

Planning Commission Minutes
December 14, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:35 a.m. on December 11, 2023)

19. (PUD-1981) Application by Broadwood Properties, LLC to rezone 8524 North Sooner Road from PUD-1823 Planned Unit Development and AA Agricultural Districts to PUD-1981 Planned Unit Development District. Ward 7.

Amended Technical Evaluation:

1. Amend Section 9.8 to read: “Lots within this PUD will not be required to have frontage on an approved street. Access to individual lots within the PUD may be permitted from a private drive. Private drives are required to be 24 feet wide and contained within a platted private access easement. Gravel drives shall be permitted within this PUD.”
2. Specify in Section 9.9 that gravel *parking* areas may be used within this PUD.
3. Modify Section 9.14 to allow the proposed 10-foot setback for accessory structures if a public water supply is available.
4. Commercial composting is not permitted.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY CLAIR, SECONDED BY GOVIN

AYES: CLAIR, MEEK, GOVIN, PENNINGTON, NOBLE, LAFORGE

ABSENT: POWERS, PRIVETT, NEWMAN



STAFF REPORT
The City of Oklahoma City
Planning Commission
December 14, 2023

Item No. IV. 19.

(PUD-1981) Application by Broadwood Properties, LLC to rezone 8524 North Sooner Road from PUD-1823 Planned Unit Development and AA Agricultural Districts to PUD-1981 Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Mark Zitzow
Company Johnson & Associates
Phone 405-235-8075
Email mzitzow@jaokc.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow three rural residential lots accessed from one private drive.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Rural – Medium Intensity (RM)

Rural – Medium is similar to the Rural-Low Typology Area except that it allows higher housing densities. These areas are usually near a fire station. Rural-Medium areas are often located adjacent to Urban-Low and Urban Reserve typologies, which are areas intended to urbanize in the future. While there is no expectation for urban services, RM areas have limited potential to connect to City water or sewer service, and may become more integrated into the urbanized area in the distant future. Commercial and light industrial uses may be appropriate provided they do not negatively impact the rural residential character.

2. Size of Site: 16.48 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1823 and AA	AA	AA	AA/RA	AA/PUD-1823
Land Use	Agricultural	Agricultural	Agricultural	Agri/Resi	Agri/Comm

II. SUMMARY OF PUD APPLICATION

The use and development regulations of the AA, “**Agricultural**” District shall govern this PUD, except as herein modified below.

9.0 SPECIAL CONDITIONS:

The following uses shall be the only uses permitted within this PUD.

- Animal Raising: Personal (8150.5)
- Animal Sales and Services: Horse Stables (8300.9)
- Animal Sales and Services: Kennel and Veterinary, Restricted (8300.11)
- Community Recreation: Property Owners Association (8250.3)
- Composting (8150.6.2)
- Dwelling Units and Mixed Uses (8200.2)
- Family Day Care Homes (8300.40)
- Greenhouse (8150.6.3)
- Home Garden (8150.6.4)
- Hoop House (8150.7)
- Light Public Protection and Utility: General (8250.12)
- Light Public Protection and Utility: Restricted (8250.13)
- Low Impact Institutional: Neighborhood-Related (8250.14)
- Low Impact Institutional: Residential-Oriented (8200.5)
- Row and Field Crops (8150.8)
- Single-Family Residential (8200.14)

All other conditional, accessory, special or special exception uses not specifically prohibited shall be permitted subject to the review and approval processes specified in the Zoning Code.

9.1 ARCHITECTURAL REGULATIONS

Architectural regulations shall be per the base zoning district.

9.2 LANDSCAPING REGULATIONS

The subject site 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

Sight proof screening shall not be required.

9.5 PLATTING REGULATIONS

Platting shall be per the City of Oklahoma City Subdivision Regulations.

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:

N/A

9.8 VEHICULAR ACCESS REGULATIONS

There shall be one (1) access point from N Sooner Rd in this PUD.

Lots within this PUD will not be required to have frontage on an approved street. Access to individual lots within the PUD may be permitted to be from a private drive. Gravel roads shall be permitted within this PUD.

Lots may take access from a 40-foot private drive located within a private access easement constructed to private drive standards. Said drive may be named during the platting process. This drive may be concrete surface or constructed of gravel.

9.9 PARKING REGULATIONS

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

Attached or detached garages shall count toward meeting parking requirements. Gravel areas may be used within this PUD.

9.10 SIGNAGE REGULATIONS

Per the base zoning district.

9.11 ROOFING REGULATIONS

All structures in this PUD shall have Class C roofing or better.

9.12 PEDESTRIAN ACCESS/SIDEWALK REGULATIONS

Sidewalks shall not be required within this PUD.

9.13 HEIGHT REGULATIONS

The maximum building height for structures shall be per the AA, "Agricultural" district regulations.

9.14 SETBACK REGULATIONS

Exterior PUD Setbacks shall be per the base zoning district, except that accessory structures shall have a minimum rear yard setback of 10 feet.

Front yard setbacks for platted lots shall be 25 feet.

9.15 LOT COVERAGE

Per the base zoning district.

9.16 DENSITY

The maximum lot count shall be three (3) or 0.3 du/acre.

9.17 LOT WIDTH

The minimum lot width shall be 100 feet or as shown in the attached site plan.

9.18 LOT SIZE

The minimum lot size shall be 4 acres.

9.19 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.

9.20 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.

9.21 GENERAL DESIGN AND DEVELOPMENT GUIDELINES

Specific information and plans for General Design and Development Guidelines as contained in Chapter 59 Section 14200.4 for density, amenities, relationship to abutting uses, site design, safety, and circulation systems.

9.22 SPECIFIC PLAN

A specific plan shall not be required for this PUD.

10.0 DEVELOPMENT SEQUENCE:

Developmental phasing shall be allowed as a part of the development of this PUD. Required traffic improvements shall be permitted to be constructed in conjunction with the phased development of this PUD, as approved by the City's Traffic Division.

11.0 EXHIBITS:

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

- A: Legal Description
- B: Conceptual Master Development Plan

III. REVIEW COMMENTS

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

A. Outside Agencies

- 1. Oklahoma City-County Health Department**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas:** Prior to excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior for exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District: Oklahoma City**

7. Oklahoma Department of Transportation (ODOT)

B. City Departments

1. Airports

2. Central Oklahoma Transportation and Parking Authority (COTPA)

3. Fire - objection- creation of less than 5 acre lots need City water/hydrants or water tanks for firefighting, or fire suppression.

4. Information Technology/Geographic Support

5. Parks and Recreation

6. Police

7. Public Works

a. Engineering

b. Streets, Traffic and Drainage Maintenance

Storm Sewer Availability

- 1) The Public Works Drainage Division staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to chapter 16 of the Oklahoma City Municipal Code.
- 2) Storm sewers in accordance with the City's Drainage Ordinance will be required. Development abutting section line roads with drainage flows that exceed the capacity of OKC standard ditch detail (D-100) will necessitate the installation of enclosed storm sewer and/or concrete channel. These improvements shall be placed to provide a minimum of 35' clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way.
- 3) A flood and/or drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. A final plat should not be submitted until the study has been reviewed and approved by the Public Works Department.
- 4) A Corps of Engineers 404 permit must be submitted with plans for any work contemplated within the floodplain, creek, or channel (waters of the United States) included in the case limits.
- 5) 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.
- 6) 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.

- 7) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 8) 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.
- 9) 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.
- 10) All private roads /streets will have private storm sewer systems.
- 11) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Wastewater Availability

- 1) No public wastewater service is available for the development. A private on-site wastewater disposal system is required in accordance with ODEQ rules and regulations. Applicants is responsible for obtaining all required City and ODEQ Permits. On-site wastewater disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.

b. Solid Waste Management

- 1) The City cannot provide service, contact private hauler.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12-inch water main(s) is located adjacent to the subject site(s).
- 2) Section 7.3 in the MDS states that water will be served by private wells. There is an existing 12-inch water main along N. Sooner Road to obtain City water services. This is not required but an option.

9. Planning

a. Comprehensive Plan Considerations

1. LUTA Development Policies:

Site Design:

- Design buildings and sites to complement the character of surrounding areas and not detract from the open character of the landscape.
- Utilize Best Management Practices (BMP) for stormwater.

Density: The Rural Medium LUTA outlines a minimum lot size of 2 acres and a gross density of 0.5 du/acre or below. Smaller lots (1-2 acres) may be appropriate in cluster developments provided the maximum gross density of the project is maintained. *The PUD allows three lots that will be between 4 and 5 acres each.*

2. **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. No compatibility issues were identified with the proposal.
3. **Service Efficiency:**
 - Water: *Close to Served*
 - Sewer: *Within an Open Sewer Shed*
 - Fire Service: *Urban/Rural Response*
4. **Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - Riparian areas: Riparian areas are vegetated areas adjacent to streams, lakes, ponds, and wetlands that are composed of a mixture of trees, shrubs, and grasses. These areas may also contain floodplain. The comprehensive plan recommends a 100-foot buffer from stream banks. *Upland forest may be present near the southeast corner of the subject site. This area is not expected to be developed on the 4-acre rural residential lot.*
 - Upland Forests: The subject area is within the upland forest ESA. The comprehensive plan directs to preserve the Cross Timbers and upland forests, including native understory, to the maximum extent practical. When new-growth or re-growth upland forest trees are removed during construction, trees and other native plants should be replanted on-site. New trees should be planted in clusters that mimic the original tree canopy. The comprehensive plan defines mitigation hierarchy in the following priority: 1) Avoidance and minimization, 2) Restoration, 3) Offset. *Upland forest may be present near the southeast corner of the subject site. This area is not expected to be developed on the 4-acre rural residential lot.*
 - 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 N Sooner Road, a Major Arterial Street in the Rural Medium LUTA. Transit (bus) service is not available.

6. Other Development Related Policies

- Preserve overall landscape character and natural landforms (rolling hills, native vegetation, etc.) to the greatest extent possible. (G-4)
- Ensure that development in rural areas is consistent with local design and scale and does not detract from the open character of the landscape. (SU-45)
- Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)
- 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. (C-32)

b. Plan Conformance Considerations

The subject site is located on the east side of N Sooner Road, north of E Wilshire Blvd. Most of the subject site was zoned with land to the west to PUD-1823 in August 2021. The existing PUD allows three residential lots and the business along N Sooner Road. The new PUD is requested to add the AA zoned parcels abutting PUD-1823 on the northwest, and allow three rural residential lots accessed from one private (constructed) drive. The proposed residential lot sizes (4 to 5 acres each) and density are in conformance with the Rural Medium LUTA. The new PUD does not have frontage on an approved street. The use of a private shared drive to access new lots will require the private access easement to be platted. The PUD requests a 10 foot setback for accessory structures, which should be allowed only if a public water supply is available.

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. Amend Section 9.8 to read: “Lots within this PUD will not be required to have frontage on an approved street. Access to individual lots within the PUD may be permitted from a private drive. Private drives are required to be 24 feet wide and contained within a platted private access easement. Gravel drives shall be permitted within this PUD.”

STAFF REPORT
The City of Oklahoma City
Planning Commission
December 14, 2023
PUD-1981

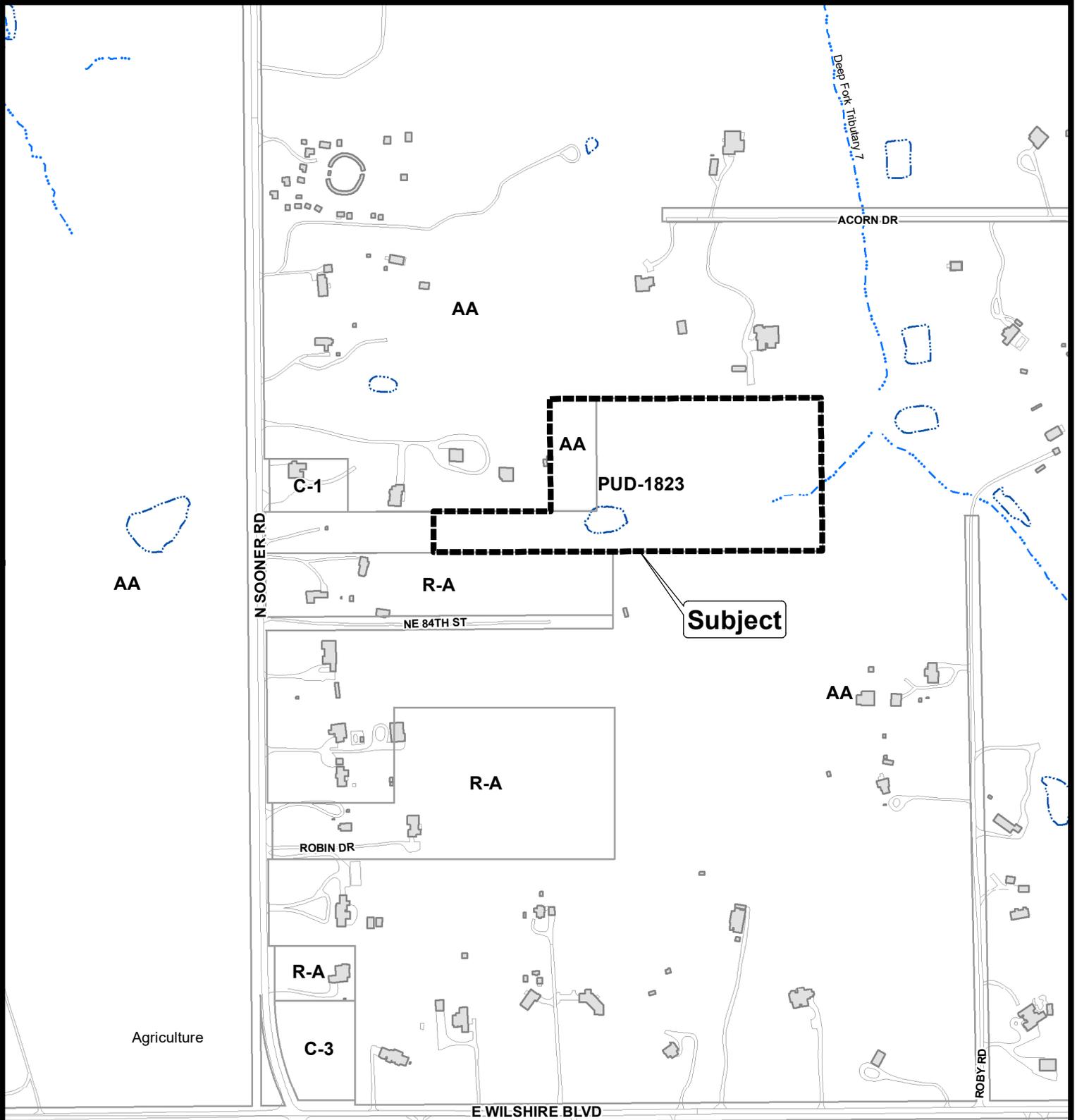
Item No. 19.

2. Specify in Section 9.9 that gravel *parking* areas may be used within this PUD.
3. Modify Section 9.14 to allow the proposed 10-foot setback for accessory structures if a public water supply is available.

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.

sw

Case No: PUD-1981 Applicant: Broadwood Properties, LLC
Existing Zoning: PUD-1823 / AA
Location: 8524 N. Sooner Rd.



The City of
OKLAHOMA CITY

Planned Unit Development



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Feet

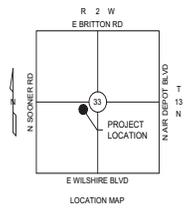
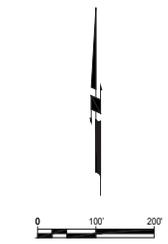
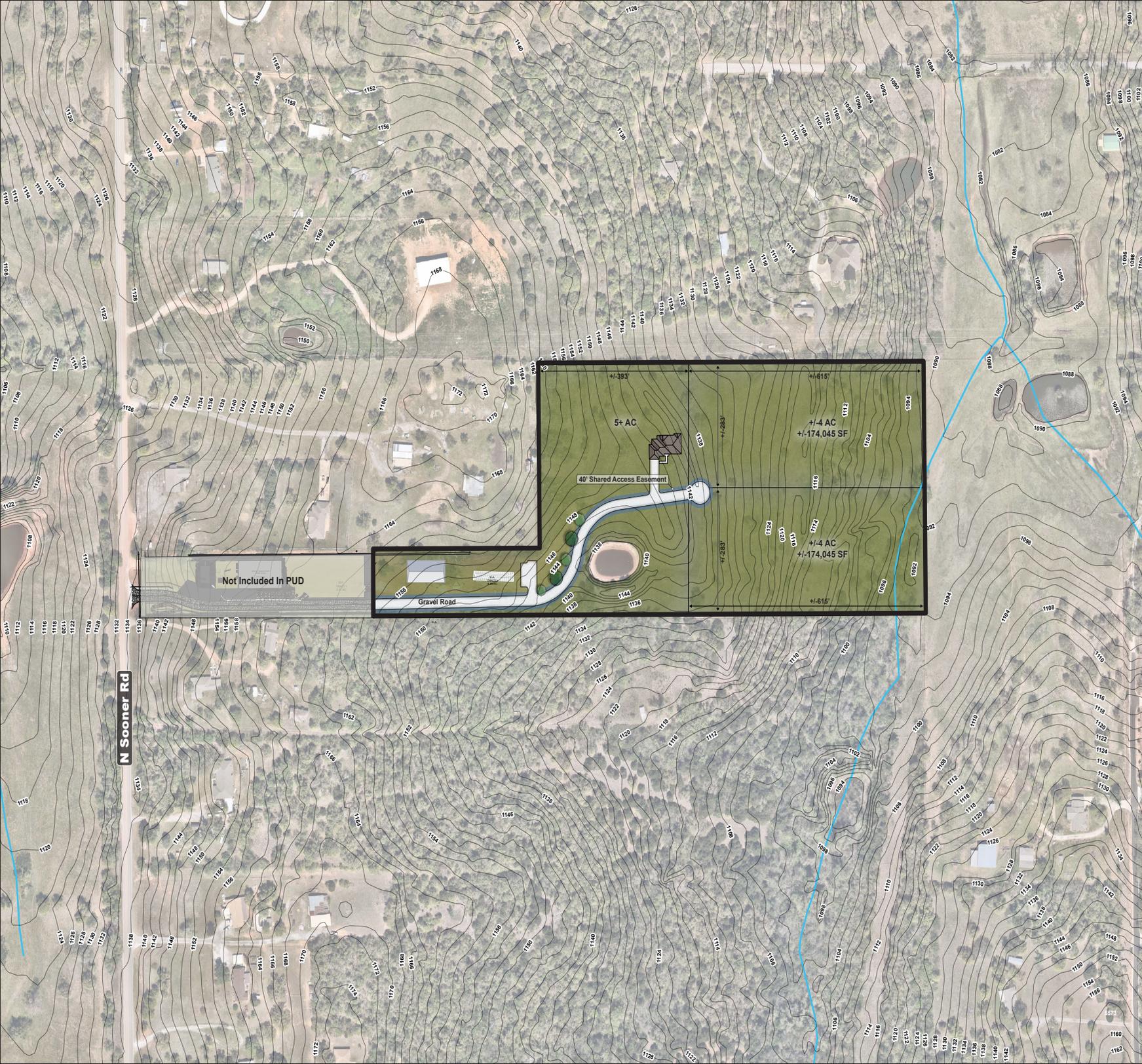


Exhibit B

**PUD-1981
8524 N Sooner Rd**

Conceptual Master Development Plan

+/-16.48 Acres



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
405.235.8175 FAX: 405.235.8173

ENGINEERS SURVEYORS PLANNERS

10/2023

Conceptual site plan showing feasible option permitted under proposed rezoning

Case No: PUD-1981 Applicant: Broadwood Properties, LLC
Existing Zoning: PUD-1823 / AA
Location: 8524 N. Sooner Rd.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Planned Unit Development



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