



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: O-1213-49**

**File ID:** O-1213-49

**Type:** Ordinance

**Status:** Non-Consent Items

**Version:** 1

**Reference:** Item No. 36

**In Control:** City Council

**Department:** Planning and  
Community  
Development  
Department

**Cost:**

**File Created:** 05/07/2013

**File Name:** Bellatona Commercial Rezone

**Final Action:**

**Title:** CONSIDERATION OF ORDINANCE NO. O-1213-49 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-1, LOCAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE S.E. AND STATE HIGHWAY NO. 9)

**Notes:** ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-49 upon Second Reading section by section.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-49 upon Final Reading as a whole.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 08/27/2013

**Agenda Number:** 36

**Attachments:** Text File Bellatona Ordinance, O-1213-49, Bellatona Commercial Rezone Staff Report, Bellatona Commercial Lot Site Plan, Bellatona Protest Map, Bellatona Protest Letters 7-9-13, Bellatona Pre-Development Protest, 7-11-13 PC Minutes - R-1213-133 O-1213-49 PP-1213-18

**Project Manager:** Jane Hudson, Principal Planner

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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1	Planning Commission	06/13/2013	Postponed			Pass
	<b>Action Text:</b> A motion was made by Commissioner Boeck, seconded by Commissioner Gordon, that this Zoning Ordinance be Postponed . The motion carried by the following vote:					
1	Planning Commission	07/11/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	08/13/2013	Pass
	<b>Action Text:</b> A motion was made by Commissioner Sherrer, seconded by Commissioner Gasaway, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 8/13/2013. The motion carried by the following vote:					
1	City Council	08/13/2013	Introduced and adopted on First Reading by title only			Pass
	<b>Action Text:</b> That this Ordinance be Introduced and adopted on First Reading by title only. by consent roll call					

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### Text of Legislative File O-1213-49

#### Body

**SYNOPSIS:** The existing site is undeveloped land and currently zoned R-1, Single Family Dwelling District. The applicant for the Bellatona Addition is in the preliminary platting stage. The Bellatona Addition has 692 single family lots, 12 open space blocks, a park area and six commercial two-acre lots. The residential portion of Bellatona Addition is directly north of the proposed site for this rezoning request. The applicant seeks to rezone the tract of land abutting State Highway 9 from R-1, Single Family Dwelling District, to C-1, Local Commercial District, for six two-acre commercial lots. Currently there is one existing undeveloped commercial lot zoned C-1 with a Special Use for a gas station, directly west of the proposed commercial lots. Summit Valley Addition is west of the proposed rezoning site which is an existing residential development that will be expanding with additional single-family lots to the north. Existing and proposed residential components will have a total of approximately 1,076 single family homes when completely built out. The addition of the commercial component in this area will help provide amenities within close proximity to the residential developments.

**ANALYSIS:** The proposed commercial development provides a buffer from State Highway 9 for the residential development, and will provide direct retail access for the residents in this area. The six two-acre lots are proposed to be C-1 without any special use attached to the properties. The general description of C-1, Local Commercial District is, "intended for the conduct of retail trade and to provide personal services to meet the regular needs and for the convenience of the people of adjacent residential areas. It is anticipated that this district will be the predominately used commercial district in the community. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational and educational elements, more restrictive requirements for light, air, open space, and off-street parking are made."

The growing number of residential homes in the immediate vicinity indicates the need for access to commercial/retail development that will provide a variety of services. Siting commercial development within close proximity to residential development minimizes the need for trips outside the neighborhood. This commercial area will accommodate residents with retail uses in the immediate vicinity. Commercial development with adequate services is approximately two miles from this proposed development. Commercial development is typically located along main arterial corridors and this site meets the general pattern of development within the city limits.

**SITE PLAN:** The commercial component as proposed is comprised of six two-acre lots to contain one commercial building per site. The proposed commercial lots are divided by a collector street for the Bellatona Addition. This collector divides the middle of the six lots and provides another point of access for State Highway 9, other than 36th Avenue S.E. This additional access point will alleviate all traffic utilizing 36th Avenue S.E. as the only ingress/egress for the development. The site plan indicates sidewalks throughout the development to provide pedestrian access to the commercial lots. The commercial lots will utilize ample landscaping with a mix of large deciduous and evergreen trees and shrubs to buffer the residential development to the north and west.

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

**PARKS BOARD:** There is no requirement for parkland with commercial development.

**PUBLIC WORKS:** All public improvements will be in accordance with City of Norman standards for required infrastructure.

**STAFF RECOMMENDATION:** Upon review of the rezoning request staff concludes that this proposal is within the typical growth pattern of commercial developments that serve residential developments. The C-1, Local Commercial District zoning will allow necessary retail and commercial developments to provide local retail and services for the single family homes to be developed in the near future.

Staff supports this rezoning request from R-1, Single Family Dwelling District to C-1, Local Commercial District for commercial development and recommends approval of Ordinance No. O-1213-49.

At their meeting of July 11, 2013, the Planning Commission recommended adoption of this ordinance by a vote of 6-0.