

**CENTER CITY ADMINISTRATIVE DELAY AD HOC COMMITTEE
MEETING MINUTES**

MARCH 24, 2022

The Center City Administrative Delay Ad Hoc Committee of the City of Norman, Cleveland County, State of Oklahoma, met in the Executive Conference Room of the Norman Municipal Building, 201 West Gray Street, on the 24th day of March, 2022.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://www.normanok.gov/your-government/public-information/agendas-and-minutes> 24 hours prior to the beginning of the meeting.

MEMBERS PRESENT

Councilmember Lee Hall
Councilmember Stephen Holman
Councilmember Matthew Peacock
Keith McCabe
Richard McKown
Autumn McMahon

MEMBERS ABSENT

Jim Adair

A quorum was present.

STAFF MEMBERS PRESENT

Jane Hudson, Director of Planning & Community Development
Logan Hubble, Planner I
Colton Wayman, Planner I
Anais Starr, Planner II
Rone' Tromble, Admin. Tech. IV
Beth Muckala, Assistant City Attorney
Scott Sturtz, City Engineer
Todd McLellan, Development Engineer

GUESTS

Peter Petromilli
Bill Woods
Unidentified Person

Councilmember Hall called the meeting to order at 11:33 a.m.

1. WELCOME

Councilmember Hall – This is the Center City Form-Based Code Ad Hoc Committee meeting of March 24, 2022. We're still hoping that we see Mr. Adair and Mr. McKown, but we're going to go ahead and proceed.

2. STATEMENT REGARDING OPEN MEETINGS ACT AND OPEN RECORDS

Councilmember Hall – Our first agenda item is a statement regarding Open Meetings Act and Open Records. I'm going to turn that over to our City Attorney Ms. Muckala.

Ms. Muckala – Thank you. It's just a teensy bit of housekeeping but, as Councilmember Hall has mentioned, our meetings are getting tight and there's not as much opportunity for public comment. To maintain public input, I know that we've invited people to send stuff, and I think Councilmember Hall stated to send it to her. I would encourage – I think she mentioned copying Roné, because anything that relates to what we're doing here it would be really handy for the City to automatically get a copy of the record, just for Open Records purposes. Everything might not be sent directly to one person, so if Roné is not copied just try to be mindful about the fact that emails, texts – all of that – is subject to Open Records requests, so you have a duty to preserve and maintain and an easy way to ensure that is to send it on, if you don't want to be thinking about that. That includes anything that – notes, documents brought here, shown, or created during these meetings. It's really good to make sure that we get copies of those types of things to maintain for the record.

Just an Open Meetings Act part – I think you all know, let's avoid group discussion outside of this room – anything that's going to constitute a quorum of this group shouldn't be copied on the same email or in a group text or on Facebook – that kind of thing.

Councilmember Peacock – How many people are in this group total?

Ms. Muckala – So we're missing one, right?

Ms. Tromble – Seven.

Ms. Muckala – That's it.

Councilmember Hall – Any questions about that? Okay. I guess this is also a good time, since you just touched on it, to again remind anyone who may be listening in on our meeting today, or anybody that's here, that because of the time constraints we're operating under, we aren't going to be able to take public comments. Again, as Ms. Muckala just pointed out, you do have the opportunity to forward things to Ms. Tromble or you can also send things directly to my Ward 4 email address – Ward4@normanok.gov – and we can distribute your comments.

3. DISCUSSION REGARDING IDENTIFICATION AND DEFINITION OF “TRIGGERS” TO CCFBC APPLICABILITY AND DEFINITION OF TREATMENT OF LEGACY-ZONED PROPERTIES (OR OTHERWISE LEGAL NONCONFORMING STRUCTURES)

Councilmember Hall – Again, I'm going to turn this over to Ms. Muckala, who is always ready to give us a reality check of what we might want to do versus what we can do. Thank you for that.

Ms. Muckala – That's a good way to put it. I did draw the short straw on this one, but it's because these questions always end up on my desk, so I guess it's fair to say I have the most historical knowledge of the questions we've got, why, and what they look like.

These issues were on the resolution for you all to look at, and it's been kind of a constant thing since Center City was adopted. We have some challenges in that we didn't have a whole lot of guidance on uses. We have a form-based code here, but we still have uses and a use chart and we have to figure out what's allowed and what's not allowed, and sometimes that would get very confusing – what people are allowed to do and how that affects the structures in place, how that affects the code, whether it triggers the code, so a lot of gaps. We also had a lack of definitions for some of the terms that were used, such as development, redevelopment – that kind of thing. It's important to know what those mean, because that's literally what's triggering the applicability of the code. In some cases, industry standards really didn't explain it, and there wasn't really an explanation for how the non-conforming provision in 208 related to the use of the terms redevelopment and development. You can gather some things from context, but technically the language connecting the two weren't there. That's what we've really tried to do in this first – it's a birds-eye view, so it's in front of you. Feel free to read through it, get familiar with it. I'm not saying it's a final, obviously. Some things will need to be massaged and more flesh put to them.

The first thing we tried to do was focus on Section 102 to 104. The terms redevelopment and development have been defined. There's a suggested definition there that is going to connect it and make it consistent with Section 208, Non-Conforming Uses. It's the handout that has 102 at the top – Applicability. At the end of that document are the suggested new definitions for development and redevelopment, which, again, the idea was to draw you back to Section 208 – this should all be working together now and there should be no more confusion about when we use 208 versus when we consider what redevelopment or development is – that kind of thing. It doesn't mean there are no discretionary boundaries. There's always an interpretation of the code by the Planning Director and determinations based on that. But this gives us a better roadmap, or at least it's supposed to.

The second thing we tried to do – and we'll go into more detail on this in a second – but that's fill in the gaps for non-conforming uses and structures, and how it all works together and what it means. That's the Section 208 handout. The last thing was that roadmap that I'm talking about. We have a few places – that Section 102 that I just referenced, then there's at the beginning of the code the How to Use This Code provision. That's supposed to provide a very basic roadmap. I've supplemented that with some language to point back to obvious things and, again, to make it consistent with the changes that are suggested to Section 208 on non-conforming uses. That, in particular, relates to these medical marijuana and other brand new uses that exist in Center City but didn't exist in the legacy zoning districts. It's meant to avoid a situation where someone is going to have to bring that building to the front of the line just because they want to have a dispensary.

This is the slide that addresses the Section 208 handout that's in front of you. You'll see Section 208 has the most extensive amount of red on it. A lot of that is moving around and reordering the language that was already there, but there are some additions, and a lot of that addition came from the zoning ordinance, because we're trying to keep with what's familiar, what we know, and what we're used to. But we also had to create some stuff to address issues that have arisen and to fill in gaps. For structures, we now have more lined out provisions on what preservation can occur. Now we might be talking about preservation more later on in the context of Main Street buildings. I know

that's on your list. I'm not doing that here today. That's more detailed, so it might supplement this if you get to it. This is very basic. What does it mean to repair, replace, or alter? You'll see there's Repair and Remodeling. That language is already in there. I separated out Additions into a separate section, and added language to explain how all of it works together. Then Destruction has its own section now. Obviously, that's the biggest deal. Right? The language that was added on that is pretty friendly with our Zoning Ordinance already, so it's language that you will have seen. So I'm interested to know how you all think that works in this context. Then I wanted to make sure that I noted this. All this language – it's in here now, and it is the broad brushstroke of what we're trying to do. There might be little teeny tweaks we still need to put in there to make it crystal-clear when the Planning Director is applying a standard, this is what this means. So we have those little items that we'll need to massage, but generally, this is the big picture.

The provision that's newest for structures would be this signage requirement, and that is going to be on the second page at the top, subpart 4, Non-Conforming Signage. Had a lot of situations where people are moving into existing spaces and with business change-over, you get people who want to change signs but the sign provisions are very different in legacy zoning versus Center City, and it has been a constant headache to figure out. Oh, my goodness, are they triggering Center City structure requirements just because they want to change a sign? The way the code read before, I think, technically, yes, that it could have been interpreted that way, and I'm not sure that that's what anyone anticipated. So what is being discussed here is a provision that says you can keep that sign on it, and the first sentence says non-conforming signage materials and framework can stay there, and, of course, you can alter the content. You have a new business moving in, you can change the name on the sign – that kind of thing. But if you're going to substantially alter those materials and framework, essentially there's check on whether you're getting a new sign that the Planning Director is going to have to be able to make in that situation. If you're getting a new sign, or if you're adding a sign, then that's when you're going to need to comply with Center City signage. But here's the catch with this language – complying with Center City signage will not trigger the bring it to the front provisions. You keep your non-conforming status for your structure, but the signage provisions now apply in a vacuum. So it's this contained trigger that's very unique to only signage, but it's been a very unique issue. So this is the compromise that we're suggesting being struck. So think about that.

Mr. McKown – Can you give us an example of what that would look like – where that might have come up? Just as a physical building.

Ms. Muckala – I think Main Street is a good example. We have a lot of buildings that are staying as is, of course, and they're not all necessarily Center City compliant – a lot are, because they're already two-story. Some are one-story, though – that's not Center City compliant, and so we get really nervous when signs get changed on those, because, my goodness, do they have to add a story? So anyone who wants to – they can keep their old signage, but sometimes they're going to want to add a second sign or an additional sign. This makes it clear. If you're going to add that sign, you can, but that's when Center City is triggered. You're going to have to honor these new provisions that we pass at that time. Are there any other examples you can think of you'd like to throw out, Jane?

Ms. Starr – The one on the corner of Gray and Pickard – they came in for a CCPUD because they needed to bring, among other things, their signage into compliance, so they needed a CCPUD. Because otherwise they would have been triggering and they would have had to bring their building in line, which would mean tearing down the building, bringing the building to the required build line – all of that. Then I think Mango Cannabis was another one in which they added two signs, so it seemed like they should have brought the building into compliance, and they didn't, which was when we first noticed our issues with the sign section of the CCFBC.

Councilmember Holman – I definitely, from my perspective, wouldn't have the intent that somebody would have to add a second floor to a building just to put a new sign in. But if they tore the building down or remodeled the building significantly, then maybe their new sign would have to meet the sign standards. I definitely never intended that somebody would have to – to do a sign -- tear down the building or add a second floor to it – to an existing building, anyway. I'm definitely fine having a separate ...

Councilmember Hall – I think this is really the point of what we're moving through today of multiple issues that have caused delays, confusion of interpretation, and really want to thank Ms. Muckala for really months now working through a lot of these inconsistencies in our effort to have a more clearly-defined form-based code that's much easier for staff to interpret, as well as our developers.

Ms. Muckala – I don't want to take too much credit, because I have to be honest. This is exactly the provision where I'm not going to catch it all. We're still going to have weird questions arise. I am doing my best to have a broad brushstroke on the issues we know we've identified, but I definitely welcome input on what-ifs. If anyone has a great what-if to throw me, please email it, because I could use it to troubleshoot this language and massage it further.

On uses, we really didn't have a section on uses, which is ironic because the section was already called Non-Conforming Structures and Uses. We just didn't have the uses. So I've added that, and I brought over language from our Zoning Ordinance, and you'll see that in 208 B – that seems to be consistent with Center City. I don't see any conflict with Center City language in bringing that in. Again, it's language we're familiar with, that the City is familiar with. We think it's friendly. So I welcome input on that, but that's how we've handled it.

Then there's a couple other special situations. The first one is the language you're going to see in 208 C. You've probably seen the language "one and only one". I stole it from other places in the Zoning Ordinance. We have these businesses that just want to open these newly available retail – like a medical marijuana dispensary – or maybe we have someone who wants to do a short-term rental. In the last few years, we've created these uses – and that's a very rare thing to have done. In creating them, you don't always see on the front end all the ripple effects. So we've had people had to bring PUDs and ask for other special items because they just want to open a dispensary on Main Street. This avoids that. They can do that without destroying non-conforming uses, without having to come in full compliance with Center City, but for just one. That's a compromise, I guess, that can allow a structure and a use of the structure to entirely

change. If they had a non-conforming use already in there on their legacy zoning, they can still add a new Center City use and everything stays the same. They just can't keep piling it on. That's the suggestion, and it's definitely a creation, so I welcome input on how you think that works – if it's a good compromise to strike, see how it goes. It's always subject to further revision if we learn more.

Then the last thing is the inter-relationship between non-conforming structures and non-conforming uses – something that was entirely not addressed, and could be really problematic. This kind of goes to how the definitions that you'll see at the bottom of 208 of that handout – I have definitions suggested for Legacy Zoning District, Non-Conforming Structure, and Non-Conforming Use. The way I set up the interrelationship is, if you have a non-conforming use and you destroy the non-conforming structure, it's all going Center City now – you've destroyed it all. But you can change your use without having to bring your structure to the front. That seemed like the direction that we were leaning toward whenever these PUDs would come forward and ask for relief, that was presented to City Council. That's where it seemed to lean. But, again, this is created out of thin air and we should think about it, if that's how we want the hierarchy and the interrelationship to work. So that's really it.

Mr. McKown – There's a house located at the corner of Santa Fe and Apache, Comanche?

Councilmember Hall – Apache.

Mr. McKown – Apache. Two-story house.

Unidentified Person – You're talking about my house. Does that mean I have a ...

Councilmember Hall – Excuse me. This is a discussion for the committee right now.

Unidentified Person – Would they identify themselves as being a committee member or who they are when you address them and give them the floor, then? Since you're talking about it and my life has been endangered because of your article in the paper on February the 10th.

Councilmember Hall – Okay. Excuse me, would you identify yourself, please?

Mr. McKown – Yes, sorry. Richard McKown ...

Unidentified Person – I don't need to.

Councilmember Hall – No, I'm asking ...

Unidentified Person – I'm perfectly willing to be quiet.

Councilmember Hall – Mr. McKown, please go ahead.

Mr. McKown – You might find my question interesting, sir. Could I put an office in that building? It's non-conforming, in the sense of the shape of it. It's non-conforming to the form. But if I wanted to change its use to an allowable use – and I don't have a picture of the map in my head – but if I wanted to put a commercial use on the ground floor, assuming I could get ADA compliance and make it actually work, could I do it?

Ms. Muckala – Okay. There's going to be a lot of different factors that would affect the answer to that question. The first is, what is your underlying legacy zoning district? Because some of them might allow home occupations to a certain extent, if that's the type of office you're talking about -- that's a commercial space, then I think you would probably be wanting to look at ...

Mr. McKown – I probably could be wrong – Logan can probably correct me here – but I think the underlying would be an R-3 residential zoning district. So let's work with that as the assumption.

Ms. Muckala – Well, the roadmap that we would take to answer that question, if an applicant came in and asked that question, first you identify that. But then, within 208 as it's drafted now in front of you, I would go to subpart B, and it says a non-conforming use may not be changed to another non-conforming use. So if you're already relying on the legacy zoning category for what you're doing in that building, and you would be changing to another R-3, you're going to destroy your non-conforming use by changing to another one. That's the way legacy has worked and non-conforming has worked for our zoning ordinance entirely. I know we've used this term before – you get frozen in time. What you had then, you still have and as long as you keep it, you keep it. But if you want to change it, even if it's to another use in that legacy zoning district, you're going to lose it, because it's not what you were doing when you were frozen in time. That's what's going to control it. I can't tell you without an actual address and all that.

Mr. McKown – Okay. I have to admit I am confused on paragraph D, because I did see – those two paragraphs seem to be in conflict – the one you're referring to where you can't switch from one non-conforming use to another non-conforming use, and then the cessation of non-conforming use has got me confused. Would you try and explain it one more time?

Ms. Muckala – Yes. Subpart D was meant to set that interrelationship that I was talking about, where, if you lose your non-conforming use, you're not going to lose your non-conforming structure status. You get to keep the building even if that use is going away, and you end up complying with a Center City use. Does that make sense?

Mr. McKown – Okay. So I believe in the Center City use allowance that office would be allowed in that building. It's not? That's a residential street only?

Ms. Hudson – Yeah.

Mr. McKown – It doesn't allow for any kind of commercial on the ground floor?

Ms. Hudson – Not in blue right now.

Mr. McKown – Okay. I picked a bad example. Take me to another corner where there's a similar – that was just – had a structure on it. I wasn't trying to pick on you, sir.

Mr. McCabe – Would want a structure that's in the orange.

Mr. McKown – Yeah. Can we go to a residential structure that's in the orange, assuming there is one?

Ms. Starr – Maybe Linn and Jenkins.

Councilmember Holman – There's one on Duffy and Monnett.

Mr. McKown – Okay. Duffy and Monnett. Given that it would be allowed to put office on the ground floor, could you do that? Basically take a residential structure that's been residential forever and can now – does paragraph D allow you to put an office in that structure?

Ms. Muckala – I think paragraph D – you're pointing out to me that it needs to be clarified, because it's actually not meant to speak to that issue. It's meant to tell us if you've lost your non-conforming use status, what does it mean for my non-conforming structure status? But by creating the two different definitions, I've created two non-conforming statuses that you get to keep because we now have a form-based code and that form has been separated out so specifically. It's not the same as our zoning ordinance where it goes hand-in-hand. So subpart D obviously needs to be clarified, and I think that the question Mr. McKown is asking is really more of a straightforward am I allowed to do this use and, if so, is B going to mean that I'm losing my non-conforming use status? Or is it allowed? Or is it my one and only? That's the question.

Councilmember Holman – Along those same lines, at Duffy and Monnett on that corner, the original house is still on that corner. Next to it is a newer structure that's been brought to the street and has commercial grade ground floor. So I guess what I'm wondering, too, is that house that's on the corner – it's in the orange – could the person that owns that house decide to lease that house out as a commercial entity – like just taking the house that's there and saying we're going to put an office in it and not have to build a new structure? Is that what's allowed? Or do you trigger the orange – you actually have to rebuild or build a new structure?

Ms. Hudson – I believe that's the direction we would have to go. I'm the owner and I want to put a commercial business in there that is allowed in the orange ...

Councilmember Holman – You would have to build a new building?

Ms. Hudson – Right. You're using the use that's in the orange, whereas the legacy zoning for that area is R-3, R-2 – something like that.

Councilmember Holman – So you could continue using 702 Monnett as a residential house, but you couldn't put a business in 702 without building a new building. Okay.

Ms. Muckala – I just want to point out, again, and I know we keep coming back to this – all of this is not a you never get to do this situation. There's always an opportunity to bring a CCPUD. Nothing we're going to do would ever take that option away.

Councilmember Holman – Someone could come forward with a Center City PUD and say I don't want to tear down 702 Monnett but I do want to use that house as a business now, and they could ask for a CCPUD to do that.

Ms. Muckala – We're just drawing the line of where you have to ask for that.

Ms. Hudson – And that's similar to what we did on Park, when they didn't want to tear down the existing house. I know the use wasn't the same, but they did a CCPUD so they didn't have to tear it down because they were over the 50% they were adding on in the back.

Councilmember Hall – Because we do have a lot of unique parcels throughout the boundary area.

Mr. McCabe – I think a great example is the Rock House Bar. I think that's a great example. That was primarily a residential in a residential neighborhood that they brought forward to make it into a bar in the existing structure/existing house. And if I'm reading this right, you're just basically – the wording really to me looks pretty close to what it's always been. You're just really separating out the difference of a non-conforming structure and a non-conforming use.

Ms. Muckala – Right. Because in this code they just simply cannot be treated the same. But, Mr. McKown, I do take your point, and I think that I am going to look closer and vet those two against each other in scenarios and try to find a better way to state that, because I do see what you're saying.

That was my comments – concluded. If anyone has any additional questions, I'll take them now. And I do invite anyone to reach out directly to me with ideas, comments, scenarios. I can use all the help I can get.

Mr. McCabe – Just to double check. Knowing non-conforming use – so if I'm doing a remodel and I get it permitted as the remodel, stay within the perimeters, the numbers, under the 50% -- all of that stuff – I'm still allowed to do a remodel. We're not changing any of that, that it would all of a sudden trigger into the new – as long as I stay under the existing footprint, under the 50% new addition – I'm not triggering anything new with the language.

Ms. Starr – And you're not changing your use.

Mr. McCabe – Correct. Not changing use. Staying under the perimeters that we already have already defined – footprint, under 50%, but I think those are going to be options

that we're going to start looking at with the changes that we have. So I'm just asking if that's going to trigger.

Ms. Muckala – The idea was to keep that the same – in substantial part the same. Now I'm not going to pretend that there's not new language here because, obviously, we've tweaked things. We've tried to make it more workable, more consistent with other parts. So the language has changed, but I think the intent on that has remained very much the same.

Councilmember Holman – So along those same lines, some of these houses at one time were one single house, but over time have been divided up into apartments, just like the one on Apache and Santa Fe. If the owner of that house, or any of those houses, wanted to restore those houses back to one single home, would they be allowed – that would be a remodel or a restoration. Would they be allowed to do that?

Ms. Muckala – That's tricky. The reason it's tricky is – and drafted the definitions specifically that way. If you look at non-conforming structure, it says any structure lawfully in compliance. So the question is was that divided up structure lawful in the first place? They're not going to get the benefit without being in compliance with the law when the time came. So it depends is, unfortunately, the answer there. We have to delve into property records, which is not uncommon; we do it a lot.

Councilmember Holman – They're allowed to keep it the way it is, if they want to.

Ms. Muckala – It shouldn't be that way in the first place so, technically, no.

Councilmember Holman – But if the person owns that house on Apache and Santa Fe, if they want to, they don't have to do anything to it. They can continue leaving it the way it is and renting it out the way they do. They don't have to redevelop it, even though it's a non-conforming ...

Ms. Muckala – I would say that someone who is in a currently unlawful structure is going to risk the trigger of the Center City code any time they want to do something, because it's not lawful in the first place.

Councilmember Holman – Just any remodel or anything, because it's not ...

Ms. Muckala – Probably. Now, whether they could fly under the radar – we would hope not.

Councilmember Holman – But they can leave it the way it is if they want to, without ...

Ms. Muckala – That's the fly under the radar part. They might not be caught – and we probably wouldn't notice unless a permit was brought, but we do count on people to be honest.

Mr. McKown – To make it a little bit more refined, if the underlying zoning is R-3 and that particular structure has 3 dwelling units in it – let's say it has 4 at the moment, but then you wanted to remodel it and bring it back to 3 without modifying the footprint. That would be legal – at least what I'm understanding.

Ms. Muckala – As long as the current condition that it's in was legal under their zoning district at the time Center City was adopted, I don't see why a remodel in conformance with the legacy zoning would be any problem. I think that's what we're trying to maintain.

Ms. Hudson – I think we probably need to clarify something there, too, because we do have – that's a perfect example. So we have somebody that comes in and has 4 units, which technically wasn't legal under the grandfather. So if it was R-3 and they had the lot area and they had the ability to remodel and take it back to 3 units, which would be legal under the legacy zoning, I think we need to make sure that we are saying that.

Ms. Muckala – The question is do we want to give them non-conforming status if they're not lawful at the time they're legacy zoned? Should they get legacy zoning if they're not lawful?

Mr. McKown – In other instances, wouldn't we allow – let's say you bought a property in the outskirts of town – my neighborhood – and there's something non-conforming about the property you, as the buyer, bought, whether it's a fence around the pool, or there's an additional dwelling unit somehow that's been put in it, and you just wanted to come back in and make it conforming with R-1 zoning. Wouldn't we always make that legal?

Ms. Muckala – I'm not sure that I've been through something like that. Are we talking about some minor, that is nonetheless non-conforming?

Mr. McKown – Taking a building from 4 units back to 3 seems minor, if we're indeed just trying to bring it back into conformance.

Ms. Muckala – The way this is written, it has to be lawfully in compliance with legacy zoning, and there's no scale for it. So if it's considered minor or major, right now as written, it doesn't matter. If we would want to make that distinction, I would need to know that to add that language. But right now they have to be legal with their underlying zoning. Now, if a staff member has that property come in and there's something tiny that doesn't hit their radar – like a fence that's somewhat out of place, or 5" too tall – those can be missed. Technically, under the law – and as an attorney, I have to say this – under the law they are not lawful, and that's a fact. It's something I don't have a gray area for. It's a matter of enforcement at that point. This language doesn't take away staff's administrative enforcement of zoning violations, but it is setting a standard. So if you want the standard to be different, tell me, and we can work on that language.

Mr. McCabe – So to expand upon Stephen's question, the thing that caught me was, say I have an older home that's in the legacy zoning that's been converted legally into a triplex. They legally, with the zoning that we have right now, cannot convert it back to a

single-family home if it's in the blue because it requires a 3-unit minimum. Do you see where I'm going with that? Because you're in a legal 3 – a house that was divided up in the years. It became a triplex. It's legal. If that person – just like what Stephen questioned – if they were to hire somebody to go remodel it into a single-family home in the blue, the way I'm understanding our language right now, they can't because there's a 3-unit minimum.

Ms. Hudson – I think we need to hammer this out a little bit, because – we all might be saying the same thing in a different way. If it was R-3 and you had the square footage of the lot to have a triplex before Center City was ever adopted, and Center City is now adopted and it's blue, and you want to go in and take it back to a single-family home, which would have been allowed in R-3 before Center City was adopted, and you're not expanding the footprint more than 50%, then I think that would be legal. I want to make sure that we've got that hammered out. Because these are the kind of questions that we get after this is adopted that we don't have an answer to. So we need to make sure that we're all on the same page.

Ms. Starr – I would have thought that was illegal because it's changing the use, given the new language that she added.

Ms. Muckala – It's actually not new language, and that's what I'm trying to point out here. B.1 is taken from our Zoning Ordinance. So that matter should be handled in precisely the same manner as it would have been handled before Center City was ever passed.

Ms. Starr – Because they're changing the use and remodeling.

Ms. Hudson – I guess that's where I'm torn, because it's not going from residential to commercial, but it's residential to residential. The density is changing, but the residential use is still there.

Ms. Muckala – So if the historical policy and application of the language we have in our Zoning Ordinance on this item made that sort of distinction, we might consider whether we just want to clarify it. Practice over the years implementing language doesn't always match what the language ended up saying when it was passed 50 years ago. We all know that. So if there's some freshening that needs to be done, we can do that.

Councilmember Holman – On Dean's Row there are several large houses, many of them original sorority and fraternity houses, but they've mostly been divided up into apartments. The house I used to live in – 783 Dean's Row – when I lived there was not divided up. It was a full house, 14 bedrooms, 30 rooms total. It sat vacant for several years and then right before Center City, someone bought and converted it into 2 apartments – a 4-bedroom apartment upstairs and a 4-bedroom apartment downstairs. On the outside, the house looks exactly the same as it did before. They put in new windows and they put in new siding and stuff, so they cleaned it up, but exterior-wise it looks exactly the way it always has looked, but on the inside it's completely different than what it was before. So I guess I'm wondering how that would work under Center City.

Would they have had to tear down 783 – or would they have had to keep it as a 14-bedroom house?

Ms. Hudson – Right. That wouldn't have been lawful.

Councilmember Holman – They couldn't have converted into apartments. They would have had to build a new structure. They weren't changing the footprint, and they didn't change the exterior. It's just the inside has been completely remodeled.

Ms. Muckala – The way this reads now, an unlawful structure is getting no status whatsoever. Now, I think I'm hearing – but maybe that's a surprise in that it would be a good thing in our consideration if they want to correct that, we shouldn't punish them for wanting to correct it. Maybe they're a new owner. Maybe they bought this not knowing that it was in violation, and all they want to do is go back to what should have been allowed under legacy zoning. I mean, there's language that could be added to give them a non-conforming status based on the last non-conforming use. I just want to caution you that that's going to be a hard thing to determine, and it might put a lot of burden on staff, and on applicants, to say well, this is what I had before. And it's like, can you prove it? But that's not exactly new, either.

Councilmember Holman – So 783 Dean's Row – what it was before, when it was a 14-bedroom house, is the original Alpha Gamma Delta Sorority. That was the allowed existing use. So under this, would they be able to take the recent conversion into 2 apartments and – somebody could buy the house and convert it back into a 14-bedroom house, because that's what was allowed. It was a conforming use under the previous zoning. It was not divided up. It was built as a 14-bedroom sorority house in the 1920s.

Councilmember Hall – So would that be considered a boarding house?

Councilmember Holman – Could be. I don't know, since it was built as a Greek house. I don't know.

Ms. Hudson – But I think I would argue ...

Councilmember Holman – That's what I'm kind of wondering, is could you build it back to the way it was?

Ms. Hudson – As a single structure with 14 bedrooms ...

Councilmember Holman – Which is what it was built as originally. It was never changed.

Ms. Hudson – When you're saying 14 bedrooms, are you saying 14 bedrooms with 14 kitchens? Or are you saying 14 bedrooms with a single kitchen in the structure?

Councilmember Holman – The house had a single kitchen, it had 2 bathrooms, and it had 14 bedrooms – 11 on the second floor and 3 on the first floor. They all had closets – full

size, what you would think of as a bedroom, I guess. There was a closet, like I've mentioned, that someone used as a bedroom, because it had a window in it. And the basement had the ability to have multiple rooms in it as well.

Ms. Hudson – The sorority would have been – that use is gone, so I wouldn't think that you could go back to that use. If it's vacant for 2 or more years, you lose your non-conformity.

Councilmember Holman – But it wasn't a non-conforming.

Ms. Starr – It was made non-conforming with the new zoning ordinance. It was a legal non-conforming probably when you were living there.

Councilmember Holman – It had never been altered. It was built in the 1920s as it was when I lived there.

Ms. Starr – But we changed the zoning as the City and made it non-conforming.

Councilmember Hall – In the 50s.

Ms. Starr – It was a legal non-conforming.

Ms. Hudson – We bring the fraternities and sororities forward now for the RM-6 districts and they have to get special use. We do that because we changed the zoning and made them a special use. So that's how it has changed.

Councilmember Holman – So I guess maybe what I'm trying to get it is we're not necessarily encouraging historic preservation or renovation of these houses in this area. We want density – that's what we've been pushing for. But could somebody, if they wanted to, buy one of these houses that could restore it? Or do they have to build something new?

Ms. Hudson – So that's this main question.

Ms. Muckala – It's always going to be case-by-case. Specific instances with issues might be helpful to solving the problem. Legal disclaimer – nothing said about particular properties in this meeting constitutes a decision by the Planning Department with respect to any particular structure. We have to have all the facts. Right? And you really have to delve into that to be sure that you know that you're taking everything into account when the decision is made. In some cases, it might still be a close judgment call. But I think maybe my initial explanation lacked – and I should say now – what we're really trying to determine is where we start. When we're talking about trigger, that means are we starting with legacy zoning to answer the question? Or are we starting with Center City to answer the question? That's what makes the one and only one provision so active. You get the one and only one, but we're still starting with legacy zoning. When we go to answer the question, we're still looking at legacy zoning. When I'm talking about you can lose your non-conforming use, but keep your non-conforming structure, that means for uses we're looking at Center City, but we're not making you bring that building up to

the front. It's all about the starting point and answering the question, which is why I really do want – and I really thank you for bringing all these different things, because it helps to think them out. But you cannot answer a question fully without the actual property in front of you, without the actual applicant giving you actual information. So I don't know that we have answers on these, so much as I think we have identified at least one additional issue that I'd like some more direct guidance on, which is when it comes to something that – oops – wasn't lawful when Center City passed, and let's say that we can identify a previous lawful use – do we want to give them the option to be non-conforming with that previous lawful use? And that's assuming it's lawful. I can't tell you about the 14 bedrooms without more information, of course. But assuming it's lawful, do we want to let them do that? If so, I would need to add language, and I think I could add something that would make that possible. But I'm not sure that's how we've treated legacy zoning in Norman historically. Honestly, you have to be in the right place to get the benefits of some situations, and that's not necessarily a bad rule. It helps draw brighter lines. It makes the administrative process a lot smoother. I'm sorry, it will result in more no's, but it makes it easier and more efficient for staff to apply.

Councilmember Hall – I'd just like to respond to that. Personally, one of the goals of coming back and using the Ad Hoc path to address some of these issues was to be more consistent, to make it easier to interpret, to continue to encourage development and have that path much more straightforward for all parties involved – the Planning Department and the developer who is doing that. So I want to caution us that we can come up with multiple scenarios, and we might not like the outcome, but, for me, being consistent and simplifying language, and having the ability for our Planning staff and our Legal Department to interpret clearly without having to wrap up a project for an extended period of time is one of the goals as I see it.

Mr. McKown – I would love to see us – and I feel like I'm beating this same drum – try and apply this to a couple of different specific pieces of property. We've talked about several addresses, and I want to say this again. I wasn't trying to call out your particular property, it just happened to be one that I could imagine in my mind and it was something that we could all, because it had been being discussed, everyone could easily imagine it. If we could take a couple of pieces of property and imagine how this is going to work out to try and get to the answers of bringing the property back into conformance to the legacy zoning, and is that where we want to go? I don't really know what my opinion is on that, but I do know this – as we're moving, I've been trying to get my arms around a principle of moving away from the 6-bedroom duplex, which we have some of those in existence, and it's probably the most profitable thing you could build in Norman, Oklahoma. Just looking at things that can be known publicly – how much do those rent for? Generally what does it cost to build a building? And so on. So each time you remove a bedroom – and that's relatively cheap space to add to a building. You have a bathroom, but the bedroom is just air. So your profitability goes down. So the 5-bedroom is less profitable than the 6; the 4 is less profitable than the 5. That is a true principle; I'm not making that up. It's just simple math. When you switch, then, and go to, in that same lot, 6 apartments – six 2-bedroom apartments, now you're going the other direction. You're adding kitchens back to each one of those units. In the end, you end up with the same total revenue stream as the 6-bedroom duplex, but you've had to build 4 additional kitchens.

You've also had to add 4 additional HVAC systems. You've had to add additional fire stairs. You've had to add additional water meters, additional electric meters. All of that is significant in terms of additional cost and cost per square foot. So your return on just a gross return of what can be known is going to be less than half. When you start looking at that, it's a very good indication nothing is going to get built, because it won't pencil. And that's a significant concern. If we're setting up a set of rules that basically won't pencil, because rent has a ceiling and we can't force that ceiling up. Construction cost is what it is. The price of a sheet of plywood today is astronomical, and it will not be coming down. It just won't. The market demands globally for housing the millennial generation is huge and still ongoing and we haven't reached the peak of it demographically. War in Ukraine aside, construction costs aren't going to be coming back down. We're really setting ourselves up to get nothing new. The new things that we want to get built aren't going to pencil, and they won't pencil for quite some time until there's enough pressure on rent to drive it even higher, and then maybe it catches up where we get a plateau in construction costs. But we could literally be designing our way into a set of rules that puts everything in a deep freeze for 4 to 5 years. We need to be thinking about that. In my view here, we really don't want to be taking an older home that's currently out of use, ready to be torn down and rebuilt, and all of a sudden nothing will pencil based on what we've created, and now we've got to take a step back and go, that house just has to sit here continuing to deteriorate for the next 4 to 5 years until market forces change. I do think it would be helpful to have a pathway for reuse, just so that the neighborhood stays vibrant. Because I'm very worried about where we're headed with the cost implications of going to the small apartment building. On top of that, we don't have parking regulations to support the small apartment building that we're wanting. So if we're going to go this route, at a minimum we're going to need to come up with a new allowable parking scenario to get 45 degree angle parking in this back yard to actually support what it is we're wanting to do. Because if it's expensive and the rent is really high, the only way you're going to get it rented is if at least you've got enough parking to support it, and that being off of the alley and the alley getting the care and love it needs for it to be – I mean, there's so many moving parts and pieces here. Anyway, it's a lot and I'm worried about it.

Councilmember Hall – Okay. Here's my question for you, and this is based on some comments that you've made previously in these meetings about the market – and maybe we're talking about market pressure or the kind of unique market that we have because we're a college town – but you are successfully building 1 and 2-bedrooms in Oklahoma City. So why does that work, but what you're suggesting as the only thing that will pencil are 6-bedroom units in Norman, or in Center City specifically?

Mr. McKown – When you build a big apartment building – big meaning 250 units – you have some scale. One, we're buying land at lower price per square foot, and we're still paying really high prices for square foot, but nothing like the price of a house and tearing it down on a 50' lot. I'm applying those same high rents to my model that we're getting in Oklahoma City, and Norman isn't getting those high rents. Norman apartment rents for 1 and 2-bedroom apartments aren't as high as downtown Oklahoma City. So my model has already got a flaw kind of built into it. But I am making them matching the price per square foot, rent that the 6-bedroom duplex is getting. So your profitability has

so much to do with the cost of building that structure. It doesn't have any fire stairs in it; it just has 2 staircases and it has a firewall running right down the middle, which is a very cheap thing to build, compared to building fire doors with automatic closers that have to have clearance. I mean, it gets complicated when you start building a small apartment building. When you build a big one, you have a fire door every 90 units. Again, those things of scale really start to work in your favor. And there's not really a way to get scale down here, even if you bought up the whole block, one side, you can't get to that scale until you buy up the other side and close the alley and build a giant, monster building that literally – it couldn't be built down here.

Councilmember Hall – So market forces versus infill versus green fill. You're able to do a much larger scale project that is easier to do. I mean, more financially feasible to do.

Mr. McKown – Well, you're able to take advantage of certain building forms that can't be done on a small footprint. You just can't do any of those things. That all said ...

Councilmember Hall – Hence getting to the heart of what our challenge is here.

Mr. McKown – Exactly. We can want these buildings to get built, but if the numbers won't work, then do we not want to at least see old structures be able to be utilized and keep the area as vibrant as it can be?

Councilmember Hall – Any other comments? Does that give you enough direction to move forward, or do we need to clarify further?

Ms. Muckala – No. I definitely know what areas I need to play with a little bit more. I'm not sure I have an answer to the particular question of the lawfully in use at the time. I mean, right now, if it wasn't lawful when Center City was passed, they don't get a non-conforming status. Technically, any time they do something, they should be bringing it in compliance with Center City. That's as written.

Councilmember Hall – And that's consistent with the rest of our zoning codes?

Ms. Muckala – Well, yeah. Center City doesn't exist in others, so the implications of coming into compliance are different. But, technically, yes.

Councilmember Holman – I kind of feel like if they tear it down, then they have to rebuild in compliance with Center City. If they add onto it, it would have to be in compliance with Center City. But I kind of feel like if they're not adding onto it, they're not tearing it down, if they're just wanting to fix up the house that's there, if that's what they want to do, I'm not necessarily opposed to that happening, and I definitely don't want to see an old house just sit empty because they don't want to build something new, and it can't be used for what it has been. Though it may not have been legally conforming, but if it's been used as a 4-apartment rooming house for 50 years, it seems strange for us to all of a sudden be like, well, you can't do that anymore, even though you're not changing anything, or something like that. I'd be okay, I guess, if somebody wants to buy one of these houses and fix it up and restore and continue using it the way it is, I'm not opposed

to that. But if they make any structural changes to the footprint or they add onto it, or if they tear it down, then that's when it would have to be brought into full Center City. I'm not sure minor changes or interior remodeling or renovation should – I don't know.

Councilmember Hall – I'm also assuming that in any of the conversations that we've had that property owner always has the path of a CCPUD – to come forward with a CCPUD.

Ms. Muckala – Yeah. I can't think of a situation where they wouldn't have the option.

Councilmember Hall – So if we had more consistent, clear-cut language, and there were still some gray areas or a desire to do something different, they can come forward with a CCPUD. Okay.

Ms. Hudson – I just wanted to clarify. Councilmember Holman, if they don't go over 50% of an addition, they can do that now, with an addition. I just wanted to make sure that we were all clear that they can actually.

Ms. Muckala – I think I understand from Councilmember Holman's comments that we might be talking about the difference between the legacy zoning and like I guess what we might consider the old term grandfathered. I don't read Center City as granting automatic grandfather status to any particular structure or use. Center City was really written to say you get to stay under R-3 if you were R-3, but those R-3 rules always applied. So let's say you were breaking the rules when Center City – I mean, if we had known, we would have said you can't do that then, and we still say, after Center City, you can't do that now. That's the way I read it as being written. It definitely wasn't written as you're breaking the rules, you get a freebie and you're grandfathered no matter what. We would want to add language to make that clear. It's a different thing.

4. STATEMENT REGARDING REFORMULATION OF PARKING REQUIREMENTS

Councilmember Hall – Okay. We have 30 minutes and we're going to move to statement regarding reformulation of parking requirements.

Mr. Sturtz – I'm going to be pretty brief. We spoke to this a little bit the last meeting, and it's something that we're still getting into a little bit deeper. Of course, a lot of it revolves around that if you're going to count those spaces out front, who gets to count which space for what? And then if we're going to reshape that when we do the whole section, how are we going to treat them? We're having some discussions internally on that. You know, it's not fair if you build half of it and you don't get to count it. But one item that we've identified in Public Works and Engineering that we really want to try to deal with is right now everybody is kind of coming in 5' off their property line to extend them out and they're doing 5' radius and then doing their parking. Well, that's going to cause a problem when the next person now wants to start construction on theirs, and they want to add to that parking. One thing that we want to try to add, and make sure that we do, is to go ahead and have that go from property line to property line, and maybe just a small 2' radius just so you don't have a sharp curb line, and then they can stripe it out appropriately for 2 spaces, and that way, when that next property owner comes along – that next developer – they knock out that curb, they butt up against it, and we're not

dealing with this 5' or 10' weird gap that we're starting to see. So that's something that we want to make sure that we address, and it may just be something we do more as a rule, as opposed to being in here, or we may even include that in the parking. I just want everybody to realize that. I think it's going to help everybody later and we're going to get that – like I said, you're not going to see this weird little knockouts, and why should I have to knock that out and concrete it – it's in front of their property type of stuff. We'd like to make that one minor change.

Councilmember Peacock – Quick clarification. So basically the grand vision in the end is that there are no bumpouts – it's one continuous on-street row.

Mr. Sturtz – Right. At some point, once we get a complete street done that way, we'll come in – you're also going to wind up with these weird striping areas and so we may have to be restriping parking as we go. But, obviously, at some point, you're going to – the whole block, you're going to restripe that out in a way that makes sense and includes your proper ADA parking, and at some point we're going to have to come back in and consider ADA parking, which changes your parking counts and your parking locations. Obviously, the corner lots have a little different role because we have to leave that sight triangle there so you can't run them all the way up to the end, and you may not get those 2 spaces on your frontage of your property. So those are things we're having to consider right now and we want to make sure that it's fair and equitable to all developers and property owners. We don't want it to benefit one and harm another. So just some minor things that we're working on that we're trying to hammer out for the next meeting.

Councilmember Peacock – That makes sense. It just got me thinking a little bit here. Do we have the opportunity to maybe use TIF dollars to go ahead and, as a City, put in that inset parking so that it's consistent, we control it from the very beginning, and that maybe somehow incentivizes people to come in and develop those lots, because now they know they've got parking taken care of in front of their house.

Mr. Sturtz – Well, I think at some point, obviously, that's an option that is available. But I think at some point we need to look at what is our TIF priorities. So far we've mentioned alleys, we've mentioned street parking, we've mentioned street reconstruction. There may be some places where the priority is sanitary sewer or water lines. At some point we're going to have to really get serious about how are we going to prioritize. And to your point, there are some blocks that have already gone through and done that very well. There's others that are under development. It's just something that's going to have to be – there are some tough decisions to be made on expending TIF dollars.

Councilmember Peacock – Sure. I know that's not an easy conversation. I think of sidewalks a lot of times when we're talking about this. You've got a big gap on the sidewalk until that person develops the property that has the sidewalk in front of it. I hate to have these gaps all along down the street where it's just this real inconsistent – some properties have it and some don't.

Mr. Sturtz – Especially in an area where walkability is one of our primary – be part of the whole block design.

Councilmember Peacock – I'd like to at least explore the option and see what a dollar amount might be. I know we have priorities and limited funds.

Mr. Sturtz – On some of those, we really may be looking at a situation where it's more of a complete street rebuild. Just adding the parking may not be sufficient when we get in there and check those roads.

Councilmember Hall – This is a perfect segue to remind those that served on the Ad Hoc Committee in 2019, those that are new to the committee now, that we left a number of broad areas unattended, but one of them that had consensus at the time – and I would say the pandemic just got in the way, and that's the simplest way to explain in – but that we were interested in moving forward with design review and implementation plan. We had already had preliminary work done by Johnson & Associates on a sector-by-sector inventory, which has come up recently on another issue. Councilmember Peacock, Holman and I have put forward a continued request to move forward on funding getting that planned, getting the consultant we need to start working on that plan independent of this committee, and that will take care of just what you're talking about. I'm not sure how it would actually be done this time around, but either sector-by-sector or block-by-block, literally prioritizing in a similar way that we do streets, sidewalks, so you know exactly what the priority is. Of course, as things come on line that you were anticipating at the time, it would allow for some flexibility to change those priorities just like we do with other things that literally have a rubric or certain standards to how to assess it, and I'm very familiar with this, as is Councilmember Holman, particularly in Core Norman. We have street projects that are numbered probably into over 100 that literally are ranked using an assessment tool of what is the highest priority. So I think that's something that we discussed in 2019, basically did not get to that because of the same time limits we're subject to here, but it's something that we hopefully can move along independently. Also want to point out that at Councilmember Holman's Community Planning and Transportation meeting today, we've literally added the agenda item to address the one-way alley conversation that we've had, because that's something that we can do independent of the work that we're trying to complete here. We're really trying to look at this holistically, not only what we're charged with, but what are the other things that we can do? Enforcement is another one – that's not something we can attend to here, but we may be able to move forward with challenges that we have in enforcement, particularly in Center City. I just want you all to know that those steps are also being pursued outside of the work of our committee.

Mr. McCabe – I like the idea of being able to come off of the 5' radius, maybe down to the 2'. I always thought to myself if a building was allowed to build property line to property line that maybe the parking should be allowed to go property line to property line, too, especially with multi-modal use – bicycles, motorcycles – we could add those spaces into those, as opposed to a radius corner. Maybe if we go property line to property line, then it's just a curb and a go.

Mr. Sturtz – It's a removal and an attach. It's a much easier process. I don't think it's anything that really necessarily needs to be addressed. I think it may be something that

when it comes through the review at a DRT – just wanted to make the committee members aware that that's a change that we, as staff, feel is necessary for the long-term benefit of the Center City Form-Based Code.

Councilmember Hall – That definitely seems to line up with the comments of this committee. So thank you for taking a look at that. Hopefully we can move forward with a more comprehensive priority list as well.

Councilmember Holman – I'd be interested, too, if we could figure out what the total number is – but the option, maybe, to put it in in front of your property, or you pay a recoupment fee, and once several of the properties on the block have done it, then we'll put it in all at once, like we do with streets. That could be one way to address the contiguity of the block and not just have each one trying to do it themselves. It would help us make it, I guess, more efficient use of the space if we were able to do the whole block at once. So that could be one option we consider. I was not here the meeting where we talked about parking, because I'm still kind of hung up on the parallel and 45 degree parking. Some of these streets – the east/west ones – the distance between the sidewalk and the street is almost 25'. Pretty large. There's blocks where there is angled parking, like on Linn and on Duffy – there's existing angled parking between the sidewalk and the street. I know we want to have street green space, but like on Linn Street in front of the substance center there, they have 45 degree angled parking in front and there's a strip of green space between the sidewalk and the front of the parking spaces. But it seems like, though, that having parallel in the front to preserve green space just means we end up reducing green space on the back of these properties because we're requiring more parking there. I want to make the most efficient use of space.

Mr. Sturtz – The parking that's on Linn is non-conforming. It's only 15' depth and you've got to have at least 18'. So they're non-conforming. The ones on Duffy are questionable; I need to get a little more information on those. They're pretty close. I did look at those 2 in depth.

Councilmember Holman – That one on Duffy doesn't have the strip of green space between the sidewalk.

Mr. Sturtz – Right. One other impetus in the initial meetings on this was making sure that there was green space so that it wasn't just a concrete jungle. Those are balances, and checks and balances that are going to have to be decided on. But a lot of these street – and I think that we are going to try and do a little bit more – I know that Richard was still trying to work with David Riesland on some of these concepts and what may and may not be able to be done. We are looking further into where and what and why and why not.

Councilmember Hall – It's not a one size fits all just because of the grid pattern that is existing there.

Councilmember Holman – So that's just kind of my comments about parking.

Councilmember Hall – I just wanted to make sure you got filled in a little bit, and that Mr. McKown has agreed to work with City staff to see how we can be efficient and creative all at the same time.

Mr. McKown – For clarity, Councilmember Holman, are you suggesting – which I hope you are – that if, let's say Keith had a property and it needed 10 parking spaces. He can get 8 in the back, and those 2 out front, in order to satisfy the requirement, he just writes a check and that goes into a pool and he gets his certificate of occupancy?

Councilmember Peacock – Yes.

Councilmember Hall – But he doesn't get the parking places yet.

Mr. McKown – He doesn't get the parking spaces yet, but it would be ...

Councilmember Holman – He has contributed to the cost of putting it in.

Mr. McKown – He would be able to – he'd be done and could move on. Now, that's up to him to make the market risk like that. But the other problem with the street spaces is they're public. So he doesn't get to go out there and put a sign, nor his tenants don't get to put a sign up that says this is Kelly Davidson's private parking space, or reserved. Okay. I think that would be a really good solution and it would also be in keeping with the idea of where we started originally was, if we have parking requirements, it definitely complicates things. I like that idea a lot.

Councilmember Holman – Could put it in, but if they want to, they could pay the fee instead and then we'll do it all in one block, I guess.

Councilmember Peacock – I support that as well. That's essentially what I was getting at. Recoupment is a much better tool than using TIF dollars like I said.

5. DISCUSSION REGARDING ARCHITECTURAL REQUIREMENTS TO ENSURE QUALITY STRUCTURES

Councilmember Hall – We're going to move on to discussion regarding architectural requirements to ensure quality structures.

Mr. Hubble – Mine is going to be very short as well. I believe it was the last meeting we discussed the administrative adjustment to allow the Director to basically move the RBL up to 3' back. The RBL right now is basically a 2' line where the façade of the building can be anywhere within that line. The Director could now, with this proposal, move it backwards an additional 3' to allow for things like landscaping or balconies. We've actually typed it up and printed it out so you all could see what we're thinking. This is still pretty preliminary. The applicant would have to submit a landscaping or balcony plan so there's some sort of demonstrated – they're not just giving themselves an extra 5' of front yard. They are having to actually provide landscaping or balconies or something like that.

6. DISCUSSION OF NEXT STEPS

Councilmember Hall – Okay. Excellent. Well, congratulations to us! We've made it through the agenda. We do have another meeting scheduled, meeting number 8, next week on March 31 at 11:30. Again, I want to thank staff for continuing to work efficiently and quickly between meetings to try to keep us moving. I would just like to encourage any of you that have additional feedback, when you have a chance to digest some of these things a little bit further, to get in touch with anyone in the Planning Department or Ms. Muckala or Mr. Sturtz, and we'll just keep moving in that direction, and also continue to encourage members of the public, if you have public comments, by all means reach out either through my email address or through Ms. Tromble and she can distribute it to the committee.

7. MISCELLANEOUS COMMENTS OF COMMITTEE MEMBERS AND STAFF

8. ADJOURNMENT

The meeting adjourned at 12:48 p.m.