

Planning Commission Minutes  
September 26, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 9:00 a.m. on September 23, 2024)

5. (SPUD-1662) Application by MILU, LLC to rezone 2416 North Western Avenue from NC Neighborhood Conservation, UD Urban Design Overlay, and TT Twenty-Third Street Uptown Corridor Overlay Districts to SPUD-1662 Simplified Planned Unit Development, and UD Urban Design Overlay Districts. Ward 2.

The applicant was present. There were no protestors present.

**RECOMMENDED APPROVAL.**

MOVED BY POWERS, SECONDED BY NEWMAN

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

ABSENT: LAFORGE



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**September 26, 2024**

**Item No. IV. 5.**

**(SPUD-1662) Application by MILU, LLC to rezone 2416 North Western Avenue from NC Neighborhood Conservation, UD Urban Design Overlay, and TT Twenty-Third Street Uptown Corridor Overlay Districts to SPUD-1662 Simplified Planned Unit Development District. Ward 2.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant**

Name Daniel Douthit  
 Company Rowlock Studio  
 Phone (405) 301-1409  
 Email daniel@rowlock.studio

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this application is to allow commercial development, specifically a restaurant.

**D. Existing Conditions**

1. **Size of Site:** 0.16 Acres
2. **Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	NC / UD / TT	NC / HL	NC / UD / TT	NC / UD / TT	NB / UD / TT
<b>Land Use</b>	Undeveloped	Parking	Residential	Retail	Retail

**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.

**Comprehensive Plan Land Use Typology Layer: Transit – Orientated (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.

**II. SUMMARY OF SPUD APPLICATION**

1. This site will be developed in accordance with the regulation of the **C-1 Neighborhood Commercial District, and the UD Urban Design Overlay 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:

- Administrative and Professional Offices (8300.1)
- Adult Day Care Facilities (8300.2)
- Alcoholic Beverage Retail Sales (8300.5)
- Animal Sales and Services: Grooming (8300.8)
- Business Support Services (8300.24)
- Child Care Centers (8300.25)
- Convenience Sales and Personal Services (8300.32)
- Dwelling Units and Mixed Uses (8200.2)
- Eating Establishments: Fast Food (8300.35) further restricted to a “fast casual” eateries with no drive-thru. “Fast casual” is defined as a restaurant with a central ordering point rather than wait staff. Pickup windows for pedestrians are permitted.
- Eating Establishments: Sitdown (8300.37)
- Eating Establishments: Sitdown, Alcohol Permitted (8300.38)
- Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)

Food and Beverage Retail Sales (8300.41)  
Library Services and Community Centers (8250.11)  
Low Impact Institutional: Neighborhood-Related (8250.14)  
Murals (8250.16)  
Medical Services: General (8300.52)  
Medical Services: Restricted (8300.53)  
Personal Services: Restricted (8300.59)  
Repair Services: Consumer (8300.61)

**1.1 Minimum Lot Size:** 6,000 square feet

**1.2 Minimum Lot Width:** 50'-0"

**2. Maximum Building Height:** 35'-0" and two stories.

**3. Maximum Building Size:** 3,300 SF square foot ground floor footprint maximum. 6,600 SF square foot maximum total building size.

**4. Maximum Number of Buildings:** Two buildings.

**5. Building Setback Lines**

Front Yard (North): 10 feet Maximum

Rear Yard (South): 0 feet

Side Yard (East): 10 Feet Minimum

Corner Side Yard (West): 15 Feet Minimum (outdoor patios are allowed within the setback).

**6. Sight-proof Screening:** No less than six-foot and no greater than eight-foot-high fence or wall shall be required along the east property boundary of the subject parcel where it is adjacent to any residential use, extending no further forward than the front wall of the abutting structure. Said wall shall be constructed of stucco, brick, stone, wood, or iron and/or any combination thereof and shall be solid and opaque. All screening shall be subject to review and approval of a Certificate of Approval by the Urban Design Commission.

**7. Landscaping:** The subject parcel shall meet all requirements of the City of Oklahoma City Landscaping Ordinance in place at the time of development with the following exceptions.

Existing overhead utility lines on the west property line will limit plantings in the right-of-way as required by landscape ordinance. Trees reaching a mature height of less than

15'-0" will be provided at a spacing between 15' and 35' along the west property line in the west setback area of the subject parcel.

- 8. Signs:** Signage shall be allowed as noted below. All proposed signage shall be subject to the review and approval of a Certificate of Approval by the Urban Design Commission.

**8.1 Freestanding accessory signs.** One freestanding sign shall be allowed per the base zone, subject to review and approval of a Certificate of Approval by the Urban Design Commission.

**8.2 Attached signs:** A maximum of one attached wall sign shall be allowed for this site. The one attached wall sign may be placed on either the north or west façade of the main building. The maximum size of any attached wall sign on either the north or west façade shall be 10% of the wall area of the wall that the sign is attached to. The sign may have external and or internal lighting.

**8.3 Electronic Message Display:** EMD signs are prohibited.

- 9. Access:**

**a.** Pedestrian access will be from NW 24<sup>th</sup> Street and N Western Ave .

**b.** Vehicular: Any vehicular access to the site shall be taken from the alley. No new driveway cuts shall be permitted from N Western or NW 24<sup>th</sup> Street. In addition, any existing driveway cuts shall be closed and new curb and gutter installed.

## **II. Other Development Regulations:**

- 1. Architecture:**

Architectural regulations shall be subject to the review and approval of a Certificate of Approval by the Urban Design Commission.

- 2. Open Space:** Open Space requirements in this SPUD shall be the same as the base-zoning district.

- 3. Street Improvements:** Curb ramp as required at the corner of NW 24<sup>th</sup> and Western for accessibility. The two existing curb cuts on the subject property (one at the NW 2<sup>th</sup> St frontage and one on the N Western Ave frontage) will be removed and replaced within new curb and gutter.

- 4. Sidewalks:** Sidewalks shall be constructed along the south side of NW 24<sup>th</sup> St and along the east side of N Western Ave for the entire project frontage. The minimum width of these

sidewalks shall be five feet, unless they are curb-adjacent, in which case the minimum width shall be six feet, subject to the policies and procedures of the Public Works Department.

5. **Site Lighting:** 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, subject to the review and approval of a Certificate of Approval by the Urban Design Commission.
6. **Dumpsters:** Dumpsters shall be consolidated and located within a sight-proof screened area with a wood fence or masonry wall no less than six-feet in height and not greater than eight-feet in height, subject to the review and approval of a Certificate of Approval by the Urban Design Commission. The required dumpster enclosure may encroach into the 15 foot minimum corner lot side setback
7. **Parking:** Off-Street parking is not required. If off-street parking is provided access will be off south alley way and all such off-street parking shall comply with all applicable provisions of Article X, Off-street Parking, Loading and Access, and Article XI, Landscaping and Screening Regulations. The development of all on-site parking lots shall be subject to the approval of a Certificate of Approval by the Urban Design Commission.
8. **Maintenance:** Maintenance of all common areas in the development and maintenance of all amenities located within the common areas shall be the responsibility of the owner(s) of said property. No structure, storage, or materials, grading, fill, or other obstruction, including fences, either temporary or permanent that shall cause a blockage of the 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.
9. **Drainage:** Drainage improvements will be in accordance with the applicable sections of the Code of Ordinances of the City of Oklahoma City, as amended.

**10. Other:**

None

**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 (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas (ONG)**
- 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**

**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) Section I.9.b Access: Amend to add "The south alley shall be improved to allow access. Such improvements will be constructed in accordance with the applicable City paving standards."
- 12) Section II.7 Maintenance: Amend to "Maintenance of the common areas, private drainage easements, and islands/medians 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 that meets the requirements specified above."
- 13) Section II.8. Amend to: "Drainage improvements will be in accordance with the applicable sections of the Code of Ordinances of the City of Oklahoma City, as amended."

**b. Stormwater Quality Management**

**c. Traffic Management \***

**8. Utilities**

**a. Engineering**

**b. Solid Waste Management:** Contact private hauler for service.

**c. Water/Wastewater Quality**

**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. Site plan needs to show location of dumpster.

**Wastewater Availability**

1. An existing 8-inch wastewater main(s) is located adjacent to the subject site(s).

2. Line capacity is not guarantee 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.

## **9. Planning**

### **a. Comprehensive Plan Considerations**

#### **1) LUTA Development Policies:**

##### Site Design and Building Form:

- Maintain historical lot and block sizes where possible and appropriate. (UM / TO)
- Utilize Best Management Practices (BMP) for stormwater. (UM)
- Incorporate commercial uses at street level to maintain an active, pedestrian friendly streetscape. (UM / TO)
- Design buildings to include facades, storefront windows, and attractive signage and lighting to create pedestrian-scale visual interest. (UM)
- Project design should accommodate easy travel by walking, biking, and transit to transit stops. (TO)
- Uses should minimize land area used for parking. (TO)
- Development should complement goal of a mixed-use “village” environment around major stops or stations to provide easy access to multiple destinations including jobs, shopping, entertainment and recreation. (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)

- Building setbacks, access points, and other criteria as defined in the Street Typology section are to be applied as appropriate. (UC)
- All signage should be designed to provide visual coherency, which includes a consistent and cohesive pattern of materials, lighting, and height. (UC)

Location:

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

Density: The non-residential Floor to Area Ratio (FAR) range for the UM LUTA is 0.4 to 1.2 with a typical FAR of 1, the TO Layer is a minimum of 0.5, and may exceed 1.2, and the UC Layer has a minimum of 0.5, and may exceed 1.2.

*The SPUD proposes a 6,000 square foot minimum lot size. National, state, and local permitting require basic best management practices for stormwater management. The SPUD is proposed to allow commercial uses in an area with a mixture of residential and commercial uses. The existing NC Tract 4F zoning is governed under the use and development regulations of the R-2 District. The SPUD proposes a base C-1 District and maintains the Urban Design District requirements of the Uptown 23rd District Overlay. Sidewalks are in disrepair along NW 24th Street and do not appear to be installed along North Western Avenue. The SPUD proposes pedestrian access along both North Western Avenue and NW 24th Street and utilizing the platted alley for vehicular access. The existing driveway along NW 24th Street would be closed and new curb and gutter installed. The conceptual plan for the development illustrates one new building with landscaping fronting NW 24th Street and patio seating on the east side of the building. The SPUD regulations could provide for a FAR within the UM LUTA and the TO and UC Layers.*

Automobile Connectivity:

- Keep alleys open and functional. (UM)
- Limit curb cuts on arterial streets and where possible, concentrate access for retail development at shared entrance points. (UM)
- Development fronting arterials should take access from intersecting streets where possible. (UM)
- Reduce the size of private parking lots through shared parking agreements. (UC)
- Customer-oriented uses are encouraged to take access off of Connector and Neighborhood streets that intersect with Major or Minor Arterials. (UC)

*The SPUD proposes utilizing the platted alley for any new automobile connectivity and closing any existing driveways along NW 24th Street.*

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses. (UM)
- Provide safe and direct pedestrian and bicycle access from adjacent public streets and trails. (TO / UC)

*The SPUD proposes pedestrian access along both North Western Avenue and NW 24th 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 uses adjacent to existing residential uses, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” 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 base C-1 District and maintains the Urban Design District requirements of the Uptown 23rd District Overlay. Design review will be required.*

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 the east side of North Western Avenue, an arterial street in the Urban Medium LUTA. No triggers requiring mitigation measures related to traffic were identified.*

Operational Impact: The comprehensive plan calls for mitigation measures if new projects propose uses that generate noise levels above those found in typical residential settings, have detectable odors, spill light above that found in typical residential settings, or operate after 10 p.m. within proximity to residential uses. When located near residential uses, the comprehensive plan calls for containing operating effects (including noise and odor) within building walls, using vertical screening to block any mechanical equipment and service areas, and directing light away from adjacent residential areas. *The PUD proposes uses that could generate noise, odor, and light levels above those found in typical residential settings. The PUD requires no less than a six-foot and no greater than an eight-foot-high sight proof screen along the eastern boundary, where adjacent to residential uses. A proposed patio would abut the east side next to a residentially zoned lot that has recently had the front structure removed.*

- 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 at the southeast corner of North Western Avenue, a Minor Arterial Street, and NW 24th Street, a Neighborhood

Street in the Urban Medium LUTA. The nearest transit (bus) service is located just south of the site, along NW 23rd Street.

**6) Other Development Related Policies**

- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- Prioritize maintaining the strength of existing commercial nodes and corridors over providing new areas for commercial development. (SU-23)
- Favor commercial development clustered in nodes at arterial or collector intersections or along brief “main street” style corridors over commercial development extending in a linear pattern for long distances along highway, arterial, or collector corridors. (SU-25)
- Regional-, community-, and neighborhood-scale retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores that draws on the following principles:
  - Concentrate access for new retail development at shared primary entrance points. Primary entrance points should be aligned with access points immediately across intersecting roads. Limit curb cuts on primary highways and arterials.
  - Provide pedestrian circulation, including sidewalks and median breaks along interior and exterior fronting roads and within parking lots.
  - Encourage coordinated development of retail centers in order to facilitate internal pedestrian and vehicle circulation and optimal center performance (SU-27)
- Commercial buildings should be built at the street rather than behind a parking lot in order to promote pedestrian circulation, multipurpose shopping trips, and walkable and attractive streetscapes. (SU-28)
- New neighborhood-scale retail should be located within new residential growth areas to serve daily shopping needs and limit trip distances. In newly developing areas, this retail format is preferred to the existing linear development patterns along arterials. (SU-30)
- Neighborhood-scale retail should be developed at the median breaks or intersections of major or minor connectors. (SU-31)
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- Share parking between contiguous developments. (C-31)
- Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)

**7) Other Considerations: Retail Nodes and Corridors (Revitalize)**

Retail nodes and corridors seek to develop a robust retail sector to generate sales tax levels and growth to fund quality services for the City and to meet needs for goods and services to enhance the quality of surrounding neighborhoods. Corridors targeted for revitalization need help strengthening retail uses through filling vacant

space, landscape and beautification efforts, façade programs, business coordination and the introduction of new complementary land uses.

The site is part of a larger area identified in **planokc** as a Retail Priority Area under the “Revitalize” Framework. The retail area extends along NW 23<sup>rd</sup> Street from N Villa Avenue to Interstate 235. Applicable policies under this framework include:

- Improve facades and design quality.
- Integrate complementary uses such as office and multifamily housing.
- Create or enhance pedestrian connections between buildings and centers.
- Undertake landscaping and beautification efforts to enhance the customer experience.
- Create or enhance visual coherency through signage.
- Limit or reduce curb cuts by encouraging shared entrances.

**b. Plan Conformance Considerations**

The subject site is located at the southeast corner of North Western Avenue and NW 24th Street. The site is zoned Neighborhood Conservation (NC) Tract 4F (R-2) and within the Uptown 23rd Urban Design District Overlay District. 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. North of the site, across NW 24th Street, is surface parking for the First Presbyterian Church of Oklahoma City. The site abuts an accessory dwelling unit near the alley, the remainder of the lot is vacant after the primary residence was demolished after having been declared dilapidated. Abutting the site to the south, across a platted alley, is an O’Reilly Auto Parts store. Across North Western Avenue, to the west, is a single-story commercial strip center with multiple retail tenants.

The PUD is requested to allow commercial uses with a C-1 base district and maintain the Urban Design District requirements of the Uptown 23rd District Overlay. The conceptual plan for the development illustrates one new building with landscaping fronting NW 24th Street and patio seating on the east side of the building.

The subject area is within an Urban Design (UD) District and maintains the Urban Design District requirements of the Uptown 23rd District Overlay, including the requirement for design review. This rezoning application is subject to review by the Urban Design Commission (UDC). The UDC is scheduled to make a recommendation on the application on September 25th, 2024. Their recommendation and any proposed conditions will be conveyed to the Planning Commission.

**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*

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**The City of Oklahoma City**  
**Planning Commission**  
**September 26, 2024**  
**SPUD-1662**

**Item No. 5.**

*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 Divisions review of construction plans and prior to City Council approval.

taj



# STAFF REPORT

## Urban Design Commission

September 25, 2024

**Agenda Item** VII.A.  
**Case No.** SPUD-1662  
**Property Address** 2416 N Western Ave  
**Applicant Name** Daniel Douthit, Rowlock Studio for Ya Lin Hsu, MILU, LLC  
1141 W Sheridan Ave  
Oklahoma City, OK 73106

**District** NC Tract 4F/Uptown NW 23rd St

### A. ITEMS FOR CONSIDERATION

#### 1. Recommendation

To provide a recommendation to the Planning Commission for a request to rezone from NC Tract 4F Neighborhood Conservation District to Simplified Planned Unit Development (SPUD-1662).

### B. BACKGROUND

#### 1. Location

The subject site is located at the southeast corner of N Western Ave and NW 24th St.

#### 2. Site History/Existing Conditions

This site used to be occupied by a 2,457 SF, one and a half story, residence that had been originally constructed in 1920. It was subsequently occupied by a restaurant. The building was eventually vacant for a number of years and after a fire and other substantial structural issues, the building was demolished in 2021. The site is presently vacant.

#### 3. Surrounding Environment

To the south, across the alley, is an O'Reilly Auto Parts store. To the east, there is one accessory dwelling unit on the south end of the site near the alley. The primary residence on that site was demolished after having been declared dilapidated.

To the north, across NW 24th St, is a surface parking lot for the First Presbyterian Church of Oklahoma City. To the west, across N Western Ave, is single-story commercial strip center with multiple retail tenants.

#### 4. Intended Use

8300.37, Eating Establishments: Sitdown

#### 5. Previous Actions

On April 28, 2021 the Urban Design Commission approved UDCA-21-00005 which allowed for the demolition of the building that existing on site.

## **6. SPUD Overview**

Per Section 59-4250.5.H., “The Urban Design Commission shall have the opportunity to comment upon and make recommendations on actions undertaken by other City boards, committees, and commissions with respect to the effect of such actions upon the District.” For this reason, staff has placed this item on the agenda to allow the Commission the opportunity to consider the proposal and provide a recommendation to the Planning Commission on the Simplified Planned Unit Development (SPUD) application.

The SPUD is necessary because of some of the complexities of the existing NC Tract 4F zoning. The NC Tract 4F zoning designates this site with a base zoning of R-2. As a residential zone, it would not allow for the proposed restaurant use desired by the applicant, but it did allow for the setbacks he needed for the project. Alternatively, the NC Tract 4F zoning also allows the site to develop in accordance with the NC Tract 4G development standards, but only if the subject site meets five specified criteria. This zoning would have allowed the applicant the proposed restaurant use but not the setbacks that he wanted. Since the site did not satisfy all the specified criteria anyway, the option of using the NC Tract 4G standards was not feasible. Since neither option offered both the use and development standards he needed, at staff’s suggestion, the applicant filed a SPUD to create the zoning standards necessary to support his proposed development.

Staff has coordinated with the applicant on the content and direction of the SPUD document. The attached SPUD document is a final draft that reflects all the revisions that have been agreed on. This attached draft is the SPUD document that the Commission is making a recommendation on to the Planning Commission. Staff and the applicant have collaborated on the content and direction of the Master Design Statement (or MDS) for this SPUD. Through that collaboration we have come to agreement on the document and there are no outstanding issues or concerns with the proposed SPUD document.

Perhaps most significant for Urban Design Commission’s review, the MDS for the proposed SPUD maintains the design review requirements of the Urban Design Overlay District. Accordingly, any and all exterior modifications at the subject site will remain under the purview of the Urban Design Commission and subject to the applicable Certificate of Approval provisions. Certificate of Approval applications for future development within the SPUD area will be subject to administrative or Commission review and approval pursuant to the standard UD thresholds for those reviews.

## **C. ITEMS IN COMPLIANCE**

1. Unless noted below in Section D. Issues and Considerations, all other case items of this proposal comply with the Development Regulations and Guidelines of the Urban Design Overlay District zoning ordinance as referenced below:
  - a. **RE:** §13700.5.B.(1), Maximum Building Height
  - b. **RE:** §13700.5.B.(2), Front Building Line
  - c. **RE:** §13700.5.B.(3), Side-yard Setbacks

- d. **RE:** §13700.5.B.(4), Rear-yard Setbacks

**Note:** All other Regulations and Guidelines of the Urban Design Overlay zoning ordinance not listed above are either not applicable to this case or apply to elements of this project to be considered as a separate case at a later date.

**D. ISSUES AND CONSIDERATIONS**

None

**E. STAFF RECOMMENDATION**

1. Recommend **approval** of the application to the Planning Commission for a request to rezone from NC Tract 4F Neighborhood Conservation District to Simplified Planned Unit Development (SPUD-1662).

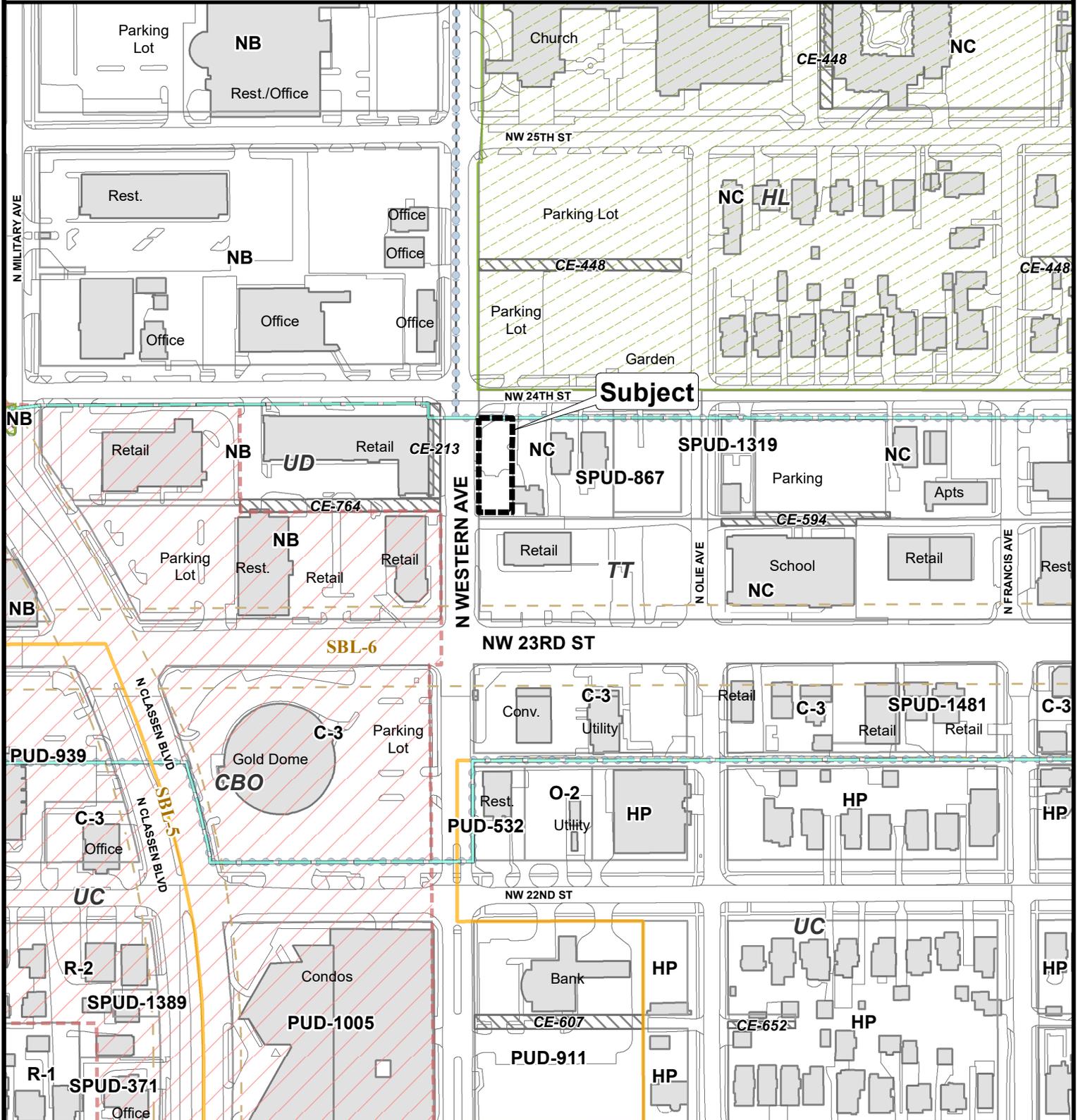
*Note: Staff recommendations do not constitute Commission decisions.*

Attachments: Zoning Map, Application, Design Statement, Drawings, Photos, Comments.

Case No: SPUD-1662      Applicant: MILU, LLC

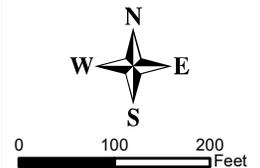
Existing Zoning: NC / UD / TT

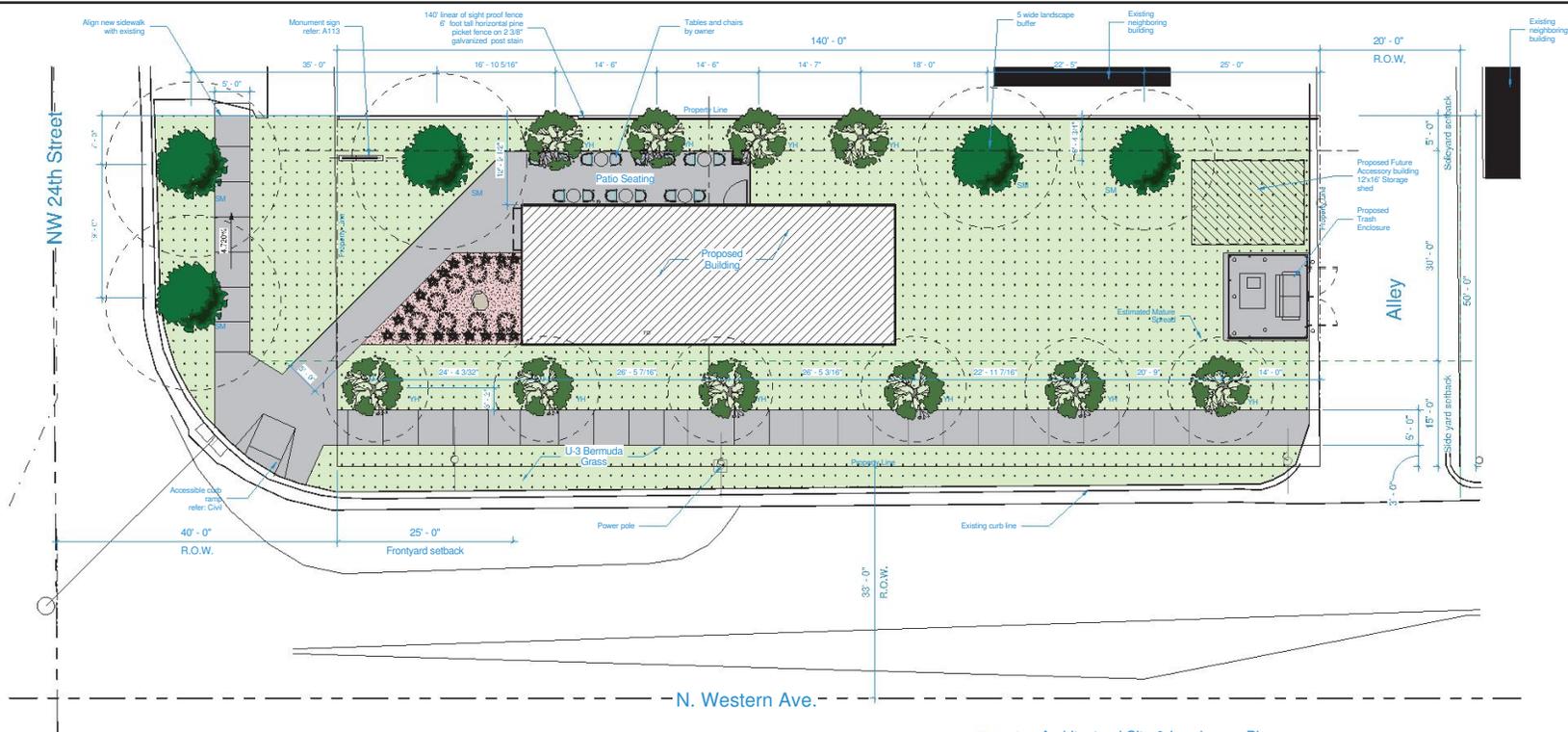
Location: 2416 N. Western Ave.



The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development





1 Architectural Site & Landscape Plan  
1/8" = 1'-0"

Landscape Legend								Site Points		
Symbol	Species Name	Size	Mature Height	Mature Spread(Dia)	Count	Points	Total	Notes	Description Of Property	
	Shantung Maple <i>Acer truncatum</i>	3" Cal.	30'-40'	20'-35'	6	15	75		Developed Area Building Area <b>1050 SF</b> Outdoor Seating <b>600 SF</b> Total Lot 50x140 <b>7000 SF</b>	
	Yaupon Holly <i>Ilex vomitoria</i>	30 gal	15'	15'-20'	10	0	00	Holly to be trim and maintained as a tree. If greater than 15 in height to be trim down by owner in future	Requirements Site Point: 1 per 200 SF of Development Parking lot Points: 2 per space plus 1 for additional	
	Russian Sage <i>Perovskia atriplicifolia</i>	1 gal	3'	3'	7	0	0		Calculation of points Site Points: <b>7000/200 = 35</b> Parking Points: <b>0</b> Buffer 9 points/25' <b>0</b> Total Required <b>35</b>	
	Purple wintercreeper <i>Euonymus fortunei</i>	1 pint	8"	3'	10	0	0		Points	
	Ornamental Landscape Rock PALO-OLIVO CANYON BLACK	36" dia			1	0	0	Chosen by owner provide budget number	Surfaces Legend	
	U-3 Bermuda				623	1/4	N.C.		Symbol	
									Material	
									Approximate Area	
									Planter bed 3" depth of Cypress mulch	230 SF
									Concrete	
									U-3 bermuda	5613 SF
	Total Plant									165
	Evergreen Points									81

General Notes  
 1. Contractor to verify all plant counts and areas. Total areas may vary with slight changes in slope.  
 2. Refer Plumbing plans for hose bib connections.  
 3. Contractor to provide irrigation bags at all new trees, and refill as required for a period of 12 months until tree is established.  
 4. Provide temporary irrigation for grass for a period of 1 month.

ROWLOCK

Mi Cha

2416 N. Western Avenue  
Oklahoma City, OK 73108

Project Number:  
2024.00

Not For  
Construction

Date Submission

7/11/2024 SPUD SUBMISSION

Scale: Revised/Description

Drawing Title  
Architectural Site  
Plan SPUD  
Submittal

Sheet No.

**SPUD  
01**

After any changes to the site plan, the contractor shall submit a revised site plan to the City of Oklahoma City for review and approval. All changes must be approved by the City of Oklahoma City before construction begins. Copyright © 2024 Rowlock Studio

**Case No: SPUD-1662      Applicant: MILU, LLC**  
**Existing Zoning: NC / UD / TT**  
**Location: 2416 N. Western Ave.**



Aerial Photo from 2/2022



The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development

