

RESOLUTION NO. R-1415-40

ITEM NO. 12a

STAFF REPORT

ITEM: Inland American Communities Acquisitions, L.L.C. requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Flood Plain Designation to High Density Residential Designation and Flood Plain Designation for property located at 303, 333 and 403 E. Brooks Street.

SYNOPSIS: The applicant, Inland American Communities Group (IACG), is proposing to develop a student based/multi-family housing development in the area east of the University of Oklahoma. The applicants are proposing to demolish and rebuild on the site currently home to Bishop's Landing Apartments. This area is located on the north side of East Brooks Street, the south side of Page Street and east of Trout Avenue. Currently there are 11 buildings with 261 apartments and 340 bedrooms, built in the mid-1960s. The 2025 Land Use amendment request is to essentially relocate the floodplain/floodway to the east, adjacent to the Bishop Creek Tributary. The applicant will be removing several buildings currently located in the floodplain and floodway, leaving that area open. The new development will be located on the west side of the property out of the floodplain/floodway.

The subject property was designated on the Norman COMPLAN, adopted March of 1981, as Medium Density Residential in Development Tier One – Stable Urban Area. At the time of the COMPLAN adoption there was no Flood Plain designated on this property and the High Density Residential Designation did not exist. The subsequent adoption of the NORMAN 2020 Plan placed this area in the High Density Residential Designation and included a large portion on the eastern side of the property as Floodplain and a smaller area as Floodway. The 2004 adoption of the NORMAN 2025 kept the land use and floodplain/floodway designations as previously depicted on the NORMAN 2020 Plan. This area is considered to be in the Current Urban Service Area (CUSA).

As noted above there is a large area on the east side of this property that is covered by floodplain and floodway. The applicant's proposal is to utilize engineering methods to relocate a portion of the floodplain and floodway, making it possible to redevelop this property for a student based/multi-family housing development. This relocation of the floodplain/floodway will be completed via a Letter of Map Revision (LOMR) through FEMA. Without relocation of this floodplain and floodway designation the project is not possible. The Floodplain Permit Committee met on December 1, 2014, approving Floodplain Permit No. 553 with conditions. The conditions were that City Council must approve the project and that a Conditional Letter of Map Revision (CLOMR) be sent to FEMA for approval. If approved, upon completion of the earth work, as-built drawings will be sent to FEMA for a Letter of Map Revision (LOMR). A final plat can be submitted to the City for review. However, the final plat cannot be filed of record with Cleveland County Clerk until the LOMR has been recieved.

STAFF ANALYSIS:

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. There has been a change in circumstances resulting from development of the properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.

This request is more to relocate the floodplain and floodway, not a change in land use from a less intense use to a more intense use as the site is already designed High Density Residential. However, just as indicated on the previous application, a survey of the area does show change in several aspects. Over the years the large majority of the once designated single-family homes have evolved to rental properties, both owner-managed and managed by a property management company. The close proximity to the University and the consistent expansion of the University are the main forces behind this change. There are 118 lots within the "general vicinity" of this property; the area south of Boyd Street, north of Brooks Street, east of Jenkins Avenue and west of the BNSF ROW. Of those 118 lots 109 are either owned by the University of Oklahoma, turned into rental or an existing multi-family development, this leaves five owner-occupied homes in the area. The once single-family neighborhood has transitioned to more intense uses, although there are still 5 owner-occupied homes, the greater majority of the lots have multiple units or multiple residents, which are uses allowed in the R-3 district.

2. There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.

As previously outlined this request is not a change in land use per se; this is to relocate the floodplain/floodway. The unit count and bedroom count will increase from 261 units and 340 bedrooms to 430 units and 950 bedrooms. The applicants submitted a Traffic Impact Analysis to City staff for review. Staff has reviewed the proposal and determined there will be little to no additional traffic impacts to adjacent properties due to the close proximity to the University, the main destination point for the residents of the proposed development. The proposal is within a 5 minute walk to the University, helping to alleviate traffic impacts. There will not be a "mass departure" as there would be for the typical 8-5 employed resident living in an apartment complex, those heading out to work; these residents will be on a staggered schedule, depending on each class schedule.

STAFF RECOMMENDATION: As outlined in the above sections this application is to relocate the floodplain and floodway, not to change the underlying land use designation to a more intense district. The High Density Residential Designation will be expanded on this lot as the flood plain and floodway are adjusted but the underlying land use is not changing. As the University has grown, student population has grown and this use will not be adverse to the neighboring properties. Staff recommends approval of Resolution No. R-1415-40.