

Planning Commission Minutes
March 28, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:37 p.m. on March 22, 2024)

11. (SPUD-1598) Application by A&A Development, LLC to rezone 929 SW 88th Street from SPUD-1441 Simplified Planned Unit Development District to SPUD-1598 Simplified Planned Unit Development District. Ward 5.

Amended Technical evaluation:

1. The side yard setback shall be changed to 5 feet, or 3 feet where allowed by current adopted Building Code.
2. Dumpsters shall be screened and be at least 20 feet from any residential structure. A dumpster shall be no further than 350 feet from any dwelling unit entry, via a public route.
3. Change parking standard to 1.25 spaces per dwelling unit. No parking reduction shall be allowed.
4. All on- and off-street parking spaces shall conform to minimum standards outlined in tables V and VI , in Section 59-10600 of the Municipal Code.
5. On-street parking shall not infringe upon Fire Department access requirements.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY NEWMAN, SECONDED BY MEEK

AYES: CLAIR, POWERS, MEEK, PRIVETT, NEWMAN, GOVIN, PENNINGTON, NOBLE, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 28, 2024

Item No. IV. 11.

(SPUD-1598) Application by A&A Development, LLC to rezone 929 SW 88th Street from SPUD-1441 Simplified Planned Unit Development District to SPUD-1598 Simplified Planned Unit Development District. Ward 5.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Larry Hopper
Phone	(405) 613-0479
Email	LHopper572@gmail.com

B. Case History

This application was continued from the February 8, February 22, and March 14, 2024 Planning Commission Meetings.

C. Reason for Request

The purpose of this application is to allow single- through multi-family residential 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: 2.76 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	SPUD-1441	C-3	C-3	C-3	R-1
Land Use	Vacant	Commercial	Commercial	Commercial	Residential

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulations of the **R-4 General Residential District** (OKC Zoning Ordinance, 2020, as amended), but at a maximum density of 24 dwelling units per acre and allowing for 35% overall open space, except that the following restrictions will apply:

The following uses will be the only uses permitted on this site:

- Single-Family Residential (8200.14)
- Three- and Four-Family Residential (8200.15)
- Two-Family Residential (8200.16)
- Multiple-Family Residential (8200.1)
- Community Recreation: Property Owners Association (8250.3)
- Community Garden (8150.6.1)
- Automotive Parking Lots as a Principal Use (8300.13), limited to one lot located on SW 88th Terrace, and/or within the proposed cul-de-sac, with necessary approvals.

2. **Maximum Building Height:** 40 feet and 3 stories.
3. **Maximum Building Size:** Per base zoning district, and each lot is permitted a maximum of 80% coverage.
4. **Minimum Lot Size:** For one-family detached uses, the minimum lot size will be 3,200 square feet; and for two - through four-family attached uses, the minimum lot size shall be 4,800 square feet. For all other uses, the minimum lot size shall be 6,600 square feet.
5. **Minimum Lot Width:** For two- through four-family attached uses, the minimum lot size width shall be 60 feet. For single family detached, the minimum lot width shall be 40'; all other uses, the minimum lot width shall be 90 feet.
6. **Maximum Number of Buildings:** One per lot.
7. **Building Setback Lines**

Front Yard:	15', Except that a driveway shall be no less than 18 feet from the back of the sidewalk.
Rear Yard:	10'
Side Yard:	5', except 0' where abutting a Common Lot And 3' when the approved building permit specifies the appropriate building fire safety codes to be followed.
Corner Side Yard abutting Klein:	5'

8. Sight-proof Screening:

Sight-proof screening is not required. If screening is installed, it shall be per Code.

9. Landscaping:

A 10-foot-wide landscaping buffer will be provided along the east boundary of the PUD, such that a form of evergreen tree will be planted on 20-foot centers along that eastern boundary. Other than that, the individual parcels shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

10. Signs:

10.1 Free standing accessory signs: Per the sign regulations in place at the time of development.

10.2 Attached signs: Per the sign regulations in place at the time of development.

10.3 Non-Accessory Signs: Not allowed.

10.4 Electronic Message Display signs: Not allowed.

11. Access: Access to the SPUD site may be from S.W. 88th Street, proposed SW 88th Terrace, or Klein Avenue. Access to individual lots is per Code, except that quadplex development will be allowed up to two driveways per lot and development with more than four dwelling units will be allowed a maximum of three driveways per lot. All driveways shall be a maximum 18 feet wide. Maneuvering in the right-of-way is allowed from common areas.

12. Sidewalks: A sidewalk will be provided along all streets. An off-site sidewalk may be constructed from the east edge of the development to Western Avenue along SW 88th, in order to facilitate access to the nearest public transit stop, pending necessary approvals.

II. Other Development Regulations:

1. Architecture: Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry, architectural metal, stucco, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted.

2. Open Space: The minimum open space within this SPUD shall be 35%.

3. Street Improvements: The design and improvement of the streets in this SPUD shall be in accordance with applicable Oklahoma City Municipal Codes. Klein Avenue shall be improved per City standards from the existing SW 88th Street pavement to the platted SW 87th Street Right-of-Way.

4. Site Lighting: The subject parcel shall meet all requirements of the City of Oklahoma City's applicable Ordinances in place at the time of development.

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

- 6. Parking:** The design and number of all parking facilities in this SPUD shall be in accordance with Chapter 59 Article X of the Oklahoma City Municipal Code, 2020, as amended, except that there shall be a minimum of one (1) parking space per dwelling.

Attached or detached garages shall count toward meeting parking requirements, provided each parking space in a garage shall be a minimum of 8½ feet by 18 feet. Maneuvering in the right-of-way shall be allowed within this SPUD to access on-street angled parking spaces. Establishment of angled parking spaces is subject to obtaining necessary approvals, including from Traffic & Transportation Commission and City Council, as required.

7. Maintenance:

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.

- 8. Drainage:** Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

III. Supporting Documents

Exhibit A: Legal Description

Exhibit B: Master Development Plan Map

III. REVIEW COMMENTS

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

A. Outside Agencies

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

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire:** Turnaround area must be defined and kept from being fenced or blocked at all times. Street parking will reduce this ability to have proper access.
- 4. Information Technology/Geographic Support**
- 5. Parks and Recreation**
- 6. Police**
- 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 SPUD will require an erosion control plan in accordance with EPA Storm Water Discharge permitting: CFR Vol. 57, No. 175, September 9, 1992. A copy of the EPA Notice of Intent (NOI) will be required prior to the issuance of work orders or permits for construction activities disturbing an area of 1/2 acre or greater.
- 8) Sidewalks 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.
- 11) Amend Section I.10 Sidewalks to read: A minimum of a five-foot sidewalk shall be constructed on local streets, including the reconstructing existing and/or damaged sidewalks. All reconstructed and existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction of this PUD.
- 12) Amend Section II.7 Maintenance to read: The developer nor the lot owner shall be responsible for maintenance of any public improvements. Maintenance of the common areas (Common Lot A), private drainage easements, and islands/medians 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 may 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 that meets the requirements specified above.
- 13) Amend Section II. Drainage: – Remove the following statement: “The subject parcel shall meet all requirements of the City of Oklahoma City’s applicable Ordinances in place at the time of development, except as modified herein.

b. Stormwater Quality Management

c. Traffic Management

- 1) On street angled parking is not subject to Planning Commission Consideration. Per OCMC 2012 State Statute 32-302 requires all on-street angled parking to be approved by the Traffic and Transportation Commission and designated by ordinance passed by the Oklahoma City Council.

8. Utilities

a. Engineering

Wastewater Availability

- 1) SD-2022-00114 plans have been submitted for review and approval.
- 2) Plat may be revised after review and approval of utility plans.

Water Availability

- 1) WA-2022-00103 plans have been submitted for review and approval.
- 2) Plat may be revised after review and approval of utility plans.

b. Solid Waste Management

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

Location:

- 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, and 15 to 30 dwelling units per acre for multifamily.

National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available. The SPUD proposes one- through four-family residential with a minimum of 3,200 square feet lot size for one-family and 4,800 square feet lot size for two- through four-family residential. The SPUD allows a maximum density of 24 dwelling units per acre.

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 number of dead-end streets and cul-de-sacs.
- Protect existing traditional street grid and reconnect it where possible.
- 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.

The subject site has two existing curb cuts along SW 88th Street. The site has frontage on three neighborhood streets. One is improved (SW 88th St); one will be improved to provide access to the proposed development (S Klein Ave); and the other is unimproved, used by a commercial business, and will not be accessed by the proposed residential development (SW 87th St).

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

The SPUD requires sidewalks along all streets within the development, as well as pursuing a sidewalk connection east to S Western Avenue.

- 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 uses adjacent to existing Low Intensity Residential (west), “Building Scale and Site Design” are potential compatibility issues identified by the comprehensive plan. Additionally, the subject site is adjacent to C-3 zoned and commercially used property on the north, east and south. The comprehensive plan states that in some cases a proposed project may need to take measures to reduce the impact of an existing use.

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 site abuts C-3 zoned commercial uses on all sides, except on the west where the site is across unimproved right-of-way from a home. It was unclear at the time of review how access to the existing home would be affected, as the home’s driveway is currently within the right-of-way which would need to be improved to serve the new development. The SPUD requests reduced lots sizes for one- through four-family residential (3,200 sf for one-family & 4,800 sf for two- through four family, instead of 6,000 sf and 7,000 sf). A 10-foot landscape buffer is required on the east side of the development.

- 3) **Service Efficiency:**

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Urban Service Level*

- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the site.

- 5) **Transportation System:** This site is located off SW 88th Street, a Neighborhood Street, and has frontage along unimproved portions of SW 87th Street and S Klein Ave, classified as Neighborhood Streets in the Urban Low LUTA. The nearest transit (bus) service is located southeast of the subject site, along SW 89th Street and S Western Ave.

- 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)

- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- Higher density multifamily development should be located in areas near employment or educational centers where street and transit systems have, or will soon have capacity to support the added trips. (SU-48)
- 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)
- 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)
- Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)

b. Plan Conformance Considerations

The subject site is located on the north side of SW 88th Street, west of S Western Avenue. The subject site abuts three streets (SW 87th St, SW 88th St, and S Klein Ave), but only SW 88th Street is paved. The site is undeveloped and was rezoned from C-3 to SPUD-1441 in 2022 to allow residential development that would include duplexes and triplexes. The site was preliminarily platted as Village Place Townhomes (C-7470) and illustrated duplex and triplex development. The site is surrounded by C-3 zoned uses on the north, east, and south. Across S Klein Avenue right-of-way, to the west, is a home with a driveway in the right-of-way.

The SPUD is requested to increase the density of the development and allow for more housing options (quadplexes/multifamily residential). The SPUD proposes reduced setbacks and parking requirements to achieve the desired density, but the general layout of the original proposal is maintained. The SPUD proposes a maximum of 24 dwelling units per acre, maximum 80 percent lot coverage, and an overall open space amount of 35 percent.

The SPUD has been modified since first submitted to specify that the overall SPUD will be required 35 percent open space, and to allow one lot on SW 88th Terrace to be used for parking, if needed, which will need to be platted as common area. Access has been updated to address the number of driveways allowed per each housing type requested.

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.

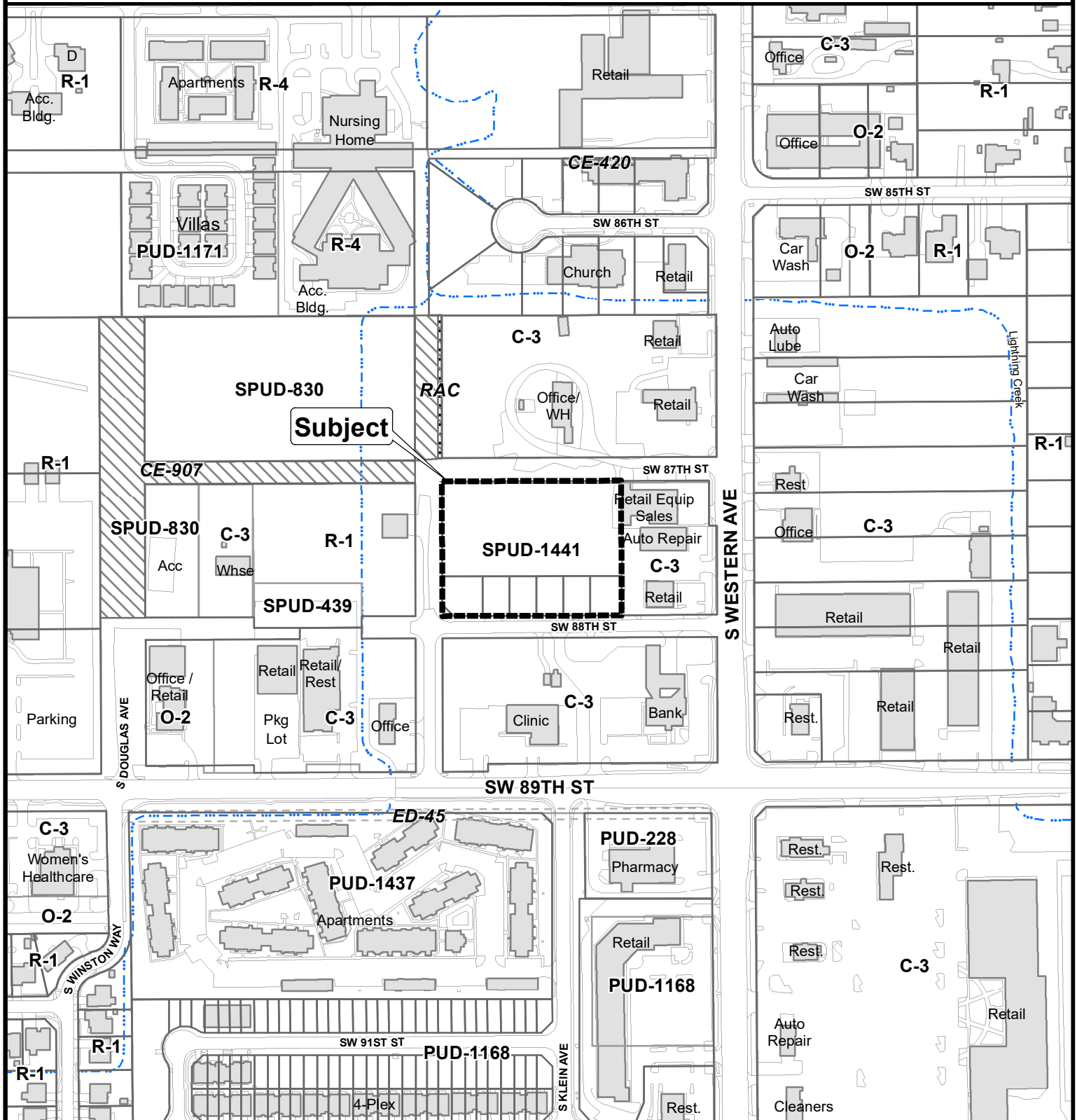
All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Division's review of construction plans and prior to City Council approval.

SW

Applicant: A & A Development, LLC

Existing Zoning: SPUD-1441

Location: 929 SW 88th St.



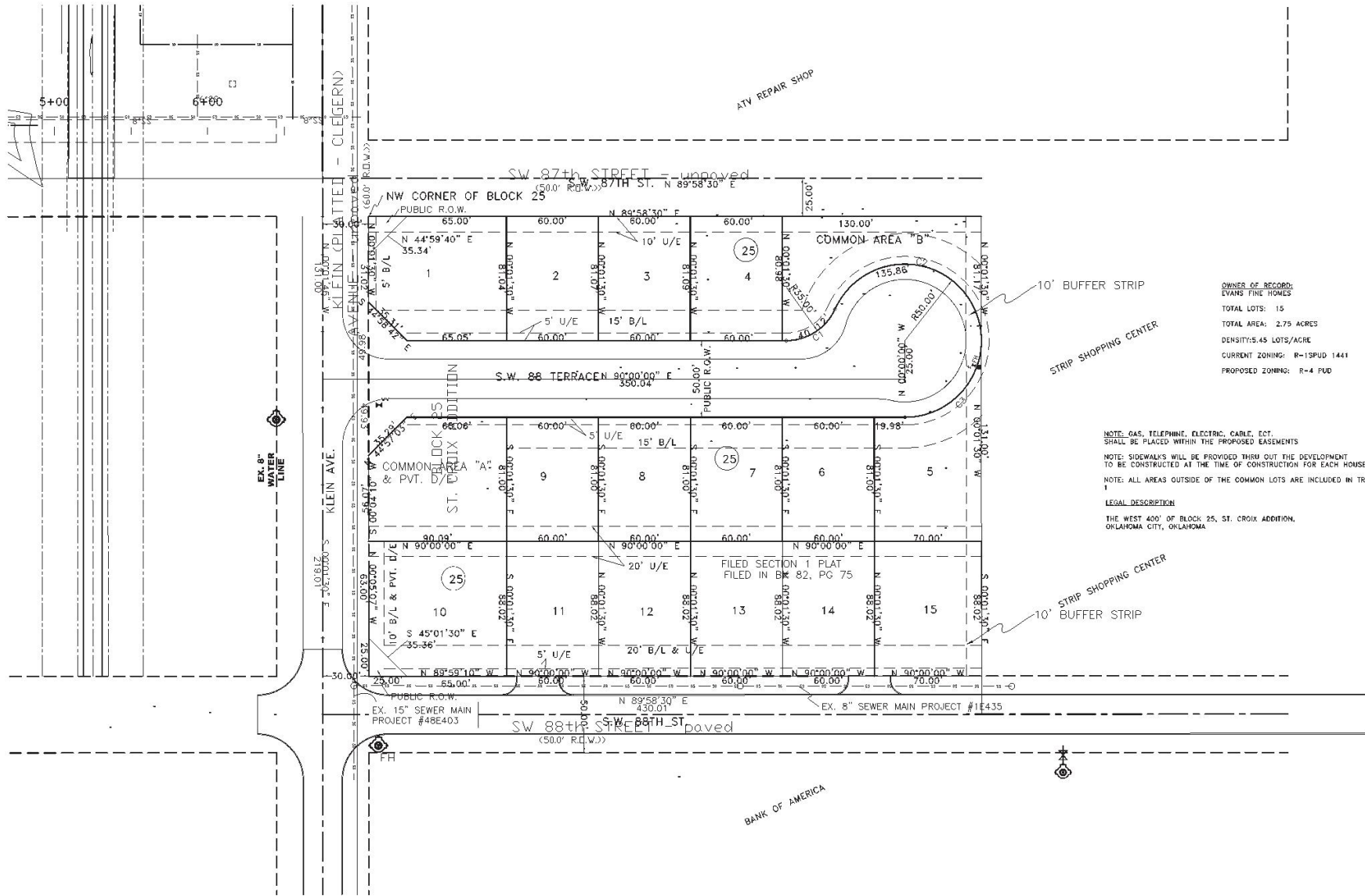
The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300 Feet

SPUD-1598 Exhibit B



OWNER OF RECORD:
EVANS FINE HOMES
TOTAL LOTS: 15
TOTAL AREA: 2.75 ACRES
DENSITY: 5.45 LOTS/ACRE
CURRENT ZONING: R-15PUD 1441
PROPOSED ZONING: R-4 PUD

NOTE: GAS, TELEPHONE, ELECTRIC, CABLE, ETC.
SHALL BE PLACED WITHIN THE PROPOSED EASEMENTS
NOTE: SIDEWALKS WILL BE PROVIDED THRU OUT THE DEVELOPMENT
TO BE CONSTRUCTED AT THE TIME OF CONSTRUCTION FOR EACH HOUSE.
NOTE: ALL AREAS OUTSIDE OF THE COMMON LOTS ARE INCLUDED IN TRACT
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LEGAL DESCRIPTION
THE WEST 400' OF BLOCK 25, ST. CROIX ADDITION,
OKLAHOMA CITY, OKLAHOMA.

CITY OF OKLAHOMA CITY

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MASTER DEVELOPMENT PLAN

VILLAGE PLACE

A PART OF THE SE/4, SEC. 32, T11N, R3W, L1M,
CITY OF OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA

MORRIS

ROSS C. MORRIS

6837

OKLAHOMA CITY, OKLAHOMA

www.morrisengineering.com

17700 N. 27th St., OKLAHOMA CITY, OK 73122

PH: (405) 275-0000 FAX: (405) 275-0001

DATE: 6-28-22

PROJECT: MASTER DEVELOPMENT PLAN TO SERVE VILLAGE PLACE

SCALE: 1" = 40'

REF. NO. 1

Case No: SPUD-1598 Applicant: A & A Development, LLC
Existing Zoning: SPUD-1441
Location: 929 SW 88th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

