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ORDINANCE NO. O-2021-47

ITEM NO. 6a

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	McKown Family, 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 East: A-2, Rural Agricultural District South: A-2, Rural Agricultural District West: A-2, Rural Agricultural District
LOCATION	West side of 48 <sup>th</sup> Avenue N.W. between Franklin Road and Tecumseh Road
SIZE	6.92 acres, more or less
PURPOSE	Three single-family residential lots
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Residential/Agricultural East: Residential South: Residential West: Agricultural

**SYNOPSIS:** The applicant, McKown Family, L.L.C., is requesting to rezone approximately 7 acres to a Planned Unit Development to develop three single-family residences. The PUD is needed to allow lot sizes smaller than 10 acres.

**HISTORY:** This property has been zoned A-2, Rural Agricultural District, since it was annexed in to the City limits.

**ZONING ORDINANCE CITATION:**

SEC. 420 – PLANNED UNIT DEVELOPMENT

1. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future

surrounding areas in achieving the goals of the comprehensive plan of record. The "PUD" Planned Unit Development district herein established is intended to provide for greater flexibility in the design of buildings, yards, courts, circulation, and open space than would otherwise be possible through the strict application of other district regulations. In this way, applicants may be awarded certain premiums in return for assurances of overall planning and design quality, or which will be of exceptional community benefit and which are not now required by other regulations. By permitting and encouraging the use of such procedures, the Planning Commission and City Council will be able to make more informed land use decisions and thereby guide development more effectively in the best interest of the health, safety, and welfare of the City.

Specifically, the purposes of this section are to encourage:

- (a) A maximum choice in the types of environment and living units available to the public.
- (b) Provision of more usable and suitably located open space, recreation areas, or other common facilities than would otherwise be required under conventional land development regulations.
- (c) Maximum enhancement and minimal disruption of existing natural features and amenities.
- (d) Comprehensive and innovative planning and design of diversified developments which are consistent with the City's long range plan and remain compatible with surrounding developments.
- (e) More efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs.
- (f) Preparation of more complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.

The PUD (Planned Unit Development) Regulations are designed to provide for small and large scale developments incorporating a single type or a variety of residential, commercial, industrial and related uses which are planned and developed as a unit. Such development may consist of individual lots, or it may have common building sites. Private or public common land and open space must be an essential, major element of the development which is related to, and affects, the long term value of the homes and other development. A Planned Unit Development shall be a separate entity with a distinct character that respects and harmonizes with surrounding development.

**EXISTING ZONING:** The subject property is currently zoned A-2, Rural Agricultural District. This district requires a minimum of 10 acres per lot. The A-2 District allows for single-family homes and agricultural uses, such as farming crops, raising farm animals, and Medical Marijuana Commercial Grower.

**ANALYSIS:** The particulars of this PUD include:

1. USE The PUD Narrative includes the following uses:
  - Detached one family dwelling;
  - Family day care home;
  - General purpose farm or garden;
  - Type I Mobile Home;

- Accessory buildings, including barns, sheds and other farm buildings which are not a part of the main building. One guest house may be utilized provided (a) it is clearly secondary to the larger main dwelling; (b) the structure is not rented or leased, nor used as a permanent dwelling; (c) is not a mobile home;
  - Short-term rentals.
2. **OPEN SPACE** The PUD District guidelines states there should be “common open space distributed more or less equitably throughout the PUD District in relationship to the dwelling units and other use areas that are intended to be served by the common open space.” This development is for three single-family homes, there will not be a common open space component to this development. The proposal for the three lots is to be over an acre in each case – each lot will have adequate private open space.
3. **SITE PLAN/ACCESS** The applicant is proposing three lots to be used for single-family residences. Lots 1 and 2 will have driveway access off Red Sky Ranch Dr. Lot 3 will have driveway access off 48<sup>th</sup> Ave. NW. Sidewalks will be required along 48<sup>th</sup> Ave. NW - staff recommends deferral with final platting
4. **AREA REGULATIONS** The applicant is requesting the following area regulations for the development:
- Front yard setback: 50’ from front property line;
  - Side yard setback: 25’ from side property lines, unattached one-story buildings of accessory use shall be located at least 10’ from the side property line, or 15’ if more than one-story, provided such structures are located within the rear half of the lot;
  - Rear yard setback: 30’ from rear property line, unattached one-story buildings of accessory use shall be set back at least 10’ from the rear property line or 15’ if more than one story, provided such structures are located within the rear half of the lot;
  - Lot width: there shall be a minimum lot width of 150’ at the front building line; and
  - Coverage: For the coverage on these large lot developments, the applicant is proposing to follow the existing development guidelines for the RE, Residential Estates Dwelling District. The RE District is typically 2-acre developments, these are planned for more than 1-acre per lot.

**ALTERNATIVES/ISSUES:**

- **IMPACTS** This development will only have one driveway access point off 48<sup>th</sup> Ave. NW. The other two lots will have access off a new rural road - Red Sky Ranch Dr. This development will be similar to developments in the RE, Residential Estates District; there is an RE neighborhood southeast of this proposed development. The subject property is east of the floodplain. There have been several large lot infill developments along 48<sup>th</sup> Ave. NW – across 48<sup>th</sup> Ave. NW from this site. In addition, there has been a great deal of residential development south of Tecumseh Road on the east side of 48<sup>th</sup> Ave. NW in recent years.

**OTHER AGENCY COMMENTS:**

- **PARKS BOARD** This item was not required to go to the Norman Board of Parks Commissioners due to its location and lot size.

- **PUBLIC WORKS** Street improvements will be required as 48<sup>th</sup> Ave. NW is designated as a Minor Urban Arterial Street. Sidewalks are required adjacent to 48<sup>th</sup> Ave. NW. Public Works staff recommends deferral with final platting.
- **GREENBELT COMMISSION GBC21-15** **May 17, 2021**  
Greenbelt forwards this item with no additional comments.
- **PREDEVELOPMENT PD21-16** **May 27, 2021**  
No neighbors attended this meeting.

**CONCLUSION:** Staff forwards this request for rezoning and O-2021-47 to the Planning Commission for your consideration.