



STAFF REPORT

Urban Design Commission

February 22, 2023

Agenda Item VII.A.
Case No. SPUD-1481
Property Address 904 NW 23rd St
Applicant Name Johnson & Associates for Omega Investments, LLC
1 E Sheridan Ave, Suite 200
Oklahoma City, OK 73104

District Uptown NW 23rd St

A. ITEMS FOR CONSIDERATION

1. Recommendation

To provide a recommendation to the Planning Commission for a request to rezone from C-3 to Simplified Planned Unit Development (SPUD-1481).

B. BACKGROUND

1. Location

The subject site is located at the southwest corner of NW 23rd St and N Francis Ave.

2. Site History/Existing Conditions

The subject site is comprised of three individual parcels and includes 900 NW 23rd St, 904 NW 23rd St, and 908 NW 23rd St.

900 NW 23rd St is presently vacant, and records appear to indicate that the demolition occurred in 2003. 904 NW 23rd St is occupied by a one-story, 1,886 square foot structure originally built in 1918 as single-family residence. The building is currently occupied by a tattoo parlor. 908 NW 23rd St is occupied by a one-story, 1,338 square foot structure originally built in 1918 as a single-family residence. There are indications that this structure is presently used as a day care center. Both of these residential structures have been heavily modified from their original architectural theme and form.

3. Surrounding Environment

To the north, across NW 23rd St, there is a small commercial strip center at the northwest corner of NW 23rd St and N Francis Ave. To the west, there is a one-story building with a surface parking lot that is presently occupied by The Escape OKC.

To the east, across N Francis Ave, there is a one-story commercial building occupied by a jewelry repair shop at the southeast corner of NW 23rd St and N Francis Ave. To the south, across the adjacent alley, there is a two-story apartment building at the northwest corner of NW 22nd St and N Francis Ave

with several one-story, single-family residences to the west that line the north side of NW 22nd St. The area south of this property is zoned HP – Mesta Park Historic District.

4. Intended Use

8200.12, Multiple-Family Residential

While the applicant has indicated that this is their current plan for the property (per Exhibit B: Conceptual Site Plan), the proposed SPUD includes numerous additional uses that would be also be allowed.

5. Off-Street Parking Requirements

The base zoning for the subject site is C-3. The site also has the UD Urban Design Overlay zone. Per Section 59-10600.3.H., the UD Urban Design Overlay district (except west of N Classen Blvd) is exempt from the requirement to satisfy the standard off-street parking requirements.

6. Proposed On-Street Parking

The applicant has proposed two banks of on-street parking: one with parallel stalls along the south side of NW 23rd St and a second with angled stalls along the west side of N Francis Ave. Both sets of on-street stalls include an on-street ADA parking stall.

Any proposal for on-street parking stalls requires the approval of the Traffic Commission and subsequently final approval by the City Council. As this project will be subject to design review through a Certificate of Approval, the ultimate design of the project site plan will be contingent upon those approvals and shall incorporate the parking stall design, locations, and number of stalls authorized through that approval process.

7. Existing Structures

While the approval of this SPUD and the proposed development associated with it is a precursor to the demolition of the two existing buildings on site, it would not excuse the applicant from obtaining the standard design review approval for the demolition of these structures or other existing features on the site, such as the concrete stairs and walkways. A Certificate of Approval will be required for the demolition or removal of both existing buildings subject to the approval of the Urban Design Commission. The MDS for the SPUD acknowledges this requirement in Section II.1., Architecture.

8. Other

Staff has coordinated with the applicant on the content and direction of the SPUD. The attached SPUD document is a final draft that reflects the agreed upon revisions. This draft represents the version of the SPUD document that the Commission is making a recommendation on to the Planning Commission.

Perhaps most significant for Urban Design Commission's review, the MDS for the proposed SPUD maintains the design review requirements of the Urban Design Overlay District. Accordingly, any and all exterior modifications at the subject site

will remain under the purview of the Urban Design Commission and subject to the applicable Certificate of Approval provisions. Certificate of Approval applications for future development within the SPUD area will be subject to administrative or Commission review and approval pursuant to the standard UD thresholds for those reviews.

C. ITEMS IN COMPLIANCE

1. Unless noted below in Section D. Issues and Considerations, all other case items of this proposal comply with the Development Regulations and Guidelines of the Urban Design Overlay District zoning ordinance as referenced below:
 - a. **RE:** §13700.1., Purpose and Intent
 - b. **RE:** §13700.5.B.(3), Side-yard Setbacks
 - c. **RE:** §13700.5.B.(4), Rear-yard Setbacks
 - d. **RE:** §13700.6.A., Preservation of Existing Buildings
 - e. **RE:** §13700.6.B., Compatible with Existing Building Stock
 - f. **RE:** §13700.6.C., Promote Pedestrian Comfort, Interest, and Security
 - g. **RE:** §13700.6.D., Promote/Enhance Character of the Streets and Sidewalks
 - h. **RE:** §13700.6.E., Promote Greater Vitality of the Streetscape

Note: All other Regulations and Guidelines of the Urban Design Overlay zoning ordinance not listed above are either not applicable to this case or apply to elements of this project to be considered as a separate case at a later date.

D. ISSUES AND CONSIDERATIONS

1. Development Regulations

This proposal does not comply with the Development Regulations of the Urban Design Overlay District zoning ordinance as follows:

- a. **RE: MDS standards for Maximum Building Height**
 - 1) Description: The MDS proposes to allow an increase in the Maximum Building Height.
 - 2) Reference: Master Design Statement, Section I.2., Maximum Building Height
"The maximum building height of any structure within this SPUD shall be 40 feet as measured per the Municipal Code."
 - 3) Considerations: To the south of the subject site, across the alley, all the adjacent properties are zoned HP as part of Mesta Park. Under the current C-3 zoning, the maximum building height for these three sites is limited to 20 feet and one story for parts of the lots that are within 35 feet of any HP zoning District. The rest of the sites beyond 35 feet from the HP district are limited in height

to 35 feet and two stories. The applicant has proposed and overall maximum building height for the entirety of all three parcels of 40 feet.

At the proposed density for this project the added measure of height would be necessary to accommodate the maximum number of proposed dwelling units. With the intervening alley providing a distance buffer, staff believes that the added measure of building height is an acceptable adjustment. Additionally, the applicant has proposed a 15-foot rear yard setback that would move any proposed structures, no matter the height, 15 feet further away from the adjoining Mesta Park residential neighborhood.

b. RE: MDS standards for Setbacks

- 1) Description: The MDS includes alternative setback standards for the project site.
- 2) Reference: Master Design Statement, Section I.8., Building Setback Lines

“Front: maximum setback of 25 feet

West: 6 feet

East: 10 feet; 5 feet if on-street parking is approved

Rear: 15 feet”

- 3) Considerations: Per the standard C-3 development regulations, the front setback is a minimum of 25 feet. The applicant has converted that to a maximum of 25 feet. This would be in keeping with the standard front setback in the UD overlay district which is a maximum of 10 feet. The reason the applicant has changed it from 10 feet to 25 feet is to take into account the grade difference at the front of the property. With that existing grade condition at the front of these lots, it would be difficult to develop a building within the first 10 feet at the front of the lot without engaging in a substantial amount of grading.

In the C-3 district, there are no minimum setbacks required for either the interior side lot lines or the rear property line. While there are still no interior side setbacks, the applicant has proposed marginal increases to the rear setback and to the setback along the western edge of the project site. In the C-3 district, there is no specific setback standard for an exterior side lot line abutting a street less than an arterial. The applicant has proposed a 10 foot exterior sideyard adjacent to N Francis Ave that would be reduced to 5 feet if on-street parking on Francis Ave is approved. All these changes to the project setbacks will have the effect on mitigating any additional building height for the proposed development.

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SPUD-1481

E. STAFF RECOMMENDATION

1. Provide a recommendation of **approval** to the Planning Commission for a request to rezone from C-3 to Simplified Planned Unit Development (SPUD-1481) on the basis that the project meets the Regulations and Guidelines of the Urban Design Overlay District zoning ordinance as referenced in Section C and D of the Staff Report

Note: Staff recommendations do not constitute Commission decisions.

Attachments: Zoning Map, Application, Design Statement, Drawings, Photos.