

Planning Commission Minutes
June 22, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:36 a.m. on June 20, 2023)

9. (PC-10888) Application by Tuscany Lakes Development, LLC, and Harold J McConnell Revocable Trust, to rezone 12905 North County Line Road from R-1 Single-Family Residential District to R-2 Medium-Low Density Residential District. Ward 1.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY CLAIR, SECONDED BY GOVIN

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 22, 2023

Item No. IV. 9.

(PC-10888) Application by Tuscany Lakes Development, LLC, and Harold J McConnell Revocable Trust, to rezone 12905 North County Line Road from R-1 Single-Family Residential District to R-2 Medium-Low Density Residential District. Ward 1.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Jason Spencer, P.E.
Crafton Tull
(405) 787-6270
jason.spencer@craftontull.com

B. Case History

This is a new application. This application is associated with the rezoning application PC-10887 and with an application for the Preliminary Plat of Tuscany Lakes North C-7559.

C. Reason for Request

The purpose of this request is to allow two-family (duplex) residential development.

D. Existing Conditions

1. Size of Site: 8.26 Acres

2. Zoning and Land Use

| | Subject Site | North | East | South | West |
|-----------------|---------------------|--------------|-------------|--------------|-------------|
| Zoning | R-1 | PUD-1394 | R-1ZL | R-1 | PUD-1763 |
| Land Use | Agricultural | Undeveloped | Residential | Agricultural | 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.

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: Piedmont**
- 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**
- 4. Information Technology/Geographic Support**
- 5. Parks and Recreation**
- 6. Police**
- 7. Public Works**
 - a. Engineering**

- 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 that there is no rise in the 100-year rainfall runoff established by the Federal Emergency Management Agency (FEMA) and the City of Oklahoma City, compared pre-& post-development.
- 5) The subject property is situated within a FEMA Flood Plain. Therefore, the establishment of minimum finish floor elevation for each lot within the flood plain will be required. Based on the 100-year water surface elevation (established from the City of Oklahoma City urbanized study or FEMA Study, whichever is more restrictive or imposes higher standards) + 1'. The Public Works Department's Engineering staff shall approve these elevations prior to the filing of the final plat.
- 6) A floodplain activity permit must be submitted with plans for any work contemplated within 200 feet of a mapped FEMA floodplain.
- 7) A U.S. Corps of Engineers 404 permit must be submitted for any work permitted in The Waters of the United States.
- 8) 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.

- 9) 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's association. 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.
- 10) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 11) 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.
- 12) Sidewalks shall be installed for all new construction and/or at the time of conversion of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.
- 13) All private road/ street will have private storm sewer system.
- 14) Engineers/Developers must contact the Public Works Department for a detention determination before submittal of Final Plat and Plans.

b. Streets, Traffic and Drainage Maintenance

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Water Comments

1. Existing 12" & 8" water mains are located adjacent to the subject site(s).
2. Existing 12" & 8" water mains are within the required distance to the subject site and the developer will be required to extend a 12-inch or larger water main along street frontage and will be required to extend the water system to each lot or site within the development in accordance with City Standard Specifications and Private Development Design Manual.

3. A 12-inch water main is required to be looped 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.
4. 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.
5. 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.
6. 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.
7. 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 more than 25 psi. The developer is responsible for installing pressure reducers if necessary for protection of developer's service lines, plumbing, and fixtures.
8. 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.
9. 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).
10. Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.
11. Existing 12" & 8" watermain Project WA-2020-00036 will need to be extended through development. Tuscany Lakes Phase 3 Project WA-2022-00087 will need to be completed before connection for the east lots.

b. Wastewater Comments

1. An existing 8” wastewater main is located adjacent to the subject site(s).
2. An existing 8” wastewater main is within the required distance to the subject site and will be required to be extended to the furthest property line for any proposed development.
3. Line capacity is not guaranteed and must be checked by the Engineer of Record and reviewed by the City.
4. 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.
5. 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.
6. 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.
7. 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.
8. Existing 8” wastewater main Project SD-2020-00047 is adjacent to property. Wastewater extension into development is required.

c. Solid Waste Management

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways.
- Large-scale (20+ acres or 50 or more single family units) residential subdivisions should provide a diversity of home sizes, lot sizes, price points, architectural styles, and density ranges.
- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family residential.

Floodway and 100-year floodplain are present on the subject site. The development is required to comply with all City, State, and Federal requirements within the floodplain. Public water and sewer are available. This application represents a portion of the proposed 71.54-acre Preliminary Plat of Tuscany Lakes North. The plat indicates an overall density of 4.43 du/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.
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Development fronting arterials should take access from intersecting streets where possible.
- Primary entrance points should be aligned with access points immediately across the street.
- 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.

Access to all lots will be from new streets within the proposed subdivision.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks are required along arterial streets and within new urban subdivisions.

- 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 Low Intensity Residential, “Building Scale and Site Design” 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 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. *No triggers requiring mitigation were identified.*

- 3) **Service Efficiency:**

- Water: *Close to Service or Served*
- Sewer: *Fully Served*
- Fire Service: *Rural Service Level*

- 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 is present on the subject site. Floodway and 100-year floodplain are present. The associated preliminary plat indicates 20.95 acres of open space concentrated along the riparian area/floodplain.*
- Upland Forests: N/A
- Vulnerable Aquifers: N/A

- 5) **Transportation System:** This site is located along the west side of N County Line Road, a Major Arterial Street in the Urban Low LUTA. Transit (bus) service is not available.

- 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)
- 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)
- 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)
- 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 west side of N County Line Road, between W Memorial Road and NW 122nd Street within the Urban Low Intensity LUTA. The

subject site is zoned R-1 and developed with agricultural buildings. Land abutting on the south and west is under the same ownership as the subject site and is seeking to rezone from R-1 and PUD-1763 (Tract 3) to the R-1ZL District under a separate application (PC-10887). North of the subject site is Tract 6 of PUD-1394, which was approved in 2010 and allows R-1ZL (residential zero lot line) development.

The proposed R-2 District is requested for duplex development. This application is associated with the proposed preliminary plat of Tuscany Lakes North (C-7559) which includes single-family, single-family zero lot line, and duplex residential development all connected within one subdivision.

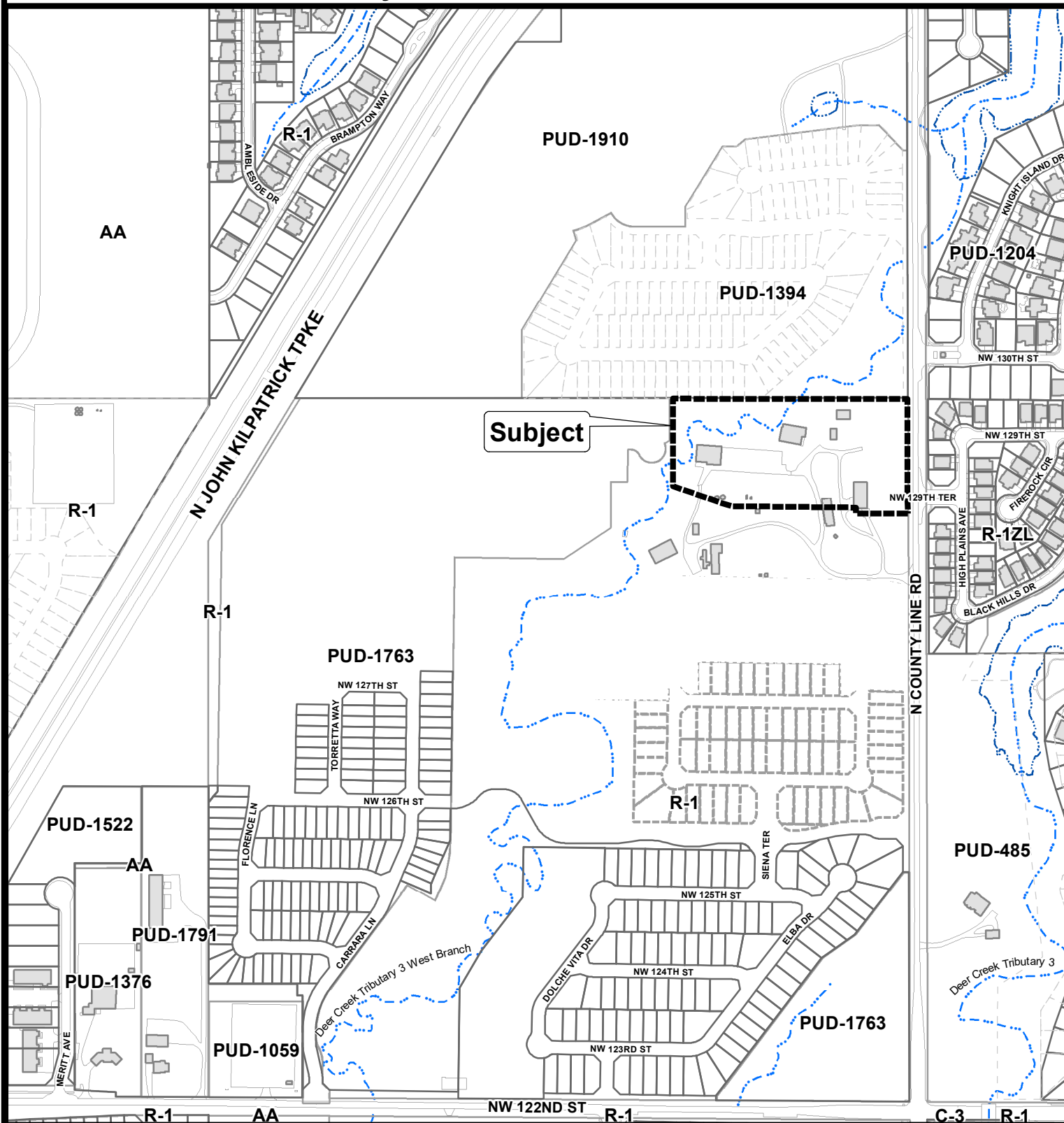
IV. STAFF RECOMMENDATION

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.

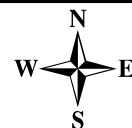
SW

**Case No: PC-10888 Applicant: Harold J. McConnell Revocable Trust
and Tuscany Lakes Development, LLC
Existing Zoning: R-1 Proposed zoning: R-2
Location: 12905 N County Line Rd.**



The City of
OKLAHOMA CITY

Rezoning Application



0 250 500 Feet

Case No: PC-10888 Applicant: Harold J. McConnell Revocable Trust
and Tuscany Lakes Development, LLC
Existing Zoning: R-1 Proposed zoning: R-2
Location: 12905 N County Line Rd.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Rezoning Application



0 250 500
Feet