

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

December 12, 2019

The City Council Oversight Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:05 p.m. in the City Council Executive Conference Room on the 12th day of December, 2019, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Holman, Petrone, and Chairman Bierman

ABSENT: Councilmembers Carter and Scott

OTHER STAFF PRESENT: Mr. Darrel Pyle, City Manager
Councilmember Lee, Ward 4
Councilmember Scanlon, Ward 6
Ms. Jane Hudson, Director of Planning & Community Development
Ms. Beth Muckala, Assistant City Attorney
Ms. Sara Kaplan, Retail Marketing Coordinator
Ms. Anais Starr, Planner
Ms. Rendy Martin, Administrative Tech III

Item 1, being:

DISCUSSION REGARDING POTENTIAL EXTENSION OF THE CENTRAL NORMAN ZONING OVERLAY DISTRICT (CNZOD) AND OTHER WAYS TO APPROACH OR ADDRESS DENSITY TYPES AND DIVERSE HOUSING IN NORMAN.

Ms. Jane Hudson, Director of Planning and Community Development, provided background on the Central Norman Zoning Overlay District (CNZOD). The Community Planning and Transportation Committee began discussion of regulatory measures for minimizing the higher density residential development impacts within the Core Area in 2016. The discussion went hand-in-hand with the downzoning that was approved in the Miller Historic District. She said it essentially covered the areas outside of the Miller Historic District that were not downzoned from R-3, Multi-Family Dwelling District, to R-1, Single Family Dwelling District. In addition to that, there was concern expressed by the residents within the Silk Stocking Neighborhood about being approached by buyers to purchase their homes/lots and redevelop them and feared higher densities would develop in their neighborhoods. The CNZOD requires special use zoning to have more than three bedrooms with an allowance for properties that had more than three bedrooms at the time of adoption. All residential units having four or more bedrooms per unit require approval from City Council as special use, pursuant to special use procedures. It also applies to interior renovation, additions, and alterations.

Ms. Hudson said subsequent to the adoption of the CNZOD the Center City Form-Based Code (CCFBC) was adopted. At the original adoption of the CCFBC there were no limitations set for the number of bedrooms. The committee and the citizens involved in the CCFBC were looking for increased density and increased housing options within the CCFBC area. After adoption of CCFBC concern was expressed by the community that the diverse housing hoped for was not what was being built so Council initiated an administrative delay to review options. The Ad Hoc Committee was

established and additional regulations were added to the CCFBC, which required special use zoning for more than three bedrooms. Ms. Hudson said the community has reached out to staff once again about expanding CNZOD into more of the Core Area.

Councilmember Bierman said after visiting with staff it appears applications are meeting the letter of the ordinance, but not complying with the spirit of the ordinance. She felt there would have to be a slate of tools, restrictions and definition changes, to help staff address the concerns more comprehensively. She said she wanted to get the discussion started and encouraged Councilmembers to think about solutions and alternatives to present to staff.

Councilmember Hall said the reactions from the community is that what is being built; is not what was envisioned. She feels, as a community and as a City, there is an interest in protecting the unique and distinctive residential neighborhoods, which contribute to the overall character and identity of Central Norman. She said Council's actions on recent amendments recommended by the ad hoc committee still does not provide the Planning Department the tools needed to say, this is not where we want to be headed as a community.

Councilmember Bierman clarified this is not an attack on higher density housing, but recognizing the particular type of high-density housing that is continually being proposed is not diverse. It is aimed at one specific type of resident and it is not as flexible in its use as a duplex, triplex, or four-plex. She said she thinks Council recognizes the need for higher density housing to avoid sprawl, but the high-density housing needs to be appropriate for the community and flexible in who can occupy it.

Councilmember Holman said developers are building these because of the demand and he understood, many of the units are being leased before construction is finished. He said 15 years ago there was a boom in large student apartment complexes, but they were not built close enough to Campus to walk or bike. He felt like students and younger people do not want to drive that much anymore or pay for a parking so they are naturally wanting to locate in this area. His concern is that wherever the boundary is, the next street over will include the types of structures that Council is trying to avoid.

Ms. Hudson said the problem is although there are definitions of bedroom in the CNZOD, CCFBC, and the Zoning Ordinance, the ability for someone to turn an area into a bedroom can be done on weekend construction. She said they easily can be transitioned into bedroom areas, which puts them over the specific requirements within the CNZOD and CCFBC.

Mr. Pyle said there is software called Blue Beam, that will allow Staff to receive electronic plans submittals to speed things up and was also recommended by Management Partners. He said utilizing the Blue Beam software Staff will be able to look at the floorplan before arriving.

Councilmember Bierman encouraged Council to consider an additional inspection to verify plans to as-builts. Councilmembers also expressed the desire for citizens to be able to access data to see what building permits have been applied for and issued.

Councilmembers asked if something could be filed at the County with the property records if a building was not built as it was permitted to give notice to a potential buyer.

Ms. Muckala said that would be more of an executive enforcement power and the City would need to have evidence and be able to show that before the City would want to take an action of record against their property. She said there may be a way to go through that, but actions like that would need to afford due process.

Chairman Bierman asked if Council wanted to do this just for Center City or would for the entire CNZOD.

Kamala Jolly-Stewart said she lives in First Courthouse Neighborhood in this Core Norman area. She felt that it is important to think about the residents that we are really trying to get in these housing types, rather than just focusing on the problems. She questioned whether incentivizing single family owner occupied structures would be possible. She said Council needs to be doing positive proactive things to make sure that families want to live in this area.

Chairman Bierman felt the City does a great job getting the developers to build to plan, but then once the Certificate of Occupancy has been issued, the City's role ends and she did not think that that should be the case. She felt developers expect to be able to work through the steps until the certificate is issued and then they are free to do whatever they want with it after that. She felt like that is where the majority of the problems are and would much prefer to be able to address that early on, and then have that follow-up period afterwards.

Councilmember Holman asked if the application was a Planned Unit Development (PUD) could Council ask the applicant, as a condition of their approval, to agree that the property will be inspected by the City on a regular basis. Ms. Muckala said she could research his question.

Councilmember Holman asked if it would be possible to have the consultant that worked on the Plan come back for a follow-up and see what has happened since the release of CCFBC and provide feedback. He said that was something the Committee wanted to do.

Ms. Hudson said she did not think that was a bad idea, but thought City Staff needed to work with some of the departments, more specifically Public Works/Engineering before the consultant came back. She said Mr. Shawn O'Leary, Director of Public Works, said he has genuine concerns with the Center City Form-Based Code area, with this increase in density as the current infrastructure can not handle it.

Councilmember Hall suggested the Johnson Study be reviewed again as a starting point.

Councilmember Bierman asked if waiting until February to discuss this again would give Staff enough time to put together some options. Ms. Hudson said she felt it would be fine.

Items submitted for the record

1. Memorandum dated November 14, 2019, from Jane Hudson, Director of Planning and Community Development, to the Oversight – Council Committees
2. Zoning Ordinance, Section 428.8, CNZOD, Central Norman Zoning Overlay District

ADJOURNMENT:

The meeting adjourned at 5:57 p.m.

ATTEST

City Clerk

Mayor