

Planning Commission Minutes
February 22, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:39 a.m. on February 19, 2024)

7. (SPUD-1599) Application by Jackson Rice and Bradley Rice to rezone 2027 NW 16th Street from R-1 Single-Family Residential and Gatewood UC Urban Conservation Overlay Districts to SPUD-1599 Simplified Planned Unit Development and Gatewood UC Urban Conservation Overlay Districts. Ward 6.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY GOVIN, SECONDED BY CLAIR

AYES: CLAIR, MEEK, NEWMAN, GOVIN, PENNINGTON, NOBLE, LAFORGE

ABSENT: POWERS, PRIVETT



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

Item No. IV. 7.

(SPUD-1599) Application by Jackson Rice and Bradley Rice to rezone 2027 NW 16th Street from R-1 Single-Family Residential and Gatewood UC Urban Conservation Overlay Districts to SPUD-1599 Simplified Planned Unit Development and Gatewood UC Urban Conservation Overlay Districts. Ward 6.

I. GENERAL INFORMATION

A. Contacts

Applicants

Name Brad Rice and Jackson Rice
Phone 918-269-8586, 918-704-3380
Email brice@newmarkrp.com, jrice@newmarkrp.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow an accessory dwelling unit in the rear yard.

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: 0.2 acre

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1/UC	R-1/UC	R-1/UC	R-1/UC	R-1/UC
Land Use	Residential	Residential	Residential	Residential	Residential

II. SUMMARY OF SPUD APPLICATION

This site will be developed in accordance with the regulations of the **R-1 Single Family Residential District** (OKC Zoning Ordinance, 2020, as amended), and the **Gatewood Urban Conservation District (UCD)**, except that the following restrictions will apply:

1. Minimum Lot Width: 50 Feet

2. Minimum Lot Size: 6,000 Square Feet

3. Maximum Building Height:

Any new buildings to be constructed shall conform to the height requirements of the Gatewood Urban Conservation District, not to exceed 35 feet per the UCD, except that any rear/accessory dwelling constructed shall be a maximum of 25' in height.

4. Maximum Building Size:

Existing structures shall be permitted to remain and deemed to conform to building size regulations. In the event of a new structure, size regulations shall be in accordance with the base zoning district.

5. Maximum Number of Buildings:

There shall be a maximum of two (2) dwellings within this SPUD. They may be detached or attached.

6. Building Setback Lines

Existing structures shall be permitted to remain and deemed to conform to setback regulations. In the event of a new structure, setback regulations shall be in accordance with the base zoning district and the Gatewood UCD.

7. Sight-proof Screening:

Sight-Proof screening shall not be required.

8. Landscaping:

The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development. Two existing large, mature trees (40 feet + tall) behind the rear wall of the primary dwelling shall be retained and count toward landscaping requirements.

9. Signs:

Signage shall be prohibited within this SPUD.

10. Access:

Access shall be taken from one (1) drive off NW 16th Street. The existing pervious driveway shall be deemed to be legally nonconforming and subject to provisions in 59-10250.8. If driveway access is widened or the material is substantially changed, driveway construction shall be subject to paving or pervious paving standards in place at the time of its alteration. Maintenance of the existing driveway is permitted.

11. Sidewalks:

A sidewalk exists in front of the primary residence that fronts NW 16th Street, so no additional sidewalk is needed or being proposed.

II. Other Development Regulations:

1. Architecture:

All existing structures shall be permitted to remain and deemed to conform to architecture regulations. In the event of a new structure, the following shall apply: exterior building wall finishes on all main structures, exclusive of windows and doors, shall consist of brick veneer, rock or stone masonry, stucco, similar siding to existing primary residence, or cementitious siding (including, but not limited to, the brand commonly known as James Hardie). Newly constructed dwellings, with the exception of a single dwelling built in combination with a garage behind the rear wall of the southernmost building, shall meet the requirements of Gatewood UCD Building Materials and Pitched Roofs. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space:

Per the base zone.

3. Street Improvements:

N/A.

4. Site Lighting:

The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

5. Dumpsters:

Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

6. Parking:

A minimum of 1 parking space per dwelling shall be required in the SPUD. Garages are

not required but if they are constructed, they will be located behind the front wall of the primary dwelling.

7. Maintenance:

Maintenance of the common areas in the development shall be the responsibility of the property owner or Property Owners Association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown.

8. Drainage:

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

III. Supporting Documents

Exhibit A: Legal Description
Exhibit B: 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:** Prior to excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior for exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District: 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) Sidewalks shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.
- 9) All private roads /streets will have private storm sewer systems.
- 10) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.
- 11) Maintenance of the common areas, private drainage easements, and islands/medians in the development shall be the responsibility of the 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 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.
- 12) Amend Section I.12, Sidewalks as shown: A sidewalk already exists in front of the primary residence that fronts 16th Street, so no additional sidewalk is needed or being proposed. Any repair/replacement of sidewalks within this SPUD shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements that are in effect at the time of construction.

b. Stormwater Quality Management

c. Traffic Management*

8. Utilities

a. Engineering

Wastewater Availability

- 1) An existing 8" wastewater main(s) is located adjacent to the subject site(s).
- 2) Line capacity is not guaranteed and must be checked by the Engineer of Record and reviewed by the City.
- 3) 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.
- 4) 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.

- 5) All existing unused private wastewater service connections must be abandoned and capped at the main in accordance with City Standard Specifications and Private Development Design Manual.

b. Solid Waste Management

- 1) The City can provide service for up to 3 units on a single water meter. Any more than 3 units on the same meter will have to be serviced by a private hauler. A dumpster could be utilized provided there is not enough frontage space for cart placement.

c. Water/Wastewater Quality

Water Availability

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

Location:

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

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

The SPUD proposal maintains historical lot and block sizes. Adjacent to the application site to the east is a platted alley of the original McKinley Place Addition that provided access from NW 16th Street to the middle of the block. However, the alleys were not constructed. The current drive between the application site and the property to the east appears to share a driveway that is in that unimproved platted alley. The SPUD requests to continue that shared access from the platted alley.

National, state, and local permitting require basic best management practices for stormwater management.

The SPUD is requested for a single-family house and an accessory garage/dwelling to the rear of the property. The proposed 2 units over 0.2 acres would have a density of 10 du/acre.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Keep alleys open and functional.
- Primary entrance points should be aligned with access points immediately across the street.

No triggers to automobile connectivity were found.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.
- Discourage widening of neighborhood streets and increasing curb radii.

Sidewalks exist on NW 16th Street.

- 2) Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating Residential Low Intensity adjacent to existing Residential Low Intensity, “Building Scale and Site Design” are potential compatibility issues identified by the comprehensive plan are triggered.

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 proposed SPUD does not trigger any of the above issues related to compatibility to adjacent R-1 zones and uses. The SPUD proposes to retain the R-1 base zone 50% lot coverage which will assist with groundwater infiltration on the site. Plan conformance would be strengthened if existing trees were maintained on the site. Two trees are located in the front yard. The Landscape code would require a minimum of one to remain or be re-planted.*

3) Service Efficiency:

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

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

- Riparian areas are vegetated areas adjacent to streams, lakes, ponds, and wetlands that are composed of a mixture of trees, shrubs, and grasses. These areas may also contain floodplain. The comprehensive plan recommends a 100-foot buffer from stream banks. *No riparian or floodplain is located on the site.*
- Upland Forests: The subject area is not within the upland forest ESA.
- 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 NW 16th Street, west of the Plaza District. NW 16th Street is a Major Connector. A transit stop is located just west of the application site along NW 16th Street.

6) Other Development Related Policies

- Support diversity and integration of housing unit types and sizes in all land use typology areas to meet the diverse needs of households of different sizes, generational needs, incomes, and preferences.
- Higher density multifamily development should be located in areas near employment or educational centers where street and transit systems have or will soon have capacity to support the added trips. (SU-48)
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- Maintain existing alleys or construct new alleys where feasible to provide trash collection service and parking behind primary buildings and minimize curb cuts along the primary street frontage. (C-8)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)

b. Plan Conformance Considerations

The application site is zoned R-1 and located along NW 16th Street, between N Pennsylvania Ave and the Plaza District, in the Gatewood neighborhood. The site is developed with a single-family home and an accessory garage in the back yard. The application is requested to convert the garage into a garage apartment/accessory dwelling. The surrounding property is R-1 and like the subject site, within the Gatewood Urban Conservation District and developed with single-family residential uses. The application proposes to retain the R-1 base zone and the Gatewood UCD regulations.

The SPUD proposal is in conformance with Urban Medium LUTA density ranges and other plan conformance considerations.

IV. STAFF RECOMMENDATION

Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.

Approval of the application.

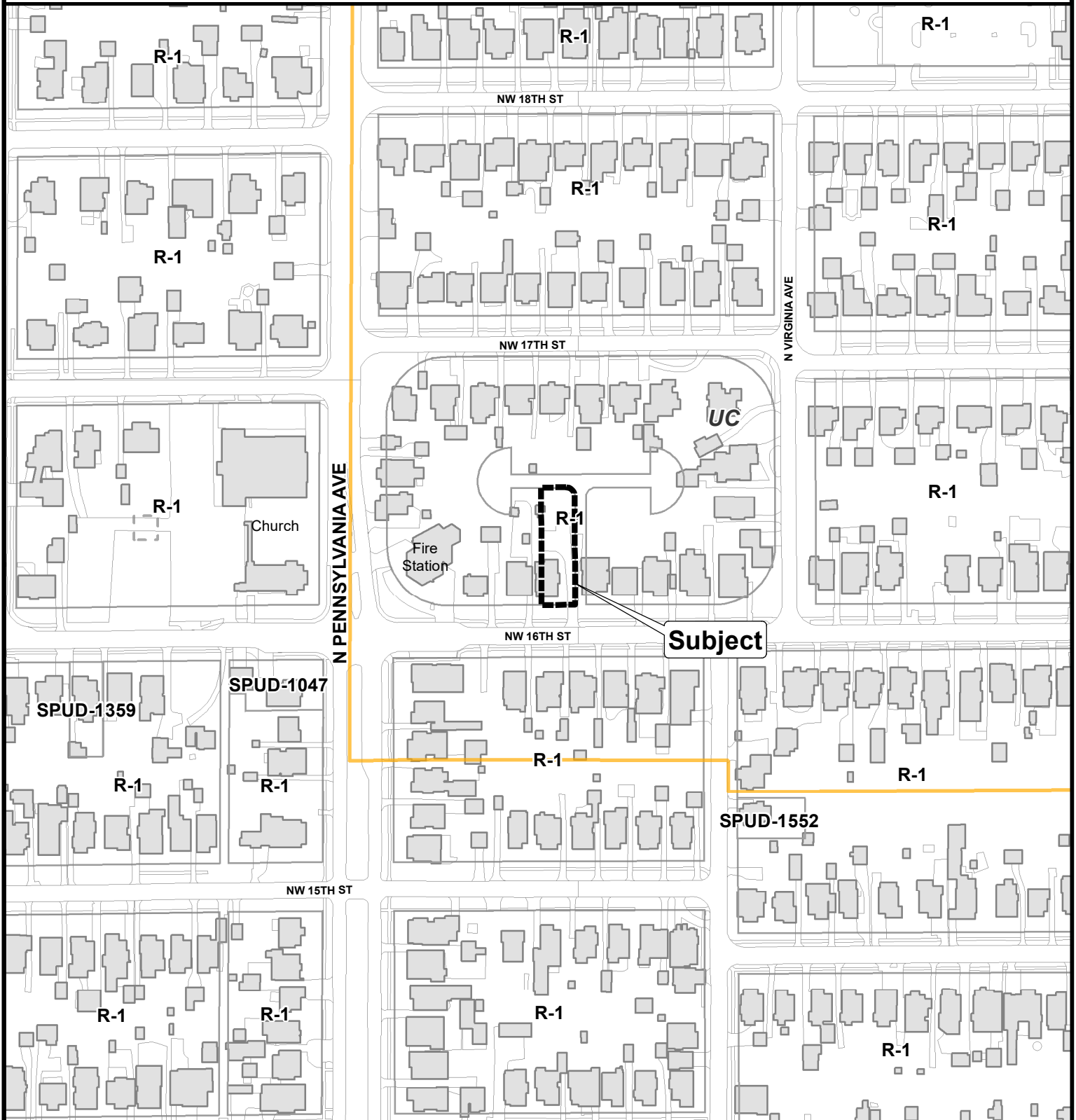
All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Divisions review of construction plans and prior to City Council approval.

Case No: SPUD-1599

Applicant: Jackson Rice and Bradley Rice

Existing Zoning: R-1 / UC

Location: 2027 NW 16th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 100 200
Feet

Exhibit B: Site Plan



Case No: SPUD-1599

Applicant: Jackson Rice and Bradley Rice

Existing Zoning: R-1 / UC

Location: 2027 NW 16th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 100 200
Feet