

CITY OF NORMAN, OKLAHOMA
CITY COUNCIL COMMUNITY PLANNING AND
TRANSPORTATION COMMITTEE AGENDA

Municipal Building Multi-Purpose Room
201 West Gray

Monday, December 17, 2012

5:30 P.M.

**DISCUSSION REGARDING A DRAFT ORDINANCE ESTABLISHING A
HIGH DENSITY RESIDENTIAL ZONING DISTRICT.**

**DISCUSSION REGARDING SELLING SURPLUS PROPERTY THAT
WAS INITIALLY ACQUIRED BY THE CITY OF NORMAN AS PART OF
THE ROBINSON STREET GRADE SEPARATION PROJECT.**

**CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED
SERVICE.**

MISCELLANEOUS DISCUSSION.



office memorandum

TO: Chairman and Members of Council Community Planning and Transportation Committee

FROM: Susan F. Connors, AICP *SFC*
Director of Planning & Community Development

RE: Draft of High Density Zoning District

DATE: December 17, 2012

Background. At the October 22 Community Planning and Transportation Committee meeting, staff submitted for review a draft outline of a High Density Residential (HDR) zoning ordinance. This ordinance is being drafted in response to community interest in the question of whether or not to allow higher density residential land uses in Norman. Based on input gathered during the recent high density community discussion series, committee members asked staff to develop an ordinance that could achieve the following:

- Allow construction of higher density housing than current ordinances allow, with the possibility of mixed commercial/office/residential land uses, which will broaden the range of housing options available to current and future residents
- Require new development to be compatible with the existing community character of adjacent development, particularly in Norman's Core Area
- Respond to a growing demand among a diverse group of people for housing in the city's urban areas with walkable access to daily needs, services, and entertainment

Amid concerns about developing an overly complex body of regulations, the Committee requested that staff work to create a single zoning district that would regulate high density residential land uses in a variety of settings throughout Norman.

After reviewing the outline of the proposed HDR zoning ordinance at the November 26 committee meeting, members asked staff to proceed with a fully developed ordinance to be reviewed and discussed at the next meeting on December 17.

Attachment A is the proposed HDR ordinance.

In the article "Beyond the Density Standard," which staff emailed to Committee members in November, author Norman Wright, AICP, recommends an approach to regulating higher density residential development that focuses on the physical characteristics which makes

each environment unique instead of wrestling with vague ideas such as “quality of life.”

Wright describes the physical traits of a place which must be measured in order to understand the “DNA” of that environment, adding “these values are not based on vague concepts or arbitrary desires about what looks good. They are rooted in plain, detailed numbers that measure the environment a city wants to replicate.”

He includes a list of these physical traits that must be evaluated in order to ensure that new higher density development is compatible with the existing environment. The HDR ordinance that has been developed includes this list of elements which focus on the importance of compatibility when blending new development into an existing neighborhood:

- Building Setbacks
How far is a building set back from the front property line and/or sidewalk?
- Building Height
How tall or how many stories? What’s the height of the street wall? Is additional height allowed?
- Block Length
How long is the block where a building is/will be situated?
- Street Width
How wide is the street? How many lanes of traffic?
- Lot Coverage
How much of a lot is covered by the building and pavement?
- Density
Highly controlled by all of the above factors

Discussion. In light of the Committee’s direction to develop a single zoning district to regulate HDR land uses, staff has identified a number of issues where it could be feasible to apply one set of regulations throughout all districts in Norman where high density may be feasible and desirable.

Issues That Can Be Addressed Through a Single District

Overall in the discussion of HDR zoning, there is general agreement on the following items:

- Permitted Uses*

Apartments, condominiums, retail sales and service, offices, mixed use buildings and restaurants with no drive-through or drive-in service.

❑ *Building Coverage*

The desire for higher density housing in walkable areas is an urban phenomenon—people are seeking housing near community destinations and amenities. Therefore allowable building coverage is recommended to be very urban—80%, with usable open space requirements (roof-top gardens, patios, pools, balconies, plazas, etc.) and an intent by the City that all new development will reinforce a street character that is typical of traditional commercial districts such as Downtown and Campus Corner.

❑ *Open Space and Landscape Standards*

In a very urban setting, open space standards are intended to promote development patterns that anticipate and can accommodate high levels of pedestrian activity. A 20% open space requirement is recommended to provide “breathing room” for residents in the form of outdoor living areas such as individual balconies, and common areas such as patios, pools, plazas and landscaped walkways. A landscaping requirement provides relief, scale, interest and overall quality to the living environment. Landscape standards encourage the addition of shade, color and texture and the development of features such as rooftop gardens, plaza areas, and amenities such as swimming pools.

❑ *Pedestrian Standards*

These standards ensure that the HDR district accommodates pedestrians both on site and on the street, and connect new developments with the existing sidewalk network in that area.

Architectural Standards

❑ *Building Materials and Their Application*

Adoption of the HDR zoning district gives the community an opportunity to promote attractive redevelopment in the city. In order to ensure that the community achieves the desired results of economic and aesthetic enhancement, the City should require the use of high quality design and materials. The ordinance proposes required 80% masonry minimums (consistent with current regulations), with an emphasis on the use of brick, stone, stucco and synthetic stone on building facades.

❑ *Roofs and Parapet Walls*

Roof forms are important in defining an image for a neighborhood. Allowable forms will be consistent with those used in traditional commercial districts: flat roofs with parapet walls, single, double or

asymmetrical gable and hipped roofs. Allowable roofing materials should include concrete, slate, asphalt shingles, ceramic tile, or metal.

Windows/Doors/Porches

Window and door standards are a key aesthetic consideration in creating a quality and authentic building façade. Front entries will be among the most prominent features on the building. High quality design and materials along with forms that are proportional with both the building itself and surrounding buildings are important.

Screening of Mechanical/Service/Trash Areas

Similar to current requirements for modern commercial and residential development throughout Norman, all mechanical, electrical and trash areas will be required to be screened using landscaping, architectural screening walls, roof enclosures, parapets or other full screening materials.

Issues That Can Be Addressed With Existing Regulations

In addition to the elements for regulation described above, staff feels that several issues can be adequately regulated by current standards in use in Norman:

- Lighting
- Signage
- Grading
- Stormwater
- Traffic Studies

Issues That Need to Be Discussed Further

As described above, many issues related to allowing higher density residential development can be addressed by creating a new HDR zoning district or through the use of existing regulations. However, the issues most critical in determining the overall compatibility of new development within the existing urban fabric still need to be discussed. These issues include:

Building Height and Stepbacks

These two factors are inextricably linked to each other and to the settings where HDR is being considered and have a large impact on the feel of an urban district and the relationship of a new building to its neighbors.

Option 1

Recommend allowing buildings with a maximum street wall of 3 stories in Campus Corner, with 4 stories allowed Downtown. Recommend the possibility of using setbacks to achieve an additional two stories that can be built above the street wall height if the building steps back a minimum of 6 feet. In locations outside the Core Area, consider no height limitations.

Option 2

Set a maximum building height of 4 stories in Campus Corner, with 5 stories allowable Downtown and no height limitations in other locations.

Option 3

Use a specific height limit (in feet) that reinforces the street wall, allows setbacks for pedestrian amenities, and allows the possibility of additional height with setbacks.

Building Setbacks

Building setbacks refer to the placement of a building on a parcel. Traditional commercial districts often have a front setback of zero. Setbacks that offer some flexibility but that still promote a compact urban form of development are included in the ordinance.

Option 1

Recommend defining front building setback of zero or 10 feet in Campus Corner and Downtown, provided that the setback is used for pedestrian amenities such as outdoor seating areas, including serving areas for food and drink. In locations outside the Core Area, recommend front setback could be a minimum of 0 or a maximum of 15 feet to allow pedestrian uses that may be desirable in a less urban context. Setbacks on other sides of the building are defined by the land use on adjacent lots.

Option 2

More traditional requirements could be established that would not allow zero setbacks.

Density

Research suggests that establishing a maximum density does not ensure compatibility between new and existing development, however staff has suggested the following options to discuss:

Option 1

Define a specific density for each of the four districts where high density land use is desirable/likely to occur. If this option were

chosen, the following maximum densities are recommended:

Campus Corner:	60 dwelling units/acre (du/ac)
Downtown	80 du/ac
Other Locations	no limit

Option 2

Not defining a specific maximum density in the HDR zoning districts; instead creating district-specific architectural and site design guidelines that ensure development which is compatible each area and establishing a maximum building form on the lot.

Option 3

Use a Floor Area Ratio (FAR) calculation to determine density limits which will allow greater flexibility in the types of units that are developed.

Conclusions.

Staff submits the attached draft ordinance for discussion.

ATTACHMENT A

SEC. - HDR, HIGH DENSITY RESIDENTIAL DISTRICT

1. General Description. The High Density Residential (HDR) zone is a high density multi-dwelling zone. Density and building heights depend on the location of the development. Generally, the HDR zone will be located on, or near, arterial streets where housing can match the availability of public services and can support commercial areas.

The HDR Zone is intended to allow the development of high density multifamily residential uses that present a high quality, compatible, architectural facade close to the street, with parking, private open space, and services uses internally located to minimize their impact on the surrounding neighborhoods.

2. Permitted Uses.

- (a) Apartments
- (b) Condominiums
- (c) Mixed Use Building
- (d) Office
- (e) Restaurants with no drive-up or drive-through service
- (f) Retail Sales and Service operated completely within an enclosed building

- (g) Accessory commercial uses in Residential-only Buildings. Accessory commercial uses in residential-only buildings are allowed in order to provide convenient support services to the residents of the building and to encourage a reduction in auto trips. They are an incidental use to the main residential use of the building.
 - (1) Uses allowed. Accessory commercial uses are limited to those in the Retail Sales and Service and Office use categories.
 - (2) Structure types. Accessory commercial uses are allowed only in multi-dwelling buildings. Uses must be located entirely within the building and have no external doors. They may be located in basements.
 - (3) Size. The total amount of uses is limited to 5 percent of the floor area of the building exclusive of parking area.
 - (4) Signs. Accessory commercial uses may not have signs that are visible from the exterior of the structure.

3. Density, Area, Height, Bulk and Coverage Standards.

- (a) Density. The number of dwellings per unit of land, the density, is controlled so that housing can match the availability of public services and the availability of commercial areas. The standards also allow the housing density to be matched with the carrying capacity of the land. In addition, the density standards are used as one type of control of overall building bulk.

- (1) Campus Corner: residential or mixed use buildings that include residential uses are allowed up to a maximum of 60 dwelling units per acre.
 - (2) Downtown: residential or mixed use buildings that include residential uses are allowed up to a maximum of 80 dwelling units per acre.
 - ~~(3) Porter Avenue: residential or mixed use buildings that include residential uses may have a maximum density of up to ___ dwelling units per acre.~~
 - (4) Non-Core Areas: residential or mixed use buildings that include residential uses are allowed unlimited density.
- (b) Building Height. Specific height regulations are divided into community areas, e.g., Campus Corner, Downtown, ~~Porter Avenue~~, Non-Core Area. Different maximum allowable heights are identified for these areas which are intended to make new development compatible in these areas. Height standards serve several purposes:
- (1) They promote a reasonable building scale and relationship of one residence to another;
 - (2) They promote options for privacy for neighboring properties; and
 - (3) They reflect the general building scale of multi-dwelling development in the city's neighborhoods.
 - (4) The following regulations apply:
 - (i) Campus Corner: residential or mixed use buildings shall have a maximum street wall height of up to 3 stories with the allowance for two additional stories with stepbacks as regulated in Section (b)(5) below.
 - (ii) Downtown: residential or mixed use buildings that include residential uses shall have a maximum street wall height of up to 5 stories with the allowance for two additional stories with stepbacks as regulated in Section (b)(5) below.
 - ~~(iii) Porter Avenue: residential or mixed use buildings that include residential uses may have a maximum street wall height of up to 4 stories with the allowance for two additional stories with stepbacks as regulated in Section (b)(5) below.~~
 - (iv) Non-Core Areas: residential or mixed use buildings that include residential have no maximum height restriction.
- (5) Street Wall Height. The façade of all additional stories allowed over the allowed street wall height must be set back a minimum of six (6) feet from the first story façade. The only allowed protrusion into the six feet setback would be for decks and balconies.
- (6) Allowable Height Exceptions. Architectural features, such as pitched roofs, gable roofs, elevator over-runs, and similar features may exceed the maximum building height by six (6) feet, but not for more than 50% of any one façade. If any portion of the internal parking garage

extends above finished grade, that extension shall be included in the overall building height.

(c) Setback from a Public Right of Way or Property Line to Building Face.

(1) Purpose. Building setback regulations serve several purposes:

- (i) They maintain light, air, and separation for fire protection, and access for fire fighting;
- (ii) They reflect the general building scale and placement of multi-dwelling development in the City's neighborhoods;
- (iii) They promote options for privacy for neighboring properties;
- (iv) They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and

(2) Standards.

(i) Campus Corner:

- [1] Minimum Setback from public right-of-way or property line: zero or 10 feet, provided the 10 feet is used for pedestrian amenities.
- [2] Minimum Setback from adjacent non-residential zoning districts: Zero
- [3] Minimum Setback from adjacent residential zoning districts buildings: 10 feet

(ii) Downtown:

- [1] Minimum Setback from public right-of-way or property line to building face: zero or 10 feet, provided the 10 feet is used for pedestrian amenities.
- [2] Minimum Setback from adjacent non-residential zoning districts: Zero
- [3] Minimum Setback from adjacent residential zoning districts buildings: 10 feet

~~(iii) Porter Avenue:~~

- ~~[1] Minimum Setback from public right-of-way or property line to building face: 10'.~~
- ~~[2] Minimum Setback from buildings on adjacent property: 20'.~~
- ~~[3] Minimum Internal Setback to adjacent buildings: 15'.~~

(iv) Non-Core Areas:

- [1] Minimum Setback from public right-of-way or property line to building face: 0-15'.

- [2] Minimum Setback from buildings on adjacent property: 30'.
- [3] Minimum Internal Setback to adjacent buildings: 20'.

4. Architectural Standards.

- (a) Purpose. There is no particular architectural style proposed for high-density multifamily residential structures. The primary focus should be on constructing a quality residential environment which encourages high quality design that contributes to the overall community character of the area.
- (b) General Standards. The design standards will assist the designer in understanding the city's goals and objectives for high quality, high density residential development. The design standards are general and may be interpreted with some flexibility in their application to specific projects. Important defining elements include the following:
 - (1) Compatibility. It is desirable that high density building and site design provide features that are compatible within the context and character of the neighborhoods in which they will be constructed.
 - (2) Architectural compatibility. New multifamily development in existing neighborhoods should incorporate architectural characteristics and maintain a compatible scale with surrounding structures, including similar window and door types and detailing, facade detail, ornamentation, and decoration, materials, color, roof style and pitch and porches.
 - (3) Scale. Because multifamily projects are taller than one story, their bulk can impose on surrounding uses. The scale of such projects should be considered within the context of their surroundings.
- (c) Building Exterior Walls and Facades, and Materials.
 - (1) Building Massing, Exterior Walls and Street-Facing Facades.
 - (i) Building exteriors should create the feeling of permanence.
 - (ii) Long, unbroken facades, with no offsets or articulations are not allowed.
 - (iii) Buildings shall reflect the materials, massing, forms of the area they are built in, and should be reflective of, but not identical to, the traditional character of the surrounding development.
 - (iv) Building Massing should be broken up by both vertical and horizontal articulation.
 - (v) Buildings with flat roofs should have projecting cornices to provide a strong cap to the building.

- (vi) Building forms should emphasize the vertical structure of the building through the use of piers and columns. Building piers shall extend from the ground to the cornice. Windows shall not interrupt the vertical piers. The floor lines shall be expressed on the façade.
- (vii) Building corners should be emphasized with architectural forms and architectural detailing, changes of material, or changes in the vertical face of the building. Corners shall be detailed from both sides.
- (viii) Wall and roof lines shall be broken to avoid continuous planes. Wall planes and roof lines shall vary every 50-75 feet.
- (ix) Buildings facades shall have offsets every 100-150 feet.
- (x) Facades shall be broken up with articulation, setbacks, and protrusions that are reflective of the internal structure and linkages to the street.
- (xi) Building walls shall be articulated on all sides using different wall planes, material changes, color differentiation, and architectural details.
- (xii) Building main entries should be visible and accessible from the primary pedestrian right-of-way and intersect with the street to form community oriented space.
- (xiii) The ground floor of buildings should be scaled to the pedestrian. This can be done with the addition of roof forms, awnings, cornices, porches, and other elements to create a personal scaled environment at the base of the building.
- (xiv) Individual units should be recognizable within the façade of the building. This can be accomplished with the use of balconies, setbacks and projections which help articulate individual dwelling units or collections of units, and by the pattern and rhythm of windows and doors
- (xv) Window air conditioner units of any kind are not allowed.

(d) Materials.

- (1) Purpose. Buildings shall be attractive and durable and be compatible with the surrounding community. To ensure this compatibility, buildings shall be constructed of high-quality materials and require minimum maintenance. In addition, all sides of the building should be designed as a whole, in terms of materials usage, quality, and level of design. This is referred to as 'four-sided architecture'.
- (2) Allowable Exterior Materials. Building materials such as brick, stone, stucco, or manufactured materials such as synthetic stone or cement board are required as specified in Section ___ below.

Wood siding may be considered for use in limited applications, but not as a primary building material.

- (3) Required Masonry. (City should decide how much to specify.) At least 80% of the total exterior wall area of each building elevation, excluding windows, doors and related trim, shall be as brick, stone, stucco, or synthetic stone. The balance of the building façade should be lighter materials such as stucco, EIFS, cement board or wood. In addition to the required 80%, referenced above, a masonry base on the ground level where the structure contacts grade, shall be established in each façade of at least 36" for buildings of 3 stories or less, and 48" for buildings above 3 stories. This base may be penetrated by windows, doors, storefronts, or accent materials only. Materials shall be brick, stone, stucco, or synthetic stone.
 - (4) Prohibited Exterior Materials. The following building materials are prohibited for exterior use:
 - (i) Rough sawn wood
 - (ii) Board and batten wood
 - (iii) Vinyl siding
 - (iv) Barrier-type EIFS
 - (v) Tilt-up concrete panels
 - (vi) Painted concrete block
 - (vii) Pre-finished or painted corrugated metal siding
 - (viii) Standard single or double-tee concrete systems
 - (ix) Smooth-faced gray or stained concrete block
 - (x) Translucent, Plexiglas, glossy metal or backlit vinyl awnings or illumination of such awnings
 - (xi) Reflective or mirrored glass
 - (5) Building Rehabilitation. The rehabilitation of existing buildings shall comply with the requirements for exterior building materials. Use of alternate exterior materials for the rehabilitation of existing buildings is subject to approval by the Director of Planning and Community Development.
- (e) Roofs, Cornice Lines, Parapets.
- (1) General Requirements. Roof styles, shapes, and materials are a defining image for a neighborhood and can contribute to the unique visual character of a neighborhood.
 - (2) Roofs

- (i) Roof elements should be used to break up masses of buildings and for screening of roof top mechanical units.
 - (ii) Wall and roof lines shall be broken to avoid continuous planes.
 - (iii) Structural roof framing elements are encouraged to be expressed on the building's exterior.
 - (iv) Roof forms shall utilize single, double, and/or asymmetrical (salt box) gable and hip roofs. Hip and shed roofs are permitted on smaller secondary roofs. Gambrel and Mansard Roofs are prohibited.
 - (v) Flat roofs are acceptable, but must be concealed with a parapet. Parapets must have layered cornice treatments along their entire length. Parapet walls of varying heights shall return to the interior of the building to provide the appearance of substantial building depth, avoiding the appearance of two dimensional facades.
 - (vi) Walls and roof lines shall change planes or vary cornice lines every 50-75 feet.
 - (vii) Roof forms should be designed as to denote building elements and functions such as pedestrian entrances, arcades and porches; overhanging eaves, sloped roofs and three or more roof planes are encouraged.
 - (viii) Pitched Roof Materials shall be concrete, slate, heavy composition or asphalt shingles, terra cotta glazed or unglazed, or sheet metal which are in character and are currently being utilized in the existing neighborhood as a traditional roofing material. All roofing colors shall be muted or natural colors. The use of bright or primary colors is prohibited. Wood shake shingle roofing is not permitted.
 - (ix) Exposed roof drains and downspouts are not allowed, except where they match the architectural style and traditional character of the building architectural style. When they occur, downspouts will be integrated architecturally with the design of the building.
 - (x) Care should be taken to design sloped roofs that prevent snow and ice buildup and should prevent ice melt occurring over building entries.
 - (xi) Mechanical equipment on the roof shall be screened from the center of the right of way on all adjacent streets. All mechanical equipment shall be painted the same unobtrusive color and be non reflective.
- (f) Windows, Doors, Porches, Decks and Balconies.

- (1) General Requirements. Window and door standards are a key aesthetic consideration in creating a quality and authentic façade.
- (2) Windows
 - (i) Windows on the ground floor may be:
 - [1] Mixed Use Building: Punched, Banded, or Storefront Windows
 - [2] Residential: Punched, Banded (maximum (3) before separated by pier on façade)
 - (ii) Windows on the second and above floors must be punched windows. Grouping of windows is acceptable, provided defined mullions of a different material than the window casing/frame are provided, and that emphasize the vertical proportion of the window.
 - (iii) The windows on the ground floor shall use trellises, awnings, and canopies or overhangs to provide shade and weather protection along the façade, and to create a pleasing streetscape experience. Large display windows (large panes or divided lights) in mixed use buildings are encouraged. A well-designed and/or decorative material base is desired at display windows.
 - (iv) Window proportions should be based on a vertical or square unit.
 - (v) Openings, divisions, supports, and trim are to be appropriately scaled to the structural expression of the wall on which they are located.
 - (vi) Window designs are to be applied throughout all elevations of a building through the use of consistent proportions, modular elements and/or similar pane designs. Approved windows types include:
 - [1] Fixed
 - [2] Single-hung
 - [3] Double-hung
 - [4] Awning
 - [5] Casement
 - [6] Storefront
 - (vii) Clad wood windows are recommended. Cladding should be maintenance free metals. (do you want to prohibit vinyl?)
 - (viii) Prohibited windows include:
 - [1] Glass block

[2] Jalouise

[3] Hopper

- (ix) Clear or fretted glass shall be used.
- (x) Shutters used as an accent element to the windows and trim must be sized to actually cover half or all of the window, depending on the style used, and must appear to be a fully functioning shutter. Actual working shutters are allowed. Shutters must be painted a trim or accent color different than the wall color.

(g) Doors.

- (1) Front entries shall be a prominent feature on the façade. Building entrances should be sized to accommodate several people together, be weather sheltered, conform to all applicable ADA accessibility requirements, be well lit, and convey a sense of welcoming and friendliness. This can be achieved with the detailing, color of doors and adjacent frames, slightly recessed lights to highlight the entrance, and quality hardware.
- (2) Safety and security devices at entrances are encouraged.
- (3) Door Massing and size should be appropriately scaled to the wall where they are located.
- (4) Front Building Entry Doors shall be solid core if wood and should be wood, metal clad wood, or steel. Clad doors shall be painted. Glass and doors with glass lights shall be acceptable.

(h) Porches, Decks, Balconies.

- (1) Balconies, porches, and patios are to be used to strengthen the connection between the indoor private living space and the outdoor public neighborhood environment, including both the ground level and floors above.
- (2) Ground level and floors above are encouraged to have balconies and porches and shall be incorporated into the architectural façade as integrated elements.
- (3) The design of the porches, decks, and balconies shall take into consideration shade, sun, wind, snow, ice, and other climatic considerations.
- (4) Floors of balconies and porches that are visible from off-site are to be carefully finished using appropriate materials including wood, stone, or colored, patterned, or stamped concrete. In addition, all ground level patios and porches shall provide landscape and partial screening for each porch or patio.

- (5) Balconies, porches and patios. The incorporation of balconies, porches and patios within multifamily structures is encouraged for both practical and aesthetic value.
 - (6) Balcony, deck, porch and railing designs are to be designed to create a sense of distinction between buildings within a neighborhood, but they should take into account the design of other accents within their buildings.
5. Screening for Exterior Mechanical Equipment, Electrical Equipment, Service Area, and Trash.
- (a) Screening Requirements. All mechanical and electrical equipment, whether ground mounted or roof mounted, service areas, loading docks, trash areas, recycling and solid waste disposal area shall be screened from view utilizing landscaping, architectural screen walls, roof enclosures, parapets, or other full screening materials.
 - (1) Architectural screen walls shall consist of masonry or stucco walls which reflect the architectural character of the building(s). Enclosures shall be a minimum of 2'-0" above equipment to be screened.
 - (2) Deciduous and evergreen layered plantings of varying height (trees and shrubs) shall be used to soften and screen service and mechanical areas where possible. Landscape screening shall be a compliment to the architectural screen walls. All landscape materials shall meet the landscape standards in this ordinance.
 - (3) At a minimum all requirements for screening shall also meet all applicable standards for solid waste container enclosures from the City of Norman Engineering Standards and Design Criteria and requirements of utility providers.
 - (4) All free standing enclosures require gates for access. All gates shall be constructed of durable materials with 90% or greater opacity. Gates shall be architecturally compatible with the building and enclosure design. Chain link, vinyl slats or wood materials are not permitted.
 - (5) Heavy pavements and pavement sections shall be provided as necessary to prevent damage from trucks with heavy wheel loads.

6. Open Space.

- (a) General Requirements. Open space is required to be a minimum of 20% of the total gross site area within the project property lines.
 - (1) Standards.

- (i) Areas allowed to be counted as open space include: walks, trails, plazas, gathering places, landscaped areas, pedestrian amenities, and other pedestrian oriented paving areas.
 - (ii) All landscape standards shall apply to open space.
 - (iii) Open space areas with pedestrian access, paths and gathering spaces shall follow the Americans with Disabilities Act (ADA) Accessibility Guidelines.
 - (iv) Required open space areas may be provided as individual, private outdoor areas, such as patios or balconies, or as common, shared outdoor areas, such as courtyards and play areas. There also may be a combination of individual and common areas.
- (2) Payment in Lieu. Open space area requirements that may not be able to be accommodated on a project, may be paid for with a payment in lieu. The payment in lieu shall be _____ per square foot of required open space. A maximum of 10% of the private open space requirement may be paid for. A minimum of 10% open space must be provided on the project site.
- (3) Minimum Size Requirement. At least 48 square feet of outdoor area is required for each dwelling unit on the site.
- (i) Upper floor balconies. These areas need to be useable, taking care to minimize overlook to adjacent private space below.
 - (ii) Individual unit areas. Where a separate outdoor area is provided for each individual unit, it must be designed so that a 6-foot x 6-foot square will fit entirely within it. The outdoor area must be directly accessible to the unit.
 - (iii) Pedestrian circulation. Areas used for pedestrian circulation to more than one dwelling unit do not count towards meeting this minimum standard. If the area is at ground level, it may extend into the required setback area, but not into the required front building setback. Covered outdoor areas are subject to paragraph below.
 - (iv) Common areas. Where outdoor areas are common, shared areas, each must be designed so that it is at least 500

square feet in area and so that a 15-foot x 15-foot square will fit entirely within it.

- (4) User amenities. User amenities, such as tables, benches, trees, shrubs, planter boxes, garden plots, drinking fountains, spas, or pools, may be placed in the outdoor area. Common, shared outdoor areas may also be developed with amenities such as play areas, plazas, roof-top patios, picnic areas, and open recreational facilities.
- (5) Enclosure. Required outdoor areas may be covered, such as a covered patio, but they may not be fully enclosed. Covered outdoor areas are subject to the setback standards of this chapter.

7. Landscape.

(1) Purpose. The standards for landscaped areas are intended to enhance the overall appearance of residential developments in high density multi-dwelling zones. Landscaping is intended to improve the residential character of the area, break up large expanses of paved areas and structures, provide privacy to the residents, provide separation from streets, reduce heat island effects, and reduce stormwater run-off.

(2) Minimum Landscaped Areas. A minimum of 10% of the project site area shall be a landscaped area. This area shall include all site areas that contain landscaped beds and turf areas. Water features may be counted in the landscape areas. Roof top gardens, rain gardens, and green roofs may also be counted as landscaped areas.

- (i) All landscape areas shall be designed to provide relief, scale, interest and overall quality to the living environment for the site.
- (ii) Landscaping should follow Xeriscaping Design as much as possible. This landscaping model utilizes native plant species that are drought tolerant and adapted to our regional climate.
- (iii) Irrigation shall be required for all landscape areas. All irrigation shall be automatic drip/spray, with a programmable program controller with wind and rain sensor shut-off. All plants shall be grouped into similar water zones. Potable and/or non-potable irrigation water may be used.
- (iv) The overall tree requirement shall be a minimum of 1 tree per 500 s.f. of minimum required landscaped area. The overall shrub requirements shall be a minimum of 10 shrubs per each tree required. (this yields 17 trees and 174 shrubs)
- (v) All street or drive frontages (external or internal) shall be required to have deciduous shade trees planted an average of 1 per 50 lineal feet of frontage per side. Trees shall be a minimum 2-1/2" caliper. Tree locations may be modified to take into account site distances and

easements, per code requirements, signage, lighting, or other obstructions. This requirement shall be credited toward the overall minimum required tree count.

- (vi) All shrubs shall be located in edged and mulched landscape beds. All shrubs should be massed in as few a number of beds as is practical. A minimum of 11 shrubs per bed is required.
- (vii) Turf areas shall be allowed. Grading shall accommodate drainage of all turf areas.
- (viii) Acceptable plant materials may be found in the Appendix of the Zoning Ordinance.

8. Pedestrian Standards.

(a) General Requirements.

- (1) Pedestrian walkways should be separate and distinct from parking areas and drive aisles and include landscaping/trees, lighting and decorative paving at crossings.
- (2) Streets, alleys should not only connect internally but also be publicly accessible and connect to adjacent streets and neighboring development.
- (3) Future connections to adjacent development parcels shall be provided for future connectivity.
- (4) Pedestrian and bike paths should be used where street connections to adjacent neighborhoods are infeasible.
- (5) Coordinated site furnishings will be used to unify the development. Additional amenities may be used to help add to the overall quality of the experience of the development.

(b) Pedestrian Paving.

- (1) Pedestrian areas shall encourage and facilitate the ease of use of pedestrians through the use of paved walks, plazas, and other amenity areas.
- (2) Pedestrian paving materials shall be a minimum of concrete. Pavers, stamped, colored or enhanced pedestrian paving is encouraged.
- (3) All pedestrian areas shall be designed to be accessible in accordance with ADA requirements.
- (4) All sidewalks shall be a minimum of 5' in width.

9. Site Development Standards.

(a) General Requirements.

- (1) High density residential and mixed use buildings that include high density residential must be located on or located within two blocks of an arterial street and must be adjacent to a collector street if not

- fronting on an arterial street. All parking drive access shall be located on the collector street if not adjacent to an arterial street.
- (2) High density residential not fronting on an arterial street an no farther than 2 blocks from an arterial street, any existing intervening land uses must be commercial/retail/office uses.
 - (3) All high density residential buildings must have direct access to sidewalks from all non-emergency building entrances that connect to the public circulation system.
 - (4) Primary pedestrian circulation and access shall be at grade. Pedestrian entry routes that are interrupted by driveways shall be distinguished from the driveway surface by decorative paving.
- (b) Streets and Vehicular Access. The development must provide improvements in the public right-of-way along all public streets adjacent to any side of the development. A minimum of 6-foot planting strip and a 10-foot sidewalk is required from the property line out to the back of curb. A transition must be provided from these improvements to existing adjacent sidewalks. Planting strips can have an average minimum width of 6 feet to accommodate a meandering sidewalk where applicable. These requirements are in addition to the minimum open space and landscape areas.
- (c) Parking and Vehicular Access
- (1) All high density residential buildings shall provide off-street parking by means of an attached parking garage.
 - (2) Parking Structures.
 - (i) High density residential uses and mixed use buildings that include high density residential uses shall be required to provide 1 parking space per bedroom for residential units. For non-residential units the requirements of Section 22:431.6 of the Zoning Ordinance shall be followed.
 - (ii) Parking structures shall be architecturally integrated into the buildings they serve, with architectural finishes that match the residential portion of the building. They shall be designed to match the overall architectural theme of the development while providing a visually engaging environment for the pedestrian.
 - (iii) For buildings with parking accessed from the front, minimize the amount of frontage used for parking access. No more than 25% of the site frontage facing a street or pedestrian walkway should be devoted to garage openings.
 - (iv) Architectural screening shall be used for all exposed areas of the garage to screen cars, head lights, ramps, ramping levels, the

interior of the garage, and other elements that indicate the structure and operations of the garage.

- (v) Garage entrance designs shall reflect the architectural style of the buildings.
- (vi) Interior drainage systems to collect any water in sumps designed as part of the storm water system.
- (vii) Lighting to achieve adequate levels for safety. Diffused lighting shall be used rather than lamps that create point source glare.
- (viii) Signage shall clearly indicate entrances, exits, elevators, and parking restrictions.
- (ix) Minimum headroom clearance for the parking structure shall be 8'-6".

(d) Utilities.

- (1) All site utilities shall be underground.
- (2) All site utility boxes, structures, etc., shall be located in screened areas or shall be screened from view, while maintaining required access for the utility providers.
- (3) All meters, AC units, etc., shall be screened per the requirements of Section 5 of these guidelines.

(e) Site Furnishings and Amenities. Site amenities shall be included in the project. Site amenities may include, but are not limited to, seating, bike racks, benches, tables, trash receptacles, specialty lighting, freestanding planters, fountains, swimming pools, specialty paved areas, trellis and overhead structures. Bike racks, benches, tables, and trash receptacles shall be the same for manufacturer make, model, and color for the entire project.

(f) Pedestrian Connections. Pedestrian connections are required throughout the project to connect pedestrian areas to the external pedestrian circulation system in the public right-of-way. Internal pedestrian connections shall be a minimum of 5' width.

10. Lighting Standards.

- (a) As required and regulated by the Zoning Ordinance.

11. Signage Standards.

- (a) As required and regulated by the Sign Code.

12. Storm Water

- (a) As required and regulated by the Engineering Standards and Specifications.



office memorandum

DATE: December 12, 2012
TO: Council Community Planning and Transportation Committee
THRU: Steve Lewis, City Manager
FROM: Shawn O'Leary, Director of Public Works
Scott Sturtz, City Engineer
SUBJECT: Surplus Property-Robinson Street Underpass Project

Pursuant to your request, Public Works staff have collaborated with staff from the Planning and Legal Departments to research the captioned subject. Staff also consulted with the private land acquisition firm originally hired by the City, Smith Roberts LLC, to acquire the 53 parcels of property needed to complete the Robinson Street Underpass Project. Information regarding City and franchise utilities was readily available from project plans and City mapping records. Please find attached the following documents:

- Opinion from City Legal Department regarding three key questions
- Aerial photograph of the project area, illustrating Surplus Property Parcels A, B and C (Exhibit 1)
- Legal descriptions and drawings for Parcels A, B and C (Exhibits 2, 3 and 4)

Other information to consider is as follows:

PLANNING DEPARTMENT – ZONING ISSUES:

Parcel A

This parcel is zoned R-1 and the NORMAN 2025 Plan designates it as Low Density Residential. This property is bounded by Robinson Street to the south, Dale Street and single-family homes to the north, Faye Avenue and single-family homes to the east, and single-family homes to the west. This property will have access only from Dale Street.

Given the surrounding land use and the limited access, this property would be appropriate only for residential development. It would be appropriate to increase the density from single-family to townhomes or duplexes, but the limited access makes a higher density intrusive to the existing development.

Estimated property value derived from information provided by Cleveland County Assessor's Office: \$ 40,630

Parcel B

This parcel is zoned C-1 and C-2 and the NORMAN 2025 Plan designates it as Commercial. It is bounded on the north by Robinson Street on the south by Hayes Street and single-family homes, on the east by Stubbeman Avenue, and on the west by undeveloped land zoned C-2 and the railroad tracks.

This property is zoned commercially, but the size of the original lots was reduced by the

Robinson Street project so this property is now a narrow strip of land with access only onto Hayes Street. The properties to the south are single-family homes on larger lots. The size of the lot does not accommodate commercial development with building, parking and landscaping as required by the Code. A parking lot could be accommodated on this lot with appropriate landscaping to buffer it from the residences south of Hayes Street.

Estimated property value derived from information provided by Cleveland County Assessor's Office: \$ 34,675

Parcel C

This parcel is zoned R-1 and the NORMAN 2025 Plan designates it as Institutional. It is bounded on the north by undeveloped property owned by the City zoned C-2, but also designated Institutional on the NORMAN 2025 Plan, on the south by Hayes Street and single-family homes, on the east by James Garner Avenue, and on the west by single-family homes.

This property was designated Institutional with the adoption of the NORMAN 2025 Plan. The City of Norman owns the property. Legacy Trail is intended to run through the north and east portion of the property which leaves only a portion of the parcel for redevelopment for residential use. This land does not have good access for a more intense use. This land might be put to better use as a trailhead for the Legacy Trail with parking spaces. It is unlikely that someone would invest in a new single-family home on this property given the age of the homes surrounding it.

Estimated property value derived from information provided by Cleveland County Assessor's Office: \$ 6,230

PUBLIC WORKS DEPARTMENT – INFRASTRUCTURE/PLATTING ISSUES:

Parcel A

This parcel, which contains 0.93 acres, will likely need to be re-platted prior to any private development because the previously platted parcels have been modified by the Robinson Street Underpass Project. This parcel is adequately served by public water, sanitary sewer, streets and storm water systems. Storm water detention requirements could be waived for any residential development because the storm water improvements included in the Robinson Street Underpass Project accommodated that quantity of direct runoff.

Vehicular access to this parcel for private development will be limited to Dale Street. Robinson Street is not accessible due to the access separation distance requirements between Stubbeman Avenue and Fay Avenue as well as the vertical slope issues. A residential zoning classification would also prevent access to this parcel from Robinson Street. Neither Stubbeman Avenue nor Fay Avenue are accessible due to the access separation distance

requirements between Dale Avenue and Robinson Street as well as the vertical slope issues.

A significant underground telecommunications duct owned by AT&T bisects this parcel in a northwesterly to southeasterly direction. The City is obligated to provide a public utility easement or right-of-way to AT&T for this system as a function of the Robinson Street Project utility relocation agreement. Relocation of the underground fiber optics cable system will be costly for any private development; however there appears to be space available for the system along the eastern and northern perimeters of this property.

Staff from Smith Roberts recommends that the City dispose of this property as is. The buyer should be held responsible for any rezoning, replatting, relocation of utilities or other necessary public improvements.

Parcel B

This parcel, which contains 0.35 acres, will likely need to be re-platted prior any private development because the previously platted parcels have been modified by the Robinson Street Underpass Project. This parcel is adequately served by public water, sanitary sewer, streets and storm water systems. Storm water detention requirements could be waived for any commercial development because the storm water improvements included in the Robinson Street Underpass Project accommodated that quantity of direct runoff.

Vehicular access to this parcel for private development will be limited to Hayes Street. Robinson Street is not accessible due to the vertical slope issues between the BNSF Railroad bridge and Stubbeman Avenue. Stubbeman Avenue is not accessible due to the access separation distance requirements between Robinson Street and Hayes Street. Hayes Street is in poor condition and has never been upgraded to city public street standards. Any private development on this parcel will be required to contribute to the cost of street improvements for Hayes Street.

Staff from Smith Roberts recommends that the City dispose of this property as is. The buyer should be held responsible for any rezoning, replatting, relocation of utilities or other necessary public improvements.

Parcel C

This parcel, which contains 0.15 acres, will likely need to be re-platted prior to any private development because the previously platted parcel has been modified by the Robinson Street Underpass Project. This parcel is adequately served by public water, sanitary sewer, streets and storm water systems. Storm water detention requirements could be waived for any residential development because the storm water improvements included in the Robinson Street Underpass Project accommodated that quantity of direct runoff.

Memo – Surplus Property-Robinson Street Underpass Project
November 9, 2012
Page 4

Vehicular access to this parcel for private development will be limited to Hayes Street. This block of Hayes Street, between Flood Avenue and the BNSF railroad tracks, is included in the City's 2012 Street Maintenance Bond Program for total replacement at the City's cost. The Hayes Street improvement project will be constructed in 2013.

Staff from Smith Roberts recommends that the City dispose of this property as is. The buyer should be held responsible for any rezoning, replatting, relocation of utilities or other necessary public improvements.

I hope this information is helpful. If you have further questions or need additional information, please do not hesitate to ask. Thank you for your consideration.

cc: Honorable Mayor and Council Members
Jeff Bryant, City Attorney
Susan Connors, City Director of Planning and Community Development
Ken Komiske, City Director of Utilities

office memorandum



Date: October 30, 2012
To: Shawn O'Leary, Director of Public Works
From: Leah Messner, Assistant City Attorney II *LM*
Subject: Robinson Street Grade Separation Project Surplus Property

BACKGROUND:

You have asked the City Attorney's Office several questions about the legalities of potentially selling surplus property that was initially acquired by the City of Norman as part of the Robinson Street Grade Separation Project. I understand your questions to be as follows:

1. Are there any federal or state statutes that impact whether the City of Norman may sell any surplus property initially acquired as part of this project?
2. What are the City of Norman Charter and Code of Ordinance provisions that impact whether the City of Norman may sell any surplus property initially acquired as part of this project?
3. Are there any restrictions in either the purchase agreements for the acquired parcels or in the grant of federal funds that impact whether the City of Norman may sell any surplus property initially acquired as part of this project?

DISCUSSION:

Question #1

As to whether there are federal laws that potentially impact whether the City of Norman may sell surplus property initially acquired for the Robinson Street Grade Separation Project, I did not find any applicable statutes. I reviewed the federal Uniform Relocation Assistance and Real Property Acquisition Act of 1970, and it does not have any provisions that would limit the sale of surplus property.

There are state laws that impact whether the City of Norman may sell any surplus property initially acquired as part of this project. Most generally, 11 O.S. § 22-101 gives municipalities the authority to: "sell and convey any real or personal property owned by the municipality and make orders respecting the same as may be conducive to the best interests of the municipality."

More specifically on the issue of the sale of surplus property initially acquired for a public purpose, Title 27 of the Oklahoma Statutes relates exclusively to Eminent Domain. Under 27 O.S. § 17, as amended in 2011, in the event that a portion of property taken by eminent domain is not used for the purposes under which it was condemned, a municipality may declare that property surplus and offer it for resale. However, before

To: Shawn O'Leary, Director of Public Works
Re: Robinson Street Surplus Property
October 30, 2012
Page 2 of 4

that surplus property may be offered for resale to the general public, it must first be offered to the person from whom the property was taken or to the heirs of that person at the appraised value or the original price at which that portion of the property was purchased, whichever is less. 27 O.S. § 17(A).

The statute also provides for how the previous owner is to be notified of their right of first refusal. Notification shall be sent by certified mail, return receipt requested, to the last-known address of the person as provided by the person. 27 O.S. § 17(B). If the mail is returned, notice of the right of first refusal shall be provided by publication in a newspaper of general circulation in the community where the property is located. *Id.* If the offer to repurchase is not accepted within ninety days from the date of the notice, the property may then be sold at public sale. *Id.*

Although Title 27 requires a public sale, it does not provide a procedure for such a public sale. Title 74 does have a procedure for the sale of state-owned surplus real property. As noted, Title 74 applies to state-owned real property, not real property owned by a municipality. However, the procedure in Title 74 could be used by the City of Norman to sell surplus real property. 74 O.S. § 129.4 requires a study to determine if the sale of a specific parcel is in the best interests of the state; an appraisal of the parcel; notice of the sale in a newspaper of general circulation in the county where the property is located; and then sale of the property by public auction or by accepting sealed bids. The property must then be sold to the highest bidder if that bid is for at least ninety percent of the appraised value. *Id.*

Question #2

The City of Norman Charter states that the City of Norman, organized as a municipal corporation, shall have the power to "hold, lease, mortgage, convey or otherwise dispose of any of its property within out without the limits of said city". Article I, §1. The Charter permits the sale of real property but does not provide a procedure for doing so. However, Chapter 8 of the Code of Ordinances does have a procedure for declaring property to be surplus and for selling such surplus property.

Under Chapter 8, § 8-301, Council must declare "any supplies, materials, or equipment" as surplus prior to the sale of such items if their value exceeds one thousand dollars. Subsequent to this declaration by Council, the property may then be sold through competitive bidding at a public auction that is conducted either in person or online. Chapter 8, § 8-302(a). Chapter 8, § 8-303 also requires the City Manager and/or his designee to advertise the property to be sold in a newspaper of general circulation in Norman or to give notice in another manner as he deems necessary. These Code provisions do not specifically list real property as an item that Council must declare surplus prior to the sale of that property. Though not specifically listed in Chapter 8, in *State ex rel. Remy v. Agar*, the Oklahoma Supreme Court ruled that real property owned by the municipality for the public use of its citizens must be declared to be surplus by the City Council as a prerequisite to the sale of such real property. 559 P.2d 1235 (Okla. Sup. Ct. 1977). Therefore, as Title 27 of the state statutes requires a public sale, using the process in Chapter 8 of the Code would be a way to comply with Title 27 and case law and use an established City process to do so.

To: Shawn O'Leary, Director of Public Works
Re: Robinson Street Surplus Property
October 30, 2012
Page 3 of 4

Question #3

Lastly, you asked if there are any restrictions in either the purchase agreements for the acquired parcels or in the grant of federal funds that impact whether the City of Norman may sell any surplus property initially acquired as part of this project. I have reviewed the deeds provided to me by Public Works staff. These deeds do not contain any provisions that would limit the City's options with the subject properties as the deeds appear to be standard warranty deeds conveying fee simple title for the parcels to the City of Norman.

As to the grant of federal funds, John Clink, Capital Projects Engineer for the City of Norman, advises me that the federal funds were allocated through an earmark contained within the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Bill, and, as such, there is not a grant application or document to review. However, I have also reviewed the Right-of-Way, Public Utility and Encroachment Agreement between the City of Norman and the Oklahoma Department of Transportation for the Robinson Street Underpass Project. Under Section 4(e) of that Agreement, the City of Norman may sell any lands which were acquired for highway purposes so long as such a sale is conducted in accordance with 69 O.S. § 1001 and § 1004. In addition, prior written permission for the sale is required from the Right-of-Way Division Chief for the Oklahoma Department of Transportation.

69 O.S. § 1001 specifies the procedure for the sale of any lands which were acquired for highway purposes by the State of Oklahoma. However, by execution of the above Agreement with the Oklahoma Department of Transportation, the City of Norman has agreed to follow this statutory process. Under 69 O.S. § 1001(C), any surplus property shall be sold for cash to the highest and best bidder after notice by publication in a newspaper in the county where the property is located. The notice must be published in two consecutive weekly issues. *Id.*

The statute goes onto require:

If the land to be disposed of originally comprised a total taking leaving no abutting remainder, then such shall be sold to the highest bidder, or as otherwise herein provided except that if the land to be disposed of originally comprised a total taking of less than one (1) acre leaving only one abutting property owner of record, then prior to conducting such advertisement and solicitation of bids for the sale of any such lands or interest therein, the Commission shall notify the sole abutting property owner of record to the taking that such has been declared surplus and is to be offered for sale. 69 O.S. § 1001(D)(2).

A definition for "abutting owner" is not provided within the statute. In addition, I did not find any Oklahoma case law on point. If a statute does not provide a definition, the rules of statutory construction require the statute to be construed using the common meaning of the word or term in question, and that common meaning may be provided by a dictionary definition. As to the

word "abut", the *Merriam-Webster Dictionary* defines it to mean "to touch along a border". Using that meaning, there are no abutting parcels to the properties to be potentially declared surplus as all the neighboring parcels are across a street from either of them, and they do not share a border. Therefore, these properties to be potentially declared surplus and sold are not required to be offered to abutting owners prior to offering them at a public sale.

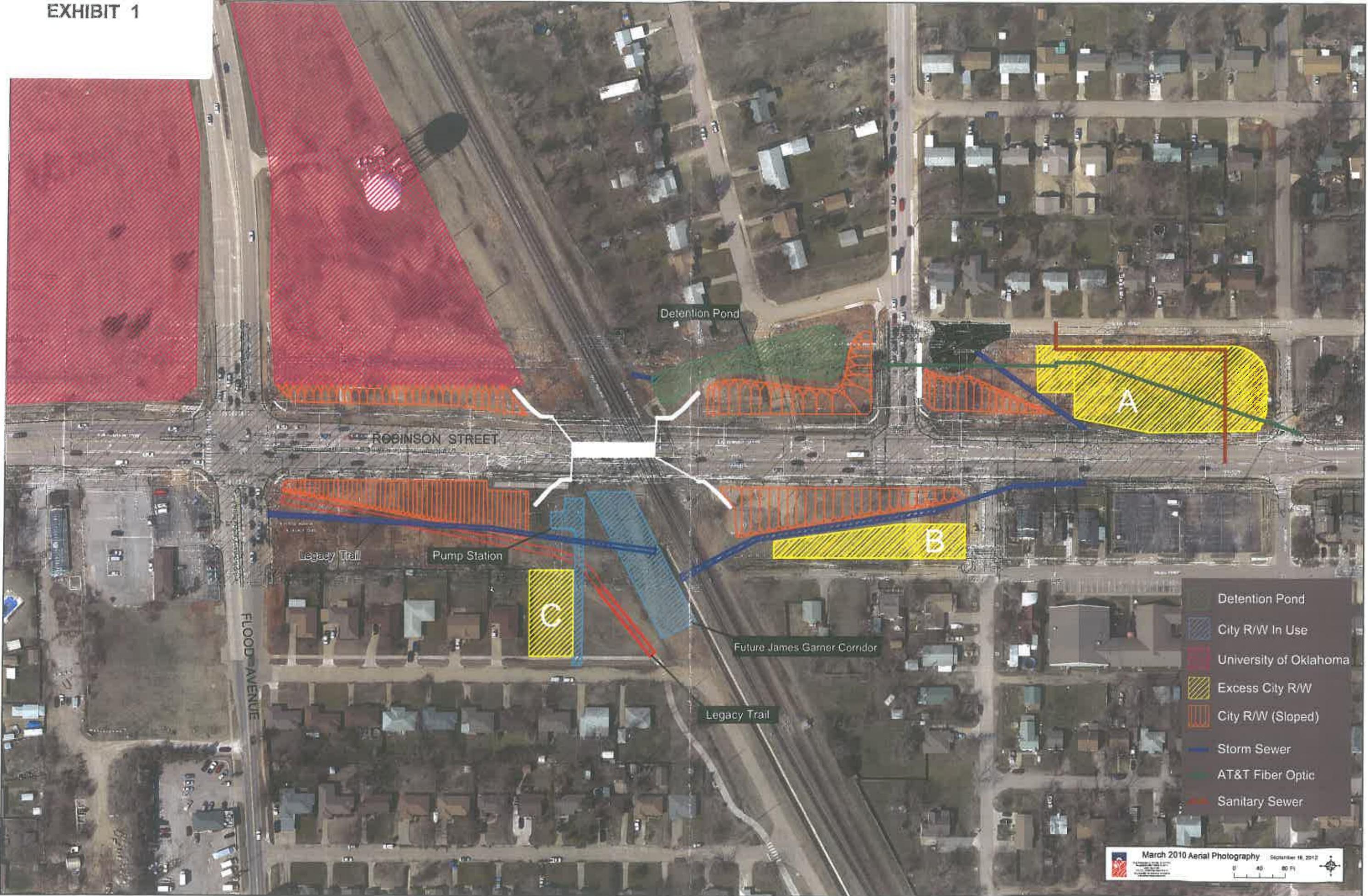
RECOMMENDATION:

If City Council chooses to sell property that is no longer needed for the Robinson Street Grade Separation project, I recommend following the steps listed below in order to comply with the statutes and ordinances listed above:

1. Acquire written permission for the sale from the Right-of-Way Division Chief for the Oklahoma Department of Transportation as required by the Right-of-Way, Public Utility and Encroachment Agreement.
2. Prepare an item for Council to declare the property surplus pursuant to Chapter 8, § 8-301 of the Code of Ordinances.
3. Once Council declares the property surplus, offer the surplus property to the person from whom the property was taken or those persons' heirs pursuant to 27 O.S. § 17(A).
 - a. The offer should be for the appraised value of the surplus property or the original price at which that portion of the property was purchased, whichever is less.
 - b. Notification shall be sent by certified mail, return receipt requested, to the last-known address of the person as provided by the person. 27 O.S. § 17(B).
 - c. If the mail is returned, notice of the right of first refusal shall be provided by publication in a newspaper of general circulation in the community where the property is located. *Id.*
 - d. If the offer to repurchase is not accepted within ninety days from the date of the notice, the property may then be sold at public sale. *Id.*
4. Sell the property for cash to the highest and best bidder after notice by publication in a newspaper in the county where the property is located pursuant to 69 O.S. 1001(C). The notice must be published in two consecutive weekly issues.
 - a. Under Chapter 8 of the Code of Ordinances, this sale could be through competitive bidding at a public auction that is conducted either in person or online. Chapter 8, § 8-302(a); however, I recommend conducting a public auction as that method is more consistent with 69 O.S. §1001.

In the above list of steps, I recommend using the process for a public sale in Chapter 8 of the Code of Ordinances, rather than the Title 74 process the State of Oklahoma uses, as it is simpler and most likely more familiar to both City Council and City Staff. Please let me know if I can do anything else.

Reviewed By: Jeff Bryant, City Attorney 



Detention Pond

ROBINSON STREET

Legacy Trail

Pump Station

Future James Garner Corridor

Legacy Trail

FLOOD AVENUE

- Detention Pond
- City R/W In Use
- University of Oklahoma
- Excess City R/W
- City R/W (Sloped)
- Storm Sewer
- AT&T Fiber Optic
- Sanitary Sewer

*Legal Description-Parcel A
of the North side surplus property
Robinson Street & BNSF Railway
Underpass Improvements.*



Legal Description-Parcel A

A parcel of land located North & West of improvements on the North side of Robinson St. as shown on State of Oklahoma Department of Transportation Plan of Proposed Street Reconstruction Robinson Street & BNSF Railway Underpass Improvements which is a portion of Tull's Addition Block 11 in the City of Norman, County of Cleveland, State of Oklahoma and is more particularly described as follows:

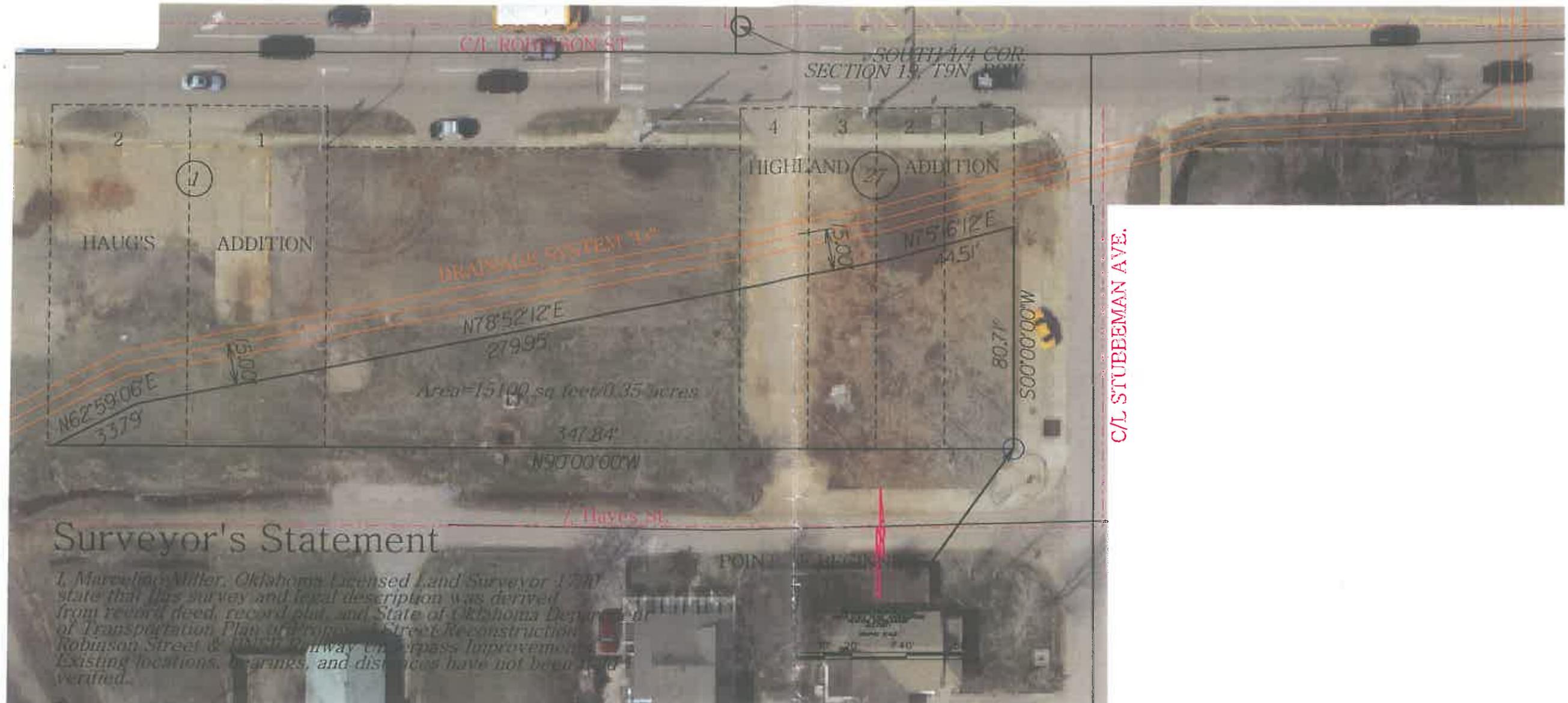
I, Marcelino Miller, Oklahoma Licensed Land Surveyor 1790 state that this survey and legal description was derived from record deed, record plat, and State of Oklahoma Department of Transportation Plan of Proposed Street Reconstruction Robinson Street & BNSF Railway Underpass Improvements. Existing locations, bearings, and distances have not been field verified.

*Beginning at the North East corner of Lot 1, Block 11, Tull's Addition,
Thence a distance of 352.03' on a bearing of S89°58'52\"W
Thence a distance of 185.23' on a bearing of S52°57'52\"E
Thence a distance of 70.36' on a bearing of S79°03'13\"E
Thence a distance of 182.53' on a bearing of N89°58'52\"E
Thence on a curve of 50' radius to the North
an arc length distance of 39.43'
Thence a distance of 40.00' on a bearing of N00°46'46\"W
Thence on a curve of 50' radius to the West
an arc length distance of 77.88'
Thence West to Point of Beginning.
Containing=40296 sq ft/0.93 acres*

DATE: 10/23/2012

MARCELINO SERRANO MILLER P.L.S. 1790

C/L STUBBEMAN AVE.



Surveyor's Statement

I, Marcelino Miller, Oklahoma Licensed Land Surveyor 1790, state that this survey and legal description was derived from record deed, record plat, and State of Oklahoma Department of Transportation Plan of Proposed Street Reconstruction Robinson Street & BNSF Railway Underpass Improvements. Existing locations, bearings, and distances have not been field verified.

Legal Description-Parcel B

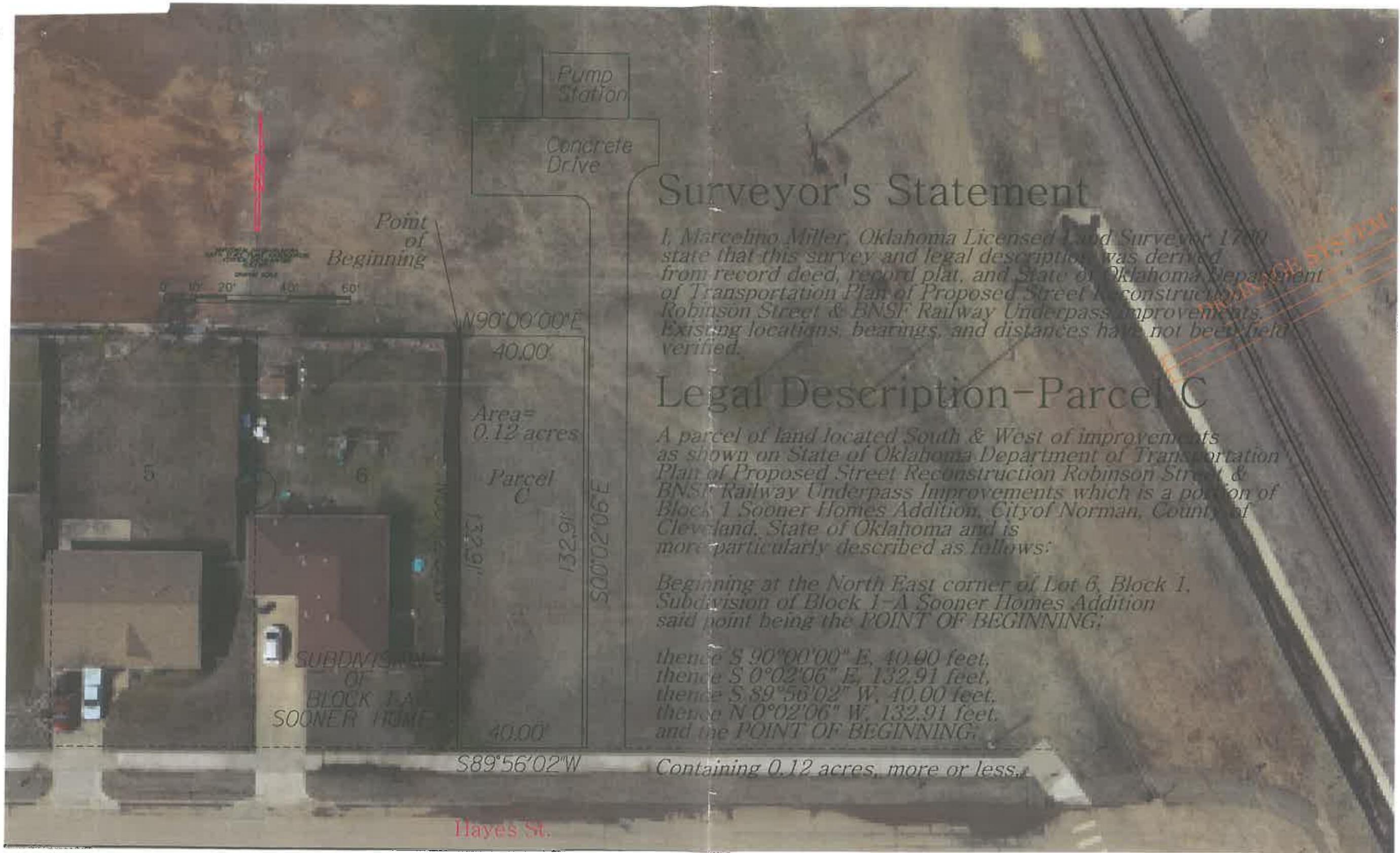
A parcel of land located South & East of Drainage System "D" as shown on State of Oklahoma Department of Transportation Plan of Proposed Street Reconstruction Robinson Street & BNSF Railway Underpass Improvements which is a portion of Block 1 Huag's Addition, Block 27 Highland Addition and an unutilized parcel of land located between said blocks in The City of Norman, County of Cleveland, State of Oklahoma and is more particularly described as follows:

Beginning at the South East corner of Lot 1, Block 27 Highland Addition
 Thence a distance of 347.84' on a bearing of N90°00'00"W
 Thence a distance of 33.79' on a bearing of N62°59'06"E
 Thence a distance of 279.95' on a bearing of N78°52'12"E
 Thence a distance of 44.51' on a bearing of N75°16'12"E
 Thence South to Point of Beginning.
 Containing=15100 sq feet/0.35 acres

*Legal Description-Parcel B
 of the South side surplus property
 Robinson Steet & BNSF Railway
 Underpass Improvements.*

DATE: 10/23/2012

MARCELINO SERRANO MILLER P.L.S. 1790



Surveyor's Statement

I, Marcelino Miller, Oklahoma Licensed Land Surveyor 1700 state that this survey and legal description was derived from record deed, record plat, and State of Oklahoma Department of Transportation Plan of Proposed Street Reconstruction Robinson Street & BNSF Railway Underpass improvements. Existing locations, bearings, and distances have not been field verified.

Legal Description-Parcel C

A parcel of land located South & West of improvements as shown on State of Oklahoma Department of Transportation Plan of Proposed Street Reconstruction Robinson Street & BNSF Railway Underpass Improvements which is a portion of Block 1 Sooner Homes Addition, City of Norman, County of Cleveland, State of Oklahoma and is more particularly described as follows:

Beginning at the North East corner of Lot 6, Block 1, Subdivision of Block 1-A Sooner Homes Addition said point being the POINT OF BEGINNING;

thence S 90°00'00" E, 40.00 feet,
 thence S 0°02'06" E, 132.91 feet,
 thence S 89°56'02" W, 40.00 feet,
 thence N 0°02'06" W, 132.91 feet,
 and the POINT OF BEGINNING.

Containing 0.12 acres, more or less.

S89°56'02"W

Hayes St.

N90°00'00"E

40.00'

Area=
0.12 acres

Parcel
C

132.91'

132.91'

S00°02'06"E

40.00'

Point
of
Beginning

0 20' 40' 60'

SUBDIVISION
OF
BLOCK 1-A
SOONER HOME

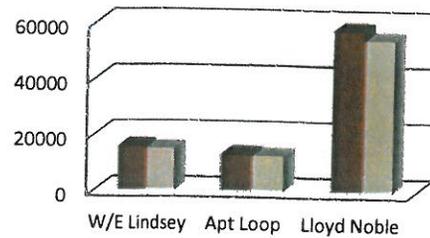
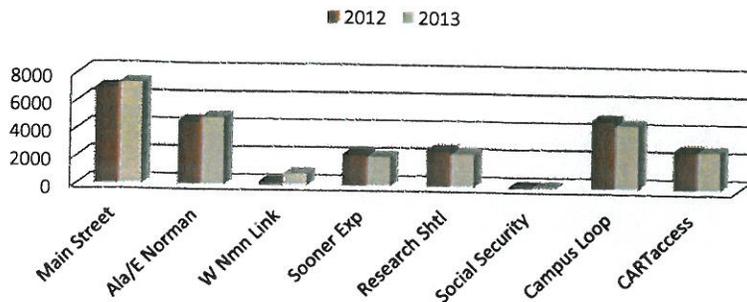
5

6

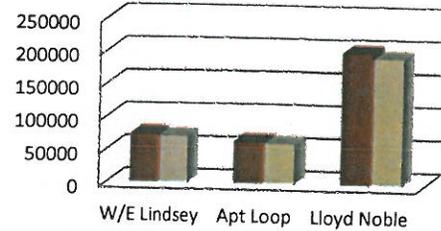
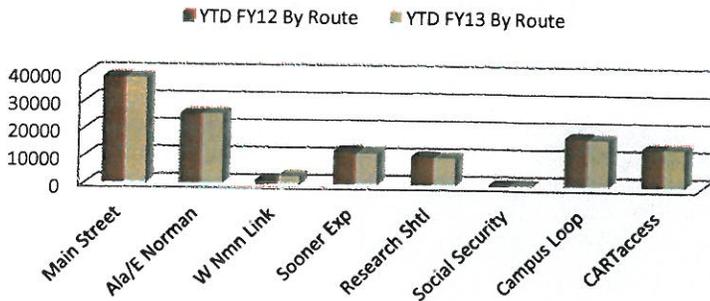
Pump
Station

Concrete
Drive

November Ridership by Route

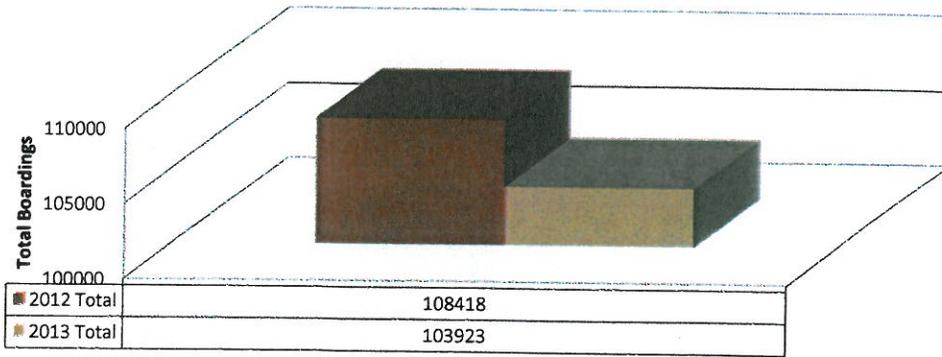


Year-to-Date Ridership by Route

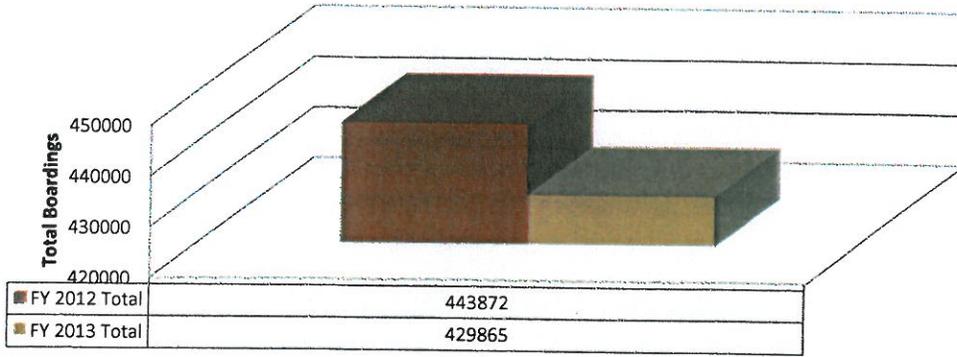


	Nov-11	Nov-12	% Change		YTD FY12	YTD FY13	% Change
Main Street	6913	7281	5%	Main Street	38519	38414	0%
Ala/E Norman	4549	4844	6%	Ala/E Norman	25359	25585	1%
W Nmn Link	254	813	220%	W Nmn Link	1396	2954	112%
Sooner Exp	2285	2102	-8%	Sooner Exp	12272	11289	-8%
Research Shtl	2598	2353	-9%	Research Shtl	10487	9990	-5%
Social Security	32	44	38%	Social Security	243	445	83%
Campus Loop	4923	4603	-7%	Campus Loop	17816	17185	-4%
CARTaccess	2772	2745	-1%	CARTaccess	13957	14006	0%
W/E Lindsey	15752	14914	-5%	W/E Lindsey	73701	70842	-4%
Apt Loop	13122	12535	-4%	Apt Loop	63325	60879	-4%
Lloyd Noble	57990	54424	-6%	Lloyd Noble	200754	192182	-4%

November Fixed-Route Total Ridership



Year-to-Date Fixed-Route Total Ridership



	Nov-11	Nov-12	% Change		YTD FY12	YTD FY13	% Change
Monthly Total	108418	103923	-4%	Annual Total	443872	429865	-3%
Days of Service	23	23	0%		122	121	-1%