

Planning Commission Minutes  
November 9, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:24 a.m. on November 6, 2023)

23. (SPUD-1568) Application by Pecos Bill, LLC to rezone 112 NW 15th Street from R- 4 General Residential, UC Urban Conservation and HL Historic Landmark Overlay Districts to SPUD-1568 Simplified Planned Unit Development, UC Urban Conservation and HL Historic Landmark Overlay Districts. Ward 6.

**Amended Technical Evaluation:**

1. The maximum number of dwelling units shall be four.
2. Modify Parking to require two spaces per dwelling unit (*per Historic Preservation discussion*).
3. Modify the front setback (NW 15th Street) to specify any new building will match the setback of at least one of the adjacent properties on the east or west.
4. ~~Modify Master Design Statement as need to address Historic Preservation Conditions #1 and 2, as listed above.~~
5. The south setback shall be amended to 5 feet.

The applicant was present. There were no protestors present.

**RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.**

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**  
**November 9, 2023**

**Item No. IV. 23.**

**(SPUD-1568) Application by Pecos Bill, LLC to rezone 112 NW 15<sup>th</sup> Street from R-4 General Residential, UCD Urban Conservation and HL Historic Landmark Overlay Districts to SPUD-1568 Simplified Planned Unit Development, UCD Urban Conservation and HL Historic Landmark Overlay Districts. Ward 6.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

Name David M. Box  
Company Williams, Box, Forshee & Bullard PC  
Phone 405-232-0080  
Email dmbox@wbfbllaw.com

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this application is to allow a residential (townhome) 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: 0.21 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-4/HL	R-4/HL	C-4/R-4/HL	C-4/HL	R-4/HL
<b>Land Use</b>	Residential	Residential	Commercial	Commercial	Residential

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### II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **R-4 General Residential District, the HL, “Historic Landmark” District, and Heritage Hills East UCD, “Urban Conservation 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:

8250.3	Community Recreation: Property Owners Association
8200.5	Low Impact Institutional: Residential-Oriented
8200.12	Multiple-Family Residential
8200.14	Single-Family Residential
8200.15	Three- and Four- Family Residential
8200.16	Two-Family Residential

\*A townhome development may be owner occupied and subsequently platted within this SPUD.

2. **Maximum Building Height:**

There shall be a maximum height of 35 feet and shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

3. **Maximum Building Size:**

The maximum building size shall be in accordance with the base zoning district and shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

4. **Lot Width and Lot Size**

The maximum frontage shall be 50 feet along NW 15<sup>th</sup> St. and shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

In the event the property is platted, the minimum lot size shall be 1,600 feet and the minimum lot width shall be 40 feet. There shall be no minimum lot frontage requirement.

5. **Maximum Number of Buildings:**

There shall be a maximum of one (1) building within this SPUD.

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### 6. Building Setback Lines

Building setback lines shall be as follows:

North (NW 15<sup>th</sup> St.): 15 feet, or in line with the front setback of structures on lots abutting to the east and west, whichever is less.

East: 5 feet

West: 5 feet

South: 10 feet

Interior setback lines for attached townhomes shall be 0 feet.

### 7. Sight-proof Screening:

Sight-proof screening shall be in accordance with the base zoning district and shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

### 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.

### 9. Signs:

#### 8.1 Freestanding Accessory Signs

Freestanding signs will be prohibited.

#### 8.2 Attached Signs

Attached signs will be in accordance with the base zoning district regulations and shall be subject to review and approval of the Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

#### 8.3 Non-Accessory Signs

Non-Accessory signs will be prohibited.

#### 8.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

### 10. Access:

Access shall be taken from the alley off of NW 15<sup>th</sup> St.

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### 11. Sidewalks

Sidewalks shall be constructed along NW 15<sup>th</sup> St., subject to the policies and procedures of the Public Works Department and subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

### I. Other Development Regulations:

#### 1. Architecture:

Any new building, or exterior renovations beyond ordinary maintenance and repair, as defined in the Oklahoma City Municipal Code, 2020, shall meet the regulations outlined within the Municipal Code in reference to the Historic Landmark Overlay and shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission in accordance with applicable guidelines and regulations.

#### 2. Open Space:

There shall be a minimum of 34% open space within this SPUD. All permeable surfaces shall be included in the open space calculation.

#### 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, and shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

#### 5. Dumpsters:

Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended. Trash receptacles shall be screened from NW 15<sup>th</sup> St.

#### 6. Parking:

Parking shall be provided at a rate of one and a half (1.5) parking spaces per dwelling unit. Garages shall count toward meeting the minimum parking requirements, provided each garage shall be a minimum of 21'8" wide by 19'8" deep, and shall be subject to review and approval of a Certificate of Appropriateness by the Historic Preservation Commission according to the applicable Guidelines and regulations.

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### 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.

## II. Supporting Documents

Exhibit A: Legal Description  
Exhibit B: Conceptual Site Plan  
Exhibit C: Conceptual Renderings

## 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 be advised ONG has an underground or aboveground facility in the area. If you need our facilities relocated to accommodate your excavation or construction, ONG will provide you a cost estimate. 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(s) 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

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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) 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.

### c. Stormwater Quality Management

### d. Traffic Management\*

## 2. Utilities

### a. Engineering

#### Paving

#### 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.

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- 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.

### 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.

### a. 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.

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- 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 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) Since this will not be platted this will be mastered metered. If platted then a waterline extension will be required to serve each lot.

### 3. 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.

###### 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 for townhome development. The conceptual plan shows four townhomes over the 0.21-acre site, or 19 du/acre.*

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### Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Protect existing traditional street grid and reconnect it where possible.
- Keep alleys open and functional.

*The project uses the alley for access to new townhomes.*

### Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

*Sidewalks are required.*

**Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories.

*In this case, the site is already zoned R-4 for multifamily development, and within the Historic Landmark Overlay. The SPUD retains the HL Overlay and will be required to obtain a Certificate of Appropriateness for the new development. No compatibility issues were identified by the comprehensive plan.*

### 3) **Service Efficiency:**

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

### 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 15<sup>th</sup> Street, a Neighborhood Street in the Urban Medium LUTA. Transit (bus) service is available within several blocks in all directions.

### 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)
- 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)
- 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)

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- 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)
- 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**

This property is located within the Heritage Hills East National Register District and is also located within the locally designated Historic Landmark (HL) Overlay for the Heritage Hills East Historic District and Heritage Hills East Urban Conservation District (UCD) Overlay. This property is vacant and does not appear to have ever been developed beyond its previous use as a parking lot. While there is not an existing, historic structure to be preserved, the property's development has the potential to impact the character and integrity of the surrounding historic district. New development should be compatible with, and sensitive to, the existing, established physical character of the surrounding properties, block, and district. The proposed SPUD retains the Historic Landmark (HL) overlay and will require design review by the Historic Preservation Commission for new construction. The Historic Preservation Commission has provided a recommendation of approval with some conditions.

### b. **Plan Conformance Considerations**

The subject site is located on the south side of NW 15th Street, mid-block between N Broadway and N Robinson Avenues. The site is zoned R-4 and within the Historic Landmark (HL) Overlay. Surrounding land is zoned C-4 and R-4 and also within the HL Overlay. Multifamily buildings abut the site on both sides.

The SPUD is requested to modify the R-4 regulations to construct new townhomes. The SPUD retains the existing HL overlay. All new construction, site work, and future exterior work will require a separate Certificate of Appropriateness. This property is currently vacant. Remnants of paving are present throughout the site, and there are existing curb cuts at the alley on the east and at the neighboring

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property's driveway on the west. The SPUD contemplates one home facing the street and three more behind it, accessed from the alley.

This application is subject to review and recommendation by the Historic Preservation Commission. On November 1, 2023, the Commission recommended approval subject to the following Specific Findings and Conditions listed in the staff report. The staff report is attached for reference.

### Specific Findings:

1. That the proposed SPUD retains the requirements and provisions of the HL zoning district; will require review and approval by the Historic Preservation Commission for any changes to the site, and new construction and all future exterior work in the form of a Certificate of Appropriateness; and will not allow work that detracts from the architectural character of the district;
2. That the proposed SPUD incorporates uses that are compatible with the character of the property and surrounding district;
3. That the proposed SPUD varies height and setback requirements from the existing zoning in a manner that is generally compatible with the established character of the surrounding district. and with relevant Guidelines for HP and HL districts as adopted within the Municipal Code;
4. That the proposed SPUD allows a density that is consistent with the density allowed by the current zoning, and that is typical of the surrounding development;
5. That the proposed SPUD includes provisions for open space that are reduced from the current zoning, and that may facilitate a built form that is inconsistent with surrounding development;
6. That the proposed SPUD varies minimums for lot width and size a development pattern and subdivision of property that appears to be inconsistent with the established character of the surrounding district and that is not supported by the Historic Preservation Guidelines.

### Conditions:

1. That the SPUD be revised to retain the historic lot size and configuration; or
2. That, if approved with revisions to lot width and size retained, the SPUD be modified as needed to address utility easements, frontage requirements, and other modifications as necessary for the subdivision of the property;
3. That the SPUD be revised to retain "Light Public Protection and Utility: Restricted" as a conditional use; *[this use has been deleted]*

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4. That the SPUD be revised to establish a front setback that is consistent with the established setback along the block and with Historic Preservation Guidelines.

## II. 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. The maximum number of dwelling units shall be four.
2. Modify Parking to require two spaces per dwelling unit (*per Historic Preservation discussion*).
3. Modify the front setback (NW 15<sup>th</sup> Street) to specify any new building will match the setback of at least one of the adjacent properties on the east or west.
4. Modify Master Design Statement as needed to address Historic Preservation Conditions #1 and 2, as listed above.

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.

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# STAFF REPORT

## Historic Preservation Commission

November 1, 2023

SPUD-01568

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**Agenda Item:** VII.A.A

**Case Number:** SPUD-01568

**Property Address:** 112 NW 15th Street

**District:** Historic District

**Applicant:** Williams, Box, Forshee & Bullard, P.C.  
David Box  
522 Colcord Drive  
Oklahoma City, OK 73102

**Owner:** Pecos Bill LLC  
9022 San Leandro Drive  
Dallas, TX 75218

### A. CASE ITEMS FOR CONSIDERATION

1. Request for recommendation from the Historic Preservation Commission to the Planning Commission regarding a request to rezone to a Simplified Planned Unit Development (SPUD), in accordance with the regulations of the R-4 Residential District, Historic Landmark (HL) District, and Heritage Hills East Urban Conservation Zoning District (UCD), except with the restrictions and uses as called out within the proposed SPUD.

### B. BACKGROUND

#### 1. Project Description

The applicant proposes to rezone the property, currently zoned R-4 with an HL and UCD overlay, to a SPUD. The applicant proposes to retain the HL and UCD overlays and modify bulk standards for allowed uses. The intent of the SPUD is to facilitate the construction of four attached townhomes on the subject vacant lot, and to allow for the subdivision of the lot into four lots. All new construction, site work, and future exterior work will require a separate Certificate of Appropriateness.

#### 2. Location

Project site is located on the south side of NW 15<sup>th</sup> Street, mid-block between N Broadway and N Robinson.

#### 3. Site History

*Date of Construction:* N/A (vacant lot)

*Zoned Historic Preservation/Historical Landmark:* 1999

*National Register Listing: 2020*

*Additional Information:*

The plot of land bound by NW 15<sup>th</sup> Street, NW 14<sup>th</sup> Street, N Robinson and N Broadway was platted in 1900 by Mrs. Maggie Fay. The properties along Broadway and Robinson faced east and west, respectively, with 20-foot alleys at the rear of those properties running north-south for the entire length of the block. A third alley ran east-west, separating the properties that faced NW 14<sup>th</sup> to the south from the properties facing NW 15<sup>th</sup> to the north. In 1902, Fay's Addition was amended and replatted as Weaver's Addition, eliminating the southern portion of the alley to the east of N Robinson, reconfiguring the lots at the east end of the block to face south rather than east, and dedicating the south 30 feet of the lots on NW 14<sup>th</sup> Street to "parking" (landscaping) and a sidewalk. This configuration is consistent with the 1906 Sanborn map. The 1906 edition of the Sanborn map illustrates the property now addressed as 112 NW 15<sup>th</sup> Street as undeveloped. The 1919 update indicates that the property to the south of it is already part of the streetcar right-of-way, and the rest of the block to the west remains undeveloped.

By 1922, the Sanborn map illustrates the 100 block on NW 15<sup>th</sup> Street as partially built out with one large two-story dwelling facing W 15<sup>th</sup> Street and flats facing Robinson, with one notable change. The lots immediately west of the alley to the west of Broadway, including the subject property, are indicated to be Electric Railway Right-of-Way. The streetcar line ran north along Broadway from downtown, curved west on what is now Broadway Circle and then north on what was then Broadway, but is now Broadway Place, to NW 13<sup>th</sup> Street. The streetcar continued north through the 100 blocks of NW 13<sup>th</sup>, NW 14<sup>th</sup>, and NW 15<sup>th</sup> as an Electric Railway Right of Way, and then jogged west to continue north on N Robinson..

The configuration of the block with the Electric Railway Right-of-Way remains the same through the 1952 edition of Sanborn maps, with additional buildings filling in the lots to the west of the subject property.

On the 1955 Sanborn map, there is no longer an Electric Railway Right-of-Way illustrated. In its place, this property is shown as included within the property addressed as 107 NW 14<sup>th</sup> and indicated as a clinic facing 14<sup>th</sup> Street. No additional structures are illustrated. This structure, as well as a concrete block accessory structure indicated to have been built in 1956, was recently demolished and fencing was removed.

**1. Existing Conditions**

This property is currently vacant. Remnants of paving are present throughout the site, and there are existing curb cuts at the alley on the east and at the neighboring property's driveway on the west.

**2. Previous Actions**

Previous applications for Historic Preservation Certificate of Appropriateness (HPCA)

filed for this property include:

Case Number	Date	Owner	Decision
HPCA-21-00135	04/06/2022	Previous	Approved
Demolish structure, remove fence, remove paving (elective).			
HPCA-15-00124	09/02/2015	Previous	Approved
Replace fence (required).			

In addition to the Certificates of Appropriateness noted above, a SPUD was proposed for this site in 2015 related to its use for vehicle storage by the Yellow Cab Company. The SPUD (SPUD-00813) was not approved.

### C. PROPOSAL DESCRIPTION

The applicant requests a SPUD to modify various standards for the development of the site. The current zoning is R-4 with an HL overlay and with the Heritage Hills East UCD overlay. The SPUD retains these zoning districts, and the design review process, but seeks to modify the following provisions in order to accommodate the proposed development.

**Permitted uses:** The SPUD proposes Light Public Protection and Utility: Restricted as a permitted use, currently it is a conditional use in R-4. This use is described in the Municipal Code as “Public services needing locations near the area to be served, but not requiring incidental storage of equipment of vehicles. Those uses have minimal land needs and impact upon surrounding land uses. Typical uses include directional, warning, safety, historical, and informational signs, elevated water tanks, water or sewage pumping stations, storm water control facilities, bus and transit stops, utility facilities, including electric substation, and garbage collection facilities, excluding refuse transfer stations. The use is typically allowed under conditions addressing minimum lot size (which appears to be greater than the size of the subject property), lighting, parking and placement of buildings. All other proposed uses are currently permitted by R-4. All other proposed uses are consistent with those already allowed by the current zoning.

**Maximum Building Height:** The applicant proposes to allow a maximum height of 35 feet, subject to review and approval of a Certificate of Appropriateness; this is consistent with the current base zoning, except that R-4 includes provisions that limit height to one story and 20 feet when abutting an HL district. The Historic Preservation Guidelines state that new construction should align with the range of heights in the same block. Surrounding buildings are two stories, most with flat roofs, but specific heights are not known.

**Building Setback Lines:** The applicant proposes setbacks of 15 (fifteen) feet at the front, or “in line with the front setback of structures on lots abutting to the east and west, whichever is less,” five (5) feet at each side, and 10 feet at the rear. Current setbacks per the base zoning are 25 feet at the front, five (5) feet at the sides, and 10 feet at the rear. The Historic Preservation guidelines state that new construction must follow the historic setback patterns of the street. A 15-foot front setback appears to be consistent with neighboring structures, but

their setbacks have not been verified; 15 (fifteen) feet would not be appropriate if it is less than the setback of the abutting properties. Side setbacks as constructed at neighboring appear to be relatively small but are offset, presumably to accommodate driveways. Rear setbacks vary along the block, but generally leave a portion of the rear yard open for landscaping, landscape features such as swimming pools, or paved parking.

**Open Space:** The applicant proposes a minimum of 34% open space. The current requirement for R-4 base zoning is 40% open space, with no maximum lot coverage. The Historic Preservation Guidelines do not specify a percentage for lot coverage or open space, but state that it is not appropriate to “substantially alter” the built-to-open-space ratio at a site.

**Parking:** The applicant proposes a minimum of two(2) parking spaces per dwelling unit, with garage spaces counting toward the parking minimum. Garage access is proposed to be taken from the 20’ alley running north and south along the east property line.

**Lot Size and Lot Width:** The applicant proposes a minimum lot width of 40 feet and a minimum lot size of 1,600 feet, in order to facility subdividing the property into four lots. The current base zoning requires a minimum lot width of 100 feet and a minimum lot size of 7,500 feet for development of greater than two dwelling units. The applicant proposes one building containing up to four units in the form of “townhomes” but proposes conditions that would facilitate splitting the property and selling each townhome individually.

#### D. ISSUES AND CONSIDERATIONS

*This proposal may not comply with the Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts, and with all relevant sections of the Oklahoma City Municipal Code, 2020\* as referenced below:*

**Design Review:** The SPUD retains the provisions of the HL Overlay requiring design review, and references those requirements throughout the document, as applicable.

**Uses:** The proposed SPUD includes one use as permitted that is currently “conditional.” It may be appropriate for it to remain a conditional use, so that various requirements related to lighting, screening, and other compatibility measures remain in place.

**Height:** The SPUD proposes a height maximum that is not consistent with the current base zoning’s limitation to 20 feet, and one story, when abutting HP or HL districts; however, the proposed height is consistent with the heights of historic structures within the block and will facilitate compatible infill development. The Historic Preservation Commission has supported previous SPUD applications that have varied this height requirement, in areas where buildings greater than one story are appropriate.

**Setback:** The SPUD proposes a front setback that appears consistent with the established setbacks along the block, so long as that established setback can be verified as 15 feet or less. Proposed side setbacks appear shallower than the existing conditions would support; however, the presence of the alley on the east side of the property facilitates greater flexibility in access to and use of the site. The proposed side setbacks do not appear to present an adverse effect to the historic district.

The proposed rear setback, combined with a reduced requirement for open space and

incorporation of parking into the structure, may result in a built form that is not consistent with surrounding development, lacking space at the rear of the property for landscaping, parking, accessory buildings, or other amenities. Due to the spacing of the structures to either side, the extent to which a new structure extends toward the rear of the lot, or retains a rear yard, may have minimal visual impact upon the character of the district.

**Lot Size:** The applicant proposes a lot size and width that would facilitate the subdivision of the property into multiple, small parcels. This is intended to accommodate selling units within an attached townhome structure individually. It is possible to sell individual condominium units within a building without subdividing the land, but this has not been the common practice in Oklahoma City.

The SPUD limits the development to a single building, which would prevent a future development of multiple, detached structures at the site and would ensure a form that is more consistent with the surrounding development pattern of multi-family structures. As currently shown in preliminary site plans and renderings, the front of the building addresses NW 15<sup>th</sup> Street, which is consistent with the historic district, but all other units of the building are accessed individually from the side/alley, which is not typical.

The subdivision of the property and building causes complications for the development and ongoing maintenance of the property that would not occur if the property were to stay as one parcel. These include the need to address “street frontage” for all but the front unit, as is required by Code, and a need to address access for individual units to water and sewer; this may require further revision to the proposed lot widths and accommodation of a utility easement on the property.

From a design review perspective, the subdivision of the property creates no mechanism for coordination of ongoing maintenance and renovation to the property. Individual units would require individual Certificates of Appropriateness and permits, which could result in inconsistent changes to the building over time.

The Historic Preservation Guidelines state that the uniform orientation and lot size of properties in a district contribute to the district’s integrity, and that historic lot sizes and configurations should be retained. They further state that new development or redevelopment of lots “must respect the historical development of the property and district in terms of lot size and relationship between public and private spaces.” Altering lot sizes and orienting individual lots toward an alley rather than toward the public street does not appear to be consistent with the Guidelines and may result in development and future complications that adversely affect the historic character of the district.

#### **E. SPUD-01568 STAFF RECOMMENDATION:**

Staff recommends that the Commission recommend **approval with conditions** to the Planning Commission for SPUD-01568, with the following specific findings and conditions:

##### **Specific Findings:**

1. That the proposed SPUD retains the requirements and provisions of the HL zoning

district; will require review and approval by the Historic Preservation Commission for any changes to the site, and new construction and all future exterior work in the form of a Certificate of Appropriateness; and will not allow work that detracts from the architectural character of the district;

2. That the proposed SPUD incorporates uses that are compatible with the character of the property and surrounding district;
3. That the proposed SPUD varies height and setback requirements from the existing zoning in a manner that is generally compatible with the established character of the surrounding district. and with relevant Guidelines for HP and HL districts as adopted within the Municipal Code;
4. That the proposed SPUD allows a density that is consistent with the density allowed by the current zoning, and that is typical of the surrounding development;
5. That the proposed SPUD includes provisions for open space that are reduced from the current zoning, and that may facilitate a built form that is inconsistent with surrounding development;
6. That the proposed SPUD varies minimums for lot width and size a development pattern and subdivision of property that appears to be inconsistent with the established character of the surrounding district and that is not supported by the Historic Preservation Guidelines.

**Conditions:**

1. That the SPUD be revised to retain the historic lot size and configuration; or
2. That, if approved with revisions to lot width and size retained, the SPUD be modified as needed to address utility easements, frontage requirements, and other modifications as necessary for the subdivision of the property;
3. That the SPUD be revised to retain “Light Public Protection and Utility: Restricted” as a conditional use;
4. That the SPUD be revised to establish a front setback that is consistent with the established setback along the block and with Historic Preservation Guidelines.

*Note: Staff recommendation does not constitute Commission action.*

*\*Relevant Sections of Chapter 59 the Oklahoma City Municipal Code governing HP/HL Districts are: §59.3300.1-5; §59.4150.4; §59.4250; §59.7250.1-4; §59.7300.1-7; §59.12200.1-4; §59.13300.1-6.*

*Copies of the Standards/Guidelines and Relevant Sections of the Oklahoma City Municipal Code, 2020, are available online at [www.okc.gov/planning/hp/index.html](http://www.okc.gov/planning/hp/index.html) ; at Planning Department offices located at 420 W. Main, 9<sup>th</sup> floor, and each HP Commission Meeting.*

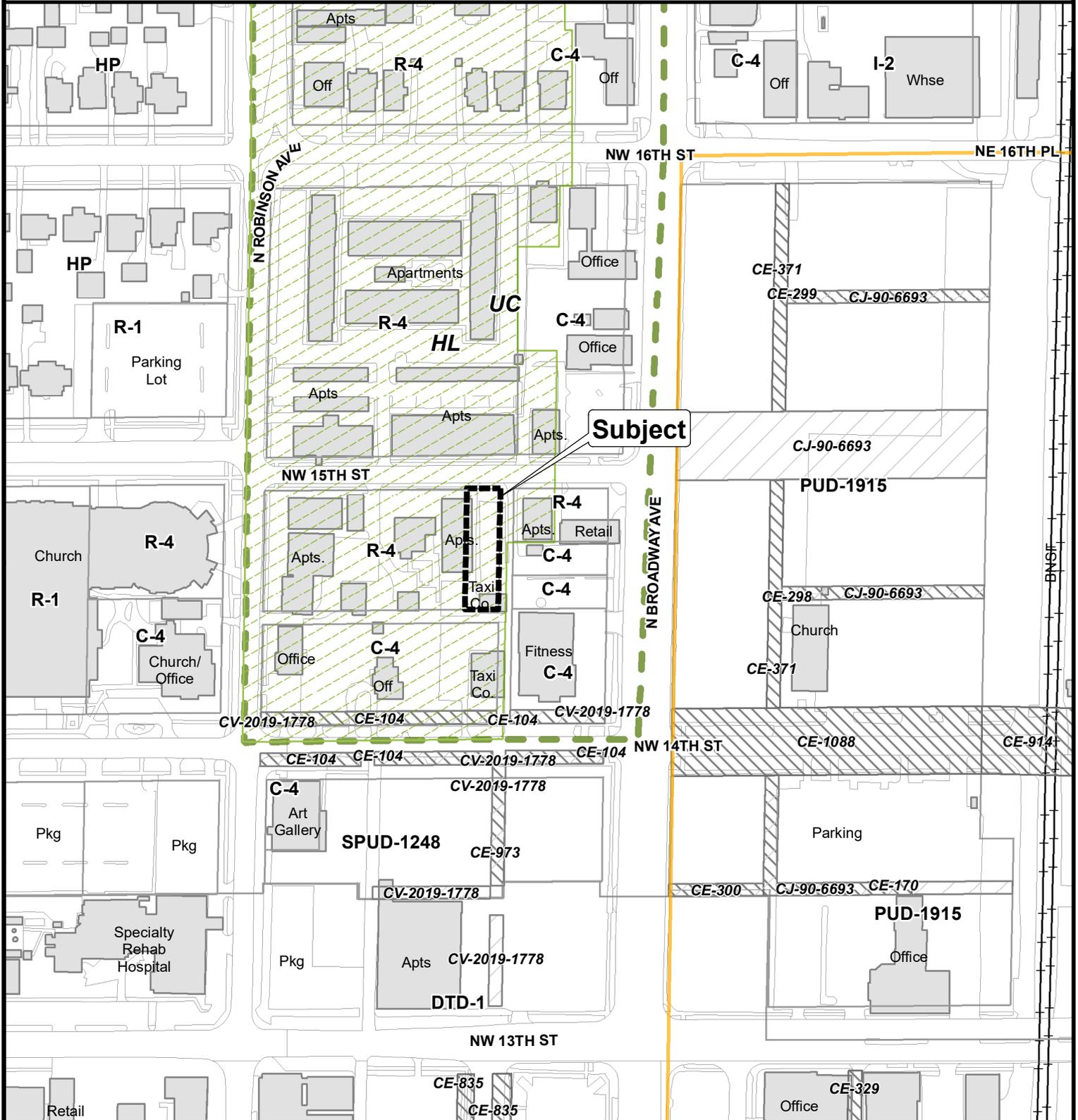
KMF

Case No: SPUD-1568

Applicant: Pecos Bill, LLC

Existing Zoning: R-4 / UC / HL

Location: 112 NW 15th St.



Note: "Subject" is located approximately 1,865' East of N. Walker Ave. and 2,183' North of NW 10th St..

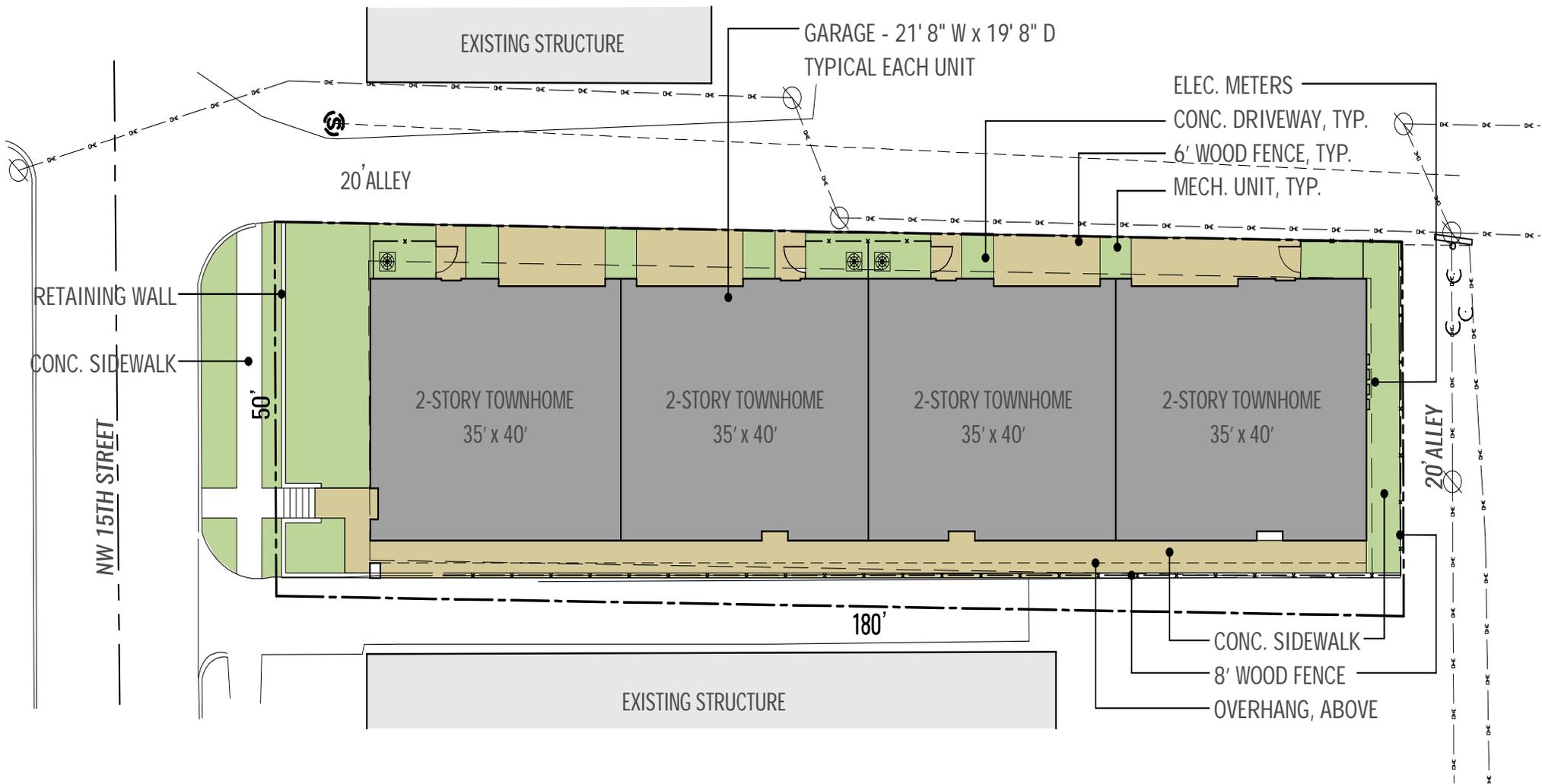
# Simplified Planned Unit Development



The City of  
OKLAHOMA CITY



0 100 200 Feet



SITE PLAN // SCALE: 1" = 15'-0"



QUERENCIA // 112 NW 15TH STREET  
 PRELIMINARY SITE PLAN - NOT FOR CONSTRUCTION







Case No: SPUD-1568

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Aerial Photo from 2/2022

Note: "Subject" is located approximately 1,865' East of N. Walker Ave. and 2,183' North of NW 10th St..



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# Simplified Planned Unit Development

