

Planning Commission Minutes
March 13, 2025

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:41 a.m. on March 10, 2025)

9. (PC-10964) Application by Builders Investment Group, LLC, to rezone 340 NW 122nd Street from R-1 Single-Family Residential District to R-2 Medium-Low Density Residential District. Ward 7.

The applicant was present. There were no protesters present.

RECOMMENDED APPROVAL.

MOVED BY PENNINGTON, SECONDED BY NOBLE

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 13, 2025

Item No. IV. 9.

(PC-10964) Application by Builders Investment Group, LLC, to rezone 340 NW 122nd Street from R-1 Single-Family Residential District to R-2 Medium-Low Density Residential District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Brady Ghaniabadi
Cut Land Development
405-503-3627
brady@cutlanddevelopment.com

B. Case History

This is a new application.

C. Reason for Request

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

D. Existing Conditions

1. Size of Site: 57,460 Square Feet

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	I-2	R-1	R-1	R-1
Land Use	Residential	Warehouse	Residential	Residential	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 (Oklahoma City)**
- 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) ***
- 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) 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.
- 5) 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.
- 6) 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.
- 7) 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.

- 8) 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.
- 9) 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 8” 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 12" water main(s) is located adjacent to the subject site(s).
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.

7. 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).
8. Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.
9. Plat may be revised after review and approval of utility plans.

c. Solid Waste Management

11. 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.

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 proposed R-2 District would allow one duplex per 50 feet of frontage. 12 dwelling units on the 1.32-acre site would be 9.09 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.
- 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.
- Keep existing alleys open and functional.

The subject site is located along the southern side of NW 122nd Street, west of North Harvey Avenue. The site abuts unimproved right-of-way for North Hudson Avenue to the west. The subject site is currently served via one drive along NW 122nd Street. Code requires residential structures with four or less units to take access from a local residential street, if able, when located along an arterial street.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks are not currently available on the subject site. Sidewalk requirements would be per Code.

2. **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating duplex lots adjacent to existing residential uses, “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 triggers requiring mitigation measures related to building scale were identified. New homes will be located across the street from property zoned I-2 Moderate Industrial. The comprehensive plan states that in some cases a proposed project may need to take measures to reduce the impact of an existing use.*

3. **Service Efficiency:**

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

4. **Environmentally Sensitive Areas:** No ESAs were identified on the site.

5. **Transportation System:** This site is located along NW 122nd Street, a Major Arterial Street in the Urban Low LUTA. Bus transit is available to the southwest, at North Western Avenue and West Hefner Road.

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. (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)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)

b. Plan Conformance Considerations

The subject site is located along the southern side of NW 122nd Street, just west of North Harvey Avenue and about one-half mile east of N Western Avenue. The site abuts unimproved right-of-way for North Hudson Avenue to the west. The site is developed with one single-family residence and is zoned R-1. Across NW 122nd Street, to the north, are industrial uses zoned I-2 and designated as ‘Heavy Industrial’ in the comprehensive plan. Surrounding land to the east, south, and west are developed with a mixture of R-1 and R-2 zoned properties. The nearby R-2 Districts were rezoned from R-1 between 2021 and 2024.

The proposed R-2 District would allow one duplex per 50 feet of frontage. Homes will face industrial uses across the street to the north. The comprehensive plan states that in some cases a proposed project may need to take measures to reduce the impact of an existing use. Plan conformance would be strengthened if access could be shared and the number of driveways on the arterial street limited, but this cannot be specified in a base zoning request.

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

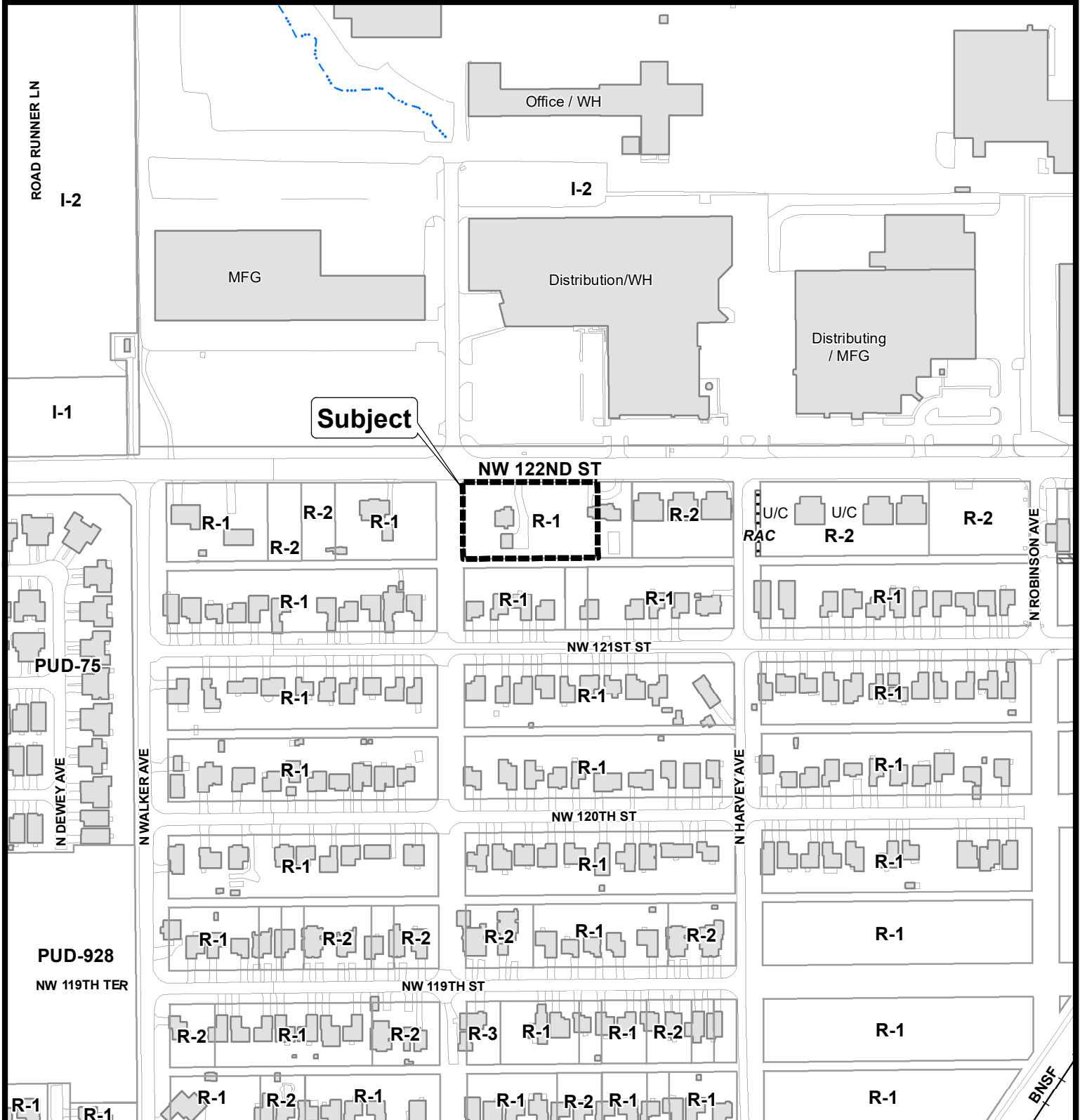
Case No: PC-10964

Applicant: Builders Investment Group, LLC

Existing Zoning: R-1

Proposed zoning: R-2

Location: 340 NW 122nd St.



The City of
OKLAHOMA CITY

Rezoning Application



0 150 300
Feet

Case No: PC-10964

Applicant: Builders Investment Group, LLC

Existing Zoning: R-1

Proposed zoning: R-2

Location: 340 NW 122nd St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Rezoning Application



0 150 300 Feet