



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**June 12, 2025**

**Item No. IV. 20.**

**(PUD-2070) Application by Vaughn Development, LLC to rezone 2001 East Memorial Road from C-3 Community Commercial District to PUD-2070 Planned Unit Development District. Ward 7.**

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant's Representative**

Mark Zitzow  
Johnson & Associates  
405-235-8075  
mzitzow@jaokc.com

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this application is to allow single-family residential, specifically townhomes, and commercial development.

**D. Existing Conditions**

**1. Size of Site:** 10.5 Acres

**2. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	C-3	C-3 PUD-1572	R-1	R-1, C-3 PUD-311	PUD-360
<b>Land Use</b>	Undeveloped	Retirement Housing	Church	Residential, School, Retail	Medical Clinic

**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-1, Single-Family Residential District** and **C-3, Community Commercial 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 as part of this PUD:

#### **TRACT 1**

The use and development regulations of the R-1 Single-Family Residential District shall govern this PUD, except as herein modified.

#### **Permitted Use(s):**

- Community Recreation: Property Owners Association (8250.3)
- Family Day Care Homes (8300.40)
- Light Public Protection and Utility: Restricted (8250.13)
- Low Impact Institutional: Residential-Oriented (8200.5)
- Model Home (8200.8)
- Single-Family Residential (8200.14) (including Single-Family Residential and single-family attached housing/Townhome)

#### **Tract 1 Bulk Regulations**

Minimum Lot Size: 2,000 square feet

Maximum Building Coverage: 80%

Maximum Height: Per the base zoning district

Maximum Density: 10 Units per acre

Minimum Lot Width: 20-feet

#### **Setbacks:**

Front Yard: 15-feet, except that garages shall be setback 18-ft from the back of the sidewalk.

Side Yard: 0-feet

Corner Side Yard: - 5-feet, Memorial Road: 15 feet, Eastern Ave.: 15 feet

Rear Yard: 5-feet

**Tract 2**

The use and development regulations of the C-3, Community Commercial District shall govern this PUD, except as herein modified.

Permitted Use(s):

- Administrative and Professional Offices (8300.1)
- Alcoholic Beverage Retail Sales (8300.5)
- Animal Sales and Services: Grooming (8300.8)
- Animal Sales and Services: Kennel and Veterinary, Restricted (8300.11)
- Automotive: Parking Lots, as a Principal Use (8300.13)
- Building Maintenance Services (8300.23)
- Business Support Services (8300.24)
- Child Care Centers (8300.25)
- Communications Services: Limited (8300.29)
- Community Recreation: General (8250.2)
- Community Recreation: Property Owners Association (8250.3)
- Community Recreation: Restricted (8250.4)
- Cultural Exhibits (8250.5)
- Eating Establishments: Drive-In (8300.34) (speaker boxes shall be a minimum of 75-feet from any residentially developed property)
- Eating Establishments: Fast Food (8300.35)
- Eating Establishments: Fast Food, With Drive-Thru Order Window (8300.36) (speaker boxes shall be a minimum of 75-feet from any residentially developed property)
- Eating Establishments: Sitdown (8300.37)
- Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)
- Food and Beverage Retail Sales (8300.41)
- Gasoline Sales. Small: Restricted (8300.46)
- Greenhouse (8150.6.3)
- Hoop House (8150.6.5)
- Laundry Services (8300.48)
- Library Services and Community Centers (8250.11)
- Light Public Protection and Utility: General (8250.12)
- Light Public Protection and Utility: Restricted (8250.13)
- Low Impact Institutional: Neighborhood-Related (8250.14)
- Medical Services: General (8300.52)
- Medical Services: Restricted (8300.53)
- Participant Recreation and Entertainment: Indoor (8300.55)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)
- Repair Services: Consumer (8300.61)
- Research Services: Restricted (8300.62)
- Retail Sales and Services: General (8300.63)
- Senior Independent Living (8200.13)

Tract 2 Bulk Regulations

Minimum Lot Size: Per the base zoning district  
Maximum Building Coverage: Per the base zoning district  
Maximum Height: 35 feet  
Minimum Lot Width: Per the base zoning district

Setbacks:

North Tract Boundary: 10-feet  
East Tract Boundary: 10-feet  
South Tract Boundary: 20-feet  
West Tract Boundary: 20-feet

**9.1 ARCHITECTURAL REGULATIONS**

Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick, brick veneer, masonry, rock, concrete, stone, stucco, stone masonry, concrete-board, architectural metal or wood, or other similar type finish. A maximum of 30% EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed metal or 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.

**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 sight proof screen shall be required along boundaries adjacent to developed residential uses. Said sight-proof screen may be constructed of stucco, brick, stone, wood, steel/iron and/or any combination thereof and shall be solid and opaque.

**9.5 SUBDIVISION REGULATIONS**

Per the 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**

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.

#### **9.8 VEHICULAR ACCESS REGULATIONS**

Access shall be per code.

Access to this PUD/Tract may be via a divided street with central landscaped medians. A minimum 20-foot pavement lane shall be required on either side of said 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.

Garages shall count towards the parking requirements.

#### **9.10 SIGNAGE REGULATIONS**

Signage in 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.

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 of this PUD.

**9.13 HEIGHT REGULATIONS**

Height regulations established in the bulk standards of section 9.0.

**9.14 SETBACK REGULATIONS**

Setback regulations established in the bulk standards of section 9.0.

**9.15 MINIMUM LOT SIZE AND WIDTH REGULATIONS**

Minimum lot size and width regulations established in the bulk standards of section 9.0.

**9.16 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.

**9.17 COMMON AREAS**

Maintenance of the common areas, private drainage easements, private drives 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.

**9.18 SPECIFIC PLAN AND FINAL PLAT**

A specific plan shall be required for new development requiring commercial building permits.

**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: 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): (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 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 U.S. Corps of Engineers Section 404 permit must be submitted for any work conducted in The Waters of the United States.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) 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.

- 9) 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.

10) All private roads and streets shall have a private storm sewer system.

11) Amend Section 9.17 Common Areas: Maintenance of the common areas, private drainage easements, and islands/medians shall be the responsibility of the property owner\_\_ \_.

**b. Stormwater Quality Management**

**c. Traffic Services \***

**8. Utilities**

**a. Solid Waste Management**

- 1) The City cannot service commercial locations. For residential area the City can provide service provided there is sufficient space for the truck to maneuver and for trash carts to be stored.

**b. 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) Each unit must have a separate water meter and connection to the main.

**c. 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) Each unit must have a separate wastewater connection to the main.

**9. Planning**

**a. Comprehensive Plan Considerations**

**1) LUTA Development Policies:**

Site Design:

- 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.

*A pond and a small stream are located along the northern boundary of the subject site. The PUD Master Design Statement does not address these features; however, the conceptual plan for the development illustrates development would occur to the south of pond and stream areas. National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available.*

Location:

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

*The subject site is located at the northeast corner of East Memorial Road and North Eastern Avenue, arterial streets in the Urban Low Intensity LUTA.*

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. UL LUTA outlines a density range of 4 to 8 dwelling units per acre for single family residential development. *The PUD regulations could provide for a FAR within the Urban Low Intensity LUTA range. The PUD is requested for mixed-use development, including one commercial tract and a residential tract. The PUD Master Design Statement proposes a maximum density of 10 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.
- Development fronting arterials should take access from intersecting streets where possible.
- Primary entrance points should be aligned with access points immediately across the street.
- Retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores.
- Provide vehicular connectivity between adjacent developments.
- Horizontally mixed-use developments should have connectivity between land uses.

*The subject site is located at the northeast corner of East Memorial Road and North Eastern Avenue, arterial streets in the Urban Low Intensity LUTA. The site does not currently have improved access. The PUD proposes utilizing Code requirements for automobile connectivity, with additional language included that*

*access to the PUD may be via a divided street with central landscaped medians, with a minimum 20-foot pavement lane required on either side of the median. The conceptual plan for the development illustrates one access point along North Eastern Avenue and two access points along East Memorial Road. One of the East Memorial Road connections provides access to Tract 2, which connects to Tract 1.*

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 currently only available at the arterial intersection. The PUD regulations require sidewalks along arterial 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 or proposed residential uses or zoning, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” 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 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 proposes a commercial tract at the arterial intersection, with residential development on the remainder of the site. Tract 1, the residential tract, proposes a front yard setback of 15 feet, except that garages shall be setback 18 feet from the back of the sidewalk, 5 feet on the interior side yard, 15 feet on the corner side yards (along East Memorial Road and North Eastern Avenue) and 5 feet for the rear yard setback. Tract 2 proposes 10-foot setbacks on the north and east and 20-foot setbacks on the south and west. Maximum building coverage for Tract 1 is proposed at 80%. The PUD proposes utilizing the base R-1 District for maximum building height in Tract 1 and a maximum height of 35 feet for Tract 2. The base C-3 District of Tract 2 would typically require a step-down in height adjacent to 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 at the northeast corner of East Memorial Road and North Eastern Avenue, arterial streets in the Urban Low Intensity LUTA. No other compatibility issues related to traffic were identified on the subject site.*

Operational Impact: The comprehensive plan calls for mitigation measures if new projects propose uses that generate noise levels above those found in typical residential settings, have detectable odors, spill light above that found in typical residential settings, or operate after 10 p.m. within proximity to residential uses. When located near residential uses, the comprehensive plan calls for containing operating effects (including noise and odor) within building walls, using vertical screening to block any mechanical equipment and service areas, and directing light away from adjacent residential areas. *The PUD proposes a commercial tract at the arterial intersection, with residential development on the remainder of the site. Some of the proposed uses may create spill light, noise, or detectable odors above those found in typical residential settings. The PUD provides some mitigation by requiring drive-in and drive-thru eating establishments to locate speaker boxes a minimum of 75 feet from any residentially developed property. The PUD maintains Code requirements for site lighting and requires no less than a six-foot and no greater than an eight-foot-high sight proof screen shall be required along boundaries adjacent to developed residential uses.*

**3) Service Efficiency:**

- Water: *Served*
- Sewer: *Served (Open Sewer Sheds or 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 that intersects the northern portion of the site. Floodplain is not present. The PUD Master Design Statement does not address the stream, or the pond located along the northern boundary; however, the conceptual plan for the development illustrates development would occur to the south of pond and stream areas. National, state, and local permitting require basic best management practices for stormwater management. Plan conformance would be strengthened by maintaining the riparian area in a natural state and keeping all structures and impervious paving at least 100 feet from the stream bank.*
- Upland Forests: N/A
- Vulnerable Aquifers: N/A

**5) Transportation System:** This site is located at the northeast corner of East Memorial Road and North Eastern Avenue, both Major Arterial Streets in the Urban Low LUTA. The nearest transit (express bus) service is located along E Memorial Rd with a stop across from the subject site and on the same side of the street at NE 140<sup>th</sup> Street. According to Streetlight data, last collected in 2022, East Memorial Road had 15,570 average daily trips, with a capacity of 22,000 and North Eastern Avenue had 12,717 average daily trips, with a capacity of 22,000.

**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)
- Favor commercial development clustered in nodes at arterial or collector intersections or along brief “main street” style corridors over commercial development extending in a linear pattern for long distances along highway, arterial, or collector corridors. (SU-25)
- Regional-, community-, and neighborhood-scale retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores that draws on the following principles:
  - Concentrate access for new retail development at shared primary entrance points. Primary entrance points should be aligned with access points immediately across intersecting roads. Limit curb cuts on primary highways and arterials.
  - Provide pedestrian circulation, including sidewalks and median breaks along interior and exterior fronting roads and within parking lots.
  - Encourage coordinated development of retail centers in order to facilitate internal pedestrian and vehicle circulation and optimal center performance (SU-27)
- Commercial buildings should be built at the street rather than behind a parking lot in order to promote pedestrian circulation, multipurpose shopping trips, and walkable and attractive streetscapes. (SU-28)
- New neighborhood-scale retail should be located within new residential growth areas to serve daily shopping needs and limit trip distances. In newly developing areas, this retail format is preferred to the existing linear development patterns along arterials. (SU-30)
- Neighborhood-scale retail should be developed at the median breaks or intersections of major or minor connectors. (SU-31)
- 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 congestions at arterial intersections. (C-32)
- 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)
- 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 at the northeast corner of East Memorial Road and North Eastern Avenue. The site is zoned C-3 and undeveloped. Land to the north is developed with an event center (Wings) and beyond that a retirement center, both zoned as part of PUD-1572 (2015). Abutting to the east is a church zoned R-1. Across East Memorial Road, to the south, are retail, office, and single-family residences zoned as part of PUD-311 (1988) and the R-1 District. West of the site, across North Eastern Avenue, is a medical clinic zoned as part of PUD-360 (1990).

The PUD is requested for mixed-use development, including a commercial tract at the arterial intersection, with residential development, including single-family residential, specifically townhomes, on the remainder of the site. The PUD proposes utilizing the base R-1 District for maximum building height in Tract 1 and a maximum height of 35 feet for Tract 2. The base C-3 District of Tract 2 would typically require a step-down in height adjacent to residential development. Some of the proposed commercial uses may create spill light, noise, or detectable odors above those found in typical residential settings. The PUD provides some mitigation by requiring drive-in and drive-thru eating establishments to locate speaker boxes a minimum of 75 feet from any residentially developed property. The proposed setback is greater than would be required under the site's existing C-3 District. The PUD maintains Code requirements for site lighting and requires no less than a six-foot and no greater than an eight-foot-high sight proof screen shall be required along boundaries adjacent to developed residential uses.

Riparian area is present on the subject site in the form of a small stream that intersects the northern portion of the site. Floodplain is not present. The conceptual plan for the development illustrates development would occur to the south of pond and stream areas, which would be open space for residents. National, state, and local permitting require basic best management practices for stormwater management. Plan conformance would be strengthened by maintaining the riparian area in a natural state and keeping all structures and impervious paving at least 100 feet from the stream bank. The proposal is consistent with the area. The Master Design Statement should specify

the proposed bulk regulations for Tract 1 apply if developed as townhomes, otherwise the base R-1 District regulations would apply.

#### **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 Evaluation:**

1. Specify that the bulk regulations proposed for Tract 1 apply if developed as townhomes, otherwise the base R-1 District regulations will apply.

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