



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 13, 2024

Item No. IV. 20.

(SPUD-1635) Application by Omega Investments, LLC to rezone 1800 NW 12th Street from R-2 Medium-Low Density Residential District to SPUD-1635 Simplified Planned Unit Development District. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Mark Zitzow
Company	Johnson & Associates
Phone	405-235-8075
Email	mzitzow@jaokc.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow single-family live/work residential 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: .16 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-2	R-2	R-2	R-2	R-2
Land Use	Residential	Residential	Residential	Residential	Residential

II. SUMMARY OF SPUD APPLICATION

This site will be developed in accordance with the regulation of the **R-2 “Medium-Low Density Residential District”** (OKC Zoning Ordinance, 2010), except that the following restrictions will apply:

The following uses shall be the only uses allowed within this SPUD:

- Single Family Residential (8200.14)
- Live/Work Units (8200.4). Small-scale commercial and office work space uses, primarily used by the residents of the dwelling, shall be permitted within this SPUD on the ground floor of the structure.
- Two-Family Residential (8200.16)
- Community Recreation: Property Owners Association (8250.3)

3. Maximum Building Height:

The maximum height of any building shall be 35 feet.

4. Minimum Lot Size:

2,500 sf

5. Maximum Building Size:

The maximum building size shall be per the base zoning district.

6. Minimum Lot Width:

40 feet

7. Maximum Building Coverage:

The maximum building coverage shall be 55%, not including areas covered by front porches.

8. Maximum Lot Coverage:

The maximum lot coverage shall be 75%, meaning area covered by structures and/or impervious paving.

9. Maximum Density:

Three (3) Units, does not include accessory structures.

10. Building Setback Lines:

12 th Street:	25 feet (front porch may encroach 8 feet into setback)
Indiana Ave.:	5 feet
Alley Setback:	5 feet

Setback between subject parcel and adjacent lot (west): 5 feet

Setbacks between internally divided parcels: 0 feet, except as required by building and fire codes.

9. Sight-proof Screening & Fencing:

Sight-proof fencing shall not be required for this SPUD.

10. Landscaping:

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

11. Signs:

Signage shall not be permitted for this parcel.

12. Access:

One (1) drive per structure shall be permitted. Shared access via adjacent tracts may occur with recorded cross access agreements. Access shall also be permitted from the existing platted alley subject to the approval of the Public Works Department.

13. Parking Regulations:

The subject parcel shall meet the requirements of the Oklahoma City Municipal Code, 2020, as amended, with the exception that garages shall count toward meeting the minimum parking requirements, provided each parking space in a garage shall be a minimum of 8½ feet wide by 18 feet deep. Driveways shall be a minimum 18 feet in length from the back of sidewalk.

One parking space per unit shall be required. On-street parking shall be deemed sufficient and shall meet the City of Oklahoma City parking requirement for any

proposed commercial space on the ground floor of each unit.

Pervious paving may be used for parking 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.

14. Sidewalks:

There are existing sidewalks along NW 12th Street and N Indiana Ave. Should the existing sidewalks be damaged or removed during construction, the developer shall be required to repair/reinstall said sidewalk.

Any new sidewalks or 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 main structures (excluding the accessory structures), exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock, concrete board, stucco or stone masonry. No more than 30% EIFS, wood or architectural metal, shall be permitted. Architectural regulations do not apply to accessory structures.

If the home on the northernmost lot does not have its front facing NW 12th Street then it shall have an architectural feature along 12th street providing the appearance of a front porch or similar feature. This porch or feature shall be permitted to encroach 8 feet into the setback.

2. Open Space: N/A

3. Street Improvements: N/A

4. Platting:

All land within this SPUD shall be contained within a Final Plat or subdivided via administrative lots splits if minimum requirements are met and any plat dedications shall be approved by the City Council prior to any occupancy permits being issued in the SPUD.

Lot lines may be adjusted to realign the location of homes prior to the platting stage.

5. Other:

5.1 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.

5.2 Dumpsters: No dumpsters shall be permitted within this SPUD.

5.3 Common Areas: Not Required

5.4 Commercial Uses: Commercial spaces shall be limited to 600 square feet of gross leasable area.

III. SUPPORTING DOCUMENTS

Exhibit A: Legal Description
Exhibit B: Topographic Map
Exhibit C: Conceptual Designs

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***
- 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.
- 11) Add to Section I.12 Access: The existing alley may be improved to allow access. Such improvements will be constructed in accordance with the applicable City paving standards.
- 12) Add Section II.5.4 Drainage: Development of this parcel will comply with the requirements of the Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Wastewater Availability

- 1) Each unit must have a separate wastewater connection to the main.
- 2) Private easement agreement will be required for Lots 1 & 2.

Water Availability

- 1) Each unit must have a separate water meter and connection to the main.
- 2) 6" main along Indianian Ave for service.

b. Solid Waste Management

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

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 regulations could provide a floor to area ratio and density levels within the Urban Medium Intensity LUTA range. The SPUD is proposed to allow development of three single-family residences on a 0.16-acre site, a density of 18.75 du/acre. The SPUD allows small-scale commercial and office workspaces to be located on the ground level, as part of live/work units in the development.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Keep alleys open and functional.

The subject site currently has one improved drive along North Indiana Avenue. The site abuts a platted, unimproved alley to the south that has been fenced off by the neighboring residence. The SPUD regulations propose one drive for each residence, with cross access permitted from the existing alley subject to Public Works approval. The conceptual plan shows one drive along NW 12th Street and two drives along North Indiana Avenue, one of which is shown utilizing the alley.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are currently available along both street frontages. The SPUD regulations call for repair of sidewalks if damaged during construction.

- 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” 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. *No triggers related to height were identified. The SPUD*

proposes three single-family residences with a maximum of 55% building coverage and 75% lot coverage. Surrounding residential lots are limited to 50% lot coverage. The conceptual plan illustrates that one home would face NW 12th Street and two would face North Indiana Avenue. The proposed 25-foot (8 feet porch encroachment) setback for the northern boundary would align with development on the rest of the block. The 5-foot setback on the eastern boundary is less than the 15 required by Code; however, the 5-foot setback is more closely aligned with adjacent development. Driveways are required to be a minimum 18 feet in length from the back of sidewalks.

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 at the southwest corner of NW 12th Street and North Indiana Avenue, both Neighborhood Streets in the Urban Low LUTA. The nearest transit (bus) service is located within a quarter mile of the site to the south, along NW 10th Street. Both streets are designated as shared bike lanes.

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. New residential subdivisions should achieve a mixture of housing types within a unified development. (SU-4)
- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- 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)
- 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, preserve, and prioritize 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. *Conformance would be strengthened by ensuring new development is compatible with adjacent historic development in the Classen Ten Penn Neighborhood. The SPUD has implemented measures such as aligning with adjacent setbacks and maintaining similar maximum building heights as allowed in the area.*

b. Plan Conformance Considerations

The subject site is located at the southwest corner of NW 12th Street and North Indiana Avenue. The site, and all surrounding land, is zoned R-2. The subject site was previously developed with two single-family residences, but they were removed in 2023 after they fell into disrepair. The surrounding area is developed with single-family residential. Many of the lots along North Indiana Avenue, including the property adjacent to the south, have additional dwellings that front the non-primary street face of the property.

This SPUD is requested to allow single-family live/work residential development with R-2 base zoning on .16 acres in the Classen Ten Penn neighborhood. The SPUD proposes to allow up to three dwelling units on lots with a minimum size of 2,500 square feet, with a reduced 5-foot setback from North Indiana Avenue. The SPUD proposes a maximum building coverage of 55%, excluding front porches, and a maximum lot coverage of 75%. One drive would be permitted per dwelling unit, with

access from the alley permitted. The proposal to increase density in the Urban Medium LUTA is in conformance with UM density ranges and comprehensive plan goals to provide a mixture of residential housing types and infill development on vacant lots. However, the proposed development triggers compatibility issues related to lot coverage. Plan conformance would be strengthened by reducing the number of structures, building coverage, and lot coverage.

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. Revise I. 7. Maximum Building coverage to read: 35%, not including areas covered by front porches.
2. Revise I. 8. Lot Coverage to read: The maximum lot coverage shall be 60%, meaning area covered by structures and/or impervious paving.
3. Revise I. 9. Maximum Density to read: Four (4) dwelling units and two (2) primary structures.

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.

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