



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 1/09/2024

**REQUESTER:** Shaz Investment Group, L.L.C.

**PRESENTER:** Jane Hudson, Director of Planning & Community Development

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-25: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION FOUR (4), TOWNSHIP NINE NORTH (T9N), RANGE TWO WEST (R2W) OF THE INDIAN MERIDIAN (I.M.), NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE COUNTRY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE COMMERCIAL DESIGNATION, AND REMOVE THE SAME FROM SPECIAL PLANNING AREA 6 (SPA-6). (SOUTHEAST CORNER OF INDIAN HILLS ROAD AND 12<sup>TH</sup> AVENUE N.E.)

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**ITEM:** Shaz Investment Group, L.L.C. requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Country Residential Designation to Commercial Designation, and removal from Special Planning Area 6 (SPA-6) (Community Separator) for 35.56 acres of property generally located at the Southeast corner of Indian Hills Road and 12<sup>th</sup> Avenue N.E.

**SUMMARY OF REQUEST:** This property consists of 156.91 acres. Of the 156.91 acres, 121.35 will remain as A-2, Rural Agricultural without any proposal. The remainder of the property is for development that will consist of seven (7) Rural Commercial lots and three (3) open space areas containing detention/WQPZ.

There are two proposed developments for this applicant – one located at the southwest corner and one located at the southeast corner of 12<sup>th</sup> Avenue NE and Indian Hills Road. In both applications, the applicant is requesting the following: ***amendment of the NORMAN 2025 Land Use and Transportation Plan from Country Residential Designation to Commercial Designation, and removal from Special Planning Area 6 (SPA-6) (Community Separator).***

**STAFF ANALYSIS:** For changes in classification under the NORMAN 2025 Land Use and Transportation Plan, the following information is forwarded for consideration.

The role of the NORMAN 2025 Plan in the City's ongoing and diverse planning activities states the document must be flexible, and that it is updated and amended periodically. The Plan defines the desired land use patterns for use and development of all private sector properties. This Plan

will serve as a policy guide for zoning and planning requests as they are presented to the Planning Commission and City Council.

## **SPECIAL PLANNING AREA 6 (SPA-6) (COMMUNITY SEPARATOR)**

### **EXISTING CONDITIONS**

Special Planning Area 6 is situated between Broadway Avenue and 72nd Avenue NE, extending north of Franklin Road to Indian Hills Road. The area is generally undeveloped or in agricultural use. The land use designations for this area reflect two primary objectives: protect the Little River watershed and tributaries, and create a sense of visual, physical separation between Norman and Moore.

### **PROPOSED LAND USES**

This area is designated for clustered rural residential development at a gross density of one dwelling unit per 10 acres with a minimum lot size of 2 acres, and open space, if certain conditions are met.

### **REQUIRED DEVELOPMENT CONDITIONS**

1. Mandatory shifting of density out of the floodplain, in order to protect the integrity of the Little River watershed and its tributaries. In order to maintain the density allowed by the base zoning, the density that would be allocated to areas located in the floodplain would be shifted to areas on the property that are not located in the floodplain. Smaller lots would be allowed to the extent necessary to accommodate this shifting on the upland portions of the site, although the total permitted density should remain at no more than one (1) unit per ten (10) acres. In addition, clustered development on approximately two (2) acre lots would be allowed at an overall density of not more than one (1) unit per eight (8) acres, with the remainder of the property designated and preserved as common open space, or protected by a conservation easement.
2. In order to retain the visually open character of the area, all buildings will be required to be set back a minimum of four hundred (400) feet from the centerline of Indian Hills Road. This setback will be protected by requiring a recorded, no-build easement, in order to retain this visual quality over time.
3. To the maximum extent possible, access to development shall be obtained from north/south roads, and not directly from Indian Hills Road, in order to maintain the integrity of the view corridor along Indian Hills Road.

**STAFF ANALYSIS:** The applicant is proposing to develop the north 35.56 acres of this ownership. Special Planning Area 6, Community Separator references development requirements for residential uses, not commercial uses. SPA 6 requires at a minimum, a four hundred (400) foot building setback from the centerline of Indian Hills Road, this requirement will not work with the commercial development as proposed. Another requirement is to restrict access from Indian Hills Road. The applicant's design team proposed four points of access on Indian Hills Road for this proposal. (The other site, across 12<sup>th</sup> Avenue NE, has two points of access on Indian Hills Road.) The development has no available access points except Indian Hills Road. The additional requirement to shift any density out of the floodplain has been met

with this proposal. Due to the first two requirements, the applicant is requesting removal of SPA 6 for this proposal. The remainder of the property is not planned for development at this time.

## **LAND USE AMENDMENT GUIDELINES**

1. ***Has there 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 general area of Norman has seen minimal development. The area across Indian Hills Road, to the north of this proposal has seen a mix of both office/industrial, commercial/retail and new residential uses/single-family homes.

The area across 12<sup>th</sup> Avenue NE, to the west of this proposal, has seen substantial changes. Although the NORMAN 2025 does not control or designate future use of those properties on the north side of Indian Hills Road, it is important to note that development continues in that area. The development of the following projects brought changes to that area: Belmar Golf Course, Belmar high-end residential homes, Belmar townhomes and Belmar North, typical single-family lot development, all of this development has occurred since 2004.

2. ***Is there a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity?***

There are two proposed developments for this owner – one located at the southwest corner and one located at the southeast corner of 12<sup>th</sup> Avenue NE and Indian Hills Road.

The TIA submitted for these proposals evaluated both of these sites under the same impact analysis report. The attached exhibit, TEC, Site Location Map, demonstrates the areas planned for development on both the proposed sites. The proposed developments, which include approximately 287,496 square feet of commercial development, are expected to generate approximately 10,640 trips per day, 241 AM peak hour trips, and 977 PM peak hour trips. Being above the threshold for when a traffic impact study is required, (>100 peak hour trips is the threshold), the developer submitted a traffic impact analysis for the developments south of Indian Hills Road and east and west of 12th Avenue NE, documenting the trip generation information for this addition as well as a discussion regarding the proposed driveways relative to existing streets and/or driveways along Indian Hills Road. On behalf of the developer, TEC submitted the traffic impact analysis. No traffic operational issues are anticipated due to the development.

Being well above the threshold for when a traffic impact study is required, Traffic Engineering Consultants, Inc. submitted a traffic impact analysis in September 2023, documenting the trip generation characteristics of the site, as well as the proposed access locations with respect to existing driveways and/or streets on Indian Hills Road. The development will feature six access points, all along Indian Hills Road. All proposed connections to the public roadway will afford full access.

The site proposes six access points located along Indian Hills Road with no direct access to 12th Avenue NE. The locations of the access points of all driveways meet requirements with exception to Driveway #2 does not meet the minimum driveway spacing requirement in the Engineering Design Criteria and may require a variance.

The proposed development is expected to generate approximately 10,640 trips per day, 241 AM peak hour trips, and 977 PM peak hour trips. Future traffic capacities on 12th Avenue NE, and Indian Hills Road exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

**CONCLUSION:** Staff forwards this amendment of the NORMAN 2025 Land Use and Transportation Plan from Country Residential Designation to Commercial Designation, and removal from Special Planning Area 6 (SPA-6) (Community Separator) for 35.56 acres of property generally located at the Southeast corner of Indian Hills Road and 12<sup>th</sup> Avenue N.E.

At their November 9, 2023 meeting, Planning Commission recommended adoption of Resolution No. R-2324-25 by a vote of 8-0.