

Planning Commission Minutes
June 23, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:26 a.m. on June 21, 2022.)

26. (PUD-1891) Application by Integrity First Developers, LLC., to rezone 3223 NW 178th Street from the PUD-1111 District to the PUD-1891 Planned Unit Development District. Ward 8.

The applicant was present. There were protestors present.

Amended Technical Evaluation:

1. ~~Provide a 50 foot setback for dumpsters.~~
2. Specify sidewalks will be provided on all new interior streets and drives.
3. EIFS is prohibited.
4. Dwelling Units are limited to a maximum of 55 units.
5. Homes adjacent to the pond shall be required to have architectural metal fencing at 4 feet in height.
6. Fencing is not allowed along NW 178th Street, where adjacent to the pond.
7. Amend Section 9.7 in the MDS to: Dumpsters shall be permitted only during construction.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION, AS AMENDED.

MOVED BY PENNINGTON, SECONDED BY POWERS

AYES: CRAVENS, POWERS, FRALEY, HINKLE, GOVIN, PENNINGTON;

ABSENT: CLAIR, PRIVETT, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 23, 2022

Item No. IV. 26.

(PUD-1891) Application by Integrity First Developers, LLC., to rezone 3223 NW 178th Street from the PUD-1111 District to the PUD-1891 Planned Unit Development District. Ward 8.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David M Box
Company Williams, Box, Forshee & Bullard PC
Phone 405-232-0080
Email dmbox@wbfbllaw.com

B. Case History

This application was continued from the May 12, and May 26, and June 9, 2022 meetings.

C. Reason for Request

This application is to permit a townhome 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: 9.3185 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1111	PUD-1111	PUD-1111	PUD-995	PUD-1111
Land Use	Undeveloped	Residential	Residential	Residential	Undeveloped

4. Development Context: The subject site is located on the north side of NW 178th Street, between N Portland and N May Avenues. The site is undeveloped and part of a larger PUD-1111 zoned in 2005 for a mixed-use development.

The subject site lies within Tract 2 (R-1 & C-3) and Tract 26 (Open Space / Right-of-Way) of the existing PUD. Land to the north, east, and west has been platted and/or developed as single-family residential (The Grove) and would remain zoned PUD-1111. To the south, across NW 178th Street are single-family residences within the Rose Creek and The Chateaus at Rose Lake neighborhoods. The subject site was originally platted as single-family residential with access from the subdivision to the north. Subsequent plats have removed the access and the new PUD would allow townhomes accessed from NW 178th Street.

II. SUMMARY OF PUD APPLICATION

The use and development regulations of the **R-4 General Residential District** shall govern this PUD, except as herein modified, including conditional, special permit, special exception, alcohol beverage consumption requirements 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

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

Permitted Use(s):

- 8250.3 Community Recreation: Property Owners Association
- 8300.40 Family Day Care Homes
- 8200.3 Group Residential
- 8250.13 Light Public Protection and Utility: Restricted
- 8200.5 Low Impact Institutional: Residential-Oriented
- 8200.12 Multiple-Family Residential [limited to a maximum of 70 units]
- 8200.13 Senior Independent Living
- 8200.14 Single-Family Residential
- 8200.15 Three- and Four- Family Residential
- 8200.16 Two-Family Residential

9.1 FAÇADE REGULATIONS

Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, architectural paneling, smart trim, lap, concrete, drivet, rock, stone, stucco, or wood, or other similar type finish. Buildings finished with EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed metal buildings shall not be permitted.

9.2 LANDSCAPING REGULATIONS

The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

9.3 LIGHTING REGULATIONS

The site lighting in this PUD shall be in accordance with Chapter 59, Article XII, Section m59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

To minimize light spillover on residential uses, outdoor lights within any office or commercial or industrial tracts will be directed away from any adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.

9.4 SCREENING REGULATIONS

No less than a six-foot and no greater than an eight-foot-high wall shall be required along the boundary of this parcel where it is adjacent to any residential use. Said wall shall be constructed entirely of stucco, brick, or stone on a continuous footing, or may be constructed of wood.

9.5 PLATTING REGULATIONS

Platting shall not be required.

9.6 DRAINAGE REGULATIONS

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

9.7 DUMPSTER REGULATIONS

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.

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

9.8 ACCESS REGULATIONS

There shall be one (1) access point from NW 178th St. in this PUD.

9.9 PARKING REGULATIONS

The design and number of all parking facilities in this PUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

9.10 SIGNAGE REGULATIONS

9.10.1 FREESTANDING ACCESSORY SIGNS

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

9.10.2 ATTACHED SIGNS

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

9.10.3 NON-ACCESSORY SIGNS

Non-Accessory signs will be in accordance with the base zoning district regulations.

9.10.4 ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs will be in accordance with the base zoning district regulations.

9.11 ROOFING REGULATIONS

Each structure in this PUD shall have Class C roofing or better.

9.12 SIDEWALK REGULATIONS

Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel, or six (6) foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department. Four (4) foot sidewalks shall be constructed on the interior streets prior to any occupancy certificates being issued.

9.13 HEIGHT REGULATIONS

The base zoning district regulations shall regulate heights of structures in this PUD.

9.14 SETBACK REGULATIONS

Unless modified herein, yard requirements in this PUD shall be the same as the base-zoning district.

9.15 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.

9.16 COMMON AREAS

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.

9.17 GENERAL DESIGN AND DEVELOPMENT GUIDELINES

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 shall be required at the building permit stage.

Due to the façade, landscaping, parking, access, architectural regulations, sidewalk, and screening detail provided herein, a Specific Plan is not required.

9.18 ARCHITECTURAL REGULATIONS

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, 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. Exposed metal or exposed concrete block buildings shall not be permitted.

9.19 SPECIFIC PLAN

A Specific Plan shall not be required.

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 Description
- Exhibit B – Conceptual Master Development Plan
- Exhibit C - Topography 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**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas:** Please be advised ONG has an underground or aboveground facility in the area. If you need our facilities relocated to accommodate your excavation or construction, ONG will provide you a cost estimate. Prior to excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior for exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District(s) DeerCreek**
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire:** No Objection-Provided that the residences are sprinkled. Over 30 on a single access. As shown, they would, be but need to be sure it is required due to potential changes.

4. Information Technology/Geographic Support

5. Parks and Recreation

6. Police

7. Public Works

a. Engineering

b. Streets, Traffic and Drainage Maintenance

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) Sidewalk 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.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) An existing 8" wastewater main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection is required for each building/structure.
- 2) All wastewater mains must flow within the existing drainage basin. Proposed wastewater mains that will flow to another drainage basin across a ridgeline will not be allowed.

- 3) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings.
- 4) The developer will be required to extend the wastewater collection system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations.
- 5) Proposed minimum lot size does not meet the current 30,000 square foot minimum lot size for lots with on-site sewage disposal systems. On-site aerobic sewage disposal systems require a minimum twenty-five (25) foot setback from the property line or public property.
- 6) All existing unused wastewater services must be abandoned at the wastewater main.
- 7) System will be considered private.

b. Solid Waste Management

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

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12" water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection and meter is required for each building/structure.
- 2) The developer may make an application under the Policy "A-1" program to the Oklahoma City Water Utility Trust (OCWUT) for purchase of construction costs for an oversized water main extension larger than 12-inch. Approval will be subject to funds available for improvements.
- 3) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two (2) foot vertical separation required for all crossings.
- 4) Dead-end water mains must be avoided where applicable.
- 5) All existing unnecessary water services must be abandoned at the water main.

- 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 and fire protection systems which require water pressure in excess of 25 psi.
- 7) Proposed water main(s) must be located within a utility easement or right-of-way. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 8) All domestic and fire suppression services must have separate water service connections.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

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

National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available.

Location:

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

The PUD proposes townhomes in an area with single-family residential and office uses.

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 PUD allows up to 70 dwelling units over 9.3 acres for a density of 7.5 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.
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- 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.

The PUD proposes access from one new street/drive that intersects NW 178th Street. Connections to the residential subdivision surrounding the site are no longer possible due to approved plats and development. The proposed access did not appear to align with Morning Star Lane to the south. If not aligned, the new street/drive will need to meet the required offset.

Pedestrian Connectivity:

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

Sidewalks will be required along NW 178th Street and new interior streets. The Master Design Statement should specify this would include any private drive from the development to the arterial street.

- 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 residential uses adjacent to existing Low Intensity Residential, “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 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 proposes multifamily residential (townhomes) next to platted single family residential lots.*

The PUD's R-4 base district limits building height to 20 feet and one story within 60 feet of the abutting residential district, requires a 15-foot setback, and requires Residential Buffers and Screening per Code. The R-4 District also requires 40 percent open space. The conceptual plan indicates existing ponds would remain.

- 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 NW 178th Street, a Major Arterial Street in the Urban Low LUTA. Transit (bus) service is not available nearby.
- 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)
 - 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)
 - 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)

- 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)

b. Plan Conformance Considerations

The 9.3-acre subject site is located on the north side of NW 178th Street, between N Portland Avenue and N May Avenue. The subject site was originally platted as single-family residential with access from the subdivision to the north (The Grove). The proposed PUD would allow up to 70 townhomes in six buildings with one access from NW 178th Street. Plan conformance would be strengthened by specifying sidewalks will be installed along all new streets *and drives* so that residents can walk to common areas and sidewalks along NW 178th Street.

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.

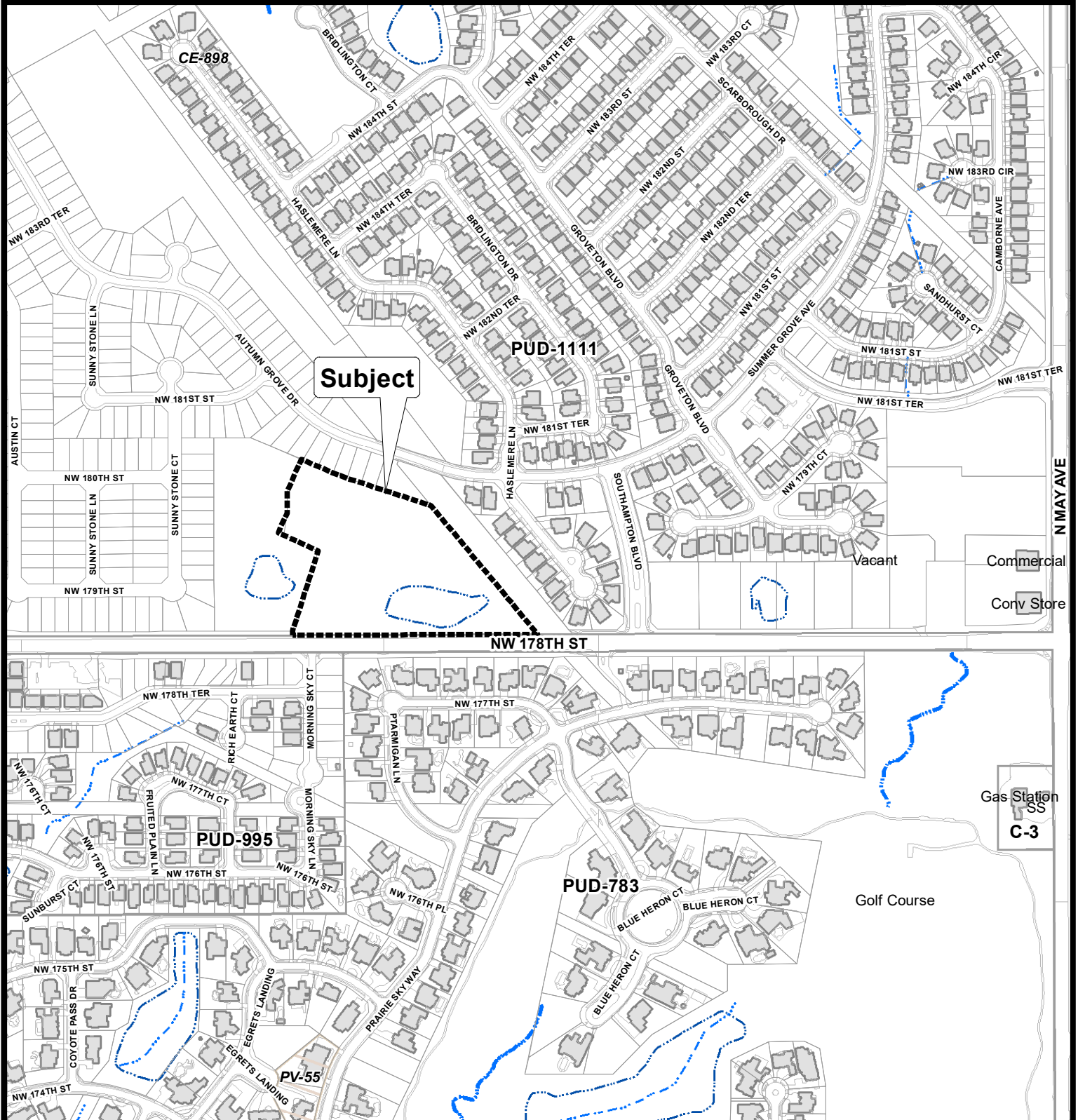
Approval of the application subject to the following Technical Evaluations:

1. Provide a 50 foot setback for dumpsters.
2. Specify sidewalks will be provided on all new interior streets and drives.

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

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Case No: PUD-1891 Applicant: David M. Box on behalf of applicant
Existing Zoning: PUD-1111
Location: 3223 NW 178th St.



The City of
OKLAHOMA CITY

Planned Unit Development



0 250 500 Feet



HOUSING UNITS	
6-UNIT BUILDINGS	3
4-UNIT BUILDINGS	7
2-UNIT BUILDINGS	2
TOTAL UNITS	50



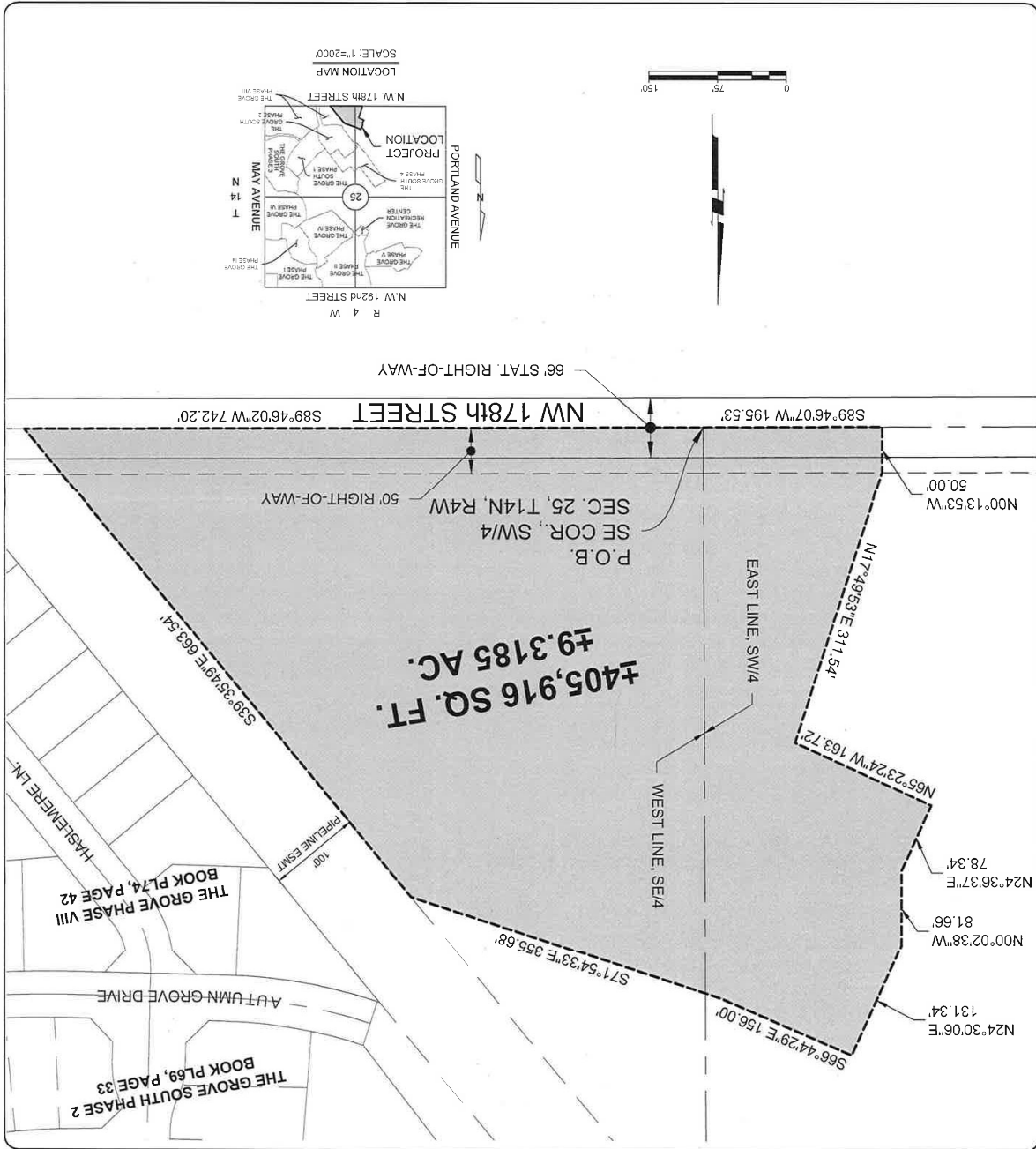
CAUTION
NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE UTILITIES SHOWN ON THESE PLANS ARE BASED ON THE INFORMATION PROVIDED BY THE UTILITIES COMPANIES AND ARE NOT TO BE RELIED ON AS A GUARANTEE OF THE LOCATION OF THE UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT FIELD LOCATIONS OF THE UTILITIES PRIOR TO ANY CONSTRUCTION.

REV	DESCRIPTION	DATE



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Case No: PUD-1891 Applicant: Integrity First Developers, LLC
Existing Zoning: PUD-1111
Location: 3223 NW 178th St.



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Planned Unit Development



0 250 500 Feet