

Planning Commission Minutes
June 22, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:36 a.m. on June 20, 2023)

18. (SPUD-1534) Application by Justin D and Britni Nicole Portrey to rezone 1213 North Kelham Avenue from R-1 Single-Family Residential District to SPUD-1534 Simplified Planned Unit Development District. Ward 7.

Technical Evaluation:

1. Access to the SPUD may be taken from the shared driveway on the south. In the event shared access is not possible, a maximum of one new driveway up to 18 feet wide is allowed on North Kelham Avenue.
2. Delete the following from the Parking Section: Parking requirements shall not apply to the common areas and recreational centers.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION.

MOVED BY CLAIR, SECONDED BY PRIVETT

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 22, 2023

Item No. IV. 18.

(SPUD-1534) Application by Justin D and Britni Nicole Portrey to rezone 1213 North Kelham Avenue from R-1 Single-Family Residential District to SPUD-1534 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Britni Nicole Portrey
Phone 405-219-1103
Email Brit@jamesgreyok.com

B. Case History

This is a new application.

C. Reason for Request

This purpose of this request is to allow a single-family home.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban – Medium (UM)

UM applies to fully urbanized areas of the city, most of which were built prior to the 1960s. Developments are expected to be larger in scale and have greater intensity and mixture of uses than developments found in UL. Development within UM areas should support efficient transit usage and provide pedestrian and bicycle access to retail, services, parks, and other destinations. Priorities for the UM areas include “infill” developments on vacant lots, rehabilitation of underutilized property, and development that supports revitalization of distressed neighborhoods.

2. Size of Site: 0.0918 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:

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

Single-Family Residential

2. **Maximum Building Height:** 1 story and 24-feet

3. **Maximum Building Size:** 2000 square feet

4. **Minimum Lot Size:** 4,800 square feet

5. **Maximum Number of Dwellings:** One

6. **Building Setback Lines:**

Front Yard: 5 ft

Rear Yard: 5 ft

Side Yard: 5 ft

7. **Sight-proof Screening:** Per the base zoning.

8. **Landscaping:** The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

9. **Signs:** N/A

10. Access: A maximum of two access drives may be taken from N Kelham Ave. or One shared/cross access point from North Kelham Avenue., subject to a written agreement between the property owners.

11. Sidewalks: No new sidewalks shall be required.

II. Other Development Regulations:

- 1. Architecture:** Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock, architectural metal, stucco or stone masonry. No more than 30% EIFS, stucco, wood or concrete-board shall be permitted. Exposed concrete block buildings shall not be permitted.
- 2. Open Space:** Per the base zoning district.
- 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:** All trash containers provided by the City of Oklahoma City are to be serviced from NE 11th Street or N. Kelham Avenue. Dumpsters shall not be allowed.
- 6. Parking:** Attached or detached garages shall count toward meeting parking requirements, provided each parking space in a garage shall be a minimum of 8½ feet by 18 feet. This provision includes covered/carport spaces. Adjacent drive right-of-way and garages may be counted toward meeting parking and maneuvering requirements. Parking requirements shall not apply to the common areas and recreational centers.
- 7. Drainage:** Shall be in accordance 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 be advised ONG has an underground or aboveground facility in the area. If you need our facilities relocated to accommodate your excavation or construction, ONG will provide you a cost estimate. Prior to excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior for exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District(s) 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) Sidewalk 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.10: Sidewalks within this PUD shall be in accordance with the City of Oklahoma City Municipal Code requirements.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 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.

b. Solid Waste Management

- 1) The City can provide service, providing there is sufficient space for the truck to maneuver to service the addition.

a. Water/Wastewater Quality

Water Availability

- 1) An existing 12" and 6" water main(s) is located adjacent to the subject site(s).
- 2) Minimum ten (10) feet horizontal separation required from wastewater mains and five (5) feet for other utilities. Minimum two (2) foot vertical separation required for all utility crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 3) Proposed and/or existing water mains must be located centrally within a twenty (20) feet wide or larger utility easement or right-of-way. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
- 4) Dead-end water mains must be avoided when possible. All existing unused water services must be capped and abandoned at the water main in accordance with the City Standard Specifications.
- 5) In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The developer is responsible for designing and construction of all fixtures to provide adequate domestic and fire protection under 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.

- 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. Planning

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.

Automobile Connectivity:

- Keep alleys open and functional.
- Primary entrance points should be aligned with access points immediately across the street.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Compatibility: The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating proposed residential uses adjacent to existing Low Intensity Residential, "Building Scale and Site Design" is a potential compatibility issue 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.

National, state, and local permitting require basic best management practices for stormwater management. The SPUD would allow a residence on a 4,800 sf parcel. The SPUD would allow reduced setbacks and minimum lot sizes in order to build a new home on a 4,800 sf lot. Access is proposed through an existing shared drive on the south. The SPUD should be amended to clarify how many drives are allowed.

Service Efficiency:

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

- 2) **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.
- 3) **Transportation System:** This site is located off N Kelham Ave, a Neighborhood Street in the Urban Medium LUTA.
- 4) **Other Development Related Policies**
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - 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 unified planning for all adjoining land owned or controlled by a project's developer to ensure proper circulation and land use relationships (SU-47)

b. Plan Conformance Considerations

The SPUD is requested to vary lot size and setback requirements in order to build a residence on 4,800 sf vacant parcel located along N Kelham Ave near NE 11th Street. The proposal to increase density in the Urban Medium LUTA is in conformance with UM density ranges and comprehensive plan goals to provide a mixture of residential housing types and infill development on vacant lots. Plan conformance would be strengthened by clarifying that access will be from one driveway.

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 Evaluations:

- 1.** Access to the SPUD may be taken from the shared driveway on the south. In the event shared access is not possible, a maximum of one new driveway up to 18 feet wide is allowed on N Kelham Ave.
- 2.** Delete the following from the Parking Section: Parking requirements shall not apply to the common areas and recreational centers.

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

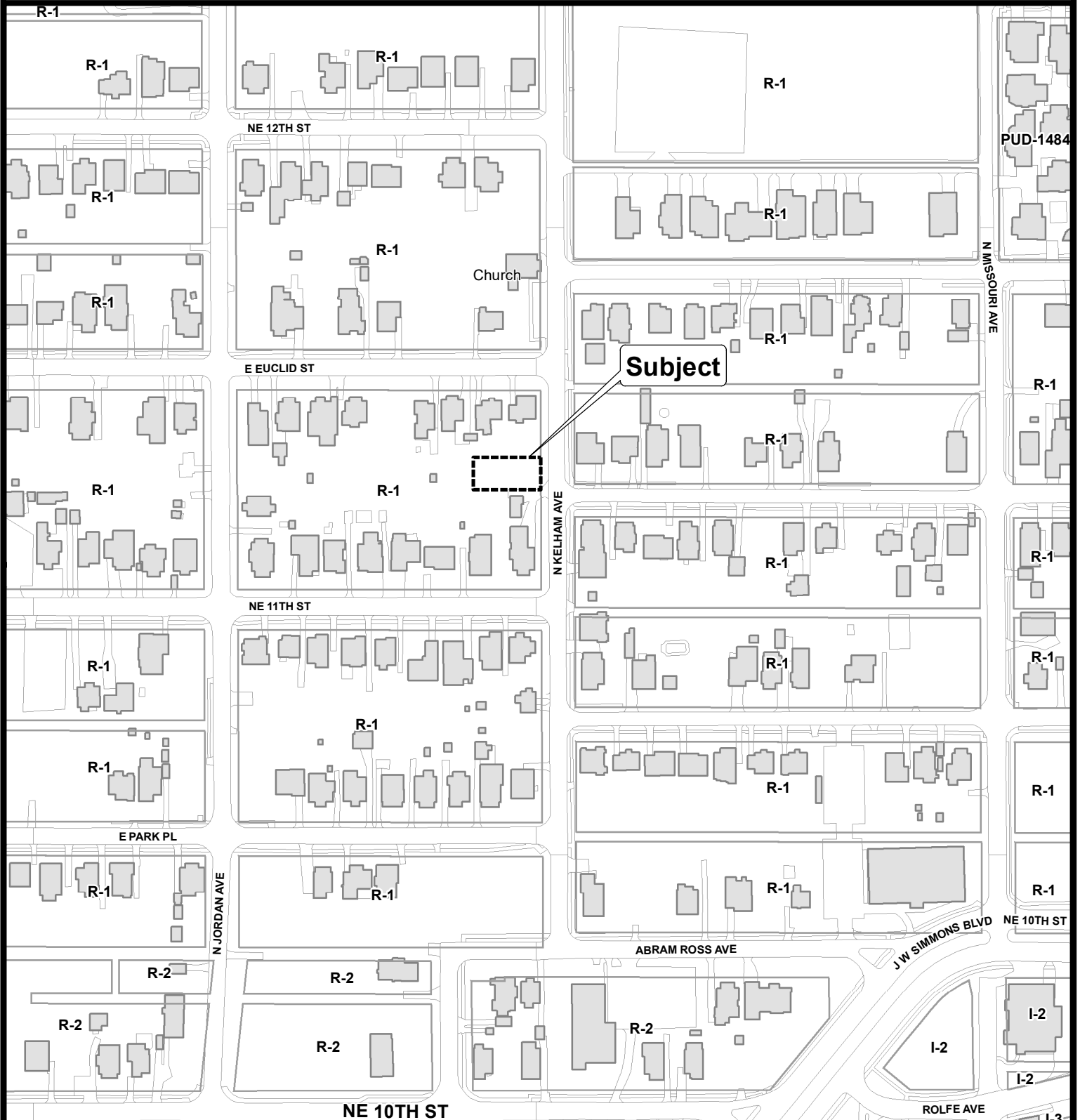
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Case No: SPUD-1534

Applicant: Justin D. and Britni N. Portrey

Existing Zoning: R-1

Location: 1213 N. Kelham Ave.



Note: "Subject" is located approximately 1,500' West of N. Martin Luther King Ave.

Simplified Planned Unit Development



The City of
OKLAHOMA CITY

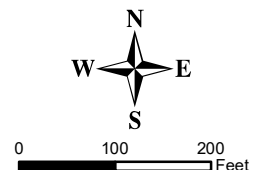
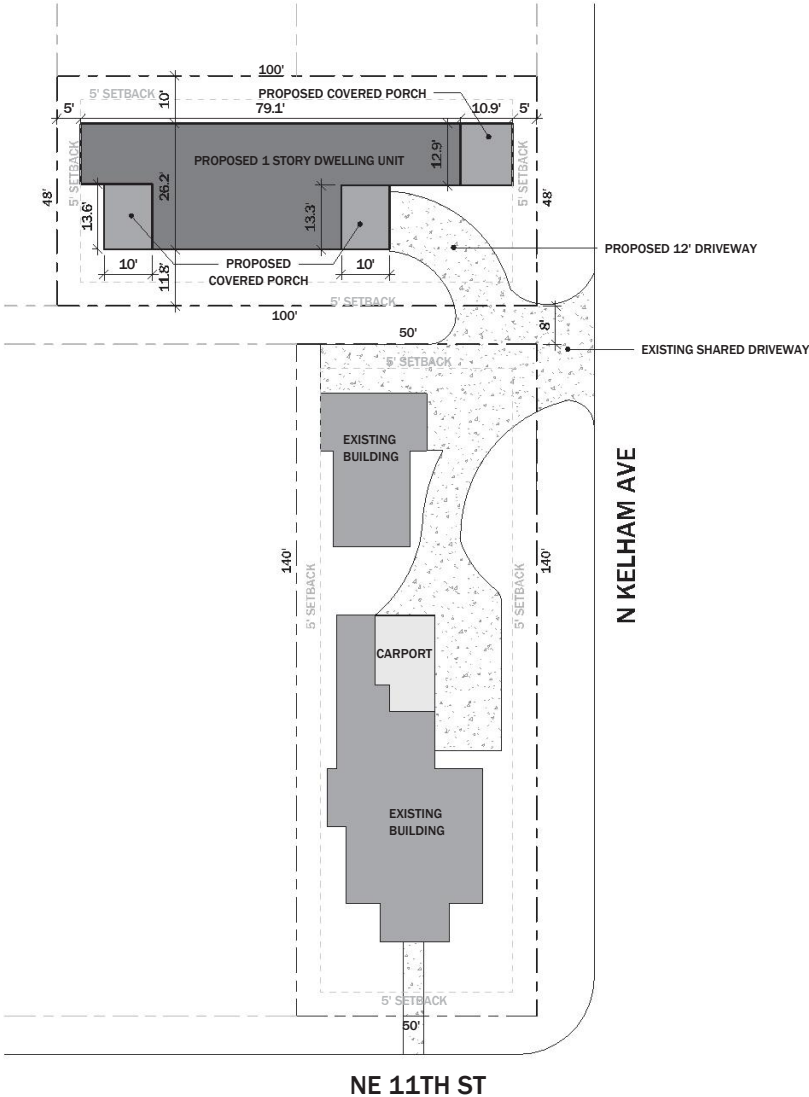


EXHIBIT B



REVISION DATE

PROJECT:
1213 N Kelham
Ave, Oklahoma City,
OK 73117

SITE PLAN

SCALE: 1" = 20'-0"



C-1



Case No: SPUD-1534

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Aerial Photo from 2/2022

Note: "Subject" is located approximately 1,500' West of N. Martin Luther King Ave.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



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Feet