

Planning Commission Minutes
November 14, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:43 a.m. on November 12, 2024)

15. (PUD-2041) Application by Jufeng Peng to rezone 5701 South Choctaw Road from AA Agricultural District to PUD-2041 Planned Unit Development District. Ward 4.

Amended Technical Evaluation:

1. A 25-foot tree preservation zone shall be provided along the west property boundary.

The applicant was present. There were no protesters present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUTION AS AMENDED.

MOVED BY GOVIN, SECONDED BY NEWMAN

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

ABSENT: PRIVETT



STAFF REPORT
The City of Oklahoma City
Planning Commission
November 14, 2024

Item No. IV. 15.

(PUD-2041) Application by Jufeng Peng to rezone 5701 South Choctaw Road from AA Agricultural District to PUD-2041 Planned Unit Development District. Ward 4.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Mark W. Zitzow
Johnson & Associates, Inc.
(405) 235-8075
mzitzow@jaokc.com

B. Case History

This is a new PUD application. This application was previously considered in September 2024 as a request to rezone to the RA2 District (PC-10944), with an associated application to amend the comprehensive plan and change the Land Use Typology from Rural Low to Rural Medium.

The Commission approved the amendment to the comprehensive plan, but suggested the application be converted to a PUD to address lot size.

C. Reason for Request

The purpose of this application is to allow single-family residential development.

D. Existing Conditions

1. Size of Site: 30 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	AA	AA	AA	AA
Land Use	Undeveloped	Residential	Residential	Residential	Residential

3. Comprehensive Plan Land Use Typology Area: Rural – Medium Intensity (RM)

Rural – Medium is similar to the Rural-Low Typology Area except that it allows higher housing densities. These areas are usually near a fire station. Rural-Medium areas are often located adjacent to Urban-Low and Urban Reserve typologies, which are areas intended to urbanize in the future. While there is no expectation for urban services, RM areas have limited potential to connect to City water or sewer service, and may become

more integrated into the urbanized area in the distant future. Commercial and light industrial uses may be appropriate provided they do not negatively impact the rural residential character.

II. SUMMARY OF PUD APPLICATION

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the **RA2, Single-Family Two-Acre Rural 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:

Bulk Standards:

Minimum Lot Size: 1.5 acres

Maximum Lot Coverage: 30%

Density: 0.50 dwelling units per acre

Common Area Minimum of 10%

Minimum Lot Width: Per base zoning district, except that lots along Choctaw Road shall require a minimum lot width of 200 feet.

9.1 ARCHITECTURAL REGULATIONS

Per base zoning district, except that a maximum of 30% EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed concrete block buildings shall not be permitted.

9.2 LANDSCAPING REGULATIONS

The subject site shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development, except as otherwise noted. Trees within rear yard setbacks and within common area shall be preserved to the maximum extent possible.

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

Screening shall be per base zoning district.

9.5 SUBDIVISION REGULATIONS

Subdivision shall be per the OKC Subdivision Regulations.

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

N/A

9.8 VEHICULAR ACCESS REGULATIONS

Access to this PUD shall be per the Oklahoma City Subdivision Regulations.

9.9 PARKING REGULATIONS

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

9.10 SIGNAGE REGULATIONS

Signage within this PUD shall be per the base zoning district

9.11 ROOFING REGULATIONS

All structures in this PUD shall have Class C roofing or better.

9.12 PEDESTRIAN ACCESS/SIDEWALK REGULATIONS

Five-foot wide sidewalks shall be constructed along the arterial street with each development parcel. Said sidewalks shall be 6-foot wide if the sidewalk is constructed adjacent to the curb, subject to the policies/procedures of the Public Works Department.

9.13 HEIGHT REGULATIONS

The maximum building height for structures within this PUD shall be per the base zoning regulations.

9.14 SETBACK REGULATIONS

Setbacks within this PUD shall be per 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 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.

9.18 SPECIFIC PLAN

A specific plan shall not be required for this PUD.

10.0 DEVELOPMENT SEQUENCE:

Developmental phasing shall be allowed as a part of the development of this PUD. Required traffic improvements shall be permitted to be constructed in conjunction with the phased development of this PUD, as approved by the City's Traffic Division.

11.0 EXHIBITS:

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

- A: Legal Description
- B: Boundary Exhibit
- C: Conceptual Site 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):** Choctaw / Nicoma Park
- 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) Flood Study will be required to show no rise in FEMA Q 100 and the City of Oklahoma City Q 100 water surface elevation, compared pre-and post-development.
- 5) A portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year) frequency plus 1'. The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.
- 6) A floodplain activity permit must be submitted for any work contemplated in The Waters of the United States.
- 7) A Corps of Engineers 404 permit must be submitted with plans for any work contemplated within the floodplain, creek, or channel (waters of the United States) included in the case limits.
- 8) 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.
- 9) 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.
- 10) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 11) 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.
- 12) 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.

- 13) All private roads /streets will have private storm sewer systems.
- 14) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

b. Streets, Traffic and Drainage Maintenance

c. Stormwater Quality Management

d. 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) No water service is available for proposed development, private on-site water system is required. The developer must provide a water distribution system that is capable of supplying water to each lot or tract within the development in accordance with ODEQ and OWRB. Well permits must be obtained from OWRB and a copy of the permit must be filed with the Utilities Department. No private water source or groundwater source may be connected to any service or system connected to the City water system.

Wastewater Availability

- 1) No public wastewater service is available for the development. A private on-site wastewater disposal system is required in accordance with ODEQ rules and regulations. Applicants is responsible for obtaining all required City and ODEQ Permits. On-site wastewater disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.
- 2) Lots must be 3/4 acre to have private well and private septic.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Avoid development within or modification of 100-year floodplains or floodways.

- Design buildings and sites to complement the character of surrounding areas and not detract from the open character of the landscape.
- Utilize Best Management Practices (BMP) for stormwater.
- Cluster development may be appropriate provided it maintains rural character by preserving open space and/or Environmentally Sensitive Areas (ESAs) by clustering lots, and maximum gross density requirements are not exceeded. Open space and/or ESAs should be permanently protected through mechanisms such as conservation easements, dedicated zoning tracts, deed restriction, etc.

Floodway and 100-year floodplain are present on the subject site along a small stream. The development is required to comply with all City, State, and Federal requirements within the floodplain.

Density: The Rural Medium LUTA outlines a minimum lot size of 2 acres and a gross density of 0.5 du/acre or below. Smaller lots (1-2 acres) may be appropriate in cluster developments provided the maximum gross density of the project is maintained. *The PUD limits density to 0.5 du/acre.*

- 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 Low Intensity 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 within Rural Medium areas are less than 40% 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 were identified for height, setbacks or street frontage. Lot coverage allowed in the RA2 District is 30 percent compared to 5 percent for residential uses in the AA District. Two-acre lots are considered compatible with the 5-acre minimum lot size required in adjacent AA Districts.*

- 3) **Service Efficiency:**
- Water: *Not Served*
 - Sewer: *Not Served*
 - Fire Service: *Rural 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 present on*

the subject site in the form of a small stream the bisects the site on the eastern half of the property. Floodway and floodplain are located on the site. The subdivision design indicates the floodway will be contained within a common area.

- 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. *Upland forest is present on nearly the entirety of the subject site. When 90-100% covered, the comprehensive plan has a preservation goal of 60%. The PUD states that trees within rear yard setbacks and common areas will be preserved to the maximum extent possible.*
 - Vulnerable Aquifers: The aquifer in this area is considered moderately vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite. Low impact development techniques include, but are not limited to, using pervious surface materials wherever possible for the construction of driveways, parking areas, sidewalks, patios, etc., to promote increased water percolation and infiltration.
- 5) **Transportation System:** This site is located along the west side of South Choctaw Road, a Major Arterial Street in the Rural Medium LUTA. Transit (bus) service is not available nearby.
- 6) **Other Development Related Policies**
- Preserve overall landscape character and natural landforms (rolling hills, native vegetation, etc.) to the greatest extent possible. (G-4)
 - Ensure that development in rural areas is consistent with local design and scale and does not detract from the open character of the landscape. (SU-45)
 - Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)
 - 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)

b. Plan Conformance Considerations

The subject site is located along the west side of South Choctaw Road, north of SE 59th Street. The site, along with land to the north, south, and west, is zoned AA. The subject site is currently undeveloped forested. Adjacent properties to the north and south are around 9-acres with 5-acre parcels adjacent on the west. Across South Choctaw Road,

to the east, is a residential subdivision (Asheville) developed under PUD-1370 with lots smaller than one acre. The area is primarily developed with single-family residential with scattered, tree-covered vacant lots. The subject site is within the Rural Medium (RM) Intensity Land Use Typology Area (LUTA). The site, along with land to the east and encompassing residential subdivisions along SE 44th Street and South Choctaw Road, was amended from the Rural Low (RL) Intensity LUTA to the Rural Medium LUTA by CPA-24-0006 in September 2024.

The PUD is requested for a rural residential subdivision. This application was previously considered as a request to rezone to the RA2 District (PC-10944). The Planning Commission suggested a PUD in order to establish a minimum lot size larger than would be allowed in the RA2 District (.75 acre without public water and sewer). This new PUD establishes a minimum lot size of 1.5 acres and a maximum density to 0.5 dwelling units per acre, consistent with the Rural Medium LUTA. Common area / open space will be at least 10%, and trees will be preserved within the common areas and rear yards 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.

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.

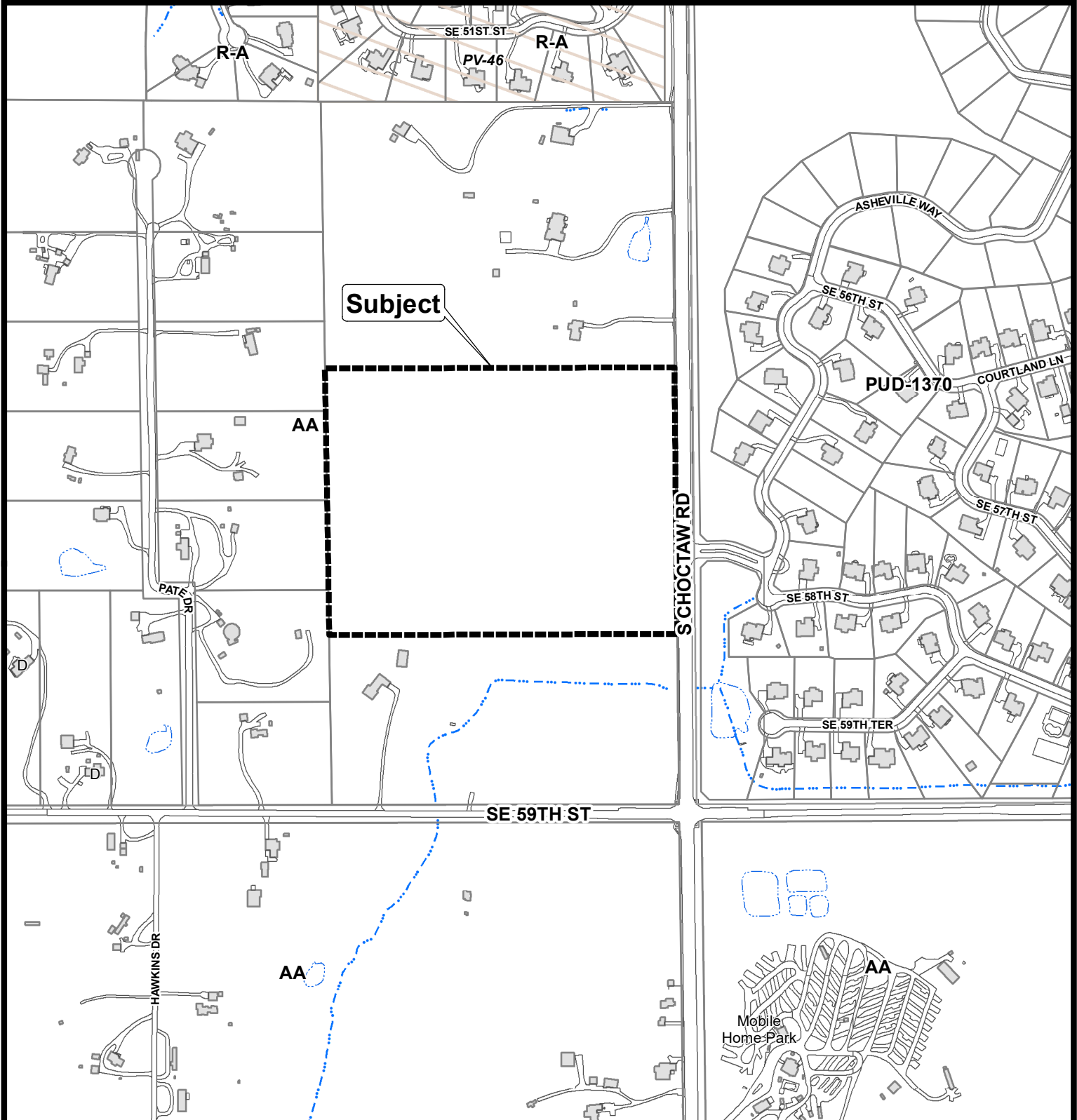
taj

Case No: PUD-2041

Applicant: Jufeng Peng

Existing Zoning: AA

Location: 5701 S. Choctaw Rd.

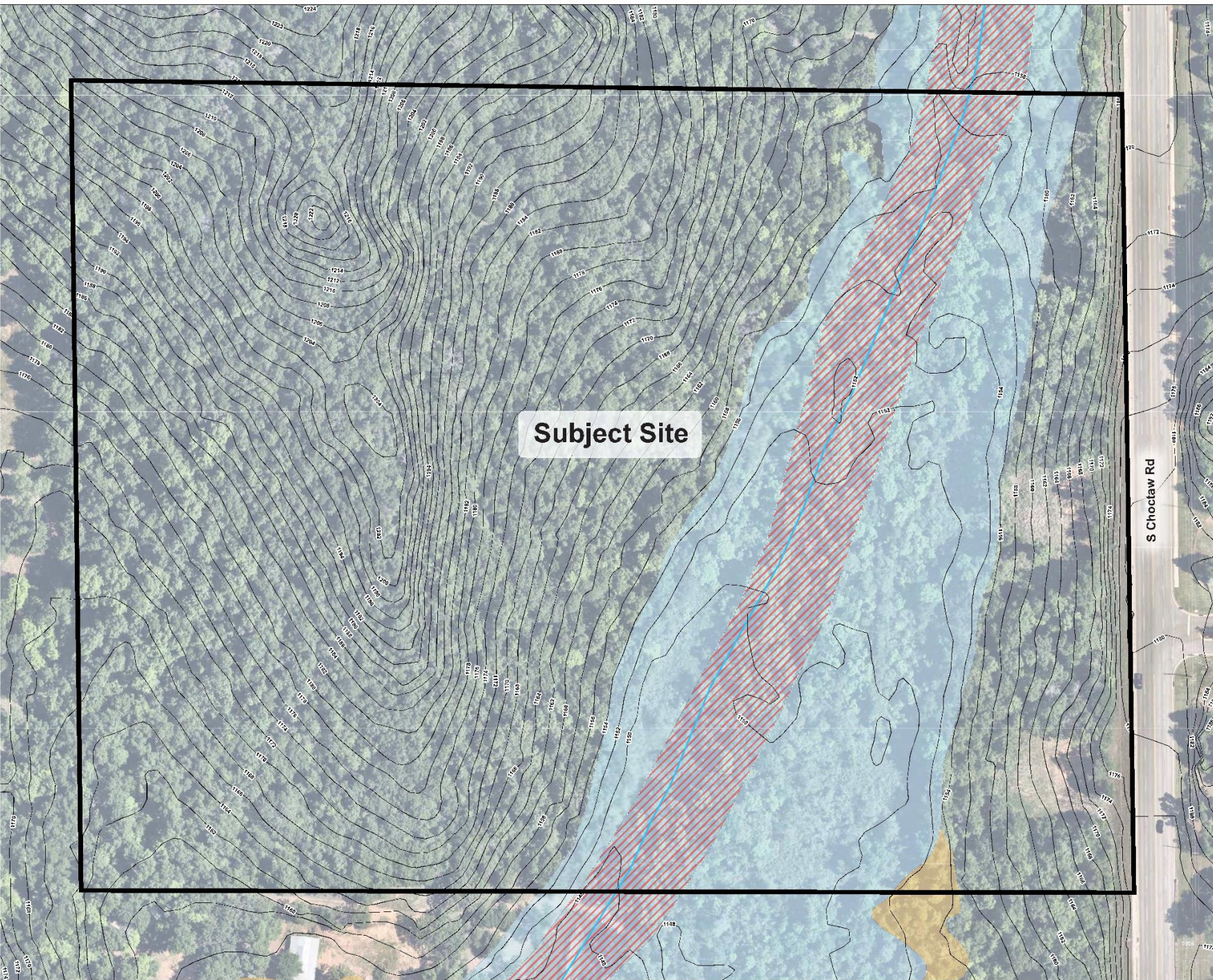


The City of
OKLAHOMA CITY

Planned Unit Development



0 250 500
Feet



PUD-2041
5701 S Choctaw Rd

Exhibit B
Boundary Exhibit
+/-30 Acres



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 233-1111 FAX (405) 233-1112

ENGINEERS SURVEYORS PLANNERS
1/18/24



PUD-2041
5701 S Choctaw Rd

Exhibit C
Conceptual Site Plan
+/-30 Acres
13 Lots



Johnson & Associates
11 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 252-2171 Fax (405) 252-2171

ENGINEER SURVEYOR PLANNER

11/25/24

Conceptual site plan showing feasible action
permitted under proposed rezoning

Case No: PUD-2041

Applicant: Jufeng Peng

Existing Zoning: AA

Location: 5701 S. Choctaw Rd.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Planned Unit Development



0 250 500
Feet