

Planning Commission Minutes
January 25, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:14 a.m. on January 22, 2024)

4. (SPUD-1589) Application by Universal Development Enterprise, LLC to rezone 3209 East Park Place from R-1 Single-Family Residential District to SPUD-1589 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY CLAIR, SECONDED BY POWERS

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 25, 2024

Item No. IV. 4.

(SPUD-1589) Application by Universal Development Enterprise, LLC to rezone 3209 East Park Place from R-1 Single-Family Residential District to SPUD-1589 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer

Name	Marcus Ude
Company	Universal Development Enterprise, LLC
Phone	405-708-7320
Email	marcusude@okcdevelopment.com

B. Case History

This application was continued from the December 14, 2023 and January 11, 2024 Planning Commission meetings.

C. Reason for Request

The purpose of this application is to allow a cottage court residential 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: 0.73 acre

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	R-1	R-1	PUD-1479	R-1
Land Use	Undeveloped	Residential	Undeveloped	Undeveloped	Undeveloped

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 as herein modified, including accessory uses subject to their appropriate conditions and review procedures for public hearing where applicable, unless otherwise noted herein:

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

- Single-Family Residential (8200.14)
- Two-Family Residential (8200.16)
- Three- and Four-Family Residential (8200.15)
- Multi-Family Residential (8200.12)
- Community Recreation: Property Owners Association (8250.3)
- Community Garden (8150.6.1)

1.1 Minimum Lot Size: 2,500 square feet

1.2 Minimum Lot Width: 22'

2. **Maximum Building Height:** Maximum building height for dwellings located along the north SPUD boundary will be 28' and two stories. The remaining buildings in the SPUD will be a maximum height of three stories and 35' feet.
3. **Maximum Building Size:** 1,000 square feet.
4. **Maximum Number of Buildings:** No more than 20 buildings will be allowed within the SPUD boundary; multiple structures will be allowed on a lot.
5. **Building Setback Lines**

5.1 For the SPUD boundary:

South: 15'

North: 10'

East and West 5'

5.2 For individual lots to be platted: No minimum setbacks required, other than those required by utilities, building and fire codes.

- 6. Sight-proof Screening:** Sight-Proof Screening shall not be required in this SPUD; However, if provided, it 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. If the site is developed as a tiny home/cottage court community, the following changes to the landscape code are required: the southern SPUD boundary shall include a minimum of 6 medium or large-size trees; the northern SPUD boundary shall include a minimum of 3 large or medium-size trees. The eastern and western boundaries shall contain shrubbery and/or trees that will grow to a minimum height of six feet. All landscaping will count toward site development points and the above requirements shall substitute for residential buffers and screening and parking lot points.
- 8. Signs:** A maximum of one residential development identification/freestanding sign shall be permitted. The sign shall be a maximum of 5 feet in height with a maximum display area of 24 square feet. Freestanding signs shall be required to have a landscaped base of no less than 25 square feet in area and shall be covered with a material consistent with the residential buildings it serves. Turf grass shall not be used to satisfy this requirement.
 - 8.1 Attached signs:** Attached signs will be in accordance with the base zoning district regulations.
 - 8.2 Non-Accessory Signs:** Non-Accessory Signs are not allowed.
 - 8.3 Electronic Message Display signs:** Electronic Message Display signs are specifically prohibited in this SPUD.
- 9. Access:** The subject parcels shall be accessed from East Park Place, with a maximum of two drives. If this development is platted, dwellings shall not be required to have access from a public street. If the parcel is developed with two or fewer dwellings per lot, one driveway per lot shall be allowed.
- 10. Sidewalks:**

A five-foot sidewalk shall be constructed along E Park Place.

I. Other Development Regulations:

- 1. Architecture:** Exposed metal, except for architectural metal, or exposed concrete block buildings shall not be permitted.
- 2. Open Space:** An open space courtyard a minimum of 4,400 square feet shall be centrally located in the development and shall satisfy the common open space requirements of the base zone.
- 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.
- 5. Dumpsters:** Dumpsters shall be consolidated and located within an area screened by a decorative fence or masonry wall of sufficient height to screen the dumpster from view.

The subject parcel shall meet all requirements of the City of Oklahoma City's applicable Ordinances in place at the time of development, with the exception that the dumpster will be placed at the southwestern boundary of the site. At this location only, the dumpster may be a minimum of 5 feet from a property line adjacent to a residential zone.

- 6. Parking:** A minimum of one parking space shall be provided per dwelling. Parking spaces will be located within the SPUD boundary but are not required to be on the same platted lot as dwellings they are serving.
- 7. Maintenance:** Maintenance of all common areas in the development and maintenance of all amenities located within the common areas shall be the responsibility of the owner(s) of said property. 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.
- 8. Drainage:** Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

II. Supporting Documents

Exhibit A: Legal Description

Exhibit B: Conceptual Renderings

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** 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:** Oklahoma City
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire:** no objection to use, but need a good site plan to determine access.
- 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) Flood Study will be required to show that there is no rise in the 100-year rainfall runoff established by the Federal Emergency Management Agency (FEMA) and the City of Oklahoma City, compared pre-& post-development.
- 5) The subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required. Based on the 100-year water surface elevation (established from the City of Oklahoma City urbanized study or FEMA Study, whichever is more restrictive or imposes higher standards) + 1'. The Public Works Department's Engineering staff shall approve these elevations prior to the filing of the final plat.
- 6) A floodplain activity permit must be submitted with plans for any work contemplated within 200 feet of a mapped FEMA floodplain.

- 7) 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.
- 8) 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.
- 9) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 10) 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.
- 11) 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.
- 12) All private roads /streets will have private storm sewer systems.
- 13) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.
- 14) Amend section II.10 Sidewalks: All sidewalks within this SPUD shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements that are in effect at the time of construction.
- 15) Replace section II.8 Drainage: Drainage improvements will be in accordance with applicable sections of the Oklahoma City Code of Ordinances.
- 16) A Site Plan should be provided that shows the access off of Park Pl and the proposed parking layout.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

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 updated site plan is required to ensure correct location of utilities.

b. Solid Waste Management

- 1) The City can provide service for up to 3 units on a single water meter. Any more than 3 units on the same meter will have to be serviced by a private hauler. A dumpster could be utilized provided there is not enough frontage space for cart placement.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 6" 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.

STAFF REPORT

The City of Oklahoma City

Planning Commission

January 25, 2024

SPUD-1589

Item No. IV. 4.

- 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) An updated site plan is required to ensure correct location of utilities

9. Planning

a. Comprehensive Plan Considerations

1. LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways.

Location:

- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

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.

Floodway and 100-year floodplain are not present on the subject site. However, the site is located adjacent to 100-year floodplain. The development is required to comply with all City, State, and Federal regarding floodplain. The SPUD would allow up to 20 dwellings on 0.73 acres, or 27 du/acre.

Automobile Connectivity:

- Maintain, create, and enhance a street network that is highly connected to increase the number of viable commercial locations and the effectiveness of the transportation system.
- Discourage widening of neighborhood streets and increasing curb radii.

The site design conforms with the above connectivity principles.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.

Sidewalks along E Park Place will be constructed to increase pedestrian connectivity.

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, “Building Scale and Site Design”, and “Traffic” 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. *The proposal triggers potential compatibility issues north of the site where single-family homes are located on 6,200 square feet lots, and where lot coverage is limited to 50 percent of a site. The SPUD proposes to limit height to 28’ in the northern portion of the SPUD adjacent to R-1 homes and to limit building sizes to 1,000 square feet. No building design issues are triggered south of the site which is occupied by a commercial vehicle wrecking business and zoned for industrial uses. There is no development east or west of the site, although the property is zoned for R-1 uses. Mitigation is proposed with 6-foot in height landscape buffers on the side SPUD boundaries and the limitation on building size.*

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 site will take access from E Park Place. The south side of the street is fenced off with no access from the wrecker service onto the neighborhood street.*

3. **Service Efficiency:**
 - Water: Served
 - Sewer: Fully Served Area
 - 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.
- 5. Transportation System:** This site is located along E Park Place, a Neighborhood Street in the Urban Low LUTA. The nearest transit (bus) service is located about ½-mile north on NE 16th Street.
- 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)
 - Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
 - 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)
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - 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 subject site is located on the north side of E Park Place, east of Standish Ave. The subject site is comprised of five residential lots at a mid-block location. The site and land to the east, west, and north is zoned R-1. To the north are homes located in the Garden Neighborhood Council neighborhood. The residential lots abutting the subject site on the east and west are undeveloped. The property to the west is in the 100-year floodplain, making development to the west more challenging. E Park Place is the southern boundary of the neighborhood, as across the street to the south is a wrecker service that is fenced off from the neighborhood. The subject site is generally located north of NE 10th Street and east of N Bryant Ave. The neighborhood is bordered by Lost Lakes on the east and oil/gas operations on the west.

The SPUD is requested for a cottage court development. The SPUD would allow up to 20 homes with parking provided on the west side of the property and homes on the east around a common area. It is the developer's intention to rezone the property "to provide a more affordable option in newly constructed housing. This adjustment to the existing zoning should result in a development that furthers the sense of community established by the surrounding neighborhood while helping to ease the current housing shortage issues."

The SPUD regulations include limiting building height to 28 feet along the north boundary where adjacent to existing homes, limiting building sizes to small homes instead of larger apartment structures, planting trees and landscaping around the perimeter of the site, and providing a center courtyard for residents.

The SPUD has been modified since submitted to include conceptual renderings of the proposed development.

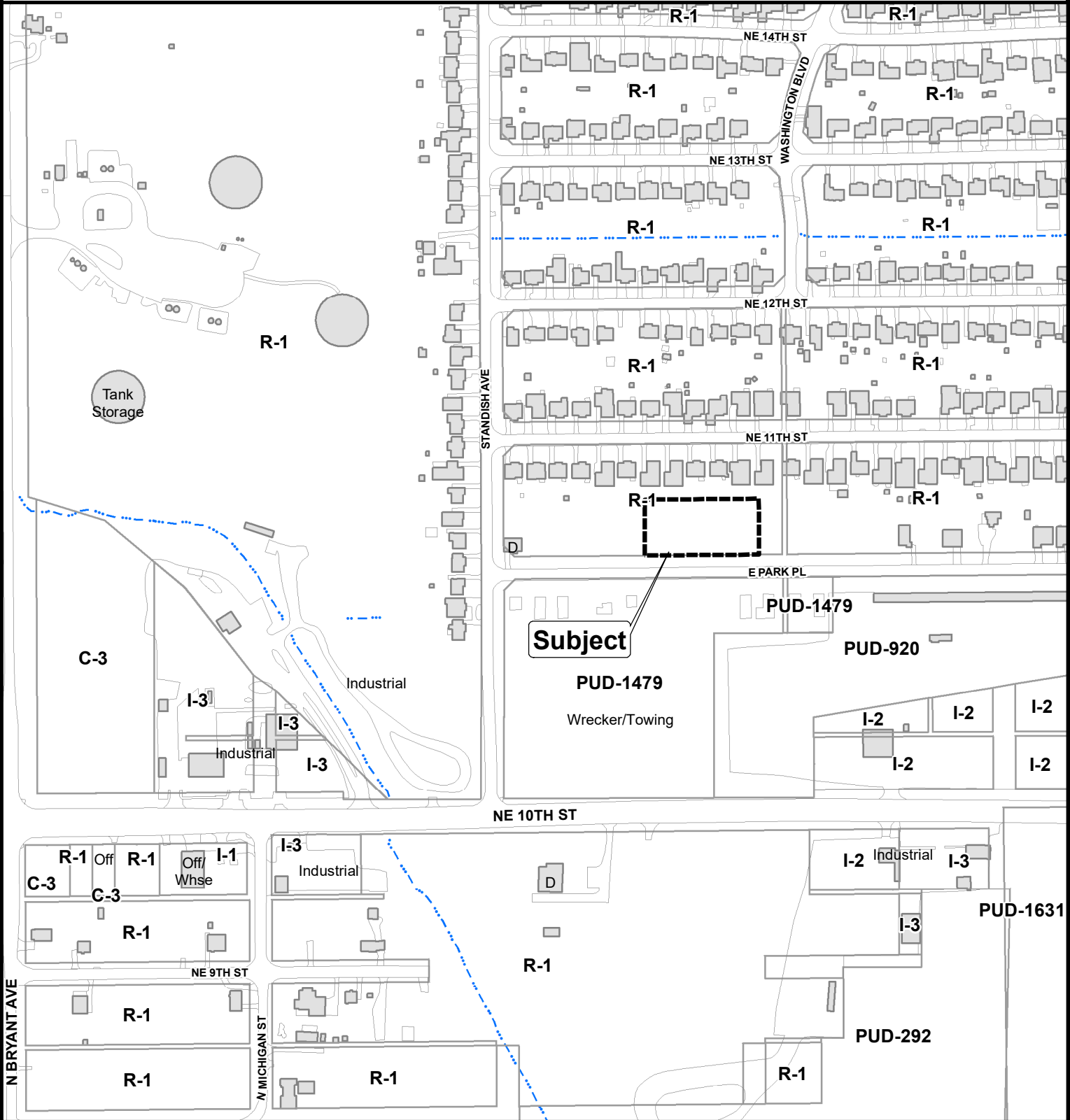
IV. STAFF RECOMMENDATION

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 Divisions review of construction plans and prior to City Council approval.

Case No: SPUD-1589
Applicant: Universal Development Enterprise, LLC
Existing Zoning: R-1
Location: 3209 E. Park Pl.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

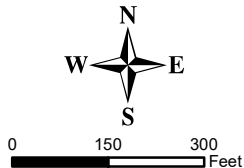


Exhibit B:
SPUD-1589



Case No: SPUD-1589
Applicant: Universal Development Enterprise, LLC
Existing Zoning: R-1
Location: 3209 E. Park Pl.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

