

Planning Commission Minutes
June 22, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:36 a.m. on June 20, 2023)

25. (SPUD-1538) Application by Luis Velasco and Jessie Escobar to rezone 8800 North Kelley Avenue from R-1 Single-Family Residential District to SPUD-1538 Simplified Planned Unit Development District. Ward 7.

Amended Technical Evaluation:

1. Sidewalks within this PUD shall be in accordance with the City of Oklahoma City Municipal Code requirements.
2. ~~Access to residential lots shall be from Clover Lane.~~ One access point shall be allowed from N Kelly Avenue.
3. Within perimeter yards, there shall be at least one medium tree planted and/or maintained for every 30 feet, or fraction thereof, of frontage, with a minimum of one tree per lot.

The applicant was present. There was a protestor present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY GOVIN, SECONDED BY LAFORGE

AYES: CLAIR, POWERS, PRIVETT, GOVIN, LAFORGE, NOBLE, NEWMAN

NAY: PENNINGTON



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 22, 2023

Item No. IV. 25.

(SPUD-1538) Application by Luis Velasco and Jessie Escobar to rezone 8800 North Kelley Avenue from R-1 Single-Family Residential District to SPUD-1538 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Luis Velasco
Phone 405-305-6604
Email Jessie.escobar@yahoo.com

B. Case History

This is a new SPUD application. This application was converted from PC-10867.

C. Reason for Request

This application is to allow two-family residential (duplex) uses and development.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban – Low Intensity (UL)

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

2. Size of Site: 0.51 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	R-4	R-1	R-1	R-1
Land Use	Residential	Church	Residential	Undeveloped	Undeveloped

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulations of the “**R-2” Medium Low Density Residential District**, except that the following restrictions will apply:

2. Use Units Allowed:

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

8200.14	Single Family Residential
8200.16	Two-Family Residential

3. Maximum Building Height:

One (1) Story and 25' in height

4. Maximum Building Size:

Each Structure - 3,600 square feet

5. Maximum Number of Buildings:

Two (2) Duplex Buildings with 4 units total.

6. Building Setback Lines:

West Building Setback: Minimum Building Setback from N. Kelley Ave shall twenty-five (25) feet

East Building Setback: Minimum Building Setback shall be ten (10) feet.

South Building Setback: Minimum Building Setback shall be thirty (30) feet.

North Building Setback: Minimum Building Setback shall be ten (10) feet.

7. Sight-proof Screening:

Sight-proof screening shall not be required.

8. Landscaping:

Landscaping shall be installed in accordance with the city landscaping ordinance.

9. Signs:

Signs shall only be permitted in accordance with the "R-2" District regulations.

10. Access:

Access shall be permitted to only the following:

Street access shall be permitted to North Kelley Avenue only. Joint access drives and parking shall be permitted between buildings.

11. Sidewalks:

As there are presently no sidewalks in this area, sidewalks shall be required along N Kelley Ave.

II Other Development Regulations:

1. Architecture Construction Materials:

Exterior building wall finish on all structures shall consist of a primarily of brick veneer, masonry, rock, stone, with wood accents or other similar type finish. Stucco, EIFS (Exterior Insulation Finish System) material, Exposed metal, or exposed concrete block buildings shall not be permitted.

2. Open Space:

Buildings to be constructed within this SPUD may only be constructed within the area noted as “Buildable Area” on Exhibit “B” Master Development Site Plan. The remainder of the property shall be Open Space comprised of drives, parking, fencing and landscaping.

3. Site Lighting:

Lighting as may be installed as a part of the development of this SPUD shall be directed away from the East Property boundary.

4. Fencing:

Fencing within and along property lines of this SPUD shall be permitted per the base zoning district.

5. Dumpsters: Per base zoning district

6. Drainage:

Development of this SPUD shall be in accordance with the provisions of Chapter 16 of the Oklahoma City Municipal Code.

7. Parking:

Attached or detached garages shall count toward meeting parking requirements, provided each parking space in a garage shall be a minimum of 8½ feet by 18

feet. This provision includes covered/carport spaces. Adjacent drive right-of-way and garages may be counted toward meeting parking and maneuvering requirements. Parking requirements shall not apply to the common areas.

III. Exhibits

Exhibit "A":	Legal Description
Exhibit "B"	Master Development Site Plan
Exhibit "C"	Plat of Survey
Exhibit "D"	Color Elevation

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) Millwood**
- 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) Add section I.8: Sidewalks within this PUD shall be in accordance with the City of Oklahoma City Municipal Code requirements.

c. Stormwater Quality Management

d. Traffic Management*

8. 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.
- 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.
- 7) An offsite wastewater interceptor will be required to serve the development. The size, alignment and other design factors shall be in accordance with current City Standard Specifications and Private Development Design Manual. The developer may make an application under the Policy B-1 program for OCWUT participation in construction costs if an oversized wastewater main (greater than 8-inches) is required. Approval will be subject to funding availability but will not be granted for oversized mains that are necessary to provide additional capacity for the development or other developer owned property.

a. Solid Waste Management

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

b. Water/Wastewater Quality

Water Availability

- 1) An existing 6" and 8" 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.

- 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. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family, and 15 to 30 dwelling units per acre for multifamily.

National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available. The SPUD application would allow up to two duplex buildings, and four total units on the 0.51-acre site, or 7.8 du/acre.

Automobile Connectivity:

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.

- Development fronting arterials should take access from intersecting streets where possible.

The subject site currently has no improved access. The SPUD requests access from N Kelley Avenue with joint access drives and parking between buildings. Plan conformance would be strengthened by limiting access from the intersecting street, Clover Lane, instead of the arterial.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks are not available in the area but would be required along N Kelley Avenue.

- 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 residential uses adjacent to existing residential uses or zoning, “Building Scale and Site Design” are potential compatibility issues identified by the comprehensive plan.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if residential lot sizes in UL are less than 60% of directly adjacent residential lots, 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. *No triggers requiring mitigation were identified.*

- 3) **Service Efficiency:**

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

- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the site.

- 5) **Transportation System:** This site is located at the northeast corner of N Kelley Avenue, a Major Arterial Street, and Clover Lane, a Neighborhood Street, both in the Urban Low LUTA. The nearest transit (bus) service is located adjacent to the subject site along N Kelley Avenue.

- 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. New residential subdivisions should achieve a mixture of housing types within a unified development. (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)
- 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)
- 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)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)

b. Plan Conformance Considerations

The subject site is located on the northeast corner of N Kelley Avenue and Clover Lane, in an area generally located east of N Kelley Avenue and south of E Britton Road. The site is undeveloped and zoned R-1. North of the subject site is zoned R-4 and developed with a church. Land to the east and south of the site are homes and undeveloped lots within a residential subdivision zoned R-1. The undeveloped lots are primarily situated adjacent to N Kelley Avenue. West of the site, across N Kelley Avenue, is undeveloped church land zoned R-1.

This application was previously submitted as a request for the R-2 District to allow two duplexes. The application was then converted to a SPUD. The SPUD requests two duplexes accessed from a shared drive on N Kelley Avenue. The access may be requested due to concerns from neighbors, but Code would not typically allow access onto the arterial street when it is available from Clover Lane. While sharing drives to limit access points is supported, plan and Code conformance would be strengthened by moving the access to Clover Lane.

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 Evaluations:

- 1.** Sidewalks within this PUD shall be in accordance with the City of Oklahoma City Municipal Code requirements.
- 2.** Access to residential lots shall be from Clover Lane.

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.

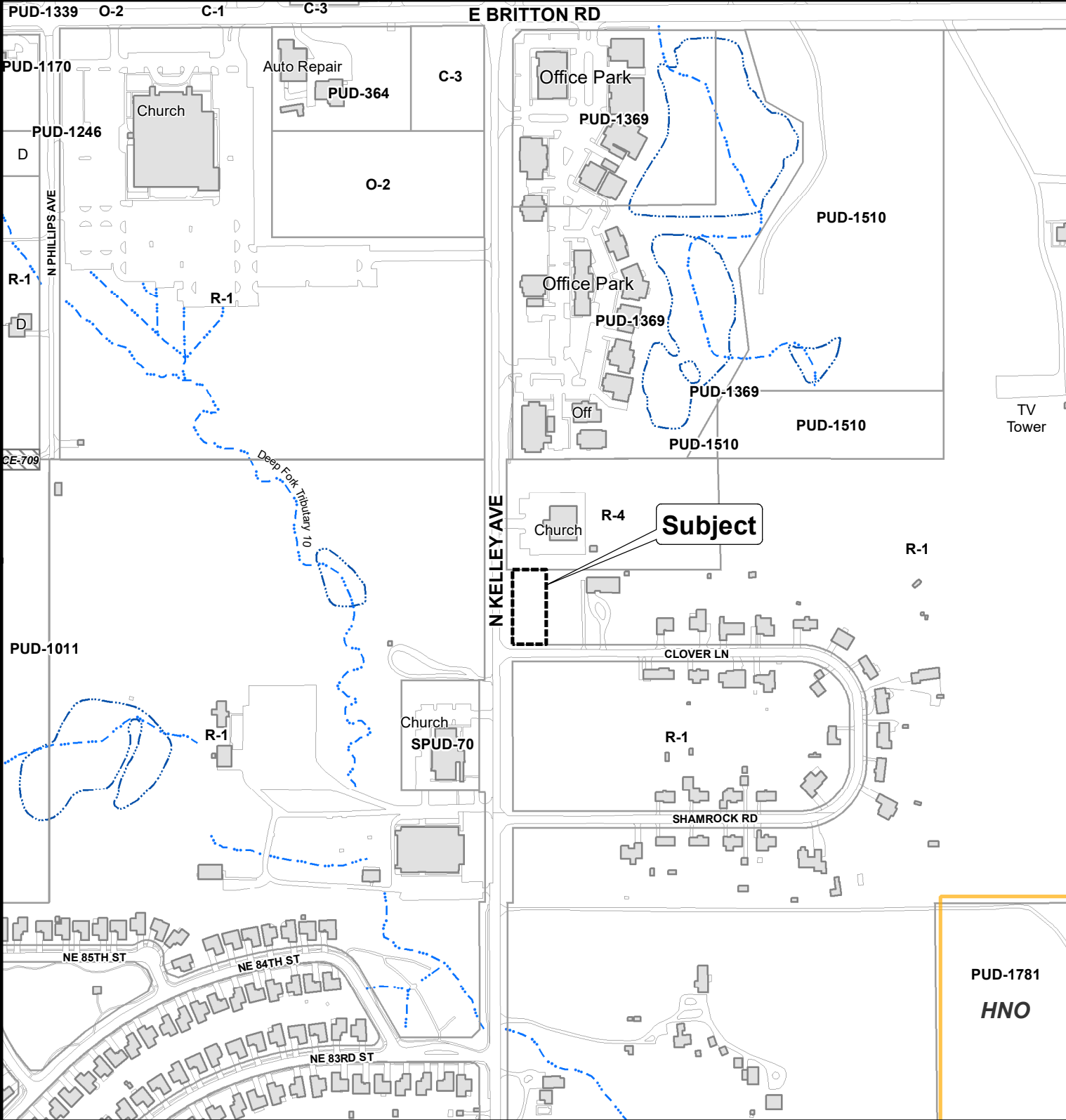
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Case No: SPUD-1538

Applicant: Luis Velasco & Jessie Escobar

Existing Zoning: R-1

Location: 8800 N. Kelley Ave.



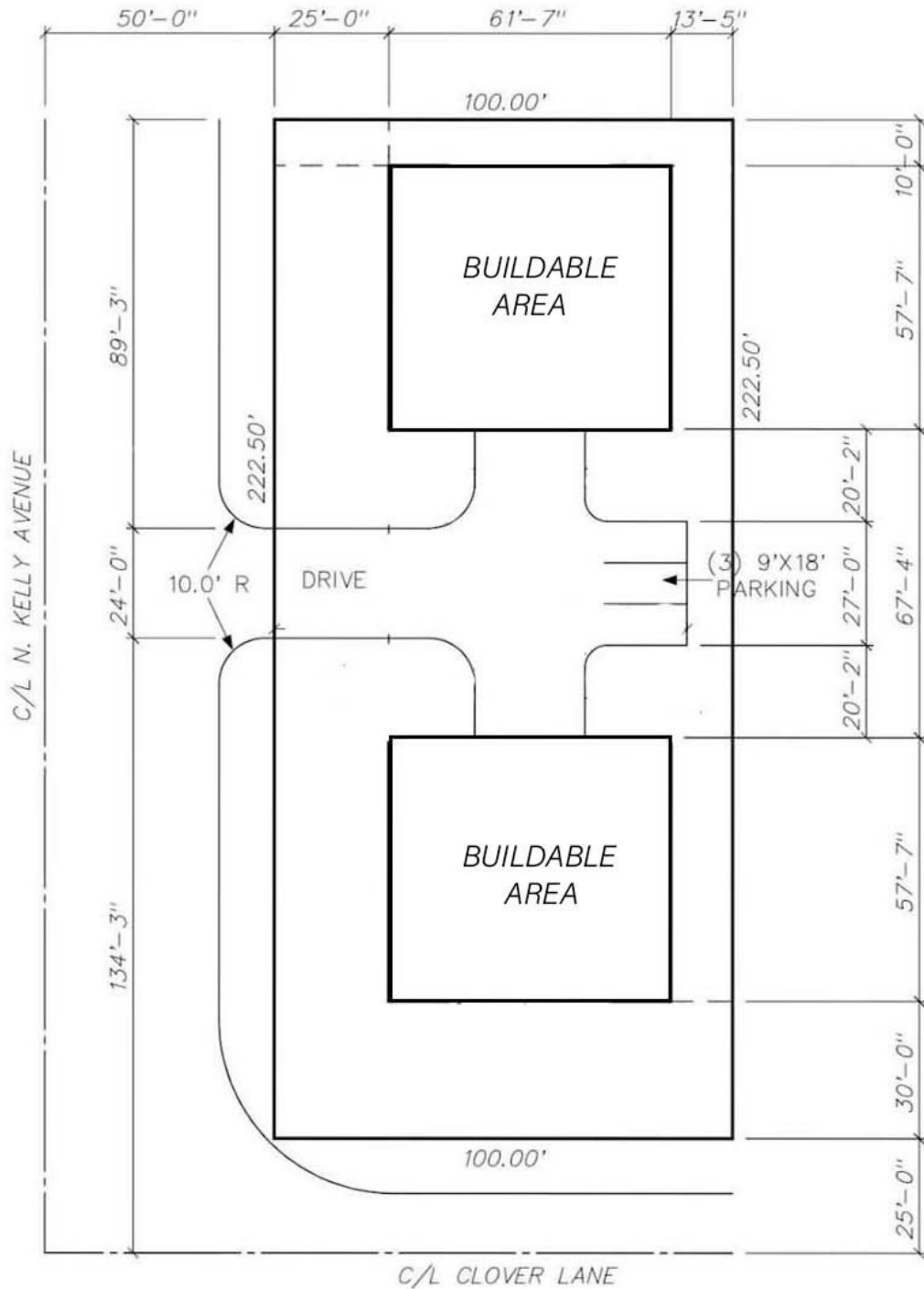
The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 200 400 Feet

EXHIBIT "B"
MASTER DEVELOPMENT
SITE PLAN



Certificate of Survey

May 6, 2023

I, Shaun Christopher Anton, a Registered Professional Land Surveyor, do hereby certify that, as of the date set forth above that I or others under my direct supervision, have made a careful survey of:

Lot One (1), MCCOURRY HEIGHTS ADDITION, Oklahoma County, Oklahoma, according to the recorded plat thereof.

Said tract of land contains an area of 22,315 square feet or 0.5123 acres, more or less.

I further certify that this survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

Shaun Christopher Anton, P.L.S. 1494

Date

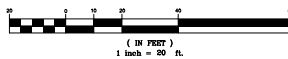
Notes:

- The bearing of South 00°08'30" East as shown on the West line of the Northwest Quarter of Section 3 was used as the base of bearing for this survey. The bearings shown herein are based upon State Plane North Zone, which was used as the base of bearing for this survey.
- A title commitment, indicating applicable easements, has not been provided to us; therefore all easements may not be shown herein.
- Utility Statement: The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information outside. The surveyor has not physically located the underground utilities. A utility locate request was made at this site through Call OneCall; all utilities that were marked at the time of the fieldwork are shown herein.

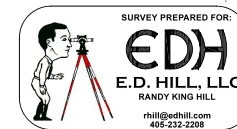
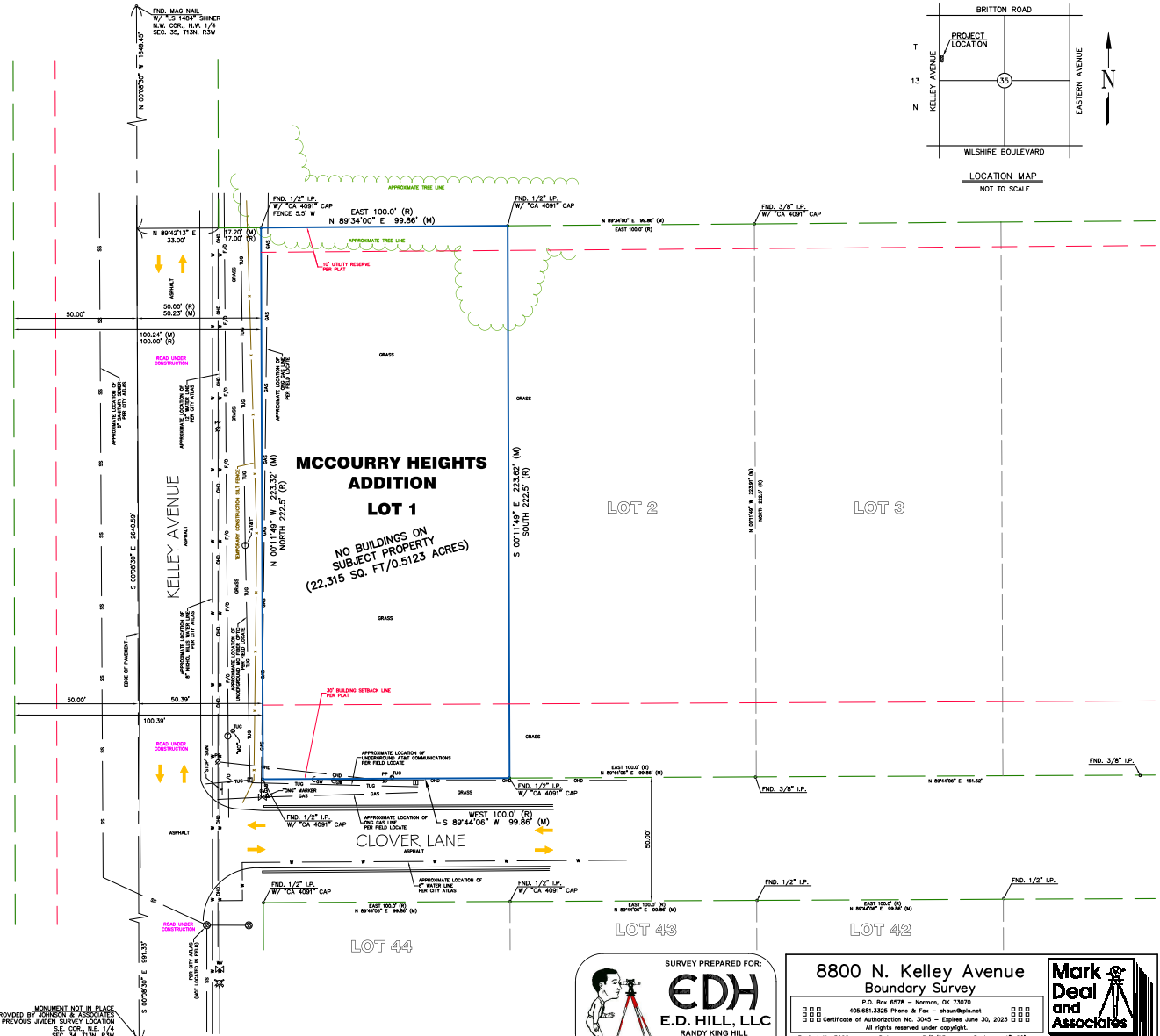
LEGEND

	AIR CONDITIONING UNIT		PULL BOX
	CLEAN OUT		POWER POLE
	ELECTRIC MANHOLE		POWER POLE W/ UNDERGROUND SERVICE
	ELECTRIC METER		SPRINKLER HEAD
	FIRE DEPT. CONNECTION		SANITARY SEWER MANHOLE
	FIRE HYDRANT		STORM SEWER MANHOLE
	FUEL FILLER PORT		SIGN
	GAS METER		TELEPHONE MANHOLE
	GUARD POST		TELEPHONE METER
	GAS VALVE		TRAFFIC SIGNAL LIGHT
	GUY WIRE		VENT
	INLET		WATER METER
	LIGHT POLE		WATER VAULT
	MONITORING WELL		WATER VALVE
	MAIL BOX		FRENCH DRAIN
	MARKER		BOLLARD LIGHT
	ROOF DRAIN		
	GROUND LIGHT		
	SIGNAL CONTROL BOX		
	ELECTRIC LINE		
	SANITARY SEWER LINE		
	WATER LINE		
	FENCE		
	OVERHEAD LINE		
	STORM SEWER LINE		
	FIBER OPTIC LINE		
	GAS LINE		
	COMMUNICATION LINE		
	MEASURED DISTANCE		
	RECORD DISTANCE		
	PLATTED DISTANCE		
	CALCULATED DISTANCE		

GRAPHIC SCALE



LOCATION PROVIDED BY JORDAN & ASSOCIATES
PER A PREVIOUS JORDAN SURVEY LOCATION
S.E. COR. N.E. 1/4
SEC. 34, T.13N, R.3W



8800 N. Kelley Avenue
Boundary Survey

P.O. Box 5578 - Norman, OK 73070
405.681.3325 Phone & Fax - shaun@edh.net
All rights reserved under copyright.

Project No: 3462
Drawn By: MHE
DWG File: 3462.dwg
Date: 5/8/23
Party: Olet: JCH
Revisions: 1/1/20



Case No: SPUD-1538

Applicant: Luis Velasco & Jessie Escobar

Existing Zoning: R-1

Location: 8800 N. Kelley Ave.

