

CITY COUNCIL STUDY SESSION MINUTES

March 7, 2017

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Study Session at 5:05 p.m. in the Municipal Building Conference Room on the 7th day of March, 2017, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

ABSENT: Councilmembers Allison, Castleberry, and Chappel

Item 1, being:

PRESENTATION AND DISCUSSION REGARDING THE CENTER CITY VISIONING PROCESS AND THE CENTER CITY FORM-BASED CODE.

Mayor Miller introduced Dr. Cindy Rosenthal, Mr. Richard McKown and Mr. Daniel Pullin City Center Visioning Steering Committee (Steering Committee) members who will be speaking to Council about the Center City Visioning Process and Center City Form-Based Code (CCFCB). She said the Center City Visioning (CCV) Process began in 2012 and involved citizens, business stakeholders, architects, traffic engineers, etc. She said it is important to understand the CCV process and the types of input garnered from the public as well as how the CCFCB product was developed.

Dr. Rosenthal said in early 2012, there were a number of proposals for large scale, high density, student oriented residential projects in the Campus Corner area that were met with intense neighborhood opposition. In May 2012, the Community Planning and Transportation Committee (CPTC) directed Staff to convene a series of community discussions on the future of high density residential development in Norman. A Steering Committee was formed and several meetings were held with a total of 149 participants. After the meetings and at the direction of CPTC, Staff began to create a High Density Residential Zoning District (HDRZD).

In June 2013, the developers of a very controversial six story Campus Corner housing project sought to gain approval for the project prior to the City adopting a new ordinance for a HDRZD. She said the Norman Economic Development Coalition (NEDC) owned land in the area the developer was interested in purchasing, but announced it would withdraw from the sale of its property in order for NEDC, the University of Oklahoma (OU), and the City of Norman to work together towards a vision for the area rather than responding to projects on a case-by-case basis. The three entities jointly funded a study of the core area that connects Campus Corner and Downtown Norman. Through that study, the City created a CCFCB boundary that included 42 blocks generally bounded by Tonhawa Street on the north, the railroad tracks on the east, Boyd Street on the south, and a west boundary between Elm Avenue, University Boulevard, Flood Avenue, and Main Street.

Dr. Rosenthal highlighted the goals of the CCV Process as follows:

- ❖ Develop a vision and plan that will guide and propose regulations for future development and redevelopment of the Center City core;
- ❖ Reset the debate away from ad hoc projects to a broader vision that honored the work done previously by the community;
- ❖ Make the area more walkable, less car centric, and more vibrant in terms of uses; and

- ❖ Introduce appropriate density and housing choices to support commercial areas while preserving strong neighborhoods.

Dr. Rosenthal said key elements of the process included an active and diverse Steering Committee that included representatives from property owners; residents; the development community; Councilmembers; OU; NEDC, nationally recognized experts in new urban design, etc. The Committee met thirteen (13) times over more than a two (2) year span and really sought to listen, debate, and compromise.

Dr. Rosenthal said when asked what one word came to mind for Center City, the answer was always that people wanted walkable, vibrant, planned, and connected neighborhoods. She said a Visioning Charrette was held between May 12 and May 16, 2014, that included a series of public events, stakeholder meetings, and design studios aimed at envisioning the future. Hundreds of community members, property owners, developers, church leaders, and others participated in the Charrette. She said the Visioning Charrette process tried to identify what people wanted to see happen in their neighborhood. The Charrette included broad-based enthusiastic participation with a lot of give and take that led to key compromises and a commitment to protect current stable neighborhoods while identifying areas appropriate for the “missing middle.” The missing middle is a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living. The missing middle should consist of smaller well-designed units with off-street parking that does not dominate the site plan. The missing middle should also include lower perceived densities, small footprint buildings, and simple construction that create community and marketability (other than student markets).

Some of the key element recommendations from the Charrette included a mandatory overlay district for the CCFBC to be re-evaluated by City Council after a five year trial; waiving or reducing permit and impact fees; fast tracking projects; creating a Tax Increment District (TIF) to encourage development; creation of an optional Center City Planned Unit Development (CCPUD) process whereby property owners seeking flexibility in meeting the spirit and intent of the CCFBC could request Council approval; neighborhood representation in the design review process (preferably a formal appointment process through Council); and posting of properties for neighborhood notification purposes.

Dr. Rosenthal said her personal recommendation would be for the City to move forward with the CCFBC while working separately to create a TIF, which is a lengthy, legal process.

Mr. Pullin said the Charrette process was conducted well and he was proud of the breadth of participation. He said while there were differences in opinions that required a vote on some issues, there was always the shared vision that kept the process going. He was proud of the community for having the patience to work on this issue for over two years and emerging with recommendations. Mayor Miller said the participants were passionate about finding a solution that made everyone happy.

Mr. McKown said he is very pleased with the plan. The vast majority of construction in the central United States (U.S.), primarily between the Mississippi River and the Rocky Mountains, is suburban construction similar to Levittown, New York. He said the central U.S. has inherited this group of rules that talk about twenty-foot setbacks, required footage between houses, fire codes, etc., but has yielded very pedestrian hostile conditions. When you look at places around the world where people spend a lot of money to visit, they are usually very walkable locations. One of the best examples of walkability in Oklahoma is a stretch of Norman, Oklahoma, on Asp Avenue between White and Boyd Streets and it is beautiful. The only thing he would change about that little stretch of Norman would be wider sidewalks. He said Author Jane Jacobs, in her book Life and Death of Great American Cities, talks about parks making great neighborhoods as well as mixed uses consisting of retail, offices, residences, etc. She contrasts in great detail that mixture of uses and

the demographic of people that are drawn to those areas. He said cities began separating uses to move residential from industrial, bars, parking lots, retail, etc., which has led to the current environment.

Mr. McKown said the CCV worked to create a new set of rules to mold neighborhoods into what communities want. This is not just an aesthetic issue but an economic issue as well as retention of the fabrication of intellectual graduates being exported at an alarming rate out of Oklahoma. He said Dallas, Texas, has become a vibrant city because of Form Based Code (FBC) regulations. He feels the CCFBC is ready to be adopted and implemented with a possible TIF being discussed immediately upon adoption since that will be an important component of the CCFBC.

Mayor Miller said there has been a lot of discussion on Center City recently because there are several new Councilmembers who have not been involved in the process and needed to understand how many people were involved and how much work was put into the process. This is not something Council should start picking apart because it was a hard fought process to get to this point and involved a large part of the community.

Councilmember Hickman said he has been asked why the Campus Corner area was excluded from the CCFBC boundary. He said language in the document states Campus Corner could be re-evaluated in the future when an adequately sized public parking structure is completed or an appropriate funding mechanism is approved. If a private developer built and funded the parking structure would that trigger the inclusion of Campus Corner in the CCFBC?

Dr. Rosenthal said there is a realization that parking is the major impediment to commercial development on Campus Corner and that was the primary issue that precipitated discussion of a TIF. There may be other uses for a TIF such as infrastructure, streetscapes, etc., but parking was the primary driver of the recommendation. Until the parking piece is solved she does not think Campus Corner will see development and there was also concern that C-3, Intensive Commercial District, allows unlimited height with no parking requirements. Another concern was the idea of taking away a property right that goes with C-3 so taking Campus Corner out of the boundary was a trade-off. She said a TIF could allow for a parking solution, which would make it appropriate to impose height limitations in C-3. As far as a private parking structure, Council has the prerogative to evaluate a private parking facility, but a private parking facility may not have the ability to serve everyone on Campus Corner.

Councilmember Holman said his recollection is that developers felt if the City was going to take away their rights to build to the height they wanted in C-3, they wanted something in return in the form of a parking solution. He said the height limit allowed on Campus Corner is three stories on the west side of University Boulevard, four stories on the east side of University Boulevard, and five stories in the core portion of Campus Corner with no provision for parking.

Dr. Rosenthal said the parking solution is a major issue and a TIF mechanism would give the City the leverage to get what it wants.

Mr. McKown said the CCFBC is the rezoning of over 1,000 parcels of land, which is not how rezoning normally happens so the Steering Committee was trying to avoid a lot of protests from property owners on downzoning their property. As far as a private parking structure, it would depend on how it is structured and he could see a trade-off for a public/private parking structure.

Mayor Miller said the original idea was to build one large parking structure on the First Presbyterian Church parking lot. Later there was discussion regarding two or three parking facilities, but the City cannot stop someone from building a private parking facility and that can certainly occur. She said one private parking facility would not be sufficient for the number of parcels in the CCFBC area.

Item 3, continued:

Mr. Pullin said there was a lack of clarity as to where a parking facility would be located and the type of facility needed. He does not recall much conversation about the source of financing and whether it would be privately funded, publicly funded, or be a partnership, but there was discussion that parking needed to be public in nature so it could serve the public regardless of who financed the facility.

Councilmember Heiple said the CCFBC is an incredible body of work and one of the best pieces of legislation Norman has ever done. Council needs to move it forward and yes, there will be people who oppose this, but it is imperative that Council stay strong and get this done.

Councilmember Hickman said there has been a lot of discussion regarding mini-dorm structures in R-3, Multi-Family Dwelling District, and asked if the CCFBC will no longer allow these types of structures and Dr. Rosenthal said that is correct. She said Dallas, Texas, is a perfect example of what a CCFBC could do for Norman.

Mayor Miller asked if the Steering Committee discussed infrastructure because that is a real concern in R-3 areas, particularly alleys since new developments revert parking behind structures in the alleyways. Dr. Rosenthal said the City has existing mechanisms, such as recoupment districts, for infrastructure that could be applied to alleyways; however, in regards to water and sewer, the Steering Committee is recommending waiving/reducing permit fees. She said at some point the City is going to have to require some improvements, but needs to have in place a way to avoid those who want a free ride taking advantage of City investment and recoupment.

Councilmember Holman said the Steering Committee recognized that infrastructure in core Norman needs to be updated or replaced regardless of new development taking place or expected to take place. Mayor Miller said the CCFBC would give Council the impetus to craft a TIF or recoupment district for infrastructure purposes.

Dr. Rosenthal said some areas in core Norman have been downzoned from R-3 to R-1, Single-Family Dwelling District, at the petition of property owners. She said some of these owners were concerned the CCFBC would take away some of the R-1 protection; however, she told them that would not be the case. She said as part of the CCFBC, accessory buildings of up to 650 square feet are allowed and an accessory building can be a garage or garage apartment, which was a concern for some residents opposed to the downzoning.

Councilmember Clark left the meeting at 5:45 p.m.

Mr. Steve Ellis, 622 Reed Drive, asked if Council would be receptive to posting notification on the City's website as well as the property when a permit application is submitted.

Ms. Debbie Clark, owner of Sandalwood and Sage, said the missing piece of the CCFBC is transit options in order to make the area more walkable. She suggested bus routes for Friday and Saturday night traffic so people are not drinking and driving. She said the CCFBC area is 59 square miles and Norman has a population of approximately 120,000 people spread over 189 square miles so that is approximately 645 people per square mile. Norman is clearly not walkable yet. Norman has to increase its density to be more walkable, but she does not hear the conversation about transit that would allow walkability. She said people in East Norman do not have the same walkability as Main Street because Main Street is denser and is an arterial road that gets a lot of traffic. There needs to be a way to get people to core Norman and that cannot happen without transit.

Dr. Rosenthal said there is currently conversation taking place in the metro area regarding transit that is focused on commuter rail and that obviously comes with connector enhanced bus traffic. Those conversations are going on and Norman is very much a part of that conversation. She said a key element of transit in Norman is a road diet on Main and Gray Streets, which is very important in terms of future redevelopment and activity although it is not tied directly to the CCFBC. The CCFBC is ready to move ahead, but there will be continued discussion regarding a road diet on Main and Gray Streets and that was also a strong recommendation of the Charrette process.

Councilmember Holman said the Main Street One-Way to Two-Way Study indicated a lot of traffic traveling east through downtown Main Street is coming from Flood Avenue turning east onto Main Street. If Gray Street were a two-way street, a lot of that traffic could use Gray Street to travel east. Also, if there is more density and more people living in the downtown area, which the CCFBC will encourage, there will be less reliance on vehicles culminating in less traffic congestion in downtown Norman. Right now people use Main Street to get to the eastside of Norman and do not stop downtown, but hopefully if downtown can develop apartments over retail or offices there will be more support for businesses.

Items submitted for the record

1. PowerPoint presentation entitled, "Center City Visioning Process," by Cindy Rosenthal, Richard McKown, and Daniel Pullin
2. Center City Form-Based Code dated September, 2016

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The meeting adjourned at 6:17 p.m.

City Clerk

Mayor