

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

NOVEMBER 8, 2018

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 8th day of November, 2018. 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.

Vice Chairman Tom Knotts called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Sandy Bahan
Nouman Jan
Tom Knotts
Dave Boeck
Erin Williford
Andy Sherrer

MEMBERS ABSENT

Chris Lewis
Neil Robinson
Lark Zink

A quorum was present.

STAFF MEMBERS PRESENT

Jane Hudson, Interim Director, Planning &
Community Development
Janay Greenlee, Planner II
Roné Tromble, Recording Secretary
Ken Danner, Subdivision Development
Manager
Elisabeth Muckala, Assistant City Attorney
Kathryn Walker, Assistant City Attorney
Bryce Holland, Multimedia Specialist
Terry Floyd, Development Coordinator

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Item No. 9, being:

O-1819-15 – ROBERT MARRIOTT AND PETER PETROMILLI REQUEST REZONING FROM CCFBC URBAN GENERAL TO CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT, FOR A MIXED USE BUILDING WITH COMMERCIAL AND RESIDENTIAL USES ON 6,500 SQUARE FEET OF PROPERTY LOCATED AT 103 WEST APACHE STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report with Attachment A
3. CCPUD Narrative with Site Plan and Plat

PRESENTATION BY STAFF:

1. Jane Hudson reviewed the staff report, a copy of which is filed with the minutes. Staff recommends approval of Ordinance No. O-1819-15.
2. Mr. Boeck asked about parking on James Garner and Apache. Ms. Hudson responded that Apache has parking on one side.
Mr. Boeck asked how many residential units are proposed. Ms. Hudson said there are three units with five beds each. They've stated in their document they have a long-term parking agreement with the office use to the south – it's the same property owner. They also have a lease with the Railhouse to the north.
Mr. Boeck asked if the commercial will be office or retail. Ms. Hudson indicated they would like retail.
3. Mr. Knotts asked if they're committed to the commercial use, or if they would have the flexibility to covert the ground floor into housing. Mr. Boeck asked if the use is fixed. Ms. Hudson responded that if you have residential on the ground floor, you have to have a 3' elevation.

PRESENTATION BY THE APPLICANT:

1. Peter Petromilli, the applicant – We're not interested in renting out the first floor as residential. If we were, we wouldn't have applied for the PUD. Our residential application here fits just fine with the setbacks. The only reason that we're actually here today for the PUD is to provide us with the proportions on the floor plan to allow commercial use on the first floor. The proportions with the 10' setback really aren't conducive to leasing out for retail space – just the width isn't enough for two spaces and it's a little bit too large for one. So in trying to attract tenants, if we had one space we wouldn't be able to lease it out at the rate that we needed to make the pro forma work, and if we try to squeeze two in under the 10' setback we wouldn't have enough room to accommodate two. So we tried to make our building as small as we possibly could but allow the two-tenant option on the first floor for retail. What we're asking today has nothing to do with residential, because we don't need to be here today for a PUD for residential. So really the only reason we're here today is to request a few variations so that we can accommodate the commercial use on the first floor. We are committed to commercial on the first floor. Also, and maybe I'm saying too much, but my interpretation of what we would have to do to get residential on the first floor would be to build it up 3'. By requesting a reduction in the ceiling height from 12' to 10', it actually limits us to where we can't in the future turn this into residential without actually going back and asking for a variance. Because if we built up 3' on the inside, which you're allowed, we wouldn't have the clear height of the 9' that's then required. So we are, in essence, pigeon-holing ourselves out of future residential on the first floor unless we go through a variance.
2. Mr. Boeck – To me, this is really important. Because after all the discussions that we had about Center City Form Based Code, and one of the big issues, at least on my part, and Bill Hickman was involved in that, was the fact that we wanted it up at 3' because that's what Boston and Chicago and New York City does, and that's what's considered good form-based code, but the discussion of how to make it accessible – I thought there was some flexibility there in terms of allowing, with a variance – but the variance would be allowed if it was done

properly, to do ground level housing. So I want to get that clarified. It has nothing to do with your project.

3. Ms. Hudson – Within the Urban General it says ground story residential units – the finished floor elevation shall be no less than 3'.

Mr. Boeck – Well, I know it says that in there, but there was supposed to be – and there was lots of discussions that I had with Bill Hickman – somewhere it was written in – not so much the ordinance, but in terms of policy and procedure that there would be a way that you could request a variance and go through the process and get ground level housing so that it would be accessible.

Ms. Hudson – Under the administrative adjustments, the director is authorized to approve administrative adjustment applications in strict conformance with the following standards only – and finished floor elevation up to 5%.

Mr. Boeck – Okay. We need to carry that conversation on at another time.

AUDIENCE PARTICIPATION:

1. Mitch Baroff, 421 Park Drive – I like the project a lot, quite honestly, and I think it's great. But I have some questions, and it's form based code questions. I'm a retired architect and I've designed scores of buildings in Norman and remodeled like 300 buildings in Norman using the old zoning. I looked at the form based code and I really don't understand how to use it, so I'm kind of asking maybe for some training, or we should set something up to try to understand how it's used a little better. Then some questions that have come up and I've heard complaints along James Garner: one is related to parking on James Garner on gravel and sight lines. It's pretty loose the parking along James Garner. I'm not sure what the final configuration of the new James Garner is going to be, and I guess that's another question to be answered, maybe not tonight, but I think it's something we should discuss. Then I understand that there's three units of apartments – second, third, and fourth floor. Is that height – the PUD has nothing to do with building height changes? Is the current height that they're proposing allowed currently, or is that part of the PUD process.

Ms. Hudson – The height that they're proposing is allowed. The only two variances that they've requested are clear height and then the setback line on the south side.

Mr. Baroff – And then, legally, should you have some kind of documentation for this parking that they've agreed upon and how much parking is really required for a building like this? We should probably have that number so we know what we're doing and probably should see the contract for parking that they have.

Mr. Boeck – That's not part of this conversation here. They said they had agreements with other places.

Mr. Baroff – But do they? I could say that. And, of course, I'll just bring up just for the record that we're talking about five bedrooms per unit which is kind of a conflict there. Basically, it's the mini-dorms continue. It's something we should keep on talking about and try to figure out what we're really going to do about that.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Sherrer – I'm supportive of this project, and I'll be voting yes. For Center City PUDs in the future, as it relates to outdoor live or recorded entertainment, to me this PUD is a little bit lacking of description. If it's going to be in there, there's really not very much granularity within what outdoor live or recorded entertainment, permitted live music, recorded sporting events or movies – really broad. I would think that we would want to have in future Center City PUDs, especially as it relates to ones not necessarily adjacent to the railroad – that might be a consideration we might want to have a little more detail. So I think encouragement of future

applicants in that way would be important. Not unsupportive of this particular project, but just in the future.

2. Mr. Knotts – The PUD doesn't prevent them from complying with the City sound ordinances or anything else, does it?

Ms. Hudson – It does not.

Andy Sherrer moved to recommend adoption of Ordinance No. O-1819-15 to City Council. Sandy Bahan seconded the motion.

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

YEAS	Sandy Bahan, Nouman Jan, Tom Knotts, Dave Boeck, Erin Williford, Andy Sherrer
NAYES	None
MEMBERS ABSENT	Chris Lewis, Neil Robinson, Lark Zink

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1819-15 to City Council, passed by a vote of 6-0.

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