



City of Norman, OK

Norman Public Schools -
Administrative Services
Center
131 South Flood Avenue
Norman, OK 73069

Master

File Number: O-1314-28

File ID: O-1314-28

Type: Zoning Ordinance

Status: Non-Consent Items

Version: 1

Reference: Item No. 27

In Control: City Council

Department: Planning and
Community
Development
Department

Cost:

File Created: 12/16/2013

File Name: OOrdinance No. O-1314-28 upon Second and Final
Reading granting Special Use for a Type 1 Bed and
Breakfast in the R-1, Single Family Dwelling District,
for property located at 1405 McKinley Avenue

Final Action:

Title: CONSIDERATION OF ORDINANCE NO. O-1314-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A TYPE I BED AND BREAKFAST IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, FOR PART OF LOTS 14 AND 17 AND ALL OF LOTS 15 AND 16, BLOCK 5, HARDIE RUCKER ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1405 MCKINLEY AVENUE)

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-28 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-28 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 02/25/2014

Agenda Number: 27

Attachments: Text file O-1314-28.pdf, O-1314-28, Exhibit A - Site Plan, Location Map, Staff Report, Pre-Development Summary, Protest Map, Protest Letter, 1-9-14 PC Minutes - Houck Special Use

Project Manager: Jane Hudson, Principal Planner

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

1	Planning Commission	01/09/2014	Recommended for Adoption at a subsequent City Council Meeting	City Council	02/11/2014	Pass
	Action Text:	A motion was made by Lewis, seconded by Boeck, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 2/11/2014. The motion carried by the following vote:				
1	City Council	02/11/2014	Introduced and adopted on First Reading by title only			Pass
	Action Text:	That this Zoning Ordinance be Introduced and adopted on First Reading by title only. by consent roll call				

Text of Legislative File O-1314-28

Body

SYNOPSIS: The applicant, David Houck, is proposing to establish a Type I Bed and Breakfast Establishment at 1405 McKinley Avenue. The existing use for the site is that of a rental property. The applicant purchased the lot about three years ago, demolished the previous home and built the current home with the intent of using it as rental property until his family was ready to move back into the area and establish a Bed and Breakfast. The current home is a four bedroom, two-story home with approximately 2,240 square feet of living area and 3,200 square feet total. As part of this application the applicant is requesting the timeline required to establish a Special Use be extended from the two year time limit to three years from the date of City Council approval. The applicant has the house rented through May of 2015 so this extension will allow him to begin the renovations and prepare the site for the business after the current lease expires.

ANALYSIS: All Bed and Breakfast establishments are considered accessory to residential uses, and can only be established by the issuance of a Special Use Permit.

The requirements for establishing a Type I Bed and Breakfast are as follows.

Type I Bed and Breakfast is principally used as a single-family dwelling with the provision of guest lodging as a secondary feature, and must conform to all of the following conditions:

1. May be permitted in any residential or agricultural zoning district.
2. No more than four guest bedrooms may be provided.
3. No individual cooking facilities may be installed in any guest room.
4. Meal service is limited to residential guests only. Sale of food and beverages to other than overnight guests is strictly prohibited.
5. The owner shall reside on-premise.
6. One parking space shall be provided for the owner, plus two spaces for each three rooms, or fraction thereof, that serve as guest bedrooms. If overflow parking cannot be accommodated on-street additional on-site parking may be considered.
7. To the extent feasible, parking should be located to the side or rear of the structure. When front yard parking is used, no more than 40% of the required front yard shall be hard surfaced for parking.
8. Any proposed additions must be compatible with the existing architectural style and building materials of the dwelling. Additions which do not comply with the applicable setback requirements may not be submitted to the Board of Adjustment as a request for a Variance.
9. A landscaping and screening plan must be submitted which enhances the appearance of the site by reducing or screening all parking areas to minimize their visual intrusion on abutting properties. No lighting or signage may be installed which has not been reviewed as part of the proposed development plan. Low wattage or low intensity light fixtures are preferred.

SITE PLAN: The site plan submitted for this project has been reviewed by staff and with one exception is consistent with the City requirements for a Type I Bed and Breakfast. The above requirements note a maximum of 40% hard surface for parking is permitted in the front yard. However, under the R-1, Single Family District a homeowner is permitted to pave the front yard up to 70%, when accessing a garage for three or more cars. In this case, the site has a four car garage, the owner could have paved up to 70% of the front yard,

however, for this lot there is approximately 43% of hard surface coverage to access the four car garage. The open hard surface parking area will not be the only area visitors or residents will park as there are four parking stalls inside the garage. The parking required to establish this Bed and Breakfast will be located in the front of the property as there is no access to the rear of the lot. There are four parking spaces located in the front drive as well as a four car garage to house any vehicles on-site. The applicant has submitted a site plan that shows the location of the landscape areas. Although one of the requirements for a Type I Bed and Breakfast is a landscape screening, the adjacent properties to the north and south of the drive cannot be totally screened as the landscaping would create an issue for site distance when backing out of the drive.

OTHER AGENCY COMMENTS:

PARK BOARD: There are no additional requirements for parkland dedication on this proposal.

PUBLIC WORKS: The property is already platted as part of Hardie-Rucker Addition. There are no additional requirements for platting or public improvements.

STAFF RECOMMENDATION: Staff has reviewed this application and considers the application compliant with the zoning requirements. The neighborhood is situated adjacent to the University of Oklahoma making this an acceptable location for visiting parents, possible staff and employees and visitors to events at the University .

Staff supports the rezoning request for a Special Use on this property to allow for a Type I Bed and Breakfast and the request for the extension of the expiration date to establish the business from two years to three years and recommends approval of Ordinance No. O-1314-28.

Planning Commission, at their meeting of January 9, 2014, by a vote of 7-1, recommended adoption of this ordinance and the request to extend the time period to establish the business from two (2) years to three (3) years.