

Planning Commission Minutes  
June 27, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:53 p.m. on June 21, 2024)

12. (SPUD-1637) Application by Oaken Properties, LLC and MD Properties, LLC to rezone 2312 NW 21st Street from R-2 Medium-Low Residential District to SPUD-1637 Simplified Planned Unit Development District. Ward 6.

The applicant was present. There were no protestors present.

**RECOMMENDED APPROVAL.**

MOVED BY GOVIN, SECONDED BY CLAIR

AYES: CLAIR, POWERS, MEEK, PRIVETT, NEWMAN, GOVIN, PENNINGTON,  
NOBLE

ABSENT: LAFORGE



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**June 27, 2024**

**Item No. IV. 12.**

**(SPUD-1637) Application by Oaken Properties, LLC and MD Properties, LLC to rezone 2312 NW 21st Street from R-2 Medium-Low Residential District to SPUD-1637 Simplified Planned Unit Development District. Ward 6.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

Company	Williams, Box, Forshee & Bullard PC
Phone	405-232-0080
Email	dmbox@wbfbllaw.com

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this application is to allow development of an accessory dwelling unit.

**D. Existing Conditions**

**1. Comprehensive Plan Land Use Typology Area: Urban – Medium (UM)**

UM applies to fully urbanized areas of the city, most of which were built prior to the 1960s. Developments are expected to be larger in scale and have greater intensity and mixture of uses than developments found in UL. Development within UM areas should support efficient transit usage and provide pedestrian and bicycle access to retail, services, parks, and other destinations. Priorities for the UM areas include “infill” developments on vacant lots, rehabilitation of underutilized property, and development that supports revitalization of distressed neighborhoods.

**2. Size of Site: 0.34 acres**

**3. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	R-2	R-2	R-2	R-2	R-2
<b>Land Use</b>	Residential	Residential	Residential	Residential	Residential

## **II. SUMMARY OF SPUD APPLICATION**

- 1. This site will be developed in accordance with the regulation of the R-2 Medium-Low Density Residential District (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:**

All uses within the R-4 District shall be permitted within this SPUD, except that use unit 8200.12 Multiple-Family Residential shall be limited to a two-family and four-family structure. In the event the existing structures are removed from the subject property, they must be redeveloped within the same building footprint as currently exists unless the redevelopment consists of less density.

- 2. Maximum Building Height:**

The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the maximum building height shall be in accordance with the base zoning district.

- 3. Maximum Building Size:**

The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the maximum building size shall be in accordance with the base zoning district.

- 4. Maximum Number of Buildings:**

The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the maximum number of buildings shall be in accordance with the base zoning district.

- 5. Building Setback Lines:**

The existing setback lines shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, setback lines shall be in accordance with the base zoning district.

- 6. Minimum Lot Width:**

The minimum lot width shall be 80 feet.

- 7. Sight-Proof Screening:**

The existing screening shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the screening regulations shall be in accordance with the base zoning district.

- 8. Landscaping:**

The existing landscaping shall be permitted to remain and deemed to conform to applicable regulations. The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

**9. Signs:**

**8.1 Freestanding Accessory Signs**

Freestanding signs will be in accordance with the base zoning district regulations.

**8.2 Attached Signs**

Attached signs will be in accordance with the base zoning district regulations.

**8.3 Non-Accessory Signs**

Non-accessory signs will be prohibited.

**8.4 Electronic Message Display Signs**

Electronic Message Display signs will be prohibited.

**10. Access:**

One access shall be taken from NW 21<sup>st</sup> Street. The driveway shall be a maximum width of twelve (12) feet.

**11. Sidewalks**

The existing sidewalk shall be permitted to remain and deemed to conform to applicable regulations. Any new sidewalks or repair/replacement of existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction of this SPUD.

**II. Other Development Regulations:**

**1. Architecture:**

The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry, stucco, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

**2. Open Space:**

The existing open space shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the open space shall be in accordance with the base zoning district.

**3. Street Improvements:**

N/A.

**4. Site Lighting:**

The existing lighting shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

**5. Dumpsters:**

Dumpsters shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences and shall be placed no closer than 50 feet from all property lines adjacent to residential zoning district or use.

Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

**6. Parking:**

The existing parking shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the design and number of all parking facilities in this SPUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended, except that a minimum of one (1) parking space per dwelling shall be required.

**7. Maintenance:**

Maintenance of the common areas in the development shall be the responsibility of the property owner or Property Owners Association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

**8. Drainage:**

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

**III. Supporting Documents**

Exhibit A: Legal Description

Exhibit B: Conceptual Site Plan

### **III. REVIEW COMMENTS**

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk indicates that the agency, department, and/or division responded with no adverse comments.

#### **A. Outside Agencies**

- 1. Oklahoma City-County Health Department**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas:** Please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior to excavation for the exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District:** Oklahoma City
- 7. Oklahoma Department of Transportation (ODOT)**

#### **B. City Departments**

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire\***
- 4. Information Technology/Geographic Support**
- 5. Parks and Recreation**
- 6. Police**
- 7. Public Works**

##### **a. Engineering**

##### **b. Streets, Traffic and Drainage Maintenance**

##### **Storm Sewer Availability**

- 1) The Public Works Drainage Division staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to chapter 16 of the Oklahoma City Municipal Code.
- 2) Storm sewers in accordance with the City's Drainage Ordinance will be required. Development abutting section line roads with drainage flows that exceed the capacity of OKC standard ditch detail (D-100) will necessitate the installation of enclosed storm sewer and/or concrete channel. These improvements shall be placed

to provide a minimum of 35' clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way.

- 3) A flood and/or drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. A final plat should not be submitted until the study has been reviewed and approved by the Public Works Department.
- 4) Plans for drainage improvements within the private drainage reserves and/or common areas must be submitted for review, and payment of inspection fees shall be made prior to construction. Building permits will not be issued until construction is complete. If a subdivision abuts a stream, the private drainage easements and/or common area along stream shall extend to flow line of stream at a minimum.
- 5) Place the following note on the plat and construction plans: Maintenance of the Common Areas and/or Private Drainage Easements shall be the responsibility of the property owner. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent shall be placed within the common areas and/or drainage easements shown.
- 6) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 7) Construction within the limits of this SPUD will require an erosion control plan in accordance with EPA Storm Water Discharge permitting: CFR Vol. 57, No. 175, September 9, 1992. A copy of the EPA Notice of Intent (NOI) will be required prior to the issuance of work orders or permits for construction activities disturbing an area of 1/2 acre or greater.
- 8) Sidewalks shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.
- 9) All private roads /streets will have private storm sewer systems.
- 10) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

**c. Stormwater Quality Management**

**d. Traffic Management\***

**8. Utilities**

**a. Engineering**

**Wastewater Availability\***

**Water Availability\***

**b. Solid Waste Management**

- 1) The City can provide service for up to 3 units on a single water meter. Any more than 3 units on the same meter will have to be serviced by a private hauler. A dumpster could be utilized provided there is not enough frontage space for cart placement.

## 9. Planning

### a. Comprehensive Plan Considerations

#### 1) LUTA Development Policies:

##### Site Design:

- Maintain historical lot and block sizes where possible and appropriate.
- Utilize Best Management Practices (BMP) for stormwater.

##### Location:

- Mixture of density, lot size and building scale is appropriate as long as land use compatibility is achieved.

Density: The Urban Medium Intensity LUTA outlines a density range of 10 to 40 dwelling units per acre.

*National, state, and local permitting require basic best management practices for stormwater management. The SPUD is requested to allow multi-family residential uses with R-2 base zoning to bring an existing quadplex into conformance with regulations. The SPUD allows for existing structures to remain and be deemed in conformance, with the development of any new structures adhering to R-2 base zoning regulations. If developed as indicated, the site would include 6 dwelling units on a 0.34-acre site for a density of 17 du/acre.*

##### Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

*The subject site currently has a sidewalk that provides access from the duplex units to NW 21st Street but not adjacent properties. The SPUD regulations propose retention of this sidewalk. Any new sidewalks would be in accordance with Code requirements.*

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating the proposed uses adjacent to existing Low Intensity Residential, “Building Scale and Site Design” are potential compatibility issues identified by the comprehensive plan. Projects in higher intensity LUTAs (UM) may be more appropriate for significant transitions of density, scale and mass.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if the setbacks are significantly deeper or more shallow than the predominant character of adjacent development; the building’s orientation to the street differs from the predominant character of adjacent development; building size or street frontage dramatically differs from that of adjacent uses, the lot coverage (including buildings and paved areas) dramatically exceeds that of adjacent uses, or if buildings within 40 ft. of a single-family residential structure



exceed a 3:1 ratio in height. *The SPUD allows for existing structures to remain and be deemed in conformance, with the development of any new structures adhering to R-2 base zoning regulations. No new compatibility issues requiring mitigation measures were identified.*

**3) Service Efficiency:**

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Urban Response*

**4) Environmentally Sensitive Areas:** The following apply to the proposed development site:

- Riparian Areas: N/A
- Upland Forests: N/A
- Vulnerable Aquifers: The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite. Low impact development techniques include, but are not limited to, using pervious surface materials wherever possible for the construction of driveways, parking areas, sidewalks, patios, etc., in order to promote increased water percolation and infiltration.

**5) Transportation System:** This site is located along the south side of NW 21st Street, a Neighborhood Street in the Urban Medium LUTA. The nearest transit (bus) service is located within a quarter mile to the north along NW 23rd Street.

**6) Other Development Related Policies**

- Support diversity and integration of housing unit types and sizes in all land use typology areas in order to meet the diverse needs of households of different sizes, generational needs, incomes, and preferences. New residential subdivisions should achieve a mixture of housing types within a unified development. (SU-4)
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- Improve the functionality and efficiency of the street network by:
  - Providing direct connections from residential developments to nearby places and to each other.
  - Providing street and sidewalk stubs to adjacent vacant land in anticipation of future development.
  - Connecting new development to existing street and sidewalk stubs, and to existing trail, open space, and bicycle networks.
  - Reducing block sizes and use of dead-end streets.
  - Maintaining the existing street grid to preserve connectivity and mobility options. (C-11)
- Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)

- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- Protect the unique character of National Register-listed properties or districts and local Historic Districts and ensure that development and redevelopment is compatible with historic resources and character. (E-29)

**7) Other Considerations: Historic Resources**

The City's comprehensive plan and the adopted historic preservation plan for Oklahoma City, **preserveokc**, prioritizes protecting National Register-listed properties, local historic districts, and the unique character of historic resources. The existing residences were constructed in approximately 1929 according to the Oklahoma County Assessor. Records indicate the site was affected by a fire in 2006 and has undergone remodeling efforts. The structures are within an area identified as the Pennville Historic District, which was given a formal Determination of Eligibility for the National Register of Historic Places in 1993. The City's preservation plan, **preserveokc**, would support retention of existing residential structures on the site.

**b. Plan Conformance Considerations**

The subject site is located along the south side of NW 21st Street, between North Cross Avenue and North Youngs Boulevard. The site is generally located south of NW 23rd Street and east of North Villa Avenue. The subject site and all surrounding land are zoned R-2. The site is developed with a duplex along NW 21st Street and a quadplex located at the rear of the property, with a few outbuildings scattered across the site. The nearby area is a mixture of duplex and single-family residential development. Adjacent properties on the east and west are developed with duplexes. South of the site are primarily single-family residences; however, some of the garages have been converted to accessory dwellings.

The SPUD is requested to allow multi-family residential uses with R-2 base zoning to bring an existing quadplex into conformance with regulations. The SPUD allows for existing structures to remain and be deemed in conformance, with the development of any new structures adhering to R-2 base zoning regulations. The SPUD also requires that if an existing structure is lost, any new structures must be constructed within the existing buildings' footprints unless density is reduced. The SPUD limits the site to a single driveway with a maximum width of 12 feet and requires one parking space per dwelling unit. No compatibility issues were identified.

**IV. STAFF RECOMMENDATION**

*Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission*

*may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.*

**Approval of the application.**

All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Division's review of construction plans and prior to City Council approval.

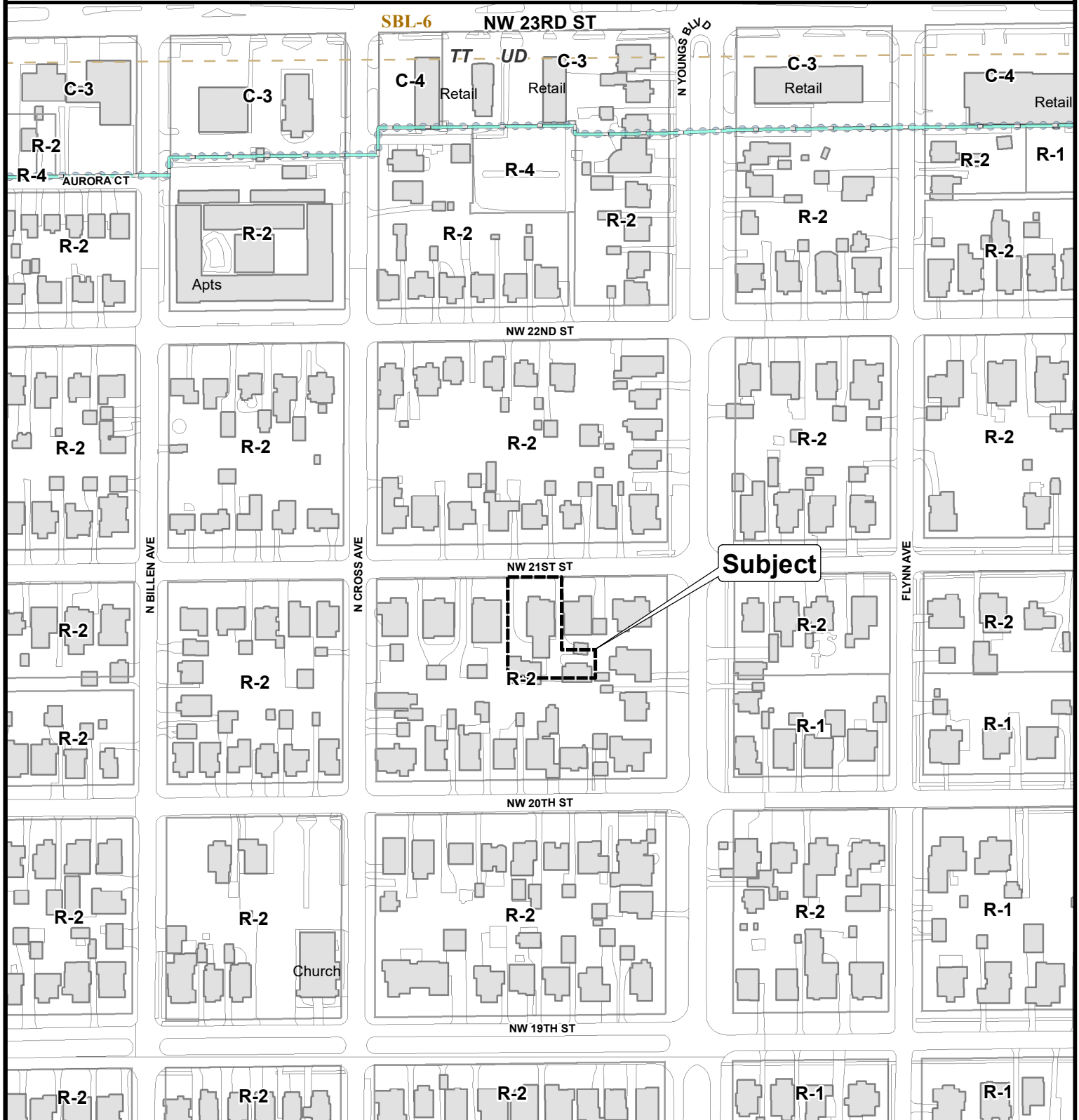
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Case No: SPUD-1637

Applicant: Oaken Properties, LLC and MD Properties, LLC

Existing Zoning: R-2

Location: 2312 NW 21st St.

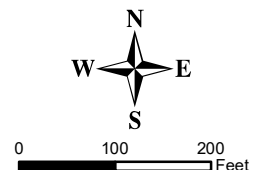


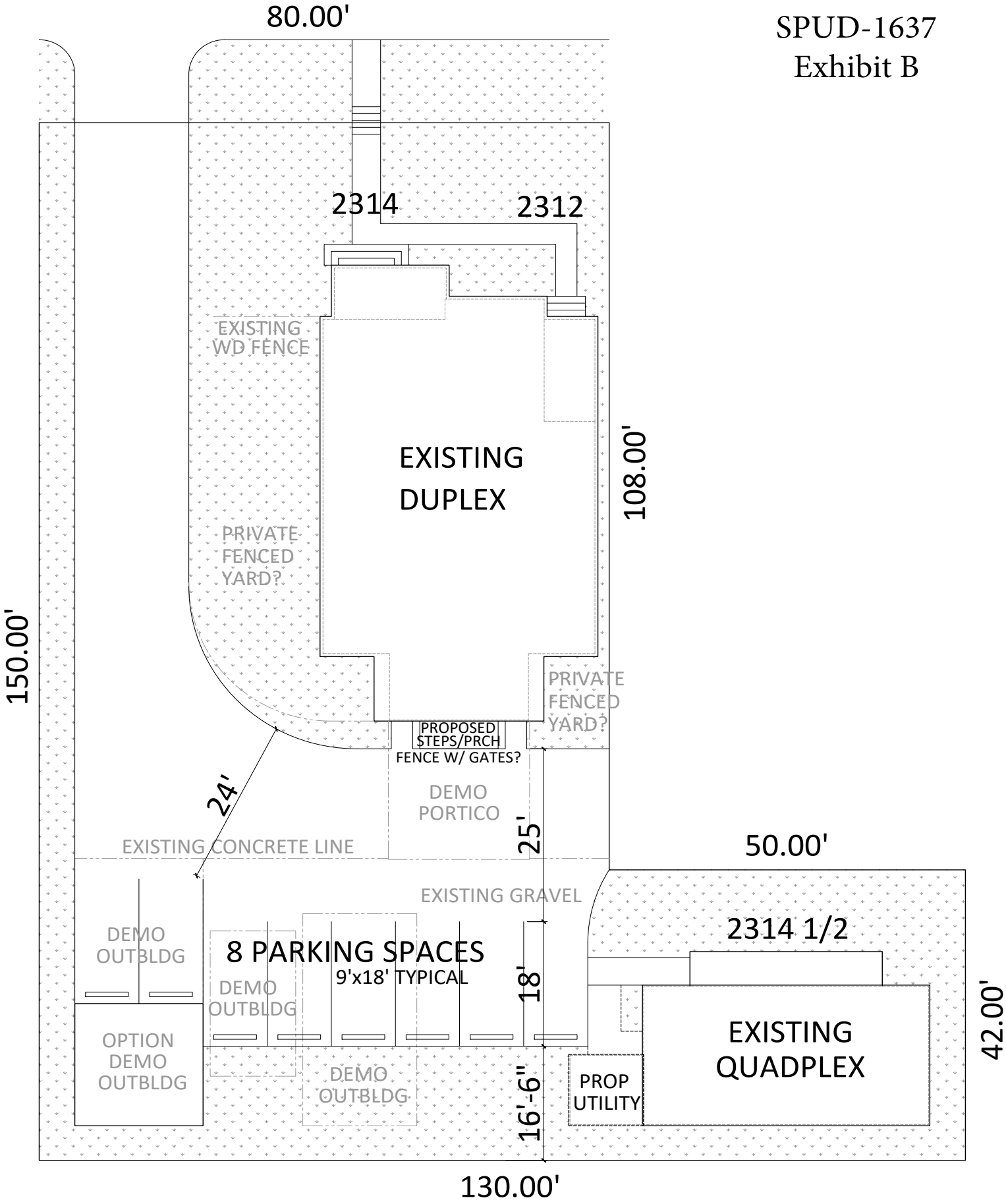
Note: "Subject" is located approximately 1,036' East of N. Villa Ave.



The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development







Case No: SPUD-1637

Applicant: Oaken Properties, LLC and MD Properties, LLC

Existing Zoning: R-2

Location: 2312 NW 21st St.



Aerial Photo from 2/2022

Note: "Subject" is located approximately 1,036' East of N. Villa Ave.



The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development



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Feet