

Planning Commission Minutes
September 12, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:28 p.m. on September 6, 2024)

11. (SPUD-1657) Application by Overtime Real Estate, LLC and Harold J Thompson to rezone 3217 North Lindsay Avenue from R- 1 Single-Family Residential District to SPUD-1657 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY PENNINGTON, SECONDED BY GOVIN

AYES: CLAIR, POWERS, MEEK, NEWMAN, GOVIN, PENNINGTON, NOBLE,
LAFORGE

ABSENT: PRIVETT



STAFF REPORT
The City of Oklahoma City
Planning Commission
September 12, 2024

Item No. IV. 11.

(SPUD-1657) Application by Overtime Real Estate, LLC and Harold J Thompson to rezone 3217 North Lindsay Avenue from R-1 Single-Family Residential District to SPUD-1657 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

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

B. Case History

This application was continued from the August 8, 2024, Planning Commission meeting.

C. Reason for Request

The purpose of this application is to allow multi-family residential use and development.

D. Existing Conditions

1. Size of Site: 0.24 acres

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	Undeveloped

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.

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **R-4 General Residential District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

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

All uses within the R-4 District shall be permitted within this SPUD, except that the maximum number of dwelling units shall be ten (10).

2. **Maximum Building Height:**
The maximum building height shall be two (2) stories and 35 feet.
3. **Maximum Building Size:**
The maximum building size shall be 7,000 square feet.
4. **Maximum Number of Buildings:**
The maximum number of buildings shall be in accordance with the base zoning district.

5. **Building Setback Lines**

North: 10 feet
South: 5 feet
East: 25 feet
West: 15 feet

6. **Sight-Proof Screening:**
Sight-proof screening shall be in accordance with the base zoning district.
7. **Landscaping:**
The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development, including streetscape buffer requirements.
8. **Signs:**
 - 8.1 **Freestanding Accessory Signs**
Freestanding signs will be in accordance with the base zoning district regulations.
 - 8.2 **Attached Signs**
Attached signs will be in accordance with the base zoning district regulations.
 - 8.3 **Non-Accessory Signs**
Non-accessory signs will be prohibited.

8.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

9. Access:

Access may be taken from N. Lindsay Ave. and NE 32nd Street. A maximum of one (1) driveway per street may be permitted. Driveways shall be a maximum width of 18 feet.

10. Sidewalks

Five (5) foot sidewalks shall be constructed on North Lindsay Avenue and NE 32nd Street, subject to the policies and procedures of the Public Works Department and ADA requirements.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry, stucco, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% architectural metal, wood, or EIFS (Exterior Insulation Finish System) shall be permitted. Exposed concrete block buildings shall not be permitted.

2. Open Space:

Open space shall be in accordance with the base zoning district.

3. Street Improvements:

N/A.

4. Site 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. To minimize light spillover on adjacent residential uses, outdoor lights be directed away from any adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.

5. Dumpsters:

Dumpsters shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences. Dumpsters shall be located at least 50 feet away from adjacent residential uses to the north and south of the site.

Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

6. Parking:

The design and number of all parking facilities in this SPUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended, except that there shall be a maximum of five (5) parking spaces, inclusive of the required ADA spaces.

7. Maintenance:

Maintenance of the common areas, private drainage easements, and islands/medians in the development shall be the responsibility of the property owner or Property Owners Association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

8. Drainage:

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

III. Supporting Documents

Exhibit A: Legal Description

Exhibit B: Conceptual Site 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 contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior to excavation for the exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District:** Oklahoma City
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire:** Site plan is incorrect; curb is not the property line. [updated by applicant]
- 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) 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) 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.
- 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) There is an existing storm drain pipe (66-inch Reinforced Concrete Pipe; City Project No. 011-E-113) that crosses the southeast corner of the property. The building footprint appears to be encroaching upon the storm drain pipe and the associate drainage easement. Adjust the building footprint to be outside the limits of the drainage easement.

b. Streets, Traffic and Drainage Maintenance

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Wastewater Availability

- 1) An existing 8-inch 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) Plat may be revised after review and approval of utility plans.

Water Availability

- 1) An existing 6-inch 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 more than 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) Plat may be revised after review and approval of utility plans.

b. Solid Waste Management

- 1) The City cannot provide service, contact private hauler.

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 is requested to allow multi-family residential, with a maximum of 10 dwelling units and a base R-4 zoning. The proposed 10 units over 0.24 acres would have a density of 41.7 du/acre. Conceptual plans indicate the new building would be senior assisted units.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Primary entrance points should be aligned with access points immediately across the street.

The subject site currently has one drive along North Lindsay Avenue. The SPUD proposes allowing a maximum of one drive each from North Lindsay Avenue and NE 32nd Street. The conceptual plan for the development illustrates only one drive on the property, located at the rear of the property along NE 32nd Street, leading to parking for the building.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are not currently available on the subject site but are required along both street frontages by the SPUD regulations.

- #### 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 uses adjacent to existing Low Intensity Residential uses or zoning, “Building Scale and Site Design” and “Traffic” 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, 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 is requested to allow multi-family residential, specifically a senior assisted living facility, with a maximum of 10 dwelling units and a base R-4 zoning. The SPUD regulations match the base R-4 District setbacks on the east, south, and west and proposes altering the north setback from 15 (corner side yard) to 10 feet. The conceptual plan for the development illustrates that the building would front North Lindsay Avenue. Development at the other corners of the intersection does not maintain a specific orientation in relation to abutting development, thus a defining pattern has not been established. The SPUD establishes a maximum building height of 2 stories and 35, which matches the allowance in the abutting R-1 District. The R-4 District would typically require a height stepdown abutting the R-1 District. The SPUD maintains screening and landscaping requirements of the base R-4 District.*

Traffic: Mitigation measures should be used if the development is inconsistent with the Street Typology, or would substantially exceed the average daily traffic of existing, adjacent uses. *The subject site is located at the southwest corner of North Lindsay Avenue and NE 32nd Street, both Neighborhood Streets in the Urban Medium LUTA. Access to a Major Arterial Street is available just west of the site, along North Lincoln Boulevard. No triggers requiring mitigation relating to traffic were identified.*

3) Service Efficiency:

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

4) Environmentally Sensitive Areas: The following apply to the proposed development site:

- Riparian Areas: N/A
- Upland Forests: 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. Low impact development techniques include, but are not limited to, using pervious surface materials wherever possible for the construction of driveways, parking areas, sidewalks, patios, etc., to promote increased water percolation and infiltration.

5) Transportation System: This site is located at the southwest corner of North Lindsay Avenue and NE 32nd Street, both Neighborhood Streets in the Urban Low LUTA. The nearest transit (bus) service is located within a quarter mile of the site, to the west, along North Lincoln Boulevard.

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)
- 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)
- 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 at the southwest corner of North Lindsay Avenue and NE 32nd Street. The site and all abutting properties are zoned R-1. The subject site is developed with a single-family residence. Land to the north, across NE 32nd Street, to the east, across North Lindsay Avenue, and abutting on the south are developed with single-family residences. The abutting property to the west is undeveloped with undeveloped C-3 zoned land beyond that, fronting North Lincoln Boulevard.

The SPUD is requested to allow multi-family residential development with an R-4 base district. The SPUD proposes a maximum of ten dwelling units on the .24 acre site, or a density of 41 du/acre, slightly over the Urban Medium LUTA range. The conceptual plan indicates the site would be developed as senior assisted living. The SPUD proposes that bulk standards be regulated by base zoning, except that the maximum building height would be 2 stories and 35 feet adjacent to R-1 and the parking requirement be 5 spaces (including required ADA spaces). This parking requirement is the same as required for the Senior Independent Living use. Driveways are limited to one per street, dumpsters must be located 50 feet from the home to the south, and sidewalks are required. Revisions to the site plan may be necessary to address existing easements on the property.

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.

All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Division's review of construction plans and prior to City Council approval.

taj

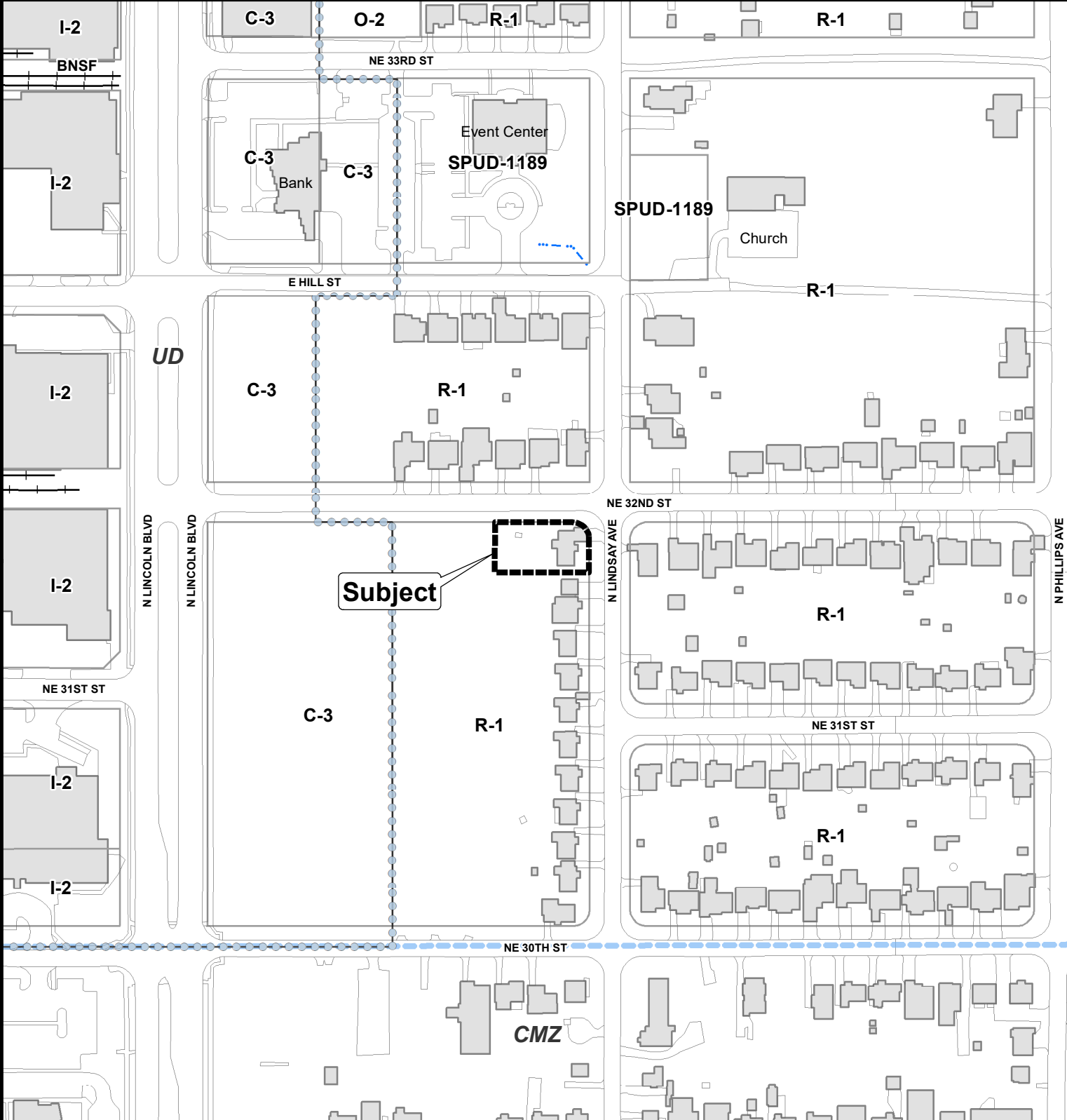
Case No: SPUD-1657

Applicant: Overtime Real Estate, LLC

Existing Zoning: R-1

and Harold J Thompson

Location: 3217 N. Lindsay Ave.

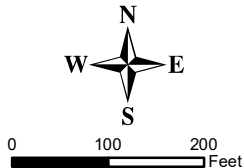


Note: "Subject" is located approximately 2,019 West of N. Kelley Ave. and 2,022 South of NE 36th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



CONCEPT PROJECT FEASIBILITY

Senior Assisted Living Facility
3217 North Lindsay
Oklahoma City, OK 73105

left
frame

www.leftframe.com

SPUD-1657 Exhibit B

project scope

- 6,111 gross square feet (35 foot building height restriction)
- 2 level - 10 senior assisted living units
 - 10: studio units (341 s.f. avg)
- 5 total parking spaces (Level 1)
- Amenities
 - dining/ recreational (levels 1 and 2) (approximately 850 square feet)
 - kitchen (Level 1) (approximately 315 square feet)
 - office (Level 2) (approximately 315 square feet)
- two levels of residential units with dining/ recreational area per level
- conceptual representations are all preliminary and generic at this point to help understand feasibility
- no design intent, material selection, or aesthetic is a finalized product

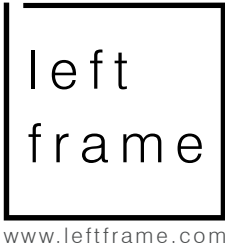


concept rendering

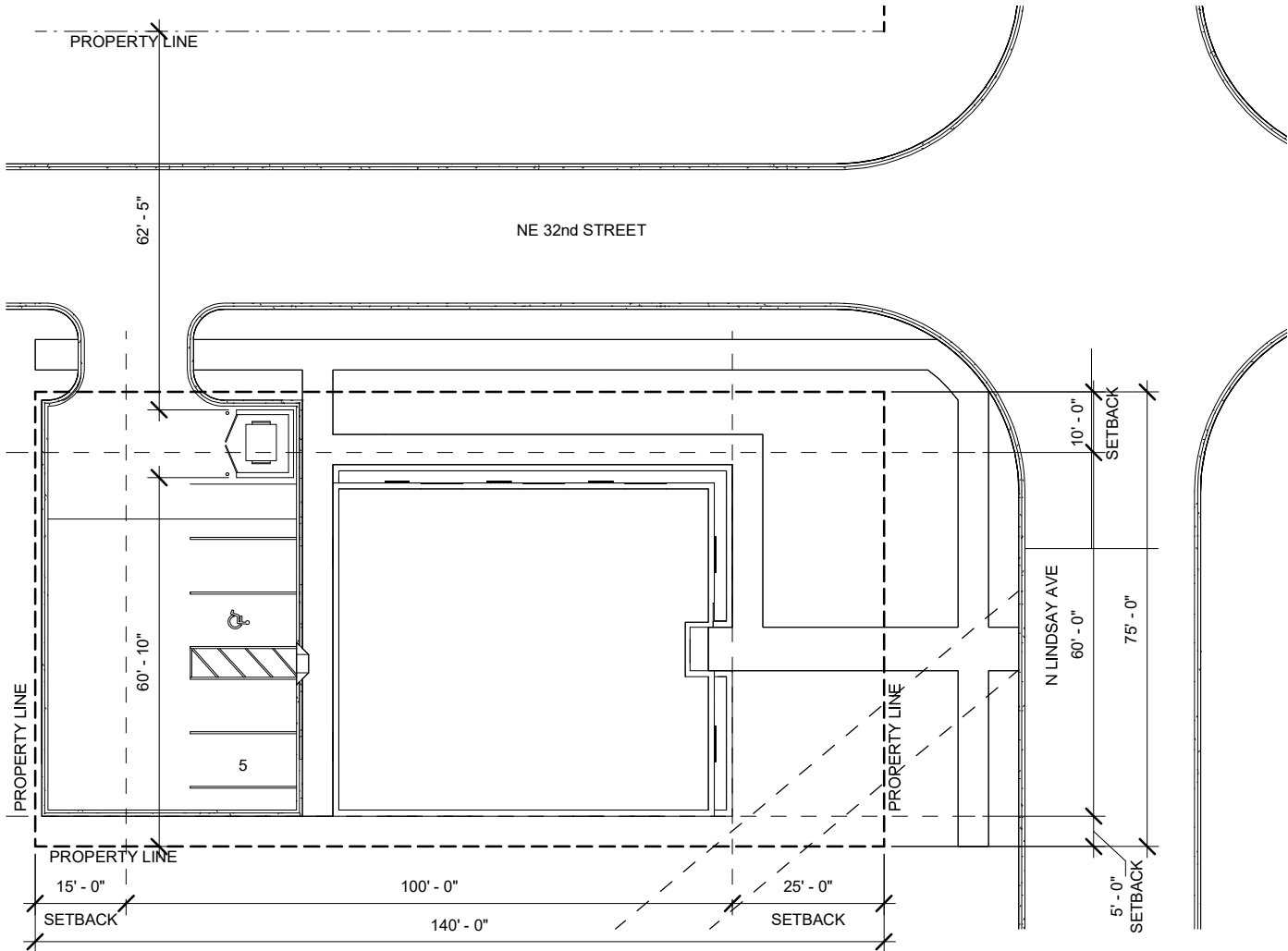
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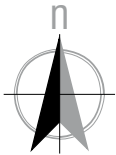
CONCEPT PROJECT FEASIBILITY



conceptual floor plans

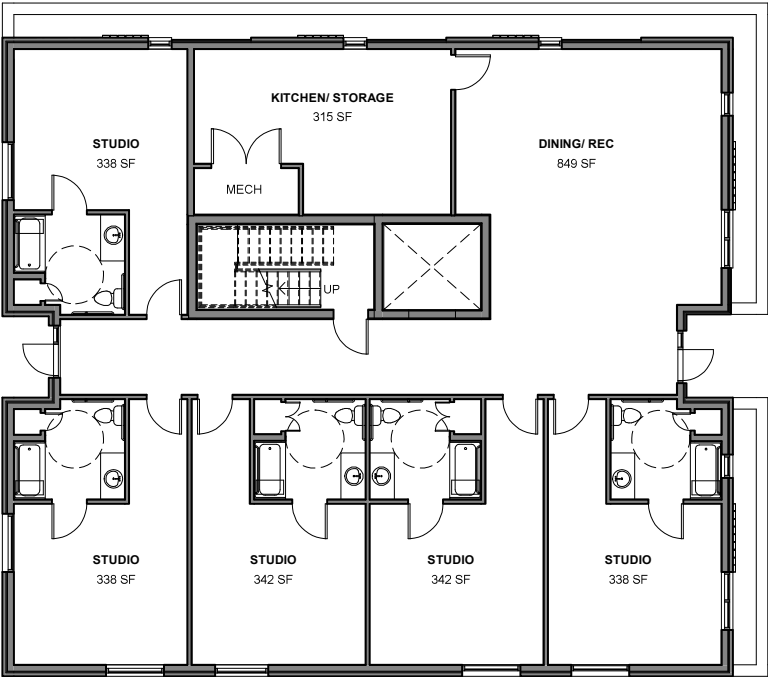


architectural site plan



CONCEPT PROJECT FEASIBILITY

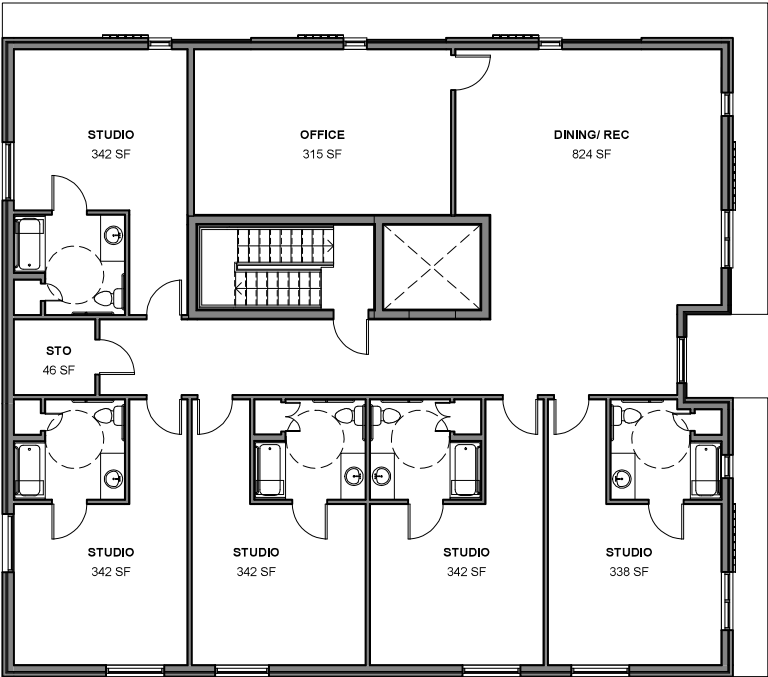
conceptual floor plans



first floor plan



concept rendering



second floor plan



concept rendering

Case No: SPUD-1657 Applicant: Overtime Real Estate, LLC
Existing Zoning: R-1 and Harold J Thompson
Location: 3217 N. Lindsay Ave.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Note: "Subject" is located approximately 2,019 West of N. Kelley Ave. and 2,022 South of NE 36th St.

Simplified Planned Unit Development

