

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)

15. (SPUD-1640) Application by Josh West to rezone 3009 NW 16th Street from R-1 Single-Family Residential District to SPUD-1640 Simplified Planned Unit Development District. Ward 6.

Amended Technical Evaluation:

1. Rooftop decks, ~~patios~~ and rooftop balconies are prohibited.
2. A sidewalk shall be constructed to City standards along NW 16th Street.

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

ABSENT: LAFORGE



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

Item No. IV. 15.

(SPUD-1640) Application by Josh West to rezone 3009 NW 16th Street from R-1 Single-Family Residential District to SPUD-1640 Simplified Planned Unit Development District. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Gene Kitsmiller and Brad Rice
Company	Newmark Robinson Park
Phone	918-688-9387, 918-269-8586
Email	kitsmillera@gmail.com, brice@newmarkrp.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow the 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: 7,500 square feet

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	R-1	R-1	R-1	R-1
Land Use	Residential	Residential	Residential	Residential	Residential

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulations of the **R-1 Single Family Residential District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:
2. **Minimum Lot Width:** 45 Feet
3. **Minimum Lot Size:** 6,000 Square Feet
4. **Maximum Building Height:**
Any new buildings to be constructed shall conform to the height requirements of the base zoning district, except that any rear/accessory dwelling constructed shall be a maximum of 25 feet in height.
5. **Maximum Building Size:**
Existing structures shall be permitted to remain and deemed to conform to building size regulations. In the event of a new structure, size regulations shall be in accordance with the base zoning district.
6. **Maximum Number of Buildings:**
There shall be a maximum of two (2) dwellings within this SPUD. They may be detached or attached.
7. **Building Setback Lines**
Existing structures shall be permitted to remain and deemed to conform to setback regulations. In the event of a new structure, setback regulations shall be in accordance with the base zoning district.
8. **Sight-proof Screening:**
Sight-Proof screening shall not be required.
9. **Landscaping:**
The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.
10. **Signs:**
Signage shall be prohibited within this SPUD.
11. **Access:**
Access shall be taken from one (1) drive off NW 16th Street.

12. Sidewalks:

No sidewalk is being proposed.

II. Other Development Regulations:

1. Architecture:

All existing structures shall be permitted to remain and deemed to conform to architecture regulations. In the event of a new structure, the following shall apply: exterior building wall finishes on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick, brick veneer, masonry, rock, concrete, stone, stucco, stone masonry, concrete-board, architectural metal 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.

2. Open Space:

Per the base zone.

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:

A minimum of 1 parking space per dwelling shall be required in the SPUD. Garages are not required but if they are constructed, they will be located behind the front wall of the primary dwelling. Parking within the front yard setback shall not be permitted.

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.

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: 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.
- 11) Revise Section I.12 to read: Sidewalks will be constructed for this development in accordance with the applicable requirements and ordinances of the City of Oklahoma City and the applicable ADA requirements.

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, providing there is sufficient space for the truck to maneuver to service the addition.

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 add an accessory dwelling to the rear of the property. The proposed SPUD would allow two dwelling units on a 0.17-acre site, or 11.76 du/acre.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.

The subject site currently has one improved drive from NW 20th Street. The SPUD Master Design Statement proposes retaining existing access.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are not currently available on the subject site and are not proposed in the SPUD regulations.

- 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 requested accessory dwelling would be located at the rear of the property, proposing only a slight increase in footprint from the existing garage. Setbacks, orientation, building size or frontage, lot coverage, and height variation are primarily in accordance with the base R-1 District or more restrictive and do not appear to significantly differ from adjacent development. No triggers 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 north side of NW 16th Street, a Connector Street in the Urban Medium LUTA. The nearest transit (bus) service is located just west of the site along NW 16th 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. (SU-4)
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- 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)
- 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 existing residence was constructed in approximately 1934 according to the Oklahoma County Assessor. The structure is within an area identified as the Linwood Place Historic District, which was given a formal Determination of Eligibility for the National Register of Historic Places in 1993. *The SPUD is proposed to allow the addition of one accessory dwelling unit to the existing single-family residence. The City's preservation plan, preserveokc, supports retention of the existing residential structure on the site.*

b. Plan Conformance Considerations

The subject site is located along the north side of NW 16th Street between North Drexel Boulevard and North Brookline Avenue, in an area generally located west of North May Avenue. The site, and all adjacent property, is zoned R-1 and developed as residential. Further west, and northwest, of the site are a few undeveloped lots before a church. All corners of the intersection at NW 16th Street and N Drexel Boulevard are zoned C-3.

The SPUD is requested to allow development of an accessory dwelling unit on a 7,500 square foot lot containing a single-family residence in Milam Place. The SPUD limits the height of the accessory dwelling unit to a maximum of 25 feet and requires parking to be located behind the front wall of the primary dwelling. No new compatibility issues were identified with the request.

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. Rooftop decks, patios and balconies are prohibited.

STAFF REPORT
The City of Oklahoma City
Planning Commission
June 27, 2024
SPUD-1640

Item No. IV. 15.

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.

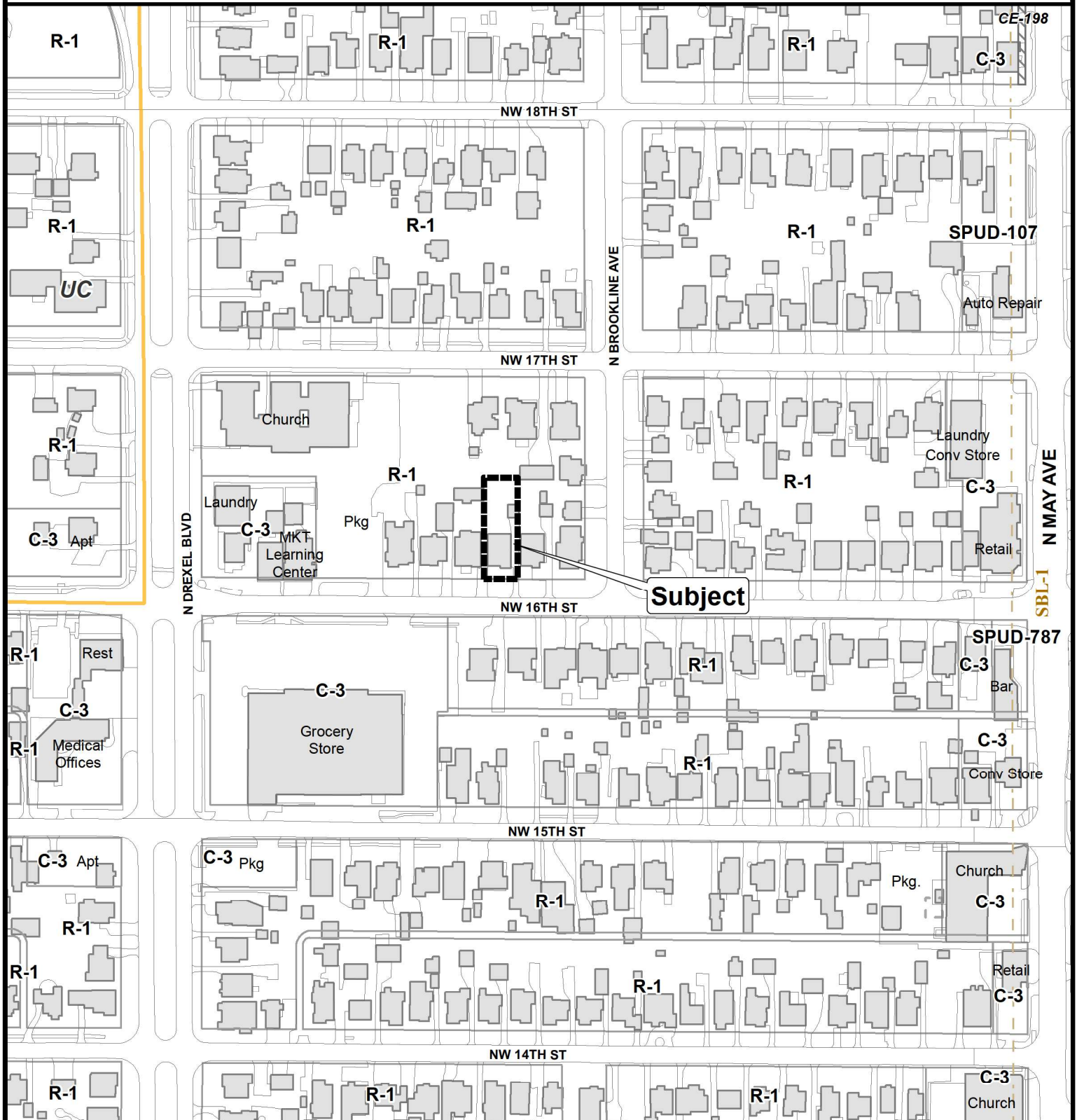
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Case No: SPUD-1640

Applicant: Josh West

Existing Zoning: R-1

Location: 3009 NW 16th St.



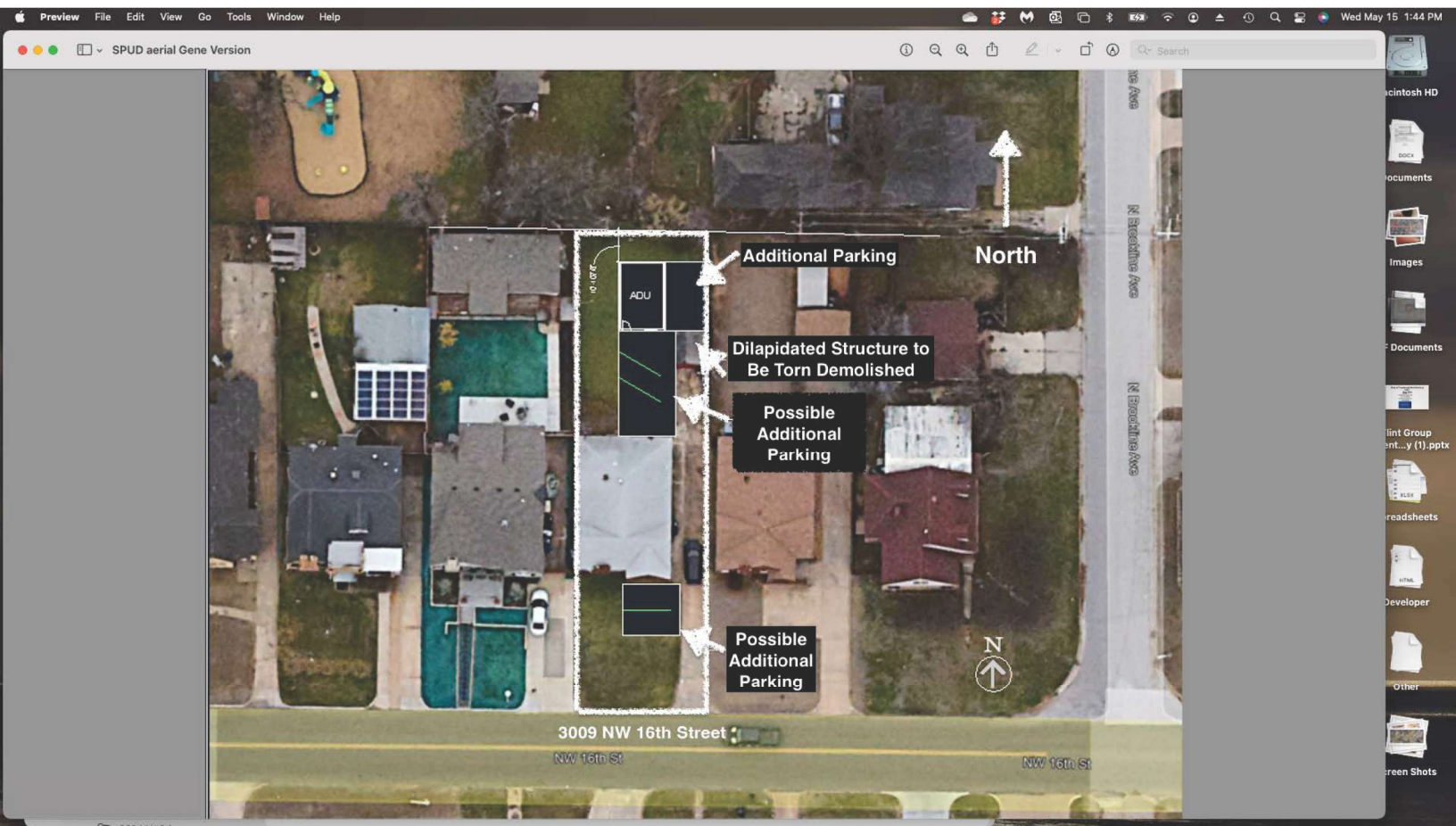
The City of
OKLAHOMA CITY

Simplified Planned
Unit Development



0 100 200
Feet

SPUD-1640 Exhibit B



Case No: SPUD-1640

Applicant: Josh West

Existing Zoning: R-1

Location: 3009 NW 16th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 100 200
Feet