



STAFF REPORT
The City of Oklahoma City
Planning Commission
April 14, 2022

Item No. IV. 1.

(PC-10803) Application by Giao Le, to rezone 1424 NW 33rd Street from the R-1 Single-Family Residential District to the R-2 Medium-Low Density Residential District. Ward 2.

I. GENERAL INFORMATION

A. Contacts

Applicant

Giao Le
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B. Case History

This is a new application. Initially, this application was a request for R-4 zoning. Subsequent to notice, the applicant amended the request to R-2 Medium-Low Density Residential.

C. Reason for Request

The purpose of this request is to change the existing single-family residential based zoning to a residential based zoning that will permit two-family residential development and thus resolve the non-conformity of the existing duplex.

D. Existing Conditions

1. Size of Site (0.18 acre)

2. 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

3. 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.

Comprehensive Plan Land Use Typology Layer: Urban Commercial (UC)

The Urban Commercial encourages the concentration of small-scale retail, office and service businesses in locations that serve as hubs for neighborhood and city-wide consumer activity. The UC designation applies to development within one block of the designated corridor. UC designates strategic areas where the creation or revitalization of a commercial district will drive revitalization and an increase in property value in surrounding neighborhoods. Office and multi-family residential uses are highly desirable within UC areas, as they generate market demand for retail, incorporate walkable environments and create synergies that encourage full utilization of land.

- 4. Development Context:** The subject site is located on the south side of NW 33rd Street, west of N Classen Blvd. The site is zoned R-1 and development with a duplex. All adjacent land is zoned R-1. SPUD-938 to the northeast was approved in 2017 to allow a garage apartment. At the end of the block along N Classen Boulevard are restaurants zoned C-3 (Café Kacao and Jeff's Café). The proposed R-2 District is requested to align with the existing development.

II. 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 (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. School District (Oklahoma City)**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

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**

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) A Corps of Engineers 404 permit must be submitted with plans for any work contemplated within the floodplain, creek, or channel (waters of the United States) included in the case limits.

- 5) 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.
- 6) 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.
- 7) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 8) Construction within the limits of this PC 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.
- 9) Sidewalks 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.
- 10) All private roads /streets will have private storm sewer systems.
- 11) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Management

11. Utilities

a. Engineering

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

b. Solid Waste Management

The City cannot service. Contact private hauler.

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.
- 2) 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.

- 3) Dead-end water mains must be avoided where applicable.
- 4) All existing unnecessary water services must be abandoned at the water main(s).
- 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 and fire protection systems which require water pressure in excess of 25 psi.
- 6) Proposed water main(s) must be located within a utility easement and/or right-of-way. No trees, signs, dumpsters, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 7) All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 8) 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.
- 9) All domestic and fire suppression services must have separate water service connections.
- 10) 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).

12. 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. Within the Urban Commercial Layer, the density range increases to 20-75 du/acre.

The zoning is requested for an existing duplex, a density of 11 du/acre, within the LUTA range. National, state, and local permitting require basic best management practices for stormwater management.

Automobile Connectivity:

- Protect existing traditional street grid and reconnect it where possible.

No changes to the street network are proposed.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are sporadic in the neighborhood may need repair/replacement in front of the subject site. Northwest 33rd Street has been identified as a priority area for sidewalks.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. Projects in higher intensity LUTAs (UM) may be more appropriate for significant transitions of density, scale and mass. *The rezoning is sought for an existing duplex. No compatibility issues were identified.*
- 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 off NW 33rd Street, a Neighborhood Street in the Urban Medium LUTA. The nearest transit (bus) service is located to the east along N Classen Blvd.
- 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)
- 7) **Other Considerations: Historic Resources**

The existing residential structure, constructed in 1917, was identified in a 1992 Intensive Level Survey as “contributing” to the Military Park Historic District, which was given a formal Determination of Eligibility for the National Register of Historic Places in 1993.

The City's preservation plan, preserveokc, supports the preservation, rehabilitation or adaptive reuse of the existing home.

b. Plan Conformance Considerations

The subject site is located on the south side of NW 33rd Street, west of N Classen Blvd. The site is zoned R-1 and developed with a duplex. The rezoning to R-2 is requested to align with the existing development. The proposal to increase density in the Urban Medium LUTA is in conformance with density ranges and comprehensive plan goals to provide a mixture of residential housing types in UM areas. preserveokc supports the preservation of the existing residential structure.

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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