



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

Item No. IV. 10.

(C-7707) Preliminary Plat of Whispering Bend (Revised), being a part of the Southeast Quarter of Section 24, Township 13 North, Range 5 West of the Indian Meridian, located north of West Hefner Road and west of North County Line Road; and a Variance to Section 5.3.1.D.5 of the Subdivision Regulations. Ward 1.

I. GENERAL INFORMATION

A. Contacts

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405-265-0641

B. Case History

This is a new application. This plat is in conjunction with an application to rezone the property from R-1 to PUD-2049. A preliminary plat for this site was approved on September 8, 2022, and a final plat for phase 1 was approved on July 13, 2023. These plats conform with the R-1 zoning district requirements. This revised preliminary plat reduces the lot sizes (in conformance with proposed PUD-2049) and increases the lot count. The revised plat also slightly alters the street layout.

C. Reason for Request

The developer proposes a single-family residential development on this site.

D. Existing Conditions

1. Size of Site: 72.48 acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1 (PUD-2049 R-1 Requested)	R-1	PUD-782 (R-1)	AA	AA
Land Use	Vacant	Residences	Residences	Vacant	Vacant

II. SUMMARY OF APPLICATION

The developer is proposing 326 single-family lots and 14 common areas on 72.48 acres, yielding a gross residential density of 4.50 dwelling units per acre. Public streets, storm sewer, sanitary sewer and water improvements are proposed. The site is currently zoned R-1

Single-Family Residential District; however, this plat is in conjunction with an application to rezone the property to PUD-2049, which allows for development under the R-1 Single-Family Residential District with some modifications. PUD-2049 allows minimum lot sizes of 4,500 square feet with 40-foot minimum lot widths. Lots in this plat range in size between approximately 4,700 and 10,000 square feet. Front building setbacks are shown to be 20 feet for all lots in the plat.

Access to this development will be taken from one median-divided connection with N. County Line Road. Street stubs are provided to the north and west. All streets are proposed to have 50 feet of right-of-way width and 26 feet of paving width (with curb and gutter).

A note is required on final plats indicates that maintenance of common areas, private streets, islands, medians, and / or private drainage easements are the responsibility of the property owner's association. An additional note should indicate that sidewalks are required on each lot where they are adjacent to local streets and that those sidewalks are required to be installed with the building permit for each home.

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.

1) 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 (ONG)**
- 5. Oklahoma Electric Cooperative (OEC)**
- 6. Oklahoma Water Resources Board (OWRB)**
- 7. Piedmont School District**
- 8. Oklahoma Turnpike Authority (OTA)**
- 9. Oklahoma Department of Transportation (ODOT)**

2) 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) Streets
 - a) All City streets and drives on City right-of-way serving this subdivision must be paved in accordance with City standards.
 - b) The subject property is served by a public street.
 - 2) Storm Sewer
 - a) 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.
 - b) 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. The improvements shall be placed to provide a minimum of 35 feet clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way. Sidewalks shall be constructed in compliance with the Oklahoma City Ordinance and meet all applicable ADA regulations.
 - c) A flood/drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. The study must be reviewed and approved by the Public Works Department.

- d) 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.
- e) The subject property is situated within a FEMA Flood Plain. Therefore, the establishment of minimum finish-floor elevation for each lot within the floodplain 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-foot. The Public Works Department's Engineering staff shall approve these elevations prior to the filing of the final plat.
- f) A floodplain activity permit must be submitted with plans for any work contemplated within FEMA floodplain.
- g) A Corps of Engineers 404 permit must be submitted for any work permitted in the Waters of the United States.
- h) 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 areas along the stream shall extend to the flow line of the stream at a minimum.
- i) 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 drainage-related common areas and/or drainage easements shown.
- j) Construction within the limits of this plat 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 ½ acre or greater.
- k) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and / or in the plat notes.

- l) 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.
- m) Label Common Area B as a Private Drainage Easement.
- n) As the project encroaches on the FEMA-mapped 1% floodplain (also referred to as the 100-year floodplain), a Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR) must be approved by FEMA, and Flood Study FS-5417 must be approved by the City, prior to the approval of the plans by Public Works. Fill cannot be placed in the floodplain until the CLOMR is approved by FEMA.
- o) All private roads / streets will have private storm sewer systems.
- p) Engineers / Developers will be contacting PW for a detention determination before they submit their Final Plat and Plans.
- q) Detention Determination
 - A detention requirement determination will not be issued at the Preliminary Plat stage unless the development is located within the current “detention required area”.
 - Prior to the preparation of a Final Plat and Construction Plans, the Engineer or Developer may contact the Public Works Engineering Department and receive a Detention Determination for that individual Final Plat
 - This Detention Determination will be specific to the single Final Plat under consideration
 - The Detention Determination will be valid for a period of six (6) months
 - If the Final Plat and Construction Plans have not been submitted, reviewed, and approved by the Public Works Engineering Department within that 6-month time frame, the Detention Determination will be void and a new Detention Determination must be requested.
 - If construction has not started on the development within six (6) months of the approval of the construction plans, the Detention

Determination will be void and a new Detention Determination must be requested.

- For new commercial developments that do not require hearings before the PC or CC, the Engineer or Developer may contact the Public Works Engineering Department and receive a Detention Determination for that commercial development.

- b) Streets, Traffic and Drainage Maintenance
- c) Stormwater Quality Management
- d) Traffic Management *

8. Utilities

1) Sanitary Sewer Availability:

- a) An existing 12-inch / 15-inch wastewater main(s) is located adjacent to the subject site(s).
- b) Line capacity is not a guarantee and must be checked by the Engineer of Record and reviewed by the City.
- c) 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.
- d) 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. 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.
- e) Wastewater main(s) must be centrally located in a twenty (20) foot 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.
- f) 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.

- g) Plat may be revised after review and approval of utility plans.
 - h) SD-2024-00067 has been submitted for review.
- 2) Water Availability:
- a) An existing 12-inch water main(s) is located adjacent to the subject site(s).
 - b) 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.
 - c) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two-foot vertical separation required for all crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
 - d) Proposed and/or existing water mains must be located centrally within a twenty (20) foot wide or larger utility easement or right-of-way. No trees, signs, dumpsters, fenced and/or structures shall be permitted over any proposed or existing utility mains. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
 - e) Dead-end water mains must be avoided when possible. All existing unnecessary water services must be abandoned at the water main(s) in accordance with the City Standard Specifications.
 - f) In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The owner is responsible for designing and construction of all fixtures to provide adequate domestic and fire protection under minimum pressure conditions. The owner will be responsible for any failure of domestic and 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.
 - g) All domestic and fire suppression services must have separate water service connections. Fire hydrant maximum spacing is 500 feet and must be located within 10 feet of a hard surface (i.e., sidewalk, street, and/or paving).
 - h) All existing and proposed meters must meet current Meter Specifications and standard details and be located in the right-of-way or utility easement within grassy areas outside of sidewalks, driveways, streets and/or paving.

- i) Supply capacity for development is not guaranteed and will be reviewed at the time of review of construction documents.
- j) Plat may be revised after review and approval of utility plans.
- k) WA-2024-00067 has been submitted for review.

3) Solid Waste Management

The City can provide residential service provided there is sufficient space for the truck to maneuver to service the addition.

9. Planning

A. 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.

B. Comprehensive Plan Policies:

- 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.
- Maintain, create, and enhance a street network that is highly connected to increase the 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.
- 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.

- 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.
- Require sidewalks on both sides of all streets in urban LUTAs.
- Improve the functionality and efficiency of the street network by:
 - a. Providing direct connections from residential developments to nearby places and to each other.
 - b. Providing street and sidewalk stubs to adjacent vacant land in anticipation of future development.
 - c. Connecting new development to existing street and sidewalk stubs, and to existing trail, open space, and bicycle networks.
 - d. Reducing block sizes and use of dead-end streets.
 - e. Maintaining the existing street grid to preserve connectivity and mobility options.
- Ensure proper access to and between subdivisions in order to offer a choice of routes for residents, multiple access points for emergency responders, and to reduce vehicle congestions at arterial intersections. Contiguous developments should share access whenever feasible.
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible.
- Acquire easements in new and existing developments to develop and connect trails.
- 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.
- Require that new development tie into the park and trail system by providing linkages to existing parks or dedicating new park land. Connect existing parks and neighborhoods to create a continuous system of open spaces, for example along stream corridors.
- 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.

10. Subdivision and Zoning

The design of this preliminary plat conforms with the Subdivision Regulations as they relate to the access requirements for subdivisions with more than 200 lots, as long as a connection is made to the subdivision to the north or a future development to the south or west providing an additional connection back to an arterial street. The single, median-divided connection with N. County Line Road does not provide adequate access for more than 30 lots. A secondary access point / emergency access point may be needed if more than 30 lots are planned before the subdivision connections to another subdivision that provides access back to an arterial street. A median divided entrance that stretches from the entry to the first through street could also provide adequate secondary access. The developer must meet the access requirements established by the Subdivision Regulations for each phase of development. The design of the subdivision meets the requirements of proposed PUD-2049 regarding lot sizes, lot arrangement, minimum lot widths, etc.

Section 5.3.1.D.5 of the Subdivision Regulations requires preliminary plats to provide connections across quarter-sections and to adjacent parcels. The developer should add a street stub to the property to the south to be in compliance with the Subdivision Regulations; otherwise, a variance is required. The Planning Commission shall consider physical barriers, land use incompatibilities, proposed amenities that are under private property owners' control (pools, playgrounds, etc.), existing undeveloped landlocked properties and any potential inappropriate traffic designs to justify a waiver of this requirement.

The size of the plat, 72.48 acres, requires 2.32 acres of open space with 0.56 acres (42,380 square feet) devoted to recreational improvements (Section 5.12.2). The developer is providing approximately 20.14 acres of open space/common area with this plat. A letter from the developer is required with final plats listing the recreational amenities proposed, the locations for those amenities, and their timing of construction.

Section 11250.1 of the Planning and Zoning Code states that all residential developments adjacent to arterial streets must provide a landscaped buffer along the arterial street. It further states that the landscape buffer must be located outside of any subdivision fence and must consist of any combination of trees, shrubs, groundcovers, earthen berms, and/or rock or stone accents, arranged in a manner to achieve visual continuity. A landscape plan is required with each final plat adjacent to an arterial street. The landscaping must be installed prior to the issuance of a certificate of occupancy for any residence within the applicable final plat.

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.

A. Approve the application subject to the approval of PUD-2049 and the following Technical Evaluations:

1. The design of all final plats must meet the access requirements established by the Subdivision Regulations for each phase of development, unless varied by the Planning Commission.
2. A street stub should be added to the property to the south; otherwise, a variance is required to Section 5.3.1.D.5 of the Subdivision Regulations relating to inter-connection between quarter sections and to adjacent parcels. Six affirmative votes will be necessary for approval.
3. No more than 30 lots can be served by the proposed entrance on N. County Line Road. A connection through an adjacent subdivision, providing an additional connection to an arterial street would need to be constructed in order to develop additional lots. Alternatively, a secondary, temporary emergency access drive may be constructed, providing additional access until the permanent connection is made.
4. A letter from the developer must be submitted with final plats stating the type of amenities proposed, the location(s) for those amenities, and their timing of construction.
5. All of the lots must conform to the development regulations stipulated in the proposed PUD-2049 at the final plat stage.
6. A landscape plan is required with each final plat adjacent to an arterial street. The landscaping must be installed prior to the issuance of a certificate of occupancy for any residence within the applicable final plat.
7. The developer will be responsible for constructing a sidewalk along N. County Line Road, and along all of the common areas.
8. "Limits of No Access" must be provided along the section line road on the final plats.

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

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