

Planning Commission Minutes
August 8, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:31 a.m. on August 5, 2024)

13. (SPUD-1633) Application by Kay M Wolbrink and Rhea Wolbrink to rezone 100 NW 22nd Street from HP Historic Preservation and UC Urban Conservation Overlay Districts to SPUD-1633 Simplified Planned Unit Development and UC Urban Conservation Overlay Districts. Ward 6.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY GOVIN, SECONDED BY MEEK

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
August 8, 2024

Item No. IV. 13.

(SPUD-1633) Application by Kay M Wolbrink and Rhea Wolbrink to rezone 100 NW 22nd Street from HP Historic Preservation and UC Urban Conservation Overlay Districts to SPUD-1633 Simplified Planned Unit Development and UC Urban Conservation Overlay Districts. 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 application was continued from the July 25, 2024 Planning Commission meeting.

C. Reason for Request

The purpose of this application is to allow multi-family residential use and 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.

Comprehensive Plan Land Use Typology Layer: Transit - Oriented (TO)

The TO layer encourages higher density development, higher levels of transportation system connectivity, and concentrations of housing and commercial activity around areas designated as mass transit stops. The intent is to create unique, mixed-use districts with housing and employment opportunities around the City’s future transit network. TO areas are characterized by a walkable environment, close proximity of buildings, and minimal land used for parking. These nodes of high intensity may be located within lower-intensity areas. Construction at higher intensity maximizes efficiency of the current and

future transit system and minimizes reliance on private automobiles. The TO layer is applied within 1/4 mile of a node identified on the Land Use Plan.

Comprehensive Plan Land Use Typology Layer: Urban Commercial (UC)

The UC layer encourages the concentration of small-scale retail, office and service businesses in locations that serve as hubs for neighborhood and city-wide consumer activity. The UC designation applies to development within one block of the designated corridor. UC designates strategic areas where the creation or revitalization of a commercial district will drive revitalization and an increase in property value in surrounding neighborhoods. Office and multifamily residential uses are highly desirable uses within UC areas, as they generate market demand for retail, incorporate walkable environments, and create synergies that encourage full utilization of land. Heavy industrial uses are not compatible with the character and purpose of the UC designation.

2. Size of Site: 0.27 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	HP/UC	C-4/UC	HP/UC	HP/UC	HP/UC
Land Use	Undeveloped	Commercial	Park/Fire Station	Residential	Residential

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **R-4 General Residential, UC Heritage Hills East, and HL Historic Landmark Districts** (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:

8250.3 Community Recreation: Property Owners Association
8200.12 Multiple-Family Residential
8200.14 Single-Family Residential
8200.15 Three – and Four- Family Residential
8200.16 Two-Family Residential

*If developed for multiple-family residential, there shall be a maximum of 6 dwelling units permitted within this SPUD.

2. Maximum Building Height:

The maximum building height shall be two (2) stories and 35 feet, with the exception that attic space above the second floor may be built out as a habitable living space without area or wall height limitations. No flat roofs shall be permitted within this SPUD. Building

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height regulations shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

3. Maximum Building Size:

The maximum building size shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

4. Maximum Number of Buildings:

There shall be a maximum of four (4) structures within his SPUD.

5. Building Setback Lines:

North (east 58'):	10 feet
North (west 58'):	20 feet
South:	5 feet
East:	10 feet
West:	10 feet
Internal:	3 feet

6. Minimum Lot Size:

The minimum lot size shall be 4,500 square feet.

7. Minimum Lot Width:

The minimum lot width shall be 45 feet.

8. Sight-Proof Screening:

Sight-proof screening shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

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:

10.1 Freestanding Accessory Signs

Freestanding signs will be prohibited.

10.2 Attached Signs

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

10.3 Non-Accessory Signs

Non-accessory signs will be prohibited.

10.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

11. Access:

Access shall be taken from one drive with a minimum of ten feet (10') off of NW 22nd St. and one drive with a minimum of twenty feet (20') off of N Broadway Ave.

12. Sidewalks

Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel, or six (6) foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department, subject to ADA requirements, and subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

II. Other Development Regulations:

1. Architecture:

Architectural regulations shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission in accordance with applicable guidelines and regulations.

2. Open Space:

There shall be a minimum of 25% open space, meaning space with no structures or impermeable paving.

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, and shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission in accordance with applicable guidelines and regulations.

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 Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended, except

that two (2) compact spaces shall be permitted. Garages shall count toward meeting the minimum parking requirements. There may be a minimum of twenty feet (20') for maneuvering area for ninety-degree (90°) parking stalls/garages. Parking regulations shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission in accordance with applicable guidelines and regulations.

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 and Renderings
Exhibit C: Survey
Exhibit D: Topography Map

IV. 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

- 1) An existing 8-inch 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) Plat may be revised after review and approval of utility plans.

Water Availability

- 1) An existing 6-inch 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 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.
- 6) 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.
- 7) 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).
- 8) Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.
- 9) Plat may be revised after review and approval of utility plans.
- 10) Private easement agreement will be required to service south lot.

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

The subject site is within the Urban - Medium Intensity (UM) Area and within an area where the Transit - Oriented (TO) and Urban Commercial (UC) Layers apply. Policies for each are listed below.

1) LUTA Development Policies:

Site Design and Building Form:

- Maintain historical lot and block sizes where possible and appropriate. (UM)
- Utilize Best Management Practices (BMP) for stormwater. (UM)
- Building setbacks, access points, and other criteria as defined in the Street Typology section are to be applied as appropriate. (UC)
- Project design should accommodate easy travel by walking, biking, and transit to the transit stop. (TO)
- Incorporate shallow building setbacks and wide sidewalks to accommodate pedestrian activity. (TO)
- Developments should have direct pedestrian access on each block face that they occupy. (TO)

Location:

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

Density: The Urban Medium Intensity LUTA outlines a density range of 10 to 40 dwelling units per acre. Within Transit-Oriented areas the density range is 15 to 60 dwelling units per acre, and within the Urban Commercial area the density range is 20 to 75 dwelling units per acre.

National, state, and local permitting require basic best management practices for stormwater management. The SPUD proposes two-family up to multi-family residential, with a limit of six (6) dwellings at the site, or 22 du/acre. The SPUD maintains the Historic Preservation design review process and a Certificate of Appropriateness will be required for any demolition, construction, or change to the site.

Automobile Connectivity:

- Keep alleys open and functional. (UM)
- Development fronting arterials should take access from intersecting streets where possible. (UM)

The subject site is currently served by an existing driveway along NW 22nd Street. The SPUD proposes access be taken via a drive from NW 22nd Street and via a drive of a minimum 20 feet in width from North Broadway Avenue.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses. (UM)

Sidewalks are currently available on the subject site, along both NW 22nd Street and North Broadway Avenue. The SPUD requires sidewalks along North

Broadway Avenue but does not address them along NW 22nd Street in the Master Design Statement.

- 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 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. *The SPUD proposes a front setback that is not consistent with the established setback along the block. At the western half of the property, the proposed setback is 20 feet, while adjacent properties are set back approximately 25 feet. At the eastern half of the property the setback is proposed to decrease to 10 feet. The SPUD proposes limiting building height to two stories and 35 feet but allows the attic space above the second floor to be built out as habitable space. A Certificate of Appropriateness will be required for all new development.*

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 subject site is located along North Broadway Avenue, an arterial street. No issues requiring mitigation measures related to traffic were identified on the site.*

- 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., to promote increased water percolation and infiltration.

- 5) Transportation System:** This site is located at the southwest corner of NW 22nd Street, a Neighborhood Street, and North Broadway Avenue, a Major Arterial Street in the Urban Low LUTA. The nearest transit (bus) service is located north of the site, 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. (SU-4)
- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- 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)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- 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 subject site is located within the boundary of the Heritage Hills East Historic District, listed in the National Register of Historic Places in 2020 for its historic (Criterion A) and architectural (Criterion C) significance. Conformance with the City's preservation plan, **preserveokc**, would be strengthened by ensuring new development is compatible with adjacent historic development in the Heritage Hills East Neighborhood.

b. Plan Conformance Considerations

The subject site is located at the southwest corner of NW 22nd Street and North Broadway Avenue, in an area generally located west of North Interstate 235. The site is undeveloped and zoned HP (Historic Preservation base zone). The subject site is also within the Heritage Hills East Urban Conservation District (UCD). The site is within the Urban - Medium Intensity (UM) Land Use Typology Area and within an area where the Transit - Oriented (TO) and Urban Commercial (UC) Land Use Typology Layers apply. Across NW 22nd Street to the north, fronting North Broadway Avenue, are office and retail uses zoned C-4. East of the site, across North Broadway Avenue, is Oklahoma City Fire Department Station 5, zoned HP. Land to the south, west, and northwest are developed with residential uses zoned HP, within the Heritage Hills East neighborhood. The neighborhood is largely residential, including single family homes, four-plexes and other small apartment buildings, and a large apartment building and associated apartment complex. Commercial development is primarily concentrated along North Broadway Avenue.

The SPUD is requested to allow multi-family residential use and development with R-4 base zoning and retaining the UC and HL overlay zoning. The SPUD proposes limiting dwelling units to a maximum of six, and structures to a maximum of four. The SPUD proposes limiting building height to two stories and 35 feet but allows the attic space above the second floor to be built out as habitable space. The SPUD would allow a minimum lot size of 4,500 square feet and a minimum lot width of 45 feet. The SPUD would allow reduced setbacks and staggers the north setback on NW 22nd Street to meet the ten-foot setback of adjacent residences on the east half of the site and allows a 20-foot setback on the west of the site, adjacent to North Broadway Avenue. The SPUD proposes a 10' wide driveway off NW 22nd Street and a 20' wide driveway off North Broadway Avenue. The SPUD proposes a minimum of 25% open space area with no structures or impermeable paving. The SPUD requires a five-foot sidewalk along North Broadway Avenue. Both North Broadway Avenue and NW 22nd Street have existing sidewalks along the site boundaries. The SPUD would prohibit non-accessory and electronic message display signage.

The SPUD maintains the design review process and a Certificate of Appropriateness will be required for any demolition, construction, or change to the site. This application is subject to review by the Historic Preservation (HP) Commission. The Historic Preservation (HP) Commission is scheduled to make a recommendation on the application on August 7th, 2024. Their recommendation and any proposed conditions will be conveyed to the Planning Commission at the meeting.

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.

bd



STAFF REPORT

Historic Preservation Commission

August 7, 2024

SPUD-01633

Case Number: SPUD-01633

Property Address: 100 NW 22nd Street

District: Heritage Hills East Historic District

Applicant: Williams, Box, Forshee & Bullard, P.C.
David Box
522 Colcord Drive
Oklahoma City, OK 73102

Owner: Kay Wolbrink
2217 N Broadway
Oklahoma City, OK 73103

A. CASE ITEMS FOR CONSIDERATION

1. Request for recommendation from the Historic Preservation Commission to the Planning Commission regarding a request to rezone to a Simplified Planned Unit Development (SPUD), in accordance with the regulations of the R-4 Residential District, Historic Landmark (HL) District, and Heritage Hills East Urban Conservation Zoning District (UCD), except with the restrictions and uses as called out within the proposed SPUD.

B. BACKGROUND

1. Project Description

The applicant proposes to rezone the property, currently zoned "HP" (Historic Preservation base zone) with a UCD overlay, to a SPUD. The applicant proposes to retain the UCD overlay and to add the HL Overlay in place of the HP base zone, and modify bulk standards for allowed uses. The intent of the SPUD is to facilitate the construction of four attached townhomes/apartments and one duplex on the subject vacant lot. All new construction, site work, and future exterior work will require a separate Certificate of Appropriateness.

2. Location

Project site is located on the south side of NW 22nd Street, mid-block between N Broadway and N Robinson.

3. Site History

Date of Construction: N/A (vacant lot)

Zoned Historic Preservation/Historical Landmark: 1999

National Register Listing: 2020

Additional Information:

The 1922 Sanborn Map illustrates two dwellings and a single autohouse (garage) at this property. This property and the one directly to the south, fronting on NW 21st Street, are illustrated as single lots with two dwellings apiece, though they are the width of two typical lots.

The 1949 edition of the Sanborn Map shows the two houses as illustrated in the previous version, with two additional dwellings at the rear of the property. In the approximate location of the previously described garage is a larger building indicated to be two attached garages, with a third garage on the south property line. No other changes are illustrated on subsequent maps.

As recently as 2010, the two dwellings facing NW 22nd Street remained, but were declared dilapidated and subsequently demolished.

1. Existing Conditions

This property is currently vacant. A curb cut for a driveway and a small portion of a front walkway connecting to the public sidewalk remain in place.

2. Previous Actions

Previous applications for Historic Preservation Certificate of Appropriateness (HPCA) filed for this property include:

Case Number	Date	Owner	Decision
HPCA-21-00135	04/06/2022	Previous	Approved
Demolish structure, remove fence, remove paving (elective).			
HPCA-15-00124	09/02/2015	Previous	Approved
Replace fence (required).			

In addition to the Certificates of Appropriateness noted above, a SPUD was proposed for this site in 2013, related to permitting various non-residential uses and removing it from the HP District. The rezoning application was denied.

C. PROPOSAL DESCRIPTION

The applicant requests a SPUD to modify various standards for the development of the site. The current zoning is the Historic Preservation (HP) zoning District with the Heritage Hills East UCD overlay. The SPUD proposes to change the zoning designation from HP to an HL Overlay, retaining the Historic Preservation Commission's oversight and design review process, but seeks to modify the following provisions in order to accommodate the proposed development.

Permitted uses: In addition to the Single-Family Residential and Community Recreation uses permitted by the current zoning, the applicant proposes to allow two-, three-, four-, and multi-family residential, with a limit of no more than six dwellings permitted.

Maximum Building Height: The applicant proposes to allow a maximum height of two stories and 35 feet, with the exception that attic space may be built out as habitable living space regardless of area or wall height limitations, subject to review and approval of a Certificate of Appropriateness. This height limit is consistent with R-1 Single-Family Residential zoning requirements. The HP base zone, unlike R-1, does not establish a numerical height limit, but states that new structures should align with the range of heights in the same block. On the subject block, the majority of structures are one story and there are two-story homes at the west end of the block.

Maximum Number of Buildings: The applicant proposed to limit the number of buildings to no more than four. The HP Guidelines don't specifically address the number of buildings permitted on a lot beyond limiting the number of dwellings to one.

Building Setback Lines: At the front (north) property line, the applicant proposes a setback of 20 feet for the west half (58 feet) of the property, and a setback of 10 feet for the east half (58 feet) of the property, 5 feet at the rear (south), 10 feet on the east and west sides, and 3 feet in between buildings within the SPUD. Separation between buildings is also controlled by Building Code. These vary from the setbacks in the requested R-4 base zone, which require 25 feet at the front, 15 feet at the rear, 5 on an interior side yard and 15 on a corner side yard. The Historic Preservation guidelines state that new construction must follow the historic setback patterns of the street but do not otherwise dictate numerical setbacks.

On this block, the front setback is uniform and appears to be approximately 25 feet. Primary structures are 50 feet or more from the rear property line, though accessory buildings are common and are near or right on the rear property line in some locations. Interior side yard setbacks are varied. The setback of the nearest adjacent property to the south on Broadway "fronts" on Broadway and has a setback of approximately 15 feet.

Lot Size and Lot Width: The applicant proposes a minimum lot size of 4,500 square feet and a minimum width of 45 feet. This property consists of two lots, platted to run east-west, that are approximately 45 feet wide and 110 feet deep. The proposed lot size and width is consistent with the size of each of these two lots as historically established.

Access: The applicant proposes that access shall be taken via a drive of a minimum 10 feet in width from NW 22nd Street and via a drive of a minimum 20 feet in width from N Broadway. There is currently a curb cut from NW 22nd at the site, but no indication of a curb cut from N Broadway.

Open Space: The applicant proposes a minimum of 25% open space, further defined in the SPUD as space with no structures or impermeable paving. The Historic Preservation Guidelines do not specify a percentage for lot coverage or open space, but state that it is not appropriate to "substantially alter" the built-to-open-space ratio at a site. R-1 zoning for single family residential neighborhoods may serve as a reference point for regulations not addressed by HP base zoning; it does not include a requirement for "open space," but does limit lot coverage to no more than 50% of the site.

Parking: The applicant proposes to be consistent with current Municipal Code requirements, except that 2 compact spaces may be installed, and garages may count toward any required parking.

D. ISSUES AND CONSIDERATIONS

This proposal may not comply with the Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts, and with all relevant sections of the Oklahoma City Municipal Code, 2020 as referenced below:*

Design Review: The SPUD incorporates the provisions of the HL Overlay requiring design review, and references those requirements throughout the document, as applicable.

Uses: The proposed SPUD includes residential uses greater than single-family, from two-family up to multi-family, with a limit of six (6) dwellings at the site. The subject property was once occupied by two dwellings, with two additional dwellings at the property directly to the south. In the immediate area, the predominant use is single family homes, though duplexes, fourplexes, and other multi-family structures are common in Heritage Hills East generally. The “multi-family” use, specifically, is listed as a Special Exception in the HP zoning district.

In addition to surrounding single-family homes, the property is across the street from commercial uses and a fire station at the edge of the residential district. Corners such as this are common locations for greater density historically and can serve as a point of transition from single-family residential to more intense uses. Based on its location and surrounding context, it appears feasible to develop the subject property in a manner that is compatible with the surrounding district with the uses as proposed.

The Historic Preservation Commission does not have Guidelines specific to the use of property, beyond preservation of the general development pattern of historic districts and the extent to which a given use may be infeasible to accommodate while still meeting applicable Guidelines for design, scale, placement on the site, etc. The Guidelines do not address particulars of use and density such as number of dwelling units, required number of parking spaces per dwelling unit, and other metrics that are generally the purview of the Planning Commission and City Council. A determination by the Historic Preservation Commission that proposed bulk regulations including setback, lot coverage, and height are or are not appropriate may influence the number of units that ultimately can be built within those parameters but should not be interpreted as support for or opposition to a specific number of units proposed.

Height: The SPUD proposes a height maximum that is consistent with R-1 zoning. The HP Guidelines base height on the height of structure within the block face and would support a two-story structure; Thirty-five (35) feet may be in excess of the existing, historic two-story structures on the block. The height also includes a provision that is intended to facilitate using an attic as living space but does not increase the allowable height of the overall structure(s).

Setback: The SPUD proposes a front setback that is not consistent with the established setback along the block, and that the Guidelines would generally not support. At the western half of the property, the proposed setback is 20 feet, while adjacent properties are set back approximately 25 feet. At the eastern half of the property the setback is proposed to decrease to 10 feet. While this setback is not within the range of established setbacks along the block, it

may approximate the setback at the west end of the property closely enough to retain compatibility with the character of 22nd Street. The projection closer to the street at the east end of the lot, while similarly not consistent with the range of setbacks along the block, may provide an appropriate buffer from the neighborhood character of NW 22nd Street to the heavier traffic and non-residential uses at the adjacent intersection.

The proposed rear setback is consistent with the existing development pattern at adjacent properties, many of which have accessory buildings on or very near the rear property line. The proposed side setbacks are deeper than is typical for the interior side yard, and more shallow than is typical for a corner. The adjacent property directly to the south has a setback from Broadway of approximately 15 feet; the Guidelines would support aligning closely with that building along Broadway.

It should be noted that setbacks at corner properties are also controlled by a prohibition on placement of structures within the sight distance triangle (Section 59-13200.A. of the Oklahoma City Municipal Code, 2020), which is not proposed to be modified in this SPUD.

Open Space: The proposed open space requirement is lower than is typical for the existing development of the neighborhood. It is also lower than the requirement for open space in the R-4 base zone; however, the definition of open space as proposed in the SPUD is more restrictive and does not include paved areas such as patios, walkways, and parking areas as open space.

Parking: The HP Guidelines do not address the number of parking spaces required but do provide requirements for screening parking lots at “commercial” properties. The Guidelines state that new parking areas at corner lots should be placed as far from side streets as possible and be located behind the primary structure(s).

In summary, the proposed SPUD appears to incorporate design review requirements, and lot size and width minimums that are consistent with the historic development of the property and district and consistent with the HP Guidelines. The SPUD incorporates uses, building height maximums, and open space requirements that are not fully consistent with the surrounding development or the HP Guidelines, but that may be compatible if appropriately designed, and that may be further supported by the unique conditions of the location of the property and adjacent uses. The proposed SPUD includes front and side setbacks that are not consistent with the surrounding development pattern and that would not be supported by the Guidelines. The proposed setbacks, while not within the range of setbacks established along the block, may be compatible with the established character of the block and may be an appropriate response to the specific context of the subject site and adjacent intersection.

The HP Guidelines and regulations do not address metrics for appropriate density, beyond what density is allowed by the applicable zoning and beyond what can be accommodated at the site while still meeting applicable requirements for height, setback, and lot coverage. The design review process is intended to provide for compatibility of new construction, regardless of the use of, or number of units within, the property. A determination by the Historic Preservation Commission that the proposed SPUD does, or does not, parameters that facilitate an appropriate and compatible development should not be interpreted as support for or opposition to the specific number of dwelling units proposed.

In addition to the proposed written provisions of the SPUD, the applicant has provided

preliminary site plans and renderings in order to illustrate the intended design concept. A recommendation of approval or denial of the proposed SPUD does not constitute an approval of the preliminary design; all future construction at the site will be subject to review and approval of a Certificate of Appropriateness and will require an additional hearing by the Historic Preservation Commission.

E. SPUD-01633 STAFF RECOMMENDATION:

Staff recommends that the Commission recommend **approval with conditions** to the Planning Commission for SPUD-01633, with the following specific findings and conditions:

Specific Findings:

1. That the proposed SPUD retains the requirements and provisions of the HL zoning District; will require review and approval by the Historic Preservation Commission for any changes to the site, and new construction and all future exterior work in the form of a Certificate of Appropriateness; and will not allow work that detracts from the architectural character of the District;
2. That the proposed SPUD incorporates requirements for height, lot size and lot width that are consistent with existing, surrounding development and with the HP Guidelines;
3. That the proposed SPUD incorporates uses that are not consistent with the surrounding development or with the historic use of the property, but that appear to be potentially compatible with the historic character and development pattern of the district and with the HP Guidelines if appropriately designed;
4. That the proposed SPUD incorporates open space requirements that are not consistent with the surrounding development and that may facilitate a built form that is not compatible with the historic character of the block and District;
5. That the proposed SPUD incorporates front and side setbacks that are not consistent with established setback patterns along the block and that are not supported by the HP Guidelines;
6. That the front setbacks as proposed may be compatible with the adjacent block and may, in this location, provide an appropriate buffer and transition from the residential character of the block to the more intense development adjacent to the north and east;
7. That the interior configuration or density of a property is not subject to design review, and therefore this recommendation should not be misconstrued as endorsement of, or opposition to, a particular number of dwelling units, beyond supporting the uses as proposed;
8. That the number of parking spaces to be provided is not addressed by the HP Guidelines and regulations, and therefore this recommendation should not be misconstrued as endorsement of, or opposition to, parking requirements as proposed.

Conditions:

1. That the SPUD be revised to increase the open space requirement to be more consistent with the surrounding, historic development pattern;
2. That the SPUD be revised to include language clarifying requirements for the screening of parking consistent with the requirements for “commercial” properties in the HP Guidelines.

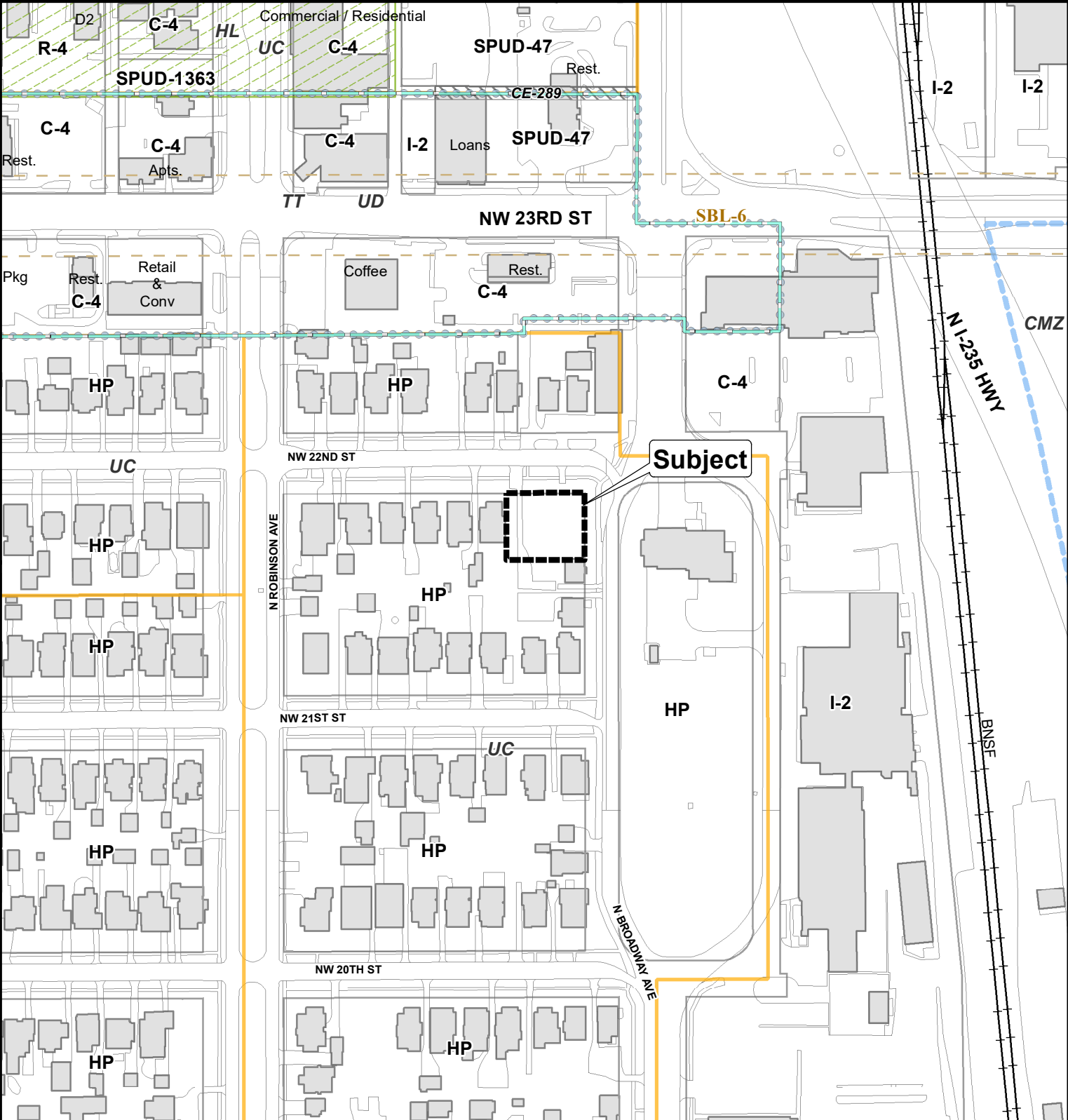
Note: Staff recommendation does not constitute Commission action.

**Relevant Sections of Chapter 59 the Oklahoma City Municipal Code governing HP/HL Districts are: §59.3300.1-5; §59.4150.4; §59.4250; §59.7250.1-4; §59.7300.1-7; §59.12200.1-4; §59.13300.1-6.*

Copies of the Standards/Guidelines and Relevant Sections of the Oklahoma City Municipal Code, 2020, are available online at www.okc.gov/planning/hp/index.html ; at Planning Department offices located at 420 W. Main, 9th floor, and each HP Commission Meeting.

KMF

Case No: SPUD-1633 Applicant: Rhea Wolbrink and Kay M. Wolbrink
Existing Zoning: HP / UC
Location: 100 NW 22nd St.

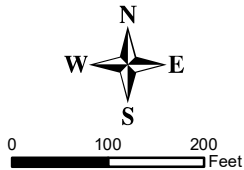


Note: "Subject" is located approximately 1,948' East of N Walker Ave.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



BROADWAY TOWNHOMES

ADDRESS:

100 NW 22ND ST.
OKLAHOMA CITY, OK 73103

SUBMISSIONS

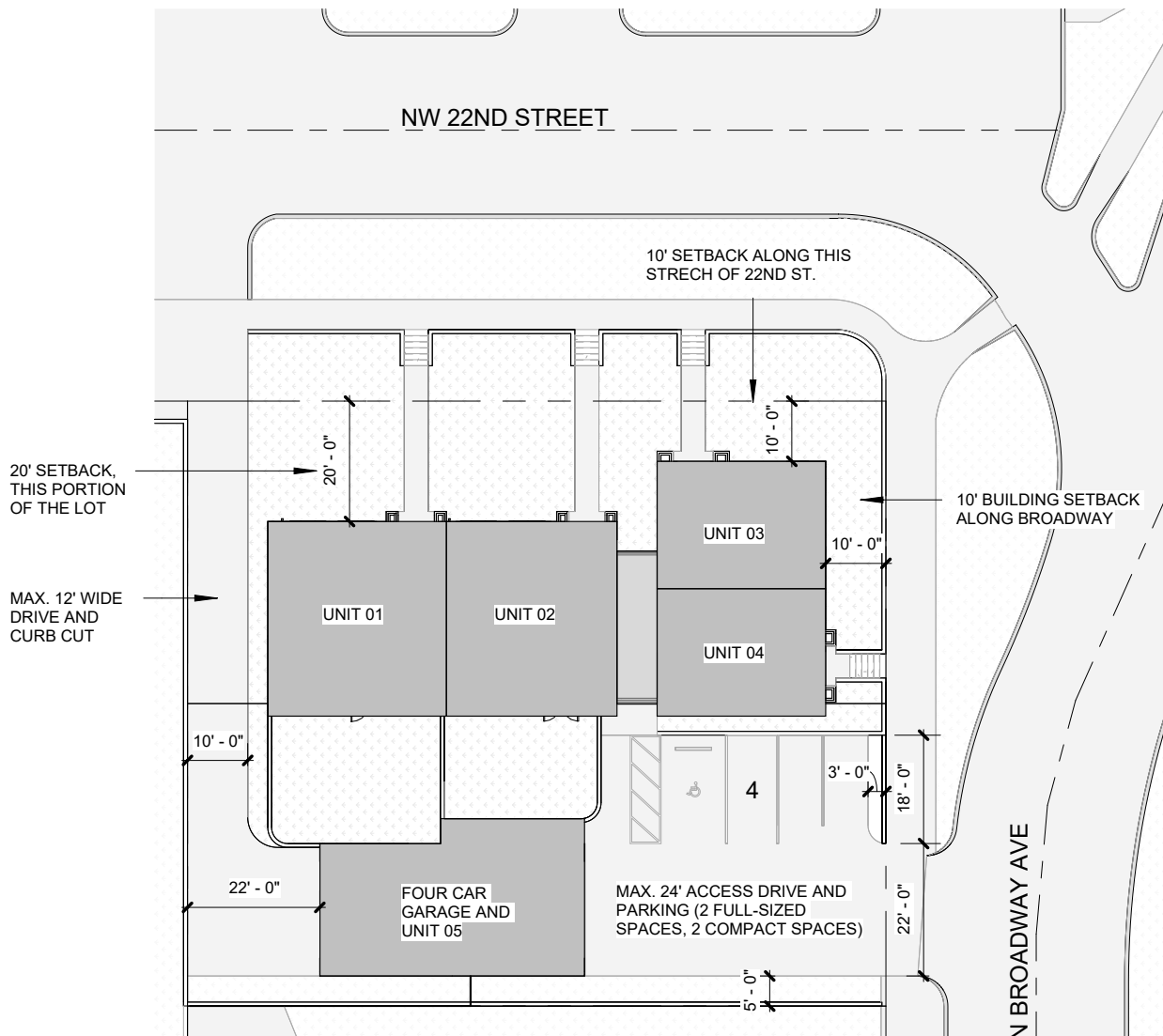
1 07.19.2024

SHEET:

SPUD-1633 EXHIBIT B

CONCEPTUAL SITE PLAN

1



BROADWAY TOWNHOMES

ADDRESS:

100 NW 22ND ST.
OKLAHOMA CITY, OK 73103



SUBMISSIONS

1 07.19.2024

SHEET:

SPUD-1633 EXHIBIT C
SITE -LOT COVERAGE

1

-  BUILDING FOOTPRINTS
4500.5 SQ. FT.
-  OPEN SPACE PROVIDED
3,944 SQ. FT.
- 33.9% OPEN SPACE
PROVIDED

LOT AREA CALCULATIONS

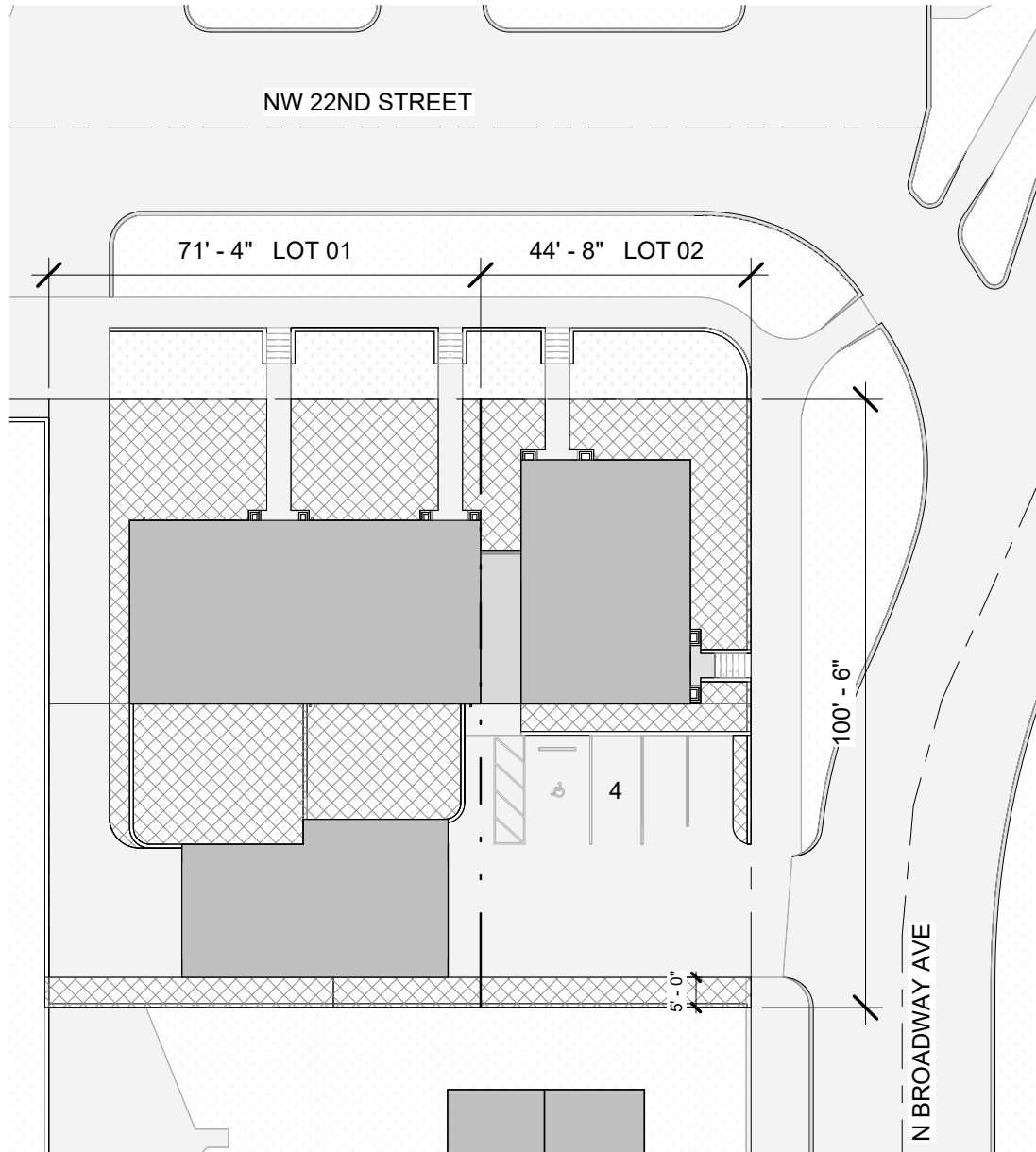
LOT AREA (TOTAL)
11,650 SQ. FT.

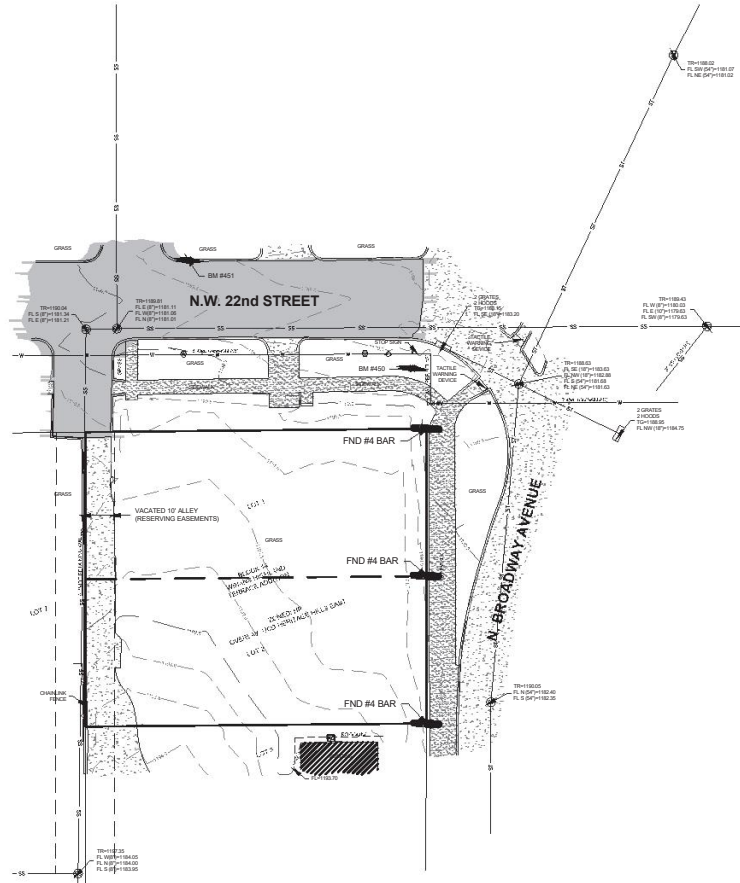
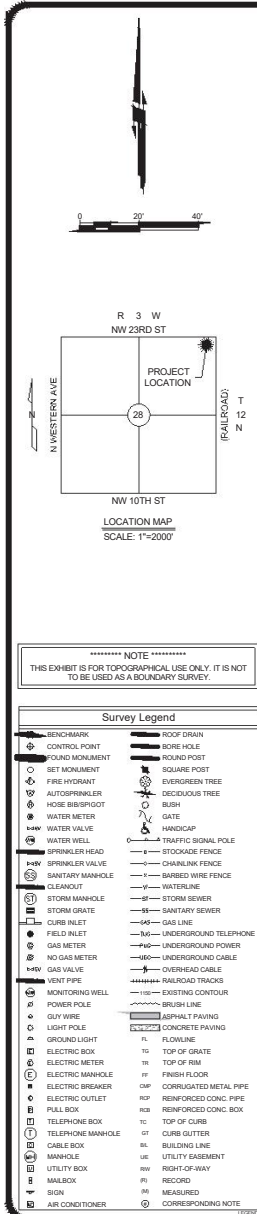
25% OPEN SPACE REQ.
2,912.5 SQ. FT.

IF LOTS ARE SPLIT:

LOT 01:
WIDTH 71'-4"
AREA 7,165 SQ. FT.

LOT 02:
WIDTH 44'-8"
AREA 4,486 SQ. FT.





Certificate of Survey

I, Matthew Johnson, certify that this project was completed under my direct and responsible charge from an actual survey made under my supervision; that this ground survey was performed at the 95% percent confidence level to meet Federal Geographic Data Committee Standards; that this survey was performed to meet the requirements for a topographic/planimetric survey meets the Oklahoma Minimum Technical Standards for the practice of land surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors. The original data was obtained on April 11, 2024 that the survey was completed on April 17, 2024; all coordinates are based on Oklahoma State Plane North Zone NAD83 and all elevations are based on NAVD83.

Date: April 18, 2024

Matthew Johnson, P.E.
Registration No. 1807
JOHNSON & ASSOCIATES
Certificate of Authorization No. 1484



Surveyor's Note:

The surveyor has utilized information from a Utility Atlas obtained from the City of Oklahoma City combined with observed evidence of utilities on the ground to create an overall view of the underground utilities affecting the subject tract. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted on the survey. The surveyor makes no guarantees that the underground utilities shown herein comprise all such utilities in the area, either in service or abandoned. No utilities were flagged at the time the fieldwork for this survey was performed. The following is a list of companies provided as a result of a Company List Request submitted to the Oklahoma One-Call System (Call Oke): The reference numbers for this request is 24041004891105.

- AT&T
- IndianNation/ChickTel
- MCI
- OKC/Water & Waste
- ONG
- USI/Cox Comm/OKC
- USI/COSBE OKC Metro

All Horizontal coordinate values shown are U.S. Survey feet and all vertical elevation values are shown in feet. The Basis of Bearing is Oklahoma State Plane North Zone NAD83. All distances are Grid distances. Vertical datum is NAVD83. The datum & benchmarks shown herein are derived from OKC Survey Monument #266.

No portion of the property shown on the survey lies within a Special Hazard Area, as described on the Flood Insurance Rate map for the community in which the subject property is located. The entire parcel lies within Zone "X" of the Federal Emergency Management Agency Community Panel Number 40109C0282J Map with an effective date of March 27, 2024.

The subject tract is currently zoned HP with UCD-Heritage Hills East overlay zoning.
Source: the City of Oklahoma City, Oklahoma Planning Department website at www.okc.gov, Phone 405-207-2623 for more information about Building Height, setback and parking restrictions for this zoning.

Property lines shown herein are based on provided documents and are approximate in location. This survey does not meet Oklahoma minimum standards for a boundary survey.

Original Benchmark:

Source: City of Oklahoma City GPS Datum
Horizontal Datum: NAD83/CORS 96, NSRS 2007
Vertical Datum: NAVD83, GEOID 03

Benchmark # 266
Northing: 185272.599
Easting: 2109756.483
Elevation: 1174.53
Description: Approximately 80' North of the CL of NW 38th St. and 2' West of the West edge of North-bound Shattell Ave.
Object: 2" Alum. Cap

Bench

Case No: SPUD-1633 Applicant: Rhea Wolbrink and Kay M. Wolbrink
Existing Zoning: HP / UC
Location: 100 NW 22nd St.



Aerial Photo from 2/2022

Note: "Subject" is located approximately 1,948' East of N.Walker Ave.



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