



STAFF REPORT

Downtown Design Commission

11/21/2024

Case No. DTCA-24-00054
Property Address 1140 N Robinson Ave
Applicant Name Brent Wall, LAUD Studio
for Stuart Hudson, RRP 1140 LLC
220 NW 13th St, Ste 1
Oklahoma City, OK 73103
District DTD-1

A. ITEMS FOR CONSIDERATION

1. **Parking Lot**
 - a. Remove existing parking lot surface;
 - b. Install new parking lot surface;
 - c. Stripe the parking lot stalls; and
 - d. Install rubber parking bumpers.
2. **Signage**
 - a. Install required ADA parking stall signage.
3. **Landscaping/Site Improvements**
 - a. Remove existing curb cut and driveway on NW 11th St and replace with new curb and gutter;
 - b. Construct new curb cut and driveway approach on NW 11th St;
 - c. Install bicycle racks; and
 - d. Install landscaping (variance required from the requirement to provide a medium shade tree within 75 feet of every parking stall).

B. BACKGROUND

1. **Location**

The subject site is located at the southeast corner of N Robinson Ave and NW 11th St.
2. **Site History/Existing Conditions**

The subject site has been functioning as a surface parking lot since at least 2007. This parking lot does not meet current codes regarding parking lot landscaping or parking lot lighting. Perhaps more importantly, the design, and spacing of the parking stalls

and the access drives are all likely substandard and there are no designated ADA parking stalls.

3. **Surrounding Environment**

To the south, there is a two-story structure that houses a real estate office. To the west, across N Robinson Ave, is a four-story building known as the Lawyers Title Building. That building is presently undergoing renovations pursuant to the approval of DTCA-23-00050. At the northwest corner of N Robinson Ave and NW 11th St, is the First Baptist Church of Oklahoma City.

To the north, across NW 11th St, there is the First Church of Christ, Scientist building, a two-story structure built in 1925 that is listed in the National Register of Historic Places (1996). This building was damaged in the 1995 bombing. To the east, across the adjacent alley, there is a one-story metal clad warehouse building that houses office space. In addition, the City's streetcar system runs along the north side of NW 11th St.

4. **Intended Use**

8300.13, Automotive: Parking Lots, as a Principal Use

5. **Other**

This project is being proposed by the applicant in two phases. The first phase (as seen in this application) is the overhaul of the existing parking lot. For the most part, these improvements will bring the parking lot up to current code requirements. Notable exceptions would be compliance with current parking lot landscaping and parking lot lighting requirements. These exceptions are tied directly to and caused by Phase 2 of the project.

The second phase will be a proposal to cover the parking stalls with solar canopy structures. These roofed structures would be covered with solar panels that will generate electrical power. Phase 2 will also include three charging stations for electric vehicles, each charging two vehicles apiece.

The applicant has chosen to pursue this project in two phases because the detailed design drawings for the proposed solar canopies are not complete at this time. The applicant has informed staff that, instead of being mounted to a solid roof element on the canopies, the proposed solar panels will be the actual roof structure of these solar canopies. Because solar panels are considered mechanical equipment, they are required to be visually screened. Since there are no detailed plans for these solar canopies currently available, staff is unable to determine the extent to which the proposed structures will be able to adequately screen these proposed solar panels, especially since they are the actual roof surface.

Because these proposed solar canopies would cover a good portion of the parking lot area and because adjacent shade trees could shade the solar panels, there is not enough room to accommodate the required number of medium shade trees and, even

if there were room, the applicant would prefer not plant them so as not to shade the solar panels. The applicant has further indicated that the unusual configuration of the lot and the extensive perimeter landscaping may provide additional justification for omitting the required medium shade trees. For these reasons, the applicant will be requesting a variance from the requirement to provide a medium shade tree within 75 feet of every parking stall.

Additionally, because the proposed solar canopies would have built-in lighting elements, the applicant is not presently showing the installation of lighting fixtures to satisfy these requirements in the Phase 1 plans. The applicant will not be requesting a variance for the parking lot lighting requirements because if the solar canopies are not approved, or approved but not built, the applicant is committed to installing traditional parking lot lighting fixtures. This aspect of the project will be addressed with an appropriate condition of approval.

With this two phase approach, it is difficult for staff to provide a recommendation to the Commission on the variance request for landscaping. Since shading the parking stalls is the primary reason behind the requirement for the medium shade trees, staff was prepared to recommend approval of the variance request because the parking stalls would instead be fully shaded by the proposed solar canopies. But that position can only be supported if staff 1) has the plans for the solar canopies available to review alongside the parking lot improvement plans; or 2) is confident that the solar canopies could be approved in Phase 2. With neither being the case, staff's position on the variance becomes unclear.

C. ITEMS IN COMPLIANCE

1. Unless noted below in Section D. Issues and Considerations, all other case items of this proposal comply with the Development Regulations and Guidelines of the Downtown Design District zoning ordinance as referenced below:
 - a. RE: §7200.1.E., Use Regulations
 - b. RE: §7200.1.F., Development Regulations
 - c. RE: §7200.1.F.(2), Irrigation
 - d. RE: §7200.1.F.(3), Sidewalks
 - e. RE: §7200.1.F.(4), Parking
 - f. RE: §7200.2.A., Purpose and Intent
 - g. RE: §7200.2.B., Use Regulations
 - h. RE: §7200.2.C., Development Regulations

Note: All other Regulations and Guidelines of the Downtown Design District zoning ordinance not listed above are either not applicable to this case or apply to elements of this project to be considered as a separate case at a later date.

D. ISSUES AND CONSIDERATIONS

1. Development Regulations

This proposal does not comply with the Development Regulations of the Downtown Design District zoning ordinance as follows:

a. RE: Parking Lot Landscaping, Case Item A.3.d.

1) Description: The applicant has proposed a project that will not satisfy the requirement for medium shade trees within 75 feet of every parking stall.

2) Reference: §11250.E.(5)., Automotive Parking Lot Landscape Requirements

“(5) The distance between any parking space and a medium shade tree shall be no more than 75 feet. Selection of species and recommended spacings shall be directed by the document “Trees and Plants for Oklahoma City,” as referenced in §59-11150.P.”

3) Considerations: As described in the project overview, the applicant is requesting a variance from the requirement for a medium shade tree within 75 feet of every parking stall in this parking lot. Because of the proposed solar canopies in Phase 2 of this project, they do not believe that they can meet this standard. This is because the proposed solar canopies will leave little room around the perimeter or interior of this site to accommodate those trees. Additionally, even if there were space available, having shade trees in close proximity to the solar panels would have a detrimental impact on the efficiency and function of the panels.

Staff had initially been inclined to recommend approval of the variance request, based on the fact that the solar canopies would provide the shade normally afforded by the required shade trees.

However, with no guarantee that the solar canopies will in fact be approved, or built if they are approved, staff came to question the initial recommendation.

After further consultation with the applicant, staff was assured that the applicant intends to rebuild and enhance this parking lot with or without the proposed solar panels. This fact makes staff recommendation to the Commission a little clearer.

Staff will support the variance request on the basis that the proposed solar canopies will provide the necessary shade that is normally required by the medium shade trees. If the solar canopies are not approved, or approved but not built, the applicant will be required to submit a revised landscape plan for the project that will meet the

minimum requirements for medium shade trees. This issue will be addressed through a condition of approval.

b. **RE: Parking Lot Lighting, Case Item A.1.**

- 1) Description: The applicant has proposed a parking lot renovation that does not include the required lighting necessary to satisfy the parking lot lighting requirements.
- 2) Reference: §12350.1.A., Lighting Standards

“A. Outdoor lighting shall meet the following lighting levels for the specified locations on sites as follows:

| <i>Table 12350.1: LIGHTING STANDARDS</i> | | |
|--|--|---|
| <i>Lighting Location</i> | <i>Maintained Average Footcandles^{1, 2}</i> | <i>Minimum Footcandles at any location^{1, 2}</i> |
| <i>Parking Areas</i> | <i>1.5</i> | <i>0.5</i> |
| <i>Building entrances and exits</i> | <i>3</i> | <i>1.5</i> |
| <i>Along pedestrian walkways and common area</i> | <i>3</i> | <i>1.5</i> |

Footnotes: Table 12350.1

- 1. Accounts for lamp lumen depreciation.*
- 2. Businesses that do not operate during evening hours (1/2 hour after sunset) are not required to maintain the minimum illumination levels.*

- 3) Considerations: The applicant has submitted plans for this project that do not include the siting of light pole fixtures to provide the required illumination for the parking lot as required by code.

The reason for this is that they have confirmed that the proposed solar canopies (in Phase 2 of this project) will have lighting fixtures integrated into them and that those lights will satisfy the minimum parking lot lighting standards.

If the solar canopies are not approved, or approved but not built, the applicant is prepared to revise the base plans for the parking lot to incorporate the lighting standards necessary to satisfy those minimum lighting requirements.

Since the minimum parking lot lighting standards will be satisfied either through the construction of solar canopies or with traditional light poles should the solar canopies not be built, there is no variance necessary for the parking lot lighting requirement. This issue will be addressed through a condition of approval.

2. Development Guidelines

This proposal may not comply with the Development Guidelines of the Downtown Design District zoning ordinance as follows:

a. RE: Parking Lot, Case Item A.1.

1) Description: The applicant is proposing improvement to and existing parking lot located on a corner lot.

2) Reference: §7200.1.G.(6)(a)2., Parking and Loading

“Parking lots should not be adjacent to a street corner, rather, located on the interior of the block in order to allow space for a building or structure to be located on the corner lot, therefore keeping building mass intact on corner lots.”

3) Considerations: If a new parking lot were to be proposed on this site, this guideline would be applicable. However, the existing parking lot has been located at this site for several years, perhaps pre-dating the design review district. Because this is a guideline and not a regulation, the provisions that pertain to non-conforming uses would not be applicable.

Even if those provisions were applicable, the existing site is being upgraded and enhanced, not expanded. For these reasons, staff would advise the Commission that this guideline should not be considered as it relates to this project. Staff has included this reference to show that it was considered and assessed but determined not to be relevant.

E. STAFF RECOMMENDATION

1. **Approve the application** on the basis that the project complies with the regulations and guidelines of the Downtown Design District zoning ordinance as referenced in Section C and D of the Staff Report with the **conditions** that:

a. the applicant shall obtain a variance from the Board of Adjustment from the requirement to provide a medium shade tree within 75 feet of every parking stall.

b. if the variance request from the requirement for a medium shade tree within 75 feet of every parking stall is denied by the Board of Adjustment, the applicant shall submit a revised landscape plan that demonstrates compliance with Section 59-11250.E.(5).

c. if the proposed solar canopies in Phase 2 of the project are denied by the Downtown Design Commission, or if a variance is required for those proposed solar canopies and that variance request is denied by the Board of Adjustment, the applicant shall submit a revised Site Plan showing the location of all light pole standards necessary to satisfy Section 59-12350.1.

2. Provide a recommendation of **approval** to the Board of Adjustment for a variance from the requirement to provide a medium shade tree within 75 feet of every parking stall.

OR

1. **Continue the case** to the meeting of January 22, 2025 to allow the applicant to prepare and submit the Phase 2 plans for the solar canopies and electric vehicle charging stations.

Note: Staff recommendations do not constitute Commission decisions.

Attachments: Zoning Map, Application, Design Statement, Drawings, Photos.