
ORDINANCE NO. O-2021-33

ITEM NO. 9b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Jonathan Hunnell
REQUESTED ACTION	Rezoning to C-3, Intensive Commercial District
EXISTING ZONING	R-3, Multi-Family Dwelling District
SURROUNDING ZONING	North: C-2, General Commercial District East: C-2, General Commercial District and C-3, Intensive Commercial District South: R-3, Multi-Family Dwelling District West: C-2, General Commercial District
LOCATION	309 South Peters Avenue
SIZE	0.1 acre
PURPOSE	Neighborhood Cafe
EXISTING LAND USE	Vacant/Office
SURROUNDING LAND USE	North: Office East: Parking Lot/Office South: Senior Citizen's Center West: Office
LAND USE PLAN DESIGNATION	Office

SYNOPSIS: The applicant has requested a rezoning for 309 South Peters Avenue from R-3, Multi-Family Dwelling District to C-3, Intensive Commercial District. The proposed use at this location is for a downtown/neighborhood coffee shop/café/sandwich shop, with the possibility of including some patio dining to the north, on the existing paved area.

ANALYSIS: As stated, the site is currently zoned R-3, Multi-Family Dwelling District and the applicant is proposing to rezone the site to C-3, Intensive Commercial District to allow for commercial use. The general area is developed with the County Court House, offices, retail

and community uses; such as the Senior Citizen's Center and June Benson Park to the south and Mary Abbott House to the southeast.

The applicant's proposal is to develop a downtown/neighborhood coffee shop/café/sandwich shop by renovating the existing building; the applicant will be keeping the same footprint. The building has been used as an office most recently and before that it was occupied as a single family home. Over the years there have been several remodels of the structure, it has been well maintained.

The lot is 60 x 75 (4,500 SF) and is recognized as a legal tract; however, due to prior subdivision of the property it is considered a legal non-conforming lot. What this means for the property owner, there can be no expansion of the existing footprint of the building. The property owner may remodel the interior of the existing structure and make improvements to the site but cannot expand the paving, structure or construct additional buildings. There is one allowance for additional paving, for a required accessibility route to access the building such as an ADA ramp.

This site is located approximately two-blocks from Main Street and two-blocks from Legacy Trail, creating pedestrian access to this site. There are existing public sidewalks throughout the area. This site/general area is part of the original township plat and has considerably changed uses within the last 100 years from residential to commercial and office. This site with commercial designation would be more compatible with surrounding uses within the downtown vicinity.

ALTERNATIVES/ISSUES:

- **IMPACTS** The zoning to the north and east is commercial, uses are a mix of retail and office. To the south is the Senior Citizen's Center, still zoned residentially but recognized as Institutional on the Land Use Plan. To the south of the Senior Citizen's Center is June Benson Park, also still zoned residentially but recognized as Parkland on the Land Use Plan. Since this was platted as part of the Norman Original Townsite, zoning designations and land uses have changed over time, this to accommodate development and continue the revitalization process of the downtown area.

The majority of the downtown area located on the east side of the railroad tracks is designated C-3, Intensive Commercial District. The C-3 District does not have a minimum parking requirement. The area downtown has developed with on-street parking, small/private parking lots or public parking lots. The C-3 District designation for this site will allow redevelopment of the structure for the neighborhood coffee shop/café/sandwich shop without a parking requirement to be on-site. The Senior Citizen's Center has its own parking area. Offices to the north, west and east have on-site parking for their use. Eufaula Street has three blocks of parking serving the general area. In addition, there is public parking along Main Street, Peters Avenue, Symmes Street and Comanche Street. There is a substantial number of public parking options for patrons of this proposal. In addition, there are public sidewalks existing in this area as well as Legacy Trail to the west of the site, creating opportunities to promote the walkability of this area of downtown.

- **ACCESS** As outlined above, the request is to adopt the C-3, Intensive Commercial District regulations to this property. Properties regulated by the C-3 Zoning District do not have a requirement to provide parking on-site. The C-3 Zoning District is

historically/typically seen in locations in the Core Area/Downtown Area, in locations where public parking is available, making the need for on-site parking unnecessary in most cases. With that said, the existing driveway area on this property would not create a desirable parking area for the proposed business. The existing driveway is better suited to be repurposed as the outdoor seating area.

- **SITE PLAN** The building footprint will remain the same with interior and exterior remodeling and renovation, keeping the original building structure. The applicant plans to utilize the existing driveway/parking area as outdoor seating with umbrella tables and chairs. As stated above, the applicant cannot expand the paved area except for an accessible route to the proposal that may be required with the building permit.

OTHER AGENCY COMMENTS:

- **PRE-DEVELOPMENT** **FEBRUARY 25, 2021** **PRE-D NUMBER 21-04**
There were no neighbors attending this meeting.
- **PARK BOARD** Park Board does not require park land for commercial development.
- **PUBLIC WORKS/ENGINEERING** The property was platted as part of the Norman Original Townsite; public improvements are existing. The applicant has agreed to remove the existing curb cut/drive approach on Peters Avenue.

CONCLUSION: Staff presents this request for rezoning and Ordinance No. O-2021-33 for consideration by Planning Commission.