

COUNCIL  
COMMUNITY PLANNING AND TRANSPORTATION  
COMMITTEE MINUTES

February 23, 2017

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:32 p.m. in the Conference Room on the 23rd day of February, 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: Councilmembers Clark, Hickman, Karjala, Allison, and Chairman Holman

ABSENT: None

OTHERS PRESENT: Mayor Lynne Miller  
Councilmember Robert Castleberry  
Mr. Jeff Bryant, City Attorney  
Ms. Susan Connors, Director of Planning and Community Development  
Mr. Terry Floyd, Development Coordinator  
Ms. Jane Hudson, Principal Planner  
Mr. Steve Lewis, City Manager  
Ms. Leah Messner, Assistant City Attorney  
Mr. Shawn O'Leary, Director of Public Works  
Ms. Karla Chapman, Administrative Technician III

Item 1, being:

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

Mr. Taylor Johnson, Planning Intern with Cleveland Area Rapid Transit (CART), highlighted CART Ridership Reports for January, 2017, and said ridership has increased 11% from January, 2016. He said fiscal year-to-date ridership (July to January) had an increase of 3% over the same period last year. He said the January increase was attributed to two more regular days of service, but construction continues to affect the ridership count on Main Street and Lindsey Street routes. For the one-week manual count in January, there were 156 riders who traveled with bicycles (2.3%) and 82 riders with wheelchairs (1.2%). Route 10-Main Street carried the most passengers with bicycles (67) and Route 11-Lindsey East carried the most passengers with wheelchairs (28).

CARTaccess January ridership increased 3% over the same month last year; the average daily ridership of 120 riders, a 1% decrease; and an annual 10% increase overall ridership (July to January).

Item 1, continued:

Mr. Johnson said he met with Norman Public Schools (NPS) for a follow-up meeting on January 12th. NPS is working to send CART the school bus routes electronically to compare how they interact with CART routes; continuing efforts to work together to improve services without using more funds than needed.

Mr. Johnson said the CART Transportation Advisory Committee members will continue to ride routes until all routes have been ridden; discussing how to work together and encouraging use of the fixed route system to increase usage on the fixed routes and less on CART. CART staff also participated in the OU Center as a Second Language orientation for new international students getting acquainted to OU to provide information about services available through CART.

Ms. Karleene Smith said CART is looking into what can be done to increase service in Northeast Norman near the intersection of Rock Creek Road and Porter Avenue, as well as Southeast Norman at The Links Apartments, east of Classen Boulevard and south of Cedar Lane.

Ms. Smith said there was further discussion regarding the water fountain versus vending machine installation and they cannot put in a water fountain due to restrictions at the property. She said the Brooks Street Station would be the only stop where a water fountain could be installed and due to electrical needs, the vending machine option is just as expensive as the water fountain. Chairman Holman said the estimated cost is approximately \$25,000 for boring and electricity. Ms. Smith said with the funding shortage at the City and OU, CART should just try to encourage passengers to travel with water until a solution is found that is not quite so expensive.

Councilmember Hickman asked if the Greyhound bus stop on Porter Avenue can be relocated to the CART hub. Ms. Smith said there are long range plans of commuter rail stops at the Santa Fe Depot and there has been discussion about the Greyhound coming to the depot. She said once the commuter rail gets to Norman, all modes of transportation will have to be reconfigured, but she will check into the options.

Councilmember Castleberry asked if there are solar options for vending machines. Ms. Smith said she will check on this request.

Chairman Holman said CART's long range plan indicates transportation is more efficient with all participating modes. He envisions a transportation hub to include rail, bus, Greyhound and/or local bus service, as well as bike share stations and suggested everyone to look at Oklahoma State University's impressive established transportation services.

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Item 2, being:

CONTINUED DISCUSSION REGARDING POSSIBLE AMENDMENTS TO THE R-3 ZONING DISTRICT.

Ms. Connors said Council recently approved an administrative delay on building permits for the central portion of Norman to allow discussion on several topics that included R-3, Multi-Family Dwelling District; Center City Form Based Code (CCFBC); garage apartments in specific R-1, Single Family Dwelling District zoned neighborhoods; and Plan Norman (a comprehensive plan). The boundaries of the

administrative delay are Lindsey Street on the south, Robinson Street on the north, Flood Avenue on the west, and 12th Avenue N.E. on the east. The Committee indicated the majority of staff proposed amendments should be incorporated as well as lighting, language, creation of a Special Use Permit for structures with four or more bedrooms, and changes to the impervious and building coverage. She said the boundaries listed overlap with the CCFBC boundary, and if the CCFBC was adopted, Staff would certainly recommend that this area be removed from the Overlay District because there would be conflict in the regulations that apply to properties in the Form Based Code versus the Overlay District. She said Staff has also identified a tree management plan but that topic needs more discussion to determine what direction would be best for Norman.

Staff also recommended minor changes to the Zoning Code specifically in the landscaping, fencing and parking lot sections and Staff would provide definitions if the Overlay District moved forward.

Councilmember Castleberry asked whether the Overlay District would have a different standard of lighting than the current Lighting Ordinance already in place or if the residential lighting ordinance will pertain only to the Overlay District. He expressed concern about a separate residential lighting ordinance just for the Overlay District. Ms. Connors said the City's current lighting ordinance specifies a standard of full cut off fixtures but pertains only to commercial lighting; the proposed Overlay District lighting ordinance would not only include the residential area, but commercial zoning as well.

Mayor Miller asked if the discussion from the committee on Center City included full cut off lighting as part of Center City. Ms. Connors said it is definitely within Center City.

Councilmember Castleberry said lighting on the front of the house in the Overlay District is allowed, lighting in the backyard is not allowed, and flood lighting is not allowed; however, these types of lighting are allowed in other areas of the City. Ms. Connors said any outdoor lighting shall be full cut off, mounted horizontally to the ground; however, front porch lights are exempt from full cut off, and in the Overlay District flood lights are not allowed in the backyard but are allowed in other parts of the City.

Councilmember Allison said up lighting, architectural lighting/landscape lighting, i.e., tree up lighting will not be allowed in Core Norman. Ms. Connors clarified that up lighting will not be allowed.

Item 2, continued:

Councilmember Castleberry said there are nice neighborhoods in the Center City that include up lighting in their landscaping and asked if they would be grandfathered in or if changes will be required. Ms. Connors said that anything existing would be grandfathered in.

Mayor Miller said the lighting issue could be a problem. She said she approves of the full cut off lighting, but had not thought of how restrictive it might be.

Chairman Holman said when Council passed the commercial lighting ordinance in 2011, there was discussion about whether to include residential. Ms. Connors said she thought Council did not include it because the discussion was broad and not the area of concern at the time.

Councilmember Castleberry said OG&E has a full cut off lighting fixture available, but much of the lighting in this area runs in the alleyway which would be in the rear of the property. He said the reason residential lighting restrictions were not included was that it is too hard to comply.

Mayor Miller said there are houses in the area that have up lighting and asked if up lighting is a problem because the houses are so close together. Chairman Holman said the purpose of this is that some of the new duplexes have parking in the back. He said Council is encouraging parking in the back, and by doing so, illuminating backyard parking lots, which reflect light. There are single family residences in the area and in some instances; there is intense lighting from the multi-family structures.

Councilmember Castleberry said if the lighting is not installed in the back parking areas, there is a safety issue involved with the unlit parking.

Councilmember Allison said that if commercial lighting issues are already causing a problem, the residential lighting issues will cause problems too, if built the same way. Councilmember Castleberry said may an exemption should be added to the landscape lighting as well.

Councilmember Hickman said this applies to new construction and most residential properties in the area have existing homes. He said the discussion is about the few parcels in this area that could be purchased, torn down and developed. He said the area where the vacant land is currently located is north of the university and the lots are smaller where the properties or homes are closer together. He said parking lots can be installed at the back of the property with lighting, but it only applies to new construction. Councilmember Castleberry said that is only allowed if it is full cut off, which is a very expensive option. Ms. Connors said you can purchase cut off lighting, but OG&E does not sell it.

Chairman Holman said the definition for full cut off light fixtures are fixtures that do not allow light to illuminate upward which helps with light pollution, forcing the light down directly on the particular area you want visible. He said OG&E does not carry those types of fixtures for their light poles.

Councilmember Castleberry and Chairman Holman requested staff look at exempting landscape lighting.

Item 2, continued:

Mr. Shawn O’Leary, Director of Public Works, said the Oklahoma Corporation Commission recently adopted a full cut off LED light fixture and all of the power companies have that available. He said it does cost more, but if this type is requested, the utility company must provide it.

Councilmember Castleberry asked why not finish Center City first. He said there are conflicting projects with the Overlay District, Center City, and Comprehensive Plan. He said the Overlay District does not encourage density, but Center City does. Ms. Connors said Staff is trying to work on all of these items and move them forward through committees and Council.

Councilmember Hickman said the Center City is broader, more encompassing, and has a larger vision of zoning and is not just residential.

Mayor Miller said in regard to the procedural part of the process, Center City includes a large plan and vision, and when implemented, CCFBC will take care of the issue with most of these parcels. She felt Council will be doing something with R-3 zoning, but needs to think about the order.

Councilmember Allison asked why include more zoning than R-3, why such a big area, and if the intent is to do more than R-3 zoning. Ms. Connors said there are other zoning categories besides R-3 that allow duplexes; R-1, R-1A, R-2, and RM-2.

Chairman Holman said the City still has some issues on Miller Avenue not covered by Center City. He said there has not been much redevelopment in Old Silk Stocking, but as downtown continues to revitalize, there will be pressure on Old Silk Stocking.

Councilmember Hickman said he would be agreeable to modifying the language regarding the zoning categories under the intent of taking out R-1; making it more clear that R-1 is not covered and would not be opposed to expanding the area to include the rest of his ward. Ms. Connors reminded everyone of a couple of submittals of building permits for houses with many bedrooms and bathrooms (eight bedrooms and eight bathrooms) in R-1, and said that is what Staff is concerned about. Chairman Holman said there is not much difference between the R-1 and R-2; larger single family homes versus duplexes (multi-family structure).

Mayor Miller said the Overlay District states there shall be one parking space per bedroom, provided on-site, for each unit with four or more bedrooms. She said there were discussions about that being a maximum. Ms. Connors said in the CCFBC there is less parking as well as maximums, but there would be a minimum in the Overlay District. She said the intent is to require, by amending the code, installation of landscaping and fencing with six or more parking spaces. She said if Council increases the landscaping and fencing, there would be more square footage in the parcel forcing a smaller number of bedrooms. She said if Council makes the parking a maximum, then parking is pushed to the street.

Councilmember Hickman feels pushing parking to the street is a safety issue and there needs to be parking on the property. He said many in this area are concerned with the large amount of on-street parking allowed due to approving the larger units built.

Item 2, continued:

Councilmember Allison said required parking is not what the City has advocated for years. He said during his time on Council and before, it has always been to cut back on parking or cut back impervious surface in preparation for the Stormwater Utility. He said the City advocates for a Stormwater Utility, but then requires people to put in more impervious surface by adding more parking/bedroom requirements. He said adding more impervious surface contradicts what Council has been trying to do. He said he supports on-street parking permits.

Chairman Holman said Center City specifies parking can be on-site or off-site. He said Council is encouraging more walkability in this same area; therefore, people who drive can live anywhere in the City, but those who do not want to drive only have a few options, i.e., the Center City area.

Councilmember Hickman said if Council wants to prohibit on-street parking or impose a parking minimum on these lots then that could be a discussion for Council.

Councilmember Castleberry said the Overlay District is too premature with too many unresolved issues and he would rather get Center City passed first.

Councilmember Castleberry left the meeting at 5:30 p.m.

Councilmember Hickman passed out a handout regarding the Central Norman Zoning Overlay District that includes language to encourage aging-in-place development; the relationship to the underlying zoning area; lighting, intensity of use; and a tree management plan.

Councilmember Allison said the tree plan needs some work and asked what would happen if a tree dies. Chairman Holman said it would not apply to Center City because the Center City encourages building closer to the street. Councilmember Hickman said yes, within Center City, this would not apply nor would they be subject to the Tree Fee. Mayor Miller said she does not like a Tree Fee. She said she understands the City promoting a tree canopy and recommending certain tree species with good survival rates within the City boundaries, but expressed concern with a fee. Councilmember Hickman said he is

open to protecting the trees and feels this is consistent with the Center City theory. Chairman Holman said trees should be encouraged and the preservation of the trees should be encouraged; but, he does not agree with the tree fee.

Councilmember Karjala said she would like to keep moving and asked what the timeline was for the moratorium. Chairman Holman said the moratorium ends July 10, 2017, and Staff is working on Center City now, the biggest area of concern, and Council needs to get it finished.

Councilmember Hickman asked if the Committee was going to move forward on the R-3 Overlay. Mayor Miller said yes, Council needs to have it ready to go, but the Committee has not agreed on everything.

Item 2, continued:

Councilmember Hickman asked whether these changes would require official notification and a public hearing. Ms. Connors said yes, it is an amendment to the Zoning Ordinance; therefore, it goes to the Planning Commission and the City Council.

Mr. Jim Adair asked if it required a notice to all property owners. Ms. Connors said yes, it would, because it is a defined area.

Councilmember Clark thanked Councilmember Hickman for the additional information he presented and said she wants to move forward. Councilmember Hickman said Council cannot wait to see if Center City passes; it is not practical.

Ms. Connors listed the timeline for Center City Form Based Code as follows:

- March 23, 2017 -Pre-Development Meeting
- March 28, 2017 - Financing Piece of Center City
- April 6, 2017 - Planning Commission Public Hearing
- May 9, 2017 - Possible 1<sup>st</sup> Reading at City Council Meeting
- May 23, 2017 - Possible 2<sup>nd</sup> Reading at City Council Meeting

Chairman Holman said Council needs to get Center City done and it could be done before the moratorium expires. He said Council has worked on the R-3 areas for three years and if it passes, it would take some pressure off of Center City. He felt some would be happy if the R-3 restrictions passed and not Center City, but after three years of working on Center City, he would be very opposed to that. Mayor Miller said Council is close, but not ready. The Committee does not have a consensus on parking, trees, or removing R-1.

Ms. Connors said Staff has comments regarding accent or landscape lighting and needs to add language to allow more lighting. She said the tree canopy was not added because there was not much discussion on what the goal was regarding the trees. She had hoped there would be more discussion on that today as Councilmember Hickman indicated there are cities with books full of tree ordinances, but asked whether the Committee is trying to save trees or plant more trees. Councilmember Hickman said this area of town has older, bigger trees and development should be designed around the trees. He felt implementing a tree fee would encourage that preservation.

Councilmember Allison said he is not an advocate of the tree fee as currently written. Councilmember Hickman said he was simply trying to provide staff with the intent of what would be accomplished with a tree fee.

Mr. Jim Adair, Center City Committee Member, said he would like to quit wasting time on R-3 amendments and dedicate time needed to pass the CCFBC.

Mr. Keith McCabe, a builder in this area, said it makes sense to go with Center City versus trying to get R-3 to pass quickly.

Item 2, continued:

Ms. Ellen Frank said she lives in Old Silk Stocking and the R-3 amendments will protect her neighborhood.

Councilmember Hickman said the zoning overlay is important and needs to move forward.

Mayor Miller said it is important to have R-3 Zoning Overlay, but it needs more work.

Chairman Holman suggested changing the area to include only the Old Silk Stocking and Miller areas.

Mayor Miller said if Council does not want sprawl but an increase in density. She said this is part of Center City and the discussion of the Comprehensive Plan. She said Council needs to realize things are going to look different in the next twenty years. She asked how much Council can protect and still create a place people want to live.

Chairman Holman asked if the Committee changes the area to include only Old Silk Stocking and Miller area, and focuses on those two areas only, would it provide the protection they are seeking.

Councilmember Hickman said he is concerned about R-1 zoning, but agreed to take it out. He said it would leave the map area the same and downsize the number of notifications to citizens. Mayor Miller said if you don't have R-1, you still have the large eight bedrooms and eight bathrooms used as a mini dormitory for students.

Chairman Holman said he would agree to remove R-1 since the major pressure is on the Miller and Old Silk Stocking areas. He said protecting those neighborhoods is a priority as well as getting Center City passed.

Mayor Miller, Chairman Holman, and Councilmember Allison agreed to limit the amount of parking on-site.

Mr. Russ Kaplan said by going from 65% to 55% impervious surface on a 7,000 square foot lot, you lose 700 square feet which is equivalent to four parking spaces. He said Council will be limiting parking simply by reducing the impervious surface.

Councilmember Allison said it is not Council's place to determine if someone can build a four bedroom house. He said it is not practical and opens up discrimination claims.

Mr. Mike Pierce, developer in Blue Creek, said the tree language needs work as insurance companies want him to remove the trees that are hanging over the homes. Councilmember Hickman said the older trees in this area provide a canopy that cannot be replaced by a smaller tree.

Chairman Holman said that many individuals choose historic neighborhoods over new developments for the tree canopy versus barren land. He said the trees are very valuable and irreplaceable and wants to encourage the preservation but understands there are extenuating circumstances. He said he would like to focus on the areas of most concern, Miller and Old Silk Stocking, because the eastern



Item 2, continued:

parts of the campus area north of Boyd Street have been downzoned already. The Miller Historic District, including Southridge Addition, has been downzoned and most of the areas where development might likely happen are Old Silk Stocking and the remaining parts of Miller. He said he would approve going forward with focus on those areas, but the issue of 8,000+ notification letters at the same time of 2,000+ notifications to citizens regarding Center City is concerning.

Councilmember Hickman said he would like to move forward with the Overlay District and send the notices to the non-R-1 residential zoning properties. He said the Committee can have another meeting regarding this discussion, but he is not opposed to sending out both notification letters to the citizens. Mayor Miller, Chairman Holman, and Councilmember Allison said they do not support moving forward until there are more discussions regarding the conflicting issues. Ms. Connors said the notification letters must be sent out to all properties within the boundary of the Overlay District and all properties within 350 feet of the Overlay District boundary, staying compliant with the zone change requirement in the Zoning Ordinance.

Chairman Holman said if Center City is adopted and the Old Silk Stocking and Miller areas are protected, it will take a lot of pressure off of Council to allow them to continue to look at North Flood, South Chautauqua, or South Flood. He said those two neighborhoods are the biggest concern.

Mr. Jeff Bryant said the timeline for R-3 Zoning Overlay allows for the possibility to have this complete before the moratorium ends on July 10<sup>th</sup> depending on how the discussion progresses. He said if a conclusion date can be established in April to allow the issue to go before Planning Commission in May, it can be presented to Council the first and second week in June and be voted on. He said it will be close; however, Council may extend the moratorium by two weeks if so desired.

Chairman Holman said the Committee will continue this discussion, focusing on the remaining area in Miller and Old Silk Stocking, at their next meeting scheduled on Wednesday, March 8, 2017, at 4:30 p.m.

Items submitted for the record

1. Memorandum dated February 17, 2017, from Susan Connors, AICP, Director of Planning and Community Development, to Community Planning and Transportation Committee Members
2. Central Norman Zoning Overlay District Handout from Councilmember Hickman to Community Planning and Transportation Committee Members

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Item 3, being:

MISCELLANEOUS PUBLIC COMMENTS.

None

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The meeting adjourned at 6:54 p.m.

ATTEST:

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City Clerk

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Mayor