



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 12/12/2023

**REQUESTER:** 463 Elm, L.L.C.

**PRESENTER:** Jane Hudson, Director of Planning & Community Development

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-29 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS TWENTY (20) AND TWENTY AND ONE HALF (20 ½), OF ELMWOOD ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (463 ELM AVENUE)

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**SYNOPSIS:** This is a request from 463, L.L.C., to rezone the property at 463 and 465 Elm Avenue from R-1, Single-Family Dwelling District, to a Simple Planned Unit Development (SPUD) to allow the creation of two lots and construction of two single-family dwellings. The SPUD requests a reduction of the minimum lot width requirement from fifty feet (50') to forty-two and half feet (42.5') which would permit the owner to subdivide the current 13,430 square feet parcel into two lots through the Short Form Plat process. Each lot would contain 6,715 square feet after the platting process.

### **ZONING ORDINANCE CITATION:**

#### **SEC 36-510 – SIMPLE PLANNED UNIT DEVELOPMENTS**

1. General Description. The Simple Planned Unit Development referred to as SPUD, is a special zoning district that provides an alternate approach to the conventional land use controls and to a PUD, Planned Unit Development to maximize the unique physical features of a particular site and produce unique, creative, progressive, or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed, according to a SPUD Narrative and a Development Plan Map and contains less than five (5) acres.

The SPUD is subject to review procedures by Planning Commission and adoption by City Council.

2. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the

application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of comprehensive plan of record. In addition the SPUD provides for the following:

Encourage efficient, innovative use of land in the placement and/or clustering of buildings in a development and protect the health, safety and welfare of the community.

Contribute to the revitalization and/or redevelopment of areas where decline of any type has occurred. Promote infill development that is compatible and harmonious with adjacent uses and would otherwise not be an area that could physically be redeveloped under conventional zoning.

Maintain consistency with the City's Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

Approval of a zone change to a SPUD adopts the Master Plan prepared by the applicant and reviewed as a part of the application. The SPUD establishes new and specific requirements for the amount and type of land use, residential densities, if appropriate, development regulations and location of specific elements of the development, such as open space and screening.

**EXISTING ZONING:** This parcel is located in the Core Area of Norman, north of Boyd Street and the University of Oklahoma campus. Core Norman is densely populated, with a mix of architectural styles within several zoning designations. This area of Norman contains a variety of housing types including single-family homes, duplexes, townhomes, apartment houses and apartment complexes.

The existing house and garage apartment on this lot were built circa 1935 and 1940, prior to the adoption of the original Zoning Ordinance. The subject lot was zoned R-3, Multi-Family Dwelling District, with the adoption of Ordinance No. O-884 on July 13, 1954. On June 14, 2016, this property, along with most of Elm Street between Boyd Street and Symmes Street, was downzoned from R-3 to R-1, at the request of the majority of the property owners.

**STAFF ANALYSIS:** The particulars of this SPUD include:

**USE:**

1. Detached single-family dwelling.
2. Short-term Rental.
3. Accessory Buildings.

These are all permitted uses under the current R-1 zoning for the subject property.

**OPEN SPACE/PARKLAND:** The SPUD proposes a maximum impervious surface coverage of 65% for each lot. The Site Development Plan indicates the total impervious surface coverage for each lot will be 56%, below the maximum allowed in R-1 District of 65%. Parkland dedication is not required as part of the Short Form Plat process.

**SITE PLAN/ACCESS:** The SPUD proposes a single ten foot (10') wide shared driveway off Elm Avenue. The driveway will be located on the property line between the two properties and will lead to a two-car carport and two additional parking spaces on each lot. The proposed driveway width and curb cut radius meet the City codes.

**LANDSCAPING/FENCING:** There are no landscape requirements in the Zoning Ordinance for single-family dwellings with less than six parking spaces. The Site Development Plan indicates that open space not occupied by structures or concrete will be sodded. It should be noted, the applicant, at the request of the adjacent neighbors, has proposed an eight-foot fence along the north property line and a six-foot fence along the south property line to provide screening of the parking areas in the rear yards. Per the adopted Building Code, one tree per single-family dwelling is required at the time of building permit/before Certificate of Occupancy.

**SANITATION/UTILITIES:** Polycarts will provide sanitation for the properties. Existing water and sewer services will be utilized for this redevelopment.

During review of this rezoning request, staff discovered that there is an aerial power line running across the rear of the property approximately thirty-five from the rear property line which does not appear to be contained in either a public or private utility easement. Staff made the applicant aware this issue and the applicant contacted the utility identification service. Through this service it was indicated to the applicant that there would not be an issue with “dig-type” construction. However, staff has let the applicant know that any conflicts between structures and the power line will have to be addressed at the time of building permit and construction.

**PARKING:** The SPUD proposes a 2-car carport and two additional parking spaces on each lot. The Zoning Ordinance requires two parking spaces per dwelling unit for R-1 District.

**SIDEWALKS:** The existing sidewalk along Elm Avenue will be maintained or repaired per City standards.

**EXTERIOR BUILDING MATERIALS:** As described in the SPUD Narrative, materials for the new homes will be painted siding which is consistent with the structures seen in the neighborhood.

**PHASING:** Construction of both homes will commence upon approval of this SPUD with Fall 2024 target date for completion.

**ALTERNATIVES/ISSUES:** As noted earlier in this staff report, the subject property is located in a neighborhood that successfully downzoned from R-3, Multi-Family Dwelling District to R-1, Single-Family Dwelling District in 2016, in order to limit density to a single dwelling unit per lot. While this SPUD does propose one single-family dwelling unit per lot, it will create lots with smaller lot widths than what is typically seen on this street. To help address any impact from the smaller width, the applicant is proposing a single shared driveway between the two lots thereby reducing the number of curb cuts and reducing the amount of paving seen in the front yard. This will required cooperation and coordination between the two lots in order to ensure access to the rear parking.

**OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT:** Applications will be reviewed for any code requirements if applicable to single-family units at the time of permit.

**PUBLIC WORKS/ENGINEERING:** The Short Form Plat will come forward after the zoning.

**TRAFFIC ENGINEER:** No Comments.

**UTILITIES:** At the time of building permit, the water meter for the proposed south lot will need a new service, which must be indicated on submitted drawings. For the water service proposed to remain on the north lot, the materials for the public and private portion of the line need to be verified. If the private service is lead or galvanized, the private service line cannot be reused. For wastewater, when the lots are split, each lot will need to have a service to the City main. The lots cannot be on a combined private service. Existing service(s), if not to be used, must be abandoned at the main.

**CONCLUSION:** Staff forwards this request for rezoning to a Simple Planned Unit Development and Ordinance O-2324-29 to City Council for consideration.

At their November 9, 2023 meeting, Planning Commission recommended adoption of Ordinance No. O-2324-29 by a vote of 8-0.