

CITY COUNCIL  
COMMUNITY PLANNING AND TRANSPORTATION  
COMMITTEE MINUTES

June 22, 2017

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:30 p.m. in the Conference Room on the 22nd day of June, 2017, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmember Allison, Clark, Karjala, and  
Chairman Holman

ABSENT: Councilmember Hickman

OTHERS PRESENT: Mayor Lynne Miller  
Councilmember Castleberry, Ward Three  
Councilmember Chappel, Ward Five  
Ms. Susan Connors, Director of Planning and  
Community Development  
Ms. Janay Greenlee, Planner II  
Mr. Steve Lewis, City Manager  
Ms. Leah Messner, Assistant City Attorney  
Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

**CLEVELAND AREA RAPID TRANSIT (CART) RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTHS OF APRIL AND MAY 2017.**

Mr. Taylor Johnson, Planning Intern with Cleveland Area Rapid Transit (CART), highlighted CART Ridership Reports for April and May 2017, and said ridership and fiscal year-to-date ridership (July to May) had a decrease of 1% over the same period last year. He said construction continues to affect the ridership count on Main Street and Lindsey Street routes. The one-week manual count in April was 271 riders who traveled with bicycles and 167 riders with wheelchairs and the manual count in May was 178 riders who traveled with bicycles and 155 riders with wheelchairs. Fiscal year-to-date ridership for April was 1,122,295 and 1,189,620 for May.

CARTaccess ridership for April and May increased by 8% over the same months last year with an average daily ridership of 123 riders. Year-to-date, primary zone ridership increased by 5% and secondary zone ridership increased by 23%.

Mr. Johnson said CART collected 1,590 on-board surveys from February to May 2017, and said 92% of those surveyed said CART service is usually very dependable; 80% said CART's on-time performance was good or excellent; the top three reasons for riding CART included no convenient parking, CART convenience, and no car in household; and 41% said they would have to walk to their destination if they were not riding CART.

Item 1, continued:

Mr. Johnson said those surveyed also wanted more frequent service; Sunday service; extended hours on weekdays and weekends; earlier and extended hours on Saturdays; and expanded routes in southeast and northeast Norman that include bus stops at the intersections of Classen Boulevard/Constitution Street and Robinson Street/12th Avenue N.E.

Other activities included CART's attendance in Bike to Work Day event at Andrews Park on May 19th and placement of new bus stop signs at all bus stops. Mr. Johnson said a permit application has been approved by the City to move the bus stop at 24th Avenue S.W. and Lindsey Street for safety reasons during Lindsey Street construction. He said Tyler Media has contracted with a company to pour the concrete pad for the stop that should be completed soon.

Councilmember Holman asked if benches will be installed at bus stops that do not currently have a bench and Mr. Johnson said all locations for benches previously requested by Councilmember Holman have been installed, but if anyone has suggestions on where a bench or shelter is needed, please contact CART who will review the request (based on ridership numbers) to determine if there is justification.

The CART Transportation Advisory Committee (CTAC) met on May 15th at the Brooks Transfer Station to discuss the station's amenities and the group rode the Alameda Route in east Norman. During that trip, Mr. Shawn O'Leary, Director of Public Works, gave the Committee an update on the Americans with Disabilities Act (ADA) Self-Evaluation/Transition Plan the City of Norman will be conducting.

Mr. Johnson said Senate Bill 397 (Bus Passenger Safety Act) passed by an overwhelming margin and was signed by the Governor on May 19th to allow anyone who possesses a state-issued, self-defense certificate to carry openly or concealed on a transit vehicle. The bill will go into effect on November 1, 2017; however, the bill was opposed by the Oklahoma Transit Association Board of Directors. He said CART will keep the "No Weapons Allowed" stickers on the busses to determine if that will deter people from carrying guns on the bus.

Councilmember Allison said there is mention of a proposed EMBARK Plus Zone 2 fare increase in CART's report and asked if EMBARK Plus was the Oklahoma City route. Mr. Johnson said EMBARK Plus is CARTaccess service and because tax revenues are down EMBARK Plus was considering a fare increase for Zone 2; however, after public discussion the proposal was postponed to seek alternatives for increasing revenues. He said CART added that information to the report to give Council an idea of what is occurring in the region. (CARTaccess Zone 1 is the required paratransit service within three quarters of a mile of all fixed routes. CARTaccess Zone 2 is everything outside of Zone 1 in the boundaries of the City of Norman).

Mr. Johnson said CART submitted a grant application to the Association of Central Oklahoma Governments (ACOG) for Transportation Alternative Program funding. The projects requested in the grant included the Brooks Street Transfer Station improvements (water fountain and bike share racks), bus stop wayfinding signs, and OU bike infrastructure. He said funding for a water fountain and wayfinding bus stop signs was not allocated. Chairman Holman said he would like to continue to pursue options for the installation of a water fountain at the Brooks Street location and appreciates CART's efforts in achieving that goal.

Item 1, continued:

Ms. Karleene Smith, Marketing Specialist for CART, said she is retiring and has enjoyed working with the City of Norman and City Council throughout her employment. She said Mr. Johnson will be the new Marketing Specialist for CART, but she will stay involved in planning issues from a citizen's standpoint.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the months of April and May 2017
2. Cleveland Area Rapid Transit Monthly Reports for April and May 2017

\* \* \* \* \*

Item 2, being:

**DISCUSSION REGARDING A PROPOSED GARAGE APARTMENT OVERLAY DISTRICT FOR THE MILLER AND ELM-PARK NEIGHBORHOOD REZONING BOUNDARIES.**

Ms. Susan Connors, Director of Planning and Community Development, said on November 8, 2016, City Council approved a rezoning request to downzone several neighborhoods in central Norman from R-3, Multi-Family Dwelling District, to R-1, Single Family Dwelling District. The residents in those neighborhoods claimed their main objective for the downzoning was to prevent the demolition of historic homes and new construction of duplexes and apartment houses allowed in R-3. While most residents agreed they did not want newly constructed large duplexes and apartment houses in their neighborhood, they did agree they would be open to allowing garage apartments, which are not allowed in R-1.

At that meeting, City Council asked Staff to prepare options on allowing garage apartments to be discussed in a Conference or Study Session. Ms. Connors said there are many options for allowing garage apartments; however, an overlay district seems to be the best way to restrict garage apartments to limited areas in the City because an overlay district can identify specific areas of the City to regulate.

Ms. Connors said after the rezoning of the Miller and Elm-Park Neighborhoods to R-1, Staff met with neighborhood representatives as well as interested residents for input into the creation of a garage apartment overlay district. Staff also researched other cities in Oklahoma that allow garage apartments in various residential districts. Oklahoma City, Edmond, and Tulsa only allow garage apartments or Accessory Dwelling Units (ADU) in Multi-Family Zoning Districts as long as the required lot size, setbacks, and coverage requirements can be met. Staff also researched cities such as Austin, Texas; Ashville, North Carolina; State of Delaware; and Santa Cruz, California, whose housing shortages motivated them to create zoning regulations and guidelines to allow ADUs. Although Norman is not under social and environmental pressures that plague these states, cities are called upon to promote sustainability and provide diverse housing types and affordability by creating regulations that allow ADUs in many residential zoning designations.

Item 2, continued:

Ms. Connors highlighted issues discussed by Council that included:

- Whether or not garage apartments should be a two-story structure or attached one-story structure;
- Modifying the definition of a garage apartment;
- Setting a maximum square footage of a garage apartment;
- Whether or not the main single-family structure should be owner occupied;
- If infrastructure improvements should be required;
- Should require drainage guidelines;
- Whether or not neighborhood notification should be a requirement;
- Should garage apartments have the same architectural character of the primary structure; and
- What should the impervious surface coverage be.

Ms. Connors said Americans with Disabilities Act (ADA) accessibility was also discussed since a garage apartment stacked on top of a garage would not be accessible. She said approval of an overlay district will require an amendment to the Zoning Ordinance and public hearings at the Planning Commission and City Council meetings.

Mayor Miller said Council has discussed the fact that other cities require anyone developing or redeveloping to include infrastructure improvements and whether or not Norman should have this requirement. Ms. Connors said, currently, Norman does not require infrastructure improvements when developing on a platted lot and all of central Norman is platted. She said there are a lot of infrastructure needs, particularly in alleys, so Norman could change its regulations to require infrastructure improvements on platted lots to be made by the person doing the development.

Councilmember Castleberry said alleys are currently the City's responsibility so the fact that alleys are not maintained is really the City's fault that alleys are low priority and Ms. Connors said that is correct.

Mayor Miller asked how design guidelines would be standardized. Would there be a Development Review Committee or written guidelines? Ms. Connors said the design regulations would be part of the review of the building permit application and there would not be written guidelines because the architectural character might be different for each one.

Mayor Miller said if R-2, Two-Family Dwelling District, requires 7,000 square feet to build an accessory building then that standard should be the same in the overlay district, but Staff is recommending 6,000 square feet. She said the lots in the overlay district boundaries are pretty small and packed in, but if the City is going to add a square footage lot requirement for garage apartments it should be at least 7,000 square feet. Councilmember Castleberry asked if garage apartments were allowed on lots of 7,000 square feet or more prior to the downzoning and Ms. Connors said no. Councilmember Castleberry said if garage apartments were not allowed on lots less than 7,000 square feet before the downzoning they should not be allowed now.

Councilmember Karjala said her understanding of the downzoning was that the neighborhood did not want to be R-2 or R-3 so the fact that the City is now considering additional dwelling units conflicts

Item 2, continued:

with that. She said this proposal would basically turn the area back into R-2 so why is the City considering this ordinance since Council voted to downzone the neighborhood. Councilmember Castleberry said during the Council meeting when the downzoning was approved, the citizens were asked if they would have a problem with garage apartments and the majority of them said they did not. Councilmember Karjala said a straw poll taken during a meeting is not binding, Council's vote is binding so why are we having this discussion to fundamentally overturn Council's vote? She said it has been six months since Council approved the downzoning so is there some reason to rush into this ordinance? Chairman Holman said this is the first meeting regarding the subject and the Committee can decide whether or not they want to move forward with further discussion.

Mayor Miller said when she read the transcripts from the Council meeting and comments made by the public at that meeting, it lead Council to believe neighbors were okay with considering garage apartments. She said at least four Councilmembers expressed an interest in looking at options to allow garage apartments as a fair compromise to those opposed to the downzoning. Council directed Staff to work on an ordinance for further review; however, since that time, Council has been busy discussing other issues. She said Staff worked on a draft ordinance, which they are ready to present to Council so that is why this is being discussed. She said there is no rush to push this ordinance through, but it seemed to be the right time for the CPTC to review the ordinance.

Councilmember Clark said her recollection was the neighborhood would be open to having a conversation about garage apartments. She said the residents of the neighborhood met and provided a well-organized memo to City Staff about what they felt would be a good compromise. She said the neighborhood now feels like their time was wasted and their input has been ignored. She did not believe this subject to be a pressing issue, but has asked for items to be placed on CPTC's agenda that she is receiving phone calls about from Ward Six constituents. While she loves Ward Four, the City has spent a lot of time on matters for Ward Four recently and she would like to see agenda items that affect the rest of Norman addressed in this Committee because other Wards have pressing issues as well.

Councilmember Castleberry said representatives for the neighborhood stated they were okay with garage apartments; however, this is a unique situation because when the neighborhood downzoned that eliminated the right of a property owners to construct a garage apartment. He said garage apartments were not the reason for the downzoning; mini-dorms were the issue and not every property owner wanted to be downzoned because they felt the City was taking away their property rights, which is a legitimate concern. One of the property rights was the ability to construct a garage apartment and he thought Council was going to discuss the issue of garage apartments immediately, not six months later. He thought the neighborhood and Council had a simple agreement to draft language to allow garage apartments and nothing more.

Councilmember Clark said the neighborhood thought there would be a conversation with the City where their input would be heard and listened to and that has not happened so the City is not prepared to move forward at this time. Councilmember Karjala agreed and said there has been no substantive input from the neighborhood other than the memo they sent to the City. She said the proposed ordinance changes the definition of an additional dwelling unit, which she does not like. Another problem is if the main structure is not owner-occupied there could be renters in the main structure as well as renters in the garage apartment, which is what the neighborhood was trying to deter through the downzoning.

Item 2, continued:

Chairman Holman suggested Staff and Councilmember Hickman meet with the neighborhood to discuss what they would like to see happen as far as allowing garage apartments then bring that information back to this Committee. He said many people like garage apartments because of the historic value as well as a source of affordable housing, but there was a problem with the construction of mini-dorms, which the neighborhood wanted to stop. He would like garage apartments to be allowed in these areas, but would prefer substantive input from the neighborhood first. Mayor Miller agreed and said there may be some compromise because Center City is all about better land use. Chairman Holman would like to see standards on square footage, architecture, public notice, etc., and prefers a special use permit over an overlay district, but would like that discussion to take place after some type of neighborhood consensus has been reached and Councilmembers Castleberry and Karjala agreed.

Councilmember Allison said Councilmember Hickman is not present to discuss an issue important to his Ward so the Committee basically just wasted an hour of its time. He said if a Councilmember is not able to attend a meeting whose agenda item affects their Ward then that Councilmember should request the item be rescheduled to a time when they will be present to represent their Ward. If he had known Councilmember Hickman was going to be out of town he would have happily requested the item be rescheduled himself. Mayor Miller said Councilmember Hickman was not aware of what was on the agenda until it had been posted, but in the future if a Councilmember is aware there is an item on an agenda that affects their Ward and cannot attend then that Councilmember should let Council and Staff know as soon as possible so the item can be rescheduled.

Ms. Joan Koos, 409 Park Drive, felt there was a misunderstanding between the neighborhood and Council on what a garage apartment is. To her, a garage apartment is an apartment constructed over an existing garage and many of the homes in the neighborhood have existing garages that owners want to construct an apartment on top of. She said when that question came up in the meeting, of course she said she was okay with that. What she is seeing in this proposal tonight is not really what the neighborhood envisioned when they said they were okay with garage apartments. She thought Council, City Staff, and the neighborhood were going to meet so the neighborhood could give feedback to Council on what they envisioned, but that did not happen.

Mr. Lloyd Bumm, 610 Miller Avenue, said the City paints a great picture of a family living in the main structure with an older parent or a child living in the garage apartment and that is what the neighborhood would like to see, but there is no way to enforce the requirement of owners living in the main structure. He is worried that what actually will happen is four to six students living in the main structure and an accessory building constructed in the back where more students will live. He said the neighborhood is predominately single-family with a lot of nice historic homes close to Campus and the neighborhood would like to keep it that way. He said if the City could enforce its “no more than three unrelated people rule” the garage apartment concept would not be a problem, but there seems to be no willingness on the City’s part to enforce that rule and until that happens, this proposal is dead in the water.

Councilmember Castleberry asked if Staff could obtain information on how much of the area is rental versus single-family occupied and Ms. Connors said Staff can try to get that information.

Item 2, continued:

Ms. Jayne Crumpley, 423 Elm Avenue, felt it would be unfair to look at the rental ratio because the area has been zoned R-3 for so long and there has never been R-1 protection which has resulted in a lot of rental properties. She said affordable housing is also very important, but the only time she has heard affordable housing referenced is during garage apartment discussions. She said affordable housing should be addressed in the Comprehensive Plan and reviewed citywide.

Ms. Emily Wilkins, 620 Miller Avenue, said the neighborhood said they would consider garage apartments because garage apartments are better than mini-dorms, but the neighborhood wanted to be zoned R-1 to stop the prolific construction of mini-dorm student housing. She does not want any type of regulation that would be taking a step backward, which includes allowing accessory dwelling units.

Councilmember Castleberry suggested the Homeowners Association (HOA) create covenants to prevent the types of development that the neighborhood objects to.

Ms. Lee Hall, 648 South Lahoma Avenue, thanked the members of the CPTC for listening to the public comments tonight and said she is delighted the Committee has decided to put this item on hold until the neighborhood input is obtained and common ground can be found going forward. She said a majority of the neighborhood is not opposed to the idea of a “quaint addition” of a garage apartment, but the homes in the area are unique and she believes it would be challenging to match the architectural design of each home. One item she hopes Council considers going forward is that the Historic District guidelines suggest new construction garages be no larger than 500 square feet and the Historic District Commission has spent a lot of time discussing the principle of that. She said the proposed overlay district includes Historic District properties and the proposed ordinance suggests 650 square feet for garage structures, so how does the City reconcile that, since that is not clear? Councilmember Castleberry said the Historic District regulations should take precedence and that can be clarified in the ordinance language. Ms. Hall said there are some homes within the Historic District boundaries that are not considered to be in the Historic District, but should be, so that is another layer of complexity.

Chairman Holman asked if direction is clear on what Staff needs to do moving forward and Ms. Connors said yes.

Items submitted for the record

1. Memorandum dated June 18, 2017, from Susan Connors, AICP, Director of Planning and Community Development, to Members of the Community Planning and Transportation Committee, with Exhibit A, Draft Ordinance for a Garage Apartment Overlay District for the Miller and Elm-Park Neighborhood Rezoning Boundaries with location map for Miller Neighborhood and location map for Elm-Park Neighborhood, and Exhibit B, Research of Other Communities

\* \* \* \* \*

Item 3, being:

MISCELLANEOUS PUBLIC COMMENTS.

None

\* \* \* \* \*

The meeting adjourned at 5:29 p.m.

ATTEST:

---

City Clerk

---

Mayor