

Planning Commission Minutes
April 28, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 10:13 a.m. on April 25, 2022.)

8. (SPUD-1402) Application by Escrow Strategy, LLC., to rezone 2201 NW 12th St from the R-2 Medium-Low Density Residential District to the SPUD-1402 Simplified Planned Unit Development District. Ward 6.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY HIGHSMITH, SECONDED BY CLAIR

AYES: CRAVENS, CLAIR, POWERS, PRIVETT, HINKLE,
HIGHSMITH, LAFORGE;

ABSENT: PENNINGTON



STAFF REPORT
The City of Oklahoma City
Planning Commission
April 28, 2022

Item No. IV. 8.

(SPUD-1402) Application by Escrow Strategy, LLC., to rezone 2201 NW 12th St from the R-2 Medium-Low Density Residential District to the SPUD-1402 Simplified Planned Unit Development District. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Robert Elliot
Company Elliot Architects
Phone 405-272-0600
Email rob@elliottarchitects.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit modified medium density residential development.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban – Medium (UM)

UM applies to fully urbanized areas of the city, most of which were built prior to the 1960s. Developments are expected to be larger in scale and have greater intensity and mixture of uses than developments found in UL. Development within UM areas should support efficient transit usage and provide pedestrian and bicycle access to retail, services, parks, and other destinations. Priorities for the UM areas include “infill” developments on vacant lots, rehabilitation of underutilized property, and development that supports revitalization of distressed neighborhoods.

2. Size of Site: 0.1607 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-2	R-1	R-2	R-2	R-2
Land Use	Residential	Residential	Residential	Residential	Duplex

4. **Development Context:** The 0.16-acre subject site is located at the northwest corner of NW 12th Street and N Barnes Avenue. The site is zoned R-2 and developed with a home that has been converted to apartments and a garage in the rear. The surrounding area is zoned R-1 and R-2. The site abuts a single-family residence on the north and a duplex on the west. Commercial zoning is located one block west at N Youngs Blvd (C-3), and one block east at N Pennsylvania Avenue (C-4). The SPUD is requested to allow up to six dwelling units inside the existing home and/or in new buildings to the rear

II. SUMMARY OF PUD APPLICATION

1. This site will be developed in accordance with the regulation of the **R-3, Medium Density Residential District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

There will be a maximum of six (6) dwelling units on the property.

The following use(s) will be the only use(s) permitted on this site:

8200.2. Dwelling Units and Mixed use.

8200.4. Live/Work units.

8200.12. Multiple-Family residential.

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:** The current building on site may remain and shall be deemed to conform to all relevant regulations. In the event any new structure is built, said structure shall meet the regulations of the R-3 Medium Density Residential District.
3. **Maximum Building Size:** The current buildings on site may remain and shall be deemed to conform to all relevant regulations. In the event any new structure is built, said structure shall meet the regulations of the R-3 Medium Density Residential District.
4. **Maximum Number of Buildings:** The current Buildings on site may remain and shall be deemed to conform to all relevant regulations. In the event any new structure is built, the maximum number of buildings on the site shall be three (3).

5. Building Setback Lines

Front Yard: Fifteen Feet (15') or the existing Building Setback Line
Rear Yard: 5 Feet
Side Yard: 5 Feet

6. Sight-proof Screening: Sight-proof Screening shall be a minimum of 6 feet and a maximum of 8 feet in height and be solid and opaque. It shall be of wood or masonry construction.

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 as modified herein. Existing, health and mature trees shall be preserved to the greatest extent possible.

8. Signs:

8.1 Free standing accessory signs: none allowed

8.2 Attached signs: Attached signs for non-residential uses shall meet all requirements of the City of Oklahoma city's Sign Ordinance in place at the time of development.

8.3 Non-Accessory Signs: None allowed.

8.4 Electronic Message Display signs: None allowed.

9. Access: One access drive from North Barnes Avenue will be allowed.

10. Sidewalks: Existing sidewalks shall be repaired or replaced if damaged or removed subject to the policies and procedures of the Public Works Department.

I. Other Development Regulations:

1. Architecture: Exterior finish materials of new building construction shall require a minimum of fifty percent (50%) of the exterior wall surfaces to be brick masonry, wood siding or composite siding of wood appearance, composition shingle roof with a minimum 6:12 slope.

2. Open Space: NA

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:** Roll-off dumpster are allowed during construction.
- 6. Parking:** Off street paved parking shall be required at the ratio of 1 parking space per dwelling unit.
- 7. Maintenance:** All property maintenance is the responsibility of the property owner or their designated representative.
- 8. Drainage:** Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

III. Supporting Documents

Exhibit A: Legal Description
Exhibit B: Site Plan

III. REVIEW COMMENTS

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk indicates that the agency, department, and/or division responded with no adverse comments.

A. Outside Agencies

- 1. Oklahoma City-County Health Department**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas:** 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)**
- 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 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*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) An existing 8" wastewater main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection is required for each building/structure.

- 2) All wastewater mains must flow within the existing drainage basin. Proposed wastewater mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings.
- 4) The developer will be required to extend the wastewater collection system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations.
- 5) All existing unused wastewater services must be abandoned at the wastewater main.
- 6) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement.
- 7) No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 8) All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.

b. Solid Waste Management

- 1) The city cannot provide service, contact private hauler.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 10" water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection and meter is required for each building/structure.
- 2) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two (2) foot vertical separation required for all crossings.
- 3) Dead-end water mains must be avoided where applicable.
- 4) All existing unnecessary water services must be abandoned at the water main.

- 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 and fire protection systems which require water pressure in excess of 25 psi.
- 6) Proposed water main(s) must be located within a utility easement or right-of-way. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 7) All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 8) All existing and proposed meters must meet current specifications and standard details and be located in the right-of-way or utility easement within grassy areas outside of sidewalks, driveways, streets and/or paving.
- 9) All domestic and fire suppression services must have separate water service connections.
- 10) Fire hydrants maximum spacing is 500 foot and must be located within 10 foot of a hard surface (i.e. sidewalk, street, and/or paving).

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.

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 would allow up to 6 dwelling units on the 0.16-acre parcel for a density of 37 du/acre. Dwelling units would be inside the existing home and/or in up to two new structures behind the home.

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 SPUD limits access to one on Barnes Ave, in conformance with the comprehensive plan. No access to the alley that runs east-west along the north side of the site is contemplated, although it would be supported by the comprehensive plan.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are present along both street frontages but may need repair.

- 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 multifamily uses adjacent to existing low intensity residential, “Building Scale and Site Design” is a potential compatibility issues identified by the comprehensive plan. Projects in higher intensity LUTAs (UM) may be more appropriate for significant transitions of density, scale and mass.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if the setbacks are significantly deeper or more shallow than the predominant character of adjacent development; the building’s orientation to the street differs from the predominant character of adjacent development; building size or street frontage dramatically differs from that of adjacent uses, the lot coverage (including buildings and paved areas) dramatically exceeds that of adjacent uses, or if buildings within 40 ft. of a single-family residential structure exceed a 3:1 ratio in height. *The SPUD is requested to allow apartments inside the existing home and allow construction of additional residential units in the back on the 7,000-square foot parcel. Lot coverage in R-3 (100%) differs from surrounding R-1 and R-2 Districts (50%). The front (south) setback will be 15 feet or match the existing setback. Setbacks on the east and west are proposed at 5 feet. NW 12th Street is a divided boulevard street that was a streetcar route and has 100 feet of right-of-way.*

- 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 along NW 12th Street, a Collector, and NW 12th Street, a Neighborhood Street, within the Urban Medium LUTA. The nearest transit (bus) service is located two blocks east along N Pennsylvania Ave.
- 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)
 - Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)

b. Plan Conformance Considerations

The subject site is located at the northwest corner of NW 12th Street and N Barnes Avenue, within the Youngs-Englewood neighborhood. The SPUD is requested to allow dwelling units inside an existing residential structure, and to allow the construction of up to two more residential buildings behind the existing home, for a total of up to six dwelling units. The proposal to increase density in the Urban Medium LUTA is in conformance with UM density ranges and comprehensive plan goals to provide a mixture of residential housing types and infill development on vacant lots. Plan conformance would be strengthened if the parking area was required to be located behind a structure oriented to NW 12th Street and screened from the street, as existing and indicated on the conceptual 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.

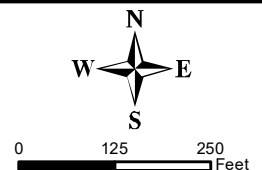
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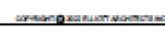
Case No: SPUD-1402 Applicant: Escrow Strategy, LLC
Existing Zoning: R-2
Location: 2201 NW 12th St.



The City of
OKLAHOMA CITY

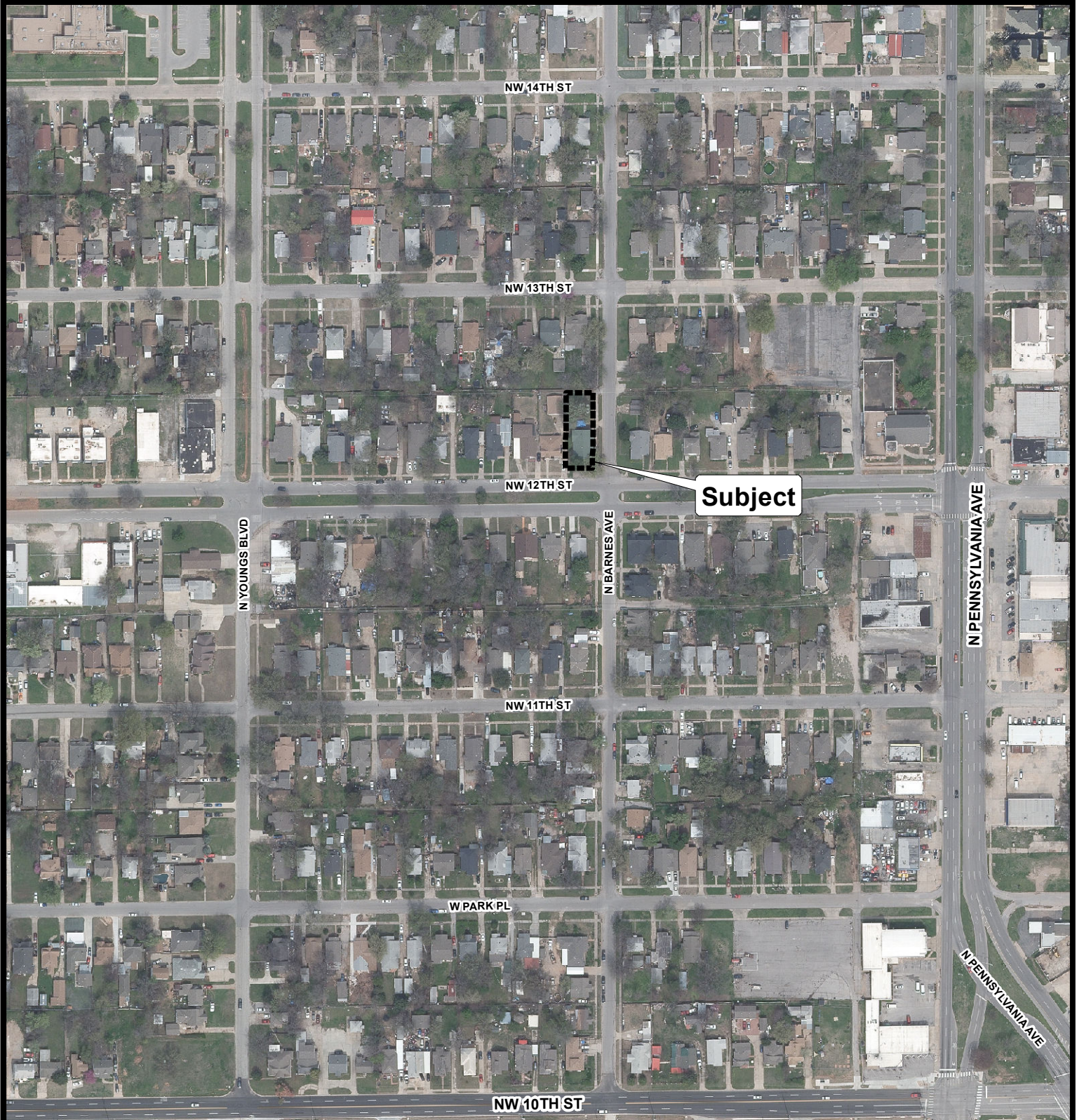
Simplified Planned Unit Development





SHEET:
A101

Case No: SPUD-1402 Applicant: Robert Elliott
Existing Zoning: R-2
Location: 2201 NW 12th St.



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

