



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 9, 2025

Item No. IV. 12.

(PUD-2046) Application by 13501 N. Bryant Ave OK Propco, LLC to rezone 13415 North Bryant Avenue from PUD-1533 Planned Unit Development District to PUD-2046 Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

David Box
Box Law Group, PLLC
405-669-3395
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B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow multifamily residential development.

D. Existing Conditions

1. Size of Site: 7.7938 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1533	PUD-1533/C-3	R-1	R-1	PUD-1837
Land Use	Undeveloped	Veterinary/Senior Living	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.

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 PUD, except as herein modified.

All uses within the R-4 District shall be permitted within this PUD.

There shall be a maximum of 35 units per acre within this PUD.

9.0 SPECIAL CONDITIONS

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

9.1 FAÇADE REGULATIONS

Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, architectural metal, rock, stone, stucco, concrete-board, or wood, or other similar type finish. No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block 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, except that a 20' landscape buffer shall be provided along the south PUD boundary.

9.3 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.

9.4 SCREENING REGULATIONS

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

9.5 SUBDIVISION REGULATIONS

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

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 and shall be placed no closer than 50 feet from all property lines adjacent to residential zoning district or use.

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 may be two (2) access points from N. Bryant Ave. One entrance may be permitted to a divided entrance with a landscaped median.

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, except that there shall be a minimum of 1 parking space per unit. All other sections of the parking section shall apply.

9.10 SIGNAGE REGULATIONS

9.10.1 FREESTANDING ON-PREMISE SIGNS

Freestanding accessory 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 OFF-PREMISE SIGNS

Non-Accessory signs will be prohibited.

9.10.4 ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs will be prohibited.

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 maximum height within this PUD shall be forty-five feet (45') and three stories.

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, private drainage easements, 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.

9.17 SPECIFIC PLAN

A specific plan shall not be required, except for multi-family residential development.

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 (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): Edmond**
- 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 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 PUD 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.
- 11) Add to section 9.8 Access Regulations: Driveway spacing must conform to the requirements and policies of the Public Works Department.

b. Stormwater Quality Management

c. Traffic Services *

8. Utilities

a. Engineering

b. Solid Waste Management

- 1) The City can provide service, providing there is sufficient space for the truck to maneuver to service the addition.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12-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) This will be master metered. Internal system to site will be considered private.

Wastewater Availability

- 1) An existing 8-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.
- 8) This will be master metered. Internal system to site will be considered private.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- 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.
- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

The subject site is located along the west side of North Bryant Avenue, an arterial street. National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available.

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 purpose of this PUD is to allow multifamily residential development. The PUD proposes modifications to the R-4 base zone that would allow up to 35 dwelling units per acre (compared to 34 du/acre). 35 dwelling units over the 7.79-acre subject site would be an allowable 272 units compared to the base R-4 allowed 264.*

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.

The subject site is currently served via a drive along the north boundary from North Bryant Avenue that also serves the assisted living facility to the north. The PUD proposes two access points from North Bryant Avenue, one of which would be permitted to be a divided entrance with a landscaped median. The conceptual plan for the development illustrates a connection to the existing shared drive and a new drive near the southern boundary of the site that aligns with Eagle Crest Road, across North Bryant Avenue to the east.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses.

Sidewalks are partially available on the subject site, adjacent to the assisted living facility, but not on the remainder of the site. The PUD regulations require sidewalks along all streets.

- 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 residential or commercial uses, “Building Scale and Site Design” and “Traffic” 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. *The PUD maintains the setbacks and lot coverage regulations of the base R-4 District. The PUD proposes modifications to the R-4 base zone that would allow buildings up to 3 stories and 45 feet, instead of the step-down in building height required from adjacent residential zones in the R-4 District. The Master Design Statement has been modified since first submitted to add a requirement for a 20-foot landscape buffer along the south side of the property adjacent to single family residences. Plan conformance would be strengthened by lowering heights and/or increasing the setbacks for the proposed multifamily use next to the R-1 District and requiring the same 20' landscape buffer along the west boundary adjacent to additional proposed single-family residential development.*

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 is located along the west side of North Bryant Avenue, an arterial street in the Urban Low Intensity LUTA. No other compatibility issues related to traffic were identified on the subject site.*

3) Service Efficiency:

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Urban Response*

4) Environmentally Sensitive Areas: The following apply to the proposed development site:

- Riparian Areas: N/A
- Upland Forests: The subject area is within the upland forest ESA. The comprehensive plan directs to preserve the Cross Timbers and upland forests, including native understory, to the maximum extent practical. When new-growth or re-growth upland forest trees are removed during construction, trees and other native plants should be replanted on-site. New trees should be planted in clusters that mimic the original tree canopy. The comprehensive plan defines mitigation hierarchy in the following priority: 1) Avoidance and minimization, 2) Restoration, 3) Offset. *planokc identifies Upland Forest on the entirety of the subject site. Portions of the site appeared to have been previously cleared. When 60-70% of the site is covered, the plan has a preservation goal of 90%. The PUD regulations do not address tree preservation, or upland forest areas. Plan conformance would be strengthened by adding language for preservation of healthy, mature trees, specifically in upland forest areas.*
- Vulnerable Aquifers: N/A

5) Transportation System: This site is located along the west side of North Bryant Avenue, a Minor Arterial Street in the Urban Low LUTA. Transit (bus) service is not available nearby. According to Streetlight data, last collected in 2022, North Bryant Avenue had 4,087 average daily trips, with a capacity of 22,000.

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. (SU-4)
- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- 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)
- 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)
- Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)
- 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 North Bryant Avenue, south of East Memorial Road. The site is undeveloped and, along with the assisted living development to the north, zoned PUD-1533. The existing assisted living center facility is located in Tract 1 of the PUD. The subject site consists of Tracts 2-5, which allow age-restricted multi-family residential and senior independent living with congregate care housing allowed on one lot. Abutting land to the west is currently undeveloped and located within Tract 4 of PUD-1837, which allows development regulations of the R-1 District with a maximum density of 1 dwelling unit per 6,000 square feet. South of the site, and across North Bryant Avenue to the east, is developed with single-family residential zoned R-1. North of the site, at the intersection of North Bryant Avenue and East Memorial Road is zoned C-3 and developed with a restaurant, gas station with car wash, and veterinary hospital.

The purpose of this PUD is to allow multifamily residential development. The PUD proposes modifications to the R-4 base zone that would allow up to 35 dwelling units per acre (compared to 34 du/acre) and allow buildings up to 3 stories and 45 feet, instead of the step-down in building height required from adjacent residential zones in the R-4 District. The comprehensive plan calls for up to a maximum of 30 du/acre within the Urban Low Intensity LUTA. The existing PUD requires a 35-foot landscape buffer with a 50-foot setback along the south side of the development where adjacent to single-family development. The new PUD's Master Design Statement has been modified since first submitted to add a requirement for a 20-foot landscape buffer along the south side of the property where adjacent to single family residences. Plan conformance would be strengthened by lowering heights and/or increasing the setbacks for the proposed multifamily use next to the R-1 District (south and west), and requiring a wider landscape buffer along the west boundary adjacent to additional proposed single-family residential development. Trees should be preserved within setbacks and throughout the development to the maximum extent possible.

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. Reduce the maximum allowed density to a range within the Urban Low LUTA and/or specify a maximum number of dwelling units for the multifamily residential use.

2. Modify Section 9.13 Height Regulations to state that building height regulations shall be per the base zoning district, except that the maximum height shall be 45 feet and three stories.
3. Modify Section 9.2 Landscaping; The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development, except that a 20-foot landscape buffer shall be provided along the south and west PUD boundaries. Trees shall be preserved within the required buffers.

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