

Johnson, Thad A

From: amanda bowen <amandabowen05@yahoo.com>
Sent: Friday, August 16, 2024 11:21 AM
To: camalpennington@gmail.com; PL, Subdivision and Zoning; curtis.liggins@okc.gov
Cc: Cole Bowen
Subject: PUD 2025
Attachments: Letter of Concern 8-16-24.docx

You don't often get email from amandabowen05@yahoo.com. [Learn why this is important](#)

Dear Mr. Pennington, OKC Planning Commissioners and Mr. Liggins:
My name is Amanda Bowen, and I live at 14013 Plymouth Crossing. My property is adjacent to the southern border of PUD 2025. I am writing with some concerns for the project. I have attached a letter highlighting my concerns. I would appreciate you including these revisions, before approving the rezoning of this property. Please feel free to contact me if you have any questions.

Sincerely,
Amanda

August 16, 2024

To: Mr. Camal Pennington – Chairman and Ward 7 Zoning & Planning Commissioner
camalpennington@gmail.com

Subdivision and Zoning Department – City of Oklahoma City
420 W. Main Street, Suite 910
Oklahoma City, OK 73102
subdivisionandzoning@okc.gov

Mr. Curtis Liggins – OKC Zoning Department
curtis.liggins@okc.gov

Re: Concerns regarding the August 22, 2024, application for land use rezoning at:
13900 to 14300 N. Bryant Ave – Oklahoma City, OK 73013
Current Zoning Classification – AA Agricultural
Proposed Zoning Classification PUD 2025

Dear Mr. Pennington, OKC Planning Commissioners and Mr. Liggins:

My name is Amanda Bowen, and I live at 14013 Plymouth Crossing which is located within the Wellington Park (WP) neighborhood adjacent to the subject PUD-2025 rezoning application. Not only do we live in Wellington Park, but our property is adjacent to the southern property line, so we received the notice informing us of the application for rezoning. I had written to you previously when it was originally rezoned to a different PUD. Mr. Gravitt's has been great to answer our questions, and I greatly appreciate that. My husband and I still have a few concerns though.

1. Our biggest concern is the for the storage units. We already have storage units on the south side of the neighborhood, 3221 E. Memorial and don't think it possible that there is a need for so many units in a less than 1 mile radius. I know that Mr. Gravitt's really likes the idea of storage units, but I would ask that the aesthetics be more appealing. There are several in the area (I'd be happy to provide pictures) that have brick fronts that cover the look of the storage units. We would be much more in support if this were done.
2. Bryant (directly outside of the proposed development) is in poor shape and floods every time that it rains. Due to the flooding, the asphalt has many potholes. The developer needs to address these flooding issues. The lack of drainage on this portion of Bryant causes vehicles to hydroplane and/or send tall plumes of water into the windshields of oncoming traffic. WPHOA requests that the Planning Commission take steps to require PUD-2025 to resolve the current flooding issues (i.e., require street curb inlets & underground drainage piping).

3. We would like clarification on where the greenbelt for the new proposed homes will be and where the barrier fence will be. We know a survey needs to be taken but would really like the barrier fence past the existing metal fence on the south side of the property and adjacent to our home.

While I understand that a property owner and/or developer has the right to develop this piece of land to what he believes is its highest and best use, I do believe that with these concessions all parties can support the project.

Sincerely,

Amanda Bowen

Johnson, Thad A

From: Patrick Bray <plbray@cox.net>
Sent: Wednesday, August 14, 2024 5:22 PM
To: Camal Pennington; Curtis Liggins; PL, Subdivision and Zoning
Cc: Ward7
Subject: OPPOSITION TO PROPOSED PUD 2025

You don't often get email from plbray@cox.net. [Learn why this is important](#)

August 14, 2024

To: Mr. Camal Pennington – Chairman and Ward 7 Zoning & Planning Commissioner

camalpennington@gmail.com

Subdivision and Zoning Department – City of Oklahoma City

420 W. Main Street, Suite 910

Oklahoma City, OK 73102

subdivisionandzoning@okc.gov

Mr. Curtis Liggins – OKC Zoning Department

curtis.liggins@okc.g

Re: Opposition to proposed land use rezoning at:

13900 N. Bryant Ave – Oklahoma City, OK 73013

Current Zoning Classification – PUD 1946 (R-1 residential)

Proposed Zoning Classification – **PUD 2025** (R-4 base zoning for Tract 1)

Dear Mr. Pennington, OKC Planning Commissioners, and Mr. Liggins:

My name is Patrick Bray, and I live in N.E. Oklahoma City with my wife Brenda Bray at 14209 Middleberry Road located within the Wellington Park (WP) neighborhood adjacent to the subject PUD-2025 rezoning application. The Wellington Park neighborhood adjoins the subject PUD, and my lot directly adjoins the eastern property line of the subject PUD-2025. I would like to express the following concerns about, and opposition to PUD-2025 as noted below.

The proposed high density multi-family development is not appropriate adjacent to our neighborhood. When I moved to Wellington Park 20 years ago I did not expect that Hallmark Farms would always remain a horse farm. However, I did expect it would be developed in a manner that would be compatible with our neighborhood and nearby neighborhoods.

The proposed PUD-2025 changes the zoning from PUD 1946 R-1 to PUD 2025 R-4 multi-family residential. The conceptual drawing shows 86 dwelling units in a combination of 4-plexes, 6-plexes, and 8-plexes. The PUD allows the buildings to be 3 stories tall. The application for the rezoning says "The relationship between the proposed use of this parcel and the above adjoining land uses is compatible. The proposed use of this property is in harmony with the surrounding zoning." THIS IS ABSOLUTELY NOT TRUE!

Wellington Park contains single family residences on lot sizes of at least 10,000 square feet and has significant trees and green belt areas. PUD 2025 would allow two 250' long, three stories tall townhouses about 50 feet from my back yard. That is a 3-story warehouse (albeit with windows) in my back yard. That is not compatible with Wellington Park and would devalue my property, and by association, all 175 homes in Wellington Park.

When the zoning for Hallmark Farms was changed (PUD-1946) in June of 2023, the Developer and Wellington Park worked together to develop a PUD and zoning that was agreeable to both parties and compatible with the neighborhood. Significant points in the current PUD 1946 for the property adjacent to Wellington Park on the east and south are:

- The property is zoned single family residential.
- Minimum lot size is 5000 square feet.
- Maximum 2 stories and 35' building height.
- There will be a 20' green belt between Wellington Park and the development.
- The conceptual drawing for the development showed approximately 35 single family units.
- The proposed house size is 2000-3500 square feet similar to Wellington Park.

The existing PUD 1946 is compatible with Wellington Park and would not devalue the adjacent homes in Wellington Park

It does not seem equitable to me that a zoning and PUD that was negotiated and was agreeable to both a developer and the neighborhood should be allowed to be changed a year later by a different developer to a zoning and PUD that is incompatible with the adjacent neighborhood. Please do not allow the current PUD-1946 to be changed.

PLEASE DO NOT APPROVE PUD 2025.

Please advise of questions.

Thank you,
Patrick Bray
plbray@cox.net
405-996-0974

Mr. Camal Pennington – Chairman and Ward 7 Zoning & Planning Commissioner
Subdivision and Zoning Department – OKC
420 W. Main Street, Suite 910
Oklahoma City, OK 73102

Dear Mr. Pennington,

In reference to Mr. Bray's letter to you below, I would also like to say that Vicki and I would appreciate your disapproval of PUD 2025. We moved to Wellington Park in 1998. Our house is on Middleberry Road and backs up to the horse farm. We too realize that things don't last forever, but we never dreamed that we would have to consider townhouses blocking our sunsets and people looking down in our back yard from second and third story apartments.

Wellington Park is a special neighborhood. We have had the same neighbors for 26 years. We all raised our children together in this great neighborhood. Please if anything, only approve single family dwellings like ours in the zoning. It seems more appropriate than throwing up a bunch of apartments.

I know it is all about the money, but at some point those with power should say "No!" Please consider our resident's request and Vote "NO" for PUD 2025.

Sincerely,

A handwritten signature in cursive script that reads "D Chancey". The "D" is large and loops around the first part of the name.

Dudley & Vicki Chancey
14301 Middleberry Rd.
Edmond, OK 73013
405-249-5270
Dudley.chancey@oc.edu

8-15-24

Dear Mr. Pennington, OKC Planning Commissioners, and Mr. Liggins:

My name is Patrick Bray, and I live in N.E. Oklahoma City with my wife Brenda Bray at 14209 Middleberry Road located within the Wellington Park (WP) neighborhood adjacent to the subject PUD-2025 rezoning application. The Wellington Park neighborhood adjoins the subject PUD, and my lot directly adjoins the eastern property line of the subject PUD-2025. I would like to express the following concerns about, and opposition to PUD-2025 as noted below.

The proposed high density multi-family development is not appropriate adjacent to our neighborhood. When I moved to Wellington Park 20 years ago I did not expect that Hallmark Farms would always remain a horse farm. However, I did expect it would be developed in a manner that would be compatible with our neighborhood and nearby neighborhoods.

The proposed PUD-2025 changes the zoning from PUD 1946 R-1 to PUD 2025 R-4 multi-family residential. The conceptual drawing shows 86 dwelling units in a combination of 4-plexes, 6-plexes, and 8-plexes. The PUD allows the buildings to be 3 stories tall. The application for the rezoning says "The relationship between the proposed use of this parcel and the above adjoining land uses is compatible. The proposed use of this property is in harmony with the surrounding zoning." THIS IS ABSOLUTELY NOT TRUE!

Wellington Park contains single family residences on lot sizes of at least 10,000 square feet and has significant trees and green belt areas. PUD 2025 would allow two 250' long, three stories tall townhouses about 50 feet from my back yard. That is a 3-story warehouse (albeit with windows) in my back yard. That is not compatible with Wellington Park and would devalue my property, and by association, all 175 homes in Wellington Park.

When the zoning for Hallmark Farms was changed (PUD-1946) in June of 2023, the Developer and Wellington Park worked together to develop a PUD and zoning that was agreeable to both parties and compatible with the neighborhood. Significant points in the current PUD 1946 for the property adjacent to Wellington Park on the east and south are:

- The property is zoned single family residential.
- Minimum lot size is 5000 square feet.
- Maximum 2 stories and 35' building height.
- There will be a 20' green belt between Wellington Park and the development.

- The conceptual drawing for the development showed approximately 35 single family units.
- The proposed house size is 2000-3500 square feet similar to Wellington Park.

The existing PUD 1946 is compatible with Wellington Park and would not devalue the adjacent homes in Wellington Park

It does not seem equitable to me that a zoning and PUD that was negotiated and was agreeable to both a developer and the neighborhood should be allowed to be changed a year later by a different developer to a zoning and PUD that is incompatible with the adjacent neighborhood. Please do not allow the current PUD-1946 to be changed.

PLEASE DO NOT APPROVE PUD 2025.

Please advise of questions.

Thank you,

Patrick Bray

plbray@cox.net

405-996-0974

Johnson, Thad A

From: Carol Loeber <carolstangeland@hotmail.com>
Sent: Thursday, August 15, 2024 10:33 PM
To: PL, Subdivision and Zoning
Subject: Concerns for PUD 2025 Hallmark Horse Farm Rezone
Attachments: DCE42341-ACD4-4BB3-BD01-81C8AAD7B5C0.jpeg; 810C4837-2E2E-457C-B221-C13E0128695F.jpeg; D8469D71-B0F4-492E-8457-29CEFE805435.jpeg; 90051DC0-53D3-47AA-925E-DA45187CA210.jpeg

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To whom it may concern,

My family and I live at 14313 Middleberry Rd. Our backyard backs to the former Hallmark Farms. In the past 5 years of living here we have enjoyed getting to experience nature in the "city". Our four kids have enjoyed riding horses, watching the great horned owls, the coyote pups pounce in the pasture, the occasional bob kitty sighting, and all the butterflies and insects. We realize that the likelihood of the property remaining pasture and pollinator land is very slim in our ever expanding and growing city, but we do have concerns about what is proposed.

We appreciate that the prospective buyer and developer has met with our neighborhood and listened to our concerns we are still concerned about re-zoning prior to the purchase of this property. Zoning for Hallmark Farms was changed (PUD-1946) in June of 2023 at the request of the prospective buyer and developer to build 35 single family units and a shopping center. The request for re-zoning from agricultural to single family was approved and then the sale fell through. Now we are back in a similar situation with the request to go from 35 single family dwellings to 86 multifamily dwellings in the same small space. We don't think this is a good fit or use of this space. We do appreciate that the prospective developer has met with us and listened to our concerns but there is no guarantee that this prospective buyer and developer will purchase the property. Then once again it has been rezoned to a multi-family dwelling space in a small area.

An additional concern is that the proposed 86 dwelling units would add considerable traffic to an already busy Bryant Avenue that does not have sidewalks. The junior high is located diagonal to the property. Many kids walk to and from school. When I asked the city about adding crosswalks and sidewalks for safety for our kids due to increased traffic, I was told it would take years and would better to find a local donor.

The other concern is drainage. Currently the land is primarily pasture. Bryant already has drainage issues as well as our backyard after a rain. I have attached pictures. The office in the horse barn was always known to flood after a rain. We are once again concerned about drainage and erosion issues this may cause with disappearing pastureland and how this will be addressed.

We realize change is inevitable, but we request that a plan for drainage is shown to the neighborhood, reduction in proposed number of houses, a 20-30ft buffer between Wellington Park the proposed construction, as well as a completion of sale prior to re-zoning to multi-family.

Thank you again for your time and consideration,

The Loeber Family

14313 Middleberry Rd



SPEED
LIMIT
40







SPEED
LIMIT
45

Johnson, Thad A

From: Evaren Page <evaren@gmail.com>
Sent: Monday, August 12, 2024 10:18 PM
To: PL, Subdivision and Zoning
Subject: Objection to PUD 2025

You don't often get email from evaren@gmail.com. [Learn why this is important](#)

Oklahoma City Subdivision and Zoning Department

To Whom It May Concern:

My name is Evaren Page. I am a resident of Wellington Park and am writing to formally voice my strong objection to Case No. PUD-2025, Applicant Smiling Hills Acres LLC. I live on the street immediately south of the property in question and will be impacted by development directly due to my proximity to the proposed development.

The developer made a good show of being willing to take our neighborhood's concerns into question however our concerns seemed to have fallen on deaf ears. I have very large concerns with the residential density. The increase in units from what was approved for PUD 1946 is likely to create a large increase in traffic along Bryant Ave which is already in bad repair and floods whenever there is heavy rain. There is also already a very large amount of traffic during the school year due to the location of Cimarron Middle School. As a parent who will have children walking to Cimarron Middle School several years from now, I am concerned about a further increase in traffic which jeopardizes my children's safety. There were also concerns raised regarding the single point of entry for the neighborhood which as I understand is a safety concern and may result in requiring breakthrough fencing at the end of my street to allow for emergency access. I also have concerns about the impact on Chisholm Elementary which has already grown to be a very large school with limited space for the potential growth with the proposed density. There were also concerns about the potential for the multiplexes to be sold as single units and being turned into rental property which may reduce home values in our neighborhood.

I also have concerns about the lack of adequate drainage for stormwater runoff for Track 2. The developer appears to be relying on the existing creek/retention pond but what he fails to consider is that the creek/retention ponds are maintained by the residents of Wellington Park. Taking what is currently all pasture and turning it into storage units with a parking lot without any additional consideration given to storm water runoff is irresponsible on the developer's part and will create added maintenance costs that will fall on my neighborhood.

I recognize that the Oklahoma City Planning Commission has specific criteria that they are looking at and the concerns that I listed above may not specifically speak to those criteria. With that in mind, I am also providing some more specific questions related to the specific application in question which are outlined below.

PROPOSED FOR TRACT 1 – “R-4 RESIDENTIAL DISTRICT”

- 1) Is R-4 density appropriate for this site? This site is also remote (+/-916 feet) from public street access at Bryant Ave, and PUD 2025 is unclear whether it will be a public or private street! (See #7 below).
- 2) The current adopted site zoning of PUD 1946 does not support R-4 zoning uses.
- 3) As required under 59-14150 (B)1(a)-7 for a “Design Statement”: What is the actual density of dwelling units proposed? The developer has not provided a “tabulation” for the number of “land acres” that will actually be used to construct housing. Rather, only the number of acres in the total tract are given at 9.33 acres - which includes many acres located within: a pond, an unbuildable drainage area, other wet or storm water surge areas and an unbuildable “finger of land” extending to touch proposed Tract 2.
- 4) As required under 59-14150 (B)1(a)-12 for a “Design Statement”: No “storm water management plan” is provided for this site - Which is adjacent to a FEMA flood prone area in the Spring Creek Tributary 2 located just beyond the north property line of Tract 1. (See FEMA flood map 40109C0180H as adopted by OKC).
- 5) The proposed 3 story construction exceeds the normal R-4 zoning limit of 2 stories when R-4 zoning of this PUD is located within 60 feet of adjacent existing R-1 single family homes.
- 6) At Section 9.14 of the PUD, the front, rear, and side yard setbacks do not meet current R-4 requirements.
- 7) Insufficient parking is provided (+/- 6 total spaces shown for public / visitor parking for 86 units).
- 8) The Developer proposes in Section 9.5 of this PUD that “Platting shall not be required within this PUD.” However, at Section 9.8 it indicates that the type of main access street (conditional about whether it is public or private street) will change “.... when more than thirty lots are platted,” ...?
- 9) How does the developer intend to transfer ownership without platting when Section 9.16 proposes that a “property owner association” may be responsible for “maintaining all common areas.” How will those “common areas” be identified without platting? Without an HOA, how will the ongoing site maintenance responsibilities for each unit owner be fairly apportioned on units with different sizes?
- 10) Since the proposed property line of Tract 1 splits the “on site pond” approximately in half, and once all the units of proposed housing have transferred to other owners, how will the continuing maintenance costs, upkeep and/or responsibilities for the entire pond be apportioned / shared with the property to the west of Tract 1, since that property is not included within this proposed rezoning. Since the area is

proposed for development and tributary / adjacent to a known area of downstream flooding, it would seem important that the proportional responsibilities for future flooding caused by this development be known / identified prior to approval of PUD 2025.

PROPOSED FOR TRACT 2 – “C-3 COMMERCIAL DEVELOPMENT”

1) Is another “100% run-off” ugly storage facility really appropriate for this predominately residential area?

2) The current site zoning of PUD 1946 prohibits both of the following proposed use types: A) 8300.59 Personal Storage: Restricted & B) 8300.60 Personal Storage as proposed at Section 8.1.

3) Tract 2, at 5.61 acres, makes no provision for storm water detention as was previously provided in 1996 by the PUD 528 documentation for the existing 3.4-acre Gate Keeper Storage facility at 3221 E. Memorial Rd.

4) This PUD’s cover graphic depicts the surrounding areas showing PUD’s, uses, etc., but failed to show PUD 528 for the “Mini Storage Unit” depicted at 3221 Memorial Road. Quite possibly the 1996 approval of PUD 528 by the Zoning Planning Commission might set a dangerous precedent since PUD 528’s document provided perimeter fencing, landscaping, storm water detention, and other features thought too “costly” for this project, and/or as noted to be excluded at Section 9.2?

Thank you for your time and consideration. I sincerely hope that you will take my concerns into consideration and that you will deny the application for PUD-2025.

Evaren Page

14000 Plymouth Crossing

Edmond, OK 73013

405-474-9511

Johnson, Thad A

From: Bill Silk <4silks@cox.net>
Sent: Wednesday, August 14, 2024 1:43 PM
To: Camal Pennington; Curtis Liggins; PL, Subdivision and Zoning
Cc: Ward7
Subject: Protest Rezoning RE: PUD 2025
Attachments: FINAL PROTEST LETTER - PUD 2025.pdf; FEMA MAP 40109C0180H - HIGHLIGHT.pdf; Aerial PUD 528 - REDUCED SIZE.pdf; Weir detail - PUD 528.pdf

Importance: High

You don't often get email from 4silks@cox.net. [Learn why this is important](#)

Dear Mr. Pennington & Commissioners of the Oklahoma City Planning & Zoning Commission –

I am sending this email to forward the above attached “final version” of a protest letter for PUD 2025. Additionally, a few other supporting pdf files / photos are attached to support references within the letter.

As a retired person, I am available during the daytime, at your convenience, for a phone call to discuss any or all of the concerns outlined in the letter or the attachments.

Best Regards,
Board of the Wellington Park Homeowners Association &
William “Bill” Silk - AIA Emeritus – Chair WPHOA Architectural Review Committee
C) 405-570-1728 E) 4silks@cox.net

August 14, 2024

To: Mr. Camal Pennington – Chair and Ward 7 Commissioner camalpennington@gmail.com
Mr. Curtis Liggins – OKC Zoning Department curtis.liggins@okc.gov
Subdivision and Zoning Department – City of Oklahoma City subdivisionandzoning@okc.gov

Re: Protest regarding PUD 2025 (C-3 & R-1 base zoning)
13900 N. Bryant Ave – Oklahoma City, OK 73013

Dear Mr. Pennington, Mr. Liggins and each OKC Planning Commissioner -

This letter is intended to specifically express a protest against the proposed rezoning of both Tract 1 and Tract 2 of the former Hallmark Horse Farm. This property was rezoned approximately one year ago as PUD 1946 and incorporated protest revisions requested by Wellington Park (i.e., WPHOA) and other surrounding neighborhoods. The following paragraphs of this letter will provide specific items of protest within PUD 2025.

My name is William “Bill” Silk, and I am a 29-year resident in N.E. Oklahoma City with my wife Mindy at our home located at 13905 Plymouth Crossing, which is in the platted R-1 WPHOA neighborhood. I am also an elected board member for the WPHOA and the WPHOA Board has reviewed and hereby endorses the objections contained in this protest letter.

On behalf of the WPHOA Board of Directors and myself we request that you give careful consideration to all the facts presented in this letter.

The WPHOA neighborhood adjoins this proposed new PUD along the entirety of all its proposed “southern” and “eastern” property lines. Because of the extraordinarily long common property line adjacency, as well as counting the 175 WPHOA homeowners, the WPHOA represents more than an estimated 80% of all property owners directly adjacent to the proposed rezoning. So, the WPHOA Board and I as a retired licensed architect with 49 years of experience, wish to express the following specific objections about rezoning the property as PUD 2025, as noted below:

PROTEST ITEMS REGARDING REZONING FOR TRACT 1 – “R-4 RESIDENTIAL DISTRICT”

- 1) R-4 density is not appropriate for this site and is not compatible with the amount of surrounding / adjacent R-1 and R-2 land uses!
- 2) This site has a current base zoning of “R-1” (within PUD 1946) and DOES NOT allow for R-4 zoning uses.
- 3) This site is also remote (+/-916 feet) from Bryant Ave, and physical access to the site is not currently possible via any existing public street. The Applicant has not provided clear and definitive information about what type of “future street” will be provided. The Applicant equivocates at Section 9.8 by stating that access will be “*via a private drive or public / private street, however....*” The applicant also fails to provide secondary emergency access onto the site for fire emergency vehicles that would normally be required during the platting process. (See item #8 below for additional concerns about the proposed access roadway.) (See item #10 below for additional concerns regarding platting.)
- 4) As required under 59-14150 (B)1(a)-7 for a PUD “Design Statement”: The Applicant has failed to provide the actual density calculation for the dwelling units! Per this “Design Statement” requirement, a table or “tabulation” for the number of “useable land acres” intended for housing is required. Additionally, the Applicant has also failed to record the size / amount of “open land space” to be provided.
 - a) Please note that only the total number of acres within Tract 1 are identified as 9.33 acres. The 9.33 acres includes multiple unusable acres which are located within one of the following: A) a pond; B) an unbuildable storm water drainage area northeast of the existing retention pond; C)

other wet or storm water surge areas and D) an unbuildable “finger of land” extending to intersect with the proposed Tract 2. We request that the Applicant provide the required “unit density” and “open space” calculations for your consideration as required by ordinance.

- 5) As required under 59-14150 (B)1(a)-12 for a “Design Statement”: No “stormwater management plan” has been provided for this site. If the Applicant had provided suitable information, it would be apparent that **Tract 1 is literally and figuratively adjacent to a known FEMA flood prone area** located in the “Spring Creek Tributary 2” located just beyond the north property line of Tract 1. (See attached pdf file containing the FEMA flood map 40109C0180H as adopted by OKC...with red highlight for the PUD 2025 area).
- 6) The proposed 3 story construction of 86 units does not comply with the R-4 zoning limit of 2 stories *when R-4 zoning is located within 60 feet of adjacent R-1 single family homes.* We request that the Commission stipulate that only 2 story construction be permitted for Tract 1.
- 7) At Section 9.14 of the PUD, the proposed front, rear, and side yard setbacks do not meet the current R-4 zoning requirements. We request that the Commission stipulate that all “R-4 setback requirements” be provided / followed within Tract 1.
- 8) Regarding the main access roadway proposed to access Tract 1:
 - a. First, please note that the land required to construct the main access road is not included in this PUD 2025 rezoning request and the ownership of said land located west of the existing retention pond has not been provided / identified by the Applicant and may never be known since platting of Tract 1 is not proposed. How therefore can the Applicant guarantee that the required access roadway to Tract 1 will be built and/or provided under separate ownership and not included in this rezoning request? If the Commissioners required platting of Tract 1 and the roadway, it would allow an additional opportunity to review and/or approve the type and character of this roadway at a later time.
 - b. Second, in Section 9.8 the Applicant is vague as to whether the roadway will be “public” or “private/private” street. If the Applicant intends to construct a combination of both “public” and “private” streets the specific locations for both should be clearly identified either graphically or with verbal descriptions within the PUD documentation before the Commission votes on this application.
 - c. Third, the Applicant is vague about HOW, WHEN or WHY the main access roadway would be transformed from an initial “two-lane street” into a “boulevard type street with divided median.” A clear understanding of how the public will access Tract 1 is a fundamental issue that needs to be resolved by the Applicant before the Commission votes on the rezoning. We therefore request that the Applicant provide clear information on the proposed main access roadway to Tract 1.
 - d. Fourth, please note that construction of this main “public” or “public / private” access street will require that paving be elevated **“above adjacent FEMA flood prone areas”** (see item #5 above) and will likely require the use of either a bridge / concrete culvert drainage structure to handle both; A) the existing storm water runoff as well as; B) the increased storm water runoff from the reduced permeability of both Tract 1 and Tract 2. Without a bridge / culvert or other suitable opening in the new roadway base all stormwater would be completely blocked from this site as well as causing flooding at all up-stream properties including property within WPHOA.
 - e. Also, please refer to Section 16-12 *“Improvements required by Planning Commission”* which states the following: *“When the Planning Commission subsequent to the submission by a developer of a preliminary plat, requires a bridge or culvert at a residential street and the required hydraulic cross section is greater than 40 square feet, the City may, but is not required to, participate in the cost of construction of the bridge or culvert in the same manner as provided for Section 16-11.”*
 - f. It would appear that a “public street” may only need to extend approximately 600 feet east of Bryant Ave. in order to provide vehicular access to future C-3 development on the land west of the

“existing retention pond”. However, the apparent location for a bridge / culvert over the existing drainage channel would appear to be physically located approximately 890 feet east of Bryant Ave. Therefore a bridge / culvert located on a “private street” would shift the entire financial burden for said bridge / culvert improvement to the developer of the “private street.” Additionally, it would also shift the future maintenance & upkeep of both said bridge / culvert and the street (i.e., located adjacent to known FEMA flooding) to the responsibility of all 86 future homeowners who share the “private street”. Subject to time and the potential impact of flooding and/or erosion to both the roadway base and/or the bridge / culvert, and considering the potential cost to maintain each of these, it would appear to become a future financial disaster (i.e., time bomb) waiting to happen to all 86 unsuspecting homebuyers”.

- f. We therefore request that prior to a vote on this application the Applicant be required to provide clear information describing and/or answering A) the “What, When, Where How and Who” for proposed construction of the roadway and B) whether or not the Applicant intends to request financial assistance of the City for either bridge or culvert construction!
- 9) Insufficient parking is provided for Tract 1 (i.e., +/- 6 total surface parking spaces are shown for public / visitor parking for all 86 housing units). We therefore request that the Commission require the Applicant to meet the OKC minimum parking standards, and not allow the requested exception for counting “vehicles in a garage.”
- 10) Section 9.5 of the PUD design statement indicates that ***“Platting shall not be required within this PUD.”*** However, at Section 9.8 the Applicant indicates that the character of the “main access street” will change ***“...when more than thirty lots are platted.”*** We request that platting be required for all of Tract 1.
 - a. Section 9.16 only suggests that a “property owner association” **may be** responsible for “maintaining all common areas.” Without platting how will the “common areas” be identified? Do the common areas include only half the pond or none of the pond? Forgoing an HOA, what mechanism would the applicant propose in order to raise / manage funds required to maintain half the flood prone pond located on Tract 1? Conversely, how would the applicant propose to collect annual maintenance funds from the 86 homeowners without the benefit of an enforceable HOA document (i.e., a legally binding document) that spells out the ongoing responsibility for all Tract 1 landowners to make annual payments /fees? We request that the applicant agree to provide an HOA within the PUD documentation for Tract 1 and/or as expanded by the next protest item (“b”) directly below.
 - b. The Commissioners should also consider whether the land area west of Tract 1 should also be required to participate in any pond maintenance program (HOA or other). An HOA responsible for both tracts provides a mechanism for both properties to oversee / manage the pond as a combined resource. We request that the Commission require the applicant to identify a mechanism (HOA or otherwise) within the PUD documentation for both the unincluded west land area and Tract 1 to formally share ownership and/or responsibility for maintaining the existing retention pond.
- 11) Since the proposed property line of Tract 1 appears to split the “existing retaining pond” ownership, and since platting is not being proposed, it would appear intentional that “shared ownership & responsibility” for the existing “retention pond” is intended from a legal standpoint. Conversely, since the west half of the pond is not included within this rezoning application, should the west property owner share responsibility for future flooding caused by Tract 1? Since the “retention pond” is tributary & adjacent to an area known to have downstream flooding, it would seem important that the ownership and/or proportional ownership of the pond be made known within the PUD documentation. We therefore request that PUD 2025 identify the proposed ownership, and/or percentage of ownership, for the “existing retention pond” prior to potential flooding caused by the known increase in storm water runoff from both Tract 1 and/or Tract 2.

PROTEST ITEMS REGARDING REZONING FOR TRACT 2 – “C-3 COMMERCIAL DEVELOPMENT”

- 12) Please note that the current C-3 site zoning and PUD 1946 PROHIBITS BOTH of the following proposed use types: A) **8300.59 Personal Storage: Restricted** & B) **8300.60 Personal Storage** as proposed at Section 8.1. Since these proposed uses were inappropriate a year ago for PUD 1946 then they should also be inappropriate again today for PUD 2025! We request that both uses be stricken from PUD 2025.
- 13) This predominately residential neighborhood should not be subjected to the placement of over five (5) acres of a “low cost” multi-structured storage facility constructed of “low quality” EFIS or metal wall panels surrounded by an equally “cheap and ugly” 6 or 8 foot tall “CHAIN LINK security fence” as currently proposed. It is obvious that the Applicant is not willing to elevate either the “exterior appearance” or “quality of construction” of the entire project in order to fit into the predominately “brick veneer” and “wood fencing” character of the surrounding residential neighborhoods. More specifically, the Applicant proposes to delete each of the following: A) site proof screening and B) Landscaping.
- a. R-1 zoning adjoins Tract 2 on both the south and east property line. We therefore request that this Applicant be required to provide the “site proof fencing” required by this C-3 / R-1 adjacency in the zoning ordinances. WPHOA does not want to see the ugly “back side” of this project for decades to come.
 - b. Similarly the zoning ordinances require appropriate landscaping for ALL new construction in OKC. The Applicant should not receive permission at the PUD approval stage to omit required landscaping. We request that the Applicant be required to provide landscaping in accordance with current landscape ordinance requirements just like every other property developer in OKC.
- 14) I would like to call your attention to the first “storage unit project” (now named Gate Keeper Storage) that was constructed adjacent to Wellington Park, and which is located at 3221 E. Memorial Rd. On the Applicant’s cover sheet this project was identified only as a “Mini Storage Unit.” This project was approved as PUD 528 in 1996 by the OKC Planning & Zoning Commission. Identification of PUD 528 on the cover sheet was somehow conveniently omitted. The miss-identification of PUD 528 might have occurred because the Applicant wanted to avoid the VERY HIGH and an EXTRAORDINARILY STRONG PRECEDENT set by PUD 528? Please understand that within the approved PUD 528 documents it specifically calls for the inclusion of each of the following: A) site proof fencing; B) landscaping; C) trees and D) **stormwater detention with spaced “outflow” to adjoining property!** Since these were all appropriate for Planning-Zoning Commission approval in 1996, we would expect they are again totally appropriate in 2024. We therefore request that all four of the above items be required for both Tract 1 & Tract 2 of PUD 2025.
- a. Even though PUD 528 at 3.61 acres was constructed with stormwater detention they did not provide the required “spaced outflow” as specified / noted in the PUD document. Instead the stormwater release was “concentrated” at one single point and was then further negatively impacted by the addition of a new 24” dia. stormwater drainpipe directly below the detention discharge point. The 24” stormwater drainage pipe extends to a curb inlet located on the north side of Memorial Road and installation was required of the developer by the City of OKC to alleviate ponding stormwater on Memorial Rd. (Note: similar street conditions now exist on Bryant Ave in front of Tract 1 and 2.) The “concentration of stormwater runoff” has caused erosion to both PUD 528 and the Wellington Park green belt properties. This erosion is the cause for “siltation” occurring at the nearby Wellington Park “retention pond.” Siltation is rapidly changing the WPHOA “fountain retention pond” into a “muddy detention feature” at the south end. We therefore request that the stormwater detention for PUD 2025 also state that discharge of the stormwater runoff be spread out over the maximum property length possible in order to avoid “concentrated release” erosion issues. (Please see the attached as-built photos of PUD 528’s stormwater drainage structures).

- b. Potential flooding along the drainage channel north of PUD 528 was considered high enough during WPHOA residential development that the City of OKC required all floor slabs adjacent to the drainage channel be surveyed for compliance with required “minimum floor-slab elevations” in order to prevent flooded homes. The existing drainage channel near PUD 2025 carries Many Many times more stormwater runoff than PUD 528 and should elicit the same minimum floor slab elevation response from the City for Tract 2. We again therefore request that “platting” be required for Tract 2 in order to establish minimum floor slab elevations for each structure in Tract 2 and prevent flooding.
 - c. If you would like to receive a copy of the PUD 528 document, I'd be happy to comply.
- 15) Please note that Tract 2, at 5.61 acres, proposes no provision for stormwater detention while PUD 528 at 3.4 acres was required to provide it in 1996 by the Planning & Zoning Commission. Additionally, since **known downstream flooding** has been identified by FEMA (see Tract 1 item #5 above) we request that the PUD 2025 documentation be changed to show “required stormwater detention for Tract 2 along with requirements to space the release of storm water to the greatest extent possible before reaching adjoining property”.
 - 16) The graphic site design portion of Tract 2 on Exhibit D) does not appear to provide a location for A) a trash dumpster which would have a location per Section 9.7 of MORE than fifty (50) feet from existing R-1 zoning and/or B) large enough to accommodate either a surrounding fence or masonry enclosure. If Tract 2 remains un-platted, we therefore request that Exhibit D be revised to show an appropriate dumpster location before the approval of PUD 2025.
 - 17) Tract 2 does not appear to comply with current C-3 front yard requirements of twenty-five feet along Bryant Ave. because the property looks to be completely paved from the “front” property line all the way to the face of the proposed building fronting Bryant Ave. Additionally, the west end of the proposed building along the northern property line appears to encroach into the required 25-foot front yard setback. Also, the east end of the same northern building violates setback requirements with its distance to existing R-1 zoning. We therefore request that Tract 2 be revised as required to comply with all C-3 setback requirements prior to approval by the Commission.

In conclusion, both the WPHOA and I object to the rezoning of this property for each of the following major reasons:

1. The applicant's rezoning request for R-4 zoning at Tract 1 is not compatible with the immediately surrounding / adjacent R-1 and R-2 land uses.
2. For Tract 1 the applicant does not appear willing to follow existing R-4 zoning setback requirements as outlined above.
3. This rezoning request appears to be the applicants attempt to benefit financially by cramming an overly dense and non-compliant R-4 zoning use into an area which was rezoned for R-1 uses only about one (1) year ago.
4. Tract 1 is physically located adjacent to a known FEMA floor prone area without suitable recognition of increased stormwater flooding caused by either Tract 1 or Tract 2.
5. For both Tract 1 and Tract 2 the applicant has demonstrated a complete lack of concern for the additional storm water runoff that will be caused by the reduced permeability associated with proposed development of both Tract 1 and Tract 2 properties.
6. For both Tract 1 and Tract 2 the applicant has demonstrated a complete lack of concern for providing storm water runoff improvements within the PUD documentation (i.e. failing to mention provisions for either “retention” or “detention”) especially when the increased stormwater runoff from the development areas will definitely provide greater impact to a nearby known area of FEMA flooding.
7. For Tract 2, the applicant has clearly shown his intent to either eliminate and/or minimize all landscaping and site proof screening or fencing and ignored C-3 setback requirements.

Both the WPHOA Board and I THANK YOU for your service to Oklahoma City as a Planning & Zoning Commissioner and request that the OKC Planning & Zoning Commission either -
A) Deny approval for PUD 2025 or,
B) Implement / incorporate all of protest concerns outlined above.

As a retired person, I am available during the daytime at your convenience for a phone call to discuss any or all of the above concerns.

Best Regards,

A handwritten signature in black ink, appearing to read 'William Silk' with a stylized flourish at the end.

Board of the Wellington Park Homeowners Association &
William "Bill" Silk - A.I.A. Emeritus – Chair WPHOA Architectural Review Committee
C) 405-570-1728 E) 4silks@cox.net

Cc'd: OKC Council Woman Nikki Nice (Ward 7) ward7@okc.gov

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations (BFEs) shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Lambert Conformal Conic State Plane Oklahoma North Zone FIPS 3501. The **horizontal datum** was NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov/> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242 or visit its website at <http://www.ngs.noaa.gov/>.

Base map information shown on this FIRM was provided in digital format by the Geo Information Systems department of the University of Oklahoma, and by the local communities of Oklahoma County.

This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the *Flood Insurance Study report* (which contains *authoritative hydraulic data*) may reflect stream channel distances that differ from what is shown on this map.

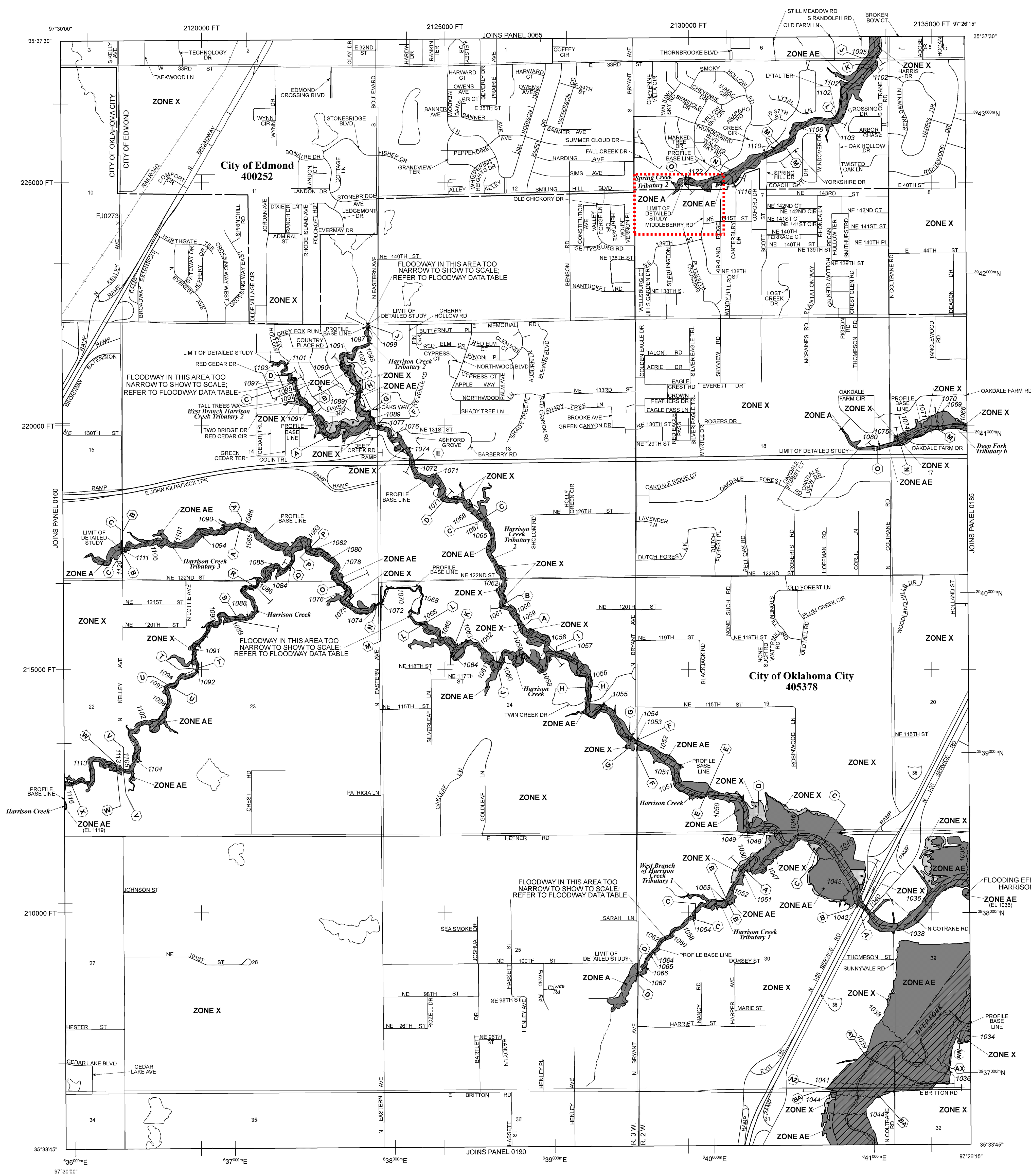
Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a *Flood Insurance Study report*, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://msc.fema.gov/>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/firm/>.

The "profile base lines" depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the "profile base line", in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A No Base Flood Elevation determined.
ZONE AE Base Flood Elevations determined.
ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR Area of special flood hazard formerly protected from the 1% annual chance flood event by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance of greater flood event.

ZONE A99 Areas to be protected from 1% annual chance flood event by a Federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

Floodplain boundary
Floodway boundary
Zone D boundary
CBRS and OPA boundary
Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
Base Flood Elevation line and value; elevation in feet*
Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988 (NAVD 88)

Cross section line
Transect line
Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
1000-meter Universal Transverse Mercator grid ticks, zone 14
5000-foot grid values: Oklahoma State Plane coordinate system, North Zone (FIPSZONE = 3501), Lambert projection
Bench mark (see explanation in Notes to Users section of this FIRM panel)
River Mile

MAP REPOSITORIES
Refer to Repository Listing on Map Index

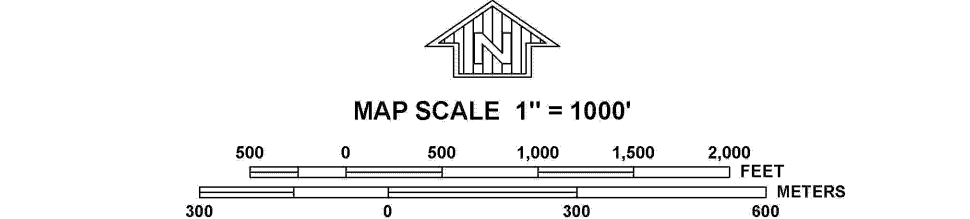
EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP:
July 2, 2002

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL:
December 18, 2009

December 18, 2009 - to update corporate limits, to change Base Flood Elevations and Special Flood Hazard Areas, to revise vertical datum, to update roads and road names, to incorporate previously issued Letters of Map Revision, and to reflect updated topographic information.

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



PANEL 0180H

FIRM
FLOOD INSURANCE RATE MAP
OKLAHOMA COUNTY,
OKLAHOMA
AND INCORPORATED AREAS

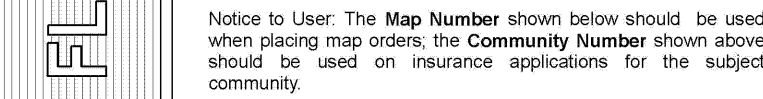
PANEL 180 OF 370
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
EDMOND, CITY OF	400252	0180	H
OKLAHOMA CITY, CITY OF	405378	0180	H

MAP NUMBER
40109C0180H

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



REVISED DATE
DECEMBER 18, 2009

Federal Emergency Management Agency

Storage Units

3221 East Memorial Rd

WPHOA Fountain Retention Pond

Legend

- 3221 E Memorial Rd
- Feature 1

WPHOA walking trails

CONSTRUCTION of PUD 528 resulted in a:
"CONCENTRATED STORM WATER" RELEASE POINT!
"Energy Dissipators" should have been "REQUIRED OF THE DEVELOPER" to sufficiently slow &/or broaden the width of the proposed releases for both of the following:
A) PUD 528 Surface Storm Water &/or
B) Memorial Road Public Storm Sewer Water
(see following photo of "wier" release point for PUD 528)

Property Line

100% RUN OFF!

100% RUN OFF!

3221 E Memorial Rd
PUD 528

Underground "PUBLIC"
+/-24" diameter storm
water drainage pipe -
required by City of OKC!

East Memorial Office Park

Memorial Road Drainage Inlet &
+/-24" dia PUBLIC storm water
drainage pipe - City of OKC
required installation to resolve
"ponding" on Memorial Road.!

Google Earth

Dairy Store



400 ft

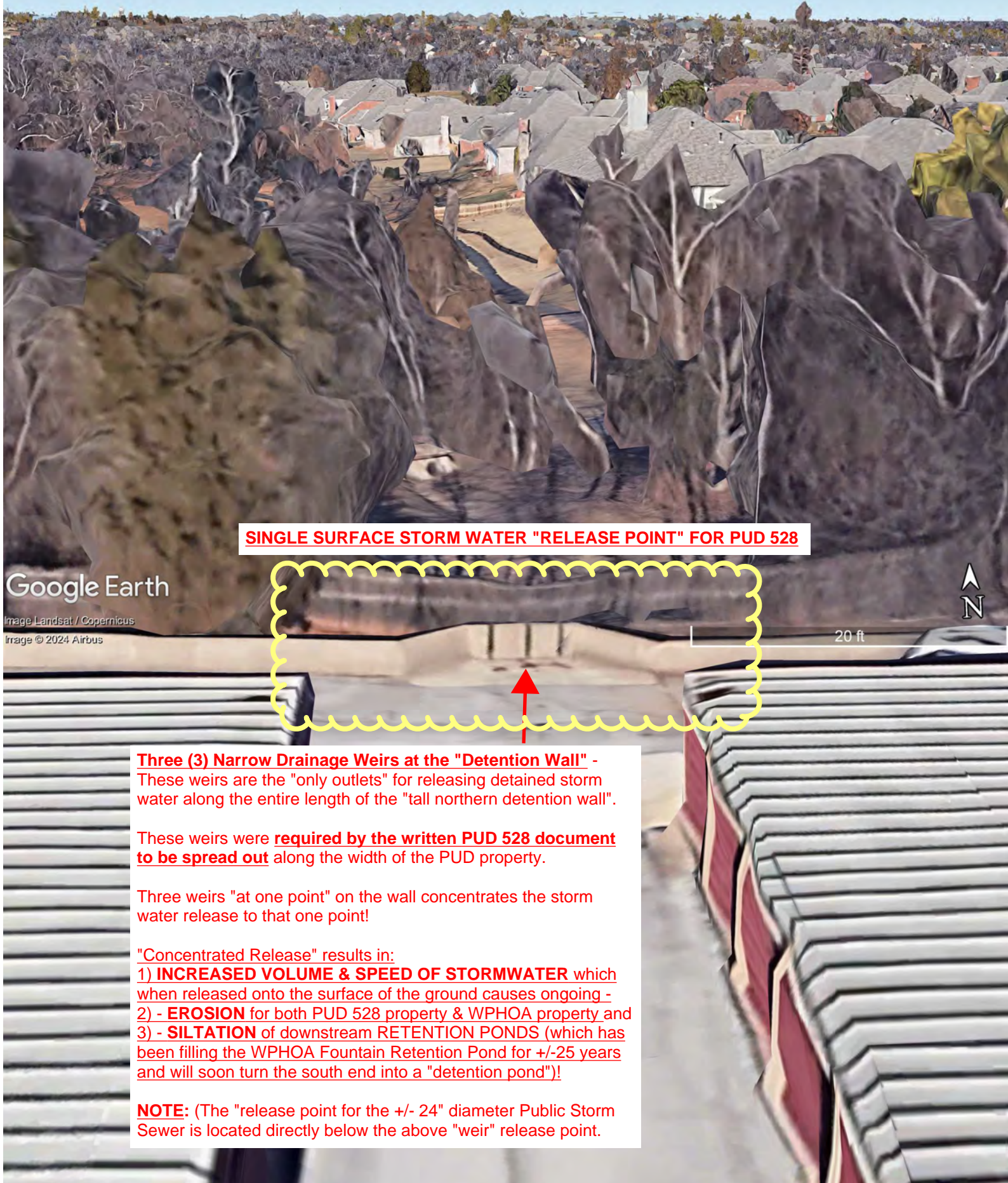


Storage Units

3221 East Memorial Rd

Legend

-  3221 E Memorial Rd
-  Feature 1



SINGLE SURFACE STORM WATER "RELEASE POINT" FOR PUD 528

Google Earth

Image Landsat / Copernicus
Image © 2024 Airbus

20 ft

Three (3) Narrow Drainage Weirs at the "Detention Wall" -

These weirs are the "only outlets" for releasing detained storm water along the entire length of the "tall northern detention wall".

These weirs were required by the written PUD 528 document to be spread out along the width of the PUD property.

Three weirs "at one point" on the wall concentrates the storm water release to that one point!

"Concentrated Release" results in:

- 1) **INCREASED VOLUME & SPEED OF STORMWATER** which when released onto the surface of the ground causes ongoing -
- 2) - **EROSION** for both PUD 528 property & WPHOA property and
- 3) - **SILTATION** of downstream RETENTION PONDS (which has been filling the WPHOA Fountain Retention Pond for +/-25 years and will soon turn the south end into a "detention pond")!

NOTE: (The "release point for the +/- 24" diameter Public Storm Sewer is located directly below the above "weir" release point.

Johnson, Thad A

From: Bill Silk <4silks@cox.net>
Sent: Sunday, August 18, 2024 4:08 PM
To: Camal Pennington; Curtis Liggins
Cc: PL, Subdivision and Zoning; Ward7
Subject: Second Protest Letter RE: PUD 2025
Attachments: FEMA MAP 40109C0180H - 2.pdf; ENLARGED FEMA FLOOD MAP - 2.pdf; Aerial PUD 528 - 2.pdf; Weir detail - PUD 528 -2.pdf; 2ND FINAL PROTEST LETTER - PUD 2025.pdf

Importance: High

You don't often get email from 4silks@cox.net. [Learn why this is important](#)

Dear Mr. Pennington, Mr. Liggins, and Commissioners –

The four (4) pdf files attached to my first PUD 2025 protest letter / email (dated 08-14-24) were somehow altered and were not printed in the Staff Report with the added graphics and/or text information originally included within the pdf files initially provided. I can only guess that this might have happened due to overly aggressive software security features on receipt / sending and/or other oversights in printing.

I have therefore taken additional steps to “bind / flatten” the intended graphics & text into the original pdf file documents; renamed those documents with a “- 2” in their file name; and have re-attached those files to this message. I would appreciate it if the pdf files in today’s message were reprinted and made available for each commissioner on August 22nd during the PUD 2025 discussion. I have also added a fifth pdf file showing an enlarged view of a portion of FEMA Flood Map #40109C0180H adjacent to PUD 2025.

Several items of concern within PUD 2025 were either NOT SUFFICIENTLY addressed or were INCORRECTLY addressed by the Staff Report as published on-line. I have therefore also attached a second protest letter as a pdf file for your further review and consideration. If possible, I would also appreciate my second protest letter being made available to all Commissioners during PUD 2025 discussion.

As I am still recovering from a recent Covid infection, I am unsure if I’ll be able to attend the August 22nd Commission meeting. I am however available at your convenience by phone before the meeting to discuss the concerns expressed about PUD 2025.

Best Regards,
Board of the Wellington Park Homeowners Association &
William “Bill” Silk - AIA Emeritus – Chair WPHOA Architectural Review Committee
C) 405-570-1728

Cc’d – Nikki Nice – Ward 7
Bcc’d - WPHOA Board members

August 18, 2024

To: Mr. Camal Pennington – Chair and Ward 7 Commissioner camalpennington@gmail.com
Mr. Curtis Liggins – OKC Zoning Department curtis.liggins@okc.gov
Subdivision and Zoning Department – City of Oklahoma City subdivisionandzoning@okc.gov

Re: Second (2nd) Protest letter regarding PUD 2025 (C-3 & R-1 current base zoning)
13900 N. Bryant Ave – Oklahoma City, OK 73013

Dear Mr. Pennington, Mr. Liggins and each OKC Planning Commissioner -

The four (4) pdf files attached to my first PUD 2025 protest letter (dated 08-14-24) were somehow altered and were not printed in the Staff Report with the added graphics and/or text information originally included within the pdf files. I can only guess that this might have happened due to overly aggressive software security features and/or other oversights in printing.

I have therefore taken additional steps to “bind / flatten” both the intended graphics & text into the original pdf file documents, renamed them with a “- 2” in their file name, and have re-attached the pdf files to this letter. I would appreciate it if the pdf files in today’s letter were reprinted and made available for each commissioner on August 22nd during the PUD 2025 discussion. I have also added a fifth pdf file showing an enlarged view of a portion of FEMA Map #40109C0180H adjacent to PUD 2025.

Please note that the following important items were either NOT sufficiently addressed or were incorrectly addressed by the Staff Report for PUD 2025. Please see the following:

TRACT #1:

- 1) While the Applicant shows Tract 1 to contain 9.33 acres, please note that the applicant is not building on that number of acres. Since the applicant has failed to provide a calculation for the intended area of “open space” we are only able to estimate that the project would actually be built on 5 acres, with +/- 4.33 acres unbuildable due to the area of the existing pond, flooded and/or wet areas and the “finger of land” extending west to Tract 2. This would result in an actual density of approximately sixteen dwelling units per acre, or **FOUR (4) TIMES** the density of the adjacent R-1 properties. That kind of disparity in the densities is not right! If the density calcs are not right, what else is not right? Read on...
- 2) Per the current R-4 zoning regulations, the “bulk limit” for R-4 zoning is a maximum of two stories when located less than sixty (60) feet from R-1 uses. Refer to the south property line of Tract 1 and adjacent R-1 residences on Plymouth Crossing where the distance is less than 60 feet; and also to the east property line and adjacent R-1 residences along Middleberry Road. The applicant incorrectly requests three story construction throughout Tract 1. That’s not right!
- 3) Per the current R-4 zoning regulations, the required R-4 front yard setback is twenty-five (25) feet. The Staff Report is favorable for providing only eighteen (18) foot deep front yards. That’s not right!
- 4) The applicant provides only six (6) public / visitor parking spaces for 86 townhomes, with three (3) of those parking spaces located next to the Clubhouse / Pool area. So if the lifeguard and the clubhouse manager each take one parking space that leaves four (4) public / visitor parking spaces for all 86 townhomes. The applicant therefore is seeking a variance to NOT meet the current parking regulations of the City of OKC. The applicant requests that the parking “count” include vehicles within parking garages to avoid providing sufficient public / visitor parking. Due to each street having side-by-side driveways (i.e., 4, 6, or 8 side-by-side driveways) there will be little to no curb line available for on-street parking.
- 5) Imagine trash day when 4, 6 or 8 driveways have multiple “big blues” out for pickup. Oh wait, the staff report says that City Trash Services are NOT available for this site. So, the applicant has shown a total of six (6) dumpsters on site ... serving thirteen (13) buildings. Therefore many \$250K+ townhome owners will need to walk 200 or 300 hundred feet with his / her trash bags in hand, multiple times per

week, to a screened dumpster? Is that type of awkward trash service A) even marketable for high-end townhome ownership in OKC; or B) the type of public health nuisance that residents of OKC would approve of? That's just poor planning by the Applicant.

- 6) The applicant does not provide any of the following typical community improvements: **A)** Basketball court; **B)** Jungle Gym; **C)** Swing Sets; **D)** Pickleball court; **E)** Open lawn area for soccer practice or throwing a baseball / football; **F)** etc. etc. for the use of resident adults and children. So what nearby park are the children and/or parents going to walk or ride their bicycles to? The existing "posted" park facilities of WPHOA are already "crashed" by many nonresidents and already create requests for the OKC Police Dept. to provide patrols at night.
- 7) The density of this project and the lack of community improvements results in the need for these R-4 families to use their cars to drive miles away to find community recreation facilities and/or practice fields for youth sports. Hasn't OKC already caused an over reliance on the automobile and not relied enough on "open space" community planning?
- 8) Commissioners – Is this the kind of high-density development that is appropriate for this existing wide-open space at the far outer limits / boundaries of the City of Oklahoma City? WPHOA would argue it is NOT the "right kind" of development for this area in northeast Oklahoma City. The existing R-1 zoning is correct for this location.

TRACT #2:

It may appear that not very much is changing with Tract #2 since the former C-3 zoning is repeated once again at Tract 2. However, WPHOA requests that Commissioners look carefully at the following issues which indicate the Applicant DOES NOT INTEND TO COMPLY with the current zoning regulations for C-3 properties:

- 9) The Applicant seeks to add "new uses" for both Storage and Personal Storage. WPHOA does not believe that these uses are the "highest and best possible use" for this property and opposes adding them. A higher and better possible use would be a grocery store which would definitely be appreciated by WPHOA and surrounding neighborhoods. Therefore these "storage uses" were denied with zoning for PUD 1946 about one (1) year ago. We oppose them again now.
- 10) The Applicant has requested a variance and seeks to NOT COMPLY with the landscape regulations for Tract 2. That's not right.
- 11) The Applicant has requested a variance and seeks to NOT COMPLY with the "site-proof fencing" regulations for C-3 / R-1 adjacencies. WPHOA insists that site-proof fencing is required for Tract 2 borders with WPHOA and prevent three (3) adjacent WPHOA homes from looking into the ugly back side of metal buildings and a chain link fence. That would not be right!
- 12) The Applicant has requested approval to use an ugly "chain link security fencing" on three sides of the property. That doesn't fit the residential character of the neighborhood.
- 13) The Applicant fails to show the appropriate front-yard setbacks along Bryant Ave. and also fails to provide the appropriate setback at the east end of the north storage building which is adjacent to R-1 zoning. That's not right!
- 14) The Applicant intends to completely cover the site with metal roofing and impervious paving which will cause near 100% storm water runoff to occur without mentioning nor providing on-site storm water detention for the adjacent stream which in less than one quarter mile from flowing into an area acknowledged by FEMA to be a known area of flooding! That's not right!
- 15) The Applicant failed **A)** to properly inform Commissioners about another "storage unit" project that has already been constructed adjacent to WPHOA, and **B)** the "Mini Storage Units" that are shown on the application cover page should be more correctly identified as PUD 528, and **C)** the documentation for PUD 528 was approved in 1996 by the OKC Planning & Zoning Commission and **D)** PUD 528 required the developer to provide **1)** landscaping; **2)** trees; **3)** sight proof perimeter fencing; and **4)** storm water detention because the 1990 FEMA map had already determined the existence of a known flooding

area nearby. What was appropriate for the Planning & Zoning Commission to require in 1996 should also be appropriate for the Planning & Zoning Commission to require in 2024.

- 16) Commissioners – The Applicant has therefore demonstrated that his intent is NOT TO COMPLY with the current C-3 site zoning regulations and WPHOA therefore argues that is sufficient reason to deny development of Tract 2 as presented and also denied as part of PUD 2025.

In conclusion, both the WPHOA and I object to the rezoning of this property for each of the following major reasons:

1. The applicant's rezoning request for a dense R-4 zoning at Tract 1 is not compatible with the immediately surrounding / adjacent R-1 and R-2 land uses.
2. For Tract 1 the applicant is NOT COMPLYING with the existing R-4 zoning front yard setback and bulk limit requirements as outlined above.
3. This rezoning request appears to be the applicants attempt to benefit financially by cramming an overly dense and non-compliant R-4 zoning use into an area which was rezoned for R-1 uses only about one (1) year ago.
4. Tract 1 is physically located adjacent to a known FEMA flood prone area without suitable recognition of increased stormwater flooding caused by either Tract 1 or Tract 2.
5. For both Tract 1 and Tract 2 the applicant has demonstrated a complete lack of concern for the additional storm water runoff that will be caused by the reduced permeability associated with proposed development of both Tract 1 and Tract 2 properties.
6. For both Tract 1 and Tract 2 the applicant has demonstrated a complete lack of concern for providing storm water runoff improvements within the PUD documentation (i.e. failing to mention provisions for either "retention" or "detention") especially when the increased stormwater runoff from the development areas will definitely provide greater impact to a nearby known area of FEMA flooding.
7. For Tract 2, the applicant has clearly shown his intent to NOT COMPLY with landscaping and site proof fencing and ignored C-3 setback requirements.

Both the WPHOA Board and I THANK YOU for your service to Oklahoma City as Planning & Zoning Commissioners and request that the OKC Planning & Zoning Commission either -

- A) Deny approval for all of PUD 2025 or,
- B) Implement / correct all of protest concerns addressed above and as expressed in the 08-14-24 protest letter.

As a retired person, I am available during the daytime at your convenience for a phone call to discuss any or all of the above.

Best Regards,

Board of the Wellington Park Homeowners Association &
William "Bill" Silk - A.I.A. Emeritus – Chair WPHOA Architectural Review Committee
C) 405-570-1728 E) 4silks@cox.net

Cc'd: OKC Council Woman Nikki Nice (Ward 7) ward7@okc.gov

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations (BFEs) shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Lambert Conformal Conic State Plane Oklahoma North Zone FIPS 3501. The **horizontal datum** was NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov/> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242 or visit its website at <http://www.ngs.noaa.gov/>.

Base map information shown on this FIRM was provided in digital format by the Geo Information Systems department of the University of Oklahoma, and by the local communities of Oklahoma County.

This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the *Flood Insurance Study report* (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

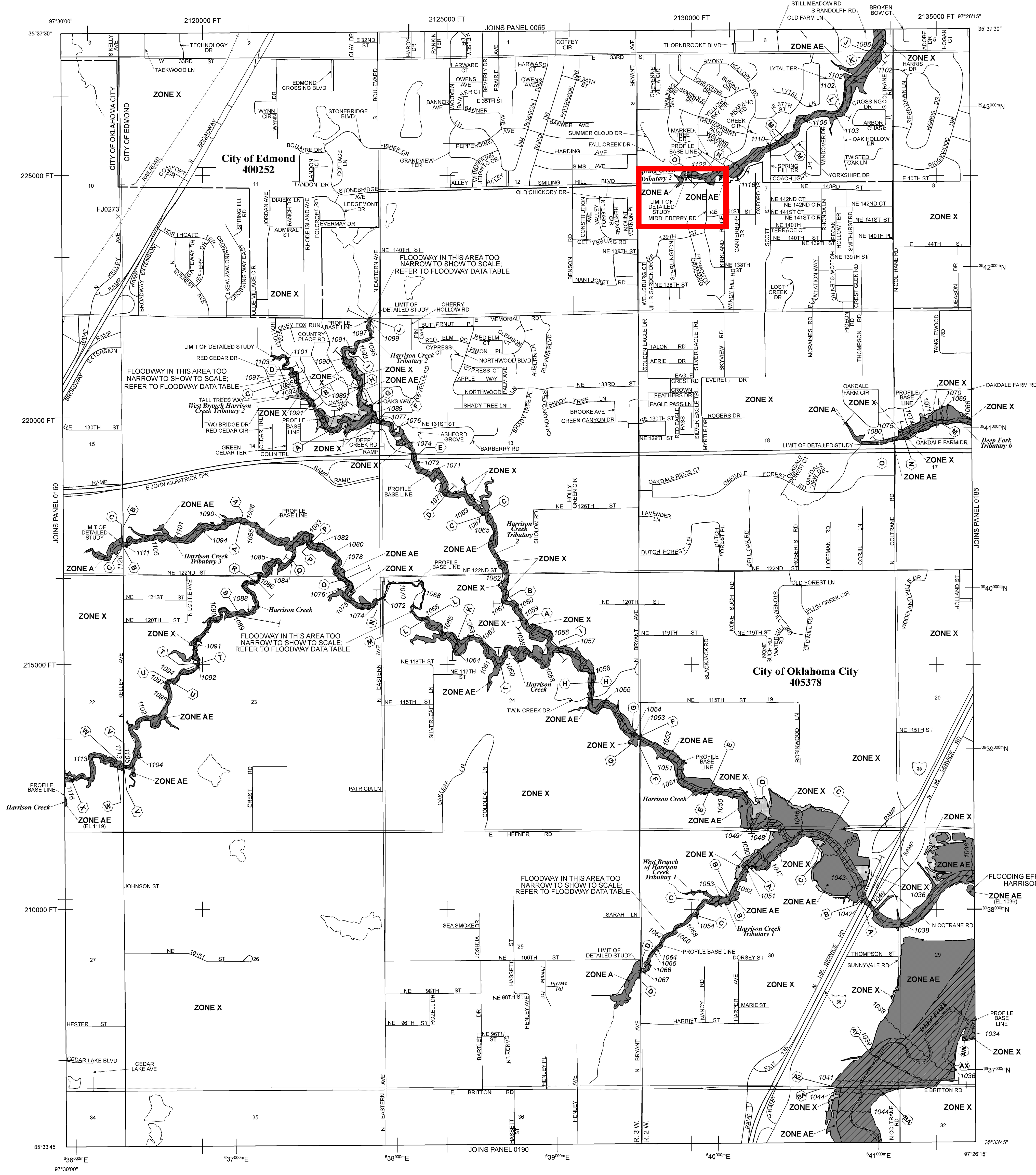
Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a *Flood Insurance Study report*, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://msc.fema.gov/>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/firm/>.

The "profile base lines" depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the "profile base line", in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equalled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A No Base Flood Elevation determined.
ZONE AE Base Flood Elevations determined.
ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR Area of special flood hazard formerly protected from the 1% annual chance flood event by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance of greater flood event.

ZONE A99 Areas to be protected from 1% annual chance flood event by a Federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

Floodplain boundary

Floodway boundary

Zone D boundary

CBRS and OPA boundary

Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.

Base Flood Elevation line and value; elevation in feet*

Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988 (NAVD 88)

A Cross section line

Transect line

Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere

1000-meter Universal Transverse Mercator grid ticks, zone 14

5000-foot grid values: Oklahoma State Plane coordinate system, North Zone (FIPSZONE = 3501), Lambert projection

Bench mark (see explanation in Notes to Users section of this FIRM panel)

DX5510 River Mile

MAP REPOSITORIES

Refer to Repository Listing on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP:

July 2, 2002

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL:

December 18, 2009

December 18, 2009 - to update corporate limits, to change Base Flood Elevations and Special Flood Hazard Areas, to revise vertical datum, to update roads and road names, to incorporate previously issued Letters of Map Revision, and to reflect updated topographic information.

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'

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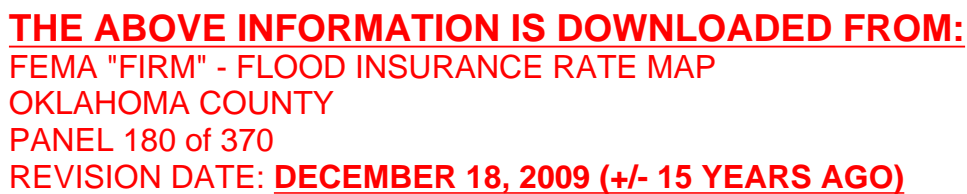
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MAP SCALE 1" = 1000'



Storage Units

3221 East Memorial Rd

WPHOA Fountain Retention Pond

Legend

- 3221 E Memorial Rd
- Feature 1

WPHOA walking trails

CONSTRUCTION of PUD 528 resulted in a:
"CONCENTRATED STORM WATER" RELEASE POINT!
"Energy Dissipators" should have been "REQUIRED OF THE DEVELOPER" to sufficiently slow &/or broaden the width of the proposed releases for both of the following:
A) PUD 528 Surface Storm Water &/or
B) Memorial Road Public Storm Sewer Water
(see following photo of "wier" release point for PUD 528)

Property Line

100% RUN OFF!

100% RUN OFF!

3221 E Memorial Rd
PUD 528

Underground "PUBLIC"
+/-24" diameter storm
water drainage pipe -
required by City of OKC!

East Memorial Office Park

Memorial Road Drainage Inlet &
+/-24" dia PUBLIC storm water
drainage pipe - City of OKC
required installation to resolve
"ponding" on Memorial Road.!

Google Earth

Dairy Store

400 ft

N

Storage Units

3221 East Memorial Rd

Legend

3221 E Memorial Rd

Feature 1



SINGLE SURFACE STORM WATER "RELEASE POINT" FOR PUD 528

Google Earth

Image Landsat / Copernicus

Image © 2024 Airbus

20 ft

Three (3) Narrow Drainage Weirs at the "Detention Wall" -

These weirs are the "only outlets" for releasing detained storm water along the entire length of the "tall northern detention wall".

These weirs were required by the written PUD 528 document to be spread out along the width of the PUD property.

Three weirs "at one point" on the wall concentrates the storm water release to that one point!

"Concentrated Release" results in:

- 1) **INCREASED VOLUME & SPEED OF STORMWATER** which when released onto the surface of the ground causes ongoing -
- 2) - **EROSION** for both PUD 528 property & WPHOA property and
- 3) - **SILTATION** of downstream RETENTION PONDS (which has been filling the WPHOA Fountain Retention Pond for +/-25 years and will soon turn the south end into a "detention pond")!

NOTE: (The "release point for the +/- 24" diameter Public Storm Sewer is located directly below the above "weir" release point.

To: Amy K. Simpson
Oklahoma City Clerk

01 OCT 2024

Subject: Rezoning From PUD-1946 to PUD-2025

From: Steven West, 3104 NE 139th Edmond, OK 73013 (OKC Limits)

I'm a layman in regard to rezoning land for development, but it seems that high priced lawyers and experienced developers have an advantage over the common people/residents of the city. I disagree with the proposed rezoning based on the current usage of the area and the proposed usage.

Currently the land previously known as Hallmark Farms is surrounded by R1 residential and the developer has requested R4 and C3. I read the zoning ordinances and the land does not fit the requirements as I interpret them. In the C3, John Gravitt is proposing a storage facility. I'm sure the developer has performed market research and feels there is a need for more storage and therefore he can make a profit. But, the area around Wellington Park Neighborhood currently has several storage facilities. Gatekeeper Storage adjoins our neighborhood on the South and has consistently been a problem for storm water discharge through our greenbelt areas. Public Storage is 1 mile West and Global Storage is 2 miles East, both located either on or close to Memorial Road. Go North 1 mile and East about 1.25 miles to reach SecureCare Self storage. In fact, there appears to be 8 more storage facilities in a 3.5-mile radius from our neighborhood. Is our community best served by adding another facility? C3 should be changed to R1.

Why would you allow a developer to build R4 in the middle of R1 zoned areas? I would request the area be developed R1 and restricted to sale of the homes instead of rentals. Remember the developer is the one requesting a zoning change. Why should a developer dictate what the new zoning should be? We have been residents in this neighborhood for 28 years and such drastic changes should not be made carelessly. I also understand that telling people what they can do with land they have purchased is troublesome, but the ordinances and zoning were put in place and approved by the city to protect the citizens and residents.



Thank you for your consideration in this matter.

Regards, Steven West