that incorporate activities such as dining, sitting areas, open entertainment venues, or similar activity shall be a minimum of 10-feet wide with a continuous 6-foot open aisle.
3. The use of enhanced paving materials such as brick, stamped and/or colored concrete, pavers, etc., shall be used at major pedestrian intersections as identified in the Public Realm Master plan.
4. Site furnishings such as planters, urns, benches, bike racks, trash receptacles, etc., shall be incorporated on major pedestrian corridors. See Public Realm Master Plan.

Sec. 3.3. - Vehicle parking provisions.

Per Chapter 23, Article VIII, Parking and Loading Standards, requirements set forth in Section 23-220 Table 4.2 shall be reduced by 20% in the Form Based Code Area.

Sec. 3.4. - Landscape provisions.

Sec. 3.4.1. Intent. A transect-based landscape plan provides many aesthetic, ecological, functional and health/safety benefits. The standards of this section promote public health, safety and welfare by establishing minimum standards for the design, construction and maintenance of landscape improvements for public frontages and private frontages, lots, buildings, civic spaces, thoroughfares and special requirements.

Sec. 3.4.2. Landscape plan. See Tables 2, 3 and 4 for Landscape Requirements.

1. Landscape plans shall be prepared in conjunction with the design development and construction documents.
2. Completion requirement. A certificate of occupancy, for any use, shall not be issued until the required landscaping has been installed in accordance with the landscape plan. If a structure and all site improvements are complete except for the required landscaping, and it is not the planting season (fall or spring), temporary occupancy may be permitted for a period of six months, or until the next planting season, whichever comes first.
3. The landscaping plan shall include at least the following:
 - a. North arrow and scale;
 - b. The location of existing property lines and dimensions of the tract, accurately drawn to scale;
 - c. Locations and limits of all rights-of-way;
 - d. The location of all existing and proposed buildings and parking areas, including the exact number of parking spaces provided;
 - e. The location and size of any permanent fixture or structure, including but not limited to sidewalks,

walls, fences, trash enclosures, project storage, lighting fixtures, signs, and benches which are relevant to the landscape plan;

- f. The location, size, and type of all above-ground and underground public utilities with notation, where appropriate, as to any safety hazards to avoid during installation of landscaping;
- g. The location, size, type, spacing (on center), and quantity of all proposed plant materials and existing plant materials shall be graphically represented and referenced on the plan by a common name and/or scientific name, or an appropriate key of all plant species;
- h. Detailed sprinkler diagram or irrigation plan showing coverage. If an automatic irrigation system is not proposed, the location of all required hose connections and other watering sources shall be noted;
- i. All screening required by these regulations; and
- j. A table listing the square footage of the developed area, number of proposed parking spaces, and all plant materials by scientific and common name, size, type, and quantity.
- k. The method(s) to be used to protect existing trees or vegetation that are to be preserved.

Sec. 3.4.3. General regulations.

1. Any alteration to existing buildings(s), development(s), or construction shall be required to come into compliance with landscaping requirements as follows:
 - a. If the site (including proposed building addition and parking areas) meets or exceeds current landscape standards, additional landscaping shall not be required;
 - b. If the site has insufficient green space to provide required landscaping, optional planting areas shall be installed such as built-in or moveable ground planters, decorative pots, hanging baskets, green wall, etc. All irrigation requirements shall be met.
2. Any plant material installed to meet the requirements of this ordinance which die, or are otherwise removed, shall be replaced with the same or similar plant materials.
3. Landscaping within rights-of-way. Per Public Realm Master Plan.
4. Property owners in all transects shall be responsible for maintenance of the landscaped area between the property line and the street curbline.

Sec. 3.5. - Signage provisions.

1. *General standards.* Per Chapter 23, Article VII, Signs.

FBC Permitted Uses, Table 5	Zoning District Sign Regulations Division 2
Residential	RSS, RSL, RT <u>Sec. 23-195</u>

Lodging	CB, <u>Sec. 23-199</u>
Commercial	CB, <u>Sec. 23-199</u>
Office	O, <u>Sec. 23-197</u>
Civic	CB, Sec. 23.199
Industrial	IL, IG, Sec. 23.201
Entertainment	CB, Sec. 23.199
Parking	CB, Sec. 23.199

Sec. 3.6. - Stormwater provisions.

Per Chapter 35, Stormwater Quality and Management.

Sec. 3.7. - Architectural provisions.

Sec. 3.7.1. General.

1. Corporate or standard building design shall be allowed only if the design meets the purposes, intent and conditions of these guidelines. Allowed only in T6 by warrant.
2. Wood fences shall be painted, treated, or stained.

Sec. 3.7.2. Materials.

1. The primary exterior finish material on all façades shall be limited to brick, cast stone, stone, EIFS (Exterior Insulation Finishing Systems), stucco, architectural metal or other high-quality, long-lasting masonry material. Wood may be used as an accent material or trim.

Example of Wood Building Materials

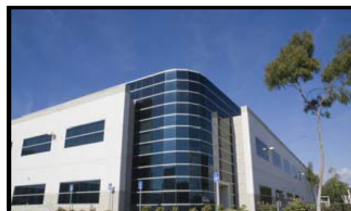


Example of Brick Building Materials



Example of Cast Stone Building MaterialsExample of Stone Building MaterialsExample of Stucco Building MaterialsExample of EIFS Building Materials

2. Prohibited materials shall include all metal corrugated or ribbed steel panel pre-fabricated structures, plain concrete block, and corrugated fiberglass.
3. Architectural metal buildings shall be allowed. Metal panels shall be allowed only when incorporated as a design element.

Examples of Acceptable Metal StructuresExamples of Unacceptable Metal Structures

1. All buildings on the same site shall be related in architectural style, color scheme and building materials.
2. All elevations visible to the public shall have repeated architectural design elements.
3. Special architectural features that accent a corner such as corner entries, projecting windows, towers, turrets and cupolas shall be incorporated on corner buildings.

Example of Composition



Example of Composition



Example of Composition of a Corner Structure



Sec. 3.7.4. Scale.

1. Canopies, awnings and similar architectural elements shall be proportioned to relate to the human scale.
2. Buildings with 3-stories and above shall be so designed with vertical or horizontal step backs/step and vertical recessed areas in so as to not create a tunnel effect.

Example of Scale



Example of Scale



Sec. 3.7.5. Proportion.

1. Building façades shall be compatible with surrounding buildings with regard to massing, scale, proportion of openings, roof types, window types and degree of detail within each transect.

- ### Example of Proportion



Example of Commercial Transparency



Base

The ground level that extends vertically a minimum of 6 inches measured from the ground

Body

The majority of the structure

Cap

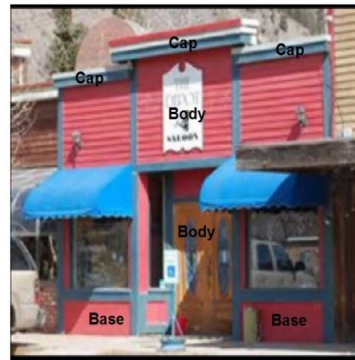
The parapet or roofline

2. The components shall be clearly identifiable with horizontal elements.
3. The body shall constitute a minimum of 50% of the total building height.
4. Contrasting materials such as brick, stone or a protruding brick pattern are permitted techniques for the base component.

Example of Articulation



Example of Articulation



Sec. 3.7.8. Expression.

1. Building entrances shall be easily identifiable and highly visible from the street by incorporating architectural features such as but not limited to protrusions, recessed entry and decorative treatments.
2. Horizontal elements (expression lines) on large buildings shall be incorporated to reduce the perceived height by dividing the building mass into smaller scale components.

Example of Acceptable Building Entrance



Example of Acceptable Building Entrance



Example of Expression Lines Above First Floor and Second Story Windows



Example of Expression Lines Above First Floor and Third Story Windows



Sec. 3.7.9 - Building step-back articulation.

Vertical recessed facades are required to add scale and visual interest to the street wall for buildings three stories and above.



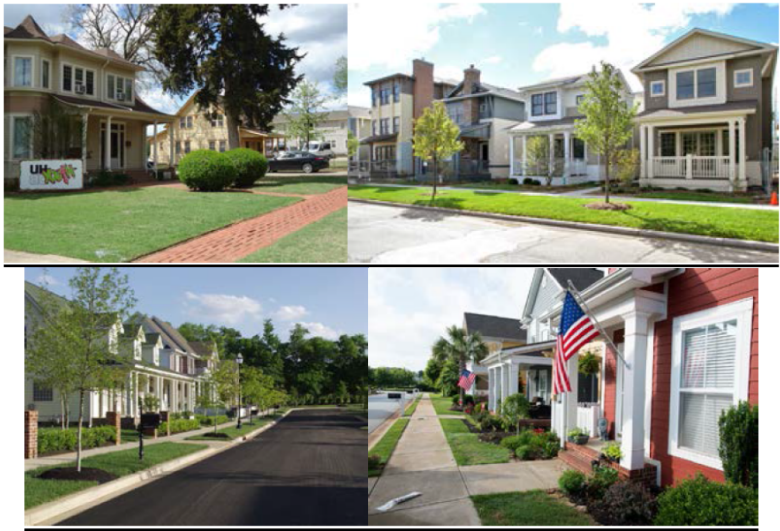
Transect 4 (T4) DESIGN FRAMEWORK

The land use in the T4 district shall be a lower intensity development, consisting primarily of residential. The primary focus is to create a pedestrian environment with deeper setbacks, sidewalks and landscaping to enhance the building frontage. Surface parking lots are discouraged without screening or being placed at the rear of the property.

Table 2. Design Standards

Private Realm — Building Design	
Building Placement and Height	3-story maximum, 35-feet maximum height, shallow to medium side and rear yard setbacks.
Lot Dimensions	25-feet minimum lot width and a maximum 70% lot coverage

Setbacks	Front: 5-feet minimum/15-feet maximum Side: 3-feet Rear: 10-feet
Parking	Per Code, minus 20%
Signage	Per Code
Design Elements (See <u>Section 3.7 Architectural Provisions</u>)	
Building Facades	Doors and windows on the primary frontage shall be symmetrical in design, blank walls are not allowed. No more than 25% of lineal frontage can be blank (i.e. without doors or windows).
Building Entrance	Primary entrance is required to front onto the addressed street and may use a stoop, or direct/angled staircase.
Building Façade Materials	At least two of the following construction materials shall be used: brick, stone, masonry, stucco, faux brick/stone on the street fronting façade per <u>section 3.7</u> . Accent materials may consist of architectural metal or wood.
Façade Transparency	Retail uses shall have 90% storefront façade transparency. Office uses shall have a minimum of 60% transparency. Residential uses shall have a minimum of 25% transparency.
Landscaping	Foundation plantings, planters, trees and groundcover (grass, or any ornamental cover), at least 10% of the private realm shall be landscaped.
Surface Parking	Surface lots are required to be located at the side or rear of the lot and must have landscaping or low decorative fencing fronting onto a street to screen the surface parking lot, (see landscape code).



Transect 5 (T5) DESIGN FRAMEWORK

The land use in the T5 district shall be a mixture of frontages and uses ranging from ground floor commercial to office to residential. Building frontage shall be inviting and be designed at a pedestrian scale to encourage high intensity development and pedestrian activity. Surface parking shall be restricted from fronting onto the street and the building entrance shall be emphasized.

Table 3. Design Standards

Private Realm — Building Design	
Building Placement and Height	5-story maximum, 2-story minimum, (single story (1-story) structures are allowed in the T5 - Urban Center Zone.
Lot Dimensions	25-feet minimum. Maximum 80% lot coverage
Setbacks	Front: 5-feet minimum/15-feet maximum Side: 0-feet Rear: 20-feet
Parking	Per Code, minus 20%
Signage	Per Code
Design Elements (See <u>Section 3.7</u> Architectural Provisions)	

Building Facade	Doors and windows on the primary frontage shall be symmetrical in design, blank walls are not allowed. There shall be no more than 25% of lineal frontage that is blank on secondary frontages.
Building Entrance	Primary entrance is required to front onto the addressed street and may use a stoop or direct/angled staircase.
Building Façade Materials	At least two of the following construction materials shall be used: brick, stone, masonry, stucco, faux brick/stone on the street fronting façade per <u>section 3.7</u> . Accent materials may consist of architectural metal or wood.
Façade Transparency	Retail uses shall have 90% storefront façade transparency. Office uses shall have a minimum of 60% transparency. Residential uses shall have a minimum of 25% transparency.
Landscaping	Foundation plantings, planters, trees and groundcover (grass, or any ornamental cover), at least 10% of the private realm shall be landscaped.
Surface Parking	Surface lots are not allowed to abut or face the primary. On secondary street frontages for corner lots, surface parking lots must have landscaping and low decorative fencing to screen the surface parking lot from the right-of-way.
Structured Parking	Parking structures may be a stand-alone structures placed on the property line or integrated into a larger structure with mixed uses and shall follow building material requirements. Ground floor of parking garages must reserve 25% of the total street frontage for commercial service, retail or office space. Upper floors must include architectural screening.



Transect 6 (T6) DESIGN FRAMEWORK

The land use in the T6 district shall consist of commercial, office and high density residential, typically associated with highly urbanized areas. The building design elements shall support and enhance retail uses along with being sensitive to the pedestrian environment. Parking structures are required to provide first-floor commercial service or office space.

Table 4. Design Standards

Private Realm — Building Design	
Building Placement and Height	5-stories, 65-foot height maximum, 65-foot height maximum in area adjacent to OSU, 2-stories minimum.
Lot Dimensions	25-feet width minimum, Maximum 90% lot coverage
Setbacks	Front: 0-feet minimum/10-feet maximum Side: 0-feet Rear: 10-feet
Parking	Per Code, minus 20%
Signage	Per Code
Building Elements (See <u>Section 3.7</u> Architectural Provisions)	

Building Facade	Doors and windows on the primary frontage shall be symmetrical in design, blank walls are not allowed. There shall be no more than 25% of lineal frontage that is blank on secondary frontages.
Building Entrance	Primary entrance is required to front onto the addressed street and may use a stoop, or direct/angled staircase or be recessed.
Landscaping	Foundation plantings, planters, trees and groundcover (grass, or any ornamental cover), at least 5% of the private realm shall be landscaped.
Building Façade Materials	At least two of the following construction materials shall be used: brick, stone, masonry, stucco, faux brick/stone on the street fronting façade per <u>section 3.7</u> . Accent materials may consist of architectural metal and wood.
Façade Transparency	Retail uses shall have 90% storefront façade transparency. Office uses shall have a minimum of 60% transparency. Residential uses shall have a minimum of 25% transparency.
Structured Parking	Parking structures may be a stand-alone structures placed on the property line or integrated into a larger structure with mixed uses and shall follow building material requirements. Ground floor of parking garages must reserve 25% of the total street frontage for commercial service, retail or office space. Upper floors must include architectural screening.
Surface Parking	Surface lots are not allowed to abut or face a primary street. On corner lots with secondary street frontages, surface parking lots must have landscaping and low decorative fencing to screen the surface parking lot from the right-of-way.



Table 5. Permitted Use Per Transect

	T4	T5	T6
Residential			
Live/Work Unit	■	■	■
Accessory Unit	■	■	
Residential Single-Family	■	□	□
Residential Duplex	■	□	□
Residential Multi-Family	□	■	■

Mixed Use Residential	<input type="checkbox"/>	■	■
Lodging			
Hotel, (no room limit)		■	■
Inn (up to 12-rooms)		■	■
Short-Term Rental	■	■	
Commercial, Office, Service			
Restaurant, Deli/Coffee Shop	■	■	■
Bank		■	■
Retail/Commercial		■	■
Office	■ ¹	■	■
Bar/Tavern/Nightclub		■ ²	■ ²
Medical Marijuana Dispensary		■ ²	■ ²
Civic			
Convention Center			<input type="checkbox"/>
Library	■	■	■
Religious Assembly	■	■	■
Arts and Culture	■	■	■
Education	<input type="checkbox"/>	■	■
Government	<input type="checkbox"/>	■	■
Outdoor Recreation	■	■	■

Indoor Recreation	■	■	■
Industrial			
Light Industrial Facility			□
Medical Marijuana Processing		■ ²	■ ²
Medical Marijuana Commercial Grower, Indoor Only		■ ²	■ ²
Entertainment			
Movie Theater		■	■
Museum		□	■
Outdoor Auditorium		■	■
Parking			
Parking Structure		■	■
Surface Parking	□	■	■

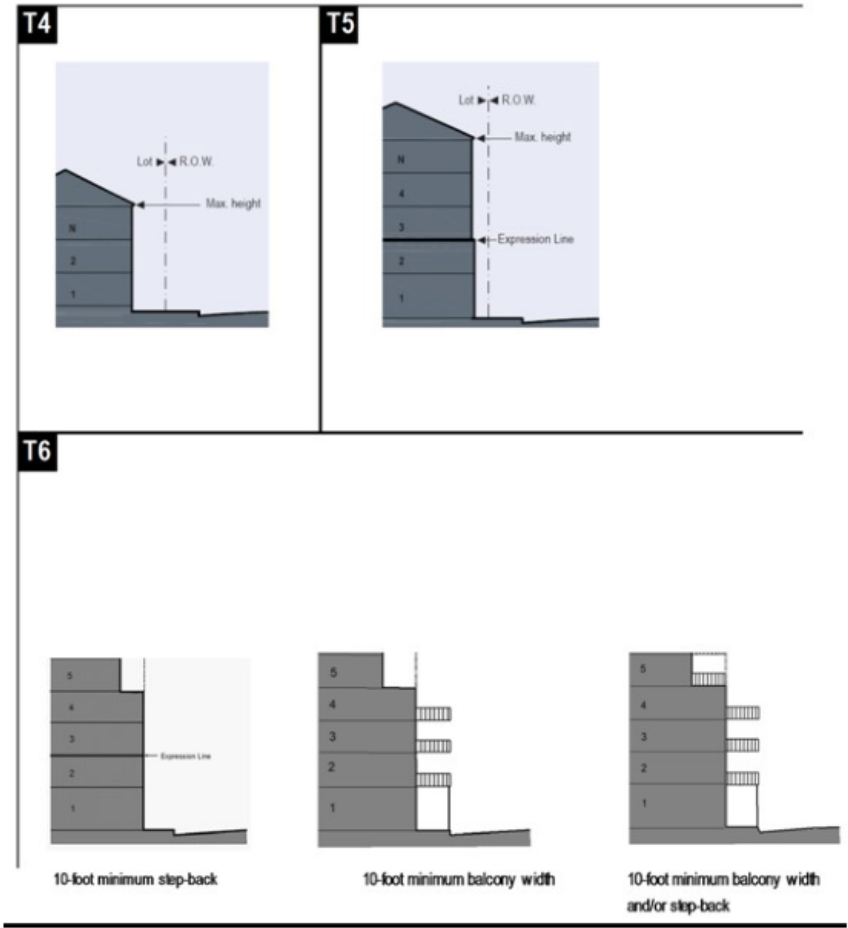
■ By-Right

□ By Warrant

¹ Home occupation mixed use allowed in T4 along with maximum of 500 sf of office space.

² Specific Use Permit required.

Table 6. Building Configuration



Note: This table approximates the location of the structure relative to the boundaries of each individual lot. Establishing suitable basic types for each Transect Zone.

Sec. 23-1. - Citation and codification.

This chapter, including all maps and publications made a part hereof and by reference, is adopted pursuant to the authority granted by the Charter of the city and shall be known and cited as the "Land Development Code of the City of Stillwater, Oklahoma," and codified as this chapter.

(Ord. No. 3023, § 1(23.1), 3-3-2008)

State Law reference— Codification of city ordinances, 11 O.S. § 14-101.

Sec. 23-2. - Purpose.

- (a) For the purpose of promoting the health, safety, morals, and the general welfare of the community, the city council of the city may regulate and restrict:
 - (1) The height, number of stories, and size of buildings and other structures;
 - (2) The percentage of lot that may be occupied, the size of yards, courts and other open spaces;
 - (3) The density of population; and
 - (4) The location and use of buildings, structures and land for trade, industry, residence or other purposes.
- (b) Municipal regulations as to buildings, structures and land shall be made in accordance with a comprehensive plan and be designed to accomplish any of the following objectives:
 - (1) To lessen congestion in the streets;
 - (2) To secure safety from fire, panic and other dangers;
 - (3) To promote health and the general welfare, including the peace and quality of life;
 - (4) To ensure the provision of adequate light and air;
 - (5) To prevent the overcrowding of land;
 - (6) To promote historical preservation;
 - (7) To avoid undue concentration of population;
 - (8) To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public amenities.
- (c) The regulations shall be made with reasonable consideration, among other things, as to the character of a specific or individual district or area and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city. The city council shall provide the manner in which regulations, restrictions and district boundaries shall be determined, established and enforced, and amended, supplemented or changed.

(Ord. No. 3023, § 1(23.2), 3-3-2008)

State Law reference— Similar provisions, 11 O.S. §§ 43-101, 43-103.

Sec. 23-3. - Jurisdiction.

These regulations shall be in full force and effect within the corporate limits of the city. All land within said boundaries shall be classified as being in one of the zoning districts adopted herein. With the exception of zoning, certain portions of these regulations may be applicable to properties that are located outside of the corporate limits.

(Ord. No. 3023, § 1(23.3), 3-3-2008; Ord. No. 3051, § 1, 12-15-2008)

State Law reference— Authority to create districts, 11 O.S. § 43-102.

Sec. 23-4. - Authority.

The city is vested with the authority to regulate the development of land under the police power vested by the constitution and laws of the state.

(Ord. No. 3023, § 1(23.4), 3-3-2008)

State Law reference— Authority to regulate development of land, 11 O.S. § 43-101.

Sec. 23-5. - Applicability.

Except as may be hereinafter otherwise provided, no land, building, other structure, improvement, or use of land shall be used, made, erected, constructed, moved, altered, enlarged, or rebuilt, that is designed, arranged, or intended to be used or maintained for any purpose, or in any manner, except in accordance with these and other requirements established, and in accordance with the provisions of the articles contained herein relating to any or all districts, structures and uses.

(Ord. No. 3023, § 1(23.5), 3-3-2008)

Sec. 23-6. - Severability.

Each article, division, section, and subsection within this chapter is severable from all other articles, divisions, sections, and subsections. If any part or provision hereof shall be held null and void or unenforceable, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this chapter.

(Ord. No. 3023, § 1(23.6), 3-3-2008)

DIVISION 1. - GENERALLY

Sec. 23-120. - Zoning districts; zoning map.

- (a) The city is hereby divided into zoning districts, as shown on the official zoning map, as adopted and filed with the city clerk. The map, and all explanatory material thereon, is hereby incorporated by reference and made a part of this chapter.
- (b) The zoning districts, the descriptions of which are set forth herein, shall be designated as follows, and may be referred to by full name or by symbol only.

Symbol	Name of District
RSL	Large Lot Single-Family Residential
RSS	Small Lot Single-Family Residential
RT	Two-Family Residential
RTM	Two-Family and Multi-Family
RMI	Multi-Family Intermediate
RMU	Multi-Family Urban
HR	High Rise
MH	Mobile/Manufactured Home
O	Office
CS	Commercial Shopping
CB	Commercial Business
CG	Commercial General
IL	Light Industrial

IG	General Industrial
A	Agriculture
P	Public
U	University
PUD	Planned Unit Development Overlay
SPOD	Special Purpose Overlay District

(Ord. No. 3023, § 1(art. 7, div. 1), 3-3-2008; Ord. No. 3051, § 13, 12-15-2008; Ord. No. 3180, § 2, 5-21-2012)

Sec. 23-121. - Exemptions; setbacks for fences, etc.; projections into yards.

(a) *Exemptions.* The following are exempt from the provisions of this article:

- (1) Railroad tracks, signals, bridges, and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities;
- (2) Property owned and used for governmental or university use by any branch of the county, state or federal government or by any publicly funded institution of higher learning. If such entity elects to participate in the city development review process, all applicable regulations shall be followed from beginning through completion of the application.

(b) *Height and setback requirements for fences, etc.* Fences, landscaping or visual barriers shall be subject to the following height and setback requirements, unless otherwise regulated or prohibited by article IV of this chapter:

Type	Height	Exempt
Fences	Zero to four feet	All setbacks
Fences	Four to eight feet	All rear and side* setbacks
Hedges or required visual barriers	Zero to four feet	All setbacks
Hedges or required visual barriers	Over four feet	All rear and side* setbacks

*No fence, hedge, or visual barrier taller than four feet shall extend into the front setback.

(c) *Projections into yards.* The following may project from a principal structure into a minimum setback:

- (1) Cornices, eaves, shade control devices, and awnings or canopies over doors and windows may project a distance not exceeding two feet into the required yard.
- (2) Bay windows, balconies, and chimneys may project a distance not exceeding two feet, provided that such features do not occupy, in total, more than one-third of the length of the building wall on which they are located.
- (3) Fire escapes, and other uncovered stairs and landings may project a distance not exceeding three feet into required yards.
- (4) Canopies over commercial fuel pump and vehicle service islands may overhang a required front or exterior side yard a distance not to exceed one foot for each one foot in height, provided that the ground support structure is located entirely within the required minimum building setback line, and further provided the canopy extends no closer than five feet to the property line.
- (5) Open terraces, decks, and porches not over 30 inches above the average level of the adjoining ground may project a distance not exceeding five feet into required yards, provided that such projection extends no closer than five feet to any interior side property line.
- (6) Under no circumstances shall any portion of a structure project into an easement.

(d) *Exemption.* If the structure is developed within a PUD and there is adequate clearance provided.

(Ord. No. 3023, § 1(23.121), 3-3-2008; Ord. No. 3051, § 13(23-121), 12-15-2008)

Secs. 23-122—23-129. - Reserved.

DIVISION 2. - SPACE REQUIREMENTS

Sec. 23-220. - Required spaces.

- (a) *Computation.* Unless specified otherwise, the net floor or usable customer floor area shall be used for calculation of parking spaces. When determination of the number of spaces required by this section results in a requirement of a fractional space, any fraction shall be counted as one space.
- (b) *Exemptions.* Uses in the CB district are exempt from the off-street parking where public parking is available within 1,320 feet. A parking study may be submitted which evaluates the existing parking utilization of public parking within 1,320 feet of the property. The required off-street parking requirement may be reduced by not more than 50 percent of the number of available parking spaces cited by the parking study. Available parking shall be defined as the difference between the observed parking usage and 85 percent of the total available parking spaces. The parking study shall not be required for the remodel, rehabilitation, or conversion of an existing building or structure.
- (c) *Off-street parking.* Off-street motor vehicle and bicycle parking spaces accessory to the various land and building uses shall be provided to equal or exceed the minimum requirements set forth in table 4.2 in subsection (e) of this section less any applicable reduction.
- (d) *Residential/commercial mixed use.* The number of off-street parking spaces required for a residential/commercial mixed use shall be determined by adding the number of spaces required for each zoning classification and dividing said total by 75 percent.
- (e) *Off-street loading.* Every building or structure constructed in any district for commercial or industrial purposes requiring the receipt or distribution of material or merchandise shall have provided and maintained on the same lot with such use at least one off-street loading space for each 10,000 square feet of gross floor area, or fraction thereof. The number of loading spaces may be reduced for a particular use normally requiring at least three spaces whereby a loading space at least 11 feet wide and 60 feet long may be substituted for two spaces that would otherwise be required.
- (f) *Shared/off-site parking.* The use of shared parking facilities between buildings and uses on, adjacent, or within 1,320 feet may be permitted with the following provisions:
 - (1) Shared parking for multiple uses and buildings on the same property shall not require any special permissions. Should the total uses on the property require more than 100 spaces, the parking requirements may be reduced by up to ten percent as a shared parking facility credit.
 - (2) Shared parking between two or more adjacent properties may be provided by providing an off-street connection between the parking lots on the properties with the execution of the appropriate private cross access easements or agreement. Where provided, the parking requirements may be reduced for each property by up to ten percent as a shared parking facility credit.
 - (3) Shared off-site parking for multiple uses and buildings adjacent or within 1,320 feet of the property on which the parking facility is located may be permitted upon the execution of a long-term lease agreement or permanent parking covenant. Only any parking spaces in excess of the number

required for the on-site use may be permitted to be utilized by an off-site use for parking facilities, and individual parking spaces shall not be allowed to be dedicated to more than one use or business. Such spaces must be signed to indicate the business or use that is allowed to utilize the space. A parking study may be submitted for any shared parking facility with 40 or greater spaces. Such facility may serve multiple uses and businesses so long as the parking facility is demonstrated to have enough parking for each use at the peak parking period.

- (g) *Reduction of required auto parking spaces.* The required number of vehicle parking spaces may be reduced as follows:
- (1) The number of required spaces may be reduced if included in a planned unit development.
 - (2) The number of spaces required may be reduced for mixed use developments and shared parking facilities as specified in this section.
 - (3) The number of spaces required may be reduced by substituting motorcycle/scooter parking facilities at a rate of 2.5 motorcycle/scooter spaces per auto space for up to ten percent of the required spaces.
 - (4) The number of spaces required may be reduced by utilizing public spaces as specified in this section.
 - (5) The number of spaces required may be reduced by ten percent for multi-family residential uses if the property is located within 200 feet of a transit stop.
 - (6) The total amount of parking reductions and credits shall be computed by reducing the total allowed percentage of reduction from the requirement in table 4.2.

TABLE 4.2. REQUIRED MOTOR VEHICLE AND BICYCLE SPACES

Use	Motor Vehicles	Bicycles (Percent of total number of required motor vehicle parking spaces)
Airport	One space per 100 sq. ft. of waiting room	NA
Art gallery/museum	One space per 300 sq. ft.	5
Athletic field	One space per 5,000 sq. ft. of land area	15
Automatic teller machine	Two spaces per machine	NA

Auction house	One space per four patron seats	5
Auditorium	One space per each six seats or nine linear feet of fixed benches, or space per 45 sq. ft. of floor area without fixed seats	5
Auto parts store	One space per 400 sq. ft. of leasable area, plus one space per employee on the maximum work shift	5
Automobile sales and rentals	One space per 500 sq. ft. of floor area	5
Automobile repair/automobile body shop	One space per 250 sq. ft. of floor area, with repair space for motor vehicles not counted as parking space	NA
Bank	One space per 250 sq. ft. of floor area	10
Bar or tavern	One space per 100 sq. ft.	10
Barbershop or beauty parlor	Two spaces, plus one per chair	10
Bed and breakfast	One space per guest bedroom	5
Billiard hall	One space per ten persons of the rated capacity	10
Bingo parlor	One space for three seats (based on design capacity) or one per 100 sq. ft. of total floor area, whichever is greater	10
Boardinghouse, dormitory or camp	Two parking spaces per three persons for which sleeping accommodations are provided	10
Bowling alley	Four spaces per alley, plus one space per employee	10
Cartage, express, and parcel delivery	One space per three employees, plus one space per vehicle maintained	5

Carwash	Queue capacity per wash stall to accommodate one car; queue capacity per automatic bay, three cars	NA
Community center	One space per 250 sq. ft.	5
Convalescent center or nursing home	One space per four beds plus one per two employees	1 per 15 dwelling units
Convenience store	One space per 300 sq. ft., min. of six spaces exclusive of fueling locations	5
Clubhouse	One space per 400 sq. ft.	10
Child care centers	One space per 10 children at maximum licensed capacity	NA
Drug and alcohol treatment center	With residential: one space per two beds and one space per staff member; without residential: 1.5 spaces per staff member	10
Emergency medical service	Adequate space to accommodate all motor vehicles operated in connection with such use and one additional space per employee	10
Fraternity/sorority Fraternal organization	One space per bed	25
	One space per 100 sq. ft.	5
Funeral home or mortuary	One space per 100 sq. ft.	5
Furniture store	Two spaces for the first 1,000 sq. ft., plus one per each additional 400 sq. ft. of floor area	10
Golf course	50 spaces per nine holes, plus one space per 300 sq. ft. of floor areas (bar, restaurant, clubhouse, etc.)	1

Grocery store	One space per 250 sq. ft.	10
Group home	0.25 spaces per bed, plus one space per employee of the largest shift	5
Home occupations	Two per dwelling unit	NA
Hospital	One space per two beds, plus one per five outpatients, plus one per employee of the largest shift	10
Hotel/motel	1.25 spaces per sleeping room, plus one per 400 sq. ft. of restaurant/bar area, plus 1 per <u>33</u> sq. ft. of conference area/meeting space	1 per 15 rooms
Indoor athletic, recreation facility	One parking space per three persons at max. capacity, plus one per employee	5
Industrial/manufacturing use not elsewhere classified	One space per 1,200 sq. ft.	5
Kennel	One space per employee, plus one space per 1,000 sq. ft.	5
Laundromat	One space per 300 sq. ft. of floor area used by the general public	10
Library	One space per 400 sq. ft., plus one space per two employees	25
Lumberyard	One space per each 500 sq. ft. of floor area	5
Machinery sales	One space per 500 sq. ft. of enclosed sales/rental floor area, plus one per 3,000 sq. ft. of open sales/rental display lot area	5
Miniwarehouses or self-service storage facility	One space per 300 sq. ft. of office area	5

Movie theater	One space per four seats	5
Nightclub	One space per 50 sq. ft. of area open to the public	5
Office, medical	One space per 200 sq. ft. of floor area	10
Office, professional	One space per 300 sq. ft. of floor area	10
Oil change shop	Two spaces per service station, plus two per service bay. Service bay or pumping area is not a parking space	NA
Outdoor athletic, recreation facility	One space per 4 seats or 10 board feet of bench area	5
Outdoor storage	One space per employee of the largest shift	NA
Place of worship: single use	One per four seats or 10 board feet of bench area or one space per 60 sq. ft. of worship area where fixed seating is not provided	5
Plumbing and heating supply	One space per 1,000 sq. ft. of floor area, plus one per employee and one per company vehicle	NA
Printing and publishing	One space per 1,000 sq. ft. floor area, or one space per employee, whichever is greater	5
Radio or television station	One space per employee	5
Research and development facility	One space per 800 sq. ft. of floor area	5
Recreational vehicle park	1.5 spaces per each recreational vehicle site	NA
Rental of equipment	One space per 500 sq. ft. of floor area	5

Repair shop (includes all mechanical, electronic, and textile repair not elsewhere classified)	One space per 300 sq. ft. of patron service area	5
Residential, single-family and two-family, one or two bedroom	Two spaces per dwelling unit	NA
Residential, single-family and two family, three or more bedrooms	One space per bedroom	NA
Residential multifamily, one bedroom or studio	One space per dwelling unit	1 per dwelling unit
Residential multifamily, two bedroom	Two spaces per dwelling unit	1 per dwelling unit
Residential multifamily, three bedroom	2.33 spaces per dwelling unit	1 per dwelling unit
Residential multifamily, four or more bedrooms	Three spaces per unit	1.25 per dwelling unit
Residential multifamily, senior independent living facility	0.75 spaces per unit	0.5 per unit
Restaurant	One space per 65 sq. ft. of dining and/or drinking area	10
Retail, outdoor	One space per 600 sq. ft. of lot area	5
Retail uses not elsewhere classified	One space per 300 sq. ft. of retail area	10
School, dance	One space per 300 sq. ft.	10

School, elementary	1.75 spaces per classroom, plus off-street loading space for at least two school buses	25
School, junior high	Two spaces per classroom	40
School, high school	Four space per classroom	60
School, trade	One space per four students	20
Shopping center	One space per 200 sq. ft. leasable area	10
Transit terminals	One space per 500 sq. ft.	5
Truck terminal	One space per 2,500 sq. ft. of floor area, plus one space per employee	5
Utility	One space per employee of the largest shift	5
Vehicle service and sales	One space per 400 sq. ft. of leasable or display area, plus one per employee of the largest shift	5
Veterinarian	One space per 225 sq. ft. of floor area	5
Warehouse	One space for every 1.5 employees on the largest working shift, or one space per 2,000 sq. ft. of floor area, whichever is greater	NA
Commercial uses not elsewhere classified	One space per 300 sq. ft. of retail or customer service area	10

(Ord. No. 3023, § 1(23.220), 3-3-2008; Ord. No. 3258, § 3, 4-21-2014.)

Sec. 23-221. - Modification of existing parking lots.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Reconstruction means complete removal and replacement of the existing surface.

Total surface area means vehicle parking areas and driving aisles, excluding curbing, islands, landscaping and similar appurtenances, unless such is removed for the purpose of establishing additional vehicle parking capacity or circulation capability within the parking lot.

- (b) *Reconstruction*. Reconstruction of more than 50 percent of the total surface area of an existing parking lot shall be in accordance with the provisions set forth in this article.
- (c) *Exemption*. Routine maintenance, repair or reconstruction/reconfiguration intended solely to enhance accessibility in accordance with the Americans with Disabilities Act is exempt from the requirements set forth herein; provided, further, this section shall not mandate the enlargement in size or capacity of any existing parking lot.

(Ord. No. 3023, § 1(23.221), 3-3-2008)

Secs. 23-222—23-229. - Reserved.

ARTICLE X. - LEGALLY NONCONFORMING USES, SIGNS, STRUCTURES, LOTS/PARCELS

Footnotes:

--- (2) ---

State Law reference— *Nonconforming use, 11 O.S. § 4.107.1.*

Sec. 23-240. - Continuation of legal nonconformities.

A legally nonconforming lot/parcel, structure, sign or use may be continued except as otherwise provided in this chapter, although such use, sign, structure or lot/parcel does not conform to the provisions of this chapter.

(Ord. No. 3023, § 1(23.240), 3-3-2008)

State Law reference— Similar provision, 11 O.S. § 107.1.

Sec. 23-241. - Abandonment and discontinuance of nonconformities.

Legally nonconforming status shall be forfeited under any of the following circumstances:

- (1) If the legally nonconforming lot/parcel is legally joined under common ownership with other adjoining land so that the total lot/parcel conforms with adopted regulations.
- (2) If a legally nonconforming use of land ceases for a period of 12 consecutive months.
- (3) If a legally nonconforming structure is brought into compliance with existing codes.
- (4) The legally nonconforming use is changed to a conforming use.

(Ord. No. 3023, § 1(23.241), 3-3-2008)

Sec. 23-242. - Nonconforming lots of record.

In any district where a specified use is permitted, permitted buildings and customary accessory structures may be constructed on any single lot of record as defined by this chapter, notwithstanding limitations imposed by other provisions of this chapter. Such lot must be of separate ownership and not of continuous frontage with other lots in the same ownership. If two or more lots or combinations of lots with continuous frontage in a single ownership are of record at the time of adoption of the ordinance from which this chapter is derived, and if all or part of the lots do not meet the requirements established for lot width and lot area, the lands involved shall be considered an undivided parcel for the purpose of this chapter.

(Ord. No. 3023, § 1(23.242), 3-3-2008)

Sec. 23-243. - Changes to nonconformities.

- (a) *Enlargement.* Except as specifically provided in this chapter, no person may engage in any activity that causes an increase in the extent of any existing nonconformity. In particular, it shall be unlawful to increase nonconformity with respect to density restrictions, dimensional requirements such as setbacks,

and other requirements such as parking.

- (b) *Repair and alteration.* Minor repairs and routine maintenance of property where legally nonconforming situations exist are permitted and encouraged. A legally nonconforming structure may be maintained, repaired or remodeled, provided that such alteration complies with the bulk standards of the applicable district.
- (c) *Damage or destruction.* In the event that any legally nonconforming structure is damaged or destroyed by any means to the extent of more than 50 percent of its current assessed value, such structure shall not be restored unless it shall thereafter conform to all regulations in the district in which it is located. When a structure is damaged to the extent of 50 percent or less of its current assessed value, the structure may be restored provided that such restoration is actually begun within one year after the date of such damage, is diligently pursued to completion, and any portion of the structure greater than the portion damaged or destroyed complies with the bulk standards of the applicable district.
- (d) *Restoration.* Whenever the legally nonconforming use of any structure is halted because of the damage, destruction or demolition of the structure by an act of nature or by fire, the structure involved may be reconstructed or repaired in conformance with the regulations set forth herein and the legally nonconforming use resumed, provided that such nonconforming use is not extended beyond the scope and area of its operation as it existed prior to such damage, destruction or demolition. The nonconforming use shall resume within one year of the date of damage, destruction or demolition to the structure in which the use existed.
- (e) *Moving.* A legally nonconforming structure shall not be moved in whole or in part for any distance to any other location on the same or any other lot unless every portion of said structure is made to conform to all regulations of the district in which it is located after being so moved.
- (f) *Change in use.* A legally nonconforming use may be changed as permitted by right in the same district, except as may be limited by the applicable building codes.

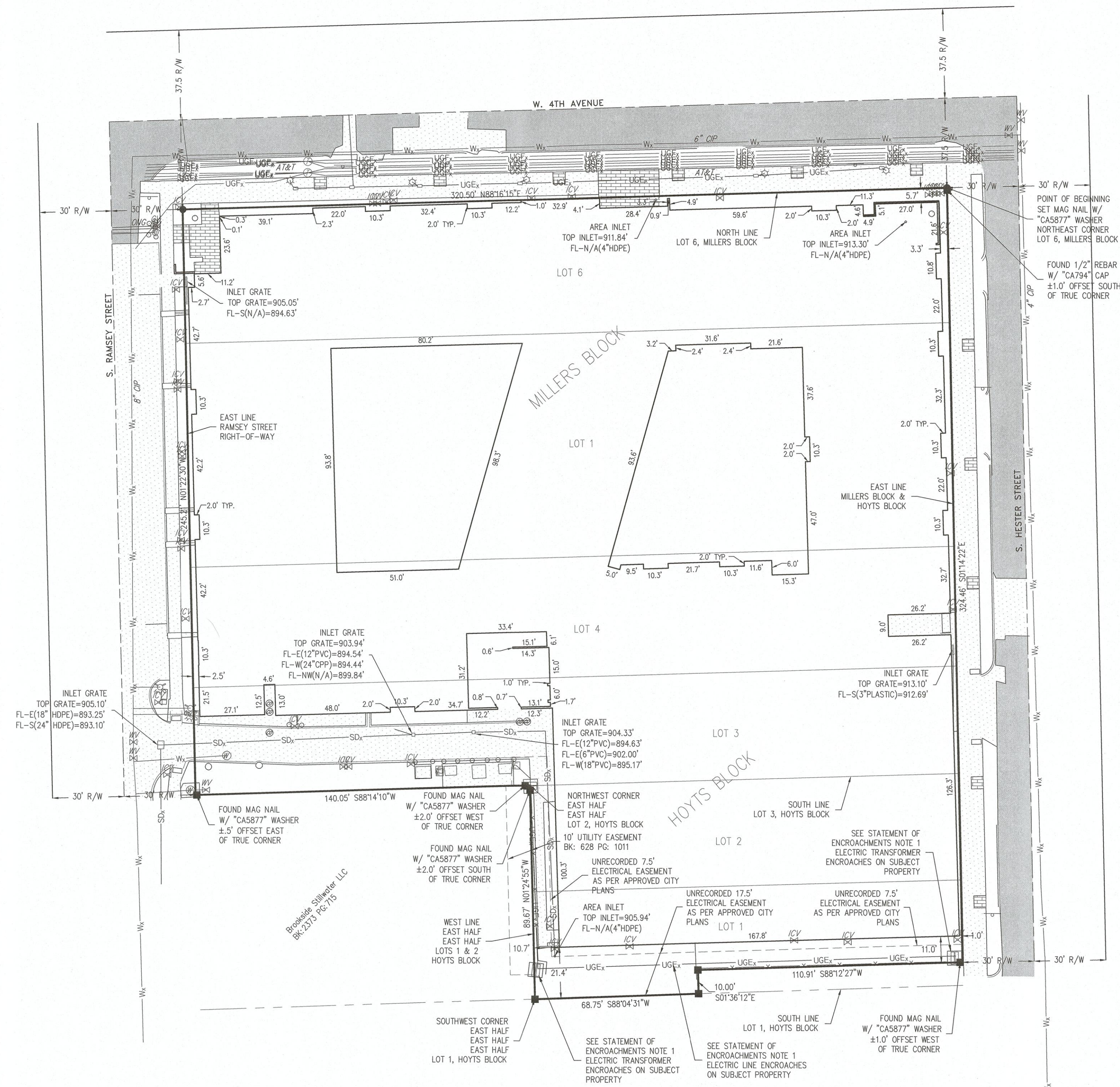
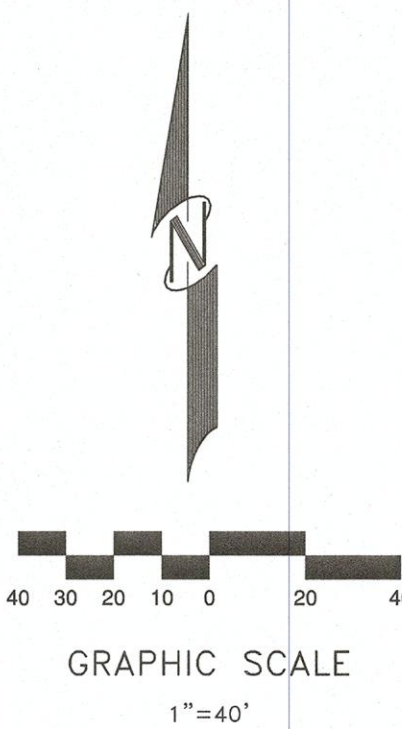
(Ord. No. 3023, § 1(23.243), 3-3-2008; Ord. No. 3045, § 1, 11-17-2008)

Sec. 23-244. - Reserved.

APPENDIX F: ALTA SURVEY

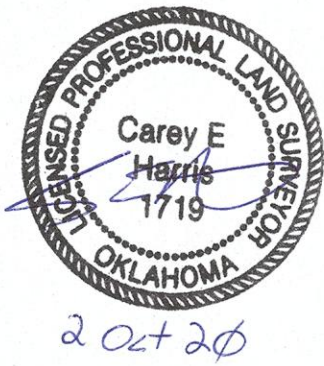
ALTA/NSPS LAND TITLE SURVEY
STILLWATER STUDENT HOUSING OWNER, LLC
CITY OF STILLWATER
PAYNE COUNTY
STATE OF OKLAHOMA

SHEET 1 OF 2



EXISTING FEATURES LEGEND

- EXISTING CONTOUR
- ASPHALT PAVING
- CONCRETE PAVING
- GRAVEL PAVING
- EXISTING WATER VALVE
- EXISTING WATER SPIGOT
- EXISTING IRRIGATION CONTROL VALVE
- EXISTING FIRE HYDRANT
- EXISTING GAS VALVE
- EXISTING GAS METER
- EXISTING LIGHT POLE
- EXISTING ELECTRIC DEVICE AS NOTED
- EXISTING SANITARY CLEANOUT
- EXISTING POLE SIGN
- EXISTING PIPE BOLLARD
- EXISTING WATER LINE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING STORM DRAIN
- EXISTING UNDERGROUND CABLE
- EXISTING NATURAL GAS LINE
- EXISTING FENCE
- SET 1/2" REBAR W/ CAP "CA5877" UNLESS NOTED
- FOUND 1/2" REBAR W/ "CA5877" CAP UNLESS NOTED

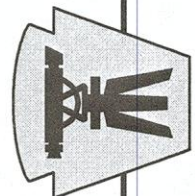


REVISIONS

REV	DATE	DESCRIPTION	BY	APP'D

Keystone Engineering
and Land Surveying, Inc.

PHONE: (405) 743-3355
FAX: (405) 743-3933
CA #5877 EXP. 6/30/2021
EMAIL: Chartis@keystone-els.com



923 SOUTH LOWRY STREET
POST OFFICE BOX 436
STILLWATER, OK 74076

STILLWATER STUDENT
HOUSING OWNER, LLC

713 W. 4th Avenue
Stillwater, Oklahoma

ALTA/NSPS
LAND TITLE SURVEY

DRAWN BY
AMC

DATE
7/30/2020

SCALE
1"=30'

SHEET
VF100



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ALTA/NSPS LAND TITLE SURVEY
STILLWATER STUDENT HOUSING OWNER, LLC
CITY OF STILLWATER
PAYNE COUNTY
STATE OF OKLAHOMA

LEGAL DESCRIPTION

A particular tract of land, encompassing portions of Hoyt's Block and Miller's Block of College Addition to the City of Stillwater, Payne County, State of Oklahoma, according to the recorded plats thereof, said tract being more particularly described as follows: Beginning at a set 1/2" iron pin with cap "CA5877" occupying the Northeast corner of Lot 6 of said Miller's Block of College Addition;

Thence, S01°14'12"E along the East line of said Miller's Block & Hoyt's Block of College Addition, a distance of 324.46 feet (previously recorded as a distance of 324.33 feet) to a found 1" pipe;

Thence, S88°12'27"W, a distance of 110.91 feet (previously recorded as 111 feet), to a found 1/2" iron pin with cap "LS1051";

Thence, S01°36'12"E, a distance of 10.00 feet, to a found 1/2" iron pin occupying a point on the South line of Lot 1 of said Hoyt's Block of College Addition;

Thence, S88°04'31"W along the South line of said Hoyt's Block of College Addition, a distance of 68.75 feet, to a found 1/2" iron pin with cap "LS1051" occupying the Southwest corner of the East Half (E/2) of the East Half (E/2) of Lot 1 of said Hoyt's Block of College Addition;

Thence, N01°24'55"W along the West line of the East Half (E/2) of the East Half (E/2) of Lots 1 and 2 of said Hoyt's Block of College Addition, a distance of 89.67 feet (previously recorded as 89.33 feet) to a found 1/2" iron pin occupying the Northwest corner of the East Half (E/2) of the East Half (E/2) of Lot 2 of said Hoyt's Block of College Addition;

Thence, S88°14'10"W along the South line of Lot 3 of said Hoyt's Block of College Addition, a distance of 140.05 feet (previously recorded as 140.00 feet), to a set 1/2" iron pin with cap "CA5877" occupying the intersection point of the South line of said Lot 3 and the East line of the Right-of-Way for Ramsey Street (as depicted on the ALTA/ACSM Land Title Survey dated August 7, 2013, revised June 9, 2015, prepared by Carey E. Harris, PLS No. 1719);

Thence, N01°22'30"W along said East line of the Right-of-Way for Ramsey Street, a distance of 245.21 feet (previously recorded as 245 feet), to a found 1/2" iron pin with cap "LS1150" occupying the intersection point of the North line of said Miller's Block of College Addition and said East line of the Right-of-Way for Ramsey Street;

Thence, N88°16'15"E along the North line of said Miller's Block of College Addition, a distance of 320.50 feet (previously recorded as 320.00 feet), to the Point of Beginning.

The Above description was prepared by Carey E. Harris, PLS No. 1719, on June 9, 2015.

STATEMENT OF ENCROACHMENTS

1. Stillwater Utility Authority electric transformers and underground electric line encroach onto subject property and is not contained within an existing easement. This is the main electrical feed for the property. The approved City of Stillwater plans show a proposed electrical easement over existing electric transformers and underground electric line. Easement has not been filed at the Payne County Clerk's office at time of survey.

SCHEDULE B EXCEPTIONS:

5. Right-of-Way in favor of Mullendore Gas Company, executed by C.A. Melton, Agent for W.L. Karr, cover Lots 3 & 4, Hoyt's Block, College Addition, recorded in Book 13, Misc. R., Page 511; as affected by the purported Disclaimer recorded in Book 2250, Page 724. SAID RIGHT-OF-WAY IS NOT PLOTTABLE.

6. Right-of-Way in favor of Mullendore Gas Company, executed by Katie Fisher, covering Lot 1, Hoyt's Block, recorded in Book 13 of Misc., Page 518; as affected by purported Disclaimer recorded in Book 2250, Page 724; purportedly assigned to ONE Gas, Inc., recorded in book 2157, Page 21. EASEMENT AFFECTS SUBJECT PROPERTY AND IS BLANKET.

7. Right-of-Way in favor of Mullendore Gas Company, executed by Cora B. Mahaffey, covering the South 10 feet of the East 300 feet of Lot 1, Hoyt's Block, and other property, recorded in Book 21 Misc, Page 243, subjected to purported release thereof recorded in Book 399, Page 37, by Oklahoma Natural Gas Company. SAID RIGHT-OF-WAY APPEARS ACCORDING TO INSTRUMENTS FILED IN AFOREMENTIONED BOOKS AND PAGES.

8. Dedication of College Addition recorded on April 3, 1897 in Book 1 PB, Page 14. PORTIONS OF SAID DEDICATION OF COLLEGE ADDITION BEING VACATED PER THE INSTRUMENT RECORDED AT BOOK 1 MSC. R., PAGE 177 FILED MARCH 4, 1897, SAID VACATION FULLY ENCOMPASSING SUBJECT PROPERTY.

9. Dedication to Hoyt's Block recorded on December 28, 1898 in Book 1 PB, Page 13. SAID HOYT'S BLOCK IS CALLED OUT AS SUCH AND SHOWN HEREON.

10. The West 49 feet of the Tract is Ramsey Street, which was specifically excluded in prior conveyances, but was included in conveyance since approximately 1970. AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON.

11. Dedication and Plat of Miller's Block in College Addition recorded on Book December 28, 1898, in Book 1PB, Page 16. SAID MILLER'S BLOCK IS CALLED OUT AS SUCH AND IS SHOWN HEREON.

12. Right-of-Way in favor of Mullendore Gas Company, recorded October 4, 1916, in Book 13 Misc., Page 509; as affected by purported disclaimer recorded in Book 2250, Page 724. SAID EASEMENT AFFECTS SUBJECT PROPERTY AND IS BLANKET IN NATURE.

13. Right-of-Way in favor of Mullendore Gas Company, recorded October 4, 1916, in Book 13 Misc., Page 516; as affected by purported disclaimer recorded in Book 2250, Page 724. SAID EASEMENT AFFECTS SUBJECT PROPERTY AND IS BLANKET IN NATURE.

14. Any interest held by Rick Crossdale and Kathy Crossdale, husband and wife, their successor or assigns, as to the West 29.75 feet of the South 10 feet of the East Half of the East Half of Lot 1. RECORDED DOCUMENT NOT PROVIDED.

15. Any interest held by Frankie Smith, Trustee of the Frankie Smith Revocable Trust dated May 22, 1995, or Successor or assigns, as to the West 29.75 feet of the South 10 feet. RECORDED DOCUMENT NOT PROVIDED.

16. Sewer Right-of-Way in favor of the Church of Christ Stillwater, Oklahoma, allowing for access and use of a sewer line along the West of the subject property, recorded on January 25, 1946, in Book 82 Misc., Page 116. SAID EASEMENT GRANTS ACCESS RIGHTS TO A PREVIOUSLY EXISTING SEWER LINE CROSSING SUBJECT PROPERTY. SAID EASEMENT AFFECTS SUBJECT PROPERTY AND IS NOT PLOTTABLE.

17. Agreement, where in the then owner of the property adjacent to the West of the subject property disclaims any interest in subject property, recorded on May 7, 1958, in Book 138 Misc., Page 135. SAID AGREEMENT AFFECTS SUBJECT PROPERTY AND IS BLANKET IN NATURE.

18. The following matters disclosed by an ALTA/NSPS survey made by Carey E. Harris (#1719) dated December 11, 2013, last revised June 10, 2015:

- (a) Possible 19.75 foot property overlap with adjoining owner to the West, Warranty Deed filed in Book 1441, Page 800, Payne County Clerk's Office. PREVIOUS INDIVIDUAL TRACTS CREATED POSSIBLE PROPERTY OVERLAP, HOWEVER, THE REVISED DEEDS FOR THE TOTAL PROPERTY DO NOT CREATE ANY GAPS OR OVERLAPS.
- (b) Possible 14 foot property overlap with adjoining owner to the South, Warranty Deed filed in Book 1283, Page 0099, Payne County Clerk's office. PREVIOUS INDIVIDUAL TRACTS CREATED POSSIBLE PROPERTY OVERLAP, HOWEVER, THE REVISED DEEDS FOR THE TOTAL PROPERTY DO NOT CREATE ANY GAPS OR OVERLAPS.
- (c) Possible 9.5 foot property gap between 417 South Ramsey (Warranty Deed filed in Book 1811, Page 0737) and 424 South Hester (Warranty Deed filed in Book 1723, Page 578-579) Payne County Clerk's office. PREVIOUS INDIVIDUAL TRACTS CREATED POSSIBLE PROPERTY OVERLAP, HOWEVER, THE REVISED DEEDS FOR THE TOTAL PROPERTY DO NOT CREATE ANY GAPS OR OVERLAPS.
- (d) Possible building encroachment into Right-of-Way for 4th Avenue by ±.4. DOES NOT AFFECT.
- (e) Possible fence encroachment into Right-of-Way for 4th Avenue by ±6.3 feet. DOES NOT AFFECT.
- (f) Possible overhead electric and utility pole encroachment onto Subject Property. DOES NOT AFFECT.
- (g) Possible sanitary sewer line encroachment onto and across Subject Property. DOES NOT AFFECT.
- (h) Possible retaining wall encroachment into Right-of-Way for Hester Street by ±2.4 feet. DOES NOT AFFECT.
- (i) Possible ONG gas line Encroachment. DOES NOT AFFECT.
- (j) Possible 10 feet by 10 feet property overlap with a tract described in a Quit Claim Deed filed in Book 1076, Page 408, Payne County Clerk's office, the record Grantee of said Deed being Frankie Smith, Trustee of the Frankie Smith Revocable Trust dated May 22, 1995. PREVIOUS INDIVIDUAL TRACTS CREATED POSSIBLE PROPERTY OVERLAP, HOWEVER, THE REVISED DEEDS FOR THE TOTAL PROPERTY DO NOT CREATE ANY GAPS OR OVERLAPS.

19. Judgement and Decree Vacating Platted Alley entered in Payne County Case No. CJ-2017-45, stamp-filed March 17, 2017. DOES NOT AFFECT.

BASIS OF BEARINGS

The East line of Hoyt's Block on an assumed Bearing of S01°14'22"E.

PARKING NOTE

Regular Spaces: 362
Truck Spaces: 0
Handicapped Spaces: 46
Total Spaces: 408

SITE RESTRICTIONS

Zone: T6
Minimum Setbacks:
Front: 0' min-10' max
Side: 0'
Rear: 10' (min.)
Maximum Height: 100' (10 stories max)
(2 stories min.)

LAND AREA

Acres: 2.14 ±

SURVEYORS CERTIFICATION

TO: Stillwater Student Housing Owner L.L.C., a Delaware limited liability company, Fortress Credit CO LLC, a Delaware limited liability company, its successors and assigns and First American Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 6(b), 7, 8, 9, 10, 11, 13, 14, 16, 17, 18, 19 and 20 of Table A thereof. The field work was completed on July 30th, 2020.

In reference to Title Commitment No. NCS-1006162-NAS dated August 6, 2020, provided by First American Title Insurance Company.

SURVEYOR: REVISED

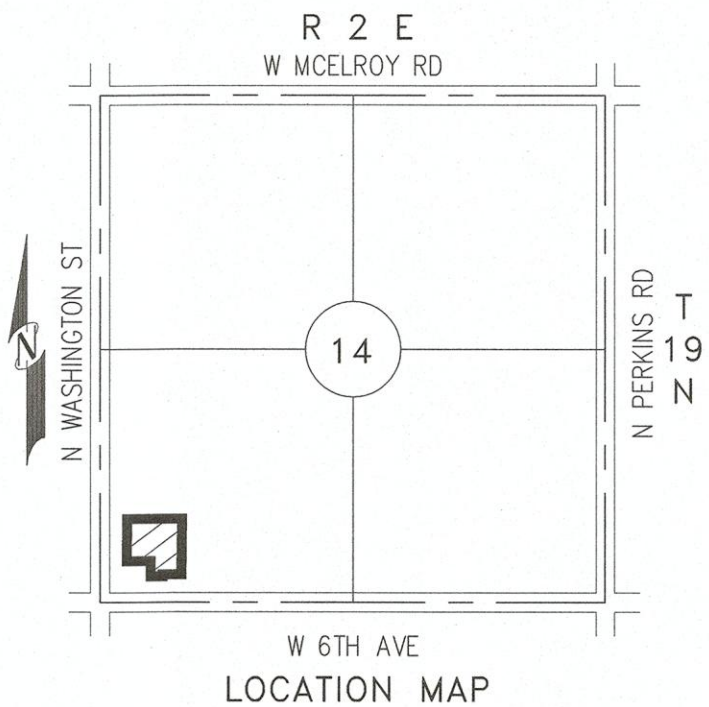
Dated: 2 Oct 20 By: SEH CAREY E. HARRIS P.L.S. No. 1719

Date of survey: July 30, 2020



NOTES

1. The location of utilities as shown on this plat is based on observed evidence in the field combined with City of Stillwater Atlas maps.
2. There was no observed evidence of recent earth moving work, building construction or building additions on Subject Property.
3. There was no observed evidence of site used as a solid waste dump, sump or sanitary landfill.
4. There was no observed evidence of wetlands on Subject Property.
5. Subject Property is designated as Zone "X" (areas determined to be outside the 0.2% annual chance floodplain), per FEMA Flood Insurance Rate Map No. 4019C0227F, effective date May 16, 2007.
17. Proposed Construction work along 4th Avenue, but Right of Way changes are unknown.



REVISIONS		DESCRIPTION	BY	APP'D

Keystone Engineering and Land Surveying, Inc.

PHONE: (405) 743-3355
FAX: (405) 743-3933
CA #5877 EXP. 6/30/2021
EMAIL: charris@keystone-els.com

923 SOUTH LOWRY STREET
POST OFFICE BOX 436
STILLWATER, OK 74076

STILLWATER STUDENT HOUSING OWNER, LLC 713 W. 4th Avenue Stillwater, Oklahoma		ALTA/NSPS LAND TITLE SURVEY	
DRAWN BY AMC	DATE 7/30/2020	SCALE N/A	SHEET VF101

