

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)

17. (SPUD-1602) Application by SFR-WR, LLC to rezone 1016 NW 67th Street from R-4 General Residential District to SPUD-1602 Simplified Planned Unit Development District. Ward 2.

Amended Technical Evaluation:

- ~~1. The building setback along N Olie Ave shall be 10 feet.~~
- ~~2. The building setback along NW 67th Street shall be 5 feet.~~

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY CLAIR, SECONDED BY GOVIN

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. 17.

(SPUD-1602) Application by SFR-WR, LLC to rezone 1016 NW 67th Street from R-4 General Residential District to SPUD-1602 Simplified Planned Unit Development District. Ward 2.

I. GENERAL INFORMATION

A. Contacts

Applicant/Developer Representative

Name Kaitlyn Turner
Company Williams, Box, Forshee & Bullard PC
Phone 405-232-0080

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to allow residential and 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: .518 acres

3. Zoning and Land Use

| | Subject Site | North | East | South | West |
|-----------------|---------------------|-------------------|-------------|--------------|------------------------|
| Zoning | R-4 | SPUD-238 (I-1) | C-3 | I-2 | C-3 |
| Land Use | Vacant | Parking Lot | Restaurant | Parking Lot | Restaurant (vacant) |

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:

| | |
|---------|--|
| 8300.1 | Administrative and Professional Offices |
| 8250.3 | Community Recreation: Property Owners Association |
| 8300.32 | Convenience Sales and Personal Services |
| 8200.2 | Dwelling Units and Mixed Uses |
| 8300.37 | Eating Establishments: Sitdown |
| 8300.39 | Eating Establishments: Sitdown, Limited Alcohol Permitted |
| 8250.13 | Light Public Protection and Utility: Restricted |
| 8200.4 | Live/Work Units |
| 8200.5 | Low Impact Institutional: Residential-Oriented |
| 8200.12 | Multiple-Family Residential (there shall be a maximum of 45 units) |
| 8300.60 | Personal Services: Restricted |
| 8200.13 | Senior Independent Living |
| 8200.14 | Single-Family Residential |
| 8200.15 | Three- and Four- Family Residential |
| 8200.16 | Two-Family Residential |

2. **Maximum Building Height:**

There shall be a maximum of five (5) stories within this SPUD.

3. **Maximum Building Size:**

The maximum building size shall be 40,000 square feet.

4. **Maximum Number of Buildings:**

The maximum number of buildings shall be in accordance with the base zoning district.

5. **Building Setback Lines**

North: 0 feet
South: 15 feet
East: 0 feet
West: 0 feet

6. **Sight-Proof Screening:**

Sight-proof screening shall be in accordance with the base zoning district.

7. Landscaping:

The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development, except that a minimum of 10% of the site area shall be landscaped. The 10% shall be located within the property boundaries.

8. Signs:

8.1 Freestanding Accessory Signs

Freestanding signs will be in accordance with the base zoning district regulations.

8.2 Attached Signs

Attached signs will be in accordance with the base zoning district regulations.

8.3 Non-Accessory Signs

Non-accessory signs are prohibited.

8.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

9. Access:

Access may be taken from N. Olie Ave. and NW 67th St.

10. Sidewalks

A minimum of five (5) foot sidewalks shall be constructed along NW 67th Street and N Olie Avenue, or a minimum of six (6) foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, architectural metal, rock or stone masonry, stucco, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space:

Open space shall not be required within this SPUD.

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:

Dumpsters shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences and shall be placed no closer than 50 feet from all property lines adjacent to residential zoning district or use.

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 no more than 35 parking spaces shall be required within this SPUD.

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. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

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: 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:** 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.

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 guarantee and must be checked by the Engineer of Record and reviewed by the City.
- 3) The developer will be required to extend the City wastewater collection system to and across each lot or site within the subdivision in accordance with the City Standard Specifications and Private Development Design Manual.
- 4) Minimum ten (10) feet horizontal separation is required from water mains and five (5) feet for other utilities. Minimum two (2) feet vertical separation required for all crossings. All wastewater mains must have a minimum cover of four (4) feet and depth no greater than eighteen (18) feet. Developer is responsible for remediating any failure to maintain the minimum four (4) feet of cover.
- 5) Wastewater main(s) must be centrally located in a twenty (20) feet wide easement or larger if necessary. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit

must be obtained to have any private improvement located within any utility easement and/or right-of-way.

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

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.

b. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Utilize Best Management Practices (BMP) for stormwater.
- Structured parking may be appropriate to achieve desired intensity levels.
- 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:

- 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 requests a mix of uses and reduced setbacks, with a conceptual design that indicates a new building at the corner of N Olie Avenue and NW 67th Street, with parking located to its south.

National, state, and local permitting require basic best management practices for stormwater management. The SPUD is requested for residential and commercial uses and would allow up to 45 multifamily dwelling units. The proposed 45 units over the .52-acre site would be a density of 86 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.

Access is proposed from both streets. No changes to the alley are requested.

Pedestrian Connectivity:

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

Sidewalks are required along both streets, enhancing the pedestrian connectivity to several commercial offerings in this area. However, the SPUD requests no setbacks on N Olie Avenue and NW 67th Street. Due to the existing location of utility lines, particularly on N Olie Avenue, it is unclear whether streetscape trees would flourish with no setback, decreasing pedestrian comfort at the location.

- 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 commercial and residential uses adjacent to existing commercial uses, no 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.

The comprehensive plan states that in some cases, a proposed project may need to take measures to reduce the impact of an existing use, and specifically identifies placing residential uses next to an industrial use as an example.

In this case, the proposed residential uses would be located adjacent to I-2 zoned land that is currently developed with a parking lot. Conformance could be increased for the project if landscape buffers were provided between the application site and parking lots zoned I-2 to the south, as shown on the conceptual plan. The landscape code will require street trees along NW 67th and N Olie Avenue. The SPUD provides a minimum of 10 percent landscaping within the project boundary, which may assist with buffering the surrounding parking lots.

3) Service Efficiency:

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

4) Environmentally Sensitive Areas: No ESAs were identified on the subject site.

5) Transportation System: This site is located at the corner of NW 67th Street and N Olie Avenue, Neighborhood Streets in the Urban Medium LUTA. Transit (bus) service is available one block to the west along N Western Avenue.

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 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)
- Share parking between contiguous developments. (C-31)
- Encourage unified planning for all adjoining land owned or controlled by a project's developer to ensure proper circulation and land use relationships (SU-47)

b. Plan Conformance Considerations

The subject site is located on the south side of NW 67th Street, one block east of N Western Avenue, and has frontage along N Olie Avenue. The surrounding land is zoned for commercial and industrial uses, and adjacent uses include restaurants and parking lots, although the restaurant to the west is currently vacant. Land west of N Western Ave is within Nichols Hills.

The subject site is zoned R-4 and vacant. The SPUD is requested for up to 45 multifamily dwelling units and commercial uses. The SPUD requests reduced setbacks of 0 feet on three sides of the property, the deletion of the 40 percent requirement for common open space, and an increase in density from 34 du/acre to 87 du/acre. The SPUD proposes a maximum requirement of 35 parking spaces for the uses within the SPUD. Shared parking with the several parking lots that surround the site would assist with plan conformance.

The proposal to construct 45 dwelling units on the half-acre application site is above the Urban Medium LUTA density range. However, it does meet comprehensive plan goals to provide a mixture of residential housing types and infill development on vacant lots. The SPUD allows a mixed-use development in an area that offers many restaurant, retail, personal service, and employment opportunities within walking distance, and is near transit. The SPUD requires sidewalks on N Olie Avenue and NW 67th Street, increasing pedestrian connectivity in the area. However, the requested zero-foot setbacks on N Olie and NW 67th may limit opportunities for streetscape buffer trees due to the location of water lines within the rights-of-way. Plan conformance could be increased if the eastern setback on N Olie were increased to 10' and the setback on NW 67th increased to 5' to accommodate trees with the distance required from adjacent utility lines.

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. The building setback along N Olie Ave shall be 10 feet.
2. The building setback along NW 67th Street shall be 5 feet.

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-1602

Applicant: SFR-WR, LLC

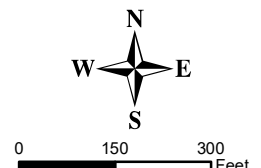
Existing Zoning: R-4

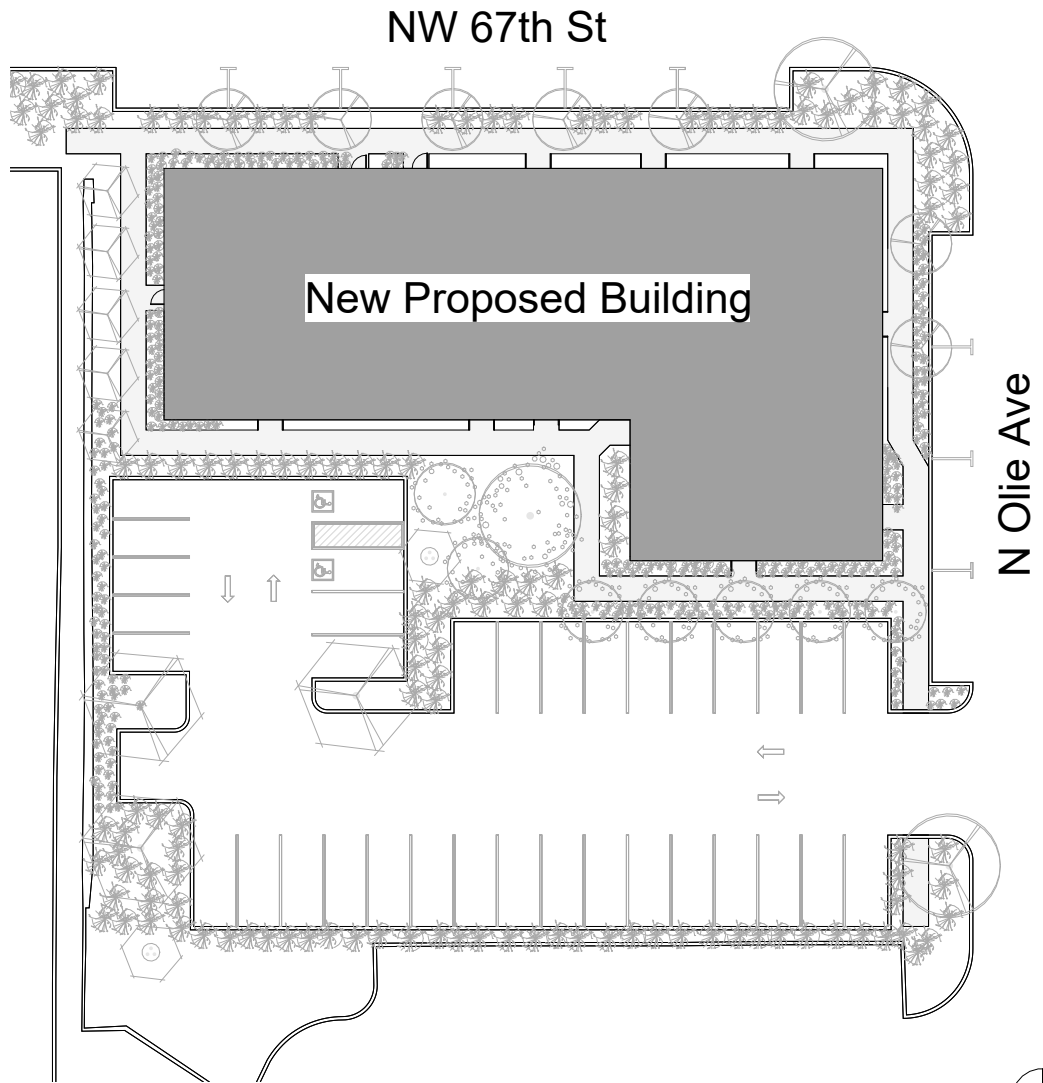
Location: 1016 NW 67th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development





Site Plan

1/32" = 1'-0"

Case No: SPUD-1602

Applicant: SFR-WR, LLC

Existing Zoning: R-4

Location: 1016 NW 67th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

