

---

ORDINANCE NO. O-1415-39

ITEM NO. 8b

---

**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	Carroll Family, L.L.C.
REQUESTED ACTION	Amending the uses allowed as shown on the existing adopted PUD Site Plan
EXISTING ZONING	PUD, Planned Unit Development
SURROUNDING ZONING	North: A-2, Rural Agricultural District South: PUD, Planned Unit Development West: A-2, Rural Agricultural District, R-1, Single Family Dwelling District, C-1, Local Commercial District
LOCATION	Generally located on the north side of West Tecumseh Road east of 36 <sup>th</sup> Avenue NW and west of Interstate 35
SIZE	51 acres more or less
PURPOSE	Mixed Use Development
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Fire Station, Private School and Parkland East: Church, Office and Two Automobile Dealerships South: Commercial, Medical/Office West: Single-Family, Medical/Office and Banking Facility

**SYNOPSIS:** The applicants submitted a request to amend the approved uses on approximately 8 acres of the remaining 51 acres of property located at the northeast corner of West Tecumseh Road and 36<sup>th</sup> Avenue NW. In October of 1999 this development was preliminary platted and rezoned from A-2, Rural Agricultural to PUD, Planned Unit Development with Ordinance No. 9900-2; at that time the proposal included the entire ownership of approximately 90 acres and for the most part the PUD was planned to develop with medical office uses. In June of 2006 an amendment to the approved uses was submitted and approved by Council. The amendment granted additional commercial uses as the

previously approved medical office uses were no longer needed since the hospital had established across Tecumseh Road to the south; therefore, the majority of all hospital services were established or in the process of establishing on that site. With the hospital locating on the south side of Tecumseh Road a great majority of the commercially zoned land in the area was absorbed, thus creating a need for commercial areas north of Tecumseh Road. The Carroll Addition continues to shift allowed uses as the surrounding areas develop. The owners now see the need for different uses along Tecumseh Road and 36<sup>th</sup> Avenue NW; the east side of Journey Parkway, approximately 40 acres, has developed with offices, a church and two automobile dealerships.

**ANALYSIS:** The owner has the opportunity to develop a commercial area on the west side of this property, adjacent to 36<sup>th</sup> Avenue NW; however, the approved use shown on the adopted Site Plan and NORMAN 2025 Land Use Designation is Office and Commercial. A PUD Narrative typically has the designation of “allowed uses” under specific zoning districts outlined in the Narrative itself. In this case, the allowed uses were designated on an approved/adopted Site Plan, creating the need to request this amendment to change the allowed uses.

The area along 36<sup>th</sup> Avenue NW currently allows Office and Commercial uses; however the allowed uses are split on some of the lots. The owner has a proposal for a commercial/retail development at the southeast corner of 36<sup>th</sup> Avenue NW and, when platted, what will be Carroll Street; however, the allowed use is designated as Office and Commercial. The owner is proposing to update the Site Plan to allow for Commercial uses on this entire lot at the southeast corner of 36<sup>th</sup> Avenue NW and Carroll Street.

The area located at the northeast corner of 36<sup>th</sup> Avenue and Carroll Street is designated as Office, the Office use continues east into the development, stopping at the first planned cul-de-sac, William Arthur Ct. With this new proposal the Office use will be removed from the interior lots and replaced with Commercial. This change removes the confusion of splitting the allowed uses on one lot. The lots fronting 36<sup>th</sup> Avenue NW will remain as Office. These lots remaining as Office use are across the street from Castlerock Addition Section 6 and will create an appropriate buffer between the Commercial uses and the residential properties in Castlerock.

The particulars of this PUD include:

- **USE:** The uses proposed for the overall site are those uses allowed under the C-2, General Commercial District; C-1, Local Commercial District; O-1, Office-Institutional; the area in the northern portion of the development is reserved for RM-6, Medium Density Apartment District, as shown on the attached Site Plan.
- **OPEN SPACE:** The PUD outlines very strict, detailed perimeter and interior landscape treatments. The open space areas for each site will be landscaped and open for employees and visitors. Overall the open space is 42% of the total 90 acres.
- **PHASES:** This development started with the plan of hospital/medical uses but as the Medical Park West developed across Tecumseh the need for the proposed uses diminished. There has been one other PUD revision prior to this one; as the need for different users has changed, the development is changing with the community needs and market demands. There is not a specific phasing plan; market demands will determine phasing for the development.

- **SITE PLAN AND ACCESS:** The site plan submitted for the proposal shows one access point on the north side of Tecumseh Road where there had been two. The existing access points, Journey Parkway and access for the existing bank at the corner of Tecumseh and 36<sup>th</sup> Avenue NW will remain. Several of the southern lots will utilize shared access. Along 36<sup>th</sup> Avenue NW there are two new access points shown; one for the office proposal on the north side of Carroll Street; three lots will utilize this shared access point. The other access point is for Carroll Street and will provide access to the interior lots and connect back to the existing Journey Parkway.

#### **OTHER AGENCY COMMENTS:**

- Greenbelt Commission Meeting - 15-07 Meeting of April 20, 2015

The Greenbelt Commission sends the application forward with the following comments:

The Commission would request that a 5 to 8 foot sidewalk connection/pedestrian easement be integrated into the design of the apartment complex. The easement would run along the south and west sides of the detention pond, connecting Journey Parkway to Ruby Grant Park, in alignment with the Greenway Master Plan trail TG-6.

Applicants Response: The applicant's representative agrees that if the multi-family component develops in the area proposed they will look at connecting Journey Parkway back to Ruby Grant Park via the proposed trail.

- PRE-DEVELOPMENT MEETING – PD NO. 14-31 Meetings October 23, 2014 and March 26, 2015

No neighbors were in attendance for this meeting.

**BOARD OF PARKS** In September of 1999, when the initial preliminary plat was processed, the Board of Parks Commissioners accepted private parkland donation for the multi-family component in this development. Commissioners also recommended the developer install a bike path which would connect this development with another development to the south, now the HealthPlex site, and the proposed Community Park to the north, now Ruby Grant Park.

**PUBLIC WORKS/ENGINEERING & UTILITIES** The applicant submitted everything needed to adequately meet the platting requirements for the entire area. The platting process will bring City water into the site for private use and fire protection. Platting will also bring in the required sanitary sewer. There is an existing sidewalk adjacent to West Tecumseh Road. Public sidewalks will be provided along 36<sup>th</sup> Avenue NW as well as all interior streets and will be constructed to City of Norman Standards. The portion of the sidewalk installed adjacent to 36<sup>th</sup> Avenue NW will be a continuation of Legacy Trail. There is a portion of area designated under the Water Quality Protection Zone (WQPZ) located within this development; the Property Owner's Association will maintain the WQPZ. The proposal has been reviewed and approved by the Traffic Engineer.

**STAFF RECOMMENDATION:** The application submitted for a PUD Amendment meets the review standards of the Zoning Ordinance; staff recommends approval of Ordinance No. O-1415-39.