

Planning Commission Minutes  
September 8, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 3:57 p.m. on September 2, 2022.)

9. (SPUD-1443) Application by Abacus Homes, LLC., to rezone 4201 NW 50th Street from the O-2 General Office District to the SPUD-1443 Simplified Planned Unit Development District. Ward 2.

The applicant was present. There were no protestors present.

Amended Technical Evaluation:

1. ~~Access shall be from N Brunson Ave.~~
2. Access shall be from NW 50th Street.
3. Minimum number of 18 parking spaces required.
4. Property along North Brunson Avenue shall be landscaped and curbed and shall not have parking.
5. Remove EIFS from the list of appropriate building materials.

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

MOVED BY POWERS, SECONDED BY GOVIN

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN, NOBLE;

ABSENT: PENNINGTON, LAFORGE



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**September 8, 2022**

**Item No. IV. 9.**

**(SPUD-1443) Application by Abacus Homes, LLC., to rezone 4201 NW 50<sup>th</sup> Street from the O-2 General Office District to the SPUD-1443 Simplified Planned Unit Development District. Ward 2.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

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

**B. Case History**

This is a new application.

**C. Reason for Request**

This application is to permit a multi-family 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: 0.53 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>	O-2	R-2	R-2	R-2/R-1	R-1
<b>Land Use</b>	Undeveloped	Duplex	Duplex	Residential	Church P-Lot

**4. Development Context** The subject site is located at the northwest corner of NW 50<sup>th</sup> Street and N Brunson Street, which is about one-third mile east of N Meridian Avenue. The subject site zoned O-2 and developed with a home on approximately one-half acre. Adjacent on the west is a church parking lot.

Abutting on the north and east are duplexes zoned R-2. Across the arterial street to the south is a residential subdivision. The SPUD would allow up to 12 townhomes on the site.

## **II. SUMMARY OF PUD 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:

8250.3	Community Recreation: Property Owners Association
8250.13	Light Public Protection and Utility: Restricted
8200.5	Low Impact Institutional: Residential-Oriented
8200.12	Multiple-Family Residential [limited to a maximum of 12 units]
8200.13	Senior Independent Living
8200.14	Single-Family Residential
8200.15	Three- and Four- Family Residential
8200.16	Two-Family Residential

2. **Maximum Building Height:**

The maximum building height shall be 35’.

3. **Maximum Building Size:**

There shall be no maximum building size within this SPUD.

4. **Maximum Number of Buildings:**

There shall be no maximum number of buildings within this SPUD.

5. **Building Setback Lines:**

North: 10’

East: 25’

South: 25’

West: 10’

6. **Sight-proof Screening:**

Screening requirement 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.

**8. Signs:**

**8.1 Free standing 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 within this SPUD.

**8.4 Electronic Message Display signs**

Electronic Message Display signs will be prohibited within this SPUD.

**9. Access:**

Access within this SPUD shall be allowed from NW 50<sup>th</sup> St. and N. Brunson St.

**10. Sidewalks**

Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel, or six (6) foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department. Four (4) foot sidewalks shall be constructed on the interior streets prior to any occupancy certificates being issued.

**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% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

**2. Open Space:**

Open space requirements 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.

**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 and shall be placed no closer than 50 feet from all property lines adjacent to residential zoning district or use.

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.

**7. Maintenance:**

Maintenance of the common areas 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: Site Plan
- Exhibit C: Floor Plan
- Exhibit D: Elevation 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 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) Putnam 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 8" 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. All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.

- 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) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.

**b. Solid Waste Management**

- 1) The City can provide service, providing there is sufficient space for the truck to maneuver to service the addition.

**c. Water/Wastewater Quality**

**Water Availability**

- 1) 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. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 3) Dead-end water mains must be avoided where applicable. All existing unnecessary water services must be abandoned at the water main.
- 4) 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.
- 5) 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.

- 6) 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.
- 7) All domestic and fire suppression services must have separate water service connections. 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:

- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

##### 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.

*The SPUD is requested for a townhome development and would allow up to 12 dwelling units on the 0.53-acre site for a density of 22 du/acre. National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available.*

##### Automobile Connectivity:

- Maintain, create, and enhance a street network that is highly connected to increase number of viable commercial locations and the effectiveness of the transportation system.
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Development fronting arterials should take access from intersecting streets where possible.
- Primary entrance points should be aligned with access points immediately across the street.
- Discourage widening of neighborhood streets and increasing curb radii.

- Provide vehicular connectivity between adjacent developments.
- Horizontally mixed-use developments should have connectivity between land uses.

*The SPUD proposes access from NW 50<sup>th</sup> Street, and a new parking area created on the east side where the N Brunson Street right-of-way is already expanded in front of the subject site. Plan conformance would be strengthened by limiting access to the intersecting neighborhood street instead of adding a new curb cut on the arterial street. Ideally the driveway would be placed on the northern end of the site and the existing wide curb cut on N Brunson closed to provide more green space for residents, increase the separation between the driveway and intersection, and so cars would not be backing up into the right-of-way.*

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses.

*Sidewalks are existing on NW 50<sup>th</sup> Street and the SPUD requires them on N Brunson Street.*

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating medium intensity residential adjacent to existing medium intensity residential or office/institutional uses, no compatibility issues are identified by the comprehensive plan.
- 3) **Service Efficiency:**
  - Water: *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 at the northwest corner of NW 50<sup>th</sup> Street, a Major Arterial Street, and N Brunson Street, a Neighborhood Street, both in the Urban Low LUTA. The nearest transit (bus) service is located just west of the subject site, along NW 50<sup>th</sup> Street. Access to the City trail system is available just under a mile to the east, along the West I-44 Trail.
- 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)
  - 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)
  - Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)
  - 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 northwest corner of NW 50<sup>th</sup> Street and N Brunson Street, which is about one-third mile east of N Meridian Avenue. The subject site zoned O-2 and developed with a home on approximately one-half acre. The conceptual plan indicates the existing home would be demolished and 12 new townhomes would be constructed in two buildings.

The proposal is consistent with Urban Low LUTA density ranges and comprehensive plan goals to provide a mixture of residential housing types. Plan conformance would be strengthened with a design that did not require a new curb cut on the arterial street, and that oriented one of the buildings toward NW 50th Street so parking could be placed in the rear and accessed from N Brunson Street. Ideally, the driveway accessing the new parking area would be placed near the north end of the site and the existing curb cut on N Brunson closed to provide more green space for residents, increase the distance between the driveway and the intersection, and limit the backing motion of vehicles into the right-of-way.

#### **IV. STAFF RECOMMENDATION**

*Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.*

##### **Approval of the application subject to the following Technical Evaluations:**

- 1. Access shall be from N Brunson Ave.**

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

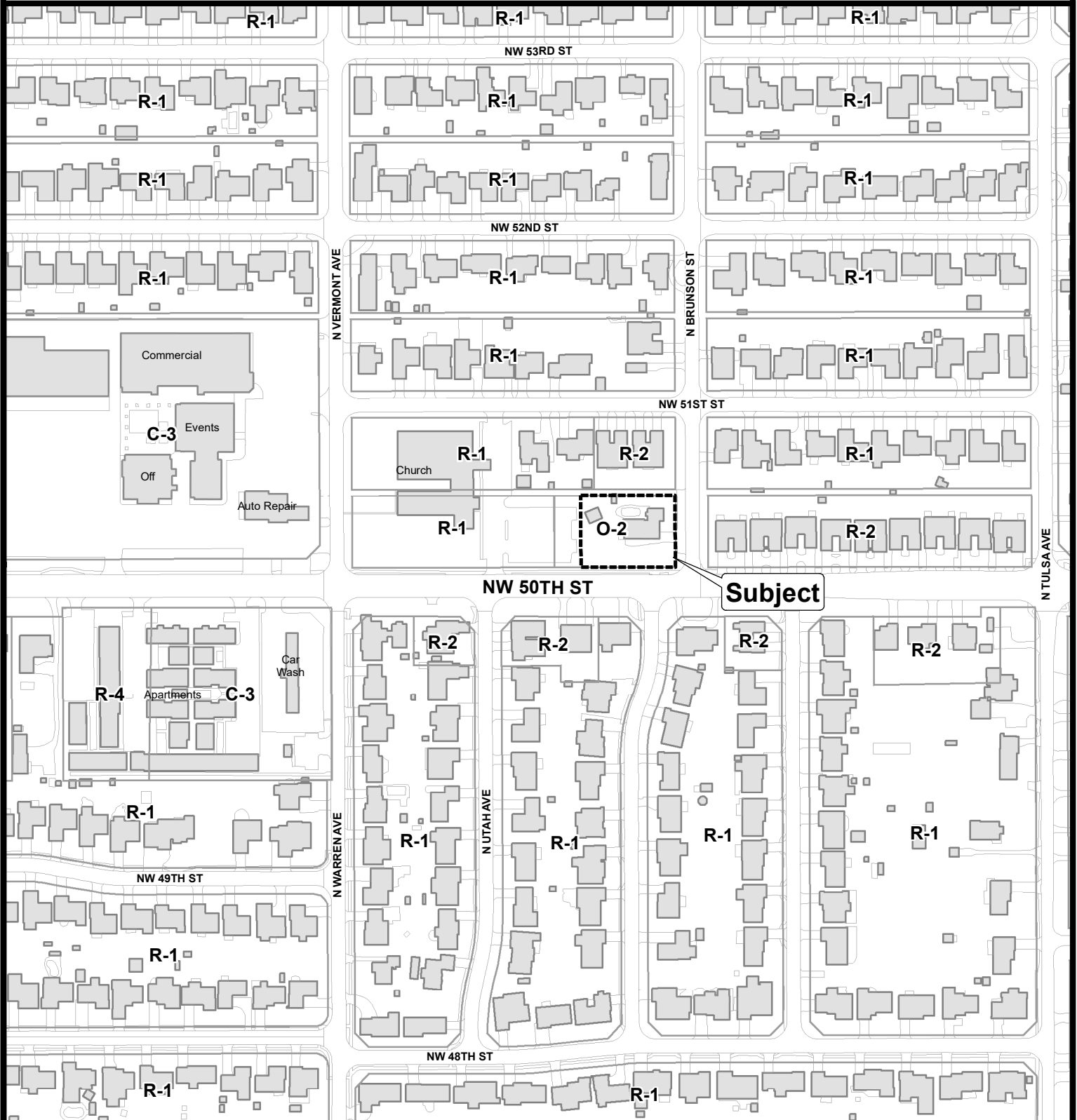
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Case No: SPUD-1443

Applicant: Abacus Homes, LLC

Existing Zoning: O-2

Location: 4201 NW 50th St.



Note: "Subject" is located approximately 1,780' East of Meridian Ave.



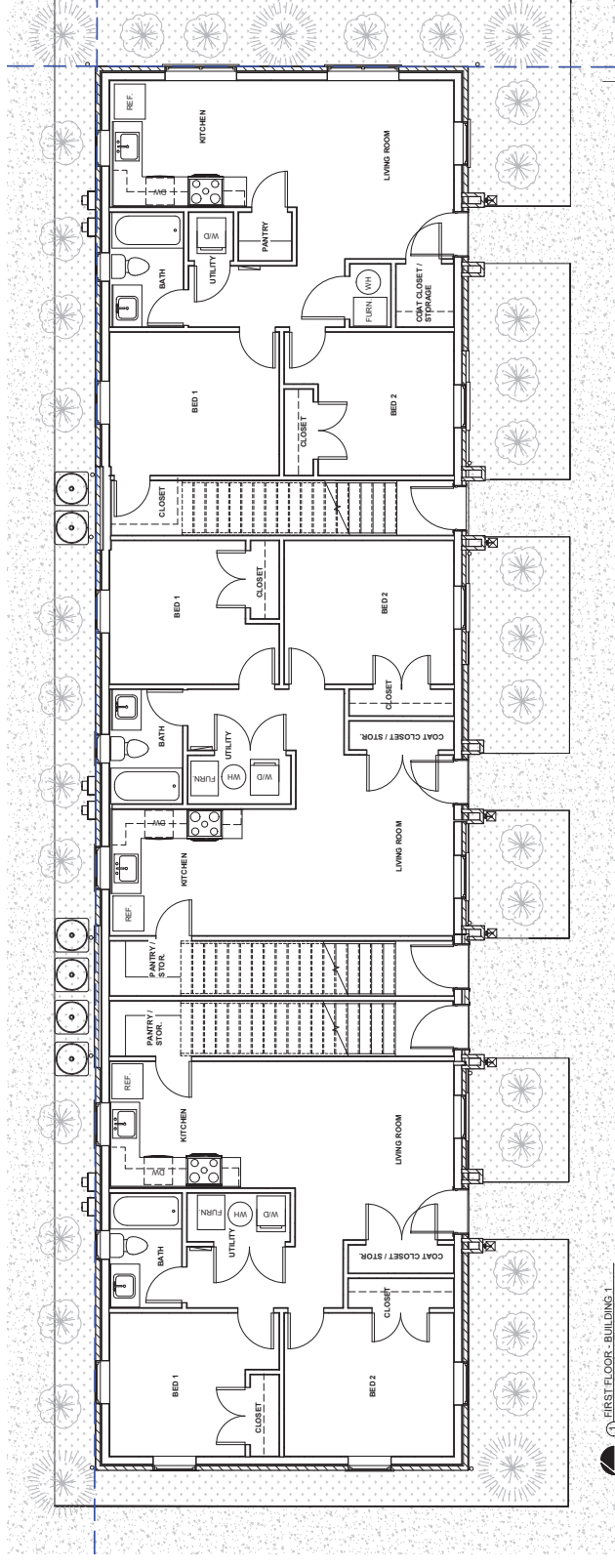
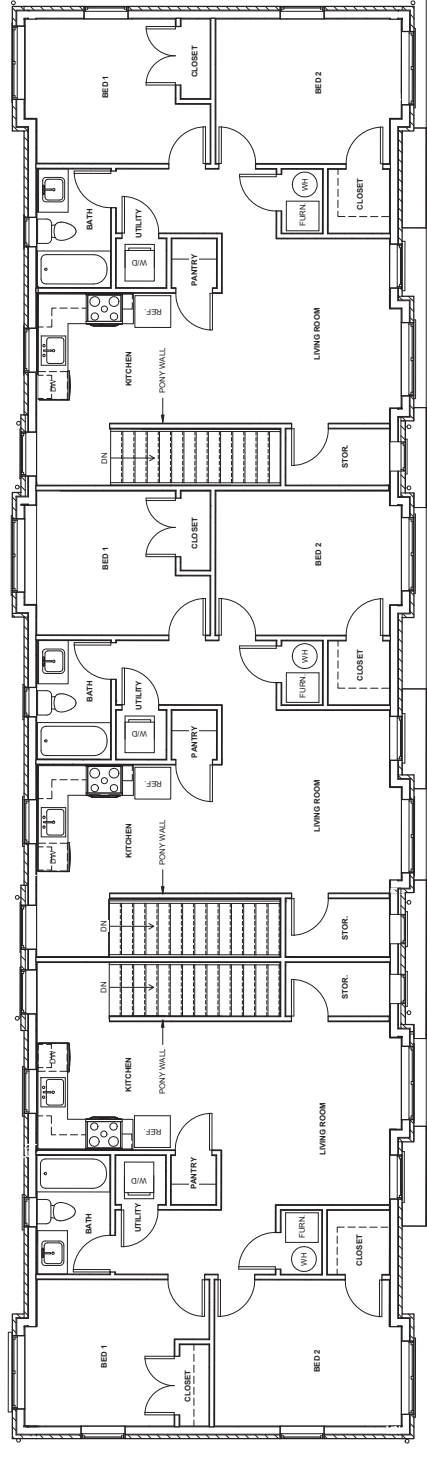
The City of  
OKLAHOMA CITY

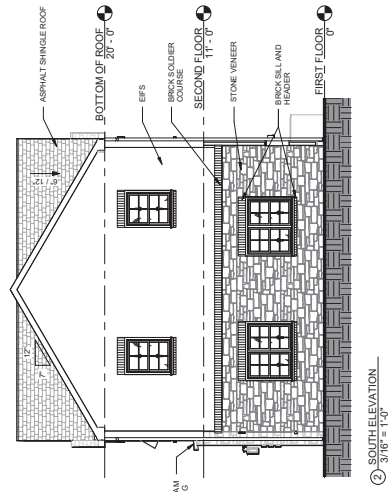
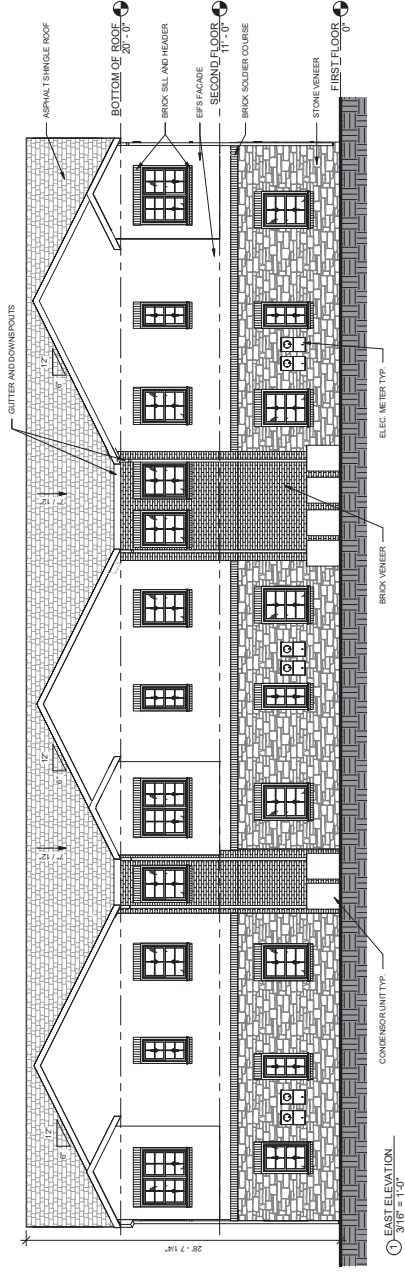
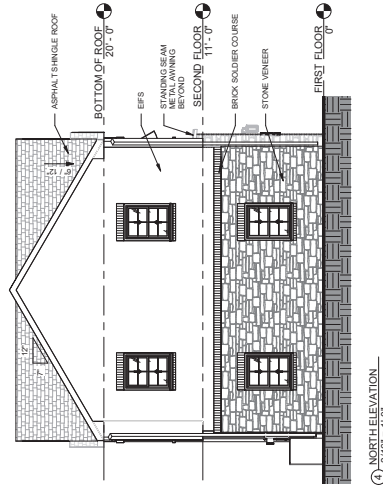
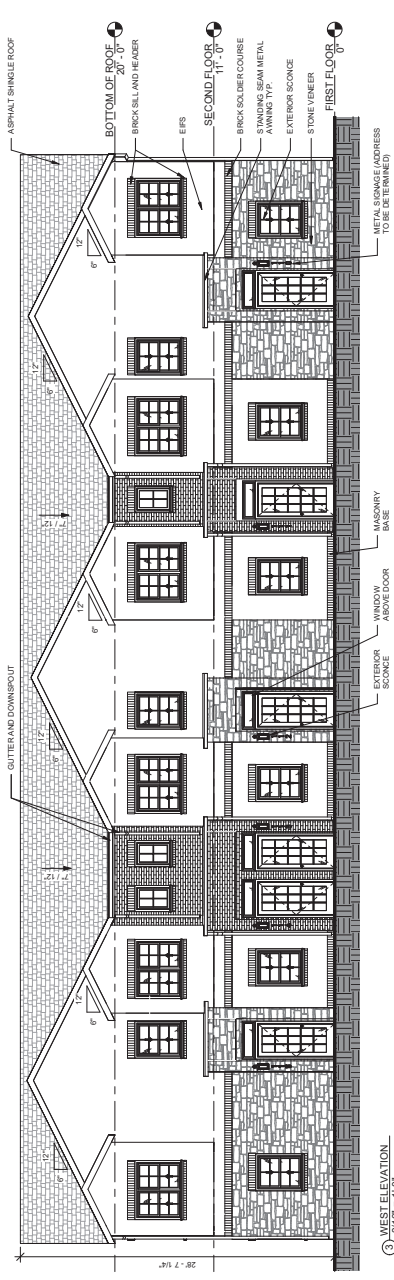
## Simplified Planned Unit Development



0 125 250 Feet







**4201 NW 50th TOWNHOUSES**  
4201 NW 50th Street, Oklahoma City, OK 73112

4201 NW 50th Street, Oklahoma City, OK 73112



FRONT SITE PERSPECTIVE



BUILDING 2 PERSPECTIVE VIEW



BIRD'S EYE VIEW

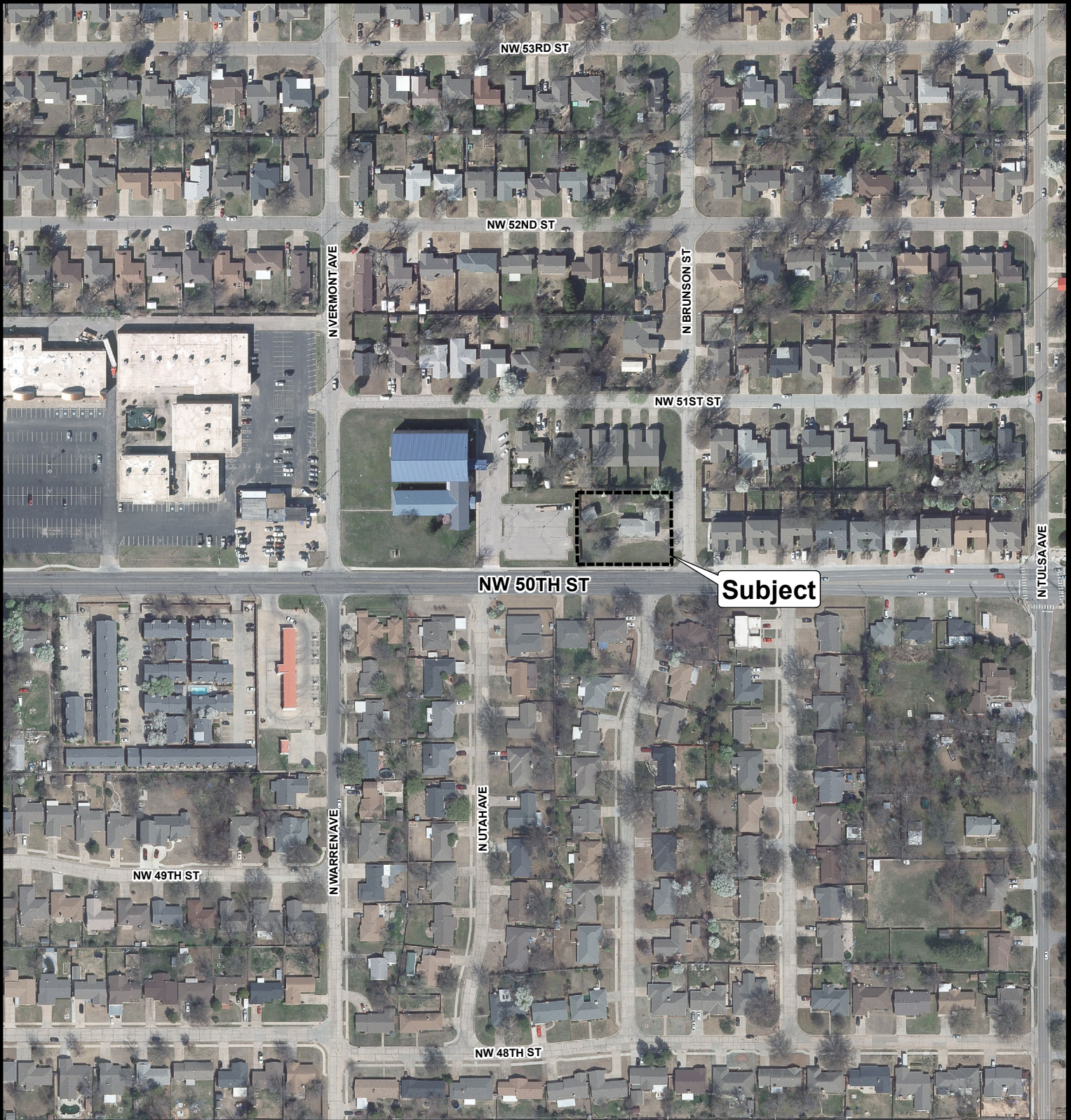


BUILDING 1 PERSPECTIVE VIEW

## 4201 NW 50th TOWNHOUSES

4201 NW 50th Street, Oklahoma City, OK 73112

Case No: SPUD-1443      Applicant: Abacus Homes, LLC  
Existing Zoning: O-2  
Location: 4201 NW 50th St.



Aerial Photo from 2/2020

Note: "Subject" is located approximately 1,780' East of Meridian Ave.



The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development

