

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

March 11, 2013

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Multi-Purpose Room on the 11th day of March, 2013, 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: Councilmembers Gallagher, Jungman, and Williams,
Chairman Griffith

ABSENT: None

STAFF PRESENT: Mayor Cindy Rosenthal
Councilmember Robert Castleberry
Councilmember Linda Lockett
Ms. Susan Atkinson, Planner I
Mr. Jeff Bryant, City Attorney
Ms. Susan Connors, Planning and Community
Development Director
Ms. Leah Messner, Assistant City Attorney
Mr. Shawn O'Leary, Director of Public Works
Ms. Karla Chapman, Administrative Technician

Item 1, being:

CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE.

Mr. Cody Ponder, Cleveland Area Rapid Transit (CART), forwarded the CART Ridership Report(s) for January 2013 and February 2013, which was distributed to the Committee. Chairman Griffith asked if anyone had any comments and/or questions regarding the CART report and no comments and/or questions were received.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of January 2013
2. Cleveland Area Rapid Transit Ridership Totals for the Month of February 2013

Item 2, being:

CONTINUED DISCUSSION REGARDING A DRAFT ORDINANCE ESTABLISHING A HIGH-DENSITY RESIDENTIAL ZONING DISTRICT.

Ms. Susan Connors, Director of Planning and Community Development, said at the Community Planning and Transportation Committee (CPTC) meeting on January 28, 2013, the Committee directed Staff to develop recommendations on issues related to High Density Residential (HDR) zoning as follows:

- Design Review Committee
- Traffic impacts
- Height issues
- How to regulate density
- Density maximums

Item 2, continued:

Campus Corner Area, DeBarr Neighborhood, and Downtown East and West Maps

Ms. Connors highlighted a map of the Norman core area, as identified in the 2001 Core Areas Coalition Report which Council adopted in 2002, and said the boundaries are Robinson Street on the north; Imhoff Road on the south; 12th Avenue East on the east; and Berry Road on the west. She also provided an overview for HDR of Campus Corner and DeBarr Neighborhoods and Downtown East and West highlighting the boundaries for each. Ms. Connors said discussion at the January 28, 2013, CPTC meeting included references to the Campus Corner boundaries according to the Norman 2025 Land Use Plan and Campus Corner as defined by land use and observed by City Staff. She said the residential area east of Campus Corner between DeBarr and the railroad tracks is often referred to as the DeBarr Neighborhood and Staff felt the DeBarr Neighborhood is an area influenced by Campus Corner suggesting that regulations that pertain to Campus Corner be extended to this area.

Design Review Committee

Staff said many communities choose to administer design guidelines for overlay districts through the use of a Design Review Committee (DRC) and such committees are typically appointed by Council with five to nine members who serve staggered terms with term limits. DRCs are characteristically comprised of individuals with demonstrated professional expertise in design such as registered architects, landscape architects, urban planners, and engineers. The DRC could also include one to two non-professional citizens who have demonstrated interest in design. Ms. Connors said DRC members would evaluate proposed projects. Staff concluded that utilizing a DRC to review requests for high density zoning based on the Design Guidelines would provide a process for clear and consistent decision-making.

Traffic Impacts

Staff researched several approaches to assessing traffic impacts associated with high density residential land uses and concluded that the City's current policy for required traffic studies would be sufficient with the added condition that all proposals for HDR zoning would trigger a requirement for a traffic study, regardless of projected vehicle trips per day. Each proposal for HDR must be fully evaluated on a case-by-case basis to determine likely traffic impacts and possible solutions to mitigate those impacts. Staff concluded that requiring a traffic study for all HDR projects is appropriate given the intense nature of traffic circulation in Central Norman and the City's current policy guiding traffic studies is sufficient for this new zoning category.

Height Issues

The Committee requested Staff express height recommendations in feet rather than in stories when discussing future HDR ordinances and using the height definitions discussed at the January 28, 2013, CPTC meeting, Staff recommends the following maximum building heights as follows:

- Campus Corner: 55 feet
- Downtown: 75 Feet
- Other Areas: None

The proposed ordinance also suggests that Campus Corner projects could gain a height bonus of eight (8) feet in exchange for a project's inclusion of a rooftop garden. Ms. Connors said most ground stories are between 12 and 16 feet tall and upper stories are between 10 and 13 feet tall. Using these measurements, the tallest four-story building would be a maximum of 55 feet high and the tallest five-story building would be 68 feet high. She said 75 feet is the height limit before the International Building Code (IBC) classifies as "high rise," triggering regulations as to construction type, emergency systems, and elevators. Staff concluded that the proposed height recommendations will enable structures that are economically viable while not overwhelming the smaller scale of surrounding buildings in Central Norman.

Rooftop Gardens

A rooftop garden is a roof or portion of a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. Rooftop gardens serve several purposes for a building, e.g., absorbing rainwater, providing insulation, creating a habitat for wildlife, lowering urban air temperature, mitigating the heat island effect, and the creation of usable outdoor gathering space. Staff felt agreeing to add a green roof on a high-density development which combines the functions of outdoor open space with a porous surface that absorbs stormwater runoff would be appropriate and could allow an additional eight (8) feet.

Item 2, continued:

Density Regulation

The Committee asked if there was a way to combine dwelling units per acre with the request by developers to use Floor-Area-Ratio (FAR) and after studying, Staff concluded that the most effective mechanism to regulate bulk and density is to define a maximum number of dwelling units per acre combined with the following conditions: maximum building height, front build-to line, maximum building coverage, and setbacks. Defining these conditions along with the use of design guidelines to influence exterior building form will result in infill buildings that are most compatible with their surroundings in terms of height, bulk, and setback. In addition, dwelling units per acre is a unit of measure that is easier to understand than FAR for most stakeholders and decision makers.

Density Maximums

Staff reported on the detailed economic analysis of potential high density development in Norman as prepared by the firm Ochsner Hare and Hare (OHH) at the January 28, 2013, CPTC. OHH's findings suggested that high density residential development of 55 to 60 feet in height with densities between 120 and 175 dwelling units per acre (du/ac) could be economically viable in Norman and will also build the critical mass to attract additional retail to an area. Based on OHH findings, Staff recommends the following maximums for du/ac: Campus Corner - 130 du/ac; Downtown - 175 du/ac; and other areas - no maximum.

Councilmember Lockett asked if the rooftop garden proposal in the Campus Corner area to gain an additional eight (8) feet was included in the proposed HDR ordinance and Ms. Connors felt it could be an appropriate alternative/option if Council desires. Chairman Griffith asked whether the ordinance would require the developer to maintain the rooftop garden if granted an additional eight (8) feet and Ms. Connors said currently there are no regulations addressing maintenance of rooftop gardens included in the proposed HDR Ordinance, but language could be created if Council desired. Councilmember Jungman said he does not support the option of gaining an extra eight (8) feet if a rooftop garden was installed and Councilmember Gallagher agreed. Councilmember Lockett asked whether Staff considered additional parking when drafting the draft HDR ordinance and Ms. Connors said no.

Councilmember Jungman said Staff recommended including the DeBarr Neighborhood in the Campus Corner area but it is not reflected on the Campus Corner map. He said experts believe that one of the areas targeted for high density will be the area north of Campus Corner and suggested Staff add both this targeted area as well as the DeBarr Neighborhood to the map. Ms. Connors said Staff prepared a Norman Core Area map to discuss the expansion area. She said if high density were proposed for the Norman Core Area, the proposal would need to be either on an arterial street or not more than two blocks from an arterial street and a zone change would need to occur. Councilmember Jungman felt more clarity was needed regarding the definition of arterial and Mayor Rosenthal asked Staff to research criteria and constraints. Chairman Griffith said the northern stretch of Flood Avenue from Acres Street is commercial on both sides and asked whether a zone change would be required and Staff said yes.

Councilmember Jungman said he would support the high density rules of maximum height being no more than 55 feet to both the Campus Corner area and core area, but Ms. Connors said the core area also included the downtown area which could have a maximum height of 75 feet. Councilmember Castleberry felt the entire core area does not need to have the same requirements as Campus Corner. Mayor Rosenthal said the HDR community dialogues focused primarily on the Campus Corner area because that is where a high density project was being proposed. She felt the discussions would have been very different if the proposed high density project included the entire Core Area; therefore, if those citizens were aware there was a potential for a multi-story building near their neighborhood she felt more citizens from the Core Area would have participated in the dialogues. Mayor Rosenthal felt the Committee should not judge the limits of the high density dialogues to the assent of high density anywhere in core area. Councilmember Castleberry said currently a 20 story commercial building could be constructed on Lindsey Street and Mayor Rosenthal said if a high density proposal for the area at Lindsey Street and Berry Road were to come before Council, a lot of citizens would come to the Council meeting to express their concerns. Mayor Rosenthal felt it is very important to have defined mapping, including arterial streets, for the Campus Corner, downtown, and core areas so that the general public will know what areas can potentially be affected if high density is proposed and/or constructed. Ms. Connors said the Campus Corner citizens and business owners were the primary participants during the high density discussions held last summer; therefore, the Campus Corner area was the primary focus, but Staff will research and define the boundaries, determine the Campus Corner, downtown, and core areas, and bring back information to the Committee.

Item 2, continued:

Ms. Barbara Fite, 323 West Boyd Street, asked if a zoning request were approved could a proposed high density project potentially be constructed at Classen Boulevard and Boyd Street and Staff said yes. Ms. Connors said the issue has been raised that high density needs to be discussed for both the Core and non-Core areas of Norman. She said discussions need to include whether or not the criteria will be the same in all areas.

Mr. Jeff Bryant, City Attorney, said the current zoning on any property is what it is. He said Staff has proposed creating a new high density residential zoning district that could be available for a zoning change; therefore, if property is zoned commercial, the high density residential zoning district can not be utilized until an applicant requests a zoning change. Mr. Bryant stated tonight's meeting is only a Council Committee meeting and no votes will be taken on this topic until it is scheduled as an agenda item before a full Council. Ms. Connor said a public meeting on high density will be scheduled prior to a public hearing process at the Planning Commission.

Councilmember Jungman said projects are not preapproved; however, the rules regarding high density will invite developers to bring high density projects to our community and the rules need to be very clear regarding whether projects can or cannot be built on arterials, abutting residential, etc. He felt if Council is not willing to approve the high density projects, then Council should not invite the high density projects.

Mayor Rosenthal said since the last high density discussion, she shared two items with Council that have bearing on the discussion of height. The first item is a meeting summary of the Mayors Institute on City Design which she attended in November 2012, where she presented the high density policy debate and the proposed Risser project on Campus Corner. She said the participants in the institute included design and development professionals from around the country and seven other mayors from cities throughout the southern region, three of which were from college towns that struggle with some of the same related issues that Norman does. Mayor Rosenthal provided the recommendations and the map and said she felt the most significant takeaway points from the report are as follows:

- High density initiatives should optimally focus on the area between Campus Corner and Downtown in order to connect and enhance both commercial districts;
- Targeted densities on the map that would provide an appropriate transition should be four stories instead of seven to nine;
- With respect to the Risser project, the panel recommends "...seven stories may be appropriate to Norman, generally, but this project might be in the wrong place to push such drastic scale changes..."; and
- Under "Best Practices" it is noted that Tulane University has successfully developed four scale dormitory-style housing compatible with other one and two story housing stock.

The second item Mayor Rosenthal shared with Council was an email exchange with Oklahoma University (OU) President David Boren. She said she asked President Boren's opinion regarding the debate over height on Campus Corner and his response favored the four-story height limit. Mayor Rosenthal recounted when Austin, Texas, developed rules for high density that one of the issues that was important and brought about success was the fact the public knew precisely where the city would encourage high density projects. She felt the maps provided today by Staff do not instill public confidence about where high density might actually be built in the community. Mayor Rosenthal felt public buy-in is needed when discussing and understanding high density and said the high density rules and criteria needed to be precise, and should focus more on the Campus Corner and downtown areas.

Councilmember Gallagher said he would support a maximum height of four stories in the Campus Corner area, favors Staff's height recommendations for the downtown area, and agreed that high density criteria needed to be more clearly defined. Chairman Griffith agreed stating he also favored the maximum height limit of four stories in the Campus Corner area and 75 feet for downtown and core areas.

Mr. Eric Kozlowski, 824 South Lahoma Avenue, felt the rooftop garden option should be removed from the proposed high density ordinance and Councilmember Jungman agreed.

Ms. Jeannette Coker, 620 E. Main Street, said during the high density discussions last summer she passed out a survey regarding high density in order to gather input. She shared the results with the Committee. She said 71% of participants did not want high density in core Norman; 82% did not want high density in single family neighborhoods; 73% felt the

Item 2, continued:

pre-development meeting notice should be extended from 350 foot radius to 1200 foot radius and be sent to both property owners and occupants; and over 50% said developers should have to pay an additional fee to accommodate sewer, water, police and fire service, and streets when developing high density developments. Councilmember Williams asked how many people were surveyed and Ms. Coker said approximately 60. Ms. Coker felt the citizens who participated in the high density community dialogues provided time and input which is now being ignored.

Mr. Rainey Powell, 1926 Pin Oak Circle, said at a recent meeting held last week, 90% of Campus Corner property owners support high density in the Campus Corner area. He felt high density will increase the opportunity for businesses and the Campus Corner merchants, tenants, and property owners needed to work together. Mr. Powell said high density traffic will be very limited and not be an issue; however, parking does need to be adequate and addressed appropriately. He felt that height needed to be left to a Design Review Committee.

Mr. Sean Rieger, 136 Thompson Drive, felt high density discussions were making good progress and the topic is basically down to one main issue which is height. He said Campus Corner is a reasonable area for high density and supported a 70-foot limit because a 55 foot limit is not economically viable. Mr. Rieger said one of the Norman 2025 Land Use and Transportation Plan (LUP) goals talks about building vertically. He said he does not support the rooftop garden option because they are too expensive and high maintenance.

Ms. Cynthia Rogers, 633 Reed Avenue, said it has been a long period since the last time a four-story commercial building was proposed in Norman and felt it was because it is not economical to construct. She felt infrastructure issues need to be addressed when discussing high density.

Ms. Barbara Fite, 323 West Boyd Street, said she is owner of the Antique Garden and rents the building from Mr. Rainey Powell. She said she respects Mr. Powell's opinion but disagrees with his statement that 90% of Campus Corner property owners supported high density in the Campus Corner area. She said not one Campus Corner merchant supported or wanted high density projects over four stories. Ms. Fite also felt there is currently a huge parking problem in the Campus Corner area and high density would make it much worse. She felt that the Committee and discussion process was jumping through hoops for the developers rather than listening to the residential and commercial property owners.

Mr. Keith Allen, 1605 S. Pickard Avenue, said he is the owner of Brother's Eatery and Pub located at 563 Buchanan Avenue and said he also disagreed with Mr. Powell's statement. He felt 50% of Campus Corner merchants supported high density and 50% opposed high density. Mr. Allen said parking in the Campus Corner area is the number one problem and if residents do not have designated parking they will park illegally. He said ticketing and towing the illegally parked vehicles will leave a bad taste towards the City.

Ms. Jamileh Wilcox, 322 South University Boulevard, said only arterial streets were discussed during the high density discussions. She felt there are already issues with water run off and low water pressure in and near the Campus Corner area and high density will make it worse.

Ms. Tessa Breder, Norman Chamber of Commerce, said one parking spot per bedroom is very generous because high density reduces vehicle use 20% to 40%.

Ms. Ellen Frank, 211 E. Daws Street, felt a high density ordinance will be a model for where the community is headed. She said more discussions regarding high density are needed before going forward. Chairman Griffith said another Community Planning and Transportation Committee (CPTC) meeting on high density is scheduled for April 22, 2013. Mayor Rosenthal said the Committee will review the requested changes at that time and will discuss scheduling a public meeting on high density, as well as scheduling a joint Planning Commission and Council meeting to discuss high density.

Mr. Don Wood, 710 Asp Avenue, said there is an opportunity with high density projects to include public parking. He felt if Council desired, the City could create a Tax Increment Finance (TIF) District to pay for a parking structure for a particular high density building.

Mr. Chris Elsey, Elsey Partners, Manhattan, Kansas, said Stillwater Flats Project, located in Stillwater, Oklahoma, is not his project but urged everyone to go and check it out.

Item 2, continued:

Mayor Rosenthal said she would like a high density ordinance to reflect active street level uses, i.e., uses that contribute to activity on the street. She felt vibrant street life should include retail/commercial mixed use.

Councilmember Castleberry said Norman needs a high density ordinance that does not support a particular high density project proposed but instead an ordinance that is a good fit for Norman.

Chairman Griffith requested Staff delete the rooftop garden option from the proposed high density ordinance and identify arterial streets within the Campus Corner, Downtown, and Core Norman areas.

Items submitted for the record

1. PowerPoint Presentation entitled, "High-Density Residential Development," dated March 11, 2013
2. Memorandum dated February 25, 2013, from Ms. Susan F. Connors, AICP, Director of Planning and Community Development, to Chairman and Members of Council Community Planning and Transportation Committee, with Attachment A, High Density Residential Zoning District Ordinance - Draft 2, dated February 25, 2013; Map A - High Density Residential: Campus Corner dated December 13, 2012; and Map B – High Density Residential: Downtown East and West dated February 21, 2013
3. Memorandum dated March 8, 2013, from Mayor Cindy Rosenthal to Councilmembers Griffith, Gallagher, Jungman, and Williams, with attached meeting summary of the Mayors Institute on City Design, dated November 14 – 16, 2012, and an email exchange dated February 18 and 19, 2013, between Mayor Cindy Rosenthal and President David Boren, University of Oklahoma
4. Letters dated February 17 and 20, 2013, from several Campus Corner Merchants opposing high density development in the Campus Corner area
5. Examples of Mixed-Use Development at City of Boulder, submitted by Ms. Barbara Fife, 323 West Boyd Street, to Chairman Griffith and CPTC Members
6. Sign In Sheets for the Community Planning and Transportation Committee meeting dated March 11, 2013

Item 3, being:

MISCELLANEOUS DISCUSSION.

None.

The meeting adjourned at 7:19 p.m.

City Clerk

Mayor