

Planning Commission Minutes
August 11, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 5:02 p.m. on August 6, 2022.)

2. (SPUD-1426) Application by CERTO, LLC., to rezone 2644 NW 57th Street from the R-1 Single Family Residential District to the SPUD-1426 Simplified Planned Unit Development District. Ward 2.

The applicant was present. There were protestors present.

Amended Technical Evaluation:

1. The setback for all garages shall be 20 feet.
2. Maximum height shall be limited to ~~one~~ two story and ~~20-30~~ feet.
3. All homes will have front doors that face the street.
4. Rooftop decks and patios are prohibited.
5. Homes shall be constructed with pitched roofs.
6. Homes along 57th Street shall be constructed to align with homes to the east or west.

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

MOVED BY POWERS, SECONDED BY HINKLE

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN,
PENNINGTON, LAFORGE, NOBLE



STAFF REPORT
The City of Oklahoma City
Planning Commission
August 11, 2022

Item No. IV. 2.

(SPUD-1426) Application by CERTO, LLC., to rezone 2644 NW 57th Street from the R-1 Single Family Residential District to the SPUD-1426 Simplified Planned Unit Development District. Ward 2.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

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

B. Case History

This application was continued from the July 14, 2022 Planning Commission meeting.

C. Reason for Request

This application is to permit a modified single family 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: 0.32 acres

3. Zoning and Land Use

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

- 4. Development Context:** The subject site is located at the southeast corner of NW 57th Street and N Miller Avenue, two blocks east of N May Avenue. The site is zoned R-1 and developed with a single-family residence. The site is adjacent to single-family homes zoned R-1. Homes east of N Miller Ave sit on parcels averaging 0.25 acre. Development west of N Miller Ave intensifies from standard R-1 lots and duplexes to office and commercial uses closer to and along N May Ave. The SPUD is requested to create three new lots, implying that the existing home would be demolished. Two new homes are proposed to be built along NW 57th Street and one home would be oriented toward N Miller Ave.

II. SUMMARY OF PUD APPLICATION

This site will be developed in accordance with the regulation of **R-1, “Single-Family Residential” District** (OKC Zoning Ordinance, 2020), except that the following restrictions will apply:

1. Uses Permitted

The Use and Development regulations of the R-1, “Single-Family Residential” District shall govern this SPUD, except as modified below.

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

- Single-Family Residential (8200.14)
- Low Impact Institutional: Residential-Oriented (8200.5)
- Community Recreation: Property Owners Association (8250.3)

2. Maximum Building Height:

Maximum height of any building shall be 35 feet.

3. Minimum Lot Size:

The minimum lot size within this SPUD shall be 4,000 SF.

4. Minimum Lot Width:

The minimum lot width within this SPUD shall be 40 feet.

5. Maximum Building Coverage:

The maximum building coverage within this SPUD shall be 55%.

6. Maximum Number of Buildings:

The maximum number of buildings within this SPUD shall be three (3). Accessory structures shall not be included within the maximum building limit.

7. Building Setback Lines:

NW 57th St.: 15 feet
N Miller Ave.: 5 feet
Rear Yard (Two Lots facing NW 57th): 10 Feet
Side Yard: 5 Feet
Rear Yard: (Lot facing N Miller): 15 feet

8. Sight-proof Screening:

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

9. Landscaping:

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

10. Signs:

No signage shall be permitted within this SPUD.

11. Vehicular Access:

One driveway shall be permitted per newly created lot. Shared access via adjacent tracts may occur with recorded cross access agreements.

12. Sidewalks:

There is an existing five-foot sidewalk along NW 57th St. Should said sidewalk be damaged or removed during construction, the developer shall be required to repair/reinstall said sidewalk.

A five-foot sidewalk shall be constructed along N Miller Ave or 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. All sidewalks shall be in place prior to any occupancy certificates being issued.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures (excluding the accessory structures), exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock, concrete board, stucco or stone masonry. No more than 30% EIFs, wood or architectural metal shall be permitted. Architectural regulations do not apply to accessory structures. The model home shall only be required to meet this requirement for west facing façade. The remainder of façade may be metal or similar finish as the existing accessory building on the property.

2. Open Space:

N/A

3. Street Improvements:

N/A

4. Platting:

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

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

5. Other:

5.1 Lighting: N/A

5.2 Dumpsters: N/A

5.3 Common Areas: Not Required

5.4 Other: The existing storage building shall be removed prior to issuance of any new construction certificate of occupancy.

III. Supporting Documents

Exhibit A: Legal Description
Exhibit B: Boundary and Lot Exhibit

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.
- 11) Section II.8. Add the following statement to the end of paragraph:
“Development of the parcel will be in compliance with chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.” This should be added as a TE or a revised Spud submitted before the PC Meeting.

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. All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.
- 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) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement. All existing unused wastewater services must be abandoned at the wastewater main.

b. Solid Waste Management

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

c. Water/Wastewater Quality

Water Availability

- 1) An existing 6" and 12" 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. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 3) Dead-end water mains must be avoided where applicable. All existing unnecessary water services must be abandoned at the water main.
- 4) 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.
- 5) 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.
- 6) 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.

- 7) All domestic and fire suppression services must have separate water service connections. 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 three new lots with two oriented toward NW 57th Street and one oriented toward N Miller Ave. Three dwelling units over 0.32 acre is 9 du/acre.

Automobile Connectivity:

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

One driveway per lot is permitted.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are available along NW 57th Street; the SPUD requires them along both street frontages.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating Low or Medium Intensity Residential adjacent to existing Low Intensity Residential, “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, or if buildings within 40 ft. of a single-family residential structure exceed a 3:1 ratio in height. *The SPUD would allow a minimum lot size of 4,000 sf to create three new lots. Two homes are shown to be oriented north, and the existing garage faces west. NW 57th Street/N Miller Avenue have right-of-way widths of 80/60 feet. The SPUD requests a 15-foot setback on NW 57th Street. Milam Place was platted with a 25-ft building line. The proposed setback on N Miller Ave is 5 feet instead of the 15 feet required for corner side yards or 25 feet required for front yards. If building setbacks are reduced, a garage setback should be established.*

- 3) **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served*
 - Fire Service: *Urban Service Level*
- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the site.
- 5) **Transportation System:** This site is located at the southeast corner of NW 57th Street and N Miller Avenue, both Neighborhood Streets in the Urban Medium LUTA. The nearest transit (bus) service is located to the west along N May Avenue. A shared bike route is planned to the east, near N Villa Avenue, with a final route to be determined at a later date.
- 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)
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)
 - 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)

b. Plan Conformance Considerations

The subject site is a one-story home located at the southeast corner of NW 57th Street and N Miller Ave in the Belle Isle West neighborhood (platted as Milam's Northwest Highland Addition). The SPUD assumes the existing home would be demolished and requests to split the 0.32-acre parcel into three new lots. Conceptual plans indicate two homes would be oriented towards NW 57th Street and one lot would be oriented west towards N Miller Avenue for the existing garage. A minimum lot size of 4,000 square feet (compared to the R-1 requirement of 6,000 square feet) is requested.

The SPUD has been modified since first submitted to eliminate a provision that would allow the garage to be used as an unoccupied storage building. The SPUD has also been amended to prohibit signs, increase the amount of open space per lot, and specify one driveway per lot is permitted.

The proposal to increase density in the Urban Medium LUTA is in conformance with UM density ranges and comprehensive plan goals to provide a mixture of residential housing types. However, the proposal would be the first SPUD in the neighborhood, which is fully developed, primarily with one-story ranch homes built in the 1960s. The comprehensive plan, including the City's preservation plan, preserve~~okc~~, favor preservation over demolition. If new homes are constructed, they should be consistent with the neighborhood. The SPUD requests to reduce the setbacks along NW 26th Street, which has a platted building line of 25 feet, and along N Miller Avenue. If building setbacks are reduced, a garage setback of 20 feet should apply.

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(s):

1. The setback for all garages shall be 20 feet.
2. Maximum height shall be limited to one story and 20 feet.

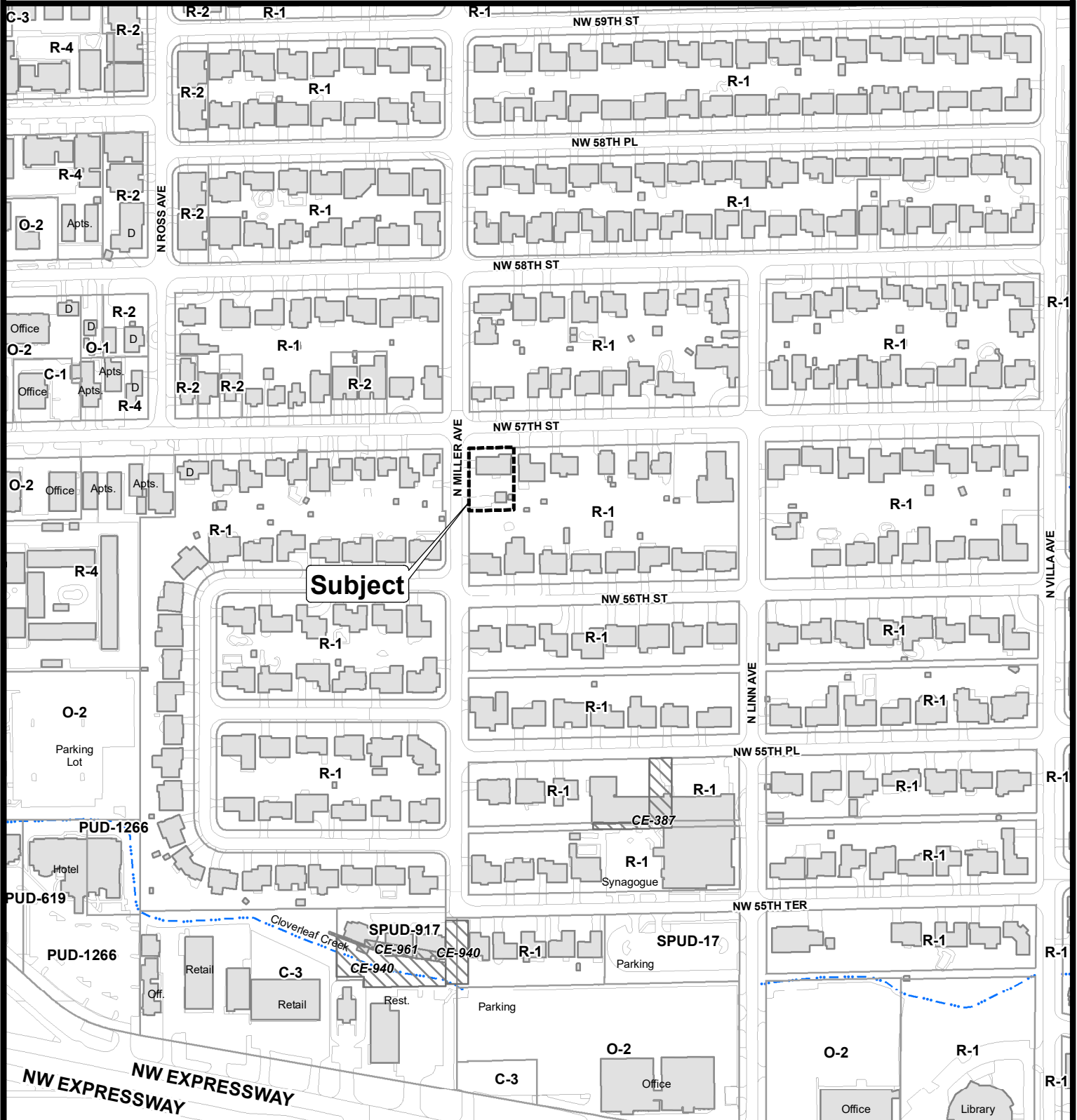
STAFF REPORT
The City of Oklahoma City
Planning Commission
July 14, 2022
SPUD-1426

Item No. IV. 2.

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-1426 Applicant: CERTO, LLC
Existing Zoning: R-1
Location: 2644 NW 57th St.



Note: "Subject" is located approximately 1,440' east of May Ave.

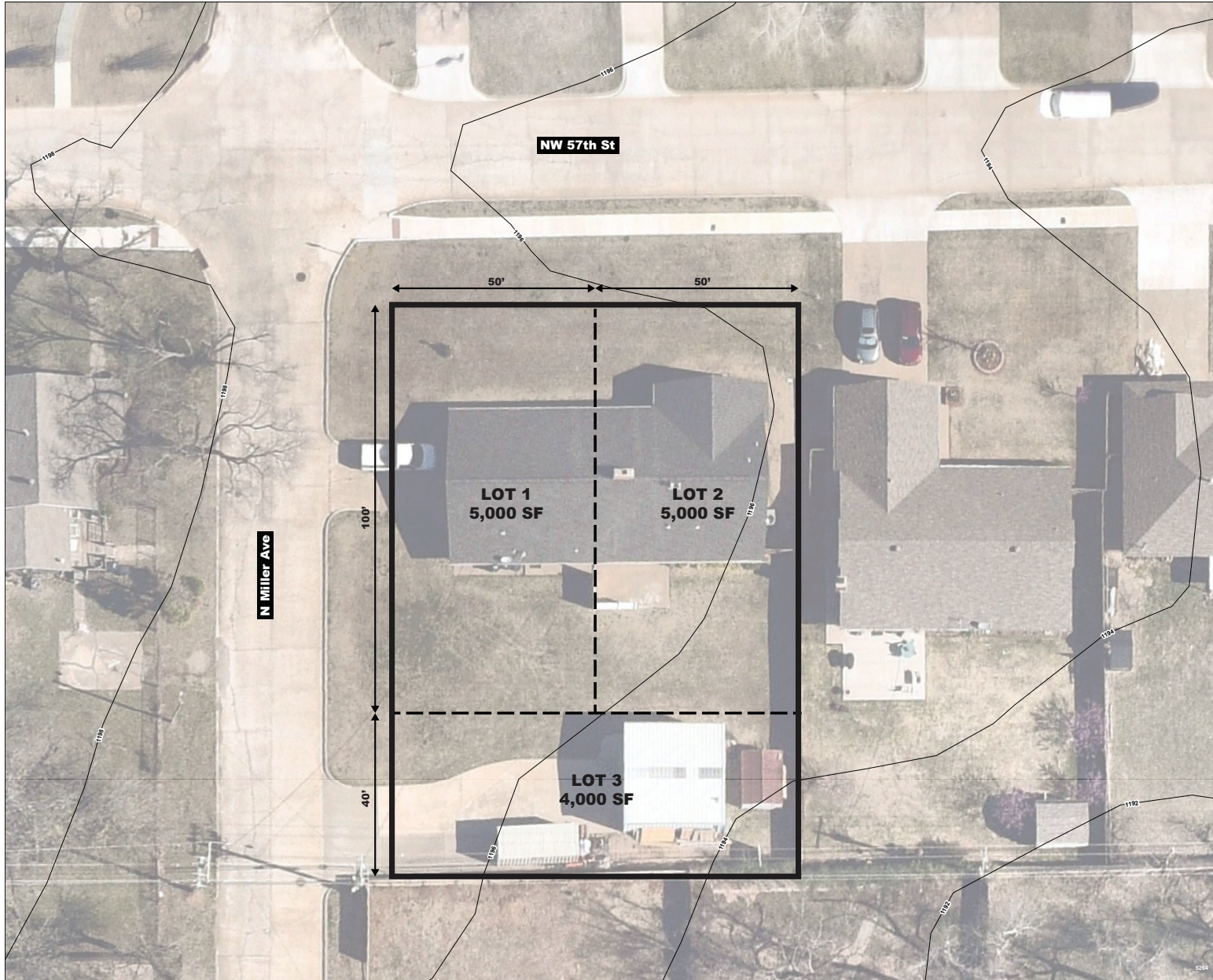


The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet



SPUD-1426
2644 NW 57th St.

Exhibit B
Boundary and Lot Exhibit

+/- 0.32 acres

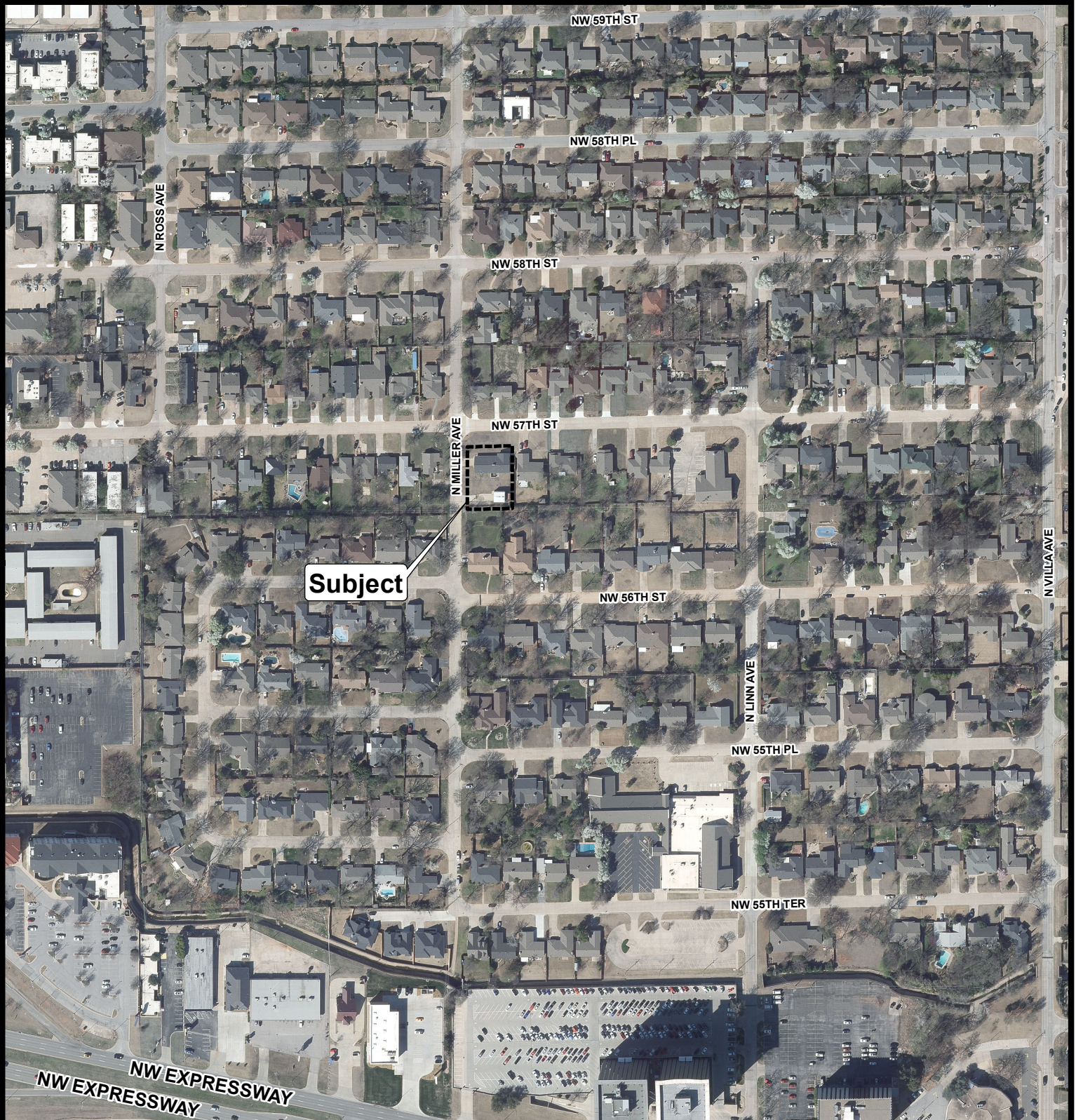


Johnson & Associates
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Oklahoma City, OK 73104
PH: 202.407.1111 FAX: 202.407.1112

ENGINEERS SURVEYORS PLANNERS

05/25/2022
Conceptual site plan showing feasible option
permitted under proposed rezoning

Case No: SPUD-1426 Applicant: CERTO, LLC
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Aerial Photo from 2/2020

Note: "Subject" is located approximately 1,440' east of May Ave.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet