



Legislation Text

File #: R-1617-69, **Version:** 1

RESOLUTION R-1617-69: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE BLOCK 14 OF SOUTHRIDGE ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE OPEN SPACE DESIGNATION AND PLACE THE SAME IN THE COMMERCIAL DESIGNATION.

SUMMARY OF REQUEST: This is a request to amend the land use designation on an approximately .13 acre parcel owned by the City of Norman. The property is zoned R-1, designated as Low Density Residential and recognized as a traffic island; surrounded by the following three streets: Oklahoma Avenue, Enid Street and Classen Boulevard. This property was deeded to the City in the 1920s with the recording of the adjacent residential plat, Block 14 of Southridge Addition.

The subject tract is currently maintained by the City Parks Department, but functions as a traffic island. The adjacent property owner, Aria Development, L.L.C., and the City of Norman, are working together to close and vacate the portion of Oklahoma Avenue situated between this subject tract and the adjacent 3 acre tract to the east, owned by Aria. The proposal is moving forward with the overall development plan showing the incorporation of the subject tract and the portion of Oklahoma to be closed into the adjacent property, thus creating a viable commercial area while eliminating an otherwise non-conforming and dangerous intersection. The majority of the subject tract will remain a landscaped, open area, providing pedestrian access from the adjacent neighborhood to the future businesses. The City is working on an agreement to sell this subject tract to Aria for incorporation into their future development plans.

City staff, representing the City as owner, has prepared the appropriate documentation for the closure of Oklahoma Avenue under separate application, see associated staff report.

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

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 specific parcel has experienced little physical change from development in recent years. Over the years the land to the east of this small parcel has transitioned from a drive-in restaurant, gas station and small commercial businesses to used car lots and most recently an impound yard. In contrast, the general vicinity has seen redevelopment, population and traffic increases, warranting the redevelopment and street closure.

At the time the property was deeded to the City in the 1920s, there were two tracts of land included; this subject tract and a similar tract to the north, located at Ponca and Classen. A similar closure request was completed in 1989; the residents of Southridge Neighborhood petitioned the City to close the portion of Ponca between Okmulgee Street and Shawnee Street, the area adjacent to Block 8, the other property deeded to the City. That closure also eliminated an access point traffic used as a cut-through located in a residential neighborhood. The portion of Ponca closed was incorporated into the deeded tract, creating a park like area for the residents.

The deed from 1922 does express the land would be for the use of the public as a park. In the event the tract or parcel of land is ever used for any purpose other than a park the title shall revert to the grantors. Providing, further, that the grantors reserved to themselves the right to supervise, control and improve the real estate and premises conveyed during the life time of the grantors.

This subject tract is a small triangle of land and currently classified as a traffic island, with a few Cedars and Amur Maples planted where Enid Street meets Classen Boulevard. Mowing of the tract is currently provided by the City through a contracted service. The City does not classify the area as a park due to its small size and busy location. It is basically a

traffic island. The applicant agrees the majority of the area of this subject tract will remain open and will replant trees out of the sight triangle for those using Enid Street. There will be no buildings constructed in this area. The redevelopment of the adjacent property and incorporation of this subject tract into the development will not be contrary to the public interest.

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.

Across Classen Boulevard the extension of Oklahoma Avenue was closed, creating a cul-de-sac and eliminating the connection to Lindsey Street. To the north of this proposal Ponca Avenue was also closed creating a park like area for the adjacent residents. South and east there have been two large student housing developments consisting of 800 to 1000 beds per development, generating increased traffic in the area. Allowing the property to be designated commercial and included in the adjacent development will not have adverse land use or traffic impacts to surrounding properties or the vicinity; in fact, closing the access will eliminate what staff views as a hazardous intersection.

STAFF RECOMMENDATION: Staff supports this request and recommends approval of Resolution R-1617-69. Planning Commission, at their March 9, 2017 meeting, made a motion for adoption of Ordinance O-1617-23, Resolution R-1617-69, Ordinance O-1617-24, and the preliminary plat for Classen Crossing to the City Council; the motion failed by a vote of 2-5.