



STAFF REPORT
The City of Oklahoma City
Planning Commission
November 18, 2021

Item No. IV. 34.

(SPUD-1357) Application by Jollybird Home Design, LLC., to rezone 1534 NW 3rd Street from the R-3 Medium Density Residential District to the SPUD-1357 Simplified Planned Unit Development District. Ward 6.

I. GENERAL INFORMATION

A. Contacts

Applicant/Developer Representative

Name Fallon Brooks
Company Jollybird Homes, LLC.
Phone 405-655-8077
Email fallon@jollybirddesign.com

B. Case History

This application was continued from the October 28, 2021 meeting.

C. Reason for Request

This application is to permit a six unit multi-family residential development.

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: 0.16 acres

3. Zoning and Land Use

| | Subject Site | North | East | South | West |
|-----------------|---------------------|--------------|-------------|--------------|-------------|
| Zoning | R-3 | R-3 | R-3 | SPUD-935 | R-3 |
| Land Use | Undeveloped | Undeveloped | Residential | Undeveloped | Residential |

- 4. Development Context:** The 0.16-acre subject site is located on the south side of NW 3rd Street, between N Indiana and N Blackwelder Avenues. The site is zoned R-3 and vacant. The surrounding area is a mix of R-2, R-3, I-1, I-2 and SPUD zoning and developed with a mixture of vacant lots, residential, and industrial development. Pilot Park and Recreation Center are located one block east. The SPUD is requested to construct a multifamily building (six units) with parking located behind the building.

II. SUMMARY OF PUD APPLICATION

I. Special Development Regulations:

This site will be developed in accordance with the regulation of the **R-3 Medium Density Residential District** (OKC Zoning Ordinance, 2020), except that the following restrictions 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)
 - Three and Four Family Residential (8200.15)
 - Multiple-Family Residential (8200.12)
2. Building Setback Lines: Front (North) 0', Sides (East) 5' and (West) 5', Rear (East) 0' (edge of existing alley/easement)
3. Sight-proof Screening:
 - Site contains an existing 6' chain link fence on East side, 4' chain link on West, and 6' stockade fence on South side. No less than a four-foot and no greater than an eight-foot high fence or wall shall be required along the East, West, and South 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.
4. Landscaping:
 - The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.
5. Signs: N/A
6. Access: Proposed 12'-6" drive on East boundary of site.

II. Other Development Regulations:

1. Architecture: Future development to meet requirements of adjacent governing design district where applicable. New construction is to fit in with existing neighborhood homes in a craftsman or similar style. Exterior of all structures to be clad with cement fiber board siding or better.
2. Open Space: Unless modified herein, yard requirements in this SPUD shall be the same as the base-zoning district.
3. Street Improvements: N/A
4. Other:

Parking: 8 Parking spaces in rear of building.

Trash receptacles – see Exhibit E, Site Plan-Proposed;

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.

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 – Existing
Exhibit C: City of Oklahoma City Zoning Locator
Exhibit D: Photo of Property located at 1534 NW 3rd Street
Exhibit E: Site Plan – Proposed
Exhibit F: Render of proposed apartment building

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) 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.
- 4) 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.
- 5) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 6) 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.
- 7) 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.
- 8) All private roads /streets will have private storm sewer systems.

- 9) 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

Sanitary Sewer Availability

- 1) An existing 8" sanitary sewer main(s) is adjacent to the subject site and a connection will be permitted in accordance with City Standard Specifications.
- 2) No trees, signs, dumpsters, or fences within 10 feet of any existing or proposed sanitary sewer main.
- 3) All existing unnecessary sanitary sewer services must be abandoned at the sanitary sewer main.
- 4) Additional Comments: No objections.

b. Solid Waste Management

- 1) The City can provide service, providing there is sufficient space for the truck to maneuver to service the addition.
- 2) 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) The subject site is adjacent to a 6" water main in the street right-of-way of NW 3rd St.

- 2) The developer will provide an internal (on-site) water distribution system capable of supplying water to each lot or tract within the proposed subdivision or land development in accordance with City Standard Specifications and the current Subdivision Regulations.
- 3) 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.
- 4) No trees, signs, dumpsters or fences within 10 feet of any existing or proposed water main.
- 5) All existing and proposed meters must meet current Meter Specifications. Meters must be in a grassed area. All domestic and fire suppression services must have separate water service connections. All existing unnecessary water services must be abandoned at the water main.
- 6) Additional Comments: No objections.

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 would allow 6 dwelling units on the 0.16-acre parcel for a density of 37 du/acre, near the top of the UM range.

Automobile Connectivity:

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

No changes to the alley are proposed.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are present along NW 3rd Street in front of the subject site but may need repair.

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. *The SPUD would allow a multi-family building to be constructed on the 7,000-sf lot. The conceptual plan indicates the 2-story building would have 6 units and be placed on the west side of the site, with a driveway on the east and parking behind the building. The SPUD proposes a 5-foot front setback along NW 3rd Street, which was platted in the 1900s with 80 feet of right-of-way. Still, the proposed front setback would be much shallower than other homes on the street. The SPUD states new construction will fit in with existing neighborhood homes in a craftsman or similar style. Building height is not stated. Maximum lot coverage would be the same as the existing and surrounding R-3 District (100 percent).*

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 has frontage along NW 3rd Street, a local/neighborhood street within the Urban Medium LUTA. Transit (bus) service is available along NW 3rd Street with a bus stop within 250 feet.

6. Other Development Related Policies

- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- 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 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 SPUD is requested to build a new multifamily building (6 units) on NW 3rd Street between Blackwelder and Virginia Avenues. Conceptual plans indicate the building will be located on the western half of the site with 8 parking spaces placed behind the building. 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. Amendments to the comprehensive plan support reduced parking requirements and would support increased green space in lieu of parking. If a 5-foot front setback is permitted, the Master Design Statement (MDS) should state that parking will be placed at least 18 feet from the back of the sidewalk to help prevent parking over the right-of-way. The MDS also needs to include a maximum building height, minimum lot width, and commit to repairing or replacing sidewalks if necessary.

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 Evaluation:

1. Sidewalks shall be repaired or replaced if necessary, with new construction.
2. The Master Development Statement must specify the number of buildings (one).
3. Modify minimum lot width to 50 feet, consistent with site plan.
4. Parking shall be placed behind the front wall of the building and any parking area shall be located at least 18 feet from the back of sidewalk

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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