

Planning Commission Minutes  
November 10, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:45 p.m. on November 04, 2022)

20. (SPUD-1469) Application by Goggins Investments, LLC., to rezone 1544 NE 29th Street from the R-1 Single-Family Residential District with the HNO Healthy Neighborhoods Overlay Districts to the SPUD-1469 Simplified Planned Unit Development District with HNO Healthy Neighborhoods Overlay District. Ward 7.

Applicant was present. No protestors were present.

Technical Evaluation;

1. The minimum lot size shall be 2,500 square feet.

**RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION.**

MOVED BY CLAIR, SECONDED BY POWERS

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

ABSENT: LAFORGE



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**November 10, 2022**

**Item No. IV. 20.**

**(SPUD-1469) Application by Goggins Investments, LLC., to rezone 1544 NE 29th Street from the R-1 Single-Family Residential District with the HNO Healthy Neighborhoods Overlay Districts to the SPUD-1469 Simplified Planned Unit Development District with HNO Healthy Neighborhoods Overlay District. Ward 7.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

Name       Tereesa Goggins  
Phone       405-474-2352  
Email       teresagogginsrealtor@gmail.com

**B. Case History**

This is a new application.

**C. Reason for Request**

This application is to permit two single family residences.

**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: 0.1858 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	C-3	C-3	PUD-1715	PUD-1715
<b>Land Use</b>	Surplus R/W	Commercial	Commercial	Commercial	Residential

- 4. Development Context:** The subject site is located at the southwest corner of NE 29<sup>th</sup> Street and N Jordan Ave in the MLK neighborhood. The site and all surrounding land are zoned R-1 and within the Healthy Neighborhoods Overlay (HNO). Abutting the site on the west and across the street to the north are homes. Land to the south is undeveloped. Across the street to the east is an undeveloped 10-acre parcel, and to the northeast are churches. The SPUD is requested to accommodate the site's two existing homes and allow a lot split.

## **II. SUMMARY OF PUD APPLICATION**

This site will be developed in accordance with the regulation of the **R-1 Single Family Residential 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:  
  
All permitted uses in R-1
2. **Maximum Building Height:** The base zoning district will regulate the maximum height of buildings in this SPUD.
3. **Maximum Building Size:** The base zoning district will regulate the maximum size of buildings in this SPUD.
4. **Maximum Number of Buildings:** The base zoning district will regulate the maximum number of buildings in this SPUD.
5. **Building Setback Lines:** Structures existing at the time of approval of this SPUD shall be deemed to be in compliance with all setback requirements. Should the structures be removed, any new development will confirm with the base zoning setback requirements. The setback for new garages shall be 20 feet.
6. **Sight-proof Screening:** Not required.
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.
8. **Signs:** None
9. **Access:** There shall be one access point from N Jordan Avenue in this SPUD.

10. Existing sidewalk along Jordan Ave shall be maintained and replaced if removed.

**II. Other Development Regulations:**

1. **Architecture:** The base zoning shall regulate the architectural requirements of this SPUD. Buildings shall be oriented such that the fronts of buildings are facing towards the street.
2. **Open Space:** Unless modified herein, yard requirements in this SPUD shall be the same as the base-zoning district.
3. **Street Improvements:** N/A
4. **Other:**
5. **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.
6. **Parking:** The parking spaces existing at the time of approval of this SPUD shall be deemed to satisfy the required parking for all uses within this SPUD.
7. **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.

**IV. 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**  
No objection.
- 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) Add the statement: All drainage design for this development shall be in accordance with the applicable requirements of chapter 16 of the Oklahoma City Municipal Code that are in effect at the time the plans are submitted for review.

**a. Stormwater Quality Management**

**b. Traffic Management**

**8. Utilities**

**a. Engineering**

**Paving**

- 1) Sight triangles are required at all intersections and minimum right of way standard widths must be granted.
- 2) Sidewalk shall be installed for all new construction on lots/ parcel having frontage on public streets. Additional easements must be granted if they are place beyond the current right of way.
- 3) (Section 9.9) Concrete approaches are required in the right of way vehicular access point. Paving and striping may be required for any working within the right of way.
- 4) (Section 9.10.5)Any placement of arches or other private structure placed in public easements must are subject to Revocable Permit approval.

**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) An off-site sanitary sewer interceptor will be required to serve the proposed development and the particular drainage basin. The size, alignment and other design factors shall be in accordance with current City Standard Specifications. The developer may make an application under the Policy "B-1" program to the Oklahoma City Water Utilities Trust (OCWUT) for City participation of construction costs if an oversized sanitary sewer main is required to serve the drainage basin. Approval will be subject to funds available for improvements and will not be granted for oversized mains that are necessary to provide additional capacity for the proposed development(s).
- 6) 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.
- 7) No wastewater service is available for proposed improvements, private on-site sewage disposal systems are required in accordance to ODEQ rules and regulations. On-site sewage disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.
- 8) Proposed minimum lot size does not meet the current 30,000 square foot minimum lot size for lots with on-site sewage disposal systems. On-site aerobic sewage disposal systems require a minimum twenty-five (25) foot setback from the property line or public property.

**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" 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) 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.
- 4) 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.
- 5) 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.
- 6) 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 site is already developed with two homes on a corner lot. The SPUD would allow the residential parcel to be split into two lots for an overall density of 12 du/acre.*

Automobile Connectivity:

- Protect existing traditional street grid and reconnect it where possible.
- Keep alleys open and functional.

*No changes to streets or the alley are proposed. The SPUD requires both houses to share the existing driveway.*

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

*A sidewalk exists on N Jordan Ave and the SPUD commits to repairing or replacing as necessary.*

- 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 is requested to allow two existing homes to be split into two lots. The Master Design Statement should specify the minimum lot size as it will be smaller than the 6,000 square feet required in the R-1 District.*

- 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 has frontage on NE 29<sup>th</sup> Street and N Jordan Ave, both Neighborhood Streets within the Urban Medium LUTA. Transit (bus) service is available from NE 30<sup>th</sup> Street at Kelley Ave (west) and MLK Ave (east), as well as to the south along NE 23<sup>rd</sup> Street.
- 6) **Other Development Related Policies**
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
  - 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 unified planning for all adjoining land owned or controlled by a project's developer to ensure proper circulation and land use relationships (SU-47)

#### **Plan Conformance Considerations**

The SPUD is requested to allow a lot split to accommodate two existing homes at the southwest corner of NE 29<sup>th</sup> Street and N Jordan Avenue. One home faces each street. The proposal is in conformance with Urban Medium LUTA density ranges and comprehensive plan goals to provide a mixture of residential housing types in UM areas. The Master Design Statement should specify the minimum lot size for the newly created lots as it will be smaller than the 6,000 square feet required in the R-1 District.

#### **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.*

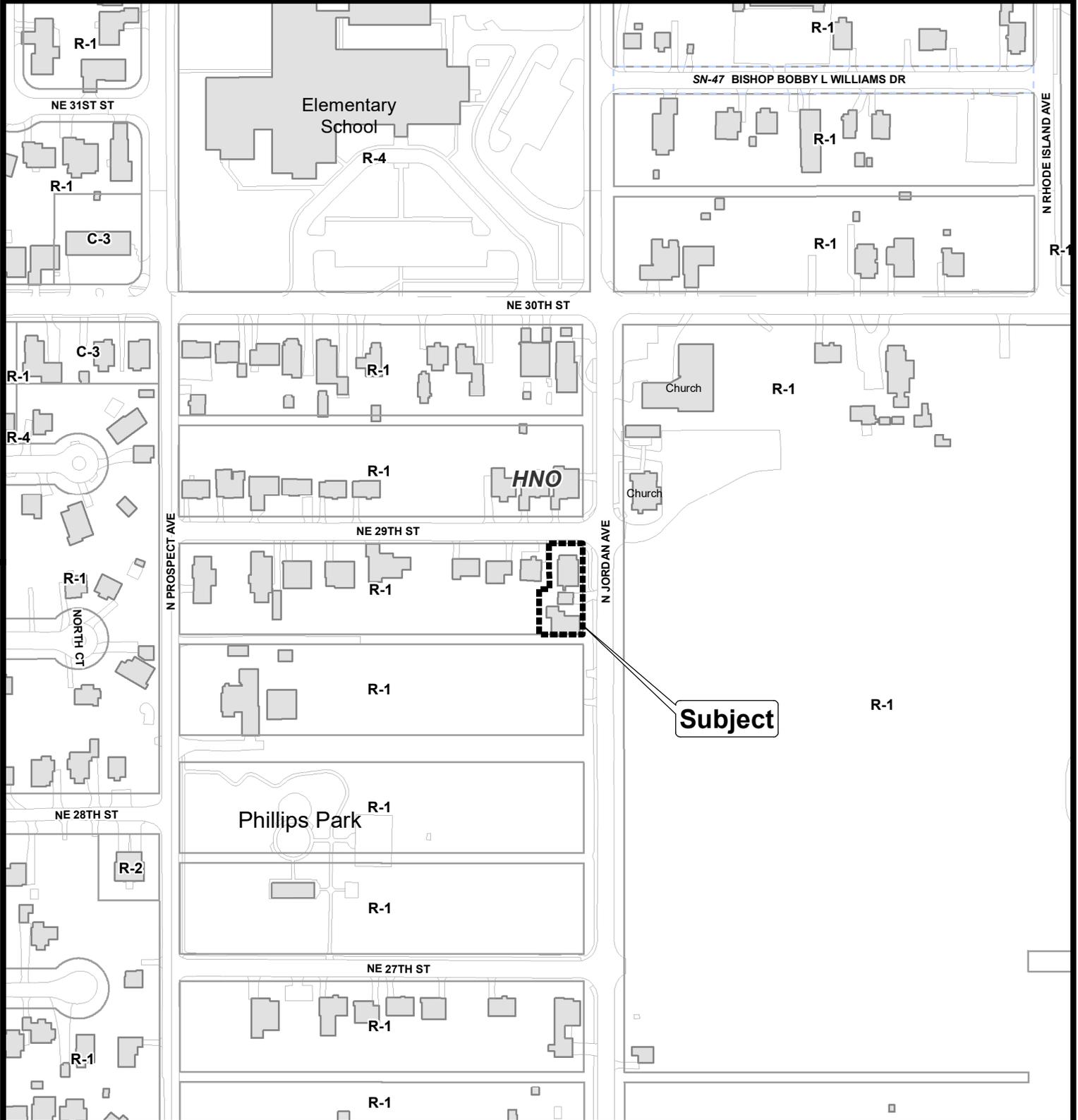
**Approval of the application subject to the following Technical Evaluation(s):**

1. The minimum lot size shall be 2,500 square feet.

*All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Divisions review of construction plans and prior to City Council approval.*

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**Case No: SPUD-1469      Applicant: Goggins Investments, LLC**  
**Existing Zoning: R-1 / HNO**  
**Location: 1544 NE 29th St.**

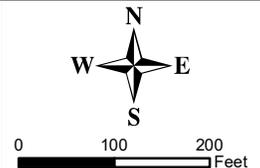


*Note: "Subject" is located approximately 2,009' West of N. Martin Luther King Ave. and 2,151' North of NE 23rd St.*

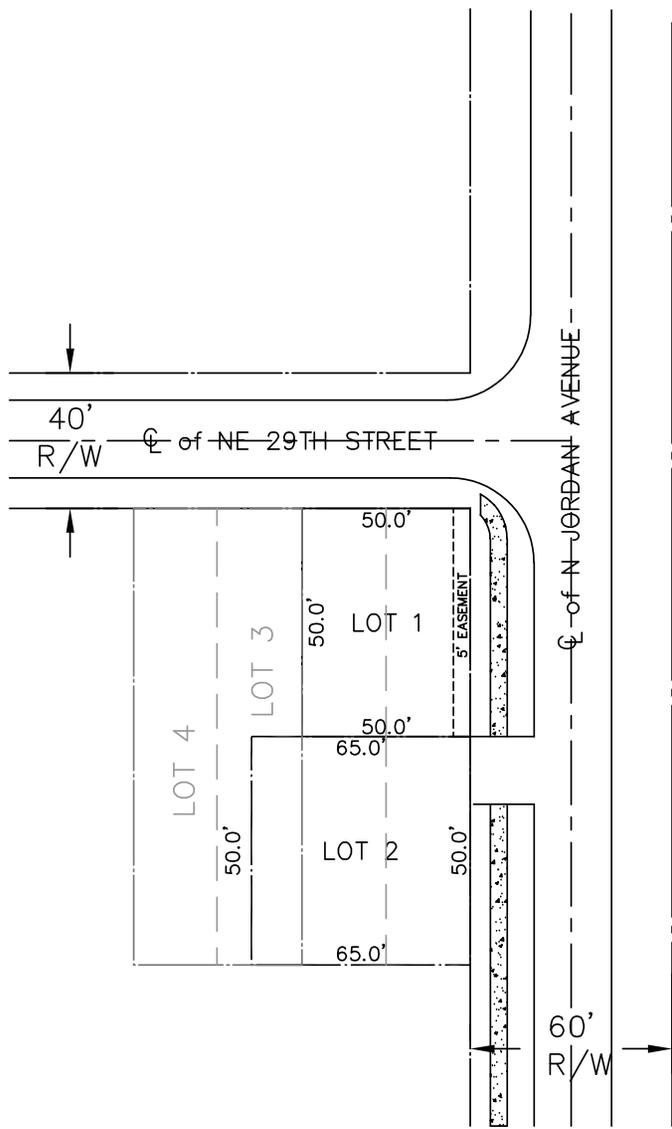


The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development



# 1540/1544 NE 29TH STREET SITE PLAN



SCALE:  
1" = 50'

## LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION TWENTY-THREE (23), TOWNSHIP ELEVEN (12) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, OKLAHOMA COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1  
THE NORTH HALF OF LOT 1 AND LOT 2 OF BLOCK 3 OF ETHEL PARK PLACE ADDITION, OKLAHOMA CITY, OKLAHOMA COUNTY, ACCORDING TO THE RECORDED PLAT THEREOF

LOT 2  
THE SOUTH HALF OF LOT 1 AND LOT 2 AND THE EAST 15 FEET OF THE SOUTH HALF OF LOT 3 OF BLOCK 28 OF ETHEL PARK PLACE ADDITION, OKLAHOMA CITY, OKLAHOMA COUNTY, ACCORDING TO THE RECORDED PLAT THEREOF

**Case No: SPUD-1469      Applicant: Goggins Investments, LLC**  
**Existing Zoning: R-1 / HNO**  
**Location: 1544 NE 29th St.**



Aerial Photo from 2/2020

Note: "Subject" is located approximately 2,009' West of N. Martin Luther King Ave. and 2,151' North of NE 23rd St.



The City of  
**OKLAHOMA CITY**

# Simplified Planned Unit Development

