

Planning Commission Minutes  
April 27, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:37 a.m. on April 24, 2023)

17. (PC-10884) Application by Checkers Investments, Inc., to rezone 1304 NE 14th Street from R-1 Single-Family Residential District to R-4 General Residential District. Ward 7.

The applicant was present. There were no protestors present.

**RECOMMENDED APPROVAL.**

MOVED BY CLAIR, SECONDED BY POWERS

AYES: CLAIR, POWERS, FRALEY, HINKLE, GOVIN, PENNINGTON, NOBLE;

ABSENT: PRIVETT, LAFORGE



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**April 27, 2023**

**Item No. IV. 17.**

(PC-10884) Application by Checkers Investments, Inc., to rezone 1304 NE 14<sup>th</sup> Street from R-1 Single-Family Residential District to R-4 General Residential District. Ward 7.

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant's Representative**

Robert Haggard  
(405) 818-9143  
Rwh37@cox.net

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this request is to allow multifamily residential use and development.

**D. Existing Conditions**

**1. Size of Site (0.32 Acre)**

**2. Zoning and Land Use**

|                 | <b>Subject Site</b> | <b>North</b> | <b>East</b> | <b>South</b> | <b>West</b> |
|-----------------|---------------------|--------------|-------------|--------------|-------------|
| <b>Zoning</b>   | R-1                 | R-1          | R-1         | C-3          | CMZ         |
| <b>Land Use</b> | Residential         | VA Center    | Undeveloped | Retail       | Residential |

**3. 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.

**II. 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 (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. School District (Oklahoma City)**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

**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**

**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 PC 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.

**8. Streets, Traffic and Drainage Maintenance**

**9. Stormwater Quality Management**

**10. Traffic Management \***

**11. Utilities**

**a. Wastewater Comments**

1. An existing 8” wastewater main(s) is located adjacent to the subject site(s).
2. Line capacity is not guaranteed and must be checked by the Engineer of Record and reviewed by the City.
3. The developer will be required to extend the City wastewater collection system to and across each lot or site within the subdivision in accordance with the City Standard Specifications and Private Development Design Manual.
4. 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.
5. 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.
6. 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.
7. Adjacent to 8” public wastewater main project #SC-1024 on the south side of the development. If splitting lot, further utility extensions may be required.

**b. Water Comments**

1. An existing 6” water main(s) is located adjacent to the subject site(s).
2. A 12-inch water main is required to be loop through the development to provide adequate water supply and fire flow protection. Connection to two (2) separate active water mains is required to prevent partial or total shut-off of water supply when a pipeline failure occurs.
3. 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.
4. 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.
5. 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.
6. 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 minimum pressure conditions. The developer will be responsible for any failure of domestic or fire protection systems which require water pressure in excess of 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. Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.
10. Adjacent to 6” public water main project #G-213.

**c. Solid Waste Management**

No Solid Waste Management services needed.

**12. 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.

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 proposed R-4 District would allow up to 11 dwelling units on a 0.32-acre site, or 34 du/acre.*

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.
- Limit curb cuts on arterial streets.
- Development fronting arterials should take access from intersecting streets where possible.

*The site has one improved access along NE 14<sup>th</sup> Street which leads to a parking lot that extends to the southern boundary of the property and connects to the platted alley.*

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

*Sidewalks are available along N Lottie Avenue and on the north side of NE 14<sup>th</sup> Street.*

- 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 multifamily 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. Where adjacent to the R-1 District, the proposed R-4 District requires screening, a landscape buffer, and limits the building height to 20 feet tall and one story within 60 feet.*

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. *No triggers requiring mitigation were identified.*

- 3) **Service Efficiency:**
- Water: *Served*
  - Sewer: *Fully Served*
  - Fire Service: *Urban Service Level*
- 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.
- 5) **Transportation System:** This site is located at the southeast corner of NE 14<sup>th</sup> Street, a Neighborhood Street, and N Lottie Avenue, a Minor Arterial

Street, both in the Urban Medium LUTA. The Innovation District and Capitol Environs Land Use and Strategic Development Plan classifies NE 14<sup>th</sup> Street as a Medium-Intensity Connector and N Lottie Avenue as a High Intensity Connector. Transit (bus) service is located along NE 13<sup>th</sup> Street and along N Lottie Avenue, with a bus stop just south of the subject site.

**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)
- Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)

**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.

The General Urban category is located between High-Intensity Mixed-Use and Neighborhood and provides a range of middle-density building types in order to transition between higher and lower intensity development.”

**b. Plan Conformance Considerations**

The subject site is located at the southeast corner of NE 14<sup>th</sup> Street and N Lottie Avenue. 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 site is zoned R-1 and developed with a vacant residential structure and a parking lot along N Lottie Avenue. North of the site, across NE 14<sup>th</sup> Street, is the VA Resource Center, which is zoned R-1 and has a parking lot directly across the street from the subject site. Land to the east and southeast is zoned R-1 and primarily undeveloped aside from one residence mid-block along NE 14<sup>th</sup> Street and oil well equipment centralized on the block. South of the site is zoned C-3 and developed a building providing multiple retail options. West of the site, across N Lottie Avenue, are single-family residences within the Capitol Medical Zoning Area.

The proposed R-4 District is requested for new multifamily development within the Culbertson East Highland neighborhood. 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. The application contemplates a 2-story, 10-unit apartment building. The proposed density would be allowed within the R-4 District, provided the site design can meet the setbacks, parking requirements, and building height restrictions adjacent to the R-1 District.

**IV. STAFF RECOMMENDATION**

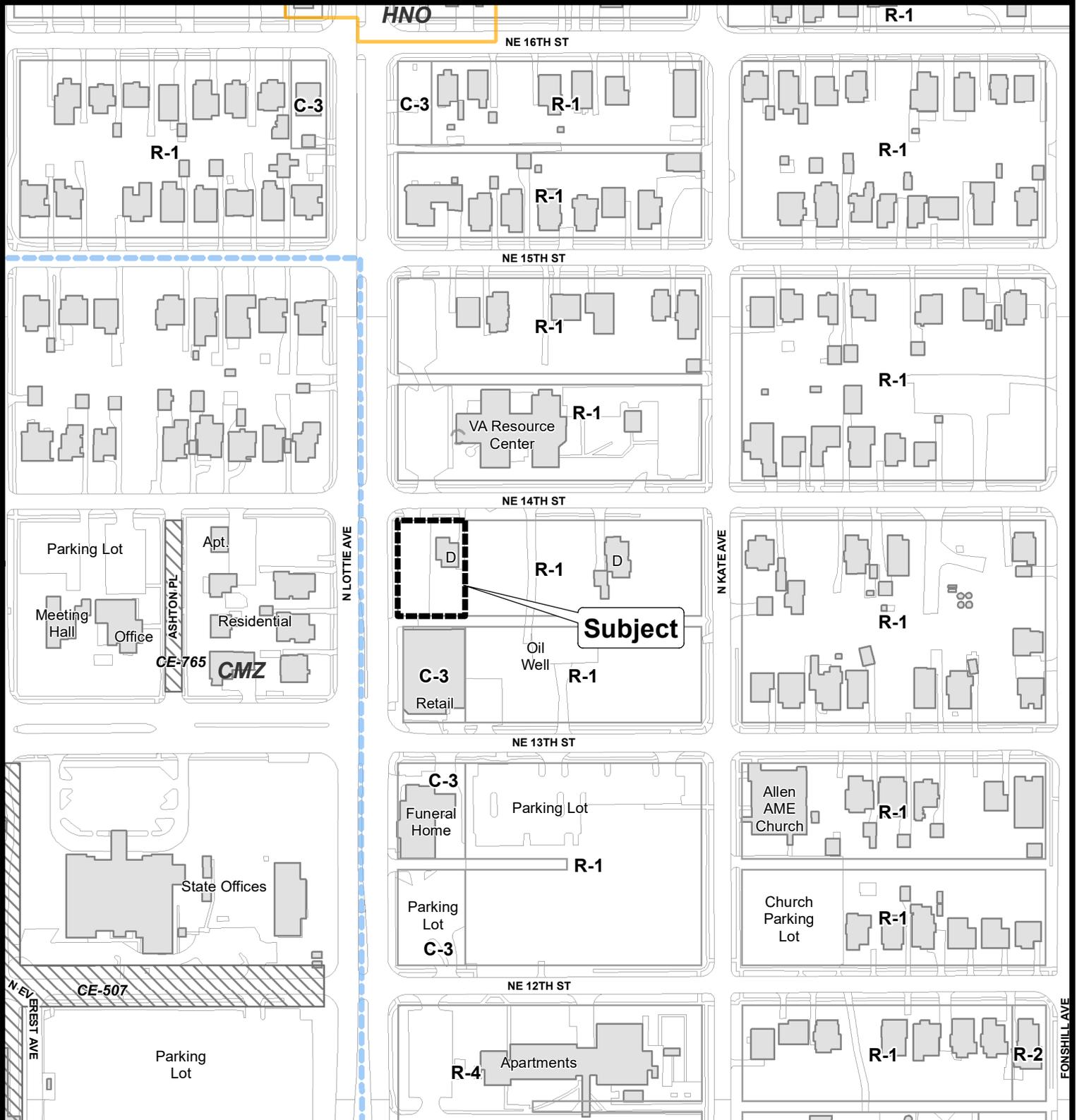
*Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the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

**taj**

Case No: PC-10884  
Existing Zoning: R-1  
Location: 1304 NE 14th St.

Applicant: Checkers Investments, Inc.  
Proposed zoning: R-4



The City of  
OKLAHOMA CITY

# Rezoning Application



0 100 200 Feet

Case No: PC-10884  
Existing Zoning: R-1  
Location: 1304 NE 14th St.

Applicant: Checkers Investments, Inc.  
Proposed zoning: R-4



Aerial Photo from 2/2022



The City of  
OKLAHOMA CITY

# Rezoning Application

