

Planning Commission Minutes

March 10, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:24 a.m. on March 7, 2022.)

19. (SPUD-1393) Application by Kyle Isbell, to rezone 10501 East Memorial Road from the AA Agricultural District to the SPUD-1393 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY PENNINGTON, SECONDED BY PRIVETT

AYES: CRAVENS, CLAIR, POWERS, PRIVETT, HINKLE,
HIGHSMITH, PENNINGTON

ABSENT: LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 10, 2022

Item No. IV. 19.

(SPUD-1393) Application by Kyle Isbell, to rezone 10501 East Memorial Road from the AA Agricultural District to the SPUD-1393 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant/Developer Representative

Name Kyle Isbell
Phone 405-650-1632
Email kyle @abidehomes.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit 5 one-acre residential tracts.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Rural – Low Intensity (RL)

Rural – Low Intensity applies to areas where large-lot neighborhoods and residential acreages/estates may remain with no expectation of urbanization or provision of urban infrastructure such as water or sewer. RL areas are predominantly composed of residential and agricultural uses but may support commercial and light industrial uses provided they do not negatively impact the rural residential character.

2. Size of Site: 5.0 acres

3. Zoning and Land Use

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

4. Development Context: The subject site is located at the northeast corner of E Memorial Road and Exminster, a private street located east of Post Road. The subject site and the surrounding area are zoned AA except for PUD-848 to the southeast, which was zoned in 2002 to allow residential and equestrian uses.

The PUD is requested to allow the 5-acre subject site to be subdivided into 5 lots oriented toward Exminster, a private residential street. I-44/Turner Turnpike is one-quarter-mile north but access to the turnpike is several miles away at I-35.

II. SUMMARY OF PUD APPLICATION

This SPUD shall be developed in accordance with the regulations of the **AA Agricultural District** (OKC Zoning Ordinance, 2020), except as modified herein:

1) The following uses shall be permitted within this SPUD:

Single-Family Residential (8200.14) (maximum 5 lots)
Community Garden (8150.6.1)
Community Recreation: Property Owner's Association (8250.3)

2) Minimum Lot Size

The minimum lot size shall be 36,000 square feet.

3) Maximum Lot Coverage

30 percent

4) Minimum Lot Width

120 feet

5) Maximum Building Height:

The maximum building height shall be 35 feet.

6) Maximum Building Size:

The maximum building size within this SPUD shall be governed by the base zoning district.

7) Maximum Number of Buildings:

The maximum number of buildings per lot shall be governed by the base zoning district.

8) Building Setback Lines

Front yard: 25 feet

Rear yard: 25 feet

Side yard: 25 feet if not served by public water supply (10 feet if served)

Corner side yard: 25 feet

9) Sight-Proof Screening:

Sight-proof screening shall not be required.

10) Landscaping:

The landscaping shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

11) Signs:

Signs shall not be permitted.

12) Access:

Access to all individual lots shall be taken from Exminster.

II. Other Development Regulations

1. Architecture:

Architectural regulations shall be governed by the base zoning district.

2. Street Improvements:

N/A.

3. Sidewalks:

Sidewalks shall not be required.

4. Other:

4.1 Lighting:

The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

4.2 Dumpsters:

Dumpsters are prohibited except during construction.

4.3 Drainage:

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

3.4 Parking:

Parking requirements shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

4.5 Common Areas:

Maintenance of all common areas in the development and maintenance of all amenities located within the common areas shall be the responsibility of the owner(s) of said property. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause 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.

III. Supporting Documents:

Exhibit A: Legal Description
Exhibit 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**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas:** Please be advised ONG has an underground or aboveground facility in the area. If you need our facilities relocated to accommodate your excavation or construction, ONG will provide you a cost estimate. Prior to excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior for exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District(s) Jones**
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire:** Objection, if creating lots less than 5 acres without City water supply, water tanks for firefighting or sprinklers are needed.
- 4. Information Technology/Geographic Support**
- 5. Parks and Recreation**
- 6. Police**
- 7. Public Works**
 - a. Engineering**
 - b. Streets, Traffic and Drainage Maintenance**
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) 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.
- 5) 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.
- 6) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 7) Construction within the limits of this SPUD 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.

- 8) 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.
- 9) All private roads /streets will have private storm sewer systems.
- 10) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

c. Stormwater Quality Management

d. Traffic Management

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) No wastewater service is available for proposed improvements, private on-site sewage disposal systems are required in accordance to ODEQ rules and regulations. On-site sewage disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.

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 improvements, private on-site water systems are required. The developer will provide an inter (on-site) water distribution system capable of supply water to each lot or tract within the proposed subdivision or land development in accordance with City Standard Specifications and the current Subdivision Regulations.

9. Planning

a. Comprehensive Plan Considerations

1) **LUTA Development Policies:**

Site Design:

- Design new buildings to compliment the character of surrounding areas and not detract from the open character of the landscape.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.

National, state, and local permitting require basic best management practices for stormwater management.

Density: The Rural Low LUTA outlines a minimum lot size of 5 acres (gross density of 0.2 du/acre) for residential. *The PUD proposes five lots on the 5-acre site, inconsistent with the Rural Low LUTA.*

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating low intensity residential adjacent to existing agricultural or low-intensity residential development, “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 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. *The PUD is requested to allow a 5-acre parcel to be split into five new lots. Developed residential lot sizes in the area range from 1.66 acres on the north to 10 acres farther west. Access to all new residences would be from Exminster. No compatibility issues related to building orientation, building height or setbacks were identified. Maximum lot coverage is proposed at 30 percent compared to 5 percent for residential uses in the surrounding AA District.*

3) **Service Efficiency:**

- Water: *Not served*
- Sewer: *Not available, need for major investment*
- Fire Service: *Rural Service Level (majority of site) and Longer than Rural on northern portion of site)*

- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:

- Riparian areas: N/A
- Upland Forests: N/A
- Vulnerable aquifers: The aquifer in this area is considered highly 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.

5) Transportation System: This site is located off E Memorial Road a Minor/Rural Arterial Street, and along Exminster, a private neighborhood street in the Rural Low LUTA. Transit (bus) service is not available.

6) Other Development Related Policies

- 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)
- Preserve overall landscape character and natural landforms (rolling hills, native vegetation, etc.) to the greatest extent possible. (G-4)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)

b. Plan Conformance Considerations

The 5-acre subject site is located at the northeast corner of E Memorial Road and Exminster, a private street located east of Post Road. The subject site is within the Rural Low Intensity LUTA which calls for a minimum lot size of 5 acres. The existing AA District is consistent with the comprehensive plan. The PUD is requested to split the parcel into 5 new lots. The proposed lot size and density are not in conformance with the comprehensive plan. Other than the lot size, the only other variations to the AA District bulk regulations are lot coverage and setbacks, which mirror the regulations of the rural residential (RA and RA2) zoning districts.

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

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SPUD-1393

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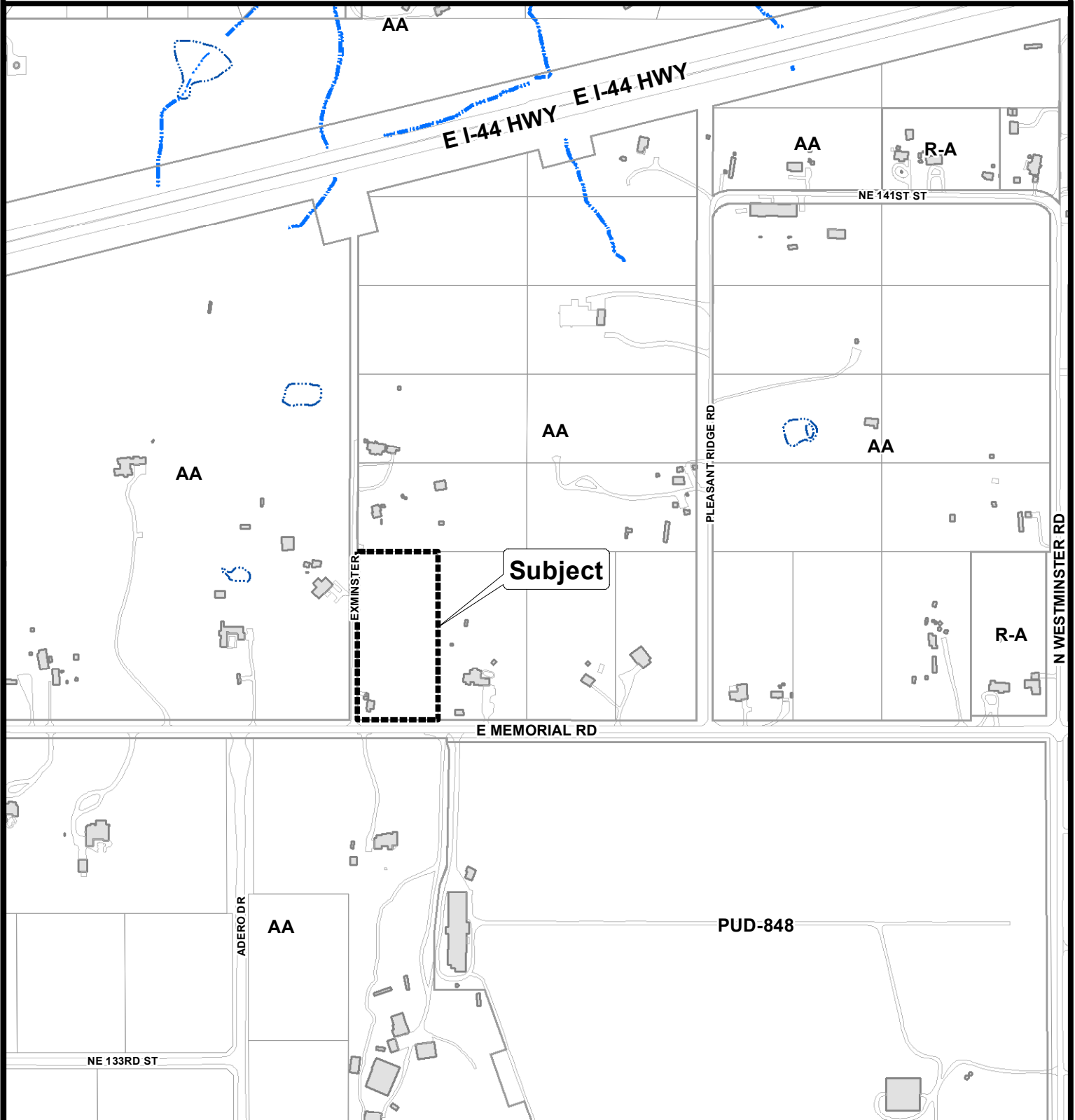
Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.

Denial of the application.

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

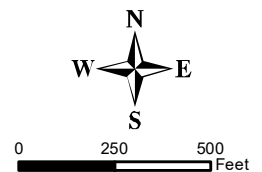
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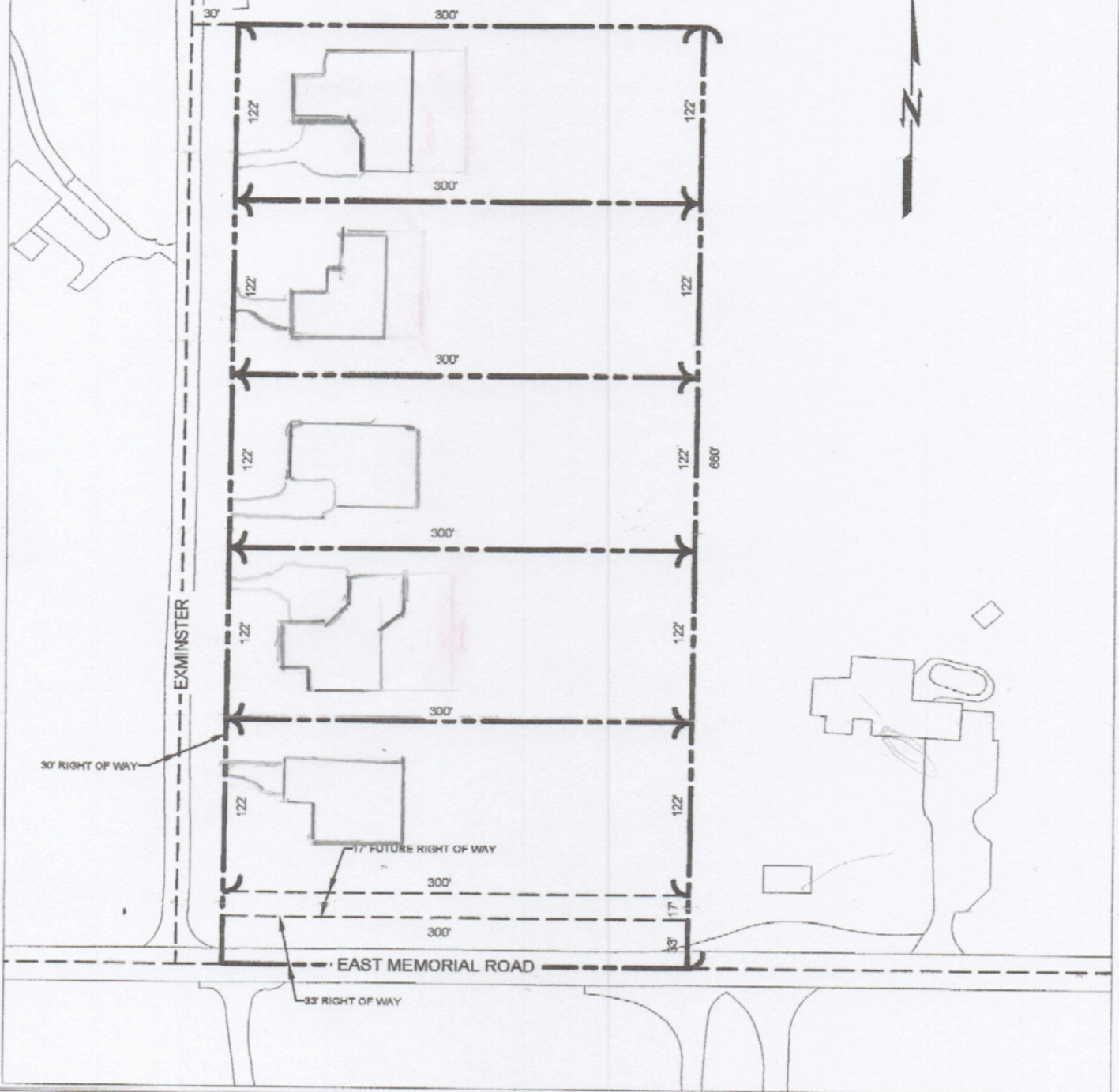
Case No: SPUD-1393 Applicant: Kyle Isbell
Existing Zoning: AA
Location: 10501 E. Memorial Rd.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development





**wallace
design
collective**

wallace design collective, pc
structural - civil - landscape - survey
410 north walnut avenue, suite 200
oklahoma city, oklahoma 73104
405.266.2888 - 800.364.8888
wallace.design
ok ca 1460, EXP DATE: 06.30.23

SITE PLAN

PROJECT NO. 2180066

DATE: 07-21-2021

PAGE 1 OF 1

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Existing Zoning: AA
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Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



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Feet