



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**January 11, 2024**

**Item No. IV. 11.**

**(SPUD-1585) Application by Robert L. and Rachel B. Breeding to rezone 1926 NW 16th Street from R-1 Single-Family Residential and UC Urban Conservation Districts to SPUD-1585 Simplified Planned Unit Development and UC Urban Conservation Districts. Ward 6.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

Name Ken Fitzsimmons  
Company Task Design  
Phone 405-625-2115  
Email ken@task-design.com

**B. Case History**

This application was continued from the December 14, 2023 Planning Commission meeting.

**C. Reason for Request**

The purpose of this application is to allow up to four residential dwelling units.

**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: 0.23 acres**

**3. Zoning and Land Use**

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

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### II. SUMMARY OF SPUD APPLICATION

This site will be developed in accordance with the regulation of the **R-2 General Residential District and the Gatewood UC Urban Conservation District** (OKC Zoning Ordinance, 2020), except that the following restrictions will apply:

1. **The following use(s) will be the only use(s) permitted on this site:**
  - single family residential (8200.14)
  - two family residential (8200.16)
  - three and four family residential 8200.15
  - multiple family residential 8200.12
2. **Density:** A maximum of four dwelling units are permitted.
3. **Minimum lot size:** 2,500 square feet. A maximum of two lots are permitted. If property is subdivided, a 10' wide, shared private utility easement, may be provided to allow driveway and utilities access, from individual lots to south and north ROWs/ easements. Private utility easement, where adjacent to subdivided lots, may be included in the tabulation of lot area.
4. **Maximum Building Height:** Single family per straight zoning. If more than single family or for subdivided lots then height shall be limited to 30-ft or 2 story.
5. **Maximum Building Size:** The maximum building lot coverage shall not exceed 75%. Adjacent private utility easement may be included in the tabulation of lot coverage.
6. **Maximum Number of Buildings:** There shall be a maximum of 2 individual structures with up to 2 dwelling units each.
7. **Building Setback Lines**
  - The minimum setback along NW 16<sup>th</sup> Street shall be 25 feet. A front porch may encroach up to 6' within this setback.
  - North (interior lot lines): 0 feet or as required by building and fire code.
  - South: 0 feet, or as required by building and fire code.
  - West: 5 feet, or as required by building and fire code.
  - East: 0 feet from an interior lot line, otherwise 5 feet from SPUD boundary.
8. **Sight-proof Screening:** Sight proof screening to be provided between parking spaces and driveways, adjacent to neighboring properties to the east and west of the SPUD boundary. Screen to be constructed of abutted or overlapping solid planks, panels or block materials per Section II.1. Screen to be 6' high minimum, 8' maximum above adjacent drive. Where there is head in vehicle maneuvering facing neighboring properties, then a 3' wide landscape buffer to be provided, adjacent to and in addition

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to the screen. Landscape buffer not required along shared private utility easement.

**9. Landscaping:** The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development. The existing tree along NW 16<sup>th</sup> Street to remain.

**10. Signs:** Signs are not permitted.

**11. Access:** On-site parking spaces may be accessed from existing drive approach from NW 16<sup>th</sup> Street. Only one driveway shall be permitted onto NW 16<sup>th</sup> Street. New lots within this SPUD are not required to have frontage on an approved street. Access to individual lots may be permitted from a private drive. Private drives are required to be contained within a platted private access easement.

**12. Sidewalks:** No new walks required. New accessible walkways to replace existing ones that are demolished or damaged during construction.

## II. Other Development Regulations:

**1. Architecture:** The following materials are permitted: Painted fiber cement panel or siding, composite panel or siding, masonry, stucco, architectural metal panel which may be of a corrugated profile, polycarbonate panels, composite decking, exposed wood or metal, welded wire panels. Cladding may be attached with exposed fasteners. No more than 30% EIFS is allowed.

Front building to have porch facing NW 16<sup>th</sup> Street.

Roof may be of any configuration, material or pitch.

Upper level window sill(s) along east/ west property lines, to be set 5'-0" min. above floor level.

**2. Street Improvements:** N/A

**3. 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.

**4. Dumpsters/ waste:** No dumpsters will be allowed within the SPUD. Trash receptacles to be screened so not visible from street.

**5. Parking:** A minimum of two parking spaces shall be provided per structure. Covered

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parking and garage parking shall count toward the parking requirements.

A minimum aisle width of 24 feet shall be allowed for maneuvering for head in parking. A minimum aisle width of 10 feet shall be allowed for shared access drive to onsite parking. No minimum distance required between house and access drive(s) with a concrete curb or engineered barrier or foundation that extends 18" min. above drive.

Driveways and parking spaces, located on private property, may be constructed of compacted decomposed or crushed granite or screenings contained within concrete curb.

6. **Common Areas:** Maintenance of all common areas in the development and maintenance of all amenities located within the common areas shall be the responsibility of the owner(s) of said property. 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, fences, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

### 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)**

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**6. School District: Oklahoma City**

**7. Oklahoma Department of Transportation (ODOT)**

### **B. City Departments**

**1. Airports**

**2. Central Oklahoma Transportation and Parking Authority (COTPA)**

**3. Fire:** Objection, firelane access required max 150 foot hoselay to cover the buildings.

**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

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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) Sidewalk 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) Amend section I.10 Sidewalks: New accessible walkways to replace existing ones that are demolished or damaged during construction. All 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.
- 12) Add to section II.4: Drainage: Drainage improvements, if required, will be in accordance with applicable sections of the Oklahoma City Code of Ordinances.

### **c. Stormwater Quality Management**

### **d. 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) 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

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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.
- 7) TE: Easement for Water and Wastewater Utilities must be Private.

### **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 in excess of 25 psi. The

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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) TE: Easement for Water and Wastewater Utilities must be Private.

### 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:

- 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.

*National, state, and local permitting require basic best management practices for stormwater management. The SPUD is requested to allow up to 4 dwelling units on up to two lots (one residence or duplex per lot). The proposed 4 units over .23 acres would be a density of 17 du/acre.*

###### Automobile Connectivity:

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

*The platted alley along the south boundary of the SPUD is not accessible. The SPUD limits access to one drive on NW 16<sup>th</sup> Street.*

###### Pedestrian Connectivity:

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

*Sidewalks are available on both sides of NW 16<sup>th</sup> Street.*



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2. **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating Residential Medium Intensity uses adjacent to existing Residential Low Intensity uses, “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. *The SPUD is requested to allow one home/structure facing NW 16<sup>th</sup> Street (porch required), and one new lot behind/south of it. The SPUD would allow a maximum 2 structures (4 dwelling units). The SPUD maintains the existing 25-foot front yard setback in R-1, and allows the porch to encroach 6 feet. The SPUD limits building height to 30 feet if developed with more than one home, compared to 35 feet in R-1. The SPUD has been modified since first submitted to address lot coverage by decreasing the number of structures allowed from three to two, and decreasing the maximum lot coverage allowed from 85% to 75%. The SPUD limits driveways to one (10 feet wide) and preserves the existing tree in the front yard.*

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: N/a
  - Upland Forests: N/A
  - Vulnerable aquifers: The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite.
5. **Transportation System:** This site is located off NW 16<sup>th</sup> Street, a Connector Street in the Urban Medium LUTA. Transit (bus) service is located along NW 16<sup>th</sup> Street.

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### 6. Other Development Related Policies

- 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)
- 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)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- 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 subject site is a single-family home located on the south side of NW 16<sup>th</sup> Street, midway between N Pennsylvania Ave and the Plaza District. The properties surrounding the site are zoned R-1 and developed with single-family homes. The subject site, the properties on the south side of NW 16<sup>th</sup> Street, and the land across NW 16<sup>th</sup> Street to the north are also within the Gatewood Urban Conservation District (UC). To the south is the Classen Ten Penn neighborhood.

The SPUD requests to split the existing parcel into two new lots and build up to four dwellings (single-family or two-family). The SPUD would also modify the architectural regulations to allow exposed metal, which is allowed in the R-1 District but not allowed in the Gatewood UC when visible from the street, and allow any roof pitch compared to the requirement for a gabled or hipped roof with at least a 10-degree pitch in the Gatewood UC. 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.

The SPUD requires the home on NW 16<sup>th</sup> Street to have a porch facing the street, screens driveways and parking areas from the neighboring properties, reduces the allowable building height from 35 to 30 feet if more than one home is built, and preserves the tree in the front yard. Access to all lots would be from a shared driveway, which is proposed at 10 feet wide.

The SPUD has been modified since first considered by the Planning Commission to address compatibility concerns. The changes are:

- Decreasing the number of lots from three to two.
- Decreasing the number of structures allowed from three to two, and maximum number of dwelling units from 6 to 4.
- Decreasing the maximum lot coverage allowed from 85% to 75%.

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- Increasing the front yard setback to 25 feet (R-1 District).
- Removing the parking space in the front yard from the site plan.

### 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.

SW