

CITY COUNCIL CONFERENCE MINUTES

May 9, 2017

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:52 p.m. in the Municipal Building Conference Room on the 9th day of May, 2017, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

ABSENT: None

Item 1, being:

DISCUSSION REGARDING ESTABLISHING A CENTRAL NORMAN ZONING OVERLAY DISTRICT AND POSSIBLE AMENDMENTS OF THE ZONING ORDINANCE.

Mayor Miller said she is recusing herself from the discussion as she owns two properties within the boundary of the proposed Central Norman Zoning Overlay District (CNZOD) that will be impacted.

Ms. Jane Hudson, Principal Planner, said the Community Planning and Transportation Committee (CPTC), met several times in 2016 and 2017 to discuss protective measures for redevelopment of portions of Central Norman. The Committee reviewed a possible Overlay District in the Central Norman Study Area for residential portions of Silk Stocking and Miller Neighborhoods not covered by the current Miller Historic District Overlay District or R-1, Single-Family Dwelling District, regulations. On March 8th, 2017, CPTC asked Staff to prepare a final proposal of the CNZOD to present to the entire Council.

Ms. Hudson said another area that could have benefited from an Overlay District is the Center City area; however, the focus of Council at this time in the Center City area is to finalize the Center City Form Based Code (CCFBC). If adopted, the CCFBC will encompass the general area north of Boyd Street, south of Robinson Street, and situated between the railroad tracks and Porter Avenue, more particularly the residentially zoned lots in the Silk Stocking Neighborhood and R-3, Multi-Family Dwelling District, zoned lots to the south and west of the Miller Historic District. During CPTC discussions, several possibilities were discussed to help protect the central area of Norman that included protection of trees on lots undergoing redevelopment; issues of light pollution on adjacent properties; reduction of impervious surfaces for each lot; a Special Use requirement for structures containing four or more bedrooms; controlling on-site parking; and researching definitions of bedrooms to better control the three unrelated person ordinance.

Ms. Hudson highlighted the CNZOD as follows:

Purpose

The purpose of the CNZOD is to provide regulations to protect the unique and distinctive residential neighborhoods which contribute to the overall character and identity of Central Norman.

Intent

The intent is to protect and strengthen desirable and unique physical features of the neighborhood; maintain integrity of the neighborhood; maintain design characteristics; recognize identity and charm; promote and provide for appropriate revitalization of the neighborhood; reduce conflict and prevent blighting caused by incompatible and insensitive development; promote new compatible development; stabilize property values; provide residents and property owners with a planning tool for future development; promote and retain affordable housing stock; encourage housing that promotes aging in place; and ensure harmonious and efficient growth and redevelopment of the City.

Relationship to Underlying Zoning District

The provisions of the CNZOD are in addition to the requirements of the underlying zoning district for a subject property and supersede the zoning district requirements. If there are any questions about which provision is the most restrictive, the determination will be made by the Director of Planning or a designee.

Special Use

All residential units containing four or more bedrooms per unit require approval of a Special Use Permit from City Council pursuant to special use permit procedures contained within Section 434.1 of Chapter 22. This applies to interior renovations to add a bedroom or new construction.

Bedroom Defined: Bedroom means an enclosed space within a dwelling unit that is not a garage, foyer, kitchen, bathroom, dining area, or living room that has at least seventy square feet of floor areas. Dens, studies, or other room which are capable of being used for sleeping quarters that contain a closet, or to which a closet could be added, shall also be considered a bedroom.

Site Development

Parking Requirements: There shall be one parking space per bedroom provided on-site for each unit with four or more bedrooms. Standard parking space shall be 8 1/2 x 19 or 9 x18. Tandem parking is allowed on-site that will allow for no more than two parking spaces in depth.

Landscaping and Screening Requirements

Landscaping Requirements: There shall be peripheral and street landscaping as indicated in Section 438.1 of the Zoning Ordinance for all off-street parking areas in any zoning district having at least four uncovered parking spaces containing 900 square feet of open impervious area.

Screening Requirements: Parking areas containing at least four uncovered parking spaces and/or other vehicular use areas containing at least 900 square feet of open impervious area to be used as parking shall screen any abutting lot zoned or used for single-family purposes by a solid opaque fence at least six feet in height.

Landscaping and Screening Requirements, continued:

The CNZOD requirements for landscaping and screening would supersede the Zoning Ordinance Requirements. Areas containing at least 600 square feet of open impervious area to be used as parking or other vehicular use will require peripheral and street landscaping as indicated in Section 438.1 of the Zoning Ordinance and screening will require a solid opaque fence at least six feet high.

Comments/Questions

Councilmember Castleberry said the Porter Corridor Study was adopted by Council and asked how that Study correlates with the CNZOD because there seems to be some overlap. He said Council created the Porter Corridor Overlay District to make sure there was no intrusion into single-family neighborhoods. Ms. Hudson said there are a few R-3 properties along Crawford Avenue and the Silk Stocking Neighborhood that abut Porter Avenue so there is an overlay in portions of the proposed CNZOD within the Porter Corridor Overlay District boundaries. Councilmember Castleberry asked which zoning would take precedence and Ms. Hudson said the regulations differ if commercial abuts residential, i.e., commercial property abutting residential property would require landscaping and screening, but commercial abutting commercial would not. Ms. Leah Messner, Assistant City Attorney, said the Overlay Districts do overlap, but provide different protections and are not necessarily in conflict with each other.

Councilmember Allison felt there was conflict because the City is basically saying that up to a certain line in the boundaries a person can tear down a home and build a parking lot or mini-dorm. He said citizens believe the Porter Corridor Overlay District protects them from these things while the CNZOD seems to allow it. Councilmember Hickman disagreed and said the CNZOD does not use the words demolish, destroy, destruct, tear down, etc. Councilmember Castleberry said a lot of thought went into the Porter Corridor Overlay District boundaries so why overlay that with another Overlay District? Ms. Messner said the Porter Corridor Overlay District boundaries did take several years to develop and the boundary line was the most concerning issue; however, if someone demolished a house to construct a parking lot, they would have to rezone the property, which takes Council approval. She said if Council does not want the Overlay Districts to overlap, Staff can change the eastern boundary of the Silk Stocking Neighborhood, which would not cause much impact. Councilmember Castleberry said the Overlay Districts should not overlap each other.

Councilmember Holman did not feel there would be a conflict with an overlap, but did understand citizens could perceive the CNZOD is allowing types of development the Porter Corridor Overlay District does not allow.

Councilmember Hickman said Staff has done a great job of moving the CNZOD forward and Council has already scaled down items, such as protecting trees and protecting properties from light pollution, to arrive at a completed product. He agrees with Ms. Messner that there is no conflict with regard to the Porter Corridor Overlay District and there is nothing wrong with one overlay over another. He would be willing to modify parking regulation language that states, "There shall be one parking space per bedroom" to add "for new construction only." He does not want to create a problem for existing property owners who may want to expand their single-family home by adding a bedroom; however, if a bedroom addition meets the four or more bedroom regulation the property owner would have to apply for a Special Use Permit.

Comments/Questions, continued:

Councilmember Castleberry said the Norman Comprehensive Plan entails a lot of high density development in Central Norman, which seems to be in conflict with the CNZOD. Is Staff coordinating the CNZOD with the Norman Comprehensive Plan? Ms. Hudson said she does not have an answer to that at this time, but will find out and inform Council.

Councilmember Allison did not believe the City should require citizens to come to Council to build a four bedroom house that technically could really be a two or three bedroom house. He felt this was a waste of the citizen's and Council's time. He would not mind raising that bedroom number to six or higher because that is what the City has been having issues with. He said a four bedroom house could really be a two or three bedroom house where the owner added a closet to a den and in doing so meets the definition of a bedroom even though it is not a bedroom.

Councilmember Karjala said the reason Council preferred the requirement for four bedrooms or more rather than six or eight was to prevent further construction of mini-dorms in Central Norman. She said Council has also been working on the Center City Form Based Code for over a year and the Center City moratorium will be lifted in June so Council needs to get these items moved forward so they can be in place by the time the moratorium expires. She said as Councilmember Hickman indicated, a lot of regulations the CPTC originally wanted in the CNZOD were removed because the Committee could not reach a consensus. Councilmember Allison said the tree protection portion was taken out because of the excessiveness of what was being proposed.

Councilmember Castleberry said part of the Norman Comprehensive Plan discussion included light rail transportation and the Norman Depot is within the CNZOD boundary. He said most communities want development around light rail locations so the CNZOD is contrary to the Norman Comprehensive Plan. Councilmember Holman said development will be allowed; it would just have to come before Council so the public will have some type of notification about the development. He agrees that Council cannot have every single property owner in the CNZOD coming before Council for approval of their project, but believes the CNZOD accomplishes Council's intent.

Mr. Lloyd Bane, 418 North Peters Avenue, suggested Council add three or more bathrooms to the language because that is one of the characteristics of mini-dorms in pseudo single-family homes. No one builds a potential five bedroom single-family home with five bathrooms.

Mr. Ellen Frank, 211 East Daws Street, supports the CNZOD and the language change Councilmember Hickman suggested for new construction only. She is beginning to see mini-dorm development creeping into the Silk Stocking neighborhood so it is important for the City to preserve its older Core area. She said Norman will lose that Core if it allows developers to change the feel and character of the neighborhood by building six and eight bedroom units.

Ms. Cindy Rogers, 633 Reed Avenue, said a den could possibly be a bedroom if there is shower bathroom capability next to it and if there are more bathrooms than bedrooms then that room is going to be rented as a bedroom. She said a toilet and sink is no issue, but adding a shower to that bathroom makes it perfect room for student rental.

Comments/Questions, continued:

Mr. John Hughes, 602 North Jones Street, said he has not heard discussion regarding the style of buildings allowed. He said if someone builds a brick structure in a neighborhood full of bungalow style houses or houses with siding then that structure changes the character of the neighborhood. He felt there needed to be regulations on meeting the style of the neighborhood because if houses looked like they fit into the neighborhood it would make things easier.

Mr. Dave Boeck, 922 Shultz Drive, said design standards are important in and around Historic Districts so please consider design standards and a Design Review Board for Central Norman.

Mr. Kyle Ortega, 119 West Johnson Street, said his house was built in 1930 and one of the things that attracted him to the house was the history of the neighborhood so he supports the CNZOD.

Ms. Leigh Hall, 648 South Lahoma Avenue, thanked City Staff and the leadership of Norman for understanding the urgency of taking on these regulations to preserve Central Norman. She said citizens have worked for years to preserve Core Norman and this is a step in the right direction so she supports the CNZOD.

Councilmember Castleberry asked Staff what the next step will be and Mr. Jeff Bryant, City Attorney, said if Council wants to move forward, the CNZOD would be scheduled for First Reading on June 13th and Second Reading on June 27th, which would stay in line with the moratorium expiration.

Items submitted for the record

1. Memorandum dated May 5, 2017, from Susan Connors, AICP, Director, Planning and Community Development, to City Council, with Exhibit A, Central Norman Study Area map; Exhibit B, Central Norman Zoning Overlay district map; Exhibit C, Central Norman Zoning Overlay District Draft Ordinance with Exhibit 1, Central Norman Overlay District Boundary map; and Exhibit D, Legislatively Notated Copy of Section 431.8 - Landscaping Requirements for Off-Street Parking Facilities Draft Ordinance

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The meeting adjourned at 6:19 p.m.

ATTEST:

City Clerk

Mayor