



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**June 12, 2025**

**Item No. IV. 14.**

**(PUD-2069) Application by Cornerstone Real Property, LLC, Randy Mecklenburg, RJaK-OKC, Inc., and Justin Mecklenburg to rezone 9109 West Hefner Road from AA Agricultural District to PUD-2069 Planned Unit Development District. Ward 1.**

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant's Representative**

Kendall Dillon  
Crafton Tull  
405-787-6270  
Kendall.dillon@craftontull.com

**B. Case History**

This is a new application.

This application is associated with a request to amend the comprehensive plan, removing the 'Employment' Land Use Typology Layer (CPA-25-00003).

**C. Reason for Request**

The purpose of this application is to allow multi-family residential and townhome development.

**D. Existing Conditions**

**1. Size of Site:** 31.89 Acres

**2. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	AA	PUD-2049	AA PUD-1737	R-1	AA
<b>Land Use</b>	Undeveloped	Residential	Residential	Residential	Undeveloped

**3. 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.

**Comprehensive Plan Land Use Typology Layer: Employment (EM)**

The Employment layer reserves priority areas within the city for large industrial and business development essential for Oklahoma City's economic stability and future growth. The EM designation provides a competitive advantage for attracting new companies and retaining existing companies that need to expand. This designation maintains large acreages (typically 25 acres or above) to maximize clustering for specialization, synergy, transportation efficiency, and knowledge exchange. Appropriate uses within EM include those that generate employment, such as manufacturing, office parks, and office/industrial flex space uses as well as industrial uses such as warehousing or distribution. Multifamily is also appropriate when integrated as part of a holistic development that incorporates the aforementioned uses. Land uses such as single-family residential, service-related retail, K-12 schools or other civic uses, unless proven to support the primary activity or use, are not appropriate within this area.

**II. SUMMARY OF PUD APPLICATION**

**8.1 USE AND DEVELOPMENT REGULATIONS**

The use and development regulations of the **"R-4" General Residential District** shall govern this tract, except as herein modified, including conditional, special permit, special exception, and/or accessory uses subject to their appropriate conditions and review procedures for public hearings where applicable, unless otherwise noted herein.

**9.0 SPECIAL CONDITIONS**

**9.1 .....MODIFIED LOT REQUIREMENTS**

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

**Tract 1:**

Maximum number of units per building / structure: Eight (8)

Minimum lot width: 22 feet

Minimum lot size: 968 square feet

**Tract 2:**

Maximum number of units per building / structure: Twenty-Four (24)

Maximum number of buildings: 15

**9.2 FAÇADE REGULATIONS**

Exterior building wall finish on all primary structures, exclusive of windows and doors, shall consist of a minimum 60% brick veneer, rock, concrete board or stone masonry. No more than 40% EIFS, stucco, or wood shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted on primary structures.

**9.3 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.

**9.4 .....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.

**9.5 SCREENING REGULATIONS**

Screening shall conform with the Oklahoma City Municipal Code, 2020, as amended.

**9.6 SUBDIVISION REGULATIONS**

Subdivision shall conform to the Oklahoma City Subdivision Regulations, as amended.

**9.7 DRAINAGE REGULATIONS**

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

**9.8 ACCESS REGULATIONS**

Access shall be per the Subdivision Regulations; however, if developed as multifamily residential on one parcel, access may be via a private drive, provided drive aisle widths and paving standards conform to City standards. W. Hefner Road and N. County Line Road will provide access to this PUD. Streets or driveways on adjacent property within two hundred feet of this Planned Unit Development shall be shown on the Master Development Plan Map.

**9.9 .....DUMPSTER REGULATIONS**

Dumpsters may be utilized in this PUD and shall be operated in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

Dumpsters shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences and shall be placed no closer than 50 feet from all property lines adjacent to Single-Family Residential zoning districts or use.

**9.10 .....PARKING REGULATIONS**

The design and number of all parking facilities within this PUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended. All required parking spaces shall be located on private property. On-Street maneuvering into parking spaces shall be permitted. The location of the On-Street maneuvering shall only be permitted within the frontage of a common area lot.

#### **9.11 SIGNAGE REGULATIONS**

Signage shall conform to the Oklahoma City Municipal Code, 2020, as amended.

#### **9.12 ROOFING REGULATIONS**

Roofing for all structures shall conform to adopted building code at the time of development.

#### **9.13 SIDEWALK REGULATIONS**

All sidewalks shall be subject to the policies and procedures of the Public Works Department and ADA requirements.

#### **9.14 HEIGHT REGULATIONS**

For Tract 1, the maximum height shall be 2-1/2 stories or 35 feet. For Tract 2, the maximum height shall conform to the R-4 General Residential District height regulations.

#### **9.15 SETBACK REGULATIONS**

Unless modified herein, yard requirements in this PUD shall be the same as the base-zoning district. If this PUD is developed as a single lot multifamily development, then no internal building setbacks shall be required, except as required by the fire code.

#### **9.16 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.

#### **9.17 COMMON AREAS**

Maintenance of the common areas, private drainage easements, private drives and islands / medians 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. A minimum of 50% open space shall be provided.

#### **9.18 SPECIFIC PLAN**

A specific plan shall be required for new development requiring commercial building permits.

#### **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 Descriptions
- Exhibit B – Master Development Plan
- Exhibit C – Topographic Map
- Exhibit D – Illustrative Master 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(s): (Piedmont)**
- 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 Engineering staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to the applicable requirements of the Oklahoma City Municipal Code, as amended.
- 2) Storm sewers, in accordance with the City of Oklahoma City's Drainage Ordinance, will be required. For developments abutting section line roads where rainfall-runoff exceeds the capacity of the City of Oklahoma City's standard ditch detail, the installation of enclosed storm sewers and/or concrete channels will be necessary. These improvements must be positioned to provide a minimum clearance of 35 feet from the centerline of the section line road. Concrete channels must be located entirely outside the public right-of-way.
- 3) A flood/drainage study will be required to establish finished floor elevations, common lot areas, and private drainage easements. This study must be reviewed and approved by the Public Works Department.
- 4) A U.S. Corps of Engineers Section 404 permit must be submitted for any work conducted in The Waters of the United States.
- 5) Plans for drainage improvements within private drainage easements and/or common areas must be submitted for review. Building permits will not be issued until construction is complete. For subdivisions abutting a stream, private drainage easements and/or common areas along the stream must, at a minimum, encompass the entire FEMA-mapped Zone AE and floodway within the limits of the development.
- 6) Maintenance of the common areas, private drainage easements, and islands/medians shall be the responsibility of the Property Owners Association and/or the adjacent property owners. 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 drainage related common areas 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.

- 7) Drainage easements shall be clearly designated as either public or private in the owner's dedication, on the plat, and/or in the plat notes.
- 8) Sediment and erosion control measures shall be provided for any construction in accordance with Oklahoma Statutes Title 27A, OAC 606 - OPDES Standards, and the City of Oklahoma City Municipal Code, as amended.

A City of Oklahoma City Land Disturbance Permit and an ODEQ Construction Permit are required for land disturbance activities exceeding one (1) acre, as specified by the above-referenced regulations. Additionally, a City of Oklahoma City Land Disturbance Permit is required for any construction activity, regardless of the amount of land disturbed, unless exempt under the ordinance.

- 9) Sidewalks shall be installed for all new construction in accordance with the Municipal Code. Any new sidewalks or repair/replacement of existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction.
- 10) All private roads and streets shall have a private storm sewer system.

**b. Stormwater Quality Management**

**c. Traffic Services \***

**8. Utilities**

**a. Solid Waste Management**

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

**b. Water Availability**

- 1) An existing 24-inch water main(s) is located adjacent to the subject site(s).
- 2) A 12-inch water main is required to be loop through the development to provide adequate water supply and fire flow protection. Connection to two (2) separate active water mains is required to prevent partial or total shut-off of water supply when a pipeline failure occurs.
- 3) Minimum ten (10) feet horizontal separation required from wastewater mains and five (5) feet for other utilities. Minimum two (2) foot vertical separation required for all utility crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.

- 4) Proposed and/or existing water mains must be located centrally within a twenty (20) feet wide or larger utility easement or right-of-way. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
- 5) Dead-end water mains must be avoided when possible. All existing unused water services must be capped and abandoned at the water main in accordance with the City Standard Specifications.
- 6) In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The developer is responsible for designing and construction of all fixtures to provide adequate domestic and fire protection under minimum pressure conditions. The developer will be responsible for any failure of domestic or fire protection systems which require water pressure in excess of 25 psi. The developer is responsible for installing pressure reducers if necessary for protection of developer's service lines, plumbing, and fixtures.
- 7) All existing and/or proposed water meters must be located in the right-of-way and/or utility easement within grassy areas outside of sidewalks, driveways, streets, and paving.
- 8) All domestic and fire suppression services must have a separate water service connection. Fire hydrant spacing shall not exceed 500 feet and must be located within ten (10) of a hard surface (i.e. sidewalk, street, paving).
- 9) Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.
- 10) Plat may be revised after review and approval of utility plans.
- 11) System shall be mastered meter for multifamily development.
- 12) Individual lots for sale can be metered separately.

**c. Wastewater Availability**

- 1) An existing 12-inch wastewater main(s) is located adjacent to the subject site(s).
- 2) Line capacity is not guaranteed and must be checked by the Engineer of Record and reviewed by the City.
- 3) The developer will be required to extend the City wastewater collection system to and across each lot or site within the subdivision in accordance with the City Standard Specifications and Private Development Design Manual.
- 4) Minimum ten (10) feet horizontal separation is required from water mains and five (5) feet for other utilities. Minimum two (2) feet vertical separation required for all crossings. All wastewater mains must have a minimum cover of four (4) feet and depth no greater than eighteen (18) feet. Developer is responsible for remediating any failure to maintain the minimum four (4) feet of cover.



- 5) Wastewater main(s) must be centrally located in a twenty (20) feet wide easement or larger if necessary. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
- 6) All existing unused private wastewater service connections must be abandoned and capped at the main in accordance with City Standard Specifications and Private Development Design Manual.
- 7) Plat may be revised after review and approval of utility plans.

## **9. Planning**

### **a. Comprehensive Plan Considerations**

*The subject site is within the Urban - Low (UL) Intensity LUTA, and in an area where the Employment (EM) Layer applies. An application to amend plan ~~okc~~ and lift the EM layer is associated with this request (CPA-2025-00003). Policies for each are listed below.*

#### **1) LUTA Development Policies:**

##### Site Design:

- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands. (UL)
- Utilize Best Management Practices (BMP) for stormwater whenever possible. (UL)
- Developments should be served by urban water and sewer utility systems. (UL)
- Ensure development adjacent to Employment Reserve areas is compatible and will not compromise viability of employment lands. (EM)

*Tributary 3 of Deer Creek flows through the central portion of the site, from south to north. National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available on the site.*

##### Location:

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

*The subject site has frontage along West Hefner Road and North County Line Road, both arterial streets in the Urban Low LUTA policies. The PUD proposes allowing multifamily residential development (apartments and townhomes) in an area that is comprised of single-family and duplex development.*

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.

The Employment layer does not contemplate density ranges. *The purpose of this PUD is to allow multifamily residential development on two tracts, both of which would utilize a base R-4 District. Tract 1, on the east, is illustrated in the conceptual plan as townhomes and allows a maximum of 8 units per building / structure, but does not establish a maximum number of building or dwelling units for the 11.78-acre tract. The base R-4 District allows up a maximum of 34 du/acre. Tract 2, on the west, is illustrated as garden apartments and allows 24 units per building / structure and up to 15 structures (13 shown on conceptual plan), for a maximum density of 17.9 du/acre on the 20.11-acre tract.*

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. (UL)
- Limit number of dead-end streets and cul-de-sacs. (UL)
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points. (UL)
- Development fronting arterials should take access from intersecting streets where possible. (UL)
- Primary entrance points should be aligned with access points immediately across the street. (UL)
- Provide vehicular connectivity between adjacent developments. (UL)
- Subdivisions with more than 50 units should have at least two points of entrance / egress no closer than 300 feet apart. (UL)
- Development is encouraged to be designed to accommodate future development's access needs, including partial connector construction, where appropriate. (EM)

*The subject site does not currently have improved access. The PUD allows access from West Hefner Road and North County Line Road but does not specify the location or quantity of access points. The PUD proposes utilizing Code for access; with the addition that if developed as multifamily residential on one parcel, access may be via a private drive, provided drive aisle widths and paving standards conform to City standards. The conceptual plan for the development illustrates one drive along North County Line, which would serve Tract 1 and connect to Tract 2. Three access points are located along West Hefner Road, two serving Tract 1 and one serving Tract 2.*

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development. (UL / EM)
- Within parking lots, provide pedestrian access ways separated from vehicle aisles. (UL)

*Sidewalks are not currently available on the subject site. The PUD proposes utilizing Code requirements for any changes to pedestrian connectivity.*

- 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 agricultural or residential uses or zoning, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” 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 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 PUD regulations maintain the setback requirements of the base R-4 District, with an exception that no internal building setbacks shall be required for single-lot multifamily development, except as required by fire code. The PUD proposes a minimum of 50% open space, compared to the 40% required by the base R-4 District. The maximum building height proposed by the PUD regulations is 2½ stories or 35 feet for Tract 1 and the base R-4 District height regulations for Tract 2. The R-4 District restricts the maximum building height to 20 feet and 1 story within 60 feet of the AA or R-1 District, with a greater allowed height as distance increases with no maximum height past 75 feet. The site abuts AA zoned land and PUD-2049, which has an R-1 base.*

**Traffic:** Mitigation measures should be used if the development is inconsistent with the Street Typology or would substantially exceed the average daily traffic of existing, adjacent uses. *The subject site has frontage along West Hefner Road and North County Line Road, both arterial streets in the Urban Low LUTA policies. No other compatibility issues related to traffic were identified on the subject site.*

**Operational Impact:** The comprehensive plan calls for mitigation measures if new projects propose uses that generate noise levels above those found in typical residential settings, have detectable odors, spill light above that found in typical residential settings, or operate after 10 p.m. within proximity to residential uses. When located near residential uses, the comprehensive plan calls for containing operating effects (including noise and odor) within building walls, using vertical screening to block any mechanical equipment and service areas, and directing light away from adjacent residential areas. *Potential conflict is identified when locating the proposed uses adjacent to agricultural operations. The PUD maintains the base R-4 requirements for screening, landscaping, and lighting regulations. No other compatibility issues related to operational impacts were identified on the site.*

**3) Service Efficiency:**

- Water: *Served (Close to Service or Served)*
- Sewer: *Served (Open Sewer Sheds or Served)*
- Fire Service: *Urban 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. *Riparian area bisects the central portion of the site adjacent to Tributary 3 of Deer Creek. Floodplain is not present on the site. National, state, and local permitting require basic best management practices for stormwater management. The conceptual plan for the development illustrates development will be located near the tributary in multiple locations. Plan conformance would be strengthened by maintaining the riparian area in a natural state and keeping all structures and impervious paving at least 100 feet from the bank of the tributary.*
- Upland Forests: N/A
- Vulnerable Aquifers: N/A

**5) Transportation System:** The subject site has frontage along West Hefner Road and North County Line Road, both Major Arterial Streets in the Urban Low LUTA. Transit (bus) service is not available nearby. According to Streetlight data, last collected in 2022, West Hefner Road had 14,117 average daily trips, with a capacity of 10,000 and North County Line Road had 5,937 average daily trips, with a capacity of 10,000.

**6) Other Development Related Policies**

- Encourage the integration of different land uses in urban areas [by preventing] large areas of concentration of any particular land use such as multi-family or commercial. (SU-2)
- 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)
- Prioritize and concentrate development where facilities, infrastructure, and services have capacity and in areas where the Police and Fire Departments are best able to respond. Guide the location and timing of development through the proactive and strategic installation of infrastructure. (SU-14)
- 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)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- Share parking between contiguous developments. (C-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)
- Avoid under-grounding streams to the greatest extent possible. Where feasible, encourage the re-surfacing of buried streams. Limit the use of culverts or other structures that alter natural streams, and require designs that minimize impacts to stream health and function. (G-11)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizeable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)
- 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 along the north side of West Hefner Road, with additional frontage along North County Line Road. The site surrounds undeveloped AA land at the arterial intersection that is under common ownership with portions of the application site. The site abuts a single-family residence along North County Line Road, to the north. Abutting further north is PUD-2049, which is undergoing development as single-family residential on 4,500 square-foot lots. Across North County Line Road, to the east, are a single-family residential neighborhood (PUD-954) and duplexes that are currently undergoing construction (PUD-1737). Land to the south, across West Hefner Road, is developed with a single-family residence and church zoned R-1. Abutting land to the west is undeveloped and zoned AA. Tributary 3 of Deer Creek flows through the central portion of the site, from south to north.

The purpose of this PUD is to allow multifamily residential development on two tracts, both of which would utilize a base R-4 District. Tract 1, on the east, is illustrated in the conceptual plan as townhomes. Tract 2, on the west, is illustrated as garden apartments and the PUD allows up to 24 units per building / structure in up to 15 buildings. The PUD provides a minimum of 50% open space, compared to the 40% required by the base R-4 District. The maximum building height proposed by the PUD regulations is 2½ stories or 35 feet for Tract 1 and the base R-4 District height regulations for Tract 2.

Riparian area bisects the central portion of the site adjacent to Tributary 3 of Deer Creek. Floodplain is not present on the site. National, state, and local permitting require basic best management practices for stormwater management. The conceptual plan illustrates development will be located near the tributary in multiple locations. Plan conformance would be strengthened by maintaining the riparian area in a natural state and keeping all structures and impervious paving at least 100 feet from the bank of the tributary.

The subject site and general surrounding area is within the Urban - Low (UL) Intensity LUTA. Additionally, the subject site and the land to the west, and farther north along the Turnpike, is within an area where the comprehensive plan applies the 'Employment' (EM) Land Use Typology Layer. Appropriate uses within EM include "those that generate employment, such as manufacturing, office parks, and office/industrial flex space uses as well as industrial uses such as warehousing or distribution. Multifamily is also appropriate when integrated as part of a holistic development that incorporates the aforementioned uses. Land uses such as single-family residential, service-related retail, K-12 schools or other civic uses, unless proven to support the primary activity or use, are not appropriate within this area."

The proposed residential uses are not consistent with the 'Employment' Layer. An application to amend plan ~~o~~ and lift the EM layer is associated with this request (CPA-25-00003).

#### **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.*

**If CPA-25-00003 is denied, denial of the application.**

**If CPA-25-00003 is approved, approval of the application subject to the following Technical Evaluation:**

1. Establish a maximum number of units or maximum density for Tract 1.

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.

gjh