

Planning Commission Minutes
January 25, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:14 a.m. on January 22, 2024)

12. (SPUD-1594) Application by Checkers Investments, Inc. to rezone 1304 NE 14th Street from R-1 Single Family Residential District to SPUD-1594 Simplified Planned Unit Development District. Ward 7.

Amended Technical Evaluation:

1. A minimum of ~~20%~~ 18% open space, defined as no buildings or paving, shall be provided.
2. Light poles shall be required along Lottie Avenue. Refer to Exhibit C for example of the light poles to be installed as located on Exhibit B.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY GOVIN, SECONDED BY NOBLE

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 25, 2024

Item No. IV. 12.

(SPUD-1594) Application by Checkers Investments, Inc. to rezone 1304 NE 14th Street from R-1 Single Family Residential District to SPUD-1594 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

| | |
|-------|----------------|
| Name | Robert Haggard |
| Phone | 405-818-9143 |
| Email | Rwh37@cox.net |

B. Case History

On April 27, 2023, the Planning Commission recommended approval of PC-10884, a request to rezone the subject site to the R-4 District.

On August 15, 2023, the City Council referred PC-10884 back to the Planning Commission so the application could be converted to a SPUD.

This is the new SPUD application.

C. Reason for Request

The purpose of this application is to allow multifamily residential development.

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: 0.32 acres

3. Zoning and Land Use

| | Subject Site | North | East | South | West |
|-----------------|---------------------|--------------------------|-------------|--------------|-------------|
| Zoning | R-1 | R-1 | R-1 | C-3 | CMZ |
| Land Use | Vacant | Veterans Resource Center | Vacant | Retail | Residential |

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **R-4 General Residential District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

The following use(s) will be the only use(s) permitted on this site:

- 8200.14 Single-Family Residential
- 8200.16 Two-Family Residential
- 8200.15 Three- and Four Family Residential
- 8200.13 Senior Independent Living
- 8200.12 Multifamily Residential, maximum 10 units

2. **Maximum Building Height:** Two stories and 30 feet
3. **Maximum Building Size:** For primary structure 5,000 square feet per story. Porches and covered walkways shall not count toward maximum building size.
4. **Maximum Number Buildings:** One (1) multifamily building, otherwise per Code.
5. **Building Setback Lines**
 - Rear (East): 50 feet
 - Side (North): Minimum 10 feet, however stairway may encroach up 9 feet into the setback
 - Side (South): Minimum 8' 6", however stairway may encroach into entire setback.
 - Front (West) 11 feet, however covered porches/patios may encroach up to 5 feet in the front yard setback.
6. **Sight-proof Screening:** Sight-proof screening shall be in accordance with the base zoning district, except that a decorative metal fence and electric gate, maximum six (6) feet tall, shall be required along the north boundary of the SPUD where adjacent to the parking area. Sight-proof fence shall be on east and south property line.

7. **Landscaping:** The subject site shall meet all requirements of Oklahoma City's Landscaping Ordinance in place at the time of development, except that the required landscaped buffer on the east side shall be a minimum four (4) feet in width.
8. **Signs:** Per the base district.
Non-Accessory Signs/Billboards and Electronic Message Display (EMD) signs are not permitted.
9. **Access:** No new driveways shall be allowed on Lottie Ave. Access shall be per Code, except that the number of driveways allowed on NE 14th Street for the multifamily residential use shall be limited to one.
10. **Sidewalks:** Sidewalks are existing on Lottie Ave and shall be repaired or replaced if damaged during construction. Sidewalks shall be provided along NE 14th Street in accordance with the City of Oklahoma City Municipal Code and ADA requirements in place at the time of development.

I. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, rock, stone, stucco, or wood, or other similar type finish. A maximum of 30% EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

Additionally, each first-floor apartment shall have a covered patio facing Lottie Ave. Each patio shall be a minimum of 5 feet x 12 feet.

2. Open Space:

3. Street Improvements: N/A

4. Site Lighting: 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:** 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 design and number of all parking facilities in this SPUD shall be in accordance with Section 59, Article X of the Oklahoma City Municipal Code, 2020, as amended, except that the maximum number of parking spaces required for the multifamily residential use shall be 13.
- 7. Maintenance:** N/A
- 8. Drainage:** Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

II. Supporting Documents

Exhibit A: Legal Description
Exhibit B: Conceptual Site Plan
Exhibit C: Conceptual Landscape 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:** Prior to excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior for 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 - Engineering

Wastewater Availability

1. An existing 8" wastewater main(s) is located adjacent to the subject site.
2. Line capacity is not guarantee and must be checked by the Engineer of Record and reviewed by the City.
3. Minimum ten (10) feet horizontal separation is required from water mains and five (5) feet for other utilities. Minimum two (2) feet vertical separation required for all crossings. All wastewater mains must have a minimum cover of four (4) feet and depth no greater than eighteen (18) feet. Developer is responsible for remediating any failure to maintain the minimum four (4) feet of cover.
4. Wastewater main(s) must be centrally located in a twenty (20) feet wide easement or larger if necessary. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
5. All existing unused private wastewater service connections must be abandoned and capped at the main in accordance with City Standard Specifications and Private Development Design Manual.

Water Availability

1. An existing 6" water main(s) is located adjacent to the subject site(s).
2. Minimum ten (10) feet horizontal separation required from wastewater mains and five (5) feet for other utilities. Minimum two (2) foot vertical separation required for all utility crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
3. Proposed and/or existing water mains must be located centrally within a twenty (20) feet wide or larger utility easement or right-of-way. No trees, signs, dumpster, fence,

and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.

4. Dead-end water mains must be avoided when possible. All existing unused water services must be capped and abandoned at the water main in accordance with the City Standard Specifications.
5. In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The developer is responsible for designing and construction of all fixtures to provide adequate domestic and fire protection under
6. minimum pressure conditions. The developer will be responsible for any failure of domestic or fire protection systems which require water pressure more than 25 psi. The developer is responsible for installing pressure reducers if necessary for protection of developer's service lines, plumbing, and fixtures.
7. All existing and/or proposed water meters must be located in the right-of-way and/or utility easement within grassy areas outside of sidewalks, driveways, streets, and paving.
8. All domestic and fire suppression services must have a separate water service connection. Fire hydrant spacing shall not exceed 500 feet and must be located within ten (10) of a hard surface (i.e. sidewalk, street, paving).
9. System will be mastered metered.

2. 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.
- Design buildings to include facades, storefront windows, and attractive signage and lighting to create pedestrian-scale visual interest.

The SPUD proposes a multifamily building that faces N Lottie Avenue. Lots were platted in the Culbertson East Highland subdivision to face NE 14th and NE 13th Streets. However, adjacent lots on the south side of the block along NE 13th Street were developed as a commercial use that faces N Lottie Avenue. Across NE 14th Street to the north is the Veterans Resource Center complex that spans the block. National, state, and local permitting require basic best management practices for stormwater management.

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.

The SPUD is requested for 10 dwellings over 0.32 acres, or 31 dwelling units per acre, within the UM LUTA density range.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Protect existing traditional street grid and reconnect it where possible.
- Keep alleys open and functional.

No new driveways are allowed on Lottie within the SPUD boundary. Access from NE 14th Street is limited to one if developed as multifamily residential. No changes to the alley are proposed. Access from the alley is supported by the comprehensive plan and may help with circulation and trash pickup.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.
- Discourage widening of neighborhood streets and increasing curb radii.

A five-foot sidewalk exists on N Lottie Avenue. However, the sidewalks are damaged. The SPUD states sidewalks will be repaired/replaced on Lottie Ave if damaged during construction, and new sidewalks constructed along NE 14th Street. As of the date of this report, the sidewalks to the south of the subject site along N Lottie Ave were scheduled to be reconstructed as part of an on-going bike lane project.

- 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 residential uses adjacent to existing Low Intensity Residential uses or zoning “Building Scale and Site Design” and “Traffic” 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. *No compatibility issues are identified to the north and south. The site abuts an undeveloped R-1 zoned parcel on the east. The proposed building orientation toward Lottie Ave differs from how lots were platted, but is consistent with development to the south and allows placement of*

parking behind the building. Building height is limited to two stories and 30 feet. The SPUD proposes a landscape buffer on the east side of the SPUD adjacent to R-1 of 4 feet instead of 5 feet. Lot coverage could be decreased by incorporating angled parking spaces and using the alley to assist with circulation on the site. The amount of Open Space needs to be stated in the Master Design Statement.

Traffic: Mitigation measures should be used if the development is inconsistent with the Street Typology or would substantially exceed the average daily traffic of existing, adjacent uses. *The development is located on a Connector Street. Traffic circulation may be improved by using the existing alley for ingress or egress.*

- 3) **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served Area*
 - Fire Service: *Urban Response*
- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - Riparian areas are vegetated areas adjacent to streams, lakes, ponds, and wetlands that are composed of a mixture of trees, shrubs, and grasses. Riparian areas are not present on the site.
 - Upland Forests: The subject area is not within the upland forest ESA.
 - 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.
- 5) **Transportation System:** This site is located at the southeast corner of NE 14th Street and N Lottie Avenue. The Innovation District and Capitol Environs Land Use and Strategic Development Plan classifies NE 14th Street as a Medium-Intensity Connector and N Lottie Avenue as a High Intensity Connector. Transit (bus) service is available along Lottie Ave, with a bus stop currently located in front of the site. The bus stop will be moved to the north side of NE 14th Street in 2024. In addition, a protected bike lane will be constructed in front of the site in 2024.
- 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. (SU-4)
 - Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)

- Higher density multifamily development should be located in areas near employment or educational centers where street and transit systems have or will soon have capacity to support the added trips. (SU-48)
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- Maintain existing alleys or construct new alleys where feasible to provide trash collection service and parking behind primary buildings and minimize curb cuts along the primary street frontage. (C-8)
- 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)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- Share parking between contiguous developments. (C-31)
- Encourage unified planning for all adjoining land owned or controlled by a project's developer to ensure proper circulation and land use relationships (SU-47)

7) Other Considerations: Innovation District

The subject site is within the Land Use Plan for the Innovation District and Capitol Environs, which was adopted as an amendment to the comprehensive plan on November 18, 2021. The site is within the General Urban Development Typology.

The Plan states, "The General Urban areas should be made up primarily of horizontally mixed residential and commercial uses in a variety of building forms. Single-unit and multi-unit residential uses should be integrated with low-scale commercial buildings. Commercial uses should occur in a variety of building forms that may contain a mixture of uses within the same structure. Residential uses should be primarily located along local residential streets. Commercial uses should be primarily located along mixed-use arterial and connector streets but may be located at or between intersections of local neighborhood streets.

b. Plan Conformance Considerations

The subject site is located at the southeast corner of NE 14th Street and N Lottie Avenue. The site is zoned R-1 and is developed with a parking lot along N Lottie

Avenue. A residential structure was demolished in 2023. North of the site, across NE 14th Street, is the VA Resource Center, which is zoned R-1 and has a parking lot directly across the street from the subject site, along N Lottie Avenue. Land to the east, and southeast, is zoned R-1 and primarily undeveloped aside from one residence mid-block along NE 14th Street and oil well equipment centralized on the block. South of the site is zoned C-3 and developed with a commercial retail building. West of the site, across N Lottie Avenue, are single-family residences within the Capitol Medical Zoning Area.

The comprehensive plan assigns the Urban Medium LUTA to the subject site. In 2019, the Planning Commission adopted the Innovation District Land Use Plan as an amendment to the comprehensive plan, designating the subject site “General Urban.” The General Urban area in the Innovation District is meant to provide lower-level density between the High Intensity areas and the Neighborhood areas.

The SPUD is requested to construct new multifamily residential within the Culbertson East Highland neighborhood. The application was originally proposed as a request to rezone to the R-4 District. The application was converted to a SPUD, which limits the number of multifamily buildings to one, the maximum number of dwelling units to 10, and proposes reduced setbacks in order to place parking behind the building. The SPUD requires street trees, front porches facing Lottie Ave, and new sidewalks on NE 14th Street. The proposal to increase density in the Urban Medium LUTA is in conformance with UM density ranges and comprehensive plan goals to provide a mixture of residential housing types and infill development on vacant lots. However, the Master Design Statement does not specify an amount of Open Space provided. This needs to be specified, and should be green space, meaning areas with no paving or buildings.

IV. STAFF RECOMMENDATION

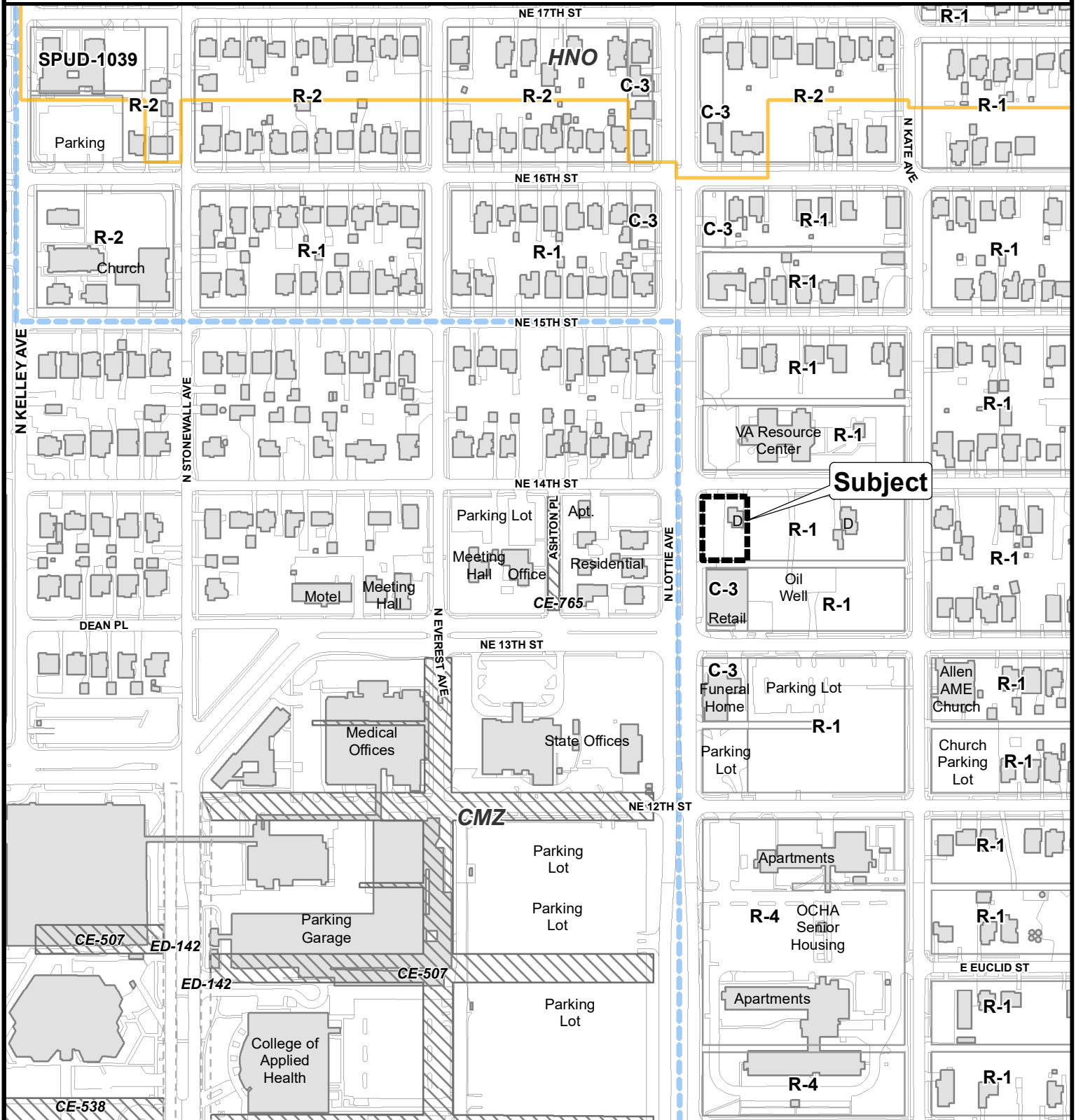
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning 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 subject to the following Technical Evaluation:

1. A minimum of 20% open space, defined as no buildings or paving, shall be provided.

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

Case No: SPUD-1594 Applicant: Checkers Investments, Inc.
Existing Zoning: R-1
Location: 1304 NE 14th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet



CALCULATIONS:

DEVELOPED AREA $14,200 \text{ SF} \div 200 = 71 \text{ PTS. REQ}$

PARKING: 5 SPACES = 2 PTS EACH = 30 PTS

TOTAL POINTS REQUIRED = 101 POINTS

10 EA MENHUN TRESS - 12PTS EA. 120 POINTS

14 EA. MEDIUM SHRIMP 22PTS EA: 28 "

TURF GRASS 2700 SF @ 9.300/SQ.

300 SYDS $\times .25 =$ 75 POINTS

TOTAL POINTS SHOWN: 223 POINTS

← NORTH
 $\angle B'' = 1^\circ - C$

SITE PLAN

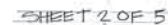
LOTS 15, 16, 17, & 18

BLOCK 10

CLIBERTSON'S EAST HIGHLAND ADDN.

OKLAHOMA CITY, OKLAHOMA, OK. COUNTY
1304 N. LOTTIE AVE

123 N. WILHE AVE.



Case No: SPUD-1594 Applicant: Checkers Investments, Inc.
Existing Zoning: R-1
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Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

