

RESOLUTION NO. R-1415-61

ITEM NO. 10a

STAFF REPORT

ITEM: Legacy Trail Apartments, L.L.C. requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Commercial Designation to High Density Residential Designation for 10.31 acres of property generally located at 3219 W. Rock Creek Road.

SYNOPSIS: The property is located approximately 550 feet east of the intersection of 36th Avenue NW and West Rock Creek Road and approximately 300 feet north of the future Rock Creek Road and Pendleton Drive intersection. This site is east of the Wal-Mart Neighborhood Market. The entire ownership of this area is approximately 19.35 acres; however, the applicant is only requesting to rezone 10.3 acres from A-2, Rural Agricultural District to PUD, Planned Unit Development. The residual acreage, approximately 9 acres, was previously rezoned from A-2, Rural Agricultural to C-2, General Commercial District in August of this year. This property was zoned A-2 with Ordinance No. 1339 in January of 1962. As noted this application is requesting an amendment to the NORMAN 2025 Plan from Commercial Designation to High Density Residential Designation.

The Commercial Designation was approved under Resolution No. R-0809-116 in June of 2009. This earlier NORMAN 2025 Amendment occurred at the same time the agreements for the West Rock Creek Road realignment and land purchase for the Rock Creek Road Overpass proposal was approved. The NORMAN 2025 Land Use Plan Amendment amended the entire 19.35 acres from Low Density Residential to Commercial Designation.

The subject property was designated on the Norman COMPLAN, adopted March of 1981, as Low Density Residential in Development Tier Two – Urbanizing 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 Low Density Residential Designation and designated a small portion on the eastern side of the property as Floodplain. The 2004 adoption of the NORMAN 2025 kept the land use and floodplain designations as previously depicted on the NORMAN 2020 Plan. This area is considered to be in the Current Urban Service Area (CUSA).

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 once rural/agriculturally designated area of Norman is transitioning into a more intense uses. The area to the south of this proposal was rezoned from A-2, Rural Agricultural to C-2,

General Commercial in August of this year for an office/retail development. The corner parcel to the west developed into a commercial use, Neighborhood Market, and there is a new automotive service center to the east of this proposal, adjacent to Interstate Drive. In addition, over the last few years the area directly north of this proposal has developed into an Industrial Office Park.

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 following behind the previously re-zoned track to the south, from A-2 to C-2 and the previous Land Use Amendment in 2009, from Low Density to Commercial. This request is not out of line with the expected growth in this area. The multi-family component fits well situated behind the office/retail uses which front Rock Creek Road. The proposed access to a public street, Pendleton Drive, and two other access points on either side of the Rock Creek Road and Pendleton Drive, as well as the emergency access to the east meets Engineering Design Criteria. Staff has reviewed the proposal and determined there will be little to no additional impacts to adjacent properties. The proposal is adjacent to the Neighborhood Market, creating a walkable environment along Legacy Trail, adjacent to Rock Creek Road. The close proximity to I-35 creates easy access to those that need to travel north or south for work or leisure.

STAFF RECOMMENDATION: This application is requesting to change the land use designation from Commercial to Residential, an appropriate change for the location of this property. The property is situated behind the office/retail development, a Commercial Designation, adjacent to a majority of the back yards of the Industrial Designation to the north, east of a separate High Density Residential Designation and Commercial Designation and to the east the area is buffered from I-35 by the City-owned Park, additional Commercial and Office Designations as well as the Interstate Drive. Staff recommends approval of Resolution No. R-1415-61.