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ORDINANCE NO. O-1213-11

ITEM NO. 13b

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C.
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	C-1, Local Commercial District
SURROUNDING ZONING	North: C-1, Local Commercial District East: PUD, Planned Unit Development No. 0910-11 South: RM-2, Low Density Apartment District West: R-1, Single Family Dwelling District
LOCATION	Southwest corner of 36 <sup>th</sup> Avenue N.W. and West Tecumseh Road
SIZE	13.86 Acres
PURPOSE	Multi-Family Development
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Vacant & Commercial East: Commercial South: Vacant West: Residential

**SYNOPSIS:** The applicants, OSOI Tecumseh Development, LLC and NE Development, LLC, are proposing to rezone the above noted property from C-1, Local Commercial District, to a Planned Unit Development (PUD) for approximately 13.86 acres. The northeast corner will remain zoned C-1 and contains 1.75 acres.

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

**PLANNED UNIT DEVELOPMENT DISTRICT:** The primary purpose of this PUD is to develop a multi-family development with approximately 230 units consisting of one, two and three-bedroom units located within six three-story residential style buildings and a one-story clubhouse located on 13.86 acres.

**OPEN SPACE:** There are open space areas located throughout the development including a major open space area located on the western boundary of the property. Open space areas total 4.44 acres, which is about 32% open space.

**PARKING:** The project is a 230-unit multi-family complex with 473 total parking spaces. Included in that parking count there will be sixty garages within the large residential buildings and four ten-space detached garages within the site.

**IMPACTS:** The proposed multi-family development creates less peak hour traffic in comparison to the existing commercial designation. As a result, there are no additional traffic improvement requirements. Also, with the proposed design, open space buffer, orientation of the structures on the property providing better privacy for the single-family residences to the west and minimum access drives onto the arterial streets the development provides fewer impacts for the area than the current zoning of C-1, Local Commercial District.

**ACCESS:** The preliminary site development plan provides a common full-access point on West Tecumseh Road and a common full-access point onto 36<sup>th</sup> Avenue NW. There is a cross access easement on the preliminary plat between the multi-family complex and the existing commercial property to the northeast of the multi-family development.

**SITE PLAN:** The site plan provides building setbacks, proposed building locations, parking areas, landscaping locations, water lines providing fire hydrants for fire protection and open space areas. There will be a ten-foot building setback along the arterial right-of-way of 36<sup>th</sup> Avenue NW. All other minimum building setbacks shall be maintained as per the Preliminary Site Development Plan, Exhibit B. The site plan shows the parking areas behind the structures so as to present a more friendly presence of the residential buildings when viewing the site from Tecumseh Road and 36<sup>th</sup> Avenue NW. The site plan outlines the landscaping along the street frontages. In the Zoning Ordinance there is a requirement for screening when developments such as this are adjacent to single-family developments. In this case staff recommends that the fence already in place to the west be sufficient for this fencing requirement. If the applicant were to install a second fence abutting the existing fence it would create a dead space and no way to access for mowing. This fence already in place is along the eastern boundary of the single-family homes in Cascade Addition, Section 2. The applicant, however, will be responsible for any upkeep or replacement of those fences.

**OTHER AGENCY COMMENTS:**

**PARKS BOARD:** The Norman Board of Parks Commissioners, at their September 6th meeting, on a vote of 7-0, recommended in favor of a land decision; they voted to require either public or private parkland instead of the applicants' request for fee-in-lieu of land. The developer calculated the parkland required for this development to be 1.01 acres.

The applicant has dedicated the required 1.01 acres at the northwest corner of the property. The Parks Department staff is agreeable to the proposed location.

**PUBLIC WORKS:** The Traffic Engineer has approved the number and location of the drives onto 36<sup>th</sup> Avenue NW and West Tecumseh Road. Existing streets are adequate; therefore, no improvements will be required. Utilities (water and sanitary sewer) are available. Public sidewalks along the south side of West Tecumseh Road and the west side of 36<sup>th</sup> Avenue NW are required to be constructed at five feet in width. An existing detention pond will be utilized and maintained by the property owner.

**STAFF RECOMMENDATION:** This property has been zoned commercial since 1983 and has remained vacant. Since that time changes in development proposals have occurred in this area. Originally, Norman Regional Hospital purchased ninety-five (95) acres east of 36<sup>th</sup> Avenue NW. As a result of that purchase, twenty-five (25) acres of Norman Regional Hospital land previously intended for medium density residential was rezoned to commercial and institutional. With the residential component removed from the hospital property, the applicants perceive a need for a residential component within this property. Staff supports this request for rezoning to place this portion of the property in the PUD, Planned Unit Development zoning for medium density housing.