



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 02/22/2022
REQUESTER: James L. Adair
PRESENTER: Jane Hudson, Director of Planning & Community Development
ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-33 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 THIRTY-TWO (32), AND THIRTY-THREE (33), LESS THE EAST 25 FEET THEREOF, BLOCK THIRTEEN (13), OF M.C. RUNYAN SUBDIVISION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-3, INTENSIVE COMMERCIAL DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (115 SOUTH PETERS AVENUE)

SYNOPSIS:

The applicant, James L. Adair, is requesting to rezone from C-3, Intensive Commercial District to SPUD, Simple Planned Unit Development District to allow for residential dwelling units as well as the commercial/offices uses detailed in the SPUD Narrative. More specifically, the applicant is rezoning to allow for one (1) ADA accessible residential dwelling unit on the ground floor in addition to residential dwelling units on the upper floor. The site consists of a 40' x 100' parcel of roughly 4,000 square feet, with a two-story structure of approximately 7,776 square feet. The proposed development will follow a SPUD Narrative document; see attached.

HISTORY:

The property at 115 South Peters Avenue was purchased by James L. Adair in September 2021. Prior to this, the property was owned by the Turner Odies Primrose Revocable Living Trust. The structure on the property, the historic Primrose Building, was constructed in 1930 and is approximately 7,776 square feet. The property has been zoned C-3, Intensive Commercial District since 1954 (Ordinance 884). In addition, the property is within Block 13 of the Original Townsite, Lots 32 and 33, less the east 25' feet of M.C. Runyan Subdivision of Lots 28-32.

ZONING ORDINANCE CITATION:

SEC 420.05 – 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: The subject property currently has a C-3, Intensive Commercial District zoning designation. This commercial district is intended for the conduct of personal and business services and the general retail business of the community. This district does not allow for residential units without a special use permit. Furthermore, the special use permitted for residential units does not allow for ground floor residential.

ANALYSIS: The particulars of this SPUD include:

1. **USE:** As proposed in the SPUD Narrative, the property and buildings shall allow all permissible uses in Section 425.1 of the Norman Zoning Ordinance for C-3, Intensive Commercial District. The property may also feature a maximum of five (5) dwelling units on the upper story, and a minimum of one (1) accessible dwelling unit on the ground floor. The property may also feature a live-work arrangement as part of that use distribution.

Exhibit C

Permissible Uses

1. Property and buildings shall allow uses as outlined below:

(a)

Amusement enterprises.
Antique shop.
Apartment Hotel.
Appliance Store.
Art Gallery.
Artist materials supply, or studio.
Assembly Halls of non-profit corporations.
Automobile service station.
Automobile supply store.
Baby shop.
Bakery goods store.
Bakery.
Bank.
Barber shop, or beauty parlor.
Spa/Bath.
Book or stationery store.
Bus terminal.
Camera shop.
Candy store.
Carpenter and cabinet shop.
Cleaning and dyeing works.
Catering establishment.
Child Care Center, as currently found in Section 438.3.
Churches, temples or other places of worship
Clothing or apparel store.
Dairy products or ice cream store.
Delicatessen store.
Dress shop.
Drug store or fountain.
Dry goods store.
Electric sales and service.
Emergency Medical Transportation Services.
Fabric or notion store.

Feed and fuel store.
Florist.
Frozen food locker.
Furniture Store
Gift Shop.
Glass shop.
Grocery or supermarket.
Hardware store.
Hotel or motel.
Interior decorating store.
Jewelry shop.
Key shop.
Laundry.
Leathergoods shop.
Libraries.
Lodge hall.
Medical Marijuana Dispensary, as allowed by state law.
Messenger or telegraph services.
Municipal use, public buildings and public utility
Museums.
Music Conservatories.
Music, radio or television shop.
Office buildings and offices for such professional services as, but not limited to; accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicist, linguist, landscape architect, optometrist, optician, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse.
Painting and decorating shop.
Pawn shop.
Pet shop.
Pharmacy.
Photographer's studio.
Public and private schools and college with students in residence and dormitories associated therewith.
Radio and television sales and service.
Restaurant.
Retail spirits store.
Sewing machine sales.
Small animal hospital.
Sporting goods sales.
Shoe store or repair shop.
Short-term rentals.
Tailor shop.
Theater, including one that sells alcoholic beverages in compliance with state law.
Tier I Medical Marijuana Processor, as allowed by state law.

Tier II Medical Marijuana Processor, as allowed by state law.
Toy store.
Trade schools and schools for vocational training.

(b) Buildings and structures and uses accessory and customarily incidental to any of the above uses, provided:

(1) There shall be no manufacture, processing or compounding of products other than such as are customarily incidental or essential to retail establishments.

(2) The Planning Commission makes a determination that such operations are not objectionable due to noise, odor, dust, smoke, vibration, danger to life and property or other similar causes which are injurious to the health or safety of the neighborhood.

(c) Any other retail or wholesale store, shop or establishment which in the opinion of the Planning Commission is of similar character to those listed above and is not more objectionable to the area in which located due to reasons specified in paragraph (b)(2) above.

(d) Mixed building in which one or more dwelling units may be located on the upper floor, and an allowance for one (1) residential dwelling unit on the ground floor to be ADA accessible.

(e) The following uses are permitted, but not subject to the language set forth in subparts (b) and (c) above:

Bar, lounge or tavern
Live Entertainment Venue.

2. **OPEN SPACE:** No increase to the existing building footprint is being proposed. There is no open/green space on this site. The building footprint covers the site.
3. **PARKING:** The property does not have any on-site parking, and none is proposed. The property will utilize on-street handicap accessible parking spaces, and/or one (1) off-street handicap accessible parking space located within the parking lot directly across from the property on Peters Avenue. With the existing C-3 zoning designation, parking accommodations are not required.
4. **PHASES:** There are no phases planned for the development. The project is planned as a renovation to the existing building to accommodate loft apartments and leasable commercial/office space.
5. **SITE PLAN/ACCESS:** The Site Development Plan (see Exhibit B) for the site is concurrently submitted with the SPUD Narrative and shall be incorporated as an integral part of the redevelopment of the site. There are no changes to the existing building footprint. Access to the property is existing and shall be permitted in the manner depicted on the attached Site Development Plan. Trash will be handled through an existing dumpster located in the adjacent alley. Sidewalks currently exist adjacent to the property. There is an existing exterior egress stairway, located in the existing alley, that may need

to be updated and/or relocated to comply with current building codes. The applicant has been made aware of this possible relocation of the exterior stairs.

6. **LANDSCAPING:** In the event of future development, the property shall be in conformance with the City of Norman's ordinances, as amended from time to time.
7. **SIGNAGE:** The signage for this property shall comply with Norman's applicable signage regulations for commercial uses, as amended from time to time.
8. **HEIGHT:** The existing building is two stories in height, and the initial development will be for a renovation to the existing structure. In the event of future development, the maximum building height shall be in accordance with Norman's applicable height regulations from Section 425.1 of the Norman Zoning Ordinance for C-3, Intensive Commercial District.
9. **LIGHTING:** All exterior lighting shall be installed in conformance with any applicable City of Norman Outdoor Lighting Standards, as such may be amended from time to time.

OTHER AGENCY COMMENTS:

PUBLIC WORKS: Peters Avenue west of site is paved and a public alley north of site is paved. Existing sanitary sewer and water serve the site. There is an existing sidewalk adjacent to Peters Avenue.

CONCLUSION:

Staff forwards this request for rezoning from C-3, Intensive Commercial District to a SPUD, Simple Planned Unit Development as Ordinance O-2122-33 for consideration by the City Council. At their January 13, 2022 meeting, the Planning Commission unanimously recommended adoption of Ordinance O-2122-33 by a vote of 6-0.