



STAFF REPORT
The City of Oklahoma City
Planning Commission
May 22, 2025

Item No. IV. 3.

(PC-10972) Application by Marvin D Jirous 2013 Trust and MJJTC, LLC to rezone 11239 NW Expressway from AA Agricultural District to R-1 Single-Family Residential District. Ward 1.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

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B. Case History

This is a new application. This application was deferred from the May 8, 2025, Planning Commission hearing date.

This application is associated with the Preliminary Plat of Solstice (C-7736).

C. Reason for Request

The purpose of this request is to allow single-family residential use and development.

D. Existing Conditions

1. Size of Site: 38.48 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	PUD-1756	AA	R-1/AA	PUD-1007
Land Use	Undeveloped	Undeveloped	Tank Storage	Undeveloped	Residential

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 (Yukon)**
- 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) no objection, second access will be required at Platting.**
- 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 Engineering staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to the applicable requirements of the Oklahoma City Municipal Code, as amended.
- 2) Storm sewers, in accordance with the City of Oklahoma City's Drainage Ordinance, will be required. For developments abutting section line roads where rainfall-runoff exceeds the capacity of the City of Oklahoma City's standard ditch detail, the installation of enclosed storm sewers and/or concrete channels will be necessary. These improvements must be positioned to provide a minimum clearance of 35 feet from the centerline of the section line road. Concrete channels must be located entirely outside the public right-of-way.
- 3) A flood/drainage study will be required to establish finished floor elevations, common lot areas, and private drainage easements. This study must be reviewed and approved by the Public Works Department.
- 4) A flood study will be required to demonstrate that there is no rise in the 100-year rainfall runoff, as established by the Federal Emergency Management Agency (FEMA) and the City of Oklahoma City, when comparing pre-development and post-development conditions.
- 5) The subject property is located within a FEMA-designated Zones A and AE (100-year floodplain). As a result, minimum finished floor elevations must be established for each lot within or adjacent to the floodplain. These elevations must be based on the 100-year water surface elevation, as determined by either the City of Oklahoma City urbanized study or the FEMA study—whichever is more restrictive or imposes higher standards—plus one (1) foot. The Public Works Department's Engineering staff must review and approve these elevations prior to any development.
- 6) A Floodplain Activity Permit must be submitted along with plans for any work proposed within 200 feet of a mapped FEMA Zone AE floodplain.
- 7) Plans for drainage improvements within private drainage easements and/or common areas must be submitted for review. Building permits will not be issued until construction is complete. For subdivisions abutting a stream, private drainage easements and/or common areas along the stream must, at a minimum, encompass the entire FEMA-mapped Zone AE and floodway within the limits of the development.

- 8) Place the following note on the plat and construction plans: Maintenance of the common areas, private drainage easements, and islands/medians shall be the responsibility of the Property Owners Association and/or the adjacent property owners. 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 drainage related common areas 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 that meets the requirements specified above.
- 9) Drainage easements shall be clearly designated as either public or private in the owner's dedication, on the plat, and/or in the plat notes.
- 10) Sediment and erosion control measures shall be provided for any construction in accordance with Oklahoma Statutes Title 27A, OAC 606 - OPDES Standards, and the City of Oklahoma City Municipal Code, as amended.

A City of Oklahoma City Land Disturbance Permit and an ODEQ Construction Permit are required for land disturbance activities exceeding one (1) acre, as specified by the above-referenced regulations. Additionally, a City of Oklahoma City Land Disturbance Permit is required for any construction activity, regardless of the amount of land disturbed, unless exempt under the ordinance.
- 11) Sidewalks shall be installed for all new construction in accordance with the Municipal Code. Any new sidewalks or repair/replacement of existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction.
- 12) All private roads and streets shall have a private storm sewer system.

8. Stormwater Quality Management

9. Traffic Services *

10. Utilities

a. Wastewater Comments

1. An existing 15-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.

b. Water Comments

1. An existing 16-inch water main(s) is located adjacent to the subject site(s).
2. 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.
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.

c. Solid Waste Management

No Solid Waste Management services requested.

11. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways.
- 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.
- 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.
- Developments should be served by urban water and sewer utility systems.

100-year floodplain associated with a tributary of Deer Creek is present on the subject site. The development is required to comply with all City, State, and Federal requirements within the floodplain. The associated preliminary plat of Solstice (C-7736) indicates 156 single-family lots with 8 common areas. The plat illustrates the small area of floodplain would be located within one of the common areas. Public water and sewer are available on or near the site.

Location:

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

The subject site is located along the north side of NW Expressway, a highway in the Urban Low Intensity LUTA.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family residential development. *The associated preliminary plat of Solstice (C-7736) indicates 156 single-family lots on the 38.48-acre site, or 4.05 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 subject site does not currently have improved access. The associated preliminary plat illustrates that the site would be accessed via a divided boulevard-street along NW Expressway and provide a connection to the north. Access cannot be specified in a base zoning request and is per Code and Subdivision Regulations.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks are not currently available on the subject site. The associated preliminary plat indicates that a four-foot sidewalk will be located on each lot and common area that abuts a local street. Sidewalk requirements would be per Code and cannot be stipulated in a base zoning request.

- 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 residential uses or zoning, “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 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 compatibility issues requiring mitigation related to building scale and site design were identified on the site.*

- 3) Service Efficiency:**

- Water: *Close to Service or Served*
- Sewer: *Open Sewer Sheds or Served*
- Fire Service: *Urban 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 is identified on the subject site in the form of 100-year floodplain associated with a tributary of Deer Creek. The development is required to comply with all City, State, and Federal requirements within the floodplain. The*

associated preliminary plat of Solstice (C-7736) illustrates the small area of floodplain would be located within one of the common areas.

- Upland Forests: N/A
- Vulnerable Aquifers: N/A

5) Transportation System: This site is located on the north side of NW Expressway, a Highway 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)
- 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 congestion at arterial intersections. (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)

b. Plan Conformance Considerations

The subject site is located along the north side of NW Expressway, east of North Mustang Road. The site is currently zoned AA and undeveloped. North of the site is PUD-1756 which is approved for single-family lots and platted as Bison Creek East, but has yet to begin development. Abutting the site to the east is AA-zoned land that is primarily undeveloped aside from small amounts of oil and gas extraction equipment. South of the site, between the site and NW Expressway, is undeveloped R-1 land. Adjacent to the west is PUD-1007 which was approved in 2004 to allow a second single-family residence on the site. At the time of review, it was unclear if the second residence had ever been built. A tributary of Deer Creek, including floodplain, is located along the west boundary of the site. The associated preliminary plat illustrates the small area of floodplain would be located within one of the common areas.

The application seeks to rezone the subject site from AA to the R-1 District. The associated preliminary plat of Solstice (C-7736) indicates 156 single-family lots with 8 common areas. The plat also indicates the presence of statutory right-of-way. Any easement closing application for the right-of-way would be presented to the Planning Commission at a later date. This proposed application to rezone to the R-1 District is consistent with the comprehensive plan and compatible with the surrounding area.

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