

Planning Commission Minutes  
January 23, 2025

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:30 a.m. on January 21, 2025)

9. (PC-10957) Application by Benjamin B. Norman and Misty L. Norman to rezone 4400 SE 139th Street from AA Agricultural District to RA-2 Single-Family Two-Acre Rural Residential District. Ward 4.

The applicant was present. There were no protesters present.

**RECOMMENDED APPROVAL.**

MOVED BY PRIVETT, SECONDED BY LAFORGE

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



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**January 23, 2025**

**Item No. IV. 9.**

**(PC-10957) Application by Benjamin B. Norman and Misty L. Norman to rezone 4400 SE 139th Street from AA Agricultural District to RA-2 Single-Family Two-Acre Rural Residential District. Ward 4.**

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant**

Misty Norman  
405-473-2246  
misnor40@gmail.com

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this request is to allow residential development.

**D. Existing Conditions**

**1. Size of Site 5.26 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	RA-2	AA	AA	City of Moore
<b>Land Use</b>	Residential	Residential	Residential	Residential	Commercial

**3. 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.

## **II. 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 Water Resources Board (OWRB)**
- 5. School District (Moore)**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

### **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) Flood Study will be required to show no rise in FEMA Q 100 and the City of Oklahoma City Q 100 water surface elevation, compared pre-and post-development.
- 5) A portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year) frequency plus 1'. The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.
- 6) A floodplain activity permit must be submitted for any work contemplated in The Waters of the United States.
- 7) 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.
- 8) 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.

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

**8. Streets, Traffic and Drainage Maintenance**

**9. Stormwater Quality Management**

**10. Traffic Services \***

**11. Utilities**

**a. Wastewater Comments**

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. Water Comments**

1. No water service is available for proposed development, private on-site water system is required. The developer must provide a water distribution system that is capable of supplying water to each lot or tract within the development in accordance with ODEQ and OWRB. Well permits must be obtained from

OWRB and a copy of the permit must be filed with the Utilities Department. No private water source or groundwater source may be connected to any service or system connected to the City water system.

**c. Solid Waste Management**

The City can also service residential customers providing there is sufficient space for the truck to maneuver to service the addition.

**12. 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.

*National, state, and local permitting require basic best management practices for stormwater management.*

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 RA2 District allows densities of 0.35-0.45, within the LUTA range.*

- 2) Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating low intensity residential adjacent to existing low intensity residential or agricultural uses, “Building Scale and Site Design”, is a potential compatibility issue identified by the comprehensive plan.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if residential lot sizes within Rural Medium areas are less than 40% 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. *No triggers requiring mitigation were identified for height, setbacks or street frontage. Lot coverage allowed in the RA2 District is 30 percent compared to 5 percent for residential uses in the AA*

*District. Two acre lots are considered compatible with the 5-acre minimum lot size required in adjacent AA Districts.*

**3) Service Efficiency:**

- Water: *Not Served*
- Sewer: *Not Served*
- Fire Service: *Longer Than 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. *Riparian area runs north-to-south along or outside the western portion of the site. Floodplain is not present. The site also has an existing pond near the southwest corner of the property. Plan conformance would be strengthened by preserving the trees along the riparian corridor on the west side of the property.*
- Upland Forests: N/A
- Vulnerable Aquifers: N/A

**5) Transportation System:** This site is located at the southeast corner of SE 139<sup>th</sup> Street, a Neighborhood Street, and South Sunnyslane Road, a Minor Arterial Street, both 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)

**b. Plan Conformance Considerations**

The 5.35-acre subject site is located at the southeast corner of SE 139<sup>th</sup> Street and South Sunnyslane Road. The site is zoned AA and developed with a single-family residence. Land to the north, across SE 139<sup>th</sup> Street, was rezoned from AA to RA2 in 2022, and is developed with one single-family residence and a second is nearly constructed. Land to the east and south is developed with single-family residential within the AA District. Land to the west, across South Sunnyslane

Road, is developed with industrial warehouses and within Moore city limits. The application seeks to rezone the site from AA to the RA2 District to allow one additional lot. The density permitted within the proposed RA2 District is consistent with the comprehensive plan's Rural Medium LUTA. Plan conformance would be strengthened by preserving the trees along the riparian corridor on the west side of the property.

#### **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.**

**gjh**



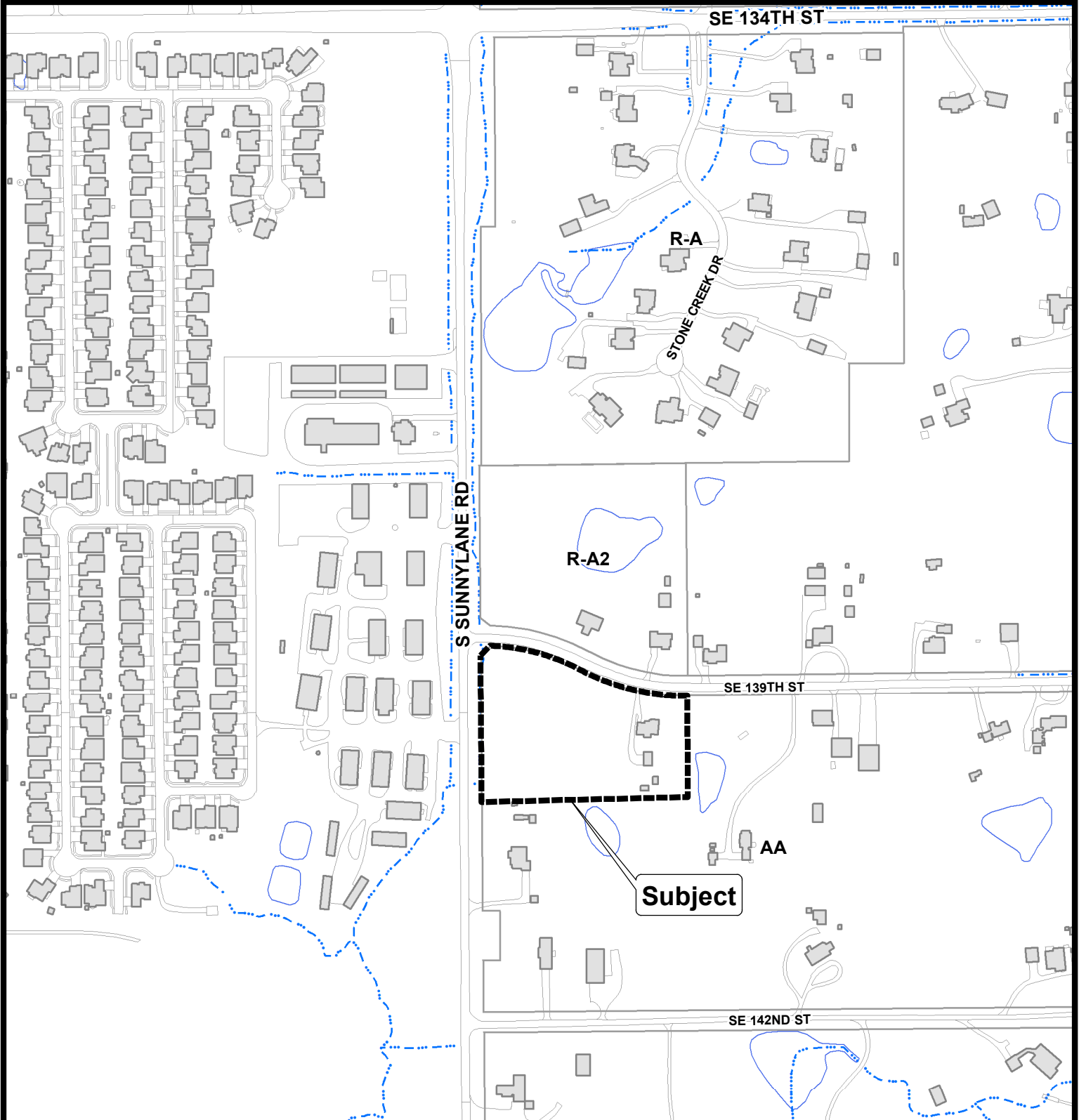
**Case No: PC-10957**

**Applicant: Benjamin B. Norman and Misty L. Norman**

**Existing Zoning: AA**

**Proposed zoning: R-A2**

**Location: 4400 SE 139th St.**



The City of  
OKLAHOMA CITY

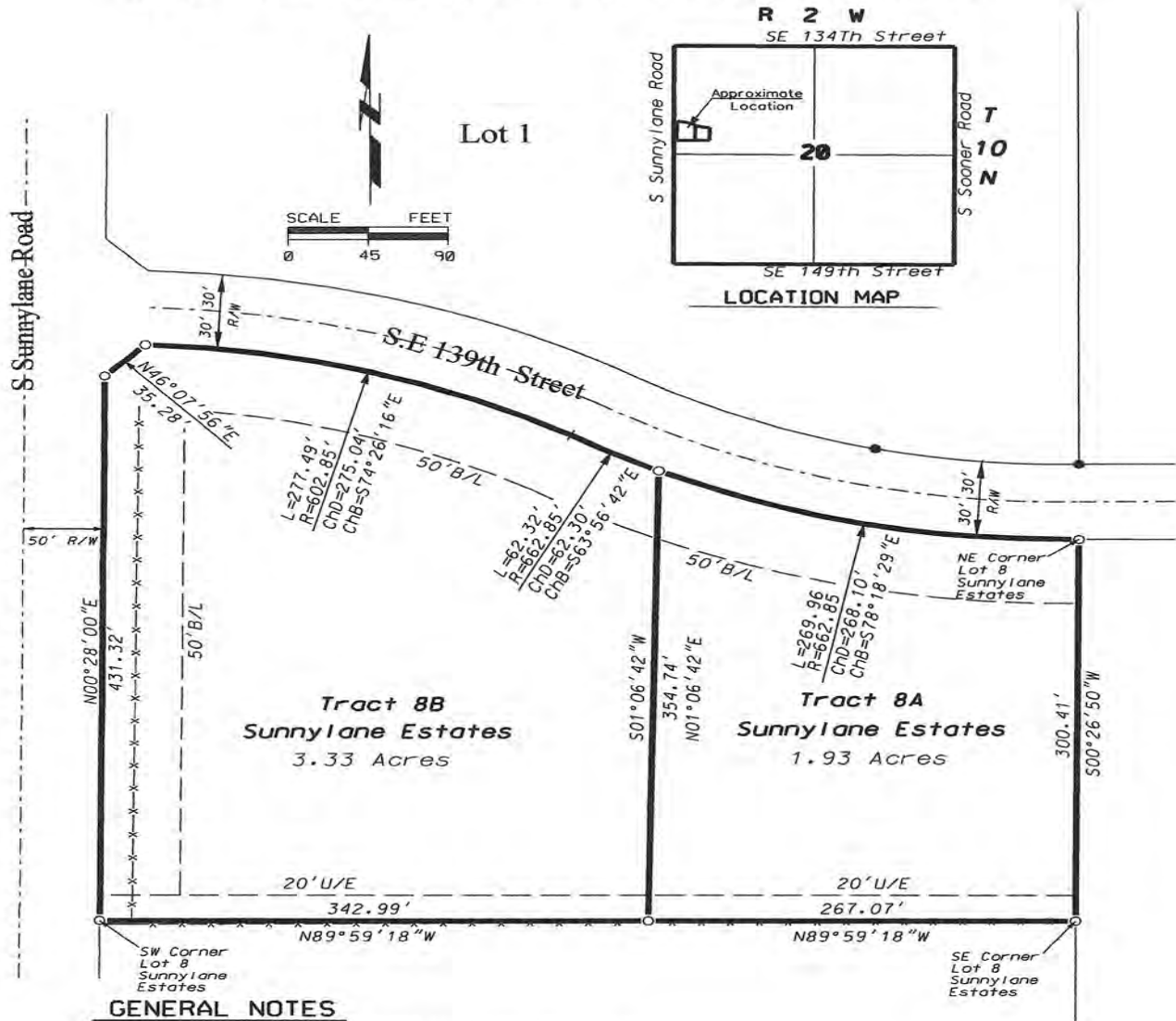
# Rezoning Application



0 200 400  
Feet

# CERTIFICATE OF SURVEY

LOT SPLIT SURVEY OF LOT 8 OF SUNNYLANE ESTATES,  
OKLAHOMA CITY, CLEVELAND COUNTY, OKLAHOMA



**POLLARD & WHITED SURVEYING INC.**  
2514 TEE DRIVE NORMAN, OKLAHOMA 73069  
(405)366-0001

CA Z380 exp. 6-30-23

tim@pwsurveying.com

Misty Norman	
Certificate of Survey	
Lot 8 of Sunnylane Estates	
Cleveland County, Oklahoma	
Nov. 08, 2024	Drawn By: J. Sanders
SunnylaneEst.dwg	GPS Sheet 1 of 3

## **CERTIFICATE OF SURVEY**

I, Timothy G. Pollard, a Professional Land Surveyor, hereby certify that the attached drawing is a true and accurate representation of a survey of the described property.

I further certify that this survey meets or exceeds the current "Oklahoma Minimum Standards For The Practice Of Land Surveying" as adopted by the Oklahoma State Board Of Licensure For Professional Engineers and Land Surveyors.

### **LEGAL DESCRIPTIONS**

Parent Tract

Lot Eight (8) of the final plat of Sunnyslane Estates to Oklahoma City, Cleveland County, Oklahoma, according to the recorded plat thereof.

#### **Lot 8A**

A tract of land being part of Lot Eight (8) of the final plat of Sunnyslane Estates to Oklahoma City, Cleveland County, Oklahoma, written by Timothy G. Pollard, PLS 1474, dated November 11, 2024, using the final plat of said Sunnyslane Estates as filed in Plat Book 8 at Page 5, dated May 22, 1970 in the Cleveland County Clerk's records as a Basis of Bearing, said tract further described as:

**BEGINNING** at the Southeast corner of said Lot 8;

Thence N89°59'18"W, on the South line of said Lot 8, for a distance of 267.07 feet;

Thence N01°06'42"E for a distance of 354.74 feet to the North line of said Lot 8;

Thence Southeasterly, on the North line of said Lot 8, being a curve to the left, having a radius of 662.85 feet, a chord of S78°18'29"E 268.10 feet for an arc distance of 269.96 feet to the Northeast corner of said Lot 8;

Thence S00°26'50"W, on the East line of said Lot 8, for a distance of 300.41 feet to the **POINT OF BEGINNING**, containing 1.93 acres more or less and subject to easements and rights-of-way of record.

#### **Lot 8B**

A tract of land being part of Lot Eight (8) of the final plat of Sunnyslane Estates to Oklahoma City, Cleveland County, Oklahoma, written by Timothy G. Pollard, PLS 1474, dated November 11, 2024, using the final plat of said Sunnyslane Estates as filed in Plat Book 8 at Page 5, dated May 22, 1970 in the Cleveland County Clerk's records as a Basis of Bearing, said tract further described as:

Thence N89°59'18"W, on the South line of said Lot 8, for a distance of 267.07 feet to the **POINT OF BEGINNING**;

Thence N89°57'18"W, on the South line of said Lot 8, for a distance of 342.99 feet to the Southwest corner of said Lot 8;

Thence N00°28'00"E, on the West line of said Lot 8, for a distance of 431.32 feet;

Thence N46°07'56"E for a distance of 35.28 feet to the North line of said Lot 8;

Thence Southeasterly, on the North line of said Lot 8, being a curve to the right, having a radius of 602.85 feet, a chord of S74°26'16"E 275.04 feet, for an arc distance of 277.49 feet;

Thence Southeasterly, on the North line of said Lot 8, being a curve to the left, having a radius of 662.85 feet, a chord of S63°56'42"E 62.30 feet, for an arc distance of 62.32 feet;

Thence S01°06'42"W for a distance of 354.74 feet to the **POINT OF BEGINNING**, containing 3.33 acres more or less and subject to easements and rights-of-way of record.

### **SURVEYOR'S REPORT & NOTES**

(1) The attached boundary survey was based upon the recorded final plat of Sunnyslane Estates to Oklahoma City, Cleveland County, Oklahoma, as filed in Plat Book 8, Page 5, Dated May 22, 1970, in the Cleveland County Clerk's records. Additionally, this survey was made to establish the boundary locations as shown hereon and is based upon found monuments by other surveyors.

(2) This does not represent a complete search of the County Clerk's records to determine ownership. No courthouse research was made by the undersigned for additional deeds or easement information, except as noted hereon. The undersigned has not abstracted the subject property.

(3) This survey does not represent a complete search of the County Clerk's records to determine if any easements or rights-of-way affect the property except as noted.

(4) No excavations were made during the progress of this Survey to locate underground utilities and facilities. Call 1-800-522-6543 or the owners of underground facilities to have them marked before any excavation.

(5) Except as specifically stated or shown this Survey does not reflect any easements, rights-of-way, building lines, restrictive covenants, subdivision restrictions, zoning or other land use regulations. Further this Survey does not show any other facts which an accurate and current title search would disclose.

(6) All buildings, surface or subsurface improvements on or adjacent to the subject property are not necessarily shown. This "Boundary Survey" was made to locate the boundary lines of said property and not necessarily to locate all improvements.

(7) It is advised, by the undersigned, that all adjoining property owners should be contacted prior to building any fences or other structures along or on the property lines. Certain legal rights may exist with existing fences that have been used for particular periods of time for lines of possession. If any difference of opinion is indicated a resolution should be reached, preferably in writing, between the owners on the location of any improvements along or on the property lines.



**NOTARY**

State Of Oklahoma )

County Of Cleveland) SS

Before me, a Notary Public, in and for said County and State, on this 12th day of November 2024, personally appeared, Timothy G. Pollard, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed.



**POLLARD & WHITED SURVEYING INC.**

2514 TEE DRIVE, NORMAN, OKLAHOMA 73069  
OFFICE: 405-366-0001

**INVOICE**

November 12, 2024

Misty Norman  
4400 SE 139<sup>th</sup> Street  
Oklahoma City, OK 73165

RE: Certificate of Lot Split Survey for tract, being Lot 8 of Sunnyslane Estates to Oklahoma City, Cleveland County, Oklahoma.

**Includes:** Boundary survey of Lot 8 of Sunnyslane Estates, Set/mark each corner of tract, create new legal description for two (2) tracts and Prepare certificate of survey with drawing showing the results of the survey.

**Total Amount Due    \$1200.00**

Thank you for your business.



Timothy G. Pollard, PLS

Invoice – 693

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**Case No: PC-10957**

**Applicant: Benjamin B. Norman and Misty L. Norman**

**Existing Zoning: AA**

**Proposed zoning: R-A2**

**Location: 4400 SE 139th St.**



Aerial Photo from 2/2022



The City of  
OKLAHOMA CITY

## Rezoning Application



0 200 400  
Feet