

**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 13th 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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Mr. Sherrer – Before we move into Item No. 4, I want to read a letter that was given to me by Leah Messner in our City Attorney's office regarding letters that have been received regarding Items No. 4 and 5. Good evening. I'd like to make an announcement prior to beginning the public hearings on the two applications to rezone property from R-3 to R-1. The Planning staff has advised us that they received a number of letters, both in protest and in support of these rezonings. As many of you in attendance are probably aware, if the City receives protests signed by the owners of 20% or more of the area of the lots included in such a zoning change, or protests signed by the owners of 50% or more of the area within a 350 foot radius of the exterior boundary of the subject property, the zoning ordinance requires the rezoning to be approved by a favorable vote of $\frac{3}{4}$ of City Council, which in this case is at least 7 votes out of 9. Because both of the applications tonight are close to one of these thresholds, the Planning staff has asked me to request additional information to help make sure an accurate count of protests is made. When an applicant applies for rezoning, they provide a certified ownership list created typically by a third party abstract company. City staff then compares the signatures on the protest and support letters with that list. However, staff needs additional information for several of the letters that they received, especially in cases where the property is owned by an L.L.C. or the signature on the letter does not match the certified list. If some of you in the audience have had that case, certainly want you to listen really closely to this. In order to insure that your letter is properly counted, please see the staff sitting in the rear of the room before the meeting is over. They have copies of the certified list and a form for you to complete so that they can collect the additional necessary information to count your letter. They just want to make sure it gets counted. So if you fit within that category, please see them. Because of the need for the additional information, the protest maps shown to the Commission tonight are viewed as preliminary and will undergo additional review prior to the City Council determination on the rezonings. Please keep in mind the Planning Commission is only a recommendation body and the percentage of protest does not change the voting requirements for the Planning Commission. If you have neighbors that are not present tonight, the City will also – because we know that not everybody is here tonight and some of the people are viewing on TV – others are not able to do that tonight – the City will be sending letters to the pertinent property owners requesting additional information. That information, we would ask, be provided back to the City Clerk's office by November 8, 2016 at 12 p.m. They also want to say thank you again for your understanding as we continue to try to make sure that we properly and accurately count your letters, your opinions, and make sure that those are properly accounted for as we move into these two items.

Item No. 4, being:

O-1617-9 – DAVID & JOAN KOOS AND JONATHAN FOWLER REQUEST REZONING FROM R-3, MULTI-FAMILY DWELLING DISTRICT, TO R-1, SINGLE FAMILY DWELLING DISTRICT, FOR PROPERTY APPROXIMATELY INCLUDING THE 400 & 500 BLOCKS OF WEST COMANCHE, THE 400 & 500 BLOCKS OF WEST EUFAULA, THE 400, 500 & 600 BLOCKS OF WEST SYMMES, THE 100-300 BLOCKS OF THE WEST SIDE OF UNIVERSITY AVENUE, THE 100-400 BLOCKS OF PARK DRIVE, THE 400 BLOCK OF ELM AVENUE, THE 200-300 BLOCKS OF THE EAST SIDE OF CHAUTAUQUA AVENUE, AND THE 400 BLOCK OF TOBERMAN.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Support Map within Subject Tract – 57.8%
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 – Just expounding on the two years – if it's an act of nature and it's demolished, it can be built back with the same footprint. Somewhere in the back of my mind I'm

remembering something about vacancy and amount of time vacant. Can you expound on that?

Ms. Greenlee – Two years.

Mr. Lewis – So if it's vacant for two years, then it has to conform back to R-1.

Ms. Greenlee – If the use is discontinued, then that non-conformity expires.

3. Mr. Robinson – You referred to conversions of some of these older homes that were converted into multi-family uses. Are those typically allowed with permits or without permits? Can you just convert because you're in the same zone?

Ms. Greenlee – Those are what you call legal non-conforming uses. They were established that way at that time or sometime during that period. So, no, you couldn't come in and ask for a permit to convert a single-family house into multiple units. Under R-3 you could do it if you have the lot area into a duplex or an apartment house. You have to have the lot area for that. In R-3 you have to have 7,000 square feet lot area for a duplex or a single-family house with a garage apartment. You have to have at least 9,000 square feet lot area for apartment house with three units. For every additional unit above three, you have to add an additional 3,000 square feet of lot area.

Mr. Robinson – So the single-family homes that were converted prior to '54, I guess it would be. So those are basically as is – that's what they are under the R-3. But if one was converted after the zoning code was adopted – between that time and now, would that have required a permit of some variety?

Ms. Greenlee – It would have required a building permit, yes.

Mr. Robinson – And if the downzoning were approved, then, that would become an accepted non-conforming use if it were permitted. What if it were not permitted?

Ms. Greenlee – We'd have to go back and do research and look at archived files to see what was done on that property through our building permit system. But, yes, anything – even the tri-plexes, the duplexes, the single-family homes with garage apartments become non-conforming uses. So the single-family house isn't non-conforming, but the garage apartment is. So if you have a single-family house with a duplex, it's the duplex that's the non-conforming use. You can still renovate and take care of the single-family house. If you want to demolish and rebuild your single-family house, as long as you have the lot area and you meet the coverage requirements – you can't cover more than 65% of your lot with building and pavement – and your setbacks, then you could get a permit.

4. Ms. Pailles – I'm guessing some of the lot area requirements are newer. Single-family dwelling with a garage apartment requires 7,000 square feet. It's a little hard to tell, but it looks like a lot of these lots kind of hover at around 4,000 square feet. So a lot of these lots – R-3, R-1, whatever – you couldn't rebuild with a garage apartment because they're too small.

Ms. Greenlee – That is correct.

5. Ms. Williford – If you have a property that is legally non-conforming, and then you sell it, does it get to remain legally non-conforming? Or, if this passes, does it revert back to single-family?

Ms. Greenlee – No, it remains.

PRESENTATION BY THE APPLICANT:

1. Jonathan Fowler, 422 Park Drive – I'd like to thank my neighbors for coming out and supporting us tonight. And I'd like to thank the Planning Commission for the opportunity to speak. We're grateful for the opportunity and excited to visit with you. Before I begin our brief presentation, I'd like to say a few words. I'm the third generation of my family to call Norman my home on my father's side, and I'm the fourth on my mother's side. My two small children make the fifth generation to do so. I grew up on the west side of town in Brookhaven at the bottom of Northridge Road and Chuck Thompson's house today is actually the house that I grew up in, and loved it – absolutely adored it. Walked to Brookhaven Park for practices and so I have

incredibly fond memories. After high school, I attended the University of Oklahoma and moved to Park Drive where I live today. As a college student, I loved living walking distance to Campus Corner and especially loved living walking distance to the Deli and Brothers – it was wonderful. I loved having friends over to the house, and it was often that we were louder than we needed to be. My neighbor Mitch is here; he can certainly attest to that. The guy with the dirt on me is in the back. So my neighbors, most of whom owned and lived in their homes, never called the cops on me and they never came banging on doors or anything like that. Instead, they took the time to educate me on the history of the street and how each of them had played a pivotal role in bringing the street back and revitalizing it and making it what it is today. As I got to know them and learned about their stories, I realized how, even though they were all unique in their stories and how they ended up there and for the different reasons and different ways, they all talked mostly about the exact same thing in my conversations with them and the things that they loved about the neighborhood. It revolved around walkability, and the quality of life, and the energy behind a new semester and a new football season, and the quiet of the summertime in our neighborhood, and the diversity of the housing and its residents. These were things that over fifteen years of living on this street I have grown up hearing these stories from my neighbors and gotten to know them by name because they live in these homes. I was hooked and I wanted to do my part. So I started taking better care of the house and yard, and it wasn't to Mitch's standards, but I tried to be a better neighbor in general. And the reward has truly been immeasurable. Not only did I fall in love with the neighborhood, but I fell in love with the woman that would become my wife, and she moved in and fell in love with the neighborhood, too. We've watched our neighbors' children grow up on the street. Bruce's two children live next door to and it's been a pleasure to get to watch these kids grow up. I know I'm not dreading them going to college as much as Bruce – not too far away – but it's coming soon. Now I'm raising my two children under the same tree canopy on this street, and pretty soon we'll be teaching my daughter to ride a bike not far from where I learned to ride one at Jim Miller's bicycle shop. How special this is is not lost on me. I know this is truly unique and something that you really can't get anywhere else. The history in this neighborhood is really something that's incredible and I'm proud to be now a family that gets to participate and help create some of this history.

A lot of us were in attendance, my neighbors and I, at some of the meetings for College Avenue when they went through this process. We were thrilled that the neighborhood had come together and not only had City staff support, not only did they have unanimous Planning Commission support, but they had unanimous Council support on their petition. And now we're ready to do our part, and we're ready to follow the same process. We've come together with an overwhelming majority of support. We're at 58.3% on the support map you have. We turned in another name this morning for a property on Elm Street. It's actually a rental; it's somebody that owns a property there that doesn't live in the immediate area within the boundary, and they support us and they want to see this happen, too. And we're a few more signatures away from cracking 60%, and we're going to keep working toward that for you all.

We really look forward to seeing how this all comes out. And we appreciate everybody that's worked on this. They've worked hard. The folks on College and my neighbors have not only helped preserve the strong neighborhood we find ourselves in, but they've given it the chance to build upon what's already there and to do it for a long time.

You know, we've come before you to help us move forward in our goal. Our goal is pretty simple and that's to continue to build and grow the strength of our neighborhood by preserving the diversity in the housing and its people, the character, and the quality of life that we have today. And, with that said, I will jump into our brief, I promise, presentation and I greatly look forward to the public comments.

So what we're looking at here is the map of the area. The greater area and the immediate boundary is north University area. The area was essentially created in the 1920s. My home was built in 1927, and most of the homes at that time were single family. And, in fact, the 1990 conservation study for this neighborhood and some of the core of Norman that Dr. Bob Goins did, under Dick Reynolds' leadership – a fellow car guy – I have to throw that out there – I

love it – it did a census of the homes that were in there, and in 1990 166 of the homes in this area were all single family – of the structures, excuse me, were single family. There were only 20 that were two-family and it was single digits up from there. So this, in its history, has traditionally been single family housing in close proximity to the University for folks like the folks that live there today. It wasn't until the 1950s, post World War II naval era, that we saw the boarding zoning come in 1954 with the R-3, and there's a lot of history in the report that we're happy to provide to you all from that that kind of speaks to that. So why preservation? There's a lot of reasons that we get into this. There's economic, there's environmental, there's certainly quality of life, and then there's obviously our story and our history that we're able to tell and to carry forward. So why would we want to preserve a bunch of early 20th Century bungalows? They're beautiful. I mean, look at these things. The top right is not far from my house and I walk past it often on my way to Centennial Park where my kids play, and it's a great home. You see a lot of these bungalows – the minimal traditional, the minimal Tudor style – and we have a few comments here. I'm not going to read the slides verbatim; I'm sure you all get tired of that at some point. But, as you can see, we talk about the preserving of the public good through this neighborhood and some of the focus that we've put on that, especially around the diversity that we have today. That's really what these statements are speaking to, is the character of that diversity, not just in the people, but again the types of housing that we have. My neighbors never had a problem with student housing. As I said, I was one of those and was borderline a nuisance house, but they accepted me and educated me, and we like the students that live there. And, as you'll see by some of the photos coming, we just don't want to see that scale tipped to become something that is overwhelmingly one-sided in its dimension and loses a lot of that character and that history. You can see the mix of the owner-occupied homes and the rentals is vast. You can see beautiful homes like this with tree canopies, landscaping – I mean, people are very proud of this neighborhood and it shows, and we're very fortunate for the tree-shrouded streets that we have. Centennial Park, again. It's a wonderful place. And I have to throw a shout out to Larry Walker, a mentor of mine in the public arts duck that's in that photo. Those are the types of things that have gone into this neighborhood and the types of works and the people that have cared greatly about it. And Midway Bob Thompson, obviously, is famous or infamous, depending on your position – but Midway, we can all agree, is a great sandwich and it's a great time and it's a community place that we all bond over. Continuing on with the preservation of the public good. We talk about the character on and on and on. We can keep going about that, and the occupation of families and OU students, retirees, young professionals starting a family, like my wife and myself, and what preservation means to us and what happens if we don't preserve it. That's ultimately the question that has led my neighbors and I to you all tonight. This is directly behind my home. My wife and I back up to the superstructure – the triplex on the lower left that you see. This is 417 Elm Street. On the top right you can see what was formerly there was a minimal Tudor style home that actually still had tenants in it up until its demolition. They were moved out, I think, just right under 30 days before this thing was torn down – maybe a little bit more than that. They had been neighbors that had come in and out of that house; they weren't always consistent with the exact same people, but you can see the tree canopy in the back of that. You can see the home. If you're wondering to yourselves, how do you get that big of a structure on a lot that held that on it before? There was a vacant lot next to it that was combined with this and that got them over the 9,000 square feet that was mentioned earlier and allowed them to do this. And that's a real fear of ours in our neighborhood, is that that will continue to happen. We have been told by folks in this community that is something that they intend to continue to proceed upon, and we've seen, as we'll see in some photos here shortly, what's gone on in Jenkins and DeBarr and Monnett.

So moving forward, on Jenkins – 707 – you can see what was there before at the top right, this bungalow, obviously historic in character, and the bottom left and what it's been replaced with. I'm not speaking to the aesthetic or to my personal preference for it. All I'm simply trying to illustrate is the change in the character of what's already there. Not speaking to if I, personally, like it or don't; I'm just speaking to does this preserve what we currently have? You can see not far, actually, right next door – 701 Jenkins – top right, minimal traditional style

home was demolished to build that and that's another example of something that's taken place on Jenkins.

Here's what I live in, just west of Campus Corner. That's my neighborhood. I mean, it's gorgeous. Jenny Dakil's home that she rents out to college students, the second one from the top left, it's wonderful but, I mean, there's so many owner-occupied homes of my neighbors whose names I could go on and on and recite in this and talk about how wonderful Carol Cole-Frowe is and how wonderful Bruce and Serafina Boggs are. I can go on and on about how much these people mean to me and how long I've known them and they've been transformative in my life to be able to grow up around them, from my early 20s now to my mid 30s and becoming a father. I love this neighborhood obviously. I hope that comes across.

This is Jenkins and Monnett and Linn and DeBarr. And if anybody has lived in this town longer than five to ten years, I think we all remember Monnett, Linn and DeBarr and Jenkins looking a little bit different. I think we can all safely say that and that's a fair statement. That's not speaking to the aesthetic style, the quality, or anything of these homes. I am simply speaking to the character of what was there before and what it has turned into. That is gone. That is now there. That is what this looks like across the board, and there is more coming. I believe there's current construction in this area that's continuing to move in this direction. That is a choice that those owners have made with their property.

Recently in the Center City Vision process, which I believe is coming to Council in the not too distant future, this zoning – or the area that this is immediately in was actually supposed to be, according to the charrette process from public opinion, zoned lower density. And it was actually increased from requests from the developers because they made the comments look at what we already have; what are we trying to preserve at this point? I was a part of those meetings as a Steering Committee member of the Center City Vision process. We have a choice before us.

Along with the change of this character, you look at the loss of the foliage and the tree canopy that's going on in this same area. There are many studies that the Tree Board here in Norman is familiar with about trees and the canopies and what that does to property values, above and beyond the quality of life. It's an economic issue. Again, just pointing that out there in case you all didn't see it. So this is behind my house. The triplex, before it was built, there was nothing but massive trees that shaded my home and provided the most beautiful view to lay on a blanket with my wife and look up, and it was great. I have windows in my back yard now that are completely different and have changed the character, and not only are they windows but they're the windows of people that transition every year, two or three, that I won't have the opportunity to have them be around my children in the way that I've been able to be around a lot of my neighbors. We have student housing; we're not against that. But, again, it comes down to the balance and to the character of what's there and to the history of it. So it's pretty clear, when you look at the two different sides of this, what we have and what it could become.

That's why we're here before you all tonight, is to ask you to support us in our efforts to keep our neighborhood safe, because along with this clustering of these types of superstructures and dwellings that we've seen on Jenkins, DeBarr, Monnett, Linn, you see a lot more cars parking. I sell cars; I love selling cars. But quality of life has to come into play. This is not a single sum equation for me to where our success is based strictly on economics and financials. That comes into it, because as a property owner I know that this change will protect my property values in the neighborhood and continue to allow it to be strong and appreciate in the way that it has since I moved in. Ask any of my neighbors what's happened with their single family home prices for years as this neighborhood has been like this. Ask College. I mean, that's the decision that they made. It was also financial. But there was so much other that goes into quality of life, that goes into the character of the neighborhood, the pride of that. So there's a lot of things that go along with that, and this is one of the unintended consequences of a single sum equation. That's my kids' stroller on the bottom left. This is something my wife and I regularly run into, and it's a safety issue to our most vulnerable, when you're talking about children, elderly, handicapped – you can go on about safety issues here, but if somebody has to exit into the street because they can't cross a sidewalk because of the trees and the cars the way that

they're parked – there may be 5, 10, 15 feet of stopping distance from when that person is visible to a driver in a car and how much time they have to stop. As someone that's familiar very much with automobiles, I can tell you that's not enough time to stop going at 20 miles an hour, let alone 30 or 35, which we all know happens on Elm Street.

So, again, we have two paths. We can preserve Core Norman in this specific section and know that we're allowing for other opportunities in other parts really close by, but this area we're going to preserve, just like we have College, and continue to fill in this R-1 that College has that's completely west of that area and just fill in this last bit and we're going to move forward with a lot of progressive and great ideas like Center City and some other things that I'm sure will come out of the Comprehensive Plan. But this is our neighborhood and I am so proud of City staff for acknowledging the percentage of support for this thing and that it came from the people that are immediately impacted by this on a daily basis with their walking behavior, with their driving behavior, with their living behavior in addition to their economic behavior with their home values. So preservation – what's at stake? I think we've covered that; I hope we've covered it. I know that we'll have many of our neighbors going to speak towards these themes tonight. Is it déjà vu all over again?

The report that I spoke to you came out in 1990 and had a lot of really, really telling statements in it. I promise I won't read all of these bullet notes. But one of the things that really stuck out to me was just the idea that if something is not done what we're going to lose. I'm not going to take the time to read these guys. I know we've said enough and I know our opposition and our public commenters would like to have their moment to speak for sure. But anyway, Dr. Robert Goins, urban planner back in 1990 provided this report. We'll get copies to the Planning Commission as well as Council. Some more that goes along with that and the importance of the conservation plan. In making these proposals to rezone to a lesser density, emphasis has been placed on conservation, restoration of the neighborhoods. This environment of opportunity for homeowners not to be viewed as areas for economic speculation by those who live somewhere else.

So the Housing Market Analysis that recently came out obviously has some great information on what's going on and the fact that 2015-16 was one of the first years to begin to see a glut in this inventory and what that's affecting prices with, in addition to the fact anybody that's familiar with this area – just drive around. When was the last time you saw rent signs available on rentals in campus during the school year? Those things used to be sucked up two weeks before school started. So it speaks to the amount of inventory that's on the market right now. From Legacy Trail, again, another great public arts work from this community – I love it. But we appreciate your time very much. We hope that we'll have your support tonight, and I look forward to answering any questions that you all might ask.

AUDIENCE PARTICIPATION:

1. Lessa Keller-Kenton, 719 E. Johnson Street – I actually currently live at 719 East Johnson, however, I grew up at 475 College Avenue and am currently there visiting my sister Leah who lives in and owns that property. I'm just going ahead and speaking in the context of that. I do actually wish to support the rezoning efforts. Growing up at the University neighborhood, I went ahead and lived there as a student as I said at 475 and 477. On the Elm side of the neighborhood, adjacent to the back fence of my family's property, somebody did come in and went ahead and demolished two older houses and put in a giant superstructure which has become a bit of a nuisance house – anybody who lives in that area will know. It's a case of that they went ahead and, as part of the restructuring and everything, went ahead and did a massive amount of repaving, which has caused flooding into the area. Parties constantly. The parking issue there was mentioned where they're constantly going ahead and just not enough parking in the area for these superstructures and multi-family units. So it has definitely, just from my own experience of living there for most of my life, definitely have seen how the Elm Street has changed and how it has actually been disrupting not only the residents on Elm but also residents around the neighborhood as well. So just go ahead and conclude. Yes, I do agree that the rezoning should be strongly considered.

2. Tim Sparks, 473, 475 and 477 Elm Avenue – First of all, I'd like to say I've enjoyed getting to know a lot of our neighbors and met a lot of nice people in this process. I just flew in from Berlin for this meeting so I'm going to read my letter and I thank you for the opportunity to speak tonight. My wife and I purchased our home in 2014 in order to establish a safe, clean, conveniently located home for our four children, three of whom were attending OU last semester. When we purchased our home, it was arguably in the worst shape of any home on Elm with no working windows, ill-fitting doors, leaky gas appliances, 50 amp knob and tube electrical wiring, crumbling plaster walls and ceilings, no insulation, leaky plumbing, not to mention overgrown shrubs and debris all over the lot. This spring and summer our home was totally renovated to the benefit of my family and my neighbors. We made a choice, rather than reaching into our neighbors' pocket and seizing their property rights, to set an example to fix up our home. I want to thank Jonathan and company and the City for including our home in the pictures that they used as an example of what a nice home looks like. It was a nice surprise. So this is in contrast – the approach that we've taken is in contrast to the property rights seizing approach being proposed by the petition organized by Fowler, Koos and Crumpley. Our home is, again, an example of responsibly upgrading and updating a home while keeping with the architectural spirit of the neighborhood.

Why are we here today? In a nutshell, a very small group of disgruntled neighbors have decided that change is bad, living next to college students undesirable, and therefore they have unilaterally decided to lead an effort to seize their neighbors' property rights in the name of preserving the neighborhood, and selfishly their personal interests. There has been no acknowledgment that there are many ways to achieve the same result without seizing property rights. All of you in front of me could probably name five different ways that you could preserve the neighborhood without changing the zoning. So intelligence does not equal informed. We're fortunate to live in a highly educated community. I've met many neighbors, all very smart. But, on average, four out of five people that I've spoken with about this rezoning effort were not able to answer, to their surprise, some simple questions. The people I spoke with lived on Elm, so let's use that as an example. Question 1: how many existing lots on Elm can support a triplex under the current zoning? Nobody has been able to answer that. There are three. I own one of them and there is one two doors down from me, and the other one you saw the picture of. What are the plans for those lots? The two owners that have lots that can ... How many times in the last 70 years have adjacent lots come up for sale at the same time? Very seldom, because there's dispersed ownership. How many undeveloped vacant lots exist, or lots with derelict houses, in this subject zoning area? Almost none. All the pictures that we saw where the development of triplexes have occurred have occurred in places where the homes, in many cases, had been let go and gone down to where they couldn't be fixed up so they were scraped away. So if we think through the answers to these questions, we can conclude the probability of wholesale change taking place in this area, which is the subject of the R-3 to R-1 rezoning, is remote. The petition stewards would have us believe that if R-3 to R-1 downzoning doesn't take place then we'll all be living next to duplexes or triplexes soon.

Unfortunately, the facts get in the way of this argument. We only have to look at the past 70 year history of our neighborhood to see it has evolved very slowly as the needs of the University and residents of Norman have dictated, and all this has been governed by the existing R-3 zoning for all but a few years in the 40s. Yes, it's possible that some people may tear down a house here or there, but historically it is more likely to be rebuilt as a single-family home. So fact: local governments enact zoning regulations in order to control the pace and pattern of development and growth in a municipality. In the City of Norman, housing density will increase over time, bounded by the Canadian River to the south, floodplain to the west, Moore to the north; the only option is to expand east and/or increase density.

The Fifth Amendment to the Constitution dictates that private land should not be taken for public use without just compensation. While it seems to say that when a government entity takes private land for public use it owes a monetary award. In practice, the word takings can be interpreted as taking their private land or taking or restricting its use. Thus, to enforce the rule

of law on property rights, municipal governments like the City of Norman have a high bar to meet to justify confiscating property rights. It is not, and should not, be as simple as allowing home owners to draw an arbitrary boundary without due process, collect some signatures, and submit a petition to Planning Commission and City Council predisposed to approve seizing property rights.

So, with that, I'll go ahead and conclude. Thank you for your time. And, by the way, if we're having a contest on how long we've been around, my family made the run into Oklahoma and I think historically people look at that as seizing property rights as well. But been around a long time. Thank you.

3. Steve Williams, 3012 Faels Court – My wife and I own the property at 447 Elm Avenue. We purchased the property in 2003 for our daughters to live while attending the University of Oklahoma. The main reason we purchased the property was because it was zoned R-3 and with that zoning we could build a garage apartment at the back of the property. We still plan on doing that – have not done that yet. Five or six of the properties across the street, immediately south of us, have garage apartments at the back of the property. My goal was, after they've lived there, was to eventually build that garage apartment and then have rental income because of the vicinity of the University of Oklahoma. The addition has been zoned R-3 for over 60 years. I knew it was R-3 whenever I bought it; that's why I bought it. The majority of homes in Norman are zoned R-1. There are plenty of choices of R-1 property if someone wants R-1 property. But, to me, it's outrageous. I feel like, if this passes, this is just like stealing my rights, stealing my asset. And I project over time that I would probably have around \$100,000 loss because of this. Thank you for your time.

4. Jayne Crumpley, 423 Elm Avenue – First, I want to thank the Planning staff for their assistance and patience in answering my many questions. I want to especially thank Roné for never failing to smile, even though her counter was up to here with files and folders and she could barely see that I was there; but I really did appreciate her patience.

The destruction of historic homes which has been occurring on Jenkins, DeBarr and Monnett has now arrived in the University neighborhood. We live next door to the new 417/419/421 two-story triplex, which was shown on one of the slides. This replaced a minimal Tudor duplex built in the 20s or 30s that was also shown in the slide presentation. Each of the three units in this building has a bedroom, and each bedroom has its own bathroom. Eight parking spots were authorized by the City. We do not know if this complex is rented by the room or by the unit. Either way, it would seem to violate the City's ordinance regarding no more than three unrelated and it doesn't appear that there are any families that reside. All we see when we look out our window on the north side of our home is a brick wall. It obscures the light. We have to turn on lights during the day because we can't see. The one window upstairs looks into every room on the north side of our house.

While working on this downzoning request, we learned that a 1990 study commissioned by the City entitled "Neighborhood Conservation Plans for the Central Core Area" recommended downzoning from R-3 to R-1. No action was taken. The 2002 Citizens Coalition for the Core Area again recommended downzoning from R-3 to R-1; again, no action taken. These studies and forums were instituted because of neighborhood concerns regarding the destruction of houses. Now 26 years after the first study, and 14 years after the second recommendation for downzoning, we are here asking that you honor these recommendations and recommend our petition for approval. Please don't let the destruction of our historic homes and neighborhoods continue. Thank you.

5. Loretta Bass, 440 College Avenue – I was a part of the College Avenue rezoning, and I can tell you that – I just want to say thank you. We all sleep much better at night on College Avenue.

When you talk about infringement of property rights, I would say what about my rights as an owner? You don't know when somebody is going to come in and build something huge next

to you. If you live on College, we are still adjacent to Elm and there's no alley. So if somebody builds, they can build straight up. There's a little bit of easement. But if you're going three stories up, you're basically in somebody's shade if they build out to the property line. And that has happened. So we still feel on College that we may be compromised because of the zoning on Elm, and that's why I'm here tonight.

I have a neighbor on College who has a flooded basement every time that it rains over 3 inches here in Norman because a large structure was built next to hers, which was totally against any of the zoning laws of the City. Neighbors asked that this be investigated and then the property was flipped, so it was just sold again. So it flipped three times and so it's like who is responsible for that, but yet my friend and neighbor is still living next door to this large structure where they overbuilt the non-permeable surface so much that she gets all that runoff. There are a couple of properties on College that still feel this. They feel that on Elm as well.

The other thing that I wanted to just mention to you tonight is that the original structure which was the home of the University of Oklahoma is right at the corner of Toberman and Park and so this is a historic building in the core of this area that is under consideration, and I would ask you to think about the historic nature of this neighborhood. Thank you for your consideration and your time. We appreciate it.

6. John Kmetz, 440 College Avenue – That was my wife who just spoke. I don't want to repeat too much of what she just said, but I do want to stand in favor of the downzoning and thank you for doing it for our block, because it has made a big difference. We are much happier with that.

I think really the issue before you is – it's not a question of property rights; it's a question of do we allow these big commercial superstructures to come in? That is what motivated all of this in the first place. I think it's a bit of a scandal that some of these were even allowed to be built in the first place. As we've heard, some of them probably are not even in conformance with the rules that were initially in place. They are really toxic structures, because nobody wants to live near them. Nobody wants to live next to them. And if you have runoff, then you have a problem that I think could end up in litigation. You have more parking problems, you have runoff, and you have more partying.

I think that Mr. Fowler was very correct when he said that, in these neighborhoods, what makes them special is to have a correct balance. We love our college students, but if you have too many it does change the nature of the neighborhood. These are very nice neighborhoods and they need to be preserved, and it is a choice. You can't have it both ways. You can't have these awful, ugly structures come in that create all these problems and then expect people to come in and pay top value for single family homes. They're not going to do it. So then you're going to have blight in these areas. And if you're talking about really seeing this area continue to develop, property values go up, the tax base continue to rise, and have it be the kind of neighborhood that really does a great service to Norman and makes people say, wow, Norman is such a nice community, you can't let these kind of structures come in there, because literally nobody wants to live next to them.

I would just say it's bad for business as well. You know, if you're going to just talk business, let's talk about the business rights of non-resident or out-of-state owners who just want to maximize their efficiency and their profit versus local owners. We have a lot of neighbors who have garage apartments, and they're great. We like the students who live in those. Those people are all suffering. There are a lot of for rent signs and their rents are going down, so they've taken a big economic hit because of these things. And partly it's also because of the extra apartments that have gone up on the outside of town. But it's clearly a factor. So these things drive down rents and they create a glut. So it's bad for business for the apartment folks.

I would just say just one last thing. Under R-1, folks who have existing structures, they can make improvements, they can fix things, they can do all that kind of stuff. So it really isn't a big burden for them; they can continue to do what they're already doing. They're grandfathered in. So in my opinion, this is really all about just preventing these big structures coming in and

basically being like a toxic element in the neighborhood that's going to slowly decay the neighborhood. Thank you.

7. Leah Kenton-McGaha, 475 College Avenue – I am here to support the rezoning efforts of my neighbors to the west and east of me. I grew up on College Avenue. The house that my parents purchased in 1981 – when they originally purchased, they got it for a steal because College Avenue was predominantly rentals. There were very, very few family homes on College. Over the years, as more and more families have come in and have taken the older homes and renovated them and brought them to these beautiful structures, property values have gone up a lot. My house was recently appraised and it's somewhere between four and five times the value of what my parents originally paid for it.

I live in a 1929 brick Tudor Revival home on a huge lot and I love it. It's a wonderful home. But, as my sister mentioned, catty-corner to me, behind me, is one of those enormous superstructures. It's three stories tall. It looks into my back yard. I have problems with the runoff because it affects my neighbor, and then the runoff from her property affects mine. We've had problems with music being played and left on over the holidays, which doesn't help us because there's nobody there to talk to. We've had problems with the parties and we've had problems with the driveway being blocked.

It's very frustrating to be trying to live in a neighborhood with these beautiful old homes and think about, oh, I could restore that one. Or, hey, that one's built in the same style as me. Oh, that's a craftsman bungalow. And then to turn the corner and see this very large structure that – there's no history behind it. It's very sad. So I am very much in support of preserving the older homes and from what I remember when College was rezoned, rental properties are grandfathered in, so it's not a case of the rental owners lose their rights, it means that my neighbors don't have to worry now about somebody coming in and buying my property if I sold it, tearing it down, and putting in a rental property now, because it is now single family and will remain single family. So I support this rezoning effort. Thank you.

8. Mitch Baroff, 421 Park Drive – I've lived at 421 Park Drive since 1993. Came to Norman in 1967. I'm a retired architect and builder. I love my neighborhood. I actually downzoned the first building I bought on Park Drive back in '93 from a rooming house to an apartment. When I moved to Park Drive, my neighborhood was 20% owner-occupied and 80% rentals in '93. Now it's exact reverse; it's 80% owned and 20% rentals.

That recently completed triplex that is really quite west of me – it's on the next street over to the west – when I come out my door of my house and look down my driveway, I look down my neighbor's driveway and I see an 80' long wall, 20' tall brick wall, three lights on the back, two lights on the side – always on. Always on. When I turn down Toberman and go down Elm Street, where it used to be one unit and three bedrooms, now it's three units and 12 bedrooms, which is totally illegal. I used to maybe see a car once every 50 times come out of that property; every 4 times I have to deal with another vehicle coming out of that property. Pretty upset about all this.

As for resale value, I have a lot of apartments in this part of town. Every single one of my buildings are worth more as single-family houses – two to three times more valuable than as apartments. I really don't want to see Monnett or Jenkins or Boyd become part of what's just started in our neighborhood. I prefer the way it is. I have lived there. I have worked there. I've retired in that neighborhood. I love the way it is. I prefer and support the R-1 zoning, which basically just continues the R-1 zoning from west to east to Park Drive, changing those two blocks, I think. So, anyway, I support the R-1 zoning to Park Drive to save and preserve the character of my neighborhood as it is. Thank you very much.

9. John Lungren, 630 W. Comanche – I've been in real estate in Norman for about 20 years and probably sold about 900 houses in this town – probably been in thousands of houses. Appraisers call, commercial, residential. I didn't sign for or against this because I don't have any properties in the neighborhood.

But what I do have is some recent R-3 appraisals. I think it's kind of beating around the bush as far as money goes. This R-3 appraisal – recent – on one address. Here's another R-3 appraisal. And we look at them – one is \$200,000 and one is \$225,000. R-1 won't come close to that. I've showed these to Jonathan and David and I've asked them for their R-1 appraisals and they haven't given them to me. What we're talking about here is just the dirt; we're not talking about the structure on the dirt; we're talking about just the dirt – 7,000 square foot lots. So it doesn't matter if you have a 700 square foot house on there or if you've got a 4,000 square foot house on there. These are just dirt appraisals. Thank you for your time. Appreciate it.

10. Nate Borofsky, 304 Chautauqua Avenue – I live across the street from some of the houses. My property is currently R-1. Basically, I just want to say I am wholeheartedly in support of this for the reasons that I think have already been given.

11. Bruce A. Boggs, 428 Park Drive – I appreciate the opportunity to share some of my personal experiences about the property that was recently built on Elm, and I hope you'll permit me an opportunity to wax a little poetic about this, because I feel like my property has been severely affected by that structure. The overdevelopment of multi-dwelling housing units changes the character of university communities forever. High end numbers of itinerant residents who come and go every year increases alienation in neighborhoods, and decreases standards of living, even as costs of rent rise for Oklahoma students and property taxes rise for people often on fixed incomes. Absentee owner/developers of multi-tenant housing have no vested interest in neighborhoods in which they construct their units and they sometimes live in other cities and even other states. No doubt these structures are good long-term investments for the few, but the long-term consequences for the many should be considered earnestly.

Those of us who live close to the University know that there will always be rental properties around our homes. However, the character of a neighborhood changes drastically, in my case for the worst, when high-rise, high-density resident units become part of the neighborhood mix. One of these types of dwellings recently sprung up near my home. The owner, whomever he or she is, will gain financially from renting those multi units to University students at a premium charge. However, the quality of my property and my experience of living on it has been changed significantly by the construction of one of these buildings. For example, I now have 10 cars and trucks parked on a lot 30 feet from my bedroom. I have a lake from the fence line five to six feet onto my property every time it rains a little. It seems the parking lot behind my house is a foot higher than the surrounding area. I once had a view of the western sky from my back yard; now I see the back of a tall building. I once had darkness around my house at night; now I have floodlights. I once had more peace and tranquility; now I have large vehicles coming and going at diverse hours of the day and night. The most significant ...

12. Lynn Soreghan, 302 Park Drive – I have lived for 20 years at 302 Park Drive and, prior to that, I rented Bruce's home, also on Park Drive. We have raised our children in this neighborhood and are fully invested in it. We, like many others, chose to live here because we love the history, the vibrancy, the character, and the diversity of this neighborhood and this college town. We, like many in the neighborhood, have lovingly restored our home and garden over the 20 years that we've lived here, and we've made many good friends who've done the same. We're extremely dismayed by the recent happenings, first in the areas of DeBarr, Monnett and Jenkins, where many classic historic homes have been razed and replaced with cheaply constructed commercial megastructures housing 12 or more people, surrounded by impermeable cement for the 10+ cars that accompany the residents. We're witnessing the degradation of the diversity, safety, walkability, history, environment, architecture and charm of this historic neighborhood. What has been destroyed will never return. We will never see that history again, and the cancer of the degradation is spreading now to this neighborhood.

Norman's core area is a gem that displays all that is good of a college town, but only if it's preserved. I'd like to reiterate a couple of findings from the 1990 report that Jonathan cited. "The proliferation of single family housing conversions from traditional ownership to rental housing

is having negative impacts to some neighborhoods surrounding the University. This process needs to be monitored, as it can de-stabilize neighborhoods over time and result in declining housing conditions." "These central core neighborhoods have a physical charm and texture that is rapidly disappearing and should be saved. The City of Norman can best serve not only the residents of these neighborhoods but all of the citizens of Norman by stabilizing the residential and family quality of the central core." That report is 26 years old.

I don't want our only memory of the University neighborhood to be the metal sculpture on Legacy Trail. Please do not allow the greed of mostly absentee investors to trump the democratic actions of homeowners who have invested their livelihood and love into preserving core Norman. Thank you.

13. Chris Jackson, 409 and 418 Elm Avenue – I bought 409, as did many of the people in here, for my daughter to go to college with her friends. She lived in 409 Elm. I more recently – last year – year and a half ago – bought 418 Elm. It's a non-conforming legal unit that's made into a four-plex right now. The reason I'm opposed to what's going on here – the rezoning – is I do plan on living in this house when I retire. I want to make it into an original single family dwelling and put a nice garage apartment in the back, and this will keep me from being able to do that. The lot size will permit it with the R-3, but I don't plan on changing it to a superstructure or anything like that. I love the house. I love the neighborhood, and I plan on retiring there myself.

But I don't think this is the way to do it. I don't think there's enough lots that can be combined to cause much of a problem, and I did buy it because it's an R-3. It does help out with my income right now. But I do plan on living there and if it's changed to R-1 I won't be able to rehab the house and put a garage apartment behind it to where I can live or possibly keep parents or grandparents and maybe my daughter might want to live there one of these days. But, anyway, that's what I've got to say. Other than that, I do agree with Mr. Sparks and I do agree with keeping the zoning as it is and retaining my property rights. Thank you.

14. Kirk Garton, 415 W. Comanche – I'll try to keep this short and not reiterate what people have already said. I live at 415 West Comanche and 418; my wife and I live in both of these houses together. So we live in the neighborhood and I know that we've talked a little bit about the properties at Elm and Duffy, Jenkins.

I want to also mention that there are some other properties in the area that have had a similar fate. The house next door to me, 20 feet from my bedroom window, used to be a single-family house. They built a structure behind it that's basically a duplex so there's now three households 20 feet from my window, so, for the foreseeable future, I will have three households of 18-22 year olds waking up at 3 in the morning and having parties and the mowing, getting high, or just – because they don't take care of the property like a resident owner. I realize that we're always going to have rental property in the area, but the problem isn't limited to those properties that have been pointed out.

Like I said, there will always be rental property in our neighborhood, and we get that. We live next door to some great students; we become neighbors. The game-changer to me is when you take a single-family house that becomes a rental that could conceivably, as the gentleman just said, be turned back into a single family house. The problem is the house that's next door to me, and several of the others that have been in the pictures, they're forever changed and the only thing they can ever be moving forward is a rental property.

That's not what I bargained for when I moved into this house. I immediately moved into this house and invested \$35,000-40,000 to live in it. I take really good care of it. I don't just put investor grade cheap stuff in. That's what happens at rental properties. The house next door to me – it's not as well taken care of, and that's just the way it's going to be. And talk about property value – people are talking about losing – I lost the day that structure was built. I cannot sell my house as easily now because it can only be – it will always be next to something that will always be rental property.

The other thing I would say is that there are several people that have talked on the other side. I am for this proposal, obviously. I think maybe formally you have to give equal weight to people who own houses in the area. But I ask you to consider people who actually live in the area. My quality of life – I've mentioned property value – but the quality of my life, like I said, people waking up next door to me at 3 in the morning, constantly training a new wave of students every semester – it gets old. So thinking about that. But I hope you'll give extra weight to people who actually live in the area. I have for 25 years on Comanche and in college.

The last thing I'll mention is just there's some mis-information – there's a letter from Mr. Sparks, I believe, you actually live in Dallas actually. Right? Is that correct? In Flower Mound. I don't know if that's correct. I know you own houses here. But the only reason I mention that is because he has said statements here that just aren't my experience living in the neighborhood. He says in his last bullet students drive their cars much less than homeowners who work outside the home. If his implication is that there's less problems with students ...

15. Conrad Draper, 511 W. Comanche – I'm starting to feel like a Hillary supporter at a Donald Trump event. I think the question that is before you is whether or not this is the appropriate remedy. We all love Norman. I grew up in Norman. I spent much of my childhood on Jenkins Avenue. I, like most of these people, are heartbroken about what has happened to that neighborhood. It is a sad situation with the trees destroyed and the structures completely changed. These people deserve some form of protection.

But is this the appropriate form of protection? So I disagree. I urge you to vote against this for two reasons. First of all, the paradigm that's set up is that you've created winners and losers. No matter how you vote on this, there's going to be a group of winners and a group of losers. And the community you're asking for here is an inclusive community on the City seal. Are we creating something that's more inclusive? Have we brought all these people into this situation, or are we leaving some outside because, well, you lose because you have an R-3 and you might want to exercise that? So I think the real question is how do you protect these people – how do you protect these neighborhoods and, at the same time, you do not rob us of the ability to invest in our properties and change them. That's all I've really got. Thank you.

16. Susan Greer, 431 Park Drive – It is also the oldest home – structure – building west of the railroad tracks, because it is the original Boyd House. I am very much in favor of the rezoning of Park Drive and the surrounding areas to R-1, Single Family. To continue to preserve this neighborhood is in the best interest of our neighborhood, the campus area, and the City of Norman. The greatest investment in this neighborhood is home ownership, not the building of multi-family dwellings. I lived on Park Drive since 1990 to 2015. Park Drive and the surrounding areas were filled with houses that were called rooming houses and they were run down or abandoned or were Section 8 housing. Over the years, I have watched our street transform itself house by house as families, students, professionals, retirees have bought homes and restored them to single family homes and rentals. On Park Drive, at least 90% of the rental property was owned by the owner lived on our street. All of you know who you are. This resulted in a neighborhood that has a tremendous amount of history and respect for each other. We have watched our children grow up together, we have watched our neighbors get married, we have watched our students grow up, stay and buy homes on our street. They banded together many times throughout the last 26 years to help protect our street and its unique character. We helped each other clear debris when we have ice storms, we have hosted many neighborhood night out events. We borrow cups of sugar from each other. We consult each other on how best to handle difficult situations when they arise. We all know our City Council representatives on a first name basis for years. We are the neighborhood. We made that neighborhood into a neighborhood.

In addition to the obvious financial payout of renting to students, the allure of this part of town is the unique and diverse architecture and the tree canopy. For many of us, this is why we moved into this part of town. We have restored those dilapidated buildings into homes. There is an original David Ross Boyd tree that still stands on our street – a tree over a century old cannot

be replaced. I own the original Boyd House. That house was built in 1893. You cannot replace a home that is that old. I have already had two offers for my home where they told me they were going to raze it and put a duplex in it, because my home has an adjacent lot. I said no. I hope I don't get divorced over it. We don't think that is an investment in our neighborhood. The last investment resulted in the scraping of the landscape free of all trees and shrubbery and putting in a parking lot that causes the adjacent property to flood. You've already heard this. The recent boom in apartment complexes all over the City and the upcoming residential colleges on campus have completely saturated the market with multi-family residences. There are for rent signs all over the campus area year around that would never have been seen a couple of years ago. There is no shortage of multi-family structures in the City or in this area. However, there is a rapid disappearance of these unique and diverse single family homes in the campus area. Jenkins and Monnett are examples of this. Home ownership is the key to keeping this neighborhood a neighborhood, not the extension of Greek housing. Please preserve the character of this neighborhood and keep the appeal of families moving into this area by approving this rezoning to single family. Thank you.

17. Doug Gaffin, 425 Elm Avenue – Thank you very much. I've crossed out a lot, so I'll keep this pretty short for you. My wife and I live at 425 Elm and we're very much in favor of this downzoning application. As you've heard several times over this apartment building that went up just two doors down from us, combined with the new apartments on Jenkins, DeBarr, Monnett were a wake-up call to the whole neighborhood.

Now, what I really want to say is that it's clear that the number of single family homes within walking distance of OU is going down, and once these houses are torn down and replaced with parking lots and apartment buildings, we can't go back to the way things were. In that way, preserving our core neighborhoods is kind of like setting aside land for our parks. If we don't do it, the green spaces we need and love will be gone forever in the name in incremental short-term gains. So like green space, central Norman's single family homes are a non-renewable resource and they're disappearing little by little. If we don't recognize their value and protect what remains, they will be gone before we know it. Thank you so much.

18. Linda Price, 1903 Rolling Stone Drive – I'm going to say I never thought I'd be on this side of the microphone as a citizen instead of a City employee. I live in the Oakhurst neighborhood; I don't live in this neighborhood. But for 40 years I worked for the City of Norman in these neighborhoods. My job, as I saw it, was to see that these neighborhoods were preserved. Starting in the early 80s were the first plans for the neighborhoods that recommended downzoning. The '90 plan that Robert Goins did was based on those. So this is not just 26 years; this is many more years than that this City saying we think these neighborhoods should be preserved.

The land use has been predominantly single family, even when it was rezoned in 1954, because at that time the concept was that if you're going to keep old areas of town, you had to allow for redevelopment because they were all going to be destroyed eventually anyway because nobody would ever reinvest in old properties. That was proven not to be the case, but the City never went back and relooked at that, and so our zoning ordinance that was put into effect in 1954, which is still in effect, is the problem that created this.

There was an earlier question about a lot of the houses that were converted to multi-family housing. Most of those were converted illegally without permits in the 70s. It is impossible, as we went through the courts trying to do that once before, to find – we could not go back and get those changed back because we couldn't pinpoint it to the people – there were so many far generations removed from who owned it at the time – we couldn't go back and take the property rights away. However, even though they were done illegally, they still have legal non-conforming use if the rezoning goes through.

I strongly favor the rezoning. I spent 40 years of my career wanting to see things like that happen. I lived, actually, on Park Drive from the time I was born until I was two years old, if that's any consolation. I once lived there. But I think that it's really important for the City to recognize

that we spent time and effort over many years listening to citizens who live in these neighborhoods and trying to do the right thing. And even though some of the people who own properties bought them because they were multi-family, they knew that the area is predominantly single family, and I don't think – and it is not a taking. Rezoning appropriately and going through channels is not a taking. So I don't think that's an issue, either.

But I would highly recommend that you go ahead with the rezoning and approve it, not just because of the core area plan in 1990, but the ones that went before that, and the ones that have come since that have been incorporated into the City's comprehensive plan, because we did approve neighborhood plans for each of these areas and include the concept of downzoning in those neighborhoods, and that was approved by the City Council as well as by the Planning Commission. Thank you.

19. Kyle Lankford, 480 Elm Avenue – Thank you. When I bought my house ten years ago, I got more than a deed and hefty mortgage from Republic Bank. I also got a big binder of materials from the previous owner, who had been there for 30-some odd years and knew all the history of the house. I know that it was designed by the wife of one of the first pharmacists in Norman. His name is Stanley R. Adams. I have his pharmacy license. She liked pink, and that's why my bathroom is pink, as is the rest of my woodwork – or was. But it was about the history. It was about what had been there before. I have the original blueprints.

The reason those people moved was what happened next to them. A gentleman bought two lots, tore down historic houses, combined them and built one large house that did not conform to the historic nature of the area.

I live across the street from Tim, and he's a good neighbor. He's a good landlord. I like what he has done across the street. If we had more like him, we may not be here today. But across the street from me right now I have another situation where one owner has purchased multiple lots to combine them. So what Tim said earlier about how many more of these triplexes could we have because of the small lot size? What are the chances of things coming up and people buying more than one? That is already happening. I'm going to be the last hold-out on the south side of Elm because across from me the University of Oklahoma now owns three houses that are probably not long for this world. I may be staring at a parking garage soon, and there's nothing we can do about that, but we can work to save the rest of our neighborhood.

Our neighborhood, contrary to what some people have said before, is more than dirt. It's more than the value of the dirt. It's more than an investment opportunity. It's about the people, the history, and the community that we've built and tried to keep, so I hope that you will help us do that. Thank you.

20. Marsha McDaris, 448 College Avenue – Thank you for hearing this. I was part of the College Avenue downzoning. I think you all remember me from then. I'm very passionate about old houses and restoring them, and I believe that anyone is fixable.

I would like to state things that I don't think have been covered so you don't have to hear it again over and over. This neighborhood area does not have a neighborhood organization like other parts of our City that can band together and go against things that people don't approve of or don't like or need to be changed. They don't have that to fall back on. They really can't create a historic district. We just got a new historic district in Norman and that's great, but it's not providing the protection that they would need. So their last resort is to ask for rezoning.

I think this area that we're talking about, you can see from some of the pictures, it's already pretty dense. The land has been over-built as is. It needs that zoning. We have terrible problems with our infrastructure in that area – a little bit of rain and the streets all flood. There's nothing we can do about that. We have houses in this area that have long skinny narrow driveways. We have houses that have shared driveways. And if you start building big complexes there's just not room for parking. We're maxed out there. I think it's great that these people that live in these neighborhoods and these homeowners get together and can fight their way and make a presentation to you all and give you lots of reasons for downzoning. I really

appreciate what Linda Price had to say. She's been here in this city for a long time. She knows the history of this area. Like she said, she's worked very hard in this area. She's dealt with all kinds of issues, I'm sure, like trash and weeds and dilapidated structures and everything else. So I think she's provided you all with a very good history and very good reasoning for approving this rezoning.

Also, we have the City ordinance about no more than three unrelated people. It's very difficult for the City to enforce that ordinance. If we continue as R-3, we're just going to get more and more people overloading their rental properties with students and we just don't need that. We can't fight the law as it is right now. As a landlord myself, I tell people when they come to rent my property that this is to be treated as a single family house. I don't care if it's in R-3 zoning, it's a single family house. You pull your trash cans in at the end of the day. You make it look nice outside. If something needs to be done, let me know. In our neighborhood, we try to meet the students and let them know about some of these issues about parking and trash cans and just anything in general that makes our neighborhood ...

21. Phillip Reid, 427 W. Symmes – I just flew in from Wetherford, Oklahoma to say that I'm absolutely opposed to the downzoning of this district. I'm going to be as succinct as possible and make this easy on you by taking all emotion out of the issue.

I'm actually in Wetherford have served as Chairman of the Zoning Commission, so I understand your position, for the last 20 years. So I've studied and been to a lot of workshops understanding your positions. The thing that is most interesting, I think, and the thing that nobody is really talking about is how this district was drawn – how the map was drawn. Nobody has actually talked about that – how it was created. And the problem with that is that you absolutely have a situation of gerrymandering, which is very discriminatory and not allowable in this situation. So, for that reason alone, it should be a situation where you must vote it down. The other thing you need to understand about how it was drawn is that it was done purposely for the reason of getting the 51%. You understand, had it been drawn with bigger boundaries or different type of boundaries, that number may have been different. So I think that's very important to understand. And you also need to ask the question why it was drawn that way.

Again, if they want to achieve a certain purpose, which is to preserve the style of homes or the quality of living that they have, they also need to understand this is the wrong way of doing it. It's the wrong method. It's absolutely the incorrect way of doing it, and you've seen some misinformation given to you. The way to do it is to create a historic district and that is obviously a way that they could make that happen. Another way is to change the covenants; they need to get the homeowners together and decide that the covenants need to be changed and restrict the kind of things that can be built within that. The other way is a commission of abatements within the City; the commission can decide that certain things aren't allowable. For instance, if it's a big wall or a parking lot that's inappropriate, then abatements can come into play. They can correct those things. This is the major issue of this of what's happening today is because of grandfathering in of people who are already living there within that area – it just doesn't make sense that you can take people's investments, where they've invested in it like we have, as investment property and pull that away from them. It just doesn't make sense. So that's the essence of what I'm saying. Again, I think that you need to understand the boundaries and wondering if that actually is a legal way of making this happen. Thank you.

22. Jun Orikasa, 304 S. University Boulevard – This property is our church property. I am working as the pastor in this church. Now our church house is very small. Usually we have Sunday service on the first floor and my family is living on the second floor. But sometime other church people coming to our church from other states and countries and staying there temporary. Also recently our church activity is getting busier more and more. Therefore I am planning to build more rooms in our property. There is a big garage behind the house so I am planning to build the rooms in the garage in order for other families to live and work for our church activity as full time members. So our church is very old – maybe 85 years old. Therefore,

in the future, we might take down the house and rebuild a new church building. And behind that we build a house where some family can stay in this property. So we need to keep that zoning R-3 in order to serve Norman and Oklahoma people. Thank you.

23. Mark Krittenbrink, 428 W. Eufaula Street – Good evening. First, I think what Lynn Soreghan said was eloquent and fully expresses my attitude toward this downzoning. I bought my house in '79. I thought I was going to flip it, make some money, go on down the road. Instead, I got married and moved to Colorado and came back five years later and I had a daughter. I remember walking down the street, from my house down to Midway, and there was a party house, a rooming house, a party going on, and a chair is thrown through the window. I just thought what was I thinking moving into this neighborhood with my daughter? I mean, I'm an island here – there's no other kids around. This is just a horrific decision. Now, 20 years later, I walk down that same street with my granddaughter and it's awesome. You've got houses that have been restored, rooming houses that you thought there's no way you can ever restore that to a single family and they have been. It's a great, great experience. It's a great neighborhood – a neighborhood with integrity, which is what I think we want to preserve. I don't see that this area that we're talking about is a real estate opportunity as much as I see it being a neighborhood of families. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Chris Lewis – One of the things that impressed me the most was when Linda Price came to the microphone and she's been around the City longer than many. She referred to many studies prior to the 1990 study that Mr. Fowler presented. If the Commission will indulge me, I'm usually not verbose, and I'm very proactive for development. But today some of you may be surprised in what I say. While I'm very proactive in development when it's bare dirt, when it comes to historic architecture I will tell you straight up I am a lover of historic architecture. So I'm going to cite a couple of things for you, and then I will share with you my personal opinion, which that's where my vote lies.

There was a study, and I think Linda referred to this and many others, that was done in 1987-88 by the then Director of the University of Oklahoma College of Architecture Design Research Center, Dr. Tom Selland. Basically what this study looked at – it was an architectural historic survey of Norman, Oklahoma prepared for the Oklahoma Historical Society. Just get to the meat of it, Dr. Selland said 44% of the study area – and keep in mind the study area – I use the points that it mentioned in the study – ran from Main Street down to Lindsey, bordering almost 12th Street over to Flood – so it's absolutely both areas that we're talking about tonight – the Miller district and the Elm district. And what Dr. Selland said was 44% of the study area was found to be eligible for the National Register of Historic Places, indicating that the City of Norman has a rich architectural heritage. He went on to say overall the resources found in the City of Norman reflect a rich heritage that deserves recognition and the protection of a well-developed preservation plan. He had recommendations, and they're not very extensive, but I will just read them. It says, based on the results of the survey – and if anybody knows a government survey, it's probably about 600 pages in total, so I'm going to summarize, since I may only have two minutes, Mr. Chairman. Based on the results of the survey portion of the project, the following recommendations are offered. Number one, integration of survey results into the Norman Comprehensive Plan. Number two, results should also be reported to the Cleveland County and Norman Historical Society, local neighborhood associations, and any other private organization interested in preservation planning. The survey report is a valuable tool for coordination of local preservation planning. How many times have I said preservation so far? Number three, survey results should be made available to property owners, realtor associations, real estate developers in Norman to provide awareness of preservation efforts at the local level and the number of types of historic resources in the community. Number four, and lastly, eleven districts and eight individual properties outside the district were recommended worthy of further consideration for nomination to the National Register of Historic Places. These nominations may originate from either the private or the public sector. And, in conclusion, the

historic properties identified in Norman play a vital role in the future of the City. Interest in preservation is on the rise, but the following factors will continue to present conflicts of interest being the proximity of the University of Oklahoma and its needs for development and parking, the struggle between single family owners and landlords, and the condition of the properties due to their age. The City government must take a strong stand – maybe tonight – for historic preservation and develop a preservation plan to accommodate the factors presented. An interested and committed community – that's here tonight – combined with the controls available to the City, will ensure that future generations – such as myself that enjoy architecture – the opportunity to enjoy the past.

I will be supporting both items tonight – the Miller district and the Elm district – because of those reasons.

2. Tom Knotts – So Harold was around when the first zoning happened in 1924. I was around when it was changed in 1954. So, as the old guys here, I wanted to say I came back to the University to get a master's degree. I worked on Tom Selland's survey of Norman. What happened in '24 was the first opportunity probably in Oklahoma that established zoning. There were four or five zones. Residential was all-inclusive. When they came to '54, the residential was broken out, but in order to not cause legal non-conforming, they enacted it as R-3.

When I first saw this, my first reaction was, well, this is intended to be University housing. But then my research on how that zoning process happened led me to believe that it was by happenstance that it became R-3, as opposed to what it should have been as R-1 to begin with when R-1 was established in 1954.

I was completely amazed at Elm Avenue and that there's no parking on Elm Avenue. That's pretty fabulous to be able to drive down that street, because I can remember only a short time ago that it wouldn't happen. So that's the community working together.

I think this is an opportunity. My mom had a favorite saying, all their taste is in their mouth. That's what's been the problem in the redevelopment of these places on Jenkins. I doubt that this would have come to this point if a sensitivity had been exhibited in the redevelopment of those properties. It was just so rough to see that kind of property converted to what it was, and I'm wondering what all those rooms on the north side of Crumpley's house are that those people are looking into. But we drove by that house – or that redevelopment – and it's the only window on their south side, and I can see how it could encroach on their privacy. I think there's just a lot of sensitivity that hasn't happened in that redevelopment.

I, initially, was leaning away from rezoning, but I am wholeheartedly for it.

3. Roberta Pailles – I was delighted to see Linda Price once again, and respectfully acknowledge those comments. It's better than anything I can add, really. You do worry about people losing assets, such as a garage apartments, but looking at the map, it appears that most of those lots are too small to accommodate a rebuild of a garage apartment anyway. It looks like pretty much what you have, you can repair it, but you couldn't actually rebuild one because those lots aren't large enough, by and large. Not all of them.

This is a problem that the Planning Commission had been looking at in terms of a variety of solutions, in terms of preserving the character of the older neighborhoods, and we talked in a general way about some solutions, such as an overlay. In three months we haven't made a whole lot of progress. Those are solutions, such as overlay, are solutions but they're slow and laborious.

The rezoning is proposed as an immediate solution to rather an immediate threat, and it is an immediate threat. DeBarr changed character in two years, while we blinked, basically. It's not just the threat of duplexes. There are thousand unit apartments on Brooks. There were two proposed just south of this area that did not come to fruition but were proposed. I'm sure if somebody could put the land together, a thousand unit apartment would be proposed in this area. So, yeah, the threat is very real and relatively immediate. So, sure, I'll be supporting it.

4. Neil Robinson – I take to heart your comments about historic preservation. I find that to be significant and it's fairly amazing that this has been going untended to for as long as it has. I think it's long overdue that we step up and, as a City, recognize the value of the historic neighborhoods in the vicinity of the University, particularly, and in the future there will be more as the neighborhoods on the west side that are new now take on a character that is unique to them and will probably need protection as well. So, for that reason, I'm in support of this petition.

5. Erin Williford – I'm going to try and not repeat what anyone else has said. I came in tonight fairly unsure of how I wanted to go but leaning toward voting no. I think it's a great example tonight of when people come in and speak and you hear their passion and what they care about and the importance of their homes and their neighborhood and their quality that it can change somebody's mind. I have concerns for the people with their garage apartments, because I know there are people in our community that need to build places for aging relatives to live, or children when they go to school. But I also think the big box duplexes and triplexes in these neighborhoods are appalling and don't need to happen.

6. Mr. Sherrer – I do have a question. I think there was a comment made from one of the audience about a church parsonage and I want to clarify. My understanding is that, whether the property is zoned R-3 or R-1, church with a parsonage is still a special use. There would not really be a difference in how that would be approached. Is that correct?

Ms. Connors – That's correct. It's a special use in both zoning categories.

Chris Lewis moved to recommend approval of Ordinance No. O-1617-9 to the City Council. Tom Knotts 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-1617-9 to the City Council, passed by a vote of 8-0.

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The meeting recessed from 8:22 to 8:38 p.m.

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