



STAFF REPORT
The City of Oklahoma City
Planning Commission
November 18, 2021

Item No. IV. 21.

(SPUD-1353) Application by Jamil and Marie, LLC, to rezone 2446 NW 48th Street from the R-1 Single Family District to the SPUD-1353 Simplified Planned Unit Development District. Ward 2.

I. GENERAL INFORMATION

A. Contacts

Applicant/Developer Representative

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

B. Case History

This is a new application.

C. Reason for Request

The SPUD is requested to build two homes on the corner lot, with one oriented to NW 48th Street and one oriented to Villa.

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: 0.20 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	School

4. **Development Context:** The 0.19-acre subject site is located at the southeast corner of NW 48th Street and N Villa Ave. The site is zoned R-1 and the previous home has been removed. All land surrounding the site is zoned R-1. Residences are located north, south and east. An elementary school is located across N Villa Ave to the west. The SPUD is requested to build two homes on the corner lot, with one oriented to NW 48th Street and one oriented to Villa.

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 3,500 sf.

4. Minimum Lot Width:

The minimum lot width within this SPUD shall be 50 feet.

5. Maximum Building Coverage:

The maximum building coverage within this SPUD shall be 75%.

6. Maximum Number of Buildings:

The maximum number of buildings within this SPUD shall be two (2). Accessory structures shall not be included within the maximum building limit.

7. Building Setback Lines:

NW 48th Street: 20 ft. (front porch may encroach 5 feet into setback)
N Villa Avenue: 15 ft. (front porch may encroach 5 feet into setback)
Rear Yard (Current East Property Lien): 5 feet

Should the existing lot be split, the rear yard setback shall only be applied from the original property line, not the new property line. Specifically, a new property line created for utility access.

Setbacks between internally divided parcel shall be zero (0) feet, except as required by building and fire codes.

8. Sight-proof Screening:

Sigh-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:

Signage shall not be permitted for this SPUD.

11. Vehicular Access:

One (1) driveway shall be permitted from NW 48th St. and one (1) driveway shall be permitted from N Villa Ave. Shared access via adjacent tracts may occur with recorded cross access agreements.

12. Sidewalks:

There is an existing 5-foot sidewalk along NW 48th St. Should said sidewalk be damaged or removed during construction, the developer shall be required to repair/reinstall said sidewalk.

Four-foot sidewalks shall be constructed on N Villa Ave. or 5-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.

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

III. SUPPORTING DOCUMENTS

- Exhibit A: Legal Description
- Exhibit B: Master Development 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

- 1) All right-of-way needed in order to bring this property into conformance with Municipal Code requirements should be donated in conjunction with this application.
- 2) Proposed street/driveways must be clearly marked at the site in order for Traffic Management to verify sight distance compliance.
- 3) On street angled parking is not subject to Planning Commission Consideration. Per OCMC 2012 State Statute 32-302 requires all on-street angled parking to be approved by the Traffic and Transportation Commission and designated by ordinance passed by the Oklahoma City Council.

8. Utilities

a. Engineering

Paving

Sanitary Sewer Availability

- 1) An existing 8” sanitary sewer main(s) is adjacent to the subject site and a connection will be permitted in accordance with City Standard Specifications.

- 2) All existing unnecessary sanitary sewer services must be abandoned at the sanitary sewer main.
- 3) Additional Comments: No objections. Separate sanitary sewer service connection for each building will be required. Property is adjacent to sanitary sewer. If in the future the lots are split, a sanitary sewer extension will be required for the north lot.

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) The subject site is adjacent to a 6" water main in the street right-of-way of NW 48th St and N Villa Ave.
- 2) 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.
- 3) All existing and proposed meters must meet current Meter Specifications. Meters must be in a grassed area. All domestic and fire suppression services must have separate water service connections. All existing unnecessary water services must be abandoned at the water main.
- 4) Additional Comments: Separate water service and meter required for each building.

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 a residential parcel to be split and two homes built on a corner lot at a density of 10 du/acre, within the UM range.

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.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are required 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 allows a minimum lot size of 3,500 sf and maximum building coverage of 75 percent in order to split the lot and build two homes. One home to face west and one would north. The SPUD maintains a 20-foot setback along NW 48th Street.*

- 3) **Service Efficiency:**

- Water: *Fully served*
- Sewer: *Fully Served*

- Fire Service: *Urban Service Level*
- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the proposed development site.
- 5) **Transportation System:** This site has frontage along N Villa Ave and BW 48th Street, both local/neighborhood streets within the Urban Medium LUTA. Transit (bus) service is available within 1/3-mile along N May Avenue and N Pennsylvania Ave.
- 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)

b. Plan Conformance Considerations

The SPUD is requested to build two new single-family residences on a vacant lot at the southeast corner of NW 48th Street and N Villa Avenue. One home will face NW 48th Street and one will be oriented to Villa. 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.

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.

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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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