

NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES

OCTOBER 13, 2016

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13<sup>th</sup> day of October, 2016. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <http://www.normanok.gov/content/boards-commissions> at least twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

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Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Sandy Bahan  
Roberta Pailes  
Erin Williford  
Chris Lewis  
Andy Sherrer  
Lark Zink  
Tom Knotts  
Neil Robinson

MEMBERS ABSENT

Dave Boeck

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &  
Community Development  
Jane Hudson, Principal Planner  
Janay Greenlee, Planner II  
Roné Tromble, Recording Secretary  
Larry Knapp, GIS Analyst II  
Leah Messner, Asst. City Attorney  
David Riesland, Traffic Engineer  
Drew Norlin, Asst. Development Coordinator  
Terry Floyd, Development Coordinator

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Item No. 5, being:

**O-1617-10 – JUDITH HADLEY REQUESTS REZONING FROM R-3, MULTI-FAMILY DWELLING DISTRICT, TO R-1, SINGLE FAMILY DWELLING DISTRICT, FOR PROPERTY APPROXIMATELY BOUNDED BY: EAST SYMMES ON THE NORTH, FERRILL STREET ON THE SOUTH, THE RAILROAD TRACKS ON THE WEST, AND CLASSEN BOULEVARD ON THE EAST (MILLER NEIGHBORHOOD).**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Support Map – 64.1%
4. Pre-Development Summary

**PRESENTATION BY STAFF:**

1. Janay Greenlee reviewed the staff report, a copy of which is filed with the minutes.
2. Mr. Lewis – Clarify what maybe my misunderstanding was. In R-1 the house can be razed and a new house can be built as long as it's a single family dwelling?  
Ms. Greenlee – That is correct.
3. Mr. Knotts – What is the process of adding to a historic district?  
Ms. Greenlee – You have to go through Historic District Commission approval. So you have to go through – just much like going through a ...  
Mr. Knotts – You can't just annex to a historic district?  
Ms. Greenlee – Oh, getting to be brought into an HD? It's much the same process that just went through with the Southridge. So what you would do is request the extension. You have to get that percentage of property owners. Initially that HD district included that area, but they didn't think that they had enough support in that area from Miller Lane over to Jones to be included and get the HD to go through at that time in 1997-98.

**PRESENTATION BY THE APPLICANT:**

1. Judi Hadley, 503 Miller Avenue – Thank you. I'm a real estate broker that specialized in historic properties – the sale of residential – always residential -- I don't do commercial – homes, primarily in the campus and the core areas. My husband, John, and I have lived in our home at 503 Miller since 1980. We've raised our four children there. During those 37 years, we've been instrumental in founding June Benson Park, the Miller Historic District, and Legacy Trail. I served over 20 years as the president of the Miller Neighborhood Association and historic district for over five years. During those years our family has purchased, renovated, restored and leased several separate small two-bedroom bungalows in the neighborhood. Our motivation in preserving these homes was to save them from deterioration and possibly demolition by developers whose motivation was to maximize their return on their investment by crowding as many people into the dwelling as possible.

To us, value does not equate with return on investment. We value the area, the style, the character of the neighborhood. We value the location, and we value our neighbors and our friends. This petition to rezone this area to R-1 has been the goal since Miller Neighborhood Association was first formed in 1979. We've worked on this petition since July of this year and have just learned that our worst fear is coming true. A developer has a plan with permits from the City to demolish a 1923 craftsman bungalow at 106 Castro and replace it with a brick, two-story so-called duplex containing ten bedrooms, ten bathrooms, and eleven parking spaces. This 2,800 square foot out-of-scale, out-of-character building on this quiet residential street will dwarf the historic 1925 700 square foot shotgun bungalow next door, which is owner-occupied, by the way, and the owner has supported our petition, and the 1,000 square foot 1923 bungalow on the other side. In addition to this, they're going to concrete over green space to park eleven cars, which will add a lot more traffic to the neighborhood and along Legacy Trail. Unfortunately, it may be too late to save 106 Castro from the bulldozer.

But if you support the petition to downzone this area, we would have a much better chance of avoiding the bulldozers in the future. It's our strong desire – 64% of the owners – to rezone this portion of the Miller neighborhood to R-1 to match the zoning of the other historic district, the Chautauqua District, which I was also instrumental in forming. The neighborhood directly across Classen to the east is R-1. We have this little sliver of R-3 stuck in there. Perhaps it won't be so easy for developers to change for the worse the look and the character of the Miller neighborhood and the quality of our lives and the lives of our children if we can get this through.

At this time, I'd like to introduce Emily Wilkins who is the current president of the neighborhood association, and she has a brief slide show. I hope that everybody is comfortable getting up to speak again, but we'll try to make it quick, because a lot of what we have to say has already been said.

2. Emily Wilkins – Thanks, Judi. As you've heard, we're trying to rezone this area from multi-family to single family. We currently have 64% support by area, and 66% support by property owners, meaning if someone owns multiple properties, they were just counted once in that particular calculation that we did on our own. As Janay mentioned, the petition area is a little different than the historic district overlay, and I'd just like to comment on her saying that the historic district is the ultimate protection, because, while people do have to go through the Historic District Commission to get approval for the types of building materials that they use and the style and things like that, still it does not protect against removing a single family home and replacing it with a multi-family dwelling. Furthermore, you'll see that it includes the area from Miller Lane to the railroad tracks in the subject tract for the petition, but not in the historic district. As was mentioned, it was because there was maybe not enough support in that strip to the west to bring it into the historic district, but that will really affect the historic district's values if that is not given some type of protection – if it can't be given historic district protection, then it should be given R-1 protection so that those historic homes along Miller Avenue that have the historic district protection don't back up to just a row of apartment buildings.

Mr. Sherrer – I'm just curious. Sorry to interrupt. I noticed a significant number of the protests were from that area. You would not consider cutting that from the actual application. You maintain that you want to have the entire area?

Ms. Wilkins – Correct. And as I was planning to mention later, which I'll say now, actually only two of the protests even live in the neighborhood and one of those people signed in support of his personal property and in opposition for his rental property. So you can take that to mean what you want.

It's important to note that downzoning has been a goal of the neighborhood association since it was established in 1979, kind of along the same lines as those studies around the '80s. This is something we've been trying to do for a long time. The Miller Historic District was established in 1997 in order to preserve the structures and character of the neighborhood. But, again, that overlay does not protect from a single family house being replaced by a multi-family dwelling.

A lot of people have commented about the history of the R-3 zoning, and what I've heard and come to understand is that it was returning service members after World War II when there was a housing shortage because of the Navy base in town. Actually, all of our homes have showers in the basement to kind of prove that – the fun little quirk of our homes. Despite the R-3 zoning, our neighborhood remains dominated by single family homes at 79%, so that shows that the organic evolution of our neighborhood over 62 years has been – really should have been R-1.

This is what Judi was talking about at 106 Castro – that cute little green bungalow is being planned to be bulldozed for this 2,800 square foot duplex. It has ten bedrooms, ten bathrooms and eleven parking spaces. In fact, the parking is in the back. I'm sorry I don't have pictures of those building plans, but there's not an alley back there for them to drive into the parking spaces; there's an easement. That will cause problems for the City as well, not only the

increase in the density and the parking and the concrete, et cetera, that has been mentioned, but driving along an easement over and over will cause problems. As Judi mentioned, the structure will be four times the size of its neighboring structure – that cute little shotgun at 102 Castro. As we've seen on Jenkins, DeBarr and Monnett, once one of these becomes built in the neighborhood, a lot of homes turn into them and we definitely don't want that to happen adjacent to the historic district or in our neighborhood where we live.

The fact that I have to come fight for my neighborhood really kind of makes me angry, because how many of you have had to do that for where you live? I walk my kids right by this house over to Legacy Trail in the stroller and I don't want to have to go by this every day. My husband and I bought in this neighborhood because of the charm and it's just being destroyed bit by bit.

This is not just a personal plea from me – there are a lot of benefits to changing the zoning, and I won't read those because they've already been mentioned, but you can read them there. Again, we have 79% single family homes, both owner-occupied and rentals. Here are some more lovely single family homes. This is my house on the bottom right, that white Colonial Revival. My husband, a firefighter in Norman, and I bought this house two and a half years ago as our forever home and it's where we plan to raise our two kids and we look forward to walking them over to Lincoln Elementary and to Campus Corner for game days. I knew the area was zoned R-3 when we bought it, and I was really concerned about that because I back up to Miller Lane that has no protection, and I also live across the street from two triplexes and a duplex. But I love historic homes and I was hoping the zoning would change and so we went ahead and bought this home. In fact, we're only the sixth owners in almost 100 years, and so I think it is just a real great testament to the type of neighborhood it is and what a great place it is to build a family and put down some roots.

These are some triplexes in the area. That on the right is what is across the street from me. While it could use some work, I definitely prefer that to what might be built in its place. And, as has been mentioned, it also provides a lot of diversity as far as the types of people that live in the neighborhood and the types of people I get to interact with and build relationships with. These are some duplexes in the subject tract. These are two of many garage apartments. These are some cute little back cottages or secondary homes that are on larger lots behind the main houses. Some people call this an alley but it's actually a street in its own right; it has signage and these houses are situated facing the street.

While we have lots of historic structures worth saving, perhaps of even greater value is the sense of community that the area brings for residents and non-residents alike in Norman. It's a place the whole City can come together. Just this last August we hosted Porch Fest, the first annual new music festival for Norman. Eleven porches were offered for this music fest and I just included some of the quotes from the Norman Transcript's coverage of the event about the neighborhood, and I'd just like to read them quickly. "The area added to the charm" and "while the music was his favorite part, walking around the neighborhood was a close second." That was from an 8-year old boy, which I just thought was great that he would even notice the homes. That's what kind of impact they have. Walking through and seeing the older homes was another highlight.

This park on the left, June Benson, is another reason that we love the neighborhood. My 3-year old can safely ride her bike along the sidewalk to get there, and that's something she wouldn't be able to do if it were built up like DeBarr or Jenkins or Monnett, where cars are often blocking the sidewalk, as Jonathan showed with his pictures earlier.

This is a really important point. As you can see, even though our subject tract has a lot of similarities to the Chautauqua area, the property values are strikingly different; ours at \$94 per square foot versus \$177 per square foot in the Chautauqua district. And, really, even though we're similar in having historic homes around the same ages, the zoning is different and I think that that really contributes to the difference in property values.

I know there's been mention of the Center City Visioning Project, and I'd just like to point out where that is and show that we are not part of that area. You'll see the eastern boundary is the railroad tracks, and so that is west of the subject tract that we're talking about. In fact,

along that eastern boundary, the plan is for that to include multi-story housing and retail facilities, so there's already a place in core Norman to build those new multi-family structures. So I would just ask that you don't destroy our neighborhood too, when there's already an area to do that. Lastly, I'd just like to remind you and leave you with the fact that our neighborhood is really passionate about this and we would really appreciate your support in passing our petition. And just for one last quick statement, Rick Hall.

3. Richard Hall, 648 S. Lahoma – Thank you. Thank you for putting up with the passion today. We appreciate it a lot. I live at 648 South Lahoma Avenue in a small single family home in the Chautauqua Historic District. I also own the home in which my daughter lives located at 523 Crawford, located in the Miller Historic District. I'm here to speak and wrap up for the Miller petition.

I obviously like older homes and I especially like historic districts in core neighborhoods for the protection that designation provides for those people both residing and investing in those neighborhoods. With the recent destruction of several historic homes in core neighborhoods without the protection of historic district overlay, homeowners throughout the core of Norman are necessarily – and you've heard it often, now – and rightly alarmed at the influx of a new breed of developer wrecking havoc on old neighborhoods. This seems to be happening without regard for the historic uniqueness that makes these neighborhoods so attractive and livable in the first place and without regard for the added pressure put on these same neighborhoods when the historic structures are replaced with multi-family boxes or private dormitories designed to warehouse residents and maximize profits without regard for neighbors or the impact on City services, parking and transportation. I understand that these changes have been legal and approved by the City relative to code compliance and zoning ordinance, but that does not mean that they have been good decisions, especially relative to the impact on the neighborhoods in which they have occurred and on those who long before made choices to live in those neighborhoods. It is those very people, long-suffering in their choice and commitment to older homes and neighborhoods, who we believe are the true investors.

The recent action implementing downzoning of two blocks on College Street, the current request that you just passed for the North University area to implement a similar downzoning request in their neighborhood, and this Miller petition are all actions meant to protect the real investors in these neighborhoods and those are the people that live in them and have lived in them for many years. Limiting or regulating the kind of growth a neighborhood experiences is good for both kinds of investors, those who want to build houses and those who want to make homes. This regulation is good for both the existing property and property values for all investors by virtue of high demand and limited or controlled availability.

I invite you to keep in mind the conclusions drawn from the September 2015 Housing and Market Analysis prepared by RKG & Associates of Dallas, Texas for the City of Norman, when they say, "The City is currently experiencing a surge in the development of purpose built student housing with over 2,000 beds in the pipeline. New additions to the student housing supply could result in an overbuilding of this market segment in the short term." They go on to say, "The delivery of 3,600 new student beds could lead to significant vacancies in a relatively short period of time." They further suggest, "The City should monitor student housing development activity and its subsequent impact on older rental properties." I believe we're overbuilt. When we overbuild, then there are vacancies, and when there are vacancies, apartments and houses are empty and are less likely to be maintained. Without maintenance, properties fall in disrepair and neighborhoods, homeowners and landlords all suffer.

There is no housing shortage in Norman. There is no demand to build more. There is more new apartment construction than at any other time in our history, with the University just recently completing major apartment construction on South Chautauqua and adding many new University-owned options on the main campus for student living. Creating more apartment housing, especially in core neighborhoods, does not preserve affordable and diverse options, but intensifies density in areas not suited for population growth. The number of unrented, currently available single family and duplex, triplex, garage apartments around the University is

at an all-time high. The RKG report concludes with this statement: "The proliferation of single family housing conversions from traditional ownership to rental housing is having a negative impact on some neighborhoods surrounding the University. This process needs to be monitored as it can destabilize neighborhoods over time and result in declining housing conditions."

This petition is brought forth now with 66% support of the citizens who own property in the subject tract. We've all worked hard to further secure our neighborhood from unnecessary, out-of-scale and inappropriate expansion, and we sincerely hope you agree. Thanks for your consideration.

#### **AUDIENCE PARTICIPATION:**

1. Micah Mattingly, 1012 Elmwood – I'm here on behalf of Frank and Anne Khan, the owners of 106 Castro. I feel like I need to speak on their behalf, because a few individuals in the community – a very small minority of individuals in this overall community – decided the best way to keep our neighborhoods in the great shape they're in was to litter them with misinformation about the Khans and the house they own on Castro. The small minority of individuals living amongst us has created a boogie man where no boogie man has existed before, and then proceeded to spend an incredible amount of time trying to convince all of us that if we don't protect ourselves we'd be the next victim. Thankfully, I can report tonight that there is no boogie man. Unfortunately, these individuals have convinced a lot of us that one exists. While I don't have time to open all the closet doors or check underneath everyone's bed, I can tell you that I know about some of the largest misrepresentations that have been made – the ones that seem to have snowballed the most.

First, I would like to address Ms. Wilkinson's concern that the Khans' intent was to demolish the cute house on Castro. Well, that's just not true. I don't know if she knows the Khans, but I do, and, in fact, the opposite is true. Their original intent was to restore the property and lease it, but the costs were going to be overwhelming, up to and over the cost of the price of the initial investment, which was \$115,000. I'd like to personally address some other concerns about – and with the preservationists, the plan is not to demolish the house. We're in negotiations with a production company currently to purchase the house, move it, restore it and the back unit to their former glory at another location that I'm not at liberty to disclose at the moment.

Let me ask you about – if you'll take a look at the map, the southwest corner of the overlay, 205 East Ferrill Lane, that includes two homes and is zoned R-3 – I think that belongs to Ms. Judi Hadley and that was conveniently left off, for reasons I don't know why.

Please don't fall for this petition. The sales pitch in support of it makes either one of our presidential candidates look like the Mother Teresa or George Washington. Speaking of George Washington, if he had lived in the neighborhood he would never have had to tell his father that famous lie that he didn't cut down the cherry tree because Judi probably would have tried to petition against it. If reinvestment is what we want, then please reject this pitch as nothing more than an attempt by her and a very small but very loud group of individuals in the community to restrict the property rights under the guise of protection for the neighborhood. I strongly urge you to see this petition for what it truly is, for what its effects and ramifications will be, and reject it. Please refuse the right to sign away the property rights of my friends and a few other people. Thank you.

2. Linda Price, 1903 Rolling Stone Drive – Briefly, this neighborhood was also a part of the original plans that were done in the late '70s, early '80s and adopted into the Central Core Plan and then later adopted into the Comprehensive Plan and plans that were done much more recently. I would note that the historic district designation clearly does not protect the zoning. The zoning is an additional protection, as you all know. I think some of the arguments that have been made in terms of a taking or taking away property values is not correct. I don't know if there are any questions that I could answer in particular about the history, because I did do this for so long, but I think that the Miller neighborhood is just as deserving of protection as the Elm

area. They, for many, many years, have been recommended for downzoning and I think it would be appropriate at this time for us to go ahead with that. Thank you.

3. Lloyd Bumm, 610 Miller Avenue – So I just wanted to say that I'm invested in the neighborhood. We live there. People often ask, well, why did you move in a place that was R-3? I point out what where we wanted to live is in a place with historic homes that was in walking distance of downtown, walking distance to campus, and that's where they are. And it just happens that historically they ended up being R-3. But when you go to buy a home, you're not looking at the zoning map necessarily; you're looking at the neighborhood. And that was a neighborhood we really fell in love with and that's why we ended up there. If you wanted to get a home that was built in like 1919 with a basement, this is where they are. They're not in the outlying areas. They have two-car garages, but they're just not attractive to us.

Really the reason that we're doing this is because of the unchecked development that we can see on the other side of the tracks and is coming to us. We somehow need to put a stop button. I know the City does everything they can, but you just don't have the tools in order to actually check that development. The area in the map west of Miller Lane is really at risk. That's a lot of very small, fairly affordable homes that are being bought up and converted into rentals or, in fact, they're more valuable to scrape the land and put up something else. And that's all permitted. But once that happens, those homes are gone. I mean, it's what you call a fixer-upper. If you talk to the developers, they say they're coming into our neighborhood and they're saving our neighborhood because those houses are just going to fall into disrepair. But if they don't fix them, somebody is going to come in and fix them up and live in them. It's what you call fixer-upper. It doesn't mean that they're valueless. They're affordable homes. For an investor, it might not be worth doing that. But for a homeowner, you're coming into the neighborhood and you're putting an investment and that is your home. It doesn't have to make you a profit. If you're in business to make money, that might not be a wise thing to do. So it contributes to the vanishing of affordable homes in the Core Norman neighborhood.

I wanted to also point out that the historic district does not protect against increase in density. In fact, I was just at a meeting a couple days ago where a homeowner wanted to do that – put a garage apartment in. I also wanted to point out most of the people that are in opposition actually don't live in the neighborhood and I think that's something that we all realize. So, with that, I'll surrender my remaining 4 seconds.

4. Harold Heiple, 218 E. Eufaula – I own a small office building at 218 East Eufaula and I did sign a protest. I'm in the protest area, but not within the subject property. By way of honesty, Knotts, I don't remember a whole lot about 1954. That was my junior year at the University.

Let me say this, that there are five reasons why this application in its present form should not go forward to the City Council tonight. When I started this, I thought I was limited to five minutes because that's what it used to be. I arrived here and found under the guidance of this fine new chairman that it's now three minutes and I hope you'll indulge me, because I'll be through in five minutes, but in doing that ...

Mr. Sherrer – Just quit talking to the chairman and do the three minutes.

Mr. Heiple – In doing that, I will list my reasons first and I'm not going to try to go into the reasons why the justification for them, because I feel certain – well, I know that there are people here in support of this application who will stand up to dispute my assertions. And because I may not be afforded the time in order to provide the reasons why I believe my assertions are true and correct, let me just say this, that I can document and justify and defend every statement that I make up here tonight. Now, having said this, and before I get into these five reasons, let me pat myself on the back a bit. I was advocating people in R-3 zoning to have the ability to go to R-1 long before Susan Connors arrived as our Planning Director, and I suggested to Richard Massey that we need to create a situation where one block of property owners could come in and, if they would get their percentage completed and applied that such change will

be favorably viewed by the City Council. And he looked at me and he said that'd be spot zoning. Well, of course, it would be spot zoning. And, you know, people that have been in the Planning Department for years, spot zoning just, by God, was the reason to keep everything at arms distance and a no-no. Well, in Norman, Oklahoma, friends, under the conditions that we have here, spot zoning would be pretty good. But this application tonight is not spot zoning.

And so here are my five reasons. First, the application to rezone is not complete, in that it contains conflicts and ambiguities about describing the property that they seek to rezone. The second thing is that the support map shows that 64% of the owners have signed the support petition. That's right. But you know what that means? That means that off-setting 64% who favor getting rid of R-3 leaves 36% who have not signed the petition ...

5. Greg Mattoon, 225 N. Peters – We own property at 418/420 and 420-1/2 East Ferrill. I'm against the change in the proposal this evening. I think it's – nothing's going to change for the people that live there. I think it's kind of a case of not in my back yard. It's like buying a house next to the airport and then complaining about the airport. I think the developers outside of the historical district would have the right to use their property for their best interests and I urge you to not pass this.

6. Joe Sullivan, 211 Castro – I wasn't going to speak tonight because my voice is going away, but I'm glad I put in my little note. First of all, I believe I've already been introduced very kindly by Mr. Mattingly. He introduced me as part of the rabid minority. I thank you for that, because minority is actually those of us who live there and I don't think I need to tell anybody that the number of homeowners who signed that is a very overwhelming majority. We care for our neighborhood. We've seen it progress over the years to a really beautiful place to live. Just in the past few years we've started to see children in the neighborhood. I've been there for 15 years. This means the neighborhood has come back.

Mr. Mattingly was talking about needing to put over \$100,000 into that property. I think most of us have done that. Most of us here – and I can look around my neighbors here – we've done that with our own hands. We've done most of it free. It's worth doing.

I would also say, too, I teach at the University and most of the new professors coming here want to move into these types of communities, but there's nothing available. The properties are being scooped up. Investors are paying more than other people can pay for them, and I don't want to see that trend continue.

Lastly, I would just say I realize it's probably too late to do anything about this, but that beautiful little house at 106 Castro – I've been calling it, with my wife Diana, Norma for the last few months. I'm sure if you put the money into that and flipped it, somebody would buy it. I'm dreading my walk to school being ruined, which I make every day, by having to walk by one of those big box buildings. If the developer would do something nice for the neighborhood, we would be so grateful for him and I know that's past the responsibility of any of you, but I would be eternally grateful to him. Thank you very much.

7. Suzette McDowell, 604 S. Crawford Avenue – Good evening and thank you very much. Actually, I'm on the corner of Castro and Crawford. I've lived there for 35 years and I plan to live there until I can't live anywhere anymore, and I have a son that I would like to get this house when I am no longer there. And he is very charmed with that house. It's an important part of my family. And the investment I have made in that cannot be counted in dollars, although they have been very significant, too.

Now I told you I live at the corner, right. So if I proceed toward that Legacy Park, which is so important in my family life, I have to go by where that little cottage is being scooped up and a block is being put in its place. This breaks my heart. I do not want to have to suffer any more heartache over seeing that happen over and over again. Now, Joe is my neighbor. He lives across the street from me, and I agree with him that that could be restored and made to be a lovely little place for someone to live and the property owner does not have to look at that as a total loss.



Another thing I would like to address, which is kind of tricky. We're talking about too much infill in a space that was designed for another era. I live on Crawford Street. My pretty house wasn't in the presentation and I'm really annoyed. But right across the street from me was in the presentation is a very large unusual white house. It kind of looks like New Orleans. When I bought my house, the lady that owned that house lived there. Now it is a multi group – not saying family, you notice – a multi-group rental. Now, why do I care? I love those girls that live over there. They're really nice. They're OU students. But they all have really large cars and all their friends have very large cars. They park on both sides of the street. You cannot get down that street. That is not appropriate for that particular space of geography to have that many people crowded in there. I dread to see that happening – I think I'm almost out of time – I hate to see more and more people crowded into space that absolutely is not intended for it. So that's why I'm very, very passionately in favor of having R-1 development designation for our community where we live, where we have homes and neighbors and people are there now with

...

8. Chuck Anderson – I own property at 106 Symmes, which is in the subject tract, but I live at 306 Chautauqua, own 207 Chautauqua as well. I lived at 712 Miller when it became a historic district and worked hard to develop that. I think these old neighborhoods are important to preserve. The reason we have bought properties in these neighborhoods to rent them is because we want to preserve them. People we rent to appreciate these houses and I don't think that the argument that developers need to come in and it's not financially feasible to rehab these old houses is not true. When we lived at 712 Miller, I remember the house across the street from us was very dilapidated, and my wife called me one time when the cops were raiding the house and had their guns out when she was parking in our driveway and didn't know what to do. We never thought that house could ever be rehabbed and now it's just a beautiful house. I think that's from the afforded protection of the historic district. I think that going from R-3 to R-1 will continue to improve these houses and protection and more money will continue to be invested into the neighborhoods. Thank you.

9. Russ Kaplan, 4503 Chukar Court – I own two properties in this area, in the historic district, and one outside. I do oppose the downzoning and I also oppose the monster duplexes. What I'm in favor of is a better solution, a solution that allows us to continue to add garage apartments and other small accessory dwelling units that are common in the area today and have been throughout its history.

This application is different than the other application, and I would urge all the Commissioners to consider that, even the ones that have already made up their minds as they stated earlier. In the historic district, contrary to some false statements that have been made, we do have significant protection against any development of this nature. To get a demolition permit is very difficult, if not impossible, as it should be. And any new structure that will be built in the historic district has to pass a rigorous standard of complying to the existing style, size, scale, materials, and finishes of the existing homes in the historic district. So this application is much different, since the vast majority of the homes in this application are already afforded that protection. So I'd like you to look a little more closely at who is voting in favor of this.

I'm sorry, I had a handout and I forgot to. If you look at Map 1, that's the City's – except – what's the word I'm looking for? Acceptance and opposition map. And then I would like you to also look at Map 2; that's that petition map overlaid with the existing Miller Historic District map, and look at the particular way that the line was drawn – it's very meticulous in the areas that it does and doesn't include, and I'll let you draw your own conclusions about that. By my count, within the historic district you'll see better than a 70% support rate for this application. There's also another small area on the northwest corner of the application area that are all very small homes on very small lots that, even under the existing R-3 zoning are only approvable for a single family home. In those 15 lot house area you'll see a 60% support for the rezoning. What you should make note of is that the properties that are actually affected by this application way more than any other properties are the one block area – five houses long – of Castro, Keith, and

Duffy. In that area, there is less than a 37% acceptance rate of this proposal and an almost equal number in opposition.

This area is directly adjacent to the central business district and close to OU, the City's largest employer. When the City Center Visioning Project comes to fruition, the area to the west just across the tracks, will be slated for urban density, which is the highest possible density in the plan. We need this area five houses wide to act as a buffer zone between the new high density designation on the other side of the tracks and the existing historic district. R-3 zoning is the correct zoning to allow that buffer zone to exist.

That buffer should be made up of what's known as the missing middle. The definition I found on the internet is 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. AD use, or accessory dwelling units, are a key part of that; they consist of garage apartments, back yard cottages, inlaw units, carriage houses and granny flats – who could be opposed to a granny flat? They promote diversity in the neighborhood, multi-generational housing. They invite households with different ages, sizes and incomes. We want to encourage walkability, sustainability, and increased density in a smart, controlled manner.

R-3 allows this. To downzone to R-1 would be a step away from all these things that we try for and everything we've been trying to achieve with the Center City Visioning Project. If we want to stop the large duplexes from going in, there is a better way. Let's look for a zoning overlay with design review, develop a neighborhood conservation plan, work with our urban planners to come up with the right way to set our path to the future, not a knee-jerk reaction that costs us all in the end. There's 21% of the neighborhood that would be a non-conforming use – 21%. That's a lot of non ...

10. Marsha McDaris, 448 College – I would like to second anything I said earlier. What I'd like to bring up at this point is that when Judi Hadley first came to me and said that she was going to start circulating the petition to downzone from R-3 to R-1, I said, why, Judi, I thought this was a historic district. And she says, it is, but when it was created it was never downgraded to – I mean it stayed as an R-3. So it has had all of these years as an R-3 rating and I would think that most of the development that needs to be done should have been done by now. Like I said, I was just shocked that it wasn't already that way.

I own a property at 624 Classen. I would have never bought a house on that busy street and until I went inside of it and saw that it had beautiful hardwood floors that are like – the floor repairman said I've never seen them this long before. The point is that I'd like to see these houses preserved. As a renter owner, I have a garage that's detached. I could have built up to that. I could have made it bigger. But I think that the density is already there and it's not necessary. I do not see it as a landlord as a decrease to my property value; I see it very much as an increase to my property value, especially since a good part of that portion is already a historic district. Thank you.

11. Charles Mullen, 601 Miller Avenue – Thank you. I live at 601 Miller with my wife, Teresa. Have lived there for 22 years. I'm the one that – we voted, with the house, and then when the apartments came up, we just stayed neutral. We have some apartments we bought several years ago – two triplexes and duplex. I'm a little bit torn about them, because – and let me make it clear. I do not want to see these – I don't want this – I wish that these large duplexes were not allowed anywhere around campus. I don't know if that's legally right, but I wish we could value our historic neighborhoods more. I think the people that live there value them greatly, but I wonder, just as a side note, if we couldn't do something to educate the people that don't live in the area on the value that they have to the community, and I don't know how you quantify something like that. But, nevertheless, I think it's real. I think it does have even a monetary value to your community. It's a very intangible thing. Anyway, if there was any way – if this goes through, I would not want to jeopardize losing – I don't want those apartments – those large duplexes built.

On the apartments that we have next door, were built in the 50s. I have run Jane and Anaís and Janay crazy in the last two weeks trying to get an education, and I appreciate them so much. I don't think you can have better City employees. But it's my understanding that it's harder to tear something down in an historic area than anyplace else in town. And my understanding, again, it's harder to build something than anyplace else in town. If there was a way to downzone and allow those to stay as R-3 so that they could be rebuilt in the future in a more historic – a smaller footprint and a more historic type of architecture, I'd appreciate it, but there again I don't want to jeopardize the chance that these big duplexes are going to come in.

And one last thing, I wonder, I don't know Molly Boren, but I understand she has been real instrumental in trying to beautify the campus. I wonder if we could get somebody like that and the School of Architecture and maybe historic committee ...

12. Kendel Posey, 410 S. Peters Avenue – I've lived in the house or had it since 1981. It's a 1911. I don't want to see the neighborhood – our property actually backs up to Miller Lane, so anything behind us and fence wise could just end up monstrosity. It doesn't matter if they're small little lots. It takes one person to buy three of them in a row to be able to do anything they want and I definitely don't want to see that possibility happen. I'd prefer to downzone from R-3 to R-1. Thank you.

13. David John, 410 S. Peters Avenue – I also do not want to see developers come in and combine lots behind our house and built these boxes, as it were.

I also wanted to mention that, while the historic district designation does provide some protection for our neighborhood, we do not regulate land use. So if they wanted to build a duplex or a triplex, all we do is design review on those. So I would have concerns with an R-3 – that designation if someone wanted to come in, if there was a couple of empty lots available, they could build whatever that land use would support and I would have concerns about traffic in the area and so forth. That's all I had to say.

14. Lynn Soreghan, 302 Park Drive – So I live in the North University neighborhood, and I reiterate everything I said previously. I'm in support of this rezoning.

I disagree that this is a knee-jerk reaction when the City has commissioned studies that date back generations that have suggested and recommended exactly this. The same 1990 report that suggested rezoning of our neighborhood also suggested rezoning of Miller and all of the core neighborhood. The owners who live here – the people who actually live in their homes – love the neighborhood, and they'll preserve it for perpetuity. If you want to go to the historic place of any city in the world, you visit the core neighborhood. And once it's gone, it's gone.

Another report, the 2015 report, shows that apartments have been saturated – the apartment market. And we have a burgeoning tiny house movement, so don't write off tiny houses as worthless, because they're becoming all the vogue. So, anyway, I support it.

15. Terry Slade, 108 Maple Lane – This is outside the historic district. I'm a renter, so I don't get to sign the petition. I've lived in my house for almost 30 years and I can think of at least seven other renters in the area – friends of mine just within a block of me that are also, as I am, in support of the rezoning.

I think – people have spoken about the ugliness of these buildings, but, of course, there's a lot of other issues – parking and cars is one of the major concerns. I don't know if you guys have seen the plans that I think the City has approved for 106 Castro. I have a little sketch here – I wish we had a slide. This is not to scale. This is the house – this is Castro – this is the alley – this is ten parking places – so this page represents the lot. Like I said, it's not really to scale. This is Castro Street. This is the alley, which is a dirt alley. It's not paved. It doesn't even have gravel on it. They're required to have – since they have ten residents that this is designed for, to have ten parking spaces. I have seen the plans that the City has already approved for this. This is the ten parking spaces – 1, 2, 3, 4, 5, 6, 7, 8, 9, 10. Somebody told me this is called tandem parking.

Obviously, that doesn't work. No one is opposed to tear down a house, build a nice house and however many people live there, as long as it's not more people than you can fit. And these days it would be nice if we all walked and had bikes, but we drive cars. Ten people live there, there's ten cars. They're not going to park ten cars in these ten spots. This is going to be five cars parked here and five on the street. Then they build another one next door and now we've got ten cars on the street. Maybe there's room for five. That's not very nice, parking in front of everyone else's house, even if it's legal. But how far does this go? That's really my only point. I just wanted to point this out, and I don't know if you guys are involved and whoever looks at these plans and approves them, but I hope you will look up the plans for 106 Castro and verify that this is exactly what's been approved there. Thanks.

16. Jonathan Fowler, 422 Park Drive – Just want to thank City staff for the recommendation to approve and the Planning Commission for their time tonight and your patience.

The only thing I'll add is I greatly appreciate Mr. Kaplan bringing up the missing middle discussion. I am a member of good standing with the Urban Land Institute of Oklahoma. I've gone through the Congress for New Urbanism's training program that was put on at Oklahoma City just a few years ago for their certification process. And missing middle – the definition that Mr. Kaplan gave you is entirely accurate. It's a wonderful definition. Unfortunately, the context of missing middle in proximity to this historic neighborhood that's designated a historic district would not be in line with ULI and CNU guidelines. So it is an accurate definition. Putting missing middle in that close proximity to this type of housing would not be in the spirit of that type of housing. So I just wanted to correct that. And, again, thank you all for your time. I am in support.

17. Joan Koos, 409 Park Drive – I am actually a petitioner on the former hearing that you had. I just wanted to say I am a big walker. I've been a walker for years. I've walked around lots of areas around the University and I will be brief in this in saying that I have walked along Legacy Trail. It's one of the routes I go and I don't enjoy the scenery of the big houses. I am always more impressed with seeing any of the houses and, oh, they've painted that one and look at the new flowers they've put in there and all those things that will never happen if they put in the big buildings that they're thinking about doing. I'd just ask that you consider that and do the right thing. Thank you.

18. Steven Foster, 518 Miller Avenue – I wasn't going to speak, because when I get a little bit passionate I have issues in talking. I'm in support of this. I think what prompted me to run out and decide to talk was there's this area right there that strip – right? – that's not in the historic district and I can see that perhaps you're questioning why and Russ brings up the people in that area are not in support. Well, think about this. I have a historic home in that area and Emily does, too. My back yard is this gorgeous canopy and I've got those single small homes behind me. Then, all of a sudden, I've got that that we see – I teach at OU. I'm a chemist. I see the stuff on Jenkins every day. And that is going to be in my back yard. So, thank you again, Russ. It's a small stretch of five houses – right? So why would Norman want to put giant monstrosities there or allow people to do it? And that's what's happening if we don't do something about it, we end up with that. We all see it. And yes, we could go through the long overlay process, but we've already mentioned that that's onerous, takes a long time, and this may be, as said, a knee-jerk reaction, but we need something immediately. In fact, we may have waited too long for that one place. I didn't want to talk because I knew I would either cry or get angry, because that one place goes in, then what's going to happen is going to happen what we just saw happen. So please think about that. Think about us that live there, not the people that fly in from Wetherford, Dallas, other places outside of Norman, outside of this neighborhood – Brookhaven, Broken Arrow. Thanks.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

1. Andy Sherrer – I will make one comment. In my mind, this is a little bit different than the last. The historic district is now stretching into some areas that have significant protests and that they're outside of that historic district and asking for rezoning. I'm going to vote yes tonight on this and support it. But I do think, as it goes forward to the City Council, that's something that really needs to be looked at and clarified and decide as a community what we want to have happen. Because the fact that we're now stretching beyond the historic district and considering, or at least have an applicant that is wanting to potentially downzone property that's outside of that does have some concern for me. I do think that needs to be addressed. So I would encourage City Councilmembers, when they read these minutes, to take that into consideration as they move forward. Certainly, we're just a recommendation body and they make the decision – ultimate decision. But I think that's an important thing to consider.

2. Chris Lewis – I will add that the report that was done by Dr. Selland back in '87 and '88 – the actual parameter of that study did include all of the Miller district. So just for clarification.

*Chris Lewis moved to recommend approval of Ordinance No. O-1617-10 to the City Council. Neil Robinson seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

|                |   |
|----------------|---|
| YEAS           | Sandy Bahan, Roberta Pailles, Erin Williford, Chris Lewis, Andy Sherrer, Lark Zink, Tom Knotts, Neil Robinson |
| NAYES          | None  |
| MEMBERS ABSENT | Dave Boeck  |

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1617-10 to the City Council, passed by a vote of 8-0.

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