

Planning Commission Minutes
June 27, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:53 p.m. on June 21, 2024)

13. (SPUD-1638) Application by Plaza Place Apartment, LLC and Plaza Place Apartments, LLC to rezone 1621 North Ellison Avenue from R-1 Single-Family Residential, R-4 General Residential and UC Urban Conservation Overlay Districts to SPUD-1638 Simplified Planned Unit Development District. Ward 6.

Technical Evaluation:

1. Specify in the Master Design Statement that the Gatewood Urban Conservation Overlay District regulations will not apply to the SPUD.
2. Structures fronting North Ellison Avenue shall have entry doors, windows and porches that face the street.
3. Access shall meet Fire Department requirements at permitting.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION.

MOVED BY GOVIN, SECONDED BY MEEK

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

ABSENT: LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 27, 2024

Item No. IV. 13.

(SPUD-1638) Application by Plaza Place Apartment, LLC and Plaza Place Apartments, LLC to rezone 1621 North Ellison Avenue from R-1 Single-Family Residential, R-4 General Residential and UC Urban Conservation Districts to SPUD-1638 Simplified Planned Unit Development District. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Adam Lanman
Company	Atelier AL LLC
Phone	405-820-7191
Email	adam@atelieral.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow multi-family residential and live/work unit development.

D. Existing Conditions

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

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

2. Size of Site: 0.93 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-4/R-1	R-1/ SPUD-649/ SPUD-1056 / UC	R-3	R-3	SPUD-1056 / R-2 / UC
Land Use	Apartments/ Single-family residence	Residential	Residential	Residential	Residential

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **R-4 General 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:

- 8150.6.1 *Community Garden*
- 8150.6.4 *Home Garden*
- 8150.7 *Rainwater Harvesting*
- 8250.3 *Community Recreation: Property Owners Association*
- 8200.4 *Live/Work Units, further limited to work uses 8300.1 and 8300.59*
- 8200.12 *Multiple-Family Residential*
- 8200.14 *Single-Family Residential*
- 8200.15 *Three- and Four- Family Residential*
- 8200.16 *Two-Family Residential*

2. **Maximum Building Height:** 35 feet
3. **Maximum Building Size:** Not to exceed 18,000 square feet per building. The front building façade length of buildings fronting North Ellison Avenue shall be a maximum of eighty (85) feet total.
4. **Maximum Number of Buildings:** There shall be a maximum of five buildings within this SPUD.

5. **Density:**

There shall be a maximum of 32 dwelling units within this SPUD

6. **Building Setback Lines**

- West: 10 ft
- East: 15 ft
- South: 7 ft
- North: 7 ft

7. **Sight-proof Screening:** No less than a six-foot and no greater than an eight-foot-high fence or wall shall be required along the North, South, and West boundary of the parcel where it is adjacent to any residential zoning or use. Said wall shall be constructed of brick, stone, wood, or other decorative and/or any combination thereof and shall be solid and opaque. The fence may not be a chain link. Side yard fencing shall not extend past the front of the building units and may return to the building units or patio areas in line or behind the front plane of the building units and/or patio. Alternatively, a vegetative screen on the North and South boundary of the tract may be installed in the form of a fence with living vegetation. Along the north and south boundaries of the SPUD, a landscaped buffer no less than five feet in width planted with a series of evergreen plantings that will grow to a height of at least six feet and spaced in a manner to provide an impervious visual barrier.
8. **Landscaping:** The subject parcel shall meet City Landscape requirements in place at the time of development. Trees shall be planted on North Ellison Avenue and shall meet the City of Oklahoma City's Landscape Ordinance Streetscape Buffer requirements.
9. **Signs:**
 - 9.1 **Freestanding Accessory Signs**
Per R-4 General Residential District (OKC Zoning Ordinance, 2020, as amended).
 - 9.2 **Attached Signs**
Per R-4 General Residential District (OKC Zoning Ordinance, 2020, as amended).
 - 9.3 **Non-Accessory Signs**
Non-accessory signs shall be prohibited.
 - 9.4 **Electronic Message Display Signs**
Electronic Message Display signs shall be prohibited.
10. **Access:** Access shall be via one (1) two-way drive to enter and exit from North Ellison Avenue. Permeable paving surfaces, such as unit pavers, decomposed granite drive, or recycled plastic grid systems installed below grade to reduce run-off and flooding, shall be allowed in the central shared drive of the site and shall not connect to the paved streets. A gravel drive shall not be permitted. Pervious paving for parking areas, driveways, pathways, and plazas is subject to Public Works review and approval. Where connected to public rights-of-way the access drive apron will be constructed of hard surface paving meeting City code for driveway construction. A hard surface border is required around the perimeter of pervious paving areas. Maintenance of the pervious paving is required, and a maintenance plan must be provided when construction documents are submitted for permitting.

11. Sidewalks:

Sidewalks with a minimum width of five (5) feet shall be constructed on North Ellison Avenue, subject to the policies and procedures of the Public Works Department and ADA requirements.

Any repair/replacement of existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction of this SPUD.

II. Other Development Regulations:

- 1. Architecture:** Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, rock, stone, stucco, architectural metal, or wood and cementitious siding (including but not limited to the brand commonly known as James Hardie), or other similar type finish. A maximum of 30% EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.
- 2. Open Space:** This SPUD shall have a minimum usable open space of 20%, defined as a landscaped area for residents to occupy passively or use actively, including passive spaces with trees, pathways for leisure, and spaces designed for active uses such as sports, exercise and play.
- 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.

To minimize light spillover on residential uses, outdoor lights will be directed away from any adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.
- 5. Trash Collection:** Commercial dumpsters may be used within the development. Dumpsters shall be located at least 25 feet from residential uses abutting the SPUD and shall be located behind the rear wall of building fronting North Ellison Avenue. Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.
- 6. Parking:** The design and number of all parking facilities in this SPUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended, except that a minimum of 1.25 spaces per dwelling unit shall be provided on-site. The number of required parking spaces may be reduced by utilizing any of the methods outlined in Chapter 59, Article X Section 10600.5, 2020, as amended.
- 7. Maintenance:** 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 may 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. Certain amenities such as, but not limited to, walks and benches, shall be permitted if installed in a manner that meets the requirements specified above.

- 8. Drainage:** The development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

III. Supporting Documents

Exhibit A: Legal Description
Exhibit B: Conceptual Site Plan

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:** Fire truck turnaround will be required for permitting.
- 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*

Water Availability*

b. Solid Waste Management

- 1) The City cannot provide 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.
- Incorporate commercial uses at street level to maintain an active, pedestrian friendly streetscape.
- 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 SPUD is proposed to allow a maximum of 32 dwelling units within a maximum of five buildings on a 0.93-acre site, a density of 34.4 du/acre. The SPUD allows live/work units, limited to Administrative and Professional Offices and Personal Services: Restricted, within the development. The SPUD regulations could provide a floor to area ratio and density levels within the Urban Medium Intensity LUTA range. The SPUD proposes pervious paving, a best management practice for stormwater quality.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.

The subject site currently has two access points along North Ellison Avenue, one serving the single-family residence and accessory building and another serving the apartment buildings at the rear of the property. The SPUD proposes reducing the access points to one, a two-way drive that may partially be constructed of permeable paving.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are currently available along North Ellison Avenue and required by the SPUD regulations. Repair or replacement of existing sidewalks would be per Code requirements.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating the proposed uses adjacent to existing Low Intensity Residential uses or zoning, “Building Scale and Site Design” 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.. *The conceptual plan illustrates varying directions of building orientation. The design of the buildings fronting N Ellison across from existing homes was unknown at the time of review. To mitigate potential compatibility issues caused by buildings orienting away from North Ellison Avenue, the SPUD proposes a maximum front building façade length of 85 feet. Lot coverage will increase with the addition of parking; the SPUD allows for pervious paving. The SPUD proposes a maximum building height of 35 feet, matching the allowance in the adjacent R-1 through R-3 zoning districts.*

- 3) **Service Efficiency:**

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

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

- Riparian Areas: N/A
- Upland Forests: N/A
- Vulnerable Aquifers: The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite. Low impact development techniques include, but are not limited to, using pervious surface materials wherever possible for the construction of driveways, parking areas, sidewalks, patios, etc., in order to promote increased water percolation and infiltration.

- 5) **Transportation System:** This site is located along the west side of North Ellison Avenue, a Neighborhood Street in the Urban Medium LUTA. The nearest transit (bus) service is located just 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)
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- 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)

7) Other Considerations: Historic Resources

The City's comprehensive plan and the adopted historic preservation plan for Oklahoma City, preserveokc, prioritizes protecting National Register-listed properties, local historic districts, and the unique character of historic resources. A 1992 Intensive Level Survey of Classen Ten Penn identified a potential historic district. Demolition and incompatible infill development in subsequent years has compromised the integrity of the potentially historic neighborhood, but Classen Ten Penn appears to retain sufficient historic significance and architectural integrity to be considered a potential historic resource (district). In particular, the area immediately surrounding the subject property retains a high number of potentially contributing properties. The 1992 Intensive Level Survey described the front residence on the site as contributing to the potential district. Records indicate that the dwelling was constructed in 1906 and it appears to retain character-defining historic features, including its form, massing, and building materials, and may be considered a potential historic resource in its own right. The remaining structures on the site were identified as non-contributing. Conformance would be achieved by retaining the contributing residence. The proposal calls for retaining the existing structures at the rear and demolishing the contributing residence. If the contributing residence is removed, plan conformance would be strengthened by ensuring new development is compatible with adjacent historic development in the Classen Ten Penn Neighborhood.

b. Plan Conformance Considerations

The subject site is located along the west side of North Ellison Avenue, between NW 15th Street and NW 16th Street. The site is developed with a single-family residence, two apartment buildings, and one accessory building. The subject site is zoned R-1, R-4, and a small portion of the site along the north boundary is within the Gatewood UC Urban Conservation Overlay District. The SPUD would not retain the UC. Staff does not object to the removal from the overlay, but the SPUD should specifically state it is

not being retained for clarification at permitting. The site is surrounded by a mixture of housing types zoned R-1 through R-3 and multiple SPUDs. Adjacent housing types include single-family residences, duplexes, and apartment buildings.

The SPUD is requested to allow multi-family residential and live/work unit uses and development with R-4 base zoning on .93 acres, with work uses allowed in the units limited to restricted personal services and administrative and office uses. The SPUD limits building height to 35 feet, limits the front building façade along North Ellison Avenue to a maximum of 85 feet, requires sight-proof screening, and requires a five-foot landscape buffer of evergreen trees along the north and south boundaries of the site. The SPUD requires five-foot sidewalks to be installed along North Ellison Avenue and 20% of the site to consist of usable open space with passive or active uses. Plan conformance would be strengthened by retaining the single-family residence on the site, which has been identified as a contributing resource to a potential Classen Ten Penn Historic District. Compatibility with surrounding residences would be increased by requiring the structure fronting North Ellison Avenue to have entry doors, windows and porches facing the street.

IV. STAFF RECOMMENDATION

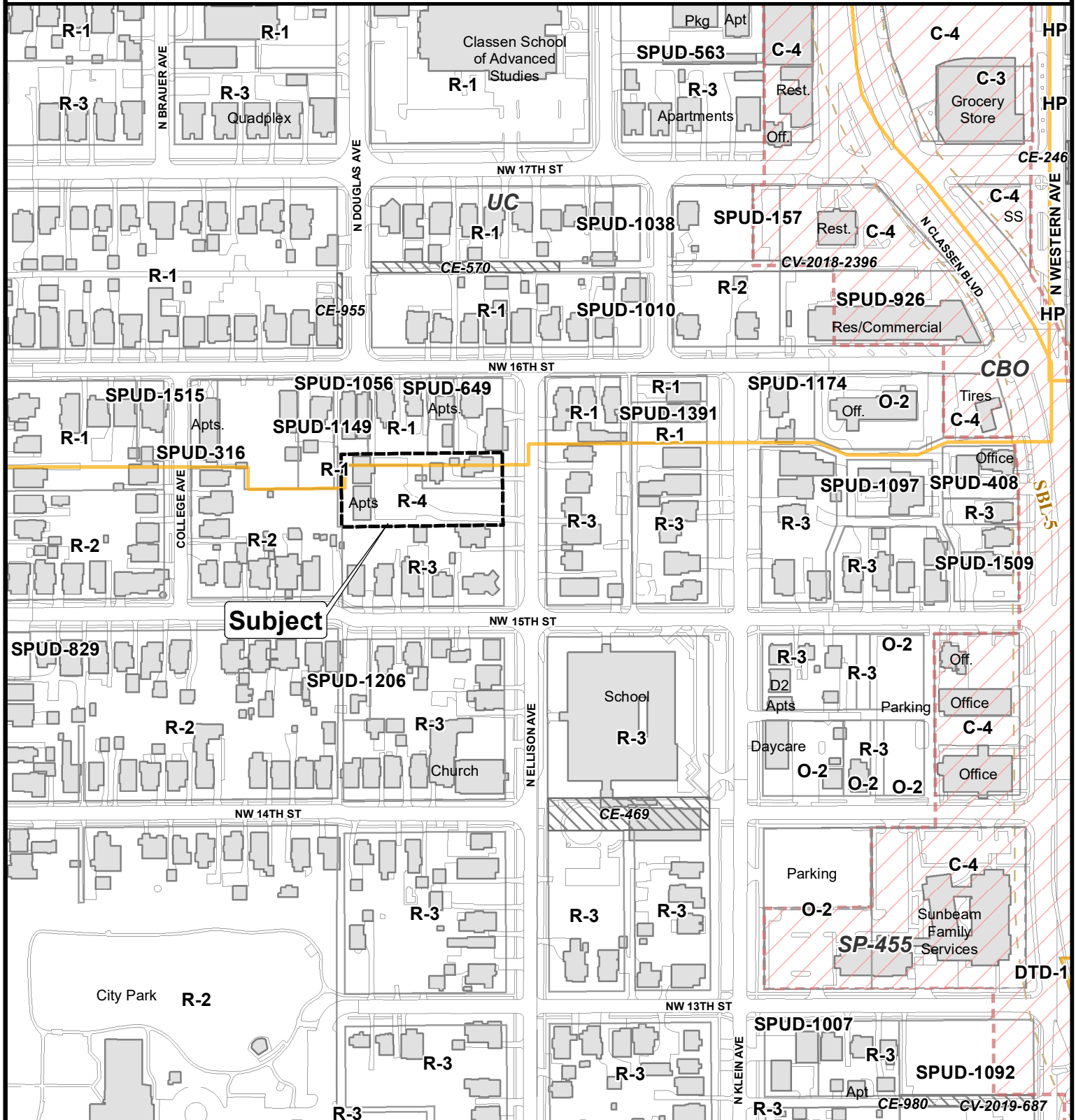
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning 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. Specify in the Master Design Statement that the Gatewood Urban Conservation District regulations will not apply to the SPUD.
2. Structures fronting North Ellison Avenue shall have entry doors, windows and porches that face the street.
3. Access shall meet Fire Department requirements at permitting.

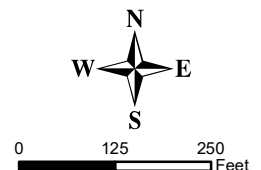
All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Division's review of construction plans and prior to City Council approval.

Case No: SPUD-1638 Applicant: Plaza Place Apartment, LLC and Plaza Place Apartments, LLC
Existing Zoning: R-1 / R-4 / UC
Location: 1621 N. Ellison Ave.

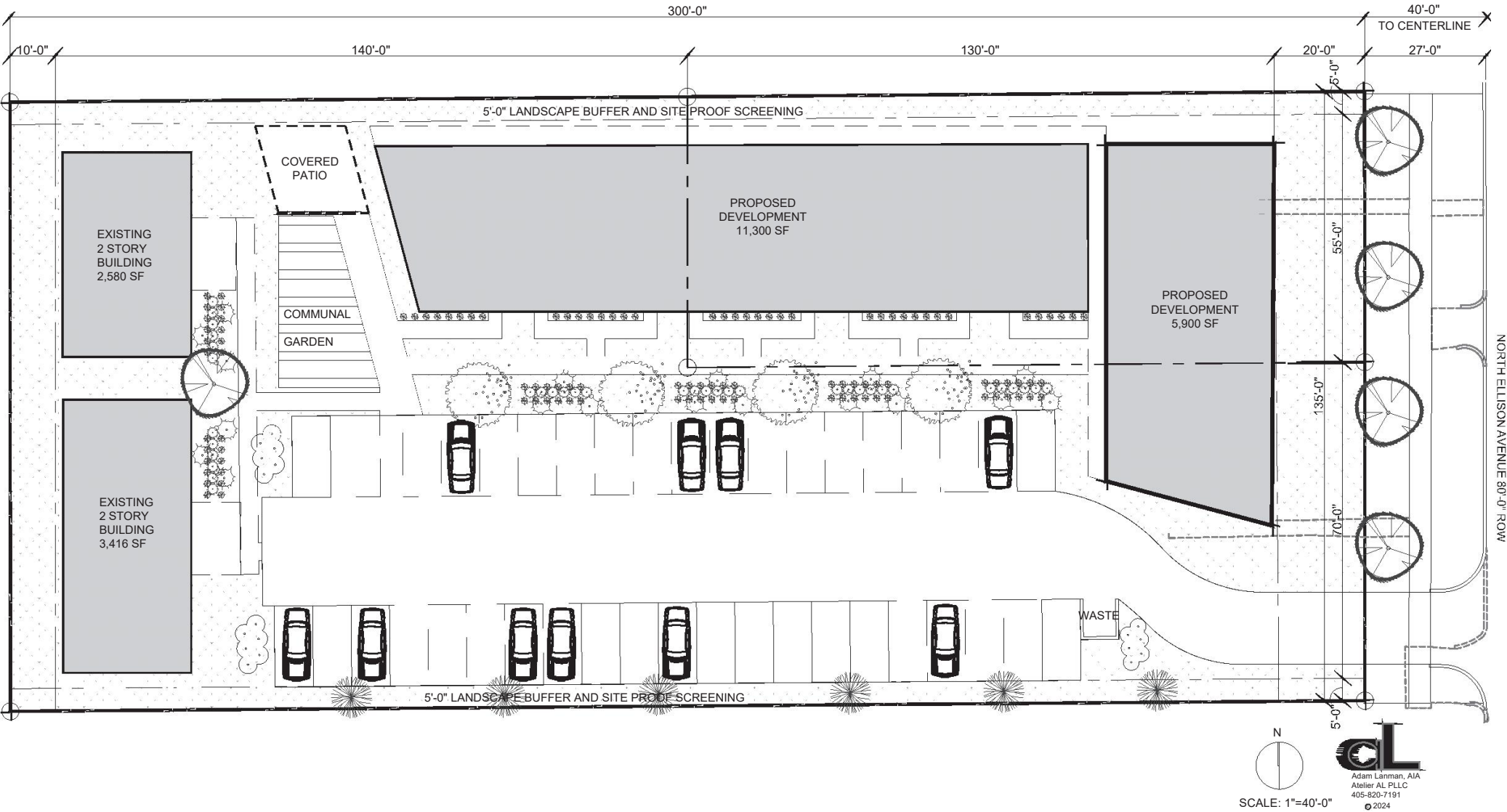


The City of
OKLAHOMA CITY

Simplified Planned Unit Development



SPUD-1638 Exhibit B



Case No: SPUD-1638 Applicant: Plaza Place Apartment, LLC and Plaza Place Apartments, LLC
Existing Zoning: R-1 / R-4 / UC
Location: 1621 N. Ellison Ave.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



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Feet