



The City of Oklahoma City
Planning Commission
STAFF REPORT
May 27, 2021

(SPUD-1312) Application by Khusro Iqbal, to rezone 201 NE 14th Street from the R-1 Single Family Residential District and OSHA to the SPUD-1312 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant/Developer Representative

Name David Box
Company Williams, Box, Forshee & Bullard PC
Phone 405-232-0080
Email dmbox@wbfbllaw.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit four single-family detached 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: 0.22 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	R-1	R-1	R-1	R-2
Land Use	Undeveloped	Residential	Residential	Apartments	Undeveloped

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- 4. Development Context:** The subject 9,750 square foot site is a vacant parcel located at the northeast corner of N Walnut Avenue and NE 14th Street about one block east of Interstate 235. The site is zoned R-1 and is located within Classen North Highland Parked neighborhood, a previous Strong Neighborhood Initiative neighborhood. To the west is vacant land zoned for R-2 uses and a newly-constructed duplex. To the east and north are single-family homes. Directly across the street to the south is a 14-unit apartment building. The general area contains single-family residences, vacant lots, and some two, three, four and multi-family units sporadically located.

The SPUD requests to retain the R-1 base zone with the following variations to develop 4 detached single-family residences:

	<i>Code Standard</i>	<i>SPUD Proposed Standard</i>
Table 59-6200.2 Bulk Standards		
Minimum Lot Size	6,000 sf	2,400 sf
Minimum Lot Width	50 feet	32.5 feet
Setbacks	Front: 25 feet; Side: 5 feet; Corner Side: 15 feet; Rear: 10 feet	South (NE 14 th St): 15 feet; West: (Walnut Ave): 5 feet and 18 feet for garages; North: 5 feet; East: 10 feet; Interior Sides: 2.5 feet
Parking Requirements		
	2/du, garage does not count as parking	2/du, garage counts as parking

II. SUMMARY OF PUD APPLICATION

This SPUD shall be developed in accordance with the regulations of the **R-1 Single Family Residential District** (OKC Zoning Ordinance, 2020), except as modified herein.

- 1. The following use will be the only use permitted on this site:**

Single Family Residential (8200.14) [Except that four (4) single family structures shall be permitted within this SPUD]

- 2. Minimum Lot Width:** 32.5'
- 3. Minimum Lot Size:** 2,400 square feet
- 4. Maximum Building Height:**

The maximum building height within this SPUD shall be 2½ stories or 35 feet.

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5. Maximum Building Size:

The maximum home size shall be 1,600 square feet.

6. Maximum Number of Buildings:

The maximum number of buildings within this SPUD shall be four (4).

7. Building Setback Lines:

South (NE 14th Street): 15 feet

West (N Walnut Avenue): 5 feet, except that garages shall have a minimum setback of 18 feet from the back of the sidewalk

East: 10 feet

North: 5 feet

Interior Sides: 2.5 feet

8. Sight-proof Screening:

Sight-proof screening consisting of a 6' tall opaque fence shall be required between the subject parcel and adjacent properties.

9. Landscaping:

The landscaping shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

10. Signs:

There shall be no signs in this SPUD.

11. Access:

Access to the site shall be taken from a maximum of two driveways on Walnut Ave. and two driveways on NE 14th St.

12. Parking Regulations:

The parking regulations shall be in accordance with Section 59, Article X of the Oklahoma City Municipal Code, 2020, as amended, with the exception that garages shall count toward meeting the minimum parking requirements, provided each parking space in a garage shall be a minimum of 8½ feet wide by 18 feet deep.

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13. Sidewalk Regulations:

Sidewalks shall be required, subject to the policies and procedures of the Public Works Department.

I. Other Development Regulations:

1. Architecture:

The architecture of the buildings within this SPUD shall have the exterior building walls finish on all main structures, exclusive of doors and windows, to consist of 75% masonry or stone exterior walls, wood siding, stucco, plaster, composite siding that has a wood or stucco appearance; pre-finished metal trims for fascia covering trim covering as accents are allowed; wood, vinyl and metal windows are allowed; No exposed metal or exposed concrete block shall be permitted.

2. Open Space:

Open space within this SPUD shall be per base zoning regulations, or 40%.

3. Street Improvements:

N/A.

4. Other:

4.1 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.

4.2 Drainage:

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

4.3 Dumpsters:

Trash Containers provided for Oklahoma City neighborhood service. Commercial dumpster not permitted.

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4.4 Lot Split:

This SPUD shall allow up to 3 lot splits (i.e. the creation of 4 lots)

II. Supporting Documents:

Exhibit A: Legal Description

Exhibit B: Site Plan – Conceptual

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.

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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) Detention Determination
 - A detention requirement determination will not be issued at the Preliminary Plat stage unless the development is located within the current "detention required area".
 - Prior to the preparation of a Final Plat and Construction Plans, the Engineer or Developer may contact the Public Works Engineering Department and receive a Detention Determination for that individual Final Plat
 - This Detention Determination will be specific to the single Final Plat under consideration
 - The Detention Determination will be valid for a period of six (6) months
 - If the Final Plat and Construction Plans have not been submitted, reviewed, and approved by the Public Works Engineering Department within that 6 month time frame, the Detention Determination will be void and a new Detention Determination must be requested.
 - If construction has not started on the development within six (6) months of the approval of the construction plans, the Detention Determination will be void and a new Detention Determination must be requested.
 - For new commercial developments that do not require hearings before the PC or CC, the Engineer or Developer may contact the Public Works Engineering Department and receive a Detention Determination for that commercial development.

c. Stormwater Quality Management

d. Traffic Management

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 sanitary sewer mains must flow within the existing drainage basin. Proposed sewer mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) All sanitary sewer mains must have a minimum cover of 6 feet and a depth no greater than 18 feet.
- 4) The developer will be required to extend a gravity sanitary sewer collection system to each lot or site within the subdivision or land improvement in accordance with City Standard Specifications and the current Subdivision Regulations. No private or public lift stations will be allowed.
- 5) No trees, signs, dumpsters, or fences within 10 feet of any existing or proposed sanitary sewer main.
- 6) All existing unnecessary sanitary sewer services must be abandoned at the sanitary sewer main.
- 7) Additional Comments: Public sanitary sewer extension is required.

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 NE 14th St.
- 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) No trees, signs, dumpsters or fences within 10 feet of any existing or proposed water main.
- 4) No structures within 20 feet of any existing or proposed water main or fire hydrant.
- 5) 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.
- 6) Additional Comments: No objections.

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.
- Structured parking may be appropriate to achieve desired intensity levels.

The proposed SPUD would allow the subject site to be split into four new individual lots. At the time of review, the exhibit indicated two lots would face south and two would face west.

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.

The SPUD proposes 4 single-family homes on 0.22 acres for a density of 18 du/acre, within the UM LUTA range.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.
- Discourage widening of neighborhood streets and increasing curb radii.

Sidewalks are present 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 Residential Medium Intensity adjacent to existing Residential Low Intensity, “Building Scale and Site Design” are potential compatibility issues 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, if 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. *Potential compatibility issues related to setbacks, lot coverage, street frontage and lot coverage are identified. The SPUD would allow the subject site to be split into to four new lots and four 2-story homes to be constructed five feet apart, with two facing NE 14th and two facing Walnut Ave. Northeast 14th Street has wide right-of-way (100 feet), but homes are still set back 20-25 feet. The SPUD proposes a 15-foot setback on NE 14th Street. Setback on Walnut Ave are proposed at 5 feet with garages at least 18 feet from the back of sidewalk. Although the SPUD commits to 40-50% open space, it is unclear how that would be met and should be clarified. Mitigation is offered with a 6-foot tall sight-proof fence between adjacent properties. Other options to mitigate for differences in scale and lot coverage could include providing vegetated buffers, increasing open space by decreasing the number buildings/lots, providing covered porches or other architectural features consistent with homes in the neighborhood, and planting street trees.*

- 3) **Service Efficiency:**
- Water: *Fully served*
 - Sewer: *Fully Served*

- Fire Service: *Urban Service Level*
- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
- Riparian areas: N/A
 - Upland Forest: 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. *Increasing landscaping with a vegetative buffer would assist with infiltration of stormwater onsite.*
- 5) **Transportation System:** This site is located along the local streets of NE 14th and N Walnut Avenue in the Urban Medium LUTA. Sidewalks are present along both street frontages. Bus transit is available along NE 13th Street and Lincoln Blvd.
- 6) **Other Development Related Policies**
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - Higher density multifamily development should be located in areas near employment or educational centers where street and transit systems have, or will soon have capacity to support the added trips (SU-48)
 - Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed use developments.

b. Plan Conformance Considerations

The subject site is located at the northeast corner of NE 14th Street and Walnut Ave. The SPUD is requested to split a 9,700-sf corner parcel into four new residential lots. The proposal for increased density is consistent with density ranges within the Urban Medium LUTA and comprehensive plan goals to provide a mixture of residential housing types and infill development on vacant lots. However, potential compatibility issues related to setbacks, lot coverage, street frontage and lot coverage were identified. The SPUD has been modified since first submitted to provide 15-foot setbacks on NE 14th Street and orient two homes south and two homes west. Garages on Walnut Ave will be set back at least 18 feet and a fence is required along the east and north boundaries of the PUD.

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Other options to strengthen plan conformance and mitigate for differences in scale and lot coverage could include providing vegetated buffers, increasing open space by decreasing the number buildings/lots, providing covered porches or other architectural features consistent with homes in the neighborhood, and planting street trees.

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. Eastern boundary screening shall include a 6-foot-wide vegetative buffer with plantings that will grow to a height of at least 6 feet.
2. At least two trees shall be planted along NE 14th Street, subject to a revocable permit if necessary.
3. Houses facing NE 14th Street shall have covered front porches.
4. Garages on NE 14th Street shall be located behind the front building wall.
5. Change 'Open Space' to the following for clarification: *Open Space: 25% of lot area shall remain open space with open space defined as any space that isn't building footprint or used for parking as defined in section 59-10250.8B (1) of the Oklahoma City Municipal Code, 2020, as amended.*

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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