

ORDINANCE NO. O-1516-23

ITEM NO. 10b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Red Rock Land Fund, L.L.C.
REQUESTED ACTION	Amendment of the approved uses and the Site Development Plan approved with the Planned Unit Development established by Ordinance No. O-0708-40
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: PUD, Planned Unit Development East: A-2, Rural Agricultural District South: C-1, Local Commercial District and PUD, Planned Unit Development West: PUD, Planned Unit Development
LOCATION	Northwest corner of Tecumseh Road and 12 th Avenue N.E.
SIZE	5.510 acres, more or less
PURPOSE	Single Family Dwelling District
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Low Density Residential East: Very Low Density Residential South: Commercial West: Low Density Residential
2025 LAND USE PLAN DESIGNATION	Commercial
GROWTH AREA DESIGNATION	Current Service Area

SYNOPSIS: The applicant is requesting to amend the PUD, Ordinance No. O-0708-40 passed on May 27, 2008. The PUD amendment proposal is to remove approximately 5.5 acres from C-1, Local Commercial uses and place in the R-1, Single Family Dwelling uses. Initially, the PUD allowed C-1, Local Commercial uses on 17.0 acres with 16 commercial lots. This proposal will reduce the commercial portion of the Preliminary Plat to approximately 11.5 acres and 11 lots for commercial development on the corner of Tecumseh and 12th Avenue N.E.

ANALYSIS: The Preliminary Plat expired for this portion of Red Rock Canyon Ranch, therefore, the applicant revised and resubmitted a Preliminary Plat for this portion of the development which reduces the commercial lots and increases the residential lots by 5.5 acres.

Initially, there was a church and a private school that were expected to be located in the commercial zoned parcels. The church and school have decided on alternate locations. Therefore, the request to reduce the commercial portion of this PUD is based on need of commercial uses at this location.

Ultimately, this request is reducing the amount of land dedicated to commercial uses and increasing the residential use by approximately 5.5 acres; a new PUD narrative is not required to be submitted. The original PUD, Ordinance No. O-0708-40, will be the ordinance that will determine zoning for this preliminary plat; all elements of the PUD narrative remain as stated in the original PUD narrative. The PUD narrative allows uses in C-1, Local Commercial that are allowed by right, and allows a mixed use building, convenience store/gas station and church, temple or other place of worship.

The amendment is stated as "Exhibit 'E'", which is the revised Preliminary Site Plan for this development that shows the portion of land removed from commercial to residential.

ALTERNATIVES/ISSUES:

- **IMPACTS** All elements of the original PUD narrative remain the same; the change is that the amount of acres dedicated to commercial zoned land is reduced and moved to R-1, Single Family Residential. There are no other PUD narrative changes in this request.

The commercial corner will have two points of access: one off of 12th Avenue NE and one off of Tecumseh Road. A traffic impact study was previously prepared for this site in June, 2010. Since the current application changed some of the commercial space to residential lots and all points of access remain largely unchanged, a revised traffic impact study was not required. Instead, the developer was required to submit a letter documenting the change in trip generation between the original and the current applications. That letter was completed by Traffic Engineering Consultants, Inc., and was submitted in October, 2015.

This request will not create any negative impacts; it does however potentially reduce the amount of traffic generated by reducing the commercial uses.

OTHER AGENCY COMMENTS:

- **PRE-DEVELOPMENT: PD NO. 15-32** **October 22, 2015**
Neighbor's Comments/Concerns
The neighbor's main concerns are:
 - If the drainage, detention and dam was built to regulation, why has it breached and the storm water pipe is filled with debris?
 - Will there be a gas station located in the commercial part of this plat?
 - Will this be an extension of the Red Canyon Ranch HOA?
 - How will developer address the commercial uses abutting the residential uses, looks like a parking lot will abut his back yard?
 - How will the phasing take place and when will the commercial lots be built and what will be there?
 - Are there speed humps planned through the development? There are a lot of speeders.
 - Will Ideal maintain the greenbelt and detention areas?
 - The neighbors thanked the applicant and staff for answering their questions and addressing their concerns, and stated that this meeting was helpful.
- **Applicant's Response**
The applicant's representative addressed the neighbor's concerns and comments:
 - The drainage and detention have been addressed and are being approved through the preliminary plat, we have worked with Todd McLellan, Development Engineer, (Flood Plain) with the City of Norman and all the requirements have been met. We have had record precipitation this year; therefore you will see some overflow just as all areas of the city have been affected.
 - None of the commercial parcels have been sold yet and a gas station would require Special Use, ordinance change, before a gas station could be located on any of the commercial lots.
 - Yes, this will be part of the Red Canyon Ranch HOA.
 - The commercial development will be required to follow all zoning regulations abutting residential uses; setbacks, landscape buffers, exterior lighting and fencing will all be reviewed as applications come in for building permits.
 - Commercial development will come in more likely as roof tops are developed.
 - Speed humps are not currently planned for this development; because of the street layout, it is more likely that there will not be speed humps. However, the City of Norman Traffic Engineer is the one to address this. Speed humps are constructed on straight roads that meet a distance requirement, I believe.
 - Ideal Homes will maintain all open space, private park and greenbelt areas and act as the HOA until the Final Plat and a HOA is established within the neighborhood.
- **GREENBELT COMMISSION MEETING: GBC 15-28** **October 19, 2015**
This item was placed on the consent docket due to no additional greenway opportunities. No further comments were made and forwarded by the Greenbelt Commission.
- **PARK BOARD** Not required for this request; the initial parkland and open space will remain per the PUD and site development plan that was approved with Ordinance No. O-0708-40.

- **PUBLIC WORKS** A revised Preliminary Plat has been resubmitted, the original preliminary plat expired, and the revised preliminary plat reduced the commercial corner by approximately 5.5 acres that will now be placed in the R-1, Single Family Dwelling District.

STAFF RECOMMENDATION: The applicant's request to remove approximately 5.5 acres from commercial to residential designation can be supported; staff supports and recommends approval of Ordinance No. O-1516-23.