
ORDINANCE NO. O-1718-12

ITEM NO. 10b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Heritage Fine Homes Investments, L.L.C. and Windsor, L.L.C.
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	A-2, Rural Agricultural District
SURROUNDING ZONING	North: R-1, Single Family Dwelling District, RM-2, Low Density Apartment District, RM-6, Medium Density Apartment District East: I-1, Light Industrial, RM-6, Medium Density Apartment District, C-2, General Commercial District South: C-1, Local Commercial District West: R-1, Single Family Dwelling District
LOCATION	1/8 mile north of the intersection of 36 th Avenue N.W. and West Rock Creek Road on the west side of 36 th Avenue N.W.
SIZE	9 acres more or less
PURPOSE	Commercial/Retail/Office space
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Single family homes and detention area East: Two family homes, Neighborhood Wal-Mart, Offices, Industrial South: 7-11 and shopping center and detention area, vacant land West: Single family homes

SYNOPSIS: The applicant is requesting rezoning from A-2, Rural Agricultural and C-1, Local Commercial to a PUD, with permitted uses allowed in C-1, Local Commercial and CO, Suburban Office Commercial for approximately 9 acres.

The applicant's proposal is to Preliminary Plat approximately 26.45 acres for the following uses: single family residential will comprise 6.34 acres, commercial/office is 13.27 acres and open space is 6.66 acres. The development proposal for the northern section of the property is four commercial buildings with parking in the front on 36th Avenue N.W. and 10 office buildings behind the retail space with a common parking lot.

ANALYSIS:

1. USE: The uses allowed are all permitted uses in the C-1, Local Commercial and CO, Suburban Office Commercial.
2. OPEN SPACE: The open space for the PUD is in excess of 10% as shown on EXHIBIT B.
3. PARKING: Parking will be shared and cross access parking will be allowed through the common areas as shown on the preliminary plat and site plan and stated in the PUD.
4. PHASES: Phases are not planned for this development at this time. The development will take place as market demands.

ALTERNATIVES/ISSUES:

- **IMPACTS**

This area of Norman has had significant development within the last decade; new grocery stores, shopping centers, restaurants and apartments have been built. This is a result of several factors: the Rock Creek Road Overpass connection, new multi-family residential developments, and the continued growth of the UNP business district.

However, this site has never developed into single family homes because of the location directly abutting 36th Avenue N.W. The southern portion of the preliminary plat, at the corner of 36th Avenue N.W. and Rock Creek Road is currently zoned C-1, Local Commercial. This PUD will allow permitted uses in C-1 that abut the existing commercially zoned land and CO permitted uses behind.

Because of the residential growth in this area, added commercial, retail and office space can benefit the surrounding neighborhoods providing goods and services within the immediate vicinity.

- **ACCESS**

There are two proposed access points on 36th Avenue N.W. for this PUD. All access points for the entire development will connect all interior parking areas and drives throughout the development. Per the traffic impact analysis the developer will be required to provide a left turn lane on northbound 36th Avenue. The proposed number of access points for the development is in compliance with what is allowed in the subdivision regulations. The City of Norman Traffic Engineering Department recommended approval with no negative traffic impacts anticipated by this development.

- **SITE PLAN**

The site plan shows four commercial buildings with parking fronting 36th Avenue N.W. and 10 office buildings to the rear on the northwestern portion of the site with common shared parking in the middle of the office development.

OTHER AGENCY COMMENTS:

- **PARK BOARD** Parkland dedication is not required for commercial and office use. The residential portion of the preliminary plat is already satisfied through the existing park in the Berkley Addition.
- **PUBLIC WORKS** The applicant is preliminary platting their entire ownership of approximately 26.45 acres. All infrastructure and required public improvements will be installed.
- **PREDEVELOPMENT PD17-17** **August 24, 2017**

Neighbor's Comments/Concerns

The neighbor's concerns are:

Will the pond remain or be filled in?

Will the pond remain natural or be a concrete drainage detention?

What will be developed? We were told that this was agricultural land and would not be developed.

How and who decides on the rezoning request?

How close will the pond be to the back fence? Will the pond be increased or decreased in size?

What is the timeline for this development?

Will there be a fence to separate this commercial/office development from the residential to the west?

Applicant's Responses

The pond will remain in the same location and be improved, and remain in a natural state. The size will be increased to account for the detention requirements.

This land is privately owned and hasn't been developed; this doesn't mean that it never can be developed and whoever told you it wouldn't be developed provided misguided information.

The planning staff makes a recommendation to the Planning Commission, and the Planning Commission makes a recommendation to City Council and City Council votes on the request at a public hearing.

The pond will be 20-40 feet from the back fence.

The development timeline is approximately a year and half until there will be buildings on the site.

- **GREENBELT Item NO. 17-14** **August 21, 2017**
The 2012 Greenways Master Plan shows greenway or trail opportunities, however these are already provided. Therefore, this project was placed on the consent docket for this meeting. No additional recommendations were made.

STAFF RECOMMENDATION: This site has never been developed as single family homes due to the location; this site is in close proximity to an intersection of two Urban Principle Arterial Streets where commercial and office uses are more suitable. Staff recommends approval of Ordinance No. O-1718-12.