



**The City of Oklahoma City
Planning Commission
STAFF REPORT
June 13, 2024**

(DA-11-PH) Application by Williams, Box, Forshee & Bullard, P.C. (on behalf of the property applicant) for consideration of a lot split / deed approval on property located at 13500 North Rockwell Avenue; and Variances to Sections 3.4.4.C.2(h) and 5.4.2.E.1 of the Subdivision Regulations. Ward 8.

I. GENERAL INFORMATION

A. Contacts

David Box, Williams, Box, Forshee & Bullard, P.C. 405-232-0080
dmbox@wbfbllaw.com

B. Case History

This is a new application.

C. Reason for Request

The developer proposes to split a 2.89-acre parcel into 3 tracts. Two of three tracts will have direct frontage on N. Rockwell Avenue. The third tract proposes to take access through an access easement in proposed lot 1. The Subdivision Regulations require non-residential lots to have 25-feet of frontage / lot width at the front property line (Section 3.4.4.C.2(h)). This is measured at the right-of-way / property line. Alternatively, the Subdivision Regulations also allow lots to have frontage on / take access from a private access drive designated as a Common Area / Private Access Drive on plats (Section 5.4.2.E.1).

The applicant is requesting a variance to Section 3.4.4.C.2(h) and Section 5.4.2.E.1 of the Subdivision Regulations to allow a non-residential lot to be created with access from an un-platted private access easement.

D. Existing Conditions

1. Size of Site: 2.89 acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-47 (C-3)	PUD-47 (C-3)	R-2	PUD-47 (R-4)	PUD-198 (R-4)
Land Use	Vacant	Vacant	Residences	Personal Storage	Electric Sub- Station

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.

1) Outside Agencies

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

2) City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire ***
- 4. Information Technology/Geographic Support**
- 5. Parks and Recreation**
- 6. Police**
- 7. Public Works**
 - a) Engineering
 - 1) Streets
 - a) All City streets and drives on City right-of-way serving this subdivision must be paved in accordance with City standards.
 - b) The subject property is served by a public street.

2) Storm Sewer

a) No comments.

b) Streets, Traffic and Drainage Maintenance

c) Stormwater Quality Management

d) Traffic Management *

8. Utilities

a) Sanitary Sewer Availability:

1) No objections.

b) Solid Waste Management

No solid waste service is needed at this time.

c) Water Availability:

1) No objections.

9. Development Services

Section 3.4.4.C.2(h) of the Subdivision Regulations indicates that non-residentially zoned or developed lots, tracts or parcels must maintain a minimum frontage width of 25-feet at the front property line. Proposed lot 3 of this deed approval will exceed this width; however, the lot width will not be adjacent to a street. A separately filed private access easement will provide frontage / access for this lot. A variance is required to this section of the Subdivision Regulations to allow the requested deed approval.

Section 5.4.2.E.1 of the Subdivision Regulations indicates that Private access drives shall be designated as Common Area / Private Access Drives on plats. This development is not proposing to plat the property. The applicant is requesting to be able to use a separately filed private access easement instead of a platted private access drive / Common Area. A variance is also required to this section of the Subdivision Regulations to allow the requested deed approval.

The private access easement needs to be filed and provided to the City prior to release of the Deed Approval.

III. 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. 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.

Approve the application subject to the following technical evaluations:

1. The applicant is requesting a variance to Section 3.4.4.C.2(h) of the Subdivision Regulations regarding the requirement for non-residential lots / tracts to have a minimum of 25-feet of frontage / lot width at the front property line. Six affirmative votes will be necessary for variance approval.
2. The applicant is requesting a variance to Section 5.4.2.E.1 of the Subdivision Regulations regarding the requirement for private access drives to be shown on a plat as a Common Area / Private Access Drive. Six affirmative votes will be necessary for variance approval.

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