

APPROVED

1-2-2024

BY THE CITY COUNCIL
Amy M. Simpson CITY CLERK

PLANNED UNIT DEVELOPMENT

DESIGN STATEMENT

PUD-1971

The Preserve Farmers Market

~~August 24, 2023~~

September 13, 2023

November 13, 2023

PREPARED FOR:

**Hiwassee80, LLC
9808 S. Sunnyslane Road
Oklahoma City, OK 73165**

PREPARED BY:

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EXHIBIT A – Legal Description (attached hereto and made a part hereof)

EXHIBIT B – Master Development Plan (attached hereto and made a part hereof)

SECTION 1.0 INTRODUCTION

This Planned Unit Development consists of 5.47 acres and is located in the Northeast Quarter of Section 11, Township 10 North, Range 1 West of the Indian Meridian, Cleveland County, Oklahoma. The subject site is located at the southwest corner of SE 104th Street and Choctaw Road.

SECTION 2.0 LEGAL DESCRIPTION

The legal description of the property is described in Exhibit A, attached, and made a part of this Design Statement.

SECTION 3.0 OWNER/DEVELOPER

The developer and owner of this property is Hiwassee80, LLC.

SECTION 4.0 SITE AND SURROUNDING AREA

The subject property is zoned RA Single Family One Acre Rural Residential and is vacant. Surrounding properties are zoned and used for:

North: SPUD-1075 (RC)/retail commercial store

East: AA/residence

South: RA/vacant

West: RA/residence

SECTION 5.0 PHYSICAL CHARACTERISTICS

The elevation of the subject property ranges from 1160 feet along the west boundary to 1135 feet along the east. The property is higher in the west and drains easterly toward Choctaw Road. There is dense tree cover along the west and south boundaries of the property. This property is in the North Canadian River drainage basin.

SECTION 6.0 CONCEPT

The concept for this PUD is to provide a farmers market for neighborhoods in the area that will offer agricultural products such as fruits, vegetables and plants cultivated within the metropolitan area.

6.1 DEVELOPMENT AND SUBDIVISION VARIATIONS

The following represents variations to the RC base zoning district and other regulations of the Oklahoma City Zoning Ordinance, 2020, as amended:

- **Section 59-6200.2 Table 6200.1** The Food and Beverage Retail Sales use (8300.41), Outdoor Sales and Display, and Outdoor Storage use (8300.54) and Retail Sales and Services: General (8300.63) are allowed as permitted uses, subject to restrictions incorporated herein.

- **Section 59-11250.C, E and I** The landscape requirements for a commercial use unit and streetscape buffer are modified.

SECTION 7.0 SERVICE AVAILABILITY

7.1 STREETS

The property abuts SE 104th Street and Choctaw Road, both two lane rural arterial streets with a paving width of 20 to 22 feet and no curb and gutter.

7.2 SANITARY SEWER

Public sanitary sewer is not available.

7.3 WATER

Public water is not available.

7.4 FIRE PROTECTION

The nearest fire station to this property is Station 36 located at 17700 SE 104th Street.

7.5 GAS SERVICE, ELECTRICAL SERVICE, AND TELEPHONE SERVICE

Proper coordination with the various utility companies will be made in conjunction with this development.

7.6 PUBLIC TRANSPORTATION

Public transportation is unavailable to this site.

7.7 DRAINAGE

The subject property is not adjacent to or within a FEMA flood plain.

7.8 COMPREHENSIVE PLAN

PlanOKC designates this area as Rural Low Intensity. The uses proposed in this Planned Unit Development are consistent and in compliance with the area standards.

SECTION 8.0 SPECIAL DEVELOPMENT REGULATIONS

The following Special Development Regulations and/or limitations are placed upon the development of this PUD. Planning and zoning regulations will be those which are in effect at the time of development of this PUD. Development is when a permit is issued for any construction or addition to any structure on a development tract. Certain zoning districts are referred to as a part of the Special Development Regulations of this PUD. For purposes of interpretation of these Special Development Regulations, the operative and controlling language and regulations of such zoning districts shall be the language and regulations applicable to the referenced zoning districts

as contained in the City of Oklahoma City's Municipal Code as such exists at the time of development of this PUD. In the event of conflict between provisions of this PUD and any of the provisions of the Municipal Code in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this PUD, the provisions of the Code shall prevail and be controlling; provided however, that in the event of a conflict between the Special Use and Development Regulations specifically negotiated as a part of this PUD and the provisions of the Code in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this PUD, such Special Use and Development Regulations of this PUD shall prevail and be controlling

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the **RC Rural Commercial District** shall govern the property except as herein modified.

- a. As a temporary use the following shall be the only use permitted:
 1. Outdoor Sales and Display, and Outdoor Storage (8300.54), further limited to a farmers market offering agricultural products such as fruits, vegetables and plants cultivated within the metropolitan area.
- b. The following permanent uses shall be permitted but only when the above temporary use has been removed or not pursued. The combination of the above described temporary use and the following permanent uses shall not be permitted.
 1. Administrative and Professional Offices (8300.1)
 2. Food and Beverage Retail Sales (8300.41)
 3. Retail Sales and Services: General (8300.63)
 4. Outdoor Sales and Display, and Outdoor Storage (8300.54), further limited to a farmers market offering agricultural products such as fruits, vegetables and plants cultivated within the metropolitan area.

8.2 LANDSCAPE & SCREENING REGULATIONS

1. All requirements of the City of Oklahoma City's Landscaping and Screening Ordinance in place at the time of development shall apply to all uses other than the temporary farmers market as described herein, except as otherwise noted.
2. For the temporary farmers market use as described herein, landscaping and screening shall consist of the following:
 - a. In lieu sight proof screening required by ordinance, a landscape buffer, minimum of 10 feet wide, shall be provided along the west and south property lines. Existing trees shall be retained within these areas and if removed, trees that grow to a height of at least six feet shall be planted within the buffer on maximum 20-foot centers.
 - b. In lieu of landscaping for the temporary farmers market use and associated parking lot, for every forty linear feet of street frontage, a minimum of two existing trees spaced no more than ten feet apart shall be retained within five feet

of the statutory right of way of SE 104th Street and Choctaw Road. Otherwise, trees that grow to a height of at least six feet shall be planted within five feet of the statutory right of way of said streets, planted on maximum 20-foot centers.

8.3 ACCESS REGULATIONS

1. The number of access points and/or driveways shall be in accordance with the Municipal Code.
2. All access drives shall meet the requirements of the Subdivision Regulations and Oklahoma City municipal ordinances in place at the time of development.

8.4 SIGN REGULATIONS

- 1) Signs shall comply with the OKC Municipal Code, except as otherwise noted herein.

- a) FREESTANDING ACCESSORY SIGNS

There shall be one free-standing monument type sign permitted. Said sign shall have a maximum height of eight feet with a maximum display area of 100 square feet. Pole signs are prohibited.

- b) ATTACHED SIGNS

Attached signs will be in accordance with the base zoning district regulations.

- c) NON-ACCESSORY SIGNS

Non-Accessory signs are prohibited.

- d) ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs are prohibited.

8.5 PARKING REGULATIONS

1. The design and number of all parking facilities shall be in accordance with Chapter 59 of the Oklahoma City Municipal Code, as amended, except parking for the temporary farmers market use as described herein shall be permitted to maintain a gravel surface.
2. Driveway approaches from SE 104th Street and from Choctaw Road and ADA compliant parking and access shall be in accordance with Chapter 59 of the Oklahoma City Municipal Code, as amended.

8.6 COMMON AREA REGULATIONS

1. Maintenance of common areas and private drainage easements is the responsibility of the property owner's association and/or property owners within the PUD, and as depicted within covenants and restrictions filed as separate documents. No

structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent, shall be placed within drainage related common areas or drainage easements.

8.7 PLATTING & SPECIFIC PLAN REGULATIONS

1. Platting shall not be required.
2. A Specific Plan shall only be required for uses other than a farmer's market / temporary outdoor sales.

8.8 FAÇADE/ARCHITECTURAL REGULATIONS

1. Open air canvas tents, canopies, or other all-weather types of shelter shall be permitted for the temporary farmers market use as described herein.

8.9 LIGHTING REGULATIONS

- a) The site lighting shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.
- b) Lights shall not be located closer than twenty feet to any property line that adjoins a single family residence. All lighting shall be arranged so that there will be no annoying glare directed or reflected toward adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.

8.10 DRAINAGE REGULATIONS

1. Drainage improvements will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

8.11 DUMPSTER REGULATIONS

1. Trash collection facilities shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

8.12 ROOFING REGULATIONS

1. Permanent primary structures shall have Class C roofing or better.

8.13 SIDEWALK REGULATIONS

1. Sidewalks shall not be required along SE 104th Street or along Choctaw Road.

8.14 HEIGHT REGULATIONS

1. The base zoning district regulations shall regulate heights of structures.

8.15 SETBACK REGULATIONS

1. Unless modified herein, yard requirements shall be the same as the base zoning district.

8.16 PUBLIC IMPROVEMENTS

1. Public improvements shall be made by the property owner 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.

8.17 GENERAL DESIGN AND DEVELOPMENT GUIDELINES

1. 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 may be required at the building permit stage.

SECTION 9.0 DEVELOPMENT SEQUENCE

Developmental phasing shall be allowed as a part of the development of this PUD.

SECTION 10.0 EXHIBITS

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

- EXHIBIT A: LEGAL DESCRIPTION
- EXHIBIT B: MASTER DEVELOPMENT PLAN MAP

EXHIBIT A
LEGAL DESCRIPTION
The Preserve Farmers Market

A tract of land lying in the Northeast Quarter (NE/4) of Section 11, Township 10 North, Range 1 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, more particularly described as follows:

BEGINNING at the Northeast corner of said Northeast Quarter (NE/4);

THENCE South 00°07'00" East, along the East line of said Northeast Quarter (NE/4), a distance of 468.55 feet;

THENCE South 89°47'44" West, a distance of 508.46 feet;

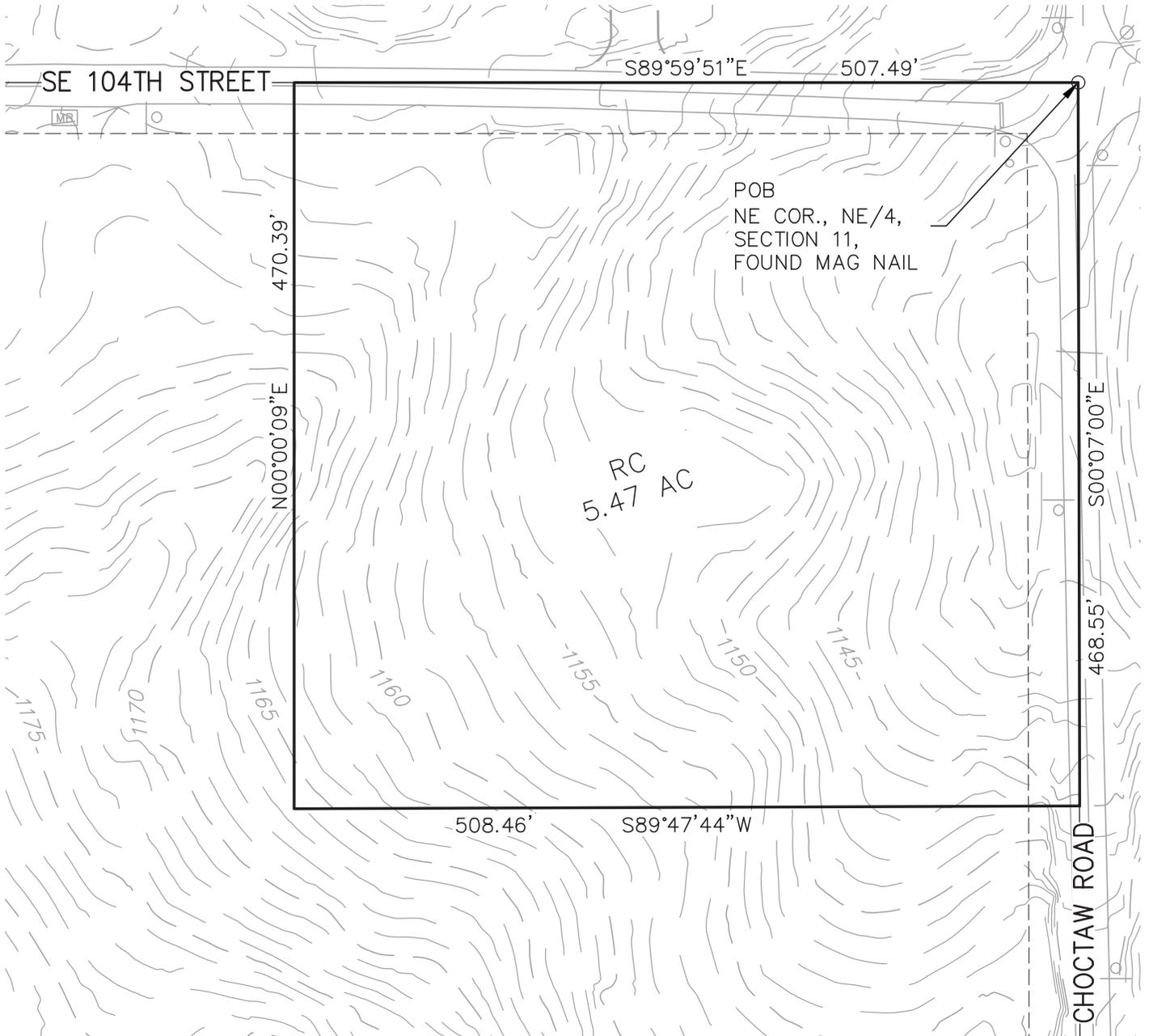
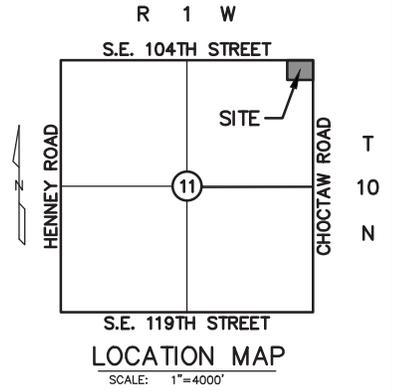
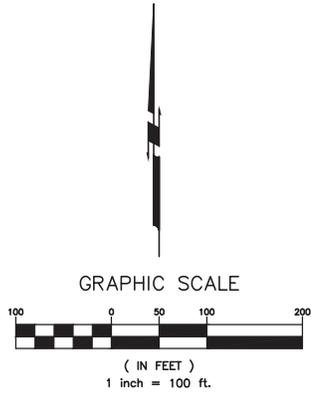
THENCE North 00°00'09" East, a distance of 470.39 feet;

THENCE South 89°59'51" East, along the North line of said Northeast Quarter (NE/4), a distance of 507.49 feet to the POINT OF BEGINNING;

Said tract of land containing 238,479 square feet or 5.4747 acres, more or less.

The basis of bearing for the above-described tract of land is the North line of said Northeast Quarter (NE/4) having a platted bearing of South 89°59'51" East.

EXHIBIT "B"



Proj. No.: 21-083
 Date: 9/14/2023
 Scale: (Horiz.) 1"=100'
 (Vert.) N/A
 Drawn By: KLT
 Checked By: TM
 Approved By: MCG

**THE PRESERVE
 FARMERS MARKET**
 SE 104TH ST. & CHOCTAW RD.
 OKLAHOMA CITY, OKLAHOMA COUNTY,
 OKLAHOMA
MASTER DEVELOPMENT PLAN


RUBBS CONSULTING, LLC
 CIVIL ENGINEERING & LAND PLANNING
 1800 S. Sara Road
 Yukon, OK 73099
 Phone: (405) 265-0641
 Fax: (405) 265-0649
GRUBBS CONSULTING, LLC. CERTIFICATE OF AUTHORIZATION NO. CA 5115 EXP. 06/30/24

FIGURE NO.
B