



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 11, 2024

Item No. IV. 12.

(PUD-1987) Application by Shaz Investment Group, LLC to rezone 5101 South County Line Road from PUD-1839 Planned Unit Development District to PUD-1987 Planned Unit Development District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

David M. Box, Williams, Box, Forshee & Bullard, P.C.
405-232-0080
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B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow single-family and two-family (duplex) development.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban – Low Intensity (UL)

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

2. Size of Site: 15.51 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1839, Tract 2	AA	PUD-1839, Tract 1 and R-2 (across County Line Road)	AA	AA
Land Use	Residential Platted	Turnpike	Platted as Cottonwood Estates, not yet developed	Undeveloped	Residential

II. SUMMARY OF PUD APPLICATION

8.1.....USE AND DEVELOPMENT REGULATIONS

There shall be three (3) Tracts within this PUD.

Tract 2-A, as depicted on Exhibit “B”, shall consist of 11.048 acres. The use and development regulations of the **R-1 Single-Family Residential District** shall govern this Tract 2-A, except as herein modified.

The following uses shall be permitted within Tract 2-A:

8250.3	Community Recreation: Property Owners Association
8250.13	Light Public Protection and Utility: Restricted
8200.5	Low Impact Institutional: Residential-Oriented
8200.8	Model Home
8200.14	Single-Family Residential

Tracts 2-B and 2-C, as depicted on Exhibit “B”, shall consist of 2.333 acres and 2.121 acres, respectively. The use and development regulations of the **R-2 Medium-Low Density Residential District** shall govern Tracts 2-B and 2-C, except as herein modified.

The following uses shall be permitted within Tracts 2-B and 2-C:

8250.3	Community Recreation: Property Owners Association
8250.13	Light Public Protection and Utility: Restricted
8200.5	Low Impact Institutional: Residential-Oriented
8200.8	Model Home
8200.14	Single-Family Residential
8200.16	Two-Family Residential

9.0.....SPECIAL CONDITIONS

The following special conditions shall be made a part of this PUD:

9.1.....FAÇADE REGULATIONS

Exterior building wall finish on all structures shall consist of a minimum 50% brick veneer, masonry, rock, stone, stucco, or wood, or other similar type finish. No more than 30% EIFS or wood shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

9.2 LANDSCAPING REGULATIONS

The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

9.3 LIGHTING REGULATIONS

The site lighting in this PUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

9.4 SCREENING REGULATIONS

Screening shall not be required within this PUD.

9.5 PLATTING REGULATIONS

All land within this PUD shall be contained within a final plat and any plat dedications shall be approved by the City Council prior to any occupancy permits being issued in the PUD.

9.6 DRAINAGE REGULATIONS

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

9.7 DUMPSTER REGULATIONS

Trash collection facilities in this PUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

9.8 ACCESS REGULATIONS

There shall be two (2) access points from S. County Line Rd., one of which will be for emergency purposes. Additional access points shall be permitted within the development.

9.9 PARKING REGULATIONS

The design and number of all parking facilities in this PUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

9.10 SIGNAGE REGULATIONS

9.10.1 FREESTANDING ACCESSORY SIGNS

Freestanding accessory signs will be in accordance with the base zoning district regulations.

9.10.2 ATTACHED SIGNS

Attached signs will be in accordance with the base zoning district regulations.

9.10.3 NON-ACCESSORY SIGNS

Non-Accessory signs will be in accordance with the base zoning district regulations.

9.10.4 ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs will be in accordance with the base zoning district regulations.

9.11 ROOFING REGULATIONS

Each structure in this PUD shall have Class C roofing or better.

9.12 SIDEWALK REGULATIONS

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

9.13 HEIGHT REGULATIONS

The base zoning district regulations shall regulate heights of structures in this PUD.

9.14 SETBACK AND DENSITY REGULATIONS

The minimum lot size within this PUD shall be 3,500 square feet. The minimum lot width for Tract 2-A shall be 35 feet. The minimum lot width for Tracts 2-B and 2-C shall be 50 feet for single-family dwellings.

Setback regulations shall be as follows:

Front: 20 feet

Side: 5 feet, except the side yard setback adjacent to streets shall be 10 feet

Rear: 10 feet

9.15 PUBLIC IMPROVEMENTS

Public improvements shall be made by the property owner throughout the PUD as required by the City of Oklahoma City Public Works Department or other City, County, or State Department or agency. All Local, State, and Federal ordinances as they shall apply to the site will be adhered to fully.

9.16 COMMON AREAS

Maintenance of the common areas in the development shall be the responsibility of the property owner or Property Owners Association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

9.17 SPECIFIC PLAN

A specific plan shall not be required.

10.0 DEVELOPMENT SEQUENCE

Developmental phasing shall be allowed as a part of the development of this PUD.

11.0 EXHIBITS

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

- Exhibit A - Legal Description
- Exhibit B - Conceptual Master Development Plan
- Exhibit C - Topography Plan

III. REVIEW COMMENTS

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk * indicates that the agency, department, and/or division responded with no adverse comments.

A. Outside Agencies

- 1. Oklahoma City-County Health Department (OCCHD):**
- 2. Oklahoma City Urban Renewal Authority (OCURA):**
- 3. Oklahoma Gas and Electric (OGE):**
- 4. Oklahoma Natural Gas (ONG):**
- 5. Oklahoma Water Resources Board (OWRB):**
- 6. School District: Mustang**
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports:**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA):**
- 3. Fire (OCFD):**
- 4. Information Technology/Geographic Support (IT/GIS):**
- 5. Parks and Recreation:**
- 6. Police (OCPD):**
- 7. Public Works:**

a. Engineering

Storm Sewer Availability

- 1) The Public Works Drainage Division staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to chapter 16 of the Oklahoma City Municipal Code.
- 2) Storm sewers in accordance with the City's Drainage Ordinance will be required. Development abutting section line roads with drainage flows that exceed the capacity of OKC standard ditch detail (D-100) will necessitate the installation of enclosed storm sewer and/or concrete channel. These improvements shall be placed to provide a minimum of 35' clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way.
- 3) A flood and/or drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. A final plat should not be submitted until the study has been reviewed and approved by the Public Works Department.
- 4) Plans for drainage improvements within the private drainage reserves and/or common areas must be submitted for review, and payment of inspection fees shall be made prior to construction. Building permits will not be issued until construction is complete. If a subdivision abuts a stream, the private drainage easements and/or common area along stream shall extend to flow line of stream at a minimum.
- 5) Place the following note on the plat and construction plans: Maintenance of the Common Areas and/or Private Drainage Easements shall be the responsibility of the property owner. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent shall be placed within the common areas and/or drainage easements shown.
- 6) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 7) Construction within the limits of this PUD will require an erosion control plan in accordance with EPA Storm Water Discharge permitting: CFR Vol. 57, No. 175, September 9, 1992. A copy of the EPA Notice of Intent (NOI) will be required prior

to the issuance of work orders or permits for construction activities disturbing an area of 1/2 acre or greater.

- 8) Sidewalk shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.
- 9) All private roads /streets will have private storm sewer systems.
- 10) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

b. Streets, Traffic and Drainage Maintenance

c. Stormwater Quality Management

d. Traffic Management

8. Utilities

a. Engineering

Paving

b. Solid Waste Management

- 1) The City can provide service for up to 3 units on a single water meter. Any more than 3 units on the same meter will have to be serviced by a private hauler. A dumpster could be utilized provided there is not enough frontage space for cart placement.

c. Water/Wastewater Quality

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Large-scale (20+ acres or 50 or more single family units) residential subdivisions should provide a diversity of home sizes, lot sizes, price points, architectural styles, and density ranges.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.
- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family.

National, state, and local permitting require basic best management practices for stormwater management. Public water is available on the site and sewer will be extended to serve the property.

The density requested is slightly higher than that approved in PUD-1839 increasing density from less than 6 du/acre to approximately 6.44 du/acre. The combination of housing product requested according to Exhibit B would be 56 dwellings within duplexes and 44 small-lot single family dwellings. The preliminary plat for PUD-1839 was approved in 2021 as Babol Heights with 89 small-lot single-family dwellings.

Automobile Connectivity:

- Maintain, create, and enhance a street network that is highly connected to increase number of viable commercial locations and the effectiveness of the transportation system.
- Limit the number of dead-end streets and cul-de-sacs.
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Development fronting arterials should take access from intersecting streets where possible.
- Primary entrance points should be aligned with access points immediately across the street.
- Provide vehicular connectivity between adjacent developments.
- Subdivisions with more than 50 units should have at least two points of entrance / egress no closer than 300 feet apart.

Primary access to the development will be shared from one new street. A gas line easement at the southern end of the development prevents another street from providing more street circulation from S. Council Road. The PUD proposes emergency access through the parking lot of the apartments. The street proposed to serve the development does not align with the platted SW 51st across S County Line Road, but will be required to meet the required offset. In addition, PUD-1839 required a connection to the south. PUD-1987 omits the requirement for the southern connection but shows the connection on the PUD Exhibit B. Language from PUD-1839 that requires the southern street stub and that provide eventual connection westward to S Morgan Road and the Turnpike should be added to PUD-1987.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses.

Sidewalks are not available on the subject site but are required by the PUD along S County Line Road and the interior streets by the existing and proposed PUD regulations. The remainder of PUD-1839 would have pedestrian

connectivity to PUD-1987 via 4-foot sidewalks on the joint street from S Council Road.

- 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 low intensity uses adjacent to the uses allowed in adjacent AA or R-1 Districts, “Building Scale and Site Design” are potential compatibility issues identified by the comprehensive plan.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if residential lot sizes in UL are less than 60% of directly adjacent residential lots, 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 proposed residential development differs from surrounding AA Districts in lot coverage, street frontage, setbacks, and lot size, but is similar to how the site is already zoned. The home to the west is over 600 feet away and the land to the south is undeveloped.*

- 3) **Service Efficiency:**

- Water: *Served – Close to Service or Served*
- Sewer: *Will Be Served – Open Sewer Sheds or Served*
- Fire Service: *Urban Service Level*

- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:

- Riparian Areas: N/A
- Upland Forests: N/A
- Vulnerable Aquifers: The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite.

- 5) **Transportation System:** This site is located off S County Line, a Minor Arterial Street in the Urban Low LUTA. Bus transit is not available to the area. A multi-use trail is planned to the south/west of the site, with a final route to be determined later. The PUD’s southern connection may provide access to such a trail. The layout of the development prevents any westward connections to such a trail.

- 6) **Other Development Related Policies**

- Support diversity and integration of housing unit types and sizes in all land use typology areas in order to meet the diverse needs of households of

different sizes, generational needs, incomes, and preferences. New residential subdivisions should achieve a mixture of housing types within a unified development. (SU-4)

- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- Improve the functionality and efficiency of the street network by:
 - Providing direct connections from residential developments to nearby places and to each other.
 - Providing street and sidewalk stubs to adjacent vacant land in anticipation of future development.
 - Connecting new development to existing street and sidewalk stubs, and to existing trail, open space, and bicycle networks.
 - Reducing block sizes and use of dead-end streets.
 - Maintaining the existing street grid to preserve connectivity and mobility options. (C-11)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- Ensure proper access to and between subdivisions in order to offer a choice in routes for residents, multiple access points for emergency responders, and to reduce vehicle congestions at arterial intersections. Contiguous developments should share access whenever feasible. (C-32)
- 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 subject site is located on the west side of S County Line Rd between SW 44th St and SW 59th St. The John Kilpatrick Turnpike runs along the north boundary of the site. The subject site, and abutting land to the east, was rezoned to PUD-1839 in 2021 to allow two tracts, one with apartments along S County Line Road, and another with single-family homes with a minimum lot size of 4,000 square feet behind them to the west. Both sites were preliminarily platted as Babol Heights (C-7345). Adjacent to the west is a residence on a 20-acre AA zoned parcel. Abutting on the south is an 80-acre AA zoned parcel. Land to the east, across S County Line Road, was rezoned in 2021 to R-2 for residential development and is under development.

The PUD would rezone only the west portion of PUD-1839, including a connection to S County Line Rd, in order to allow an intermix of duplexes and single-family dwellings. This change would increase the allowed number of units from roughly 89 to 100, if half of the units are duplexes. The PUD also requests to decrease the minimum lot size from 4,000 square feet to 3,500 square feet. The PUD does not provide increased connectivity beyond that required in PUD-1839. About 20,000 square feet of open space, including 13,000 square feet of useable space, is required by the subdivision regulations. The PUD does not address where the open space will be located. Plan conformance would be increased if the PUD added a section on open space, stated that

it will be centrally located to all dwellings in the development and that it will contain large shade trees.

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.** Modify Master Design Statement to require a street stub to the south.
- 2.** A minimum of 10 percent Open Space shall be provided within the PUD area. Open space shall be centrally located and include shade trees.
- 3.** Electronic Message Display (EMD) and non-accessory signs/billboards are prohibited.

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