
ORDINANCE NO. O-1819-15

ITEM NO. 9

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Robert Marriott and Peter Petromilli
REQUESTED ACTION	Rezoning to CCPUD, Center City Planned Unit Development
EXISTING ZONING	Center City Form-Based Code, Urban General
SURROUNDING ZONING	North: CCFBC, Urban General East: BNSF Railroad South: CCFBC, Urban General West: CCFBC, Townhouse/Small Apt.
LOCATION	103 W. Apache Street
SIZE	6,500 square feet, more or less
PURPOSE	Mixed Use Development
EXISTING LAND USE	Residential
SURROUNDING LAND USE	North: Multi-Family East: BNSF Railroad South: Office West: Multi-Family
LAND USE PLAN DESIGNATION	Commercial

REQUEST SUMMARY/CCFBC EXCEPTIONS:

This is a request to rezone an area located at the corner of James Garner Avenue and West Apache Street, included in the Center City Form-Based Code (CCFBC) zoning district, to Center City Planned Unit Development (CCPUD), as outlined in Appendix B of the Center City Form-Based Code.

The proposal for this site is to construct a 4-story mixed-use building housing commerce on the ground floor with residential units on the upper floors. The total building area is 8,615 square feet. The total building height will vary as shown on the elevation sheet submitted with the

application; the maximum height of the building is 152' 6" and the majority of the building is at 149' 6". This is shown on the site plan, Attachment A.

BACKGROUND:

This is the second application moving forward to Planning Commission and City Council to request an amendment to the recently adopted Center City Form-Based Code (CCFBC); many may not be aware of the extent and process that went into the preparation and review of the CCFBC prior to adoption; below is an overview for those not familiar with the process.

City Council approved a Memorandum of Understanding (MOU) between the City of Norman and the University of Oklahoma (OU) on January 14, 2014. The MOU set forth the terms and conditions that would govern the development of a Center City Master Plan/Visioning Project and outlined the responsibilities the City of Norman and the University of Oklahoma would take in this process.

The Center City Form-Based Code, which is the outcome of this Visioning Project, was generated and recommended through a Steering Committee. In addition, there was an Executive Subcommittee of the Steering Committee which was comprised of one representative from the City of Norman, one representative from the University of Oklahoma, and one citizen chosen jointly by the City of Norman and the University of Oklahoma.

The consultants hired for the project were Bill Lennertz with the National Charrette Institute as project manager and the other project team members included staff from Opticos and Ferrell Madden.

The Center City Vision Design Charrette was held the week of May 12-16, 2014; this week-long event provided three public meetings: a Hands-On Design Workshop, an Open House and a Final Presentation. The remainder of the week included Steering Committee meetings, technical meetings, numerous ad hoc meetings with property owners and interested citizens and an open design studio so visitors could see the design progress.

After the Charrette, the Steering Committee met numerous times over a two-year period to discuss and recommend a form-based code document to present to City Council. In addition, Mary Madden from Ferrell Madden made presentations to City Council on the history of the project, what is a Form-Based Code, how the Center City Code developed and administration of the Code.

The City Council moved forward with this project in cooperation with the University of Oklahoma for many reasons. Some of the reasons were that the current zoning regulations were not adequately handling the growing, modern demand for infill development in Norman's Core area; that there was significant community disagreement about market-driven proposals for infill development; that the professional charrette process was the best technique available to articulate a community-supported vision; and that building community support for a vision followed by development of land use regulations that allows the achievement of the vision will provide both community and investors' confidence and certainty of future activity.

Center City Form-Based Code Contents:

How to Use This Code

Table of Contents

Part 1: General Provisions

Part 2: Administration, Application Process & Appeals
Part 3: The Regulating Plan
Part 4: Building Form Standards
Part 5: Urban Space Standards
Part 6: Parking and Loading Standards
Part 7: Building Functions
Part 8: Definitions
Appendix A (Process, Incentives)
Appendix B (Center City Planned Unit Development, CCPUD)

ZONING DISTRICTS INCLUDED IN THIS DOCUMENT:

- **Urban General** – The basic urban street frontage, once common across the United States. The purpose is to develop multi-story buildings placed directly at the sidewalk or behind small dooryards.
- **Urban Residential** – Same as the Urban General except that the uses are limited to residential and related support services.
- **Urban Storefront** – Represents the prototypical “main street” form with shopfronts along the sidewalk and a mix of uses above. A high level of pedestrian activity is anticipated. It is a subset of the Urban General frontage, with more specific requirements at the street level.
- **Townhouse/Small Apartment** – This frontage is of moderate intensity, often created by a series of smaller attached structures configured as single-family residential or stacked flats. The character and intensity of this frontage varies depending on the street-space and the location of the required building line.
- **Detached** – This frontage is represented by the traditional single-family house with small front, side and rear yards along tree-lined streets.

Form-based codes offer a new way of thinking about development regulation and helping communities shape their futures. They help to achieve desired urban forms, such as: vital centers supportive of businesses both big and small; neighborhoods and streets that are safe and attractive for walking and bicycling; preservation of community history; and protection of the environment.

The CCFBC is composed of Building Form Standards and Public Space Standards mapped to a Regulating Plan.

Building Form Standards regulate simple things like: how far buildings are from sidewalks, how much window area at a minimum a building must have, how tall it is in relation to the width of the street, how accessible and welcoming front entrances are, and where a building’s parking should be located. Building Form Standards require buildings to have windows and welcoming entries that contribute to life on the sidewalk and they require the placement of parking to the rear of buildings to ensure that it doesn’t get between buildings and pedestrians. These standards require that buildings support and shape the public spaces of our city.

Building Form Standards control the use of land in a more indirect way than standard zoning. They don't give the long and ever-expanding lists of permitted and special uses that zoning codes typically contain. Rather, they describe general uses. And they try to guide land use through building type. For example, if a community wants a pedestrian-friendly main street, its standards would prescribe shopfront or mixed-use buildings.

Public Space Standards regulate the form of streets and squares. These standards provide for comfortable and useful spaces for many activities, including walking, bicycling, driving, public transit, and a community's social life rather than just providing for the movement and storage of cars. A shopping street is a different kind of street than a boulevard, which is different from a residential street, which is different from a rear alley. The street sections in Part 5 of the CCFBC identify these different types of streets.

The results of the Charrette process became the foundation for an illustrated, community-supported vision for the future of the Center City area, Center City Form-Based Code (CCFBC).

PROPOSAL:

As stated, this is the second application for a Center City Planned Unit Development since the adoption of the CCFBC May 23, 2017. Outlined below are the exceptions proposed to the existing CCFBC Document, the zoning designation for this property will be CCPUD.

The applicant is specifically requesting a modification to the following two existing sections of the CCFBC as follows:

- Section 403 Urban General Frontage. HEIGHT, Ground Story Height, Part b. may read "The GROUND STORY shall have a CLEAR HEIGHT of at least 10 feet along the RBL for a minimum depth of 25 feet." (The current requirement in the CCFBC for Urban General is 12 feet.)
- Section 403. SITING. Façade add "Item 3: The required build line along Apache Street may be relocated to the south property line." (The current requirement is approximately 10' feet established in the Regulating Plan.)

Additional guidelines for this CCPUD are as follows:

- The applicant is proposing that the area situated between the two buildings, shown as "Open Space", to be utilized for an outdoor event space. This area may consist of outdoor live entertainment associated with the Neighborhood Bar or uses in the future to be located in the mixed-use building.

DISCUSSION:

Staff reviewed the CCPUD proposal and does not see that the proposal reflects negatively on the intent of the adopted CCFBC. The variance or changes to the CCFBC are minimal and do not create problems for additional development in the general area. This is a corner lot with recently developed multi-family uses to the north, west and south; in addition, there is office use to the south and the railroad tracks to the east, with single-family uses across the railroad tracks and an extension of Legacy Trail.

Two of the goals from the Charrette and visioning process for the future of the Center City area were as follows: make small scale infill development easier and promote mixed-use in key locations in the downtown/core area of Norman. This application is proposing mixed-use

development within the Center City, on a tract that has had no redevelopment for many years. Although, due in part to the adoption of the CCFBC a great deal of redevelopment has occurred in recent months in the general vicinity of this proposal. Allowing the concept of "Form Based Code" to further development has allowed for new infill development in the areas of downtown.

STAFF RECOMMENDATION:

The proposed ordinance comes to the Planning Commission for a recommendation to City Council. Staff recommends approval of Ordinance No. O-1819-15.