



Central Norman  
ADMINISTRATIVE DELAY APPEAL

Case No. 22-03

City of Norman Planning & Community Development - 201 W. Gray St., Bldg. A - Norman, OK 73069 — (405) 366-5433 Phone - (405) 366-5274 Fax

APPLICANT(S) <u>St. John's Episcopal Church</u>	ADDRESS OF APPLICANT <u>209 W. Duffy</u> <u>Norman, OK.</u>
NAME AND PHONE NUMBER OF CONTACT PERSON(S) <u>PAT WELCH - 405-656-2267</u>	EMAIL ADDRESS <u>pat@hardwareexpressions.com</u>

Legal Description of Property: LARSHS UNIV. LOTS 9-10 BLK 5 AND W 10' LOT 3  
BLK 5 LARSHS FIRST ADDN.

Requests Hearing for:

CENTRAL NORMAN ADMINISTRATIVE DELAY

Detailed Justification for above appeal (refer to attached Resolution and justify request according to requirements therefor):

THE CITY'S INTEREST IN PROTECTING THE PUBLICS HEALTH, SAFETY  
AND GENERAL WELFARE.

(Attach additional sheets for your justification, as needed.)

SIGNATURE OF PROPERTY OWNER(S):

St. John's Episcopal Church  
Patricia Welch, Jr. Warden.

ADDRESS AND TELEPHONE:

235 W. Duffy

Date Submitted:

Checked by:

OFFICE  
USE  
ONLY



# The City of NORMAN

201 West Gray A • P.O. Box 370  
Norman, Oklahoma 73069 • 73070

PLANNING AND COMMUNITY DEVELOPMENT  
Phone: 405-307-7112

## Temporary Administrative Delay – Center City Form-Based Code Area Resolution No. R-2122-76

Date: March 4, 2022  
Address: 209 W. Duffy St.  
Owner/Applicant Rep.: St. John's Episcopal Church

Your application(s) for a Certificate of Compliance for demolition of a garage at the above address has been denied based on the City Council adopted "Temporary Administrative Delay" for the "Center City Form-Based Code Area" (see attached map). City Council adopted this Resolution on December 14, 2021, and your property is located within the area and scope of the Administrative Delay. This Administrative Delay is for a period of six (6) months and includes applications for COCs, demolition permits, and CCPUDs in the area defined by Exhibit A.

Included in the Resolution of the Administrative Delay is the option to appeal the denial. City Council recognized that applicants should have the right to appeal a denial if the applicant believes the decision to deny an application is unreasonable. Such appeal shall be filed with the Clerk of the Council within ten (10) business days after receiving this written notification.

For your reference, attached is a copy of Resolution No. R-2122-76. Included in the copy are the steps to file your appeal with the Clerk, page 3, §21-22, as well as the map outlining the area covered by the Administrative Delay.

Owner/Applicant Rep. Signature: Pat Welch, Jr. Warden

Printed Name: PAT WELCH

E-Mail & Phone: pat@hardwareexpressions.com 405-650-2267

Application Number for Tracking Purposes Only: 22-03

Planning & Community Development  
Current Planning  
405-307-7112  
[Current.planning@normanok.gov](mailto:Current.planning@normanok.gov)

[Signature] 3/4/22  
Title: Date

MAR 03 2022

Permit No. 22-852



# Demolition Permit Application

City of Norman Development Services Division 201 W. Gray St., Bldg. A Norman, OK 73069 Phone 405-366-5445 Fax 405-366-5445

PROJECT ADDRESS <u>209 W. DUFFY - GARAGE</u>		BLOCK <u>53</u>	LOT <u>1</u>	SUBDIVISION (SEE ATTACHED SHEET #) <u>Lansha 1st Add</u>
OWNER NAME <u>ST. JOHN'S EPISCOPAL CHURCH</u>		CONTRACTOR <u>MIDWEST WRECKING</u>		
ADDRESS <u>235 W DUFFY ST.</u>		ADDRESS <u>PO BOX 14668</u>		
CITY <u>NORMAN</u>	STATE <u>OK</u>	ZIP <u>73069</u>	CITY <u>OKC</u>	STATE <u>OK</u>
PHONE # <u>405-650-2267</u>	FAX <u></u>	PHONE # <u>405-478-8833</u>	FAX <u>405-478-0961</u>	ZIP <u>73113</u>
CELL PHONE # <u></u>		CELL PHONE # <u>405-740-2016</u>		
E-MAIL ADDRESS <u>gatehardwareexpressions.com</u>		E-MAIL ADDRESS <u>bryan@midwestwrecking.co.com</u>		

# OF STORIES <u>1</u>	# OF UNITS <u>1</u>	DESCRIBE WORK <u>GARAGE DEMOLITION</u>	DISPOSAL SITE <u>SOUTHEAST LANDFILL</u>
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PLANNING DEPARTMENT	CURRENT ZONING	PROPOSED FUTURE USE OF SITE <u>VACANT</u>
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IF PROPOSED FUTURE USE IS NOT ALLOWED BY ZONING, APPLICANT MUST SIGN THE FOLLOWING STATEMENT BEFORE PROCEEDING: I UNDERSTAND THAT MY PROPOSED USE FOR THIS SITE IS NOT ALLOWED UNDER THE CURRENT ZONING & THAT REZONING WILL BE REQUIRED BEFORE A BUILDING PERMIT WILL BE ISSUED

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

CONSTRUCTION TRAFFIC CONTROL	PROJECT: <input type="checkbox"/> WILL <input checked="" type="checkbox"/> WILL NOT REQUIRE PERMIT TO WORK IN PUBLIC RIGHT OF WAY.
	<input type="checkbox"/> WILL <input checked="" type="checkbox"/> WILL NOT REQUIRE APPROVED TRAFFIC MANAGEMENT PLAN.

UTILITY DISCONNECTS

ELECTRICITY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	APPLICANT CONTACTS ELECTRICAL UTILITY (USUALLY OEC, 321-2024, OR OG&E, 272-1010) TO REQUEST ELECTRIC METER AND SERVICE DISCONNECT TO BE PULLED. CONFIRMATION SHOULD BE FAXED TO THE CITY OF NORMAN, BUILDING PERMIT DESK, FAX 366-5445.
CONFIRMATION RECEIVED: <input type="checkbox"/> YES <input type="checkbox"/> NO CONNECTION BY: <u>TH</u>	
FUEL GAS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PROPANE	APPLICANT CONTACTS FUEL GAS SUPPLIER (USUALLY ONG, 551-4000 OR LOCAL PROPANE DISTRIBUTOR) TO REQUEST DISCONNECTION OF GAS METER. CONFIRMATION TO BE FAXED TO THE CITY OF NORMAN, BUILDING PERMIT DESK, FAX 366-5445.
CONFIRMATION RECEIVED: <input type="checkbox"/> YES <input type="checkbox"/> NO CONNECTION BY: <u>TH</u>	
SEWER A <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE	APPLICANT CONTACTS CITY OF NORMAN SEWER LINE MAINTENANCE SUPERVISOR AT 329-0703 AND REQUESTS "SEWER CAP REVIEW" SUPERVISOR WILL MEET WITH YOU AND LIST REQUIREMENTS BELOW, AND SIGN THIS FORM.
SEWER CAP REVIEW → SEWER MUST BE SEALED AS FOLLOWS: _____ _____ _____ LINE MAINTENANCE SEWER OFFICIAL: <u>TH</u> DATE: _____	
SEWER B	APPLICANT IS REQUIRED TO COMPLETE WORK AS NOTED ABOVE AND CALL SEWER LINE MAINTENANCE SUPERVISOR AT 329-0703 FOR A "SEWER CAP FINAL" INSPECTION BEFORE COVERING WORK. PLEASE GIVE LINE MAINTENANCE AS MUCH LEAD TIME AS POSSIBLE WHEN COORDINATING THIS INSPECTION.
SEWER SEALED TO CITY SPECIFICATIONS & APPROVED BY: _____ DATE: _____	
WATER <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE <input type="checkbox"/> CONSTRUCTION METER	PERMIT DESK WILL FAX A COPY OF THIS APPLICATION TO LINE MAINTENANCE WHICH SERVES AS NOTICE TO DISCONNECT WATER SERVICE AND PULL WATER METER.
WATER METER REMOVAL → REMOVED AFTER SEWER CAP FINAL APPROVED: _____ LINE MAINTENANCE PERSONNEL: _____ DATE: _____	

\*CITY OF NORMAN LINE MAINTENANCE WILL NOTIFY BUILDING PERMIT DESK BY RETURN FAX TO 366-5445 UPON COMPLETION OF THE SEWER & WATER TASKS

READ & SIGN	The granting of this permit shall not be construed as permission to violate any laws; additional requirements may be printed on the permit. All requirements and laws will be complied with whether specified herein or not. This permit expires if no inspections are obtained within a six month period. This permit requires final inspections. I agree to abide by all laws and ordinances governing this type of work whether specified herein or not and hereby certify that I have read and examined this application and know the same to be true & correct. Printed Name: <u>BRYAN GANN</u> Signature: <u>[Signature]</u> Date: <u>3-3-22</u>
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NOTICE: ALL ITEMS MUST BE COMPLETED BEFORE PERMIT WILL BE ISSUED

PERMIT MANAGER: \_\_\_\_\_  
TRAFFIC ENGINEER: David P. [Signature] 3/4/22  
PLANNING DIRECTOR: \_\_\_\_\_

FEE \$ 20.00

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING A TEMPORARY ADMINISTRATIVE DELAY FOR A PERIOD OF SIX (6) MONTHS ON THE ACCEPTANCE OF ALL APPLICATIONS FOR CERTIFICATES OF COMPLIANCE ("COC"), DEMOLITION PERMITS, OR CENTER CITY PLANNED UNIT DEVELOPMENTS ("CCPUD") IN THE CENTER CITY STUDY AREA OF NORMAN; DECLARING POSSIBLE EXCEPTIONS; DECLARING A PROCEDURE FOR ADMINISTRATIVE REVIEW AND APPEALS PROCESS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- § 1. WHEREAS, the Center City Study Area ("Center City"), more specifically delineated on the attached map, is a portion of the oldest developed area within the Norman community, and was rezoned to the Center City Form Based Code effective May 23, 2017, and made subject to the Center City Project Plan December 19, 2017; and
- § 2. WHEREAS, Center City connects the Downtown area to the Campus Corner area and borders two historic districts, as well as the University of Oklahoma; and
- § 3. WHEREAS, the unique nature of the Center City, as addressed in the Center City vision, makes it a prime location for promoting development using a form-based tool to include housing and mixed-uses that promote a walkable and "park once" environment; and
- § 4. WHEREAS, infrastructure, including roads, alleys, parking, sewer lines, water lines, and electric grids, are aging and may not be able to continue to support their users if the area continues to gain in density as Center City has been developed following the adoption of the Center City Form Based Code; and
- § 5. WHEREAS, development and redevelopment pressures threaten to erode Center City's character and vision as a destination with a desirable mix of land uses that complement and protect the adjacent neighborhoods; and
- § 6. WHEREAS, the future of an attractive, economically healthy Center City depends in no small part on the preservation of healthy neighborhoods within it as well as the development of appropriate mixed uses recognizing the intent behind the adoption of the Center City Form Based Code; and
- § 7. WHEREAS, the City Council is elected and is duty-bound to promote the community's health, safety, and moral and general welfare, which duty includes the preparation of plans, strategies, and ordinances designed to effectuate the coordinated development of the City, and that in accordance with existing and future needs, will best promote the general welfare, as well as conserve property values and encourage the most appropriate use of land throughout the City; and

- § 8. WHEREAS, generally, when it becomes apparent there is a need to amend existing plans or ordinances, or to adopt new plans, strategies, or ordinances to promote the health, safety, and general welfare, a "race of diligence" may ensue in property owners seeking to establish vested rights under existing law and the City Council seeking to enact or amend a plan or ordinance, or adopt new plans, strategies, or ordinances, before such vested rights are established; thereby creating additional safety and welfare problems; and
- § 9. WHEREAS, such a "race of diligence" is counterproductive to both individual property owners and the City as a whole, because landowners rush to submit applications that may not have received adequate consideration and to gain approval of such applications, and the City rushes to adopt a plan or ordinance amendments, strategies, or ordinances that may not have received thorough analysis or been subject to full public debate with respect to the issues, goals, and policies of the proposed development controls, and therefore may not be as responsive to either the City's or the applicant's goals and needs or received the degree of community input and debate as would otherwise be possible and appropriate; and
- § 10. WHEREAS, a temporary administrative delay of development applications within a defined geographic boundary of the City by resolution of the City Council, based upon the likelihood that proposed amendments to the Center City Form Based Code or planning policies may impact the nature of development applications, is an appropriate remedy to counteract the effects of a "race of diligence"; and
- § 11. WHEREAS, this Resolution is considered because the City Council has determined that some applications for COCs, demolition permits, or CCPUDs in Center City, may adversely affect the ability of Center City to remain and redevelop as a unique, vibrant place; and
- § 12. WHEREAS, a limited number of applications will seek permits for projects that may have little or no effect on the future of Center City, in order to cause the least disruption to property owners affected by this Resolution; and
- § 13. WHEREAS, the City Council recognizes that an administrative delay is an extraordinary remedy that should be used judiciously and only after serious evaluation and analysis by staff and City Council and based upon staff's carefully considered recommendation; and,
- § 14. WHEREAS, to ensure that the City Council successfully, fairly, and rationally fulfills this duty, it is necessary to delay temporarily the acceptance of applications for COCs, demolition permits, and CCPUDs; and
- § 15. WHEREAS, the Council also recognizes that it has an equally important duty to fully consider applications for the issuance or approval of COCs, demolition permits, and CCPUDs whenever such applications are consistent with the City's Code of Ordinances, including the Center City Form Based Code, and that it is necessary that delay be enacted for the shortest amount of time; and



- § 16. WHEREAS, the City Council has determined that it is appropriate and necessary to provide an expeditious appeal process to individuals or entities affected by this administrative delay in order to ensure proper due process; and
- § 17. WHEREAS, it is anticipated that certain public improvements will be recommended to be accomplished in furtherance of the future smart growth of Center City, and that funding sources to accomplish those public improvements will need to be identified.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 18. That for a period of six (6) months, the Council of the City of Norman hereby formally adopts a temporary policy of delaying the acceptance of applications for COCs, demolition permits, and CCPUDs in the area defined by Exhibit A. This Resolution may be rescinded if the City completes those tasks in less than six (6) months; and
- § 19. That the Planning and Community Development and Public Works Departments of the City of Norman are directed not to accept applications for COCs, demolition permits, and CCPUDs in the area defined by Exhibit A; and
- § 20. That it is the intent of this action to protect the character of Center City by protecting the area from development inconsistent with the Center City vision, by addressing concerns in the implementation of certain provisions of the Center City Form Based Code and its Project Plan, including more recent revisions to the Center City Form Based Code, and to realize the community's vision for a vital Center City that accommodates an attractive balance of commercial, residential, mixed-use and institutional land uses; and
- § 21. That applicants shall have the right to appeal the temporary Administrative Delay of Applications to the City Council of the City of Norman if the applicant believes that the decision not to accept COC, demolition permit, or CCPUD applications is unreasonable. Such appeal shall be filed with the Clerk of the Council within ten (10) business days after receiving written notification of a determination; and
- § 22. That, after receipt of the applicant's written statement of appeal, the Clerk of the Council shall schedule the appeal for hearing by the City Council on the next regular agenda, or as soon thereafter as practicable in the normal course of managing Council agendas. The applicant shall be notified of the time of the hearing at least seven (7) days prior to such hearing. Proper mailing to the address shown on the original application shall be adequate notification. The decision and order of the City Council on such appeal shall be final and conclusive; and
- § 23. That the applicant shall bear the burden of establishing by a preponderance of the evidence that processing the application for COCs, demolition permits, or CCPUDs will not undermine the current character of Center City, obviate the purpose of the Center City Form Based Code or Vision, directly implicate issues that are set to be addressed during this

temporary administrative delay, and will not place undue additional burden on the existing infrastructure; and

§ 24. That the City Council shall consider the following in determining whether appeals of denied applications for COCs, demolition permits, or CCPUDs should be granted:

- ✓ The City's interest in protecting the public's health, safety and general welfare;
  - The City's interest is avoiding the creation of uses or structures that may not be in harmony with the intent and purpose behind the Center City Form Based Code and vision;
  - The extent to which the proposed use, if applicable, will negatively impact the values of the property and the neighboring property;
  - The economic impact and hardship of the delay upon the owner; and

§ 25. That the provisions of this resolution are temporary in nature and are intended to be removed in totality or replaced by subsequent legislative enactment. The temporary administrative delay of applications for COCs, demolition permits, and CCPUDs as specified in this resolution shall terminate six (6) months from the date of adoption.

§ 26. This temporary administrative delay is also expressly tied to the formation of the Center City Form Based Code Ad Hoc Committee ("CCFBC Ad Hoc Committee") and to that committee's participation in the review and potential recommendation to the City Council of alterations to the Center City Form Based Code directly addressing current concerns presently identified by City Staff, and as further set forth in a future resolution formally appointing said CCFBC Ad Hoc Committee.

§ 27. Severability. If any section, subsection, sentence, clause, phrase or portion of this resolution is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this resolution.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney