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ORDINANCE NO. O-2223-44

ITEM NO. 9

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	Peter Petromilli
REQUESTED ACTION	Rezoning to CCPUD, Center City Planned Unit Development
EXISTING ZONING	Center City Form-Based Code, Urban General
SURROUNDING ZONING	North: Urban General, CCFBC East: Public Street and BNSF Right-of-Way South: Urban General, CCFBC West: Urban Residential, CCFBC
LOCATION	101 W. Symmes Street
SIZE	11,960 sq. ft., more or less
PURPOSE	Residential Apartments
EXISTING LAND USE	Parking Lot
SURROUNDING LAND USE	North: The Rail House (event center) East: Public Street and Railroad South: Residential Apartments West: Residential Apartments
LAND USE PLAN DESIGNATION	Commercial

**REQUEST SUMMARY:**

This is a request to rezone the area located at the corner of James Garner Avenue and West Symmes Street, designated as Center City Form Based Code District, to a 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 four-story apartment building with a total area of 24,582 square feet, as illustrated on Exhibit A, Site Plan. The proposed development will have twenty residential dwelling units; eight units will have 2-bedrooms and twelve units will have 3-bedrooms – for a total of fifty-two (52) bedrooms. Open space will be provided on the north

side of the building, roof patio and on patios/balconies of the individuals units. A total of forty-two (42) parking spaces are to be installed as shown on the Site Plan. Twenty-one (21) parking spaces will be provided through on-site parking lots with access off the alleyway. Sixteen (16) on-street parking spaces will be installed on James Garner Avenue and an additional five (5) on-street parking spaces will be installed on Symmes Street.

**BACKGROUND:**

This is a rezoning application moving forward to Planning Commission and City Council to request a Center City Planned Unit Development under the recently revised 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. 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 of the City of Norman and the University of Oklahoma.

The Center City Form-Based Code, which is the outcome of this 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 an 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, the current zoning regulations were not adequately managing the growing demand for infill development in Norman's Center City area and there was significant community disagreement about market-driven proposals for the infill development occurring. The professional charrette process was the best technique available to articulate the community vision.

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).

## **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: Site Development Requirements

Part 9: Definitions

Appendix A (Process, Incentives)

Appendix B (Center City Planned Unit Development, CCPUD)

Appendix C (Bicycle Parking Design Guidelines)

## **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.

**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 holistically 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. In addition, 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.

**PARTICULARS OF THIS CCPUD:**

The applicant is requesting this CCPUD in order to build the desired structure illustrated on the attached drawings. The applicant is able to comply with many of CCFBC requirements. However, due to the unique characteristics of this corner parcel and the design of the desired structure, the applicant is requesting a variety of modifications to the Center City Form Based Code, as follows:

1. Move the Required Build Line along Symmes Street forward from nine feet (9') behind the property line to three feet (3') behind the property line.
2. Reduce the siting requirement along the Required Build Lines from 100% on Symmes Street to a minimum of 65%. The siting requirement on James Garner will be increased from 65% to a minimum of 90%.
3. Increase the allowed offset from the Required Build Line from twenty-four inches (24") to a maximum of forty-eight inches (48") for recessed door, patios and doors.
4. Allow for the required street wall only on Symmes Street, as shown on Site Plan.
5. The minimum fenestration requirements for building facades more than 5' from property line are decreased to a minimum of 10%.
6. Allows all fire rated exterior walls to be exempt from fenestration requirements.
7. Allows the northern most wall of the structure, that faces the north property line, to be exempt from fenestration requirements.
8. Allows for a main building sign between the top floor line and the roofline, not to exceed 3' in height for both Symmes Street and James Garner Avenue facades.
9. Parking will be provided as shown on the Site Plan in size, location and number.
10. Allows for the use of exposed fastener metal panels (R-style panels are prohibited).

It should be noted that City Staff and the developer have met to discuss the timing of the James Garner Extension Project and this proposed redevelopment. It is anticipated both projects may occur simultaneously. The developer has indicated he will continue to work with City staff as the redevelopment project progresses.

**OTHER AGENCY COMMENTS:**

**PRE-DEVELOPMENT:** No meeting was required for this application.

**GREENBELT COMMISSION MEETING:** No meeting was required for this application.

**PARK BOARD:** Parkland dedication is not required for this application.

**PUBLIC WORKS:** This is in an area where no drainage improvements are required. However, drainage improvements along James Garner will be done as part of the upcoming James Garner project.

**UTILITIES:**

1. Water
  - a. Existing water line along Symmes will need to be relocated/replaced due to the proposed on-street parking and conflict with existing fire hydrant.
  - b. Water meters must be located within easement or right-of-way and must be moved further from the structure.
2. Sewer
  - a. Offsite extension required for service. Applicant has submitted drawings for the extension.
3. Sanitation
  - a. Dumpster must be sized, in combination with frequency of service, to meet the needs of both the existing event center and proposed multi-family building.

**CONCLUSION:** Staff forwards this request and Ordinance No. O-2223-44 to Planning Commission for consideration and a recommendation to the City Council.