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ORDINANCE NO. O-1415-33

ITEM NO. 6b

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	Shaz Investment Group, L.L.C. and Rieger, L.L.C.
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	A-2, Rural Agricultural District
SURROUNDING ZONING	North: A-2, Rural Agricultural District and PUD, Planned Unit Development East: A-2, Rural Agricultural District South: A-2, Rural Agricultural District West: A-2, Rural Agricultural District, PUD, Planned Unit Development and I-1, Light Industrial District
LOCATION	Generally located north of Post Oak Road on both the east and west sides of 36 <sup>th</sup> Avenue S.E.
SIZE	762 acres more or less
PURPOSE	Mixed Use Development
EXISTING LAND USE	Undeveloped Acreage
SURROUNDING LAND USE	North: Industrial and Parkland East: Residential South: Residential West: Single-Family and Multi-Family Residential

**SYNOPSIS:** The applicants, Shaz Investment Group and Rieger, L.L.C., have submitted a rezoning application to introduce a Master Planned Development – Planned Unit Development (PUD) in southeast Norman. The rezoning boundary encompasses the areas south of the current John H. Saxon Park, along the west side of 36<sup>th</sup> Avenue S.E., continuing south across Cedar Lane Road and down to Post Oak Road. The ownership then crosses 36<sup>th</sup> Avenue S.E. to include approximately 275 acres on the east side of 36<sup>th</sup> Avenue S.E. and north

of Post Oak Road. The properties within the rezoning boundary total approximately 762 acres in size.

The entire area for this application is currently zoned A-2, Rural Agricultural District and was adopted by Ordinance No. 1322 in December of 1961.

#### **CONCEPT OF THE MASTER PLANNED DEVELOPMENT PLANNED UNIT DEVELOPMENT, PUD:**

The intent of the rezoning request is to allow for a Master Planned Development, regulated by one zoning district and managing growth under one cohesive plan – a Planned Unit Development (PUD); providing for adequate circulation and parking, high-quality aesthetic architectural character while including mixed residential densities and including those commercial/retail developments required to provide adequate service for the needs of the growing population within the new development and general vicinity.

The purpose of the Master Planned Development PUD is to provide a vision and framework that allows the opportunity for future growth in this area. Among other items, approval of the PUD will grant the overall zoning of the site, approve designated land use(s) on specific parcels, approve major access points to the site and identify public open space areas. These specific items are approved and controlled through the PUD Narrative; these items are guaranteed to remain throughout the development unless amendments are approved by City Council.

The PUD Narrative also includes exhibits on file with the City for: Wastewater Collection Study, Traffic Impact Analysis and Drainage Impact Report. Approval and adoption of this PUD does not approve wastewater collection, traffic impact analysis and drainage. These three areas of development will be further reviewed, analyzed and subsequently approved with every preliminary plat submitted as each section of this proposal develops.

**ANALYSIS:** Due to the large area of land included in this application the applicants are proposing a Master Planned Development and have submitted a PUD to provide the framework for their proposal. The PUD will consist of commercial/retail, office/services and varying residential densities. The proposal will include several residential components, ranging from single-family homes on large acre lots up to multi-family units in a typical apartment complex design. The proposal allows for the possibility of integrating a senior housing component for those needing to live in an assisted living environment. The concept of developing areas with senior services provided in close proximity to single family homes is becoming more prevalent with the increase of the aging population; this model allows families to be close to aging relatives. The proposal also includes a mix of commercial uses ranging from office, retail and restaurants. As noted in the associated NORMAN 2025 Plan amendment staff report, there is an application to amend the current land use designation from Very Low Density Residential Designation to Mixed Use Designation.

Southeast Norman has seen scattered development in recent years with continued growth patterns consisting of both high and low density residential, commercial and light industrial users. The majority of growth has occurred along the corridors of US Highway 77/Classen Boulevard, 12<sup>th</sup> Avenue S.E., Cedar Lane Road and along State Highway 9.

To the west of this site are the Links at Norman and Greens at Norman apartment complexes and golf course. The apartment complexes share a golf course used by the residents and the

general public. Further west is the new Wal-Mart and associated fueling station, along with several outparcels yet to be developed. There are several well established single-family neighborhoods in the general vicinity of this proposal. Also, there are additions/preliminary plats for some of those residential neighborhoods which are near completion. To the northwest are Southlake Addition, St. James Park Addition and Cedar Lake Estates; all three are single-family additions. There are two apartment complexes, Renaissance and Chapel Ridge northwest of the single-family additions. Renaissance Apartments has 228 units, with one, two and three bedrooms. Chapel Ridge Apartments has 144 units, with one, two and three bedrooms. Southlake Addition has 132 single-family lots; currently St. James Park Addition has 176 lots platted; and Cedar Lake Estates has sixteen large lot single-family homes. St. James Park still has the southern portion, adjacent to East Cedar Lane Road, to develop so there is a possibility of approximately 489 lots to be platted in the future.

To the west, across Classen Boulevard, there is a mix of residential and industrial uses. Several of the lots to the west have expanded with soft industrial uses, such as mini-storage facilities and an assembly business for medical gel-packs.

Further west, across the railroad tracks, there are numerous single-family developments that are existing and some proposed. The Eagle Cliff Addition final platted 496 single-family lots. The Eagle Cliff South Addition final platted 167 single-family lots, with 101 remaining in the preliminary plat. The Cedar Lane Addition preliminarily platted 692 single-family lots. Monterey Addition preliminarily platted 157 single-family lots. Independence Valley final platted 43 single-family lots. There are two student based multi-family developments on the east side of 12<sup>th</sup> Avenue S.E., north and west of this development proposal, The Grove and The Avenue. The Grove consists of 224 units with 600 beds; the Avenue consists of 197 units with 704 beds. Both of these facilities are leased by the bed not the unit.

To the north of this proposal, across State Highway 9, continues more single-family development in both Summit Valley and Bellatona Additions. The recent rezoning of 12 acres from residential to commercial for the existing Bellatona Addition indicates future growth is predicted in this general area of Norman.

Along with the above noted growth, the completion of John H. Saxon Park, located at the southwest corner of State Highway 9 and 36<sup>th</sup> Avenue S.E. shows signs of continued growth in this area of Norman. In recent years State Highway 9 has expanded and installed signalization at the following intersections: 24<sup>th</sup> Avenue S.E., Technology Place, John Saxon Boulevard and 36<sup>th</sup> Avenue S.E., again signs that continued growth have warranted these improvements.

There will be two five-foot wide bicycle lanes running east/west along Cedar Lane Road, plus two east/west traffic lanes, four traffic lanes total. These bicycle and traffic lanes equate to approximately fifty-eight feet in width between the edges of the commercial development and the residential development north of Cedar Lane Road. The fifty-eight feet does not include any additional turn lanes located at the corner of Classen Boulevard and Cedar Lane Road.

**The particulars of this PUD include:**

- **USE:** The maximum total units for the development shall not exceed 3,500 dwelling units (800 units on the Rieger Tract and 2,700 on the Shaz Tract). With the proposed 3,500 dwelling units the entire development's gross density calculates to 4.5 units per

acre. The applicants propose the following uses listed in the City of Norman Zoning Ordinance for the development:

- o "Residential" – Any uses currently permitted as a matter of right in the RE, R-1, R-1A, R-2, R-3 and RM-6 Districts
- o "Commercial" – Any uses currently permitted as a matter of right in the C-1, C-2, O-1, and CO Districts.
- o "Mixed Use" – Any uses currently permitted as a matter of right in the MUD District.

Any uses put forward as a combination of the above commercial, office and multi-family residential uses.

The preliminary proposal includes the following:

o Single Family Estate	85	Acres
o Single Family Low	42	Acres
o Single Family Medium	97	Acres
o Single Family High	123	Acres
o Single Family – Patio Homes	45	Acres
o Multi-Family/Apartments/Townhomes	78	Acres
o Multi-Family/Apartments/Senior	17	Acres
o Commercial	37	Acres
o Mixed Use	8	Acres
o Multi-Family/Senior Housing/Service	9	Acres
o Equestrian Facility	4	Acres
o Open Space	210	Acres

- **OPEN SPACE:** The overall site will contain large open space areas. These open space areas include parks, both public and private, and trails; these areas are located throughout the development and the design has utilized the existing topographical layout as an asset in the design. The open space proposed is approximately 27% or 210 acres of the total 762 acres of the site and is identified on Exhibit D in the PUD Narrative.
- **PHASES:** The project may be developed in phases. Currently, there are approximately 50 different phases of development identified in these 762 acres. The first phase of development is scheduled to begin just south of John Saxon Park and continue to focus in that general area. However, each phase shall be considered separately and market demand, as well as available public services, will determine the order of phases developed.
- **SITE PLAN AND ACCESS:** The site plan submitted for the proposal details primary vehicular access to the development along the section line roads: specifically, Cedar Lane Road, Post Oak Road and 36<sup>th</sup> Avenue S.E. The development is preliminarily planned with public streets to serve all residential lots; however, the applicants may develop private streets in some areas where a gated community is preferred. Any gated area will meet City of Norman standards. All streets located within the development will comply with the City's Engineering Design Criteria and Subdivision Regulations.

- **LIGHTING:** The PUD allows for decorative streetlights in the common areas and parks. Lighting for new commercial projects shall meet the standards of the Commercial Lighting Ordinance. All lighting over any common areas will be shielded from the adjacent single-family homes.
- **SIGNAGE:** With the exceptions listed in the PUD all signage will comply with the City of Norman Sign Code. Several exceptions are listed in the PUD; however, these exceptions pertain to the allowance for the residential areas, i.e. "for sale signs" and signage for entry walls to identify the specific neighborhoods.

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

The City, applicants and outside agencies have worked closely to ensure the proposed Master Planned PUD appropriately reflects comments and/or requirements identified by these agencies.

- **GREENBELT COMMISSION – GBC NO. 14-27** **Meeting October 20, 2014**  
The Greenbelt Commission reviewed the statement and forwards with the following comments:
  - *The Commission would like to commend this project for the creative consideration of the Greenway Master Plan.*

There are three Pre-Development dates and comments from adjacent property owners included below. Due to the complexity of this proposal the applicant has been working on the PUD Narrative for several months. During that time it was discovered there was a neighbor that did not receive proper notice of the proposal. The applicants resubmitted application for Pre-Development so that all adjacent property owners could be noticed and have the opportunity to attend the Pre-Development meeting. On the third Pre-Development meeting the applicants were required to re-advertise for Pre-Development because the 6 month timeframe for public notice for Pre-Development had expired.

- **PRE-DEVELOPMENT MEETING – PD NO. 14-31** **Meetings October 23, 2014 and March 26, 2015 and September 24, 2015**  
The applicant is proposing to develop a Planned Unit Development, PUD, over the 762 acres. The area is planned for a wide variety of uses, including 394 acres of varying densities of single-family residential; 92 acres of varying types of multi-family; 38 acres of commercial and mixed-use, 9 acres of service; 4 acres of equestrian facility and 223 acres of open space scattered throughout the 760 acres of development.

#### **Neighbors' Comments/Concerns:**

- Traffic concerns are paramount for the adjacent property owners
- Additional stop signs are needed at each intersection, four-way stops
- Opposed to the multi-family abutting the single-family/large acre developments
- Concerned with drainage impacts on adjacent properties
- Concerned with the existing infrastructure accommodating additional development and traffic
- Neighbors would like to see connections of horse trails to adjacent properties
- Concern regarding overall density of the development in this rural area
- Concern with more intense development of this proposal locating across the street from the larger rural developments along 36<sup>th</sup> Avenue S.E.

- Concerned with drilling rights on the property on the east side of 36<sup>th</sup> Avenue S.E.
- Neighbors expressed concern over how this development could impact Noble and Noble Public Schools

**BOARD OF PARKS:** See staff memo from James Briggs, Park Planner II

**PUBLIC WORKS:** See staff memo from Shawn O'Leary, Director of Public Works

**ENGINEERING:** See staff memo from Todd McLellan, Development Engineer

**TRAFFIC:** See staff memo from David Riesland, City Traffic Engineer

**UTILITIES:** See staff memo from Mark Daniels, Utilities Engineer

**STAFF RECOMMENDATION:** In recent years there have been several other residential developments and two commercial developments approved in this general vicinity. This area is continuing to grow to urban densities. Destin Landing, as a Master Planned Community, will allow that growth to be planned which allows services to be planned to adequately serve the site. Staff recommends approval of Ordinance No. O-1415-33.