



STAFF REPORT
The City of Oklahoma City
Planning Commission
August 22, 2024

Item No. IV. 5.

(SPUD-1643) Application by Jay G. Gernandt to rezone 2421 SW 112th Street from R-1 Single-Family Residential District to SPUD-1643 Simplified Planned Unit Development District. Ward 5.

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, and August 8, 2024, Planning Commission meetings.

C. Reason for Request

The purpose of this application is to allow an attached accessory dwelling unit.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban - Low Intensity (UL)

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

2. Size of Site: 0.3 acres

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 regulation of the R-1 Single-Family Residential District (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:**

All uses within the R-1 District shall be permitted on this site. In addition to the uses permitted in the R-1 District, one accessory dwelling unit (“ADU”) shall also be permitted. Said ADU shall be limited to the existing attached single-family dwelling unit and the occupants of the ADU shall be limited to immediate family members of the owner of the primary house.

- 2. Maximum Building Height:**

The existing structure shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the maximum building height shall be in accordance with the base zoning district.

- 3. Maximum Building Size:**

The existing structure shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the maximum building size shall be in accordance with the base zoning regulations.

- 4. Maximum Number of Buildings:**

The maximum number of buildings shall be in accordance with the base zoning district.

- 5. Building Setback Lines**

The existing setback lines shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, building setback lines shall be in accordance with the base zoning district.

- 6. Sight-Proof Screening:**

The existing sight proof screening shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, screening shall be in accordance with the base zoning district.

- 7. Landscaping:**

The existing landscaping shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the subject parcel shall meet all requirements of the City of Oklahoma City’s Landscaping Ordinance in place at the time of development.

- 8. Signs:**

- 8.1 Freestanding Accessory Signs**

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

8.2 Attached Signs

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

8.3 Non-Accessory Signs

Non-accessory signs will be prohibited.

8.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

9. Access:

Access shall be taken from SW 112th St.

10. Sidewalks

Sidewalks shall not be required within this PUD.

II. Other Development Regulations:

1. Architecture:

The existing structure shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry, stucco, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space:

The existing open space shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, open space shall be in accordance with the base zoning district.

3. Street Improvements:

N/A.

4. Site Lighting:

The existing lighting shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, 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 Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

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: Aerial Site Plan

Exhibit C: Existing Layout

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: Moore**
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) Amend Section 9.18 Common Areas: Maintenance of the common areas, private drainage easements, and islands/medians in the development shall be the responsibility of the property owners and/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 that meets the requirements specified above.

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:

- Utilize Best Management Practices (BMP) for stormwater whenever possible.

- Developments should be served by urban water and sewer utility systems.

National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family. *The site is currently developed with a single-family residence and attached accessory dwelling unit. The SPUD is proposed to bring the property into zoning conformance. In the event of redevelopment on the site, the SPUD proposes use the of the base R-1 District regulations.*

Automobile Connectivity:

- Protect existing traditional street grid and reconnect it where possible.

The subject site currently has one improved drive that provides access to both dwellings. No changes to the street grid are proposed.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

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” is a potential compatibility issue identified by the comprehensive plan.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if residential lot sizes in UL are less than 60% of directly adjacent residential lots, 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 site is currently developed with a single-family residence and attached accessory dwelling unit. The SPUD is proposed to bring the property into zoning conformance. In the event of redevelopment on the site, the SPUD proposes use the of the base R-1 District regulations, matching the surrounding development. No triggers requiring mitigation measures were identified.*

- 3) **Service Efficiency:**

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Urban Response*

- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the subject site.

- 5) **Transportation System:** This site is located along the north side of SW 112th Street, a Neighborhood Street in the Urban Low LUTA. Transit (bus) service is not available.
- 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)
 - 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)

b. Plan Conformance Considerations

The subject site is located along the north side of SW 112th Street, generally located west of South Pennsylvania Avenue. The site and all surrounding properties are zoned R-1 and developed with single-family residences. The SPUD is requested to allow an accessory dwelling unit (ADU) with R-1 base zoning. The ADU already exists on the site at the rear of, and attached to, the existing primary residence. The SPUD proposes allowing all existing conditions to be deemed to be in conformance with zoning regulations, with R-1 base zoning regulations applying if redeveloped in the future. No conformance issues were identified.

The SPUD has been modified since first submitted to address concerns from neighbors. The Master Design Statement now specifies that occupants of the ADU shall be limited to immediate family members of the owner of the primary house.

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.

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