



Legislation Details (With Text)

File #: O-2021-33 **Version:** 1 **Name:** Jonathan Hunnell Rezoning
Type: Zoning Ordinance **Status:** Passed
File created: 2/9/2021 **In control:** City Council
On agenda: 4/27/2021 **Final action:** 4/27/2021

Title: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2021-33 UPON SECOND AND FINAL READING; AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS THE SOUTH SIXTY (60) FEET OF LOT ONE (1), TWO (2), AND THREE (3), IN BLOCK ELEVEN (11), OF ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-3, MULTI-FAMILY DWELLING DISTRICT, AND PLACE THE SAME IN THE C-3, INTENSIVE COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (309 SOUTH PETERS AVENUE)

Sponsors:

Indexes:

Code sections:

Attachments: 1. City Council Staff Report, 2. O-2021-33, 3. Location Map, 4. Staff Report - Zoning, 5. Aerial Photo, 6. Pre-Development Summary, 7. 3-11-21 PC Minutes - R-2021-95--O-2021-33 Hunnell

Date	Ver.	Action By	Action	Result
4/27/2021	1	City Council		
4/27/2021	1	City Council		
4/13/2021	1	City Council		
3/11/2021	1	Planning Commission	Recommended for Adoption at a subsequent City Council Meeting	Pass

CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2021-33 UPON SECOND AND FINAL READING; AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS THE SOUTH SIXTY (60) FEET OF LOT ONE (1), TWO (2), AND THREE (3), IN BLOCK ELEVEN (11), OF ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-3, MULTI-FAMILY DWELLING DISTRICT, AND PLACE THE SAME IN THE C-3, INTENSIVE COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (309 SOUTH PETERS AVENUE)

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. This means 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 the uses have changed considerably within the last 100 years from residential to commercial and office. This site would be more compatible with surrounding uses within the downtown vicinity with commercial designation.

ALTERNATIVES/ISSUES:

- **IMPACTS** The zoning to the north and east is commercial; uses in the general area 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 is 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 NUMBER 21-04 - FEBRUARY 25, 2021:**
No neighbors attended this meeting.
- **PARK BOARD:** The Parks 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 O-2021-33 for consideration by City Council.

At their meeting of March 11, 2021, Planning Commission unanimously recommended adoption of Ordinance O-2021-33, by a vote of 8-0.