

Planning Commission Minutes

March 10, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:24 a.m. on March 7, 2022.)

14. (SPUD-1391) Application by Jollybird Home Design, LLC., to rezone 1627 N Klein Avenue from the R-1 Single Family Residential District to the SPUD-1391 Simplified Planned Unit Development District. Ward 6.

The applicant was present. There were no protestors present.

**RECOMMENDED APPROVAL.**

MOVED BY HIGHSMITH, SECONDED BY PRIVETT

AYES: CRAVENS, CLAIR, POWERS, PRIVETT, HINKLE,  
HIGHSMITH, PENNINGTON

ABSENT: LAFORGE



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**March 10, 2022**

**Item No. IV. 14.**

**(SPUD-1391) Application by Jollybird Home Design, LLC., to rezone 1627 North Klein Avenue from the R-1 Single Family Residential District to the SPUD-1391 Simplified Planned Unit Development District. Ward 6.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

Name Fallon Brooks  
Company Jollybird Home Design, LLC.  
Phone 405-655-8077  
Email fallon@jollybirddesigns.com

**B. Case History**

This is a new application.

**C. Reason for Request**

This application is to permit a garage apartment accessed via the alley.

**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: 0.12 acres**

**3. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	R-1/UCD	R-2	SPUD-1174	R-3	R-1/UCD
<b>Land Use</b>	Residential	Residential	Commercial	Residential	Residential

4. **Development Context:** The 0.12-acre subject site is located on N Klein Ave, south of NW 16<sup>th</sup> Street. The site is zoned R-1 and developed with a home. Surrounding zoning includes R-1, R-2, R-3. Across the street to the east is SPUD-1174 which was approved in April 2020 to allow limited commercial uses in a new building up to 14,000 square feet and 45 feet tall with a zero setback on Klein Ave. The surrounding area is also within the Gatewood UCD. The SPUD is requested to allow a garage apartment at the rear of the property and accessed from the alley.

## **II. SUMMARY OF PUD APPLICATION**

This site will be developed in accordance with the regulation of the **R-3 Medium Density Residential District and the Gatewood Urban Conservation District (UCD)** (OKC Zoning Ordinance, 2020), the following exceptions will apply:

1. The following use(s) will be the only use(s) permitted on this site:  
  
Single-Family Residential (8200.14)  
Two-Family Residential (8200.16); this use unit shall allow an accessory dwelling unit (garage apartment)
2. **Building Height:**  
The maximum height of all buildings shall not exceed two and a half stories and/or 35'
3. **Building Size:**  
The maximum size of all buildings will be per Code.
4. **Number of Buildings** not to exceed two buildings within development.
5. **Building Setback Lines:**  
Front (East) 10', Sides (North) 0' and (South) 0', Rear (West) 5' (edge of existing alley/easement). Buildings less than 5' from property line shall be subject to applicable fire and building codes.
6. **Sight-proof Screening:**  
Site contains an existing 6' wood privacy fence on North side. No less than a four-foot and no greater than an eight-foot high fence or wall shall be required along the West and North boundaries of this parcel where it is adjacent to any residential use. Said wall shall be constructed of chain-link, stucco, brick, stone, wood, or iron and/or any combination thereof.

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.
8. Signs: N/A
9. Access: One proposed 20' drive on West boundary of site from alley.

**II. Other Development Regulations:**

1. Architecture: The existing home shall remain Exterior of all new structures to be per the R-3 District.
2. Open Space: Maximum 80% Lot coverage
3. Other:
  - a. Street Improvements: N/A
  - b. Site Lighting: 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, 2010, as amended.
  - c. Trash Receptacles: See Exhibit B (Proposed Site Plan)
  - d. Parking: 2 parking spaces shall be provided. The interior garage parking shall count toward meeting the parking requirement.
4. Common Areas:  
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.

**III. Supporting Documents**

Exhibit A: Legal Description

Exhibit B: Site Plan – Proposed

Exhibit C: Example of possible garage apartment design.

### **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. 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) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

**c. Stormwater Quality Management**

**d. Traffic Management \***

**8. Utilities**

**a. Engineering**

**Paving**

**Wastewater Availability**

- 1) An existing 6” wastewater main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection is required for each building/structure.
- 2) All wastewater mains must flow within the existing drainage basin. Proposed wastewater mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings.
- 4) The developer will be required to extend the wastewater collection system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations.

- 5) All existing unused wastewater services must be abandoned at the wastewater main.
- 6) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement.
- 7) No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 8) All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.

**b. Solid Waste Management**

- 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 adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection and meter is required for each building/structure.
- 2) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two (2) foot vertical separation required for all crossings.
- 3) Dead-end water mains must be avoided where applicable.
- 4) All existing unnecessary water services must be abandoned at the water main.
- 5) In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The developer is responsible for designing and construction of all fixtures to provide adequate domestic and fire protection under minimum pressure conditions. The developer will be responsible for any failure of domestic and fire protection systems which require water pressure in excess of 25 psi.

- 6) Proposed water main(s) must be located within a utility easement or right-of-way. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 7) All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 8) All existing and proposed meters must meet current specifications and standard details and be located in the right-of-way or utility easement within grassy areas outside of sidewalks, driveways, streets and/or paving.
- 9) All domestic and fire suppression services must have separate water service connections.
- 10) Fire hydrants maximum spacing is 500 foot and must be located within 10 foot of a hard surface (i.e. sidewalk, street, and/or paving).

## **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 proposed SPUD would allow two dwelling units on a 0.12-acre site, or 9 du/acre, within the UM range.*

##### Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.

*No changes to the street network are proposed.*

##### Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

*Sidewalks are available.*

- 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 development adjacent to existing low or medium intensity residential development, “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. *The site is already developed with a home which would remain. The addition of garage apartment accessed from the alley behind the home did not trigger new compatibility issues. The proposed front setback of 10 feet differs from the Gatewood UCD, but is consistent with the existing home as N Klein Avenue has a wide right-of-way of 100 feet.*

- 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 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 N Klein Avenue, a neighborhood street within the Urban Medium LUTA. Transit (bus) service is available on NW 16<sup>th</sup> Street and NW 10<sup>th</sup> Street. Bus Rapid Transit is planned along N Classen Blvd.

**6) Other Development Related Policies**

- Encourage the integration and mixing of land uses in urban areas. (SU-1)
- 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. New residential subdivisions should achieve a mixture of housing types within a unified development. (SU-4)
- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- Encourage the adaptive reuse of underutilized structures and the revitalization of older, economically distressed neighborhoods. (SU-21)
- 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)
- 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)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- Share parking between contiguous developments. (C-31)
- 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 0.12-acre subject site is located on N Klein Ave, south of NW 16<sup>th</sup> Street. The site is zoned R-1 and developed with a home. Surrounding zoning includes R-1, R-2, and R-3. Across the street to the east is SPUD-1174 which was approved in April 2020 to allow limited commercial uses in a new building up to 14,000 square feet and 45 feet tall with a zero setback on Klein Ave.

The surrounding area is also within the Gatewood UCD. The SPUD is requested to allow a garage apartment at the rear of the property, accessed from the alley. The existing home will remain. The proposal to increase density in the Urban Medium LUTA is in conformance with density ranges and comprehensive plan goals to provide a mixture of residential housing types within Urban Medium LUTA areas.

#### **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.*

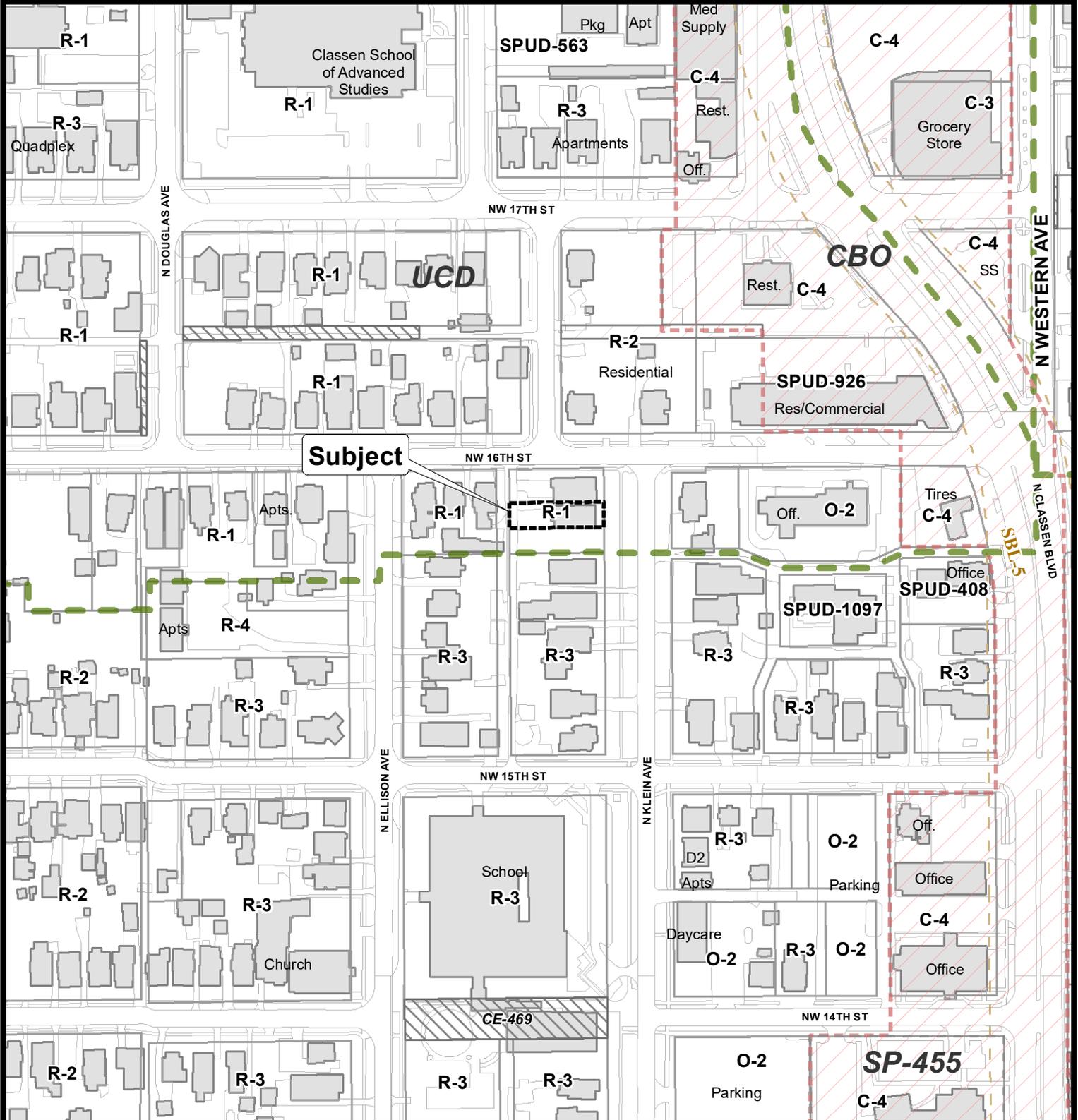
cl

Case No: SPUD-1391

Applicant: Fallon Brooks-Jollybird Home Design, LLC

Existing Zoning: R-1 / UCD

Location: 1627 N. Klein Ave.

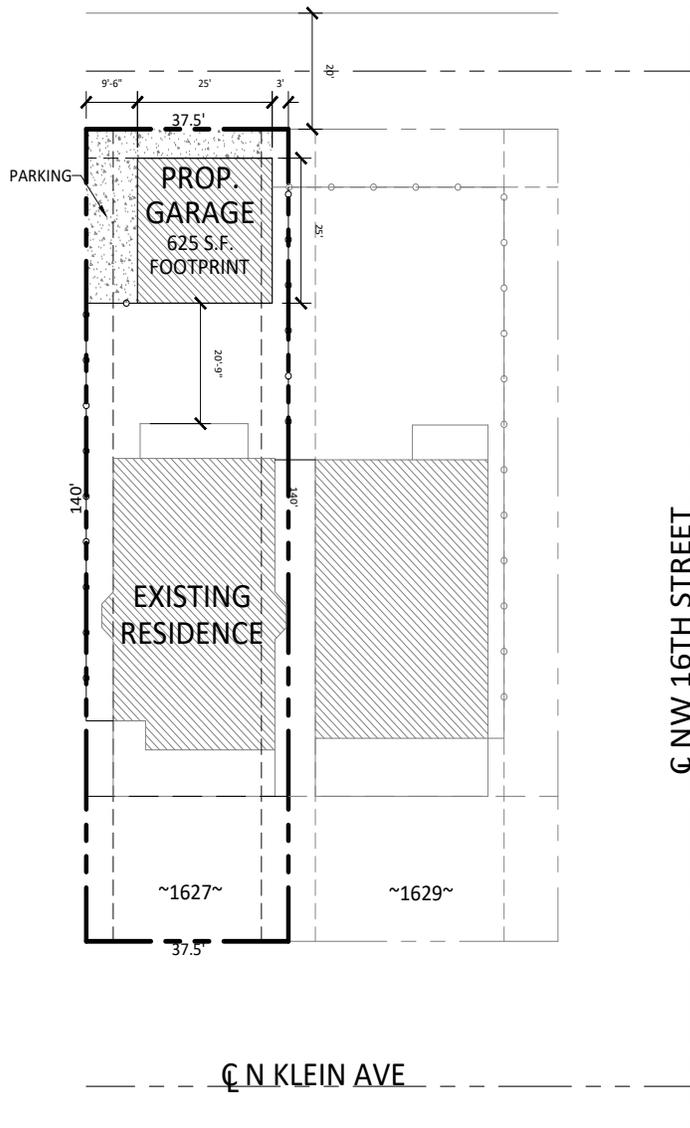


The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development



0 100 200  
Feet



1 PROPOSED SITE PLAN  
1" = 30'



1605 N. Classen Blvd.  
OKC, OK 73106  
405.655.8077  
www.jollybirddesign.com

PROJECT	1627 N Klein Ave OKC, OK 73106		SHEET NO.  Exhibit B
DATE	1/26/2022	JOB SPUD #XXXX	
DRAWN BY	FRB	TITLE SITE PLAN	



**JollyBird**  
Home Design

**Case No: SPUD-1391**  
**Applicant: Fallon Brooks-Jollybird Home Design, LLC**  
**Existing Zoning: R-1 / UCD**  
**Location: 1627 N. Klein Ave.**



Aerial Photo from 2/2020



The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development

