

Planning Commission Minutes
March 14, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:07 a.m. on March 11, 2024)

19. (SPUD-1590) Application by Series F, a separate series of Sparrow Property Group and Rick Still and Kevin Logan to rezone 1144 NW 41st Street from R-1 Single-Family Residential District to SPUD-1590 Simplified Planned Unit Development District. Ward 2.

Amended Technical Evaluation:

1. Flat roofs are not allowed.
2. Dumpsters are not allowed for trash collection.

The applicant was present. There was a protestor present.

**RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION
AS AMENDED.**

MOVED BY POWERS, SECONDED BY LAFORGE

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 14, 2024

Item No. IV. 19.

(SPUD-1590) Application by Series F, a separate series of Sparrow Property Group and Rick Still and Kevin Logan to rezone 1144 NW 41st Street from R-1 Single-Family Residential District to SPUD-1590 Simplified Planned Unit Development District. Ward 2.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Fallon Brooks
Company Jollybird Design
Phone 405-655-8087
Email Fallon@jollybird.design

B. Case History

This application was continued from the December 14, 2023, and the January 11, January 25, February 8, and February 22, 2024 Planning Commission Meetings.

C. Reason for Request

The purpose of this application is to allow multiple residential dwellings.

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: 0.33 acres (14,464 square feet)

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	R-1	R-1	SPUD-1131	R-1
Land Use	Residential	Residential	Residential	Residential	Residential

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **R-1 Single-Family Residential District** (OKC Zoning Ordinance, 2010, as amended), except as modified herein.

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

Community Recreation: Property Owners Association (8250.3)

Single-Family Residential (8200.14)

Two-Family Residential (8200.16), except that units may be attached or detached.

2. **Maximum Building Height:** Per R-1 Regulations, except that buildings with flat roofs shall be a maximum of 28' in height.
3. **Maximum Building Size:** If lots are split, the maximum building size shall be a total of 2,500 square feet. If the lots are not split from their current configuration, the maximum building size shall be per the R-1 base zone.

4. Building Setback Lines

West / Corner Side	5'
East:	5'
North (NW 41 st St):	20'
South (NW 40 th St):	20'
Internal Setbacks:	3'
Alley:	5'

5. Lot Size

The Minimum lot size within this SPUD shall be 3,000 square feet and the minimum lot width shall be 50 feet.

6. Lot Coverage

Maximum lot coverage shall not exceed 60%

7. Density

There shall be a maximum of six (6) dwelling units permitted within this SPUD.

8. **Landscaping:** The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development, except as modified herein.

A minimum of two (2) large trees shall be planted along NW 40th Street. Existing trees in the right of way along NW 41st shall be retained and must be replanted if they are damaged. Streetscape trees shall not be required on N Military Avenue.

- 9. Signs:** No signs are allowed in this SPUD.
- 10. Access:** Access shall be permitted from N. Military Avenue from up to two driveways, a maximum width of 24' each. In addition, one drive is allowed from NW 40th Street and one drive from NW 41st Street, with maximum driveway widths of 12 feet.
- 11. Sidewalks:** Sidewalks shall be constructed along N Military Avenue. Existing sidewalks on NW 40th and NW 41st shall be retained and repaired to City standards as needed.

II. Other Development Regulations

1. Architecture:

Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, rock, stone, stucco, or wood, or other similar type finish. A maximum of 30% EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed concrete block buildings shall not be permitted.

The northernmost and southernmost dwellings in the SPUD shall have front doors and windows that face NW 40th and NW 41st Streets. Walls of dwellings that face N Military shall have a minimum of 30 percent transparency. All buildings with dwellings shall have a front porch with a minimum width of 50 percent of the building frontage. If balconies are constructed, none shall face east. Rooftop decks are prohibited.

- 2. Open Space:** There shall be a minimum of 40% open space, defined as no buildings or paving, per lot.
- 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:** 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 subject parcel shall meet the design requirements of the Oklahoma City Municipal Code, 2020, as amended, except that 2 parking spaces shall be required for single-family residences, and three parking spaces shall be required for each duplex. Parking for duplexes shall be located behind fences or buildings to shield the view from public right-of-way. Garages, if provided, shall count toward the parking requirement provided each space meets the parking stall design standards.

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.

III. Supporting Documents

- Exhibit A: Legal Description
- Exhibit B: Site Plan

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**
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(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) 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) Amend Section II.8 Drainage: Drainage improvements will be in accordance with applicable sections of the Oklahoma City Code of Ordinances.
- 12) Amend Section I.7 Access to add: If access is taken from the platted alley, the alley shall be improved in accordance with the City of Oklahoma City Typical Alley Paving Section.

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.

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.
- 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. 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 build 6 dwellings on .33 acres, or 18 du/acre.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.

- Protect existing traditional street grid and reconnect it where possible.
- Keep alleys open and functional.

The proposal is in conformance with automobile connectivity goals.

Pedestrian Connectivity:

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

The proposal includes sidewalk construction on N Military Avenue where none exist, adding to pedestrian connectivity in the neighborhood. NW 40th and NW 41st streets have sidewalks. The SPUD requires these sidewalks to be retained or to be repaired to City standards as needed.

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 residential uses 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. *Two single-family homes existed on these properties until the homes were demolished in 2023. The SPUD requires homes on the northern and southern end of the SPUD to face NW 41st and NW 40th Streets. Some homes would face N Military Avenue. SPUD-1131 to the south across NW 40th approved in 2019 also turned some of the dwellings to front N Military Avenue but retained a front-yard facing dwelling onto NW 40th Street. Homes with flat roofs are limited to 28 feet. Each lot shall be required to retain 40 percent open space. Surrounding R-1 zoned properties are limited to 50% lot coverage. Most of the surrounding lots are built with less than 50 percent lot coverage. The limitation of 60 percent lot coverage on each split lot may assist in blending more density with adjacent single-family homes.*

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 along N Military Avenue, a Neighborhood Street in the Urban Medium LUTA. Transit (bus) service is located along N Classen Boulevard less than ¼-mile from the site.
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)
 - Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
 - 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 application site is located along the east side of N Military Avenue, between NW 40th Street and NW 41 Street in the Helm Farm neighborhood. Two homes, some accessory buildings that fronted onto N Military Avenue, and all the existing landscaping that existed on each lot were demolished in 2023.

This SPUD originally was set to be heard at the Planning Commission on December 14, 2023. The case was continued throughout January and February of 2024 while the applicant met with the Helm Farm neighborhood and staff. Surrounding property owners received notice of the case in late November of 2023. Substantial changes to the Master Design Statement and a change of ownership prompted the case to be re-noticed to surrounding property owners in February of 2024.

The application currently requests six dwellings on no more than four lots with a maximum building size of 2,500 square feet if the existing two parcels are split into more than one parcel. The current Master Design Statement requires 40% open space, defined as no buildings or paving, per lot. It also requires that all dwellings have front porches and prohibits rooftop decks.

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. The proposed development is higher in density than surrounding existing single-family homes. Mitigation is provided by limiting building sizes, requiring front porches, and limiting the number of dwellings in the SPUD to six.

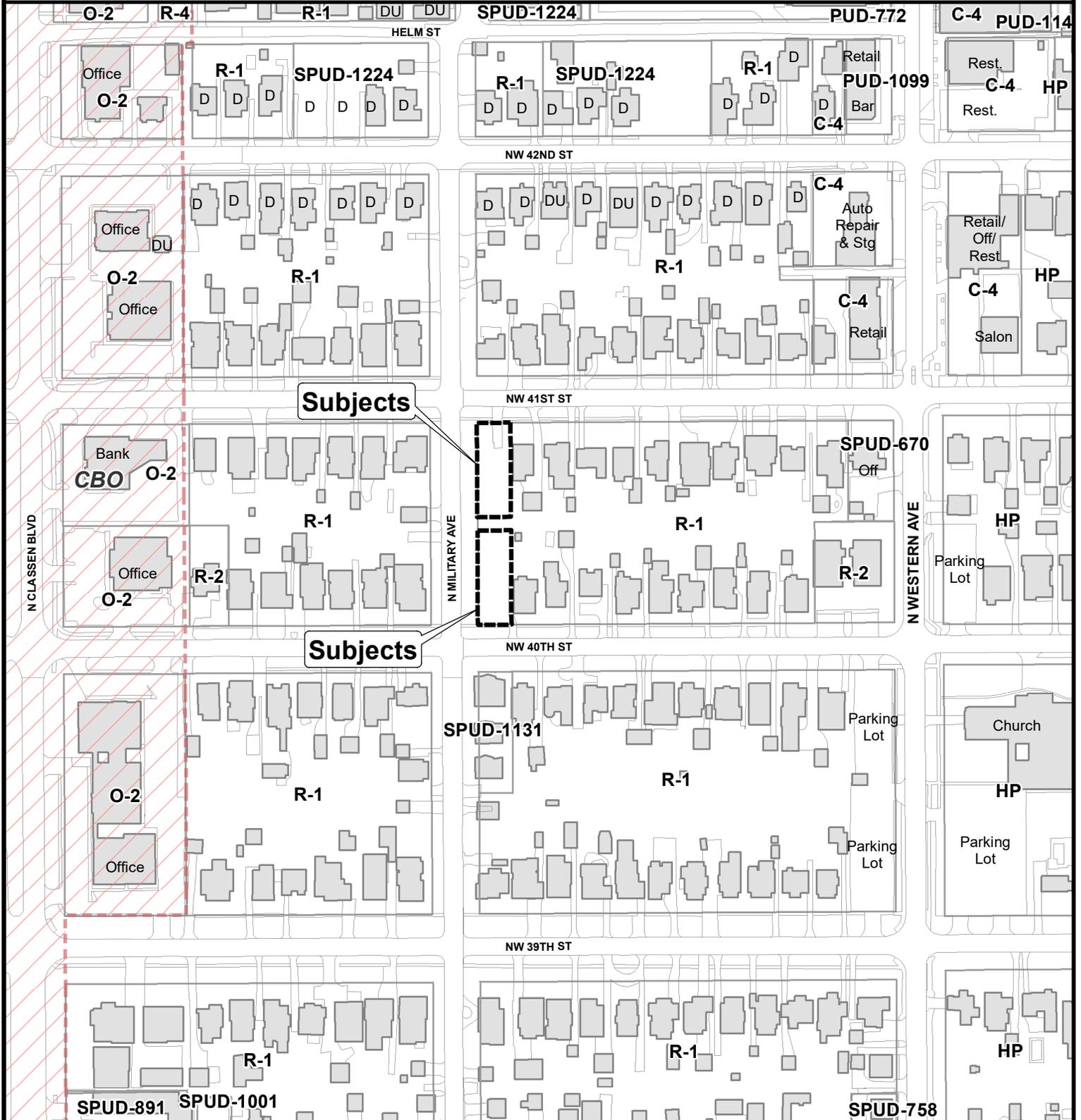
III. STAFF RECOMMENDATION

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.

ml

Case No: SPUD-1590 Existing Zoning: R-1
Location: 1144 NW 41st St.
Applicant: Series F, a separate series of Sparrow Property Group, LLC and Rick Still and Kevin Logan

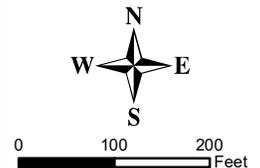


Note: "Subject" is located approximately 1,785' North of NW 36th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



Military Rows
SPUD-1590
1147 NW 40th & 1144 NW 41st St.
Oklahoma City, OK 73118

REGISTERED PROFESSIONAL SURVEYOR

MEMBER
AI
BD
AMERICAN INSTITUTE OF
BUILDING DESIGN

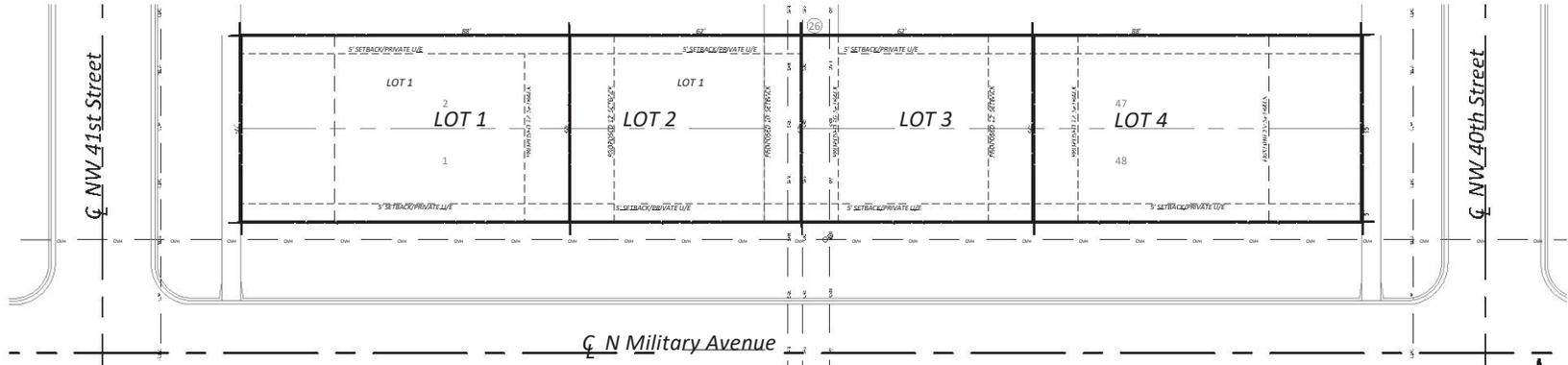
4312 N Classen Blvd
Oklahoma City, OK
73118
405.655.8077

JollyBird
Home Design

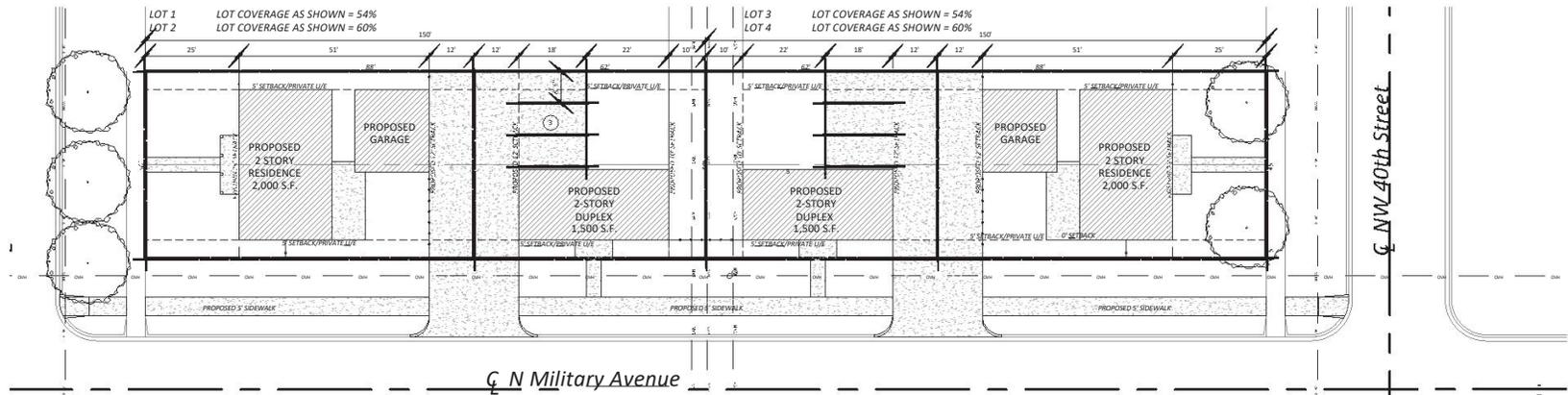


#2345
Professional Seal
FEB
3/6/2024

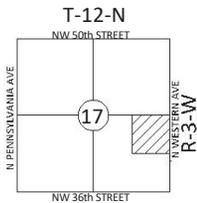
PROJECT NO. B



1
B PROPOSED LOT LAYOUT
1" = 15'



2
B PROPOSED SITE PLAN
1" = 15'



PROPERTY LEGAL DESCRIPTION:

A PART OF THE SE/4 OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 3 WEST. MORE PARTICULARLY DESCRIBED AS:
LOTS 1-2 AND LOTS 47-48, BLOCK 26 OF THE PUTNAM HEIGHTS ADDITION TO OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA.

GENERAL NOTES:

1. THESE DRAWINGS ARE THE PROPERTY OF JOLLYBIRD HOME DESIGN AND MAY NOT BE REPRODUCED WITHOUT EXPRESS WRITTEN PERMISSION. AUTHORIZED REPRODUCTIONS MUST BEAR THE NAME OF JOLLYBIRD HOME DESIGN.
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL DIMENSIONS. DO NOT SCALE FROM PLANS. USE AVAILABLE DIMENSIONS OR CONTACT DESIGNER FOR CLARIFICATION.
3. ALL BEARINGS AND LOCATION INFORMATION IS DIRECTLY FROM EXISTING PLAT OF PUTNAM HEIGHTS ADDITION TO OKLAHOMA CITY.
4. THIS SITE PLAN IS BASED ON PUBLICLY AVAILABLE INFORMATION AND IS NOT A LEGAL INSTRUMENT. IT IS FOR THE PURPOSE OF COMMUNICATING INTENT OF PROPERTY OWNER. PLEASE CONSULT A LICENSED PROFESSIONAL SURVEYOR FOR ACCURATE MEASUREMENTS AND PROPERTY DATA.
5. LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATED. EXACT LOCATION WILL NEED TO BE PROVIDED BY DIALING 811 BEFORE ANY EXCAVATION WORK IS PERFORMED.

Case No: SPUD-1590 Existing Zoning: R-1
Location: 1144 NW 41st St.
Applicant: Series F, a separate series of Sparrow Property Group, LLC and Rick Still and Kevin Logan



Aerial Photo from 2/2022

Note: "Subject" is located approximately 1,785' North of NW 36th St.



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