

Planning Commission Minutes
March 14, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:07 a.m. on March 11, 2024)

20. (SPUD-1606) Application by The Alley OKC, LLC to rezone 1625 North Marion Avenue from R-1 Single-Family Residential and Gatewood Urban Conservation Overlay Districts to SPUD-1606 Simplified Planned Unit Development and Gatewood Urban Conservation Overlay Districts. Ward 6.

Amended Technical Evaluation:

1. Specify in Master Design Statement that the existing home will be retained.
2. ~~The maximum number of residential dwelling units shall be 12.~~
3. ~~Specify a minimum parking requirement for new development. Parking does not have to be located on the same parcel as the SPUD.~~ Four (4) parking spaces shall be provided for new development within the SPUD.
4. Dumpsters enclosures shall be located ~~25~~ a minimum of 10 feet from the south boundary of the SPUD and the enclosure shall be a masonry material.
5. An 8-foot high sight-proof fence shall be provided along the south boundary of the SPUD if adjacent to residential.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY GOVIN, SECONDED BY POWERS

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 14, 2024

Item No. IV. 20.

(SPUD-1606) Application by The Alley OKC, LLC to rezone 1625 North Marion Avenue from R-1 Single-Family Residential and Gatewood Urban Conservation Overlay Districts to SPUD-1606 Simplified Planned Unit Development and Gatewood Urban Conservation Overlay Districts. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Jamie Deason
Company	The Alley OKC, LLC
Phone	(405) 474-5189
Email	jpmays@sumbridgeproperties.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow multiple residential dwellings, live/work units and limited commercial uses.

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: 0.29 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1 and UC	PUD-1257 and UC	R-1 and UC	R-2	SPUD-942 and UD
Land Use	Residential	Office	Residential	Residential	Mixed-use

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulations of the **NB Neighborhood Business District** and the **Gatewood Urban Conservation Overlay District (UCD)**. (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

The following uses will be the only uses permitted on this site:

8200.2 Dwelling Units and Mixed Use

8200.3 Group Residential

8200.4 Live/Work Units

8200.12 Multiple-Family Residential, limited to 16 dwelling units

8200.14 Single-Family Residential

8300.1 Administrative and Professional Offices

8300.32 Convenience Sales and Personal Services

8300.37 Eating Establishments: Sitdown

8300.41 Food and Beverage Retail Sales

8300.49 Lodging Accommodations: Bed and Breakfast

8300.51.1 Lodging Accommodations: Home Sharing

8300.59 Personal Services: Restricted

8300.63 Retail Sales and Services: General

2. **Maximum Building Height:**

3 stories, 38'

3. **Minimum Lot Size**

The minimum lot size within this SPUD shall be 7,500 square feet.

4. **Maximum Building Size:**

No building within this SPUD shall have a footprint in excess of 5,000 square feet.

5. **Maximum Number of Buildings: 2**

6. **Building Setback Lines**

Front Yard (North Marion Ave): 25'

Rear Yard:	5'
North Side Yard:	2'
South Side Yard:	5'
Corner Side Yard:	NA

7. Sight-proof Screening:

A site-proof screen fence is required where the property is adjacent to a residentially zoned property or use. No less than a 6 foot or no greater than an 8 foot high fence shall be required along the boundary of this parcel where it is adjacent to any residential zoning or use. Said fence shall be constructed entirely of stucco, brick, stone, wood, or any combination thereof and shall be solid and opaque.

8. Landscaping:

A 5' landscape buffer shall be required adjacent to the residential zoned property to the south of this property. No other landscape buffers shall be required. Otherwise landscaping shall meet the City of Oklahoma City's landscape ordinance in place at the time of development.

9. Signs:

9.1 Free standing accessory signs

There shall be no free-standing accessory signs.

9.2 Attached signs

Attached signs for all allowed uses shall be permitted to face to the west (rear) and north of the property. Neon or otherwise lighted signs shall be allowed. The signage shall meet all other requirements of the City of Oklahoma City's sign ordinance in place at the time of development.

9.3 Non-Accessory Signs

There shall be no non-accessory signs.

9.4 Electronic Message Display signs

There shall be no electronic message display signs.

10. Access:

No more than two (2) access drives shall be allowed from Marion Avenue to the east.

11. Sidewalks

A 5' wide sidewalk shall be constructed along Marion Avenue subject to the policies and procedures of the Oklahoma City Public Works Department.

II. Other Development Regulations:

1. Architecture:

The architecture of the building will draw inspiration from the surrounding context pulling from historical cues and interpreting them into a modern aesthetic. There structure is anticipated to have balconies, open or closed stairs, a large façade for a mural, a flat roof, roof screen or parapet, glass overhead doors, and signage. The structure will utilize some, but not all of the following materials: masonry, glass, steel, wood, architectural metal, architectural CMU, plaster, wood or asphalt shingles, flat roofing material, paint, sheet metal gutters / fascia, perforated panels, and concrete. Existing building will remain and is deemed to comply with all zoning regulations. Any new structure shall comply with the base zoning district and Gatewood Urban Conservation regulations in place at the time of development, except that flat roofs are permitted on new buildings within the west half of the SPUD site.

2. Open Space:

20% open space, defined as no buildings or paving, shall be provided.

3. Street Improvements:

Street improvements subject to the policies and procedures of the Oklahoma City Public Works Department.

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 the regulations of the Gatewood Urban Conservation Overlay District (UCD). Furthermore, full cutoff fixtures shall be used for any pole mounted lighting. No wall packs directed towards adjacent residential properties shall be used.

5. Dumpsters:

One dumpster shall be allowed served from Marion Avenue and located a minimum of 10' from any property line. A dumpster enclosure shall screen it which meets all requirements of the City of Oklahoma City's zoning ordinance in place at the time of development.

6. Parking:

No onsite parking shall be required.

7. Maintenance:

All property maintenance is the responsibility of the property owner or their designated representative(s).

8. Drainage:

The property within this SPUD is not within a FEMA flood plain. 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: Site Plan

Exhibit C: Grading Plan

Exhibit D: Utility 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 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:** Objection; minimum fire access road is 14 feet wide with a 10-foot radius. Fire lane at truck area needs to be a minimum of 20 feet wide.
- 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

Will require new tap into existing 8-inch wastewater main.

Water Availability

Can use existing services or installation of new water meter along N. Marion Avenue in the right-of-way.

b. Solid Waste Management

The City cannot service, contact private hauler.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Maintain historical lot and block sizes where possible and appropriate.
- Utilize Best Management Practices (BMP) for stormwater.
- Design buildings to include facades, storefront windows, and attractive signage and lighting to create pedestrian-scale visual interest.

Location:

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

Density: The 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 Urban Medium Intensity LUTA outlines a density range of 10 to 40 dwelling units per acre.

National, state, and local permitting require basic best management practices for stormwater management. The current FAR of the subject site is roughly 0.18. The SPUD regulations could provide a FAR within the Urban Medium Intensity LUTA range if continued or new development were to occur. If developed as multifamily residential, the SPUD would allow up to 16 dwelling units over the 0.29-acre site, or 55 du/acre. The comprehensive plan calls for up to 40 du/acre, or 12 dwelling units.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.

The subject site currently has one improved drive along North Marion Avenue. The SPUD regulations call for no more than two drives along North Marion Avenue. The conceptual plan shows the two drives from N Marion Avenue looping around the existing home and creating a one-way drive lane with access to the dumpster enclosure and four parking spaces on the west side of the property.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are installed but are in disrepair along North Marion Avenue. The SPUD regulations require sidewalks along North Marion Avenue.

- 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”, “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 retention of the existing residential structure fronting North Marion Avenue will provide a consistent setback, orientation, and street frontage with adjacent development. The addition of the proposed new structure at the rear of the property will provide a greater lot coverage than the current development along North Marion Avenue. Similar coverages are found west of the site along North Blackwelder and within the nearby Plaza District. The SPUD will be required to meet the Gatewood UCD Landscaping and Tree Maintenance requirements (59-13650.17), which provide some mitigation as they require specific landscaping requirements for the included off-street parking.

Traffic: Mitigation measures should be used if the development is inconsistent with the Street Typology, or would substantially exceed the average daily traffic of existing, adjacent uses.

No triggers requiring mitigation measures 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

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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 SPUD is requested to allow multiple residential dwellings, live/work units and limited commercial uses, including a new structure behind an existing single-family residence. The proposed limited commercial uses could generate noise, odors, or spill light above that found in typical residential settings. While these uses are commonly found just west of the subject site, the area east of the site remains primarily residential. The SPUD addresses potential operational impacts by limiting uses; however, dumpster placement is requested 10 feet from the adjacent residence on the west. Code requires a 25-foot setback for trash enclosures.

3) Service Efficiency:

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

4) Environmentally Sensitive Areas: The following apply to the proposed development site:

- Riparian Areas: N/A
- Upland Forests: N/A
- Vulnerable Aquifers: The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite.

5) Transportation System: This site is located along the west side of North Marion Avenue, a Neighborhood Street in the Urban Medium LUTA. The nearest transit (bus) service is located northeast of the site, along NW 16th Street.

6) Other Development Related Policies

- Encourage the integration and mixing of land uses in urban areas. (SU-1)
- 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)
- 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)
- 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)
- Share parking between contiguous developments. (C-31)
- 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)
- Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)

7) Other Considerations: Historic Resources

The existing residence was constructed in 1910 according to the Oklahoma County Assessor's website. The structure was identified as "contributing" to a potential Classen Ten Penn Historic District in a 1992 Reconnaissance Survey.

The City's preservation plan, preserveokc, supports the preservation of the existing residence on the subject site.

8) Other Considerations: Retail Priority Area

The comprehensive plan identifies NW 16th Street from the subject site west through the Plaza District as a Retail Corridor under the "Revitalize" framework. Applicable policies for these areas include integrating complementary land uses such as office and multifamily housing, maintaining community scale retail, upgrading streetscapes for visual coherency and place quality, and limiting or reducing curb cuts.

b. Plan Conformance Considerations

The subject site is located along the west side of North Marion Avenue, in an area generally located east of N Blackwelder Avenue and south of NW 16th Street. The site is currently zoned R-1 and developed with a single-family residence and detached two-story, two-car garage located west of the residence from the existing drive. The subject site is within and at the south boundary of the Gatewood Urban Conservation District. The site is also within an area that the comprehensive plan identifies as a “Revitalize” Retail Corridor. Abutting the site on the north is a residential structure that is zoned for, and used as, an office under PUD-1257. East and south of the site are zoned R-1 and R-2 and developed as single-family residential. Abutting the site on the west are SPUD-1162, which is developed with a quadplex, and SPUD-942 at the intersection of North Blackwelder Avenue and NW 16th Street, which is zoned for and built as mixed-use residential, office, and retail. The area to the west is within the Urban Design District (Plaza District).

The SPUD is requested to allow multiple residential dwellings, live/work units and limited commercial uses, including a new structure behind the existing single-family residence. The proposed 16 residential units (55 du/acre) is higher than the suggested range for the Urban Medium LUTA (10-40 du/acre). Decreasing the number of dwellings to 12 would be 40 du/acre. The conceptual plan indicates four new parking spaces on the west side of the site, but the Master Design Statement proposes no parking requirement. No parking requirement is standard for the base NB District and consistent with the design district to the west; however, it was unclear at the time of review where parking for the new development would occur. The conceptual design indicates the new building would be oriented westward and serve as a new edge to the mixed-use development to the west. The existing home is expected to stay and potentially be converted to another use, but the SPUD should specify it remain as it contributes to the character of both the Gatewood UCD and is identified as a historic resource.

Plan conformance would be strengthened by retaining the existing home, reducing the density to 12 dwelling units, clarifying parking locations for residents, increasing the dumpster setback from the residence on the south, and ensuring driveway access meets fire code.

IV. STAFF RECOMMENDATION

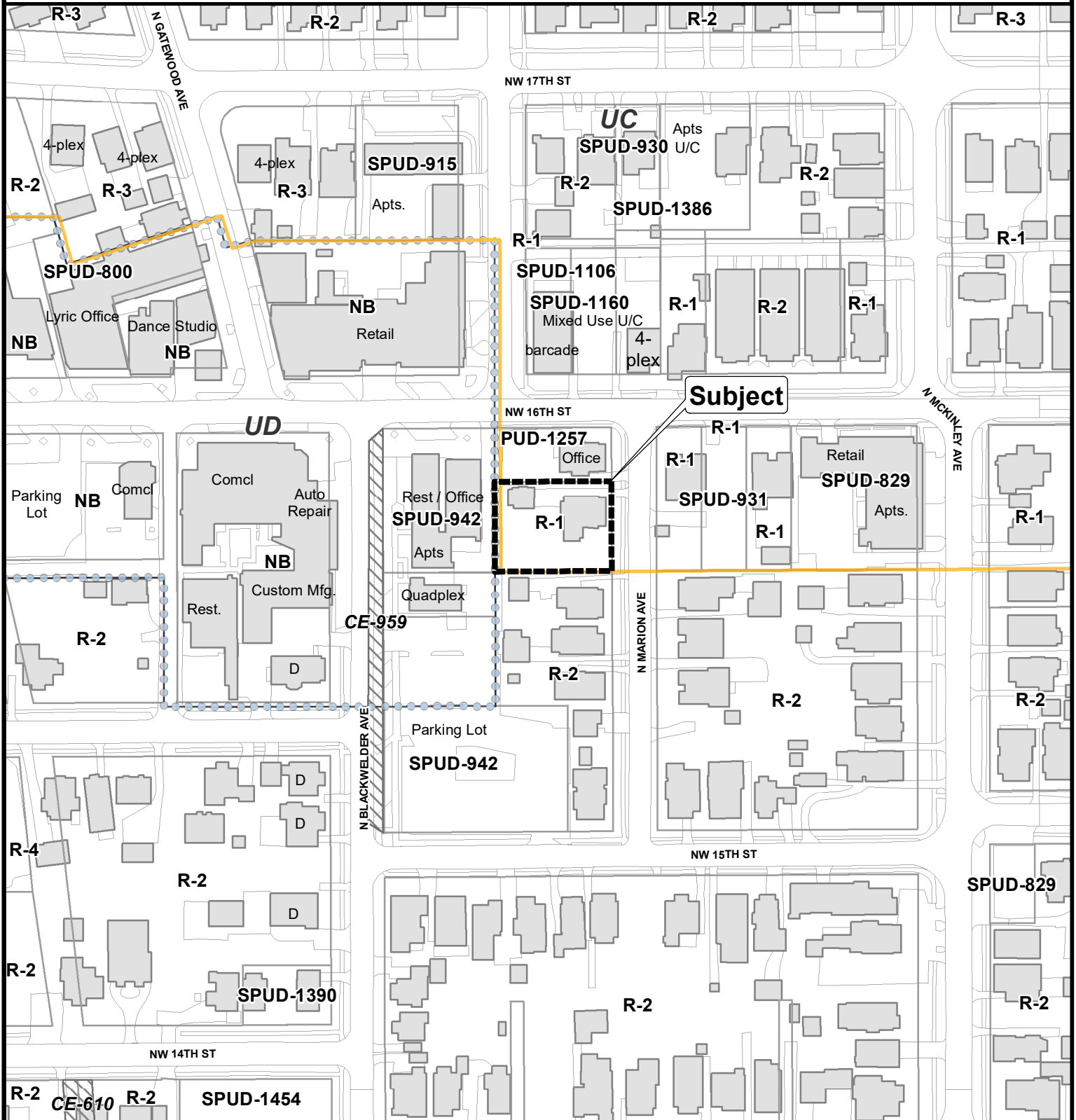
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning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

1. Specify in Master Design Statement that the existing home will be retained.
2. The maximum number of residential dwelling units shall be 12.
3. Specify a minimum parking requirement for new development. Parking does not have to be located on the same parcel as the SPUD.
4. Dumpsters shall be located 25 feet from the south boundary of the SPUD.

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.

Case No: SPUD-1606 Applicant: The Alley OKC, LLC
Existing Zoning: R-1 / UC
Location: 1625 N. Marion Ave.

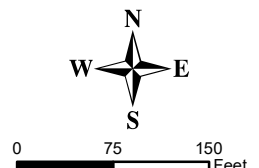


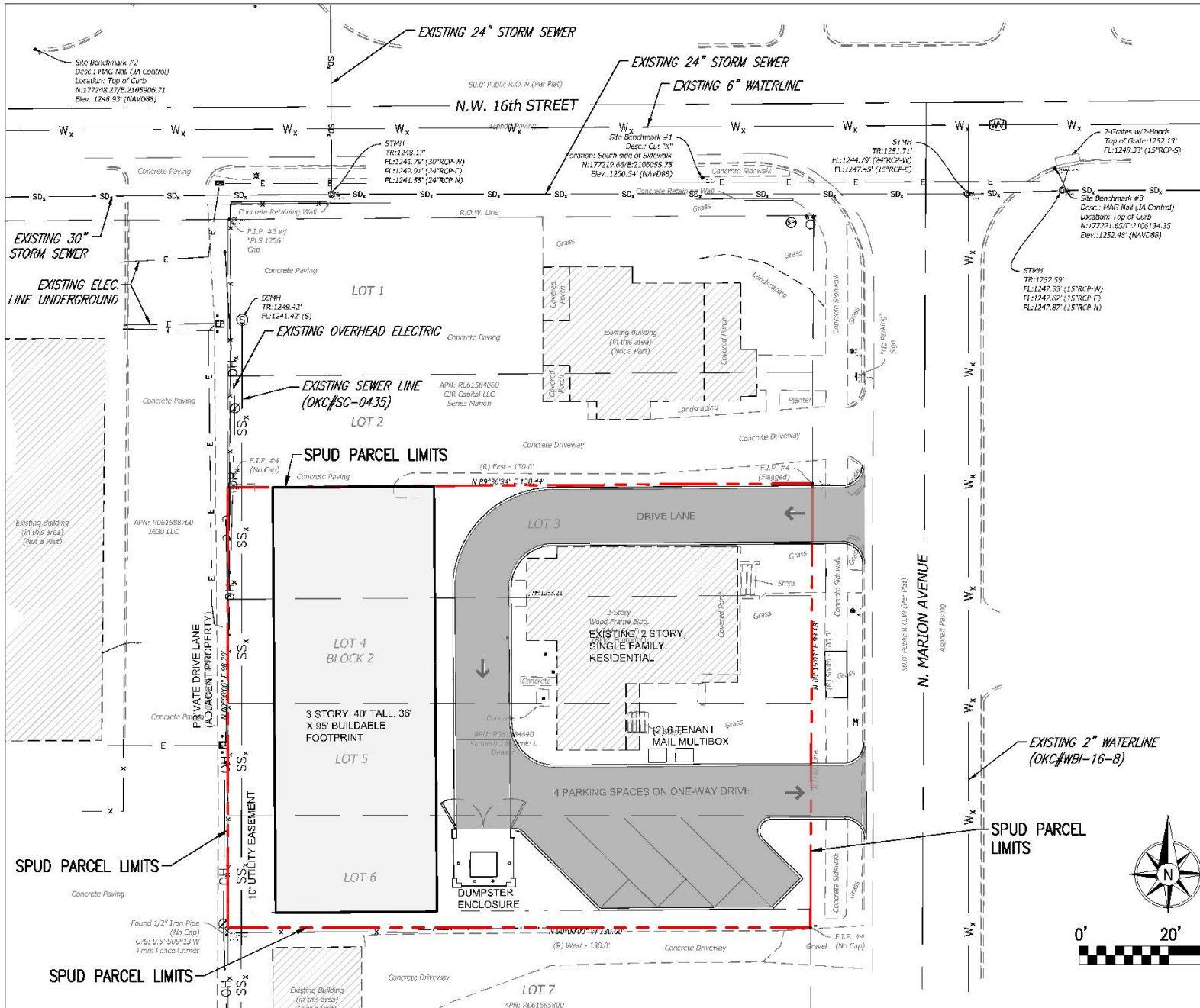
Note: "Subject" is located approximately 2,450' North of NW 10th St. and 2,354' West of N. Classen Blvd.

Simplified Planned Unit Development



The City of
OKLAHOMA CITY





Seal:



BRYAN W. RICHARDS, P.E.
Expires: 11/30/2024

BWR
DESIGN GROUP

BWR DESIGN GROUP, LLC
PO BOX 31732
EDMOND, OK 73003
405-761-5517
CA 7227, EXP. 06/30/2024

Issue Date:
01/23/24

Purpose - Issue:
FINAL

1625 N. MARION
AVENUE
OKLAHOMA CITY,
OKLAHOMA

Sheet Title:

SPUD-1606
UTILITY PLAN
EXHIBIT "D"

Sheet Number:

D

Case No: SPUD-1606 Applicant: The Alley OKC, LLC
Existing Zoning: R-1 / UC
Location: 1625 N. Marion Ave.



Aerial Photo from 2/2022

Note: "Subject" is located approximately 2,450' North of NW 10th St. and 2,354' West of N. Classen Blvd.



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Simplified Planned Unit Development

