

**THE CITY OF OKLAHOMA CITY
PLANNED UNIT DEVELOPMENT**

PUD - 1887

**DESIGN STATEMENT FOR
12601 N Western Ave.**

May 26, 2022

Owner:

Chisholm Creek Partners, LLC
15405 Kestral Lake Dr.
Edmond, OK 73013

Prepared by:

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1.0 INTRODUCTION:

The Planned Unit Development (PUD) consists of +/- 49.38 acres, located within the southeast quarter of Section 17, Township 13 North, Range 3 West, of the Indian Meridian, Oklahoma County, Oklahoma. The subject property is located at 12601 N Western Ave., northwest of N Western Ave. and NW 122nd St. in north Oklahoma City.

2.0 LEGAL DESCRIPTION:

The legal description of the overall property is described in the attached Exhibit A and is made a part of this Design Statement.

3.0 OWNER/DEVELOPER:

The owner/developer of this property described in Section 2.0 is Chisholm Creek Partners, LLC. Johnson & Associates prepared the PUD document.

4.0 SITE AND SURROUNDING AREA:

The subject property is located at 12601 N Western Ave., northwest of N Western Ave. & NW 122nd St. The property is currently zoned as R-1, "Single-Family Residential" District. The site is largely undeveloped with several small structures including three single-family structures.

North: North of the subject site is zoned as R-1, "Single-Family Residential" District and PUD-1515 with as base zoning of C-3, "Community Commercial" District. The area that is zoned as R-1 is developed as the Bethel Foundation and the PUD section is developed as Top Golf.

East: East of the subject site is zoned as R-1, "Single-Family Residential" District and N Western Ave. Beyond is zoned as PUD-707 and developed as baseball fields.

South: Immediately south of the subject site is zoned as SPUD-1058 and PUD-1496. SPUD-1058 has a base zoning district of R-4, "General Residential" and is undeveloped. PUD-1496 has a base zoning of R-4, "General Residential" District and is developed as an assisted living center.

West: Directly west of the subject site is zoned and developed as PUD-1134 with a base zoning of R-1ZL, "Single-Family Residential Zero Lot Line" District.

5.0 PHYSICAL CHARACTERISTICS:

The subject site is +/- 49.38 acres and is largely undeveloped with several small structures including three single-family structures. The property is not within the FEMA Floodplain. There is one USACoE regulated "Blue Line Streams" running through the property. There is minimal tree cover on the property. The proposed development will be designed to meet all the requirements of the City of Oklahoma City Drainage Ordinance.

6.0 CONCEPT:

It is the developer's intent to develop the subject site as a mixed-use development with multiple housing types and commercial uses. In various portions of Oklahoma City, varieties of housing types are needed. This project seeks to provide both high and medium density residential with different lifestyle types. The multi-family residential apartment buildings will have structure parking with interior corridors servicing the individual units. All development will be accompanied by expansive open spaces and common areas for all residents to enjoy. This development will compliment surrounding uses by further enhancing the Western Ave. corridor with new multifamily and commercial uses. By modifying the existing zoning requirements, the design statement and exhibits that constitute this PUD will provide the developer with the flexibility desired to develop the site in a way the compliments the surrounding area.

7.0 SERVICE AVAILABILITY:

7.1 STREETS

Access into this PUD shall be via N Western Ave.

7.2 SANITARY SEWER

Sanitary sewer will be provided by extension of The City of Oklahoma City sewer line which is currently serving the area.

7.3 WATER

Water is available to the site and will be provided by extension of The City of Oklahoma City water line system.

7.4 FIRE PROTECTION

Fire protection for the site shall be provided through the City of Oklahoma City Fire Department. The closest Fire Station to this site is Station No. 15 at 2817 NW 122nd St. is approximately 2.2 miles west of the subject site.

7.5 GAS SERVICE, ELECTRICAL SERVICE, AND TELEPHONE SERVICE

Proper coordination with all utility providers for extension of services will be made in conjunction with this development.

7.6 PUBLIC TRANSPORTATION

There are no bus stops within this Planned Unit Development. The closest EMBARK route is 005 Memorial Rd. with the closest bus stops being approximately 0.75 miles south and west of the subject site along Hefner Rd. and N Pennsylvania Ave, respectively.

7.7 DRAINAGE

The proposed development will comply with the current City of Oklahoma City Drainage Ordinance.

7.8 planokc COMPREHENSIVE PLAN

planokc projects this parcel to be in the Urban Low Intensity (UL) area. Urban Low 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. The uses proposed in this Planned Unit Development are consistent and in compliance with the UL area standards. The Urban Low designation calls for a gross density of 4-8 dwelling units per acre for single family and 15-30 dwelling units per acre for multifamily.

8.0 SPECIAL DEVELOPMENT REGULATIONS:

The following Special Development Regulations and/or limitations are placed upon the development of the PUD. Planning and zoning regulations will be those which are in effect at the time of development of this PUD, provided, however, that the density and or intensity of the PUD shall not be increased. Development is when a permit is issued for any construction or addition to any structure on a development tract. Certain zoning districts are referred to as a part of the Special Development Regulations of this PUD. For purposes of interpretation of these Special Development Regulations, the operative and controlling language and regulations of such zoning districts shall be the language and regulations applicable to the referenced zoning districts as contained in the City of Oklahoma City's Planning and Zoning Code as such exists at the time of development of this PUD. In the event of conflict between provisions of this PUD and any of the provisions of the Oklahoma City Municipal Code, as amended ("Code"), in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this PUD, the provisions of the Code shall prevail and be controlling; provided however, that in the event of a conflict between the Special Use and Development Regulations specifically negotiated as a part of this PUD and the provisions of the Code in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this PUD, such Special Use and Development Regulations of this PUD shall prevail and be controlling.

8.1 USE AND DEVELOPMENT REGULATION

This PUD shall consist of two Tracts.

TRACT ONE

The use and development regulations of the **R-1ZL, "Single-Family Residential Zero Lot Line" District** shall govern Tract 1, except as herein modified.

The following uses shall be the only uses permitted within this Tract:

- Artistic Graphics (8250.1)
- Community Recreation: General (8250.2)
- Community Recreation: Property Owners Association (8250.3)
- Community Recreation: Restricted (8250.4)
- Cultural Exhibits (8250.5)
- Family Day Care Homes (8300.40)
- Greenhouse (8150.6.3)
- Home Garden (8150.6.4)
- Light Public Protection and Utility: Restricted (8250.13)

- Low Impact Institutional: Residential-Oriented (8200.5)
- Murals (8250.16)
- Rainwater Harvesting (8150.7.1)
- Roof Garden (8150.7.2)
- Single-Family Residential (8200.14) units may be attached or detached
- Three- and Four-Family Residential (8200.15)
- Two-Family Residential (8200.16)
- Multifamily residential (8200.12) (no more than 4 units attached per structure)

Setbacks: There shall be no interior setbacks within this tract, except as required by the City of Oklahoma City Fire Code.

Minimum Lot Size: 3,500 sf

Density: The maximum density of this tract shall be 15 dwelling units per acre.

Height: Maximum of 35 feet

TRACT 2

The use and development regulations of the **R-4, “General Residential” District** and the **C-3, “Community Commercial” District** shall govern Tract 2, except as herein modified.

The following uses shall be the only uses permitted within this Tract:

- Administrative and Professional Offices (8300.1)
- Alcoholic Beverage Retail Sales (8300.5)
- Animal Sales and Services: Grooming (8300.8)
- Animal Sales and Services: Kennels and Veterinary, Restricted (8300.11)
- Automotive: Parking Garages (8300.12)
- Automotive: Parking Lots, as a Principal Use (8300.13)
- Building Maintenance Services (8300.23)
- Business Support Services (8300.24)
- Child Care Centers (8300.25)
- Community Garden (8150.6.1)
- Community Recreation: General (8250.2)
- Community Recreation: Property Owners Association (8250.3)
- Community Recreation: Restricted (8250.4)
- Convenience Sales and Personal Services (8300.32)
- Cultural Exhibits (8250.5)
- Custom Manufacturing (8350.3)
- Dwelling Units and Mixed Uses (8200.2)
- Eating Establishments: Fast Food (8300.35) This use unit is further restricted to “fast casual” eateries with no drive thru. “Fast casual” is defined as a restaurant with a central ordering point rather than a server.
- Eating Establishments: Sitdown (8300.37)
- Eating Establishments: Sitdown, Alcohol Permitted (8300.38)
- Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)
- Family Day Care Homes: (8300.40)
- Food and Beverage Retail Sales (8300.41)

- Greenhouse (8150.6.3)
- Group Residential (8200.3)
- Home Garden (8150.6.4)
- Library Services and Community Centers (8250.11)
- Light Public Protection and Utility: General (8250.12)
- Light Public Protection and Utility: Restricted (8250.13)
- Lodging Accommodations: Commercial Lodging (8300.51)
- Lodging Accommodations: Home Sharing (8300.51.1)
- Low Impact Institutional: Neighborhood-Related (8250.14)
- Medical Services: General (8300.52)
- Medical Services: Restricted (8300.53)
- Multiple-Family Residential (8200.12)
- Participant Recreation and Entertainment: Indoor (8300.55)
- Payday or Title Loan Agencies (8300.57)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)
- Rainwater Harvesting (8150.7.1)
- Repair Services: Consumer (8300.61)
- Research Services: Restricted (8300.62)
- Retail Sales and Services: General (8300.63)
- Roof Garden (8150.7.2)
- Senior Independent Living (8200.13)
- Single-Family Residential (8200.14)
- Three- and Four-Family Residential (8200.15)
- Two-Family Residential (8200.16)

Commercial uses shall only be permitted within 850 feet of N Western Ave.

Setbacks: There shall be no interior setbacks within this tract, except as required by the City of Oklahoma City Fire Code.

Density: Tract 2 shall have a maximum density of 32 dwelling units per acre.

Height: Maximum of 70 feet.

9.0 SPECIAL CONDITIONS:

The following special conditions shall be made a part of this PUD:

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, rock, stone, concrete, stucco, concrete-board, architectural metal or stone masonry. No more than 30% EIFS or wood shall be permitted. Buildings shall be oriented such that the backs of buildings are not facing toward any street.

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

To minimize light spillover on residential uses, outdoor lights within any office or commercial use will be directed away from any adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.

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 PUD boundaries where adjacent to 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. In addition to the screening, a landscape buffer of 15 feet shall be required with evergreen planting on 20-foot centers where development is adjacent to single family residential.

9.5 DUMPSTER REGULATIONS

Dumpsters shall be consolidated where practical and 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 use.

9.6 DRAINAGE REGULATIONS

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

9.7 VEHICULAR ACCESS REGULATIONS

Access to this PUD shall be via a maximum of three (3) drives from N Western Ave. One (1) Boulevard Entrance shall be permitted.

A Boulevard Entrance is defined as an entrance into the development with a dual road separated by a landscape median. Entry signage shall be permitted to be placed with the median.

9.8 PARKING REGULATIONS

The design and number of parking facilities for this PUD shall be in accordance with Chapter 59 Article X of the Oklahoma City Municipal Code, 2020, as amended, except as follows:

This PUD shall require a minimum of one parking space per residential dwelling unit.

For any proposed residential units, attached or detached garages shall count toward meeting parking requirements, provided each parking space in a garage shall be a minimum of 8½ feet by 18 feet.

Proposed uses are not required to have off-street parking located on the same site as adjacent to the structure it serves. If on-site parking is not provided for a proposed use/structure, locations and parking calculations for all structures in this PUD shall be provided with the building permit application.

9.9 SIGNAGE REGULATIONS

9.9.1 *Freestanding Accessory Signs*

All freestanding signs within this PUD shall be ground (monument) signs with the maximum size being 8 feet high and 100 square feet (the square footage area of signage may be increased during the specific plan stage with approval by Planning Commission) in area and shall have no less than 25 square feet of landscaping at the base. The signs shall be covered with a material consistent with the commercial buildings they serve. Pole signs and billboards shall not be permitted.

A sign that contains the name of any business and/or multi-family development located within this PUD is deemed accessory, even if the sign is not placed on the parcel where the business and/or multifamily development is located, as long as the business and/or multi-family development and the sign are located within this PUD.

9.9.2 *Attached Signs*

Attached signs will be in accordance with the base zoning district regulations.

Canopy signs shall be permitted for each business use in the PUD and shall be mounted on the building facade with uniform height and style letters not to exceed 24 inches in height and backlit.

9.9.3 *Electronic Message Display Signs*

Electronic Messaging Display signs (EMDs) shall be specifically prohibited in this PUD.

9.9.4 *Decorative Artwork & Architectural Elements*

Decorative artwork and architectural elements shall be permitted in this PUD. Artwork/architectural elements may include but are not limited to fountains, individual art pieces, decorative entry elements, etc. The decorative artwork/architectural elements shall not exceed 40 feet in height, must have a minimum 14 feet clearance in height (for archways) and be located a minimum of 15 feet from the curb of any adjacent street.

9.10 SIDEWALK REGULATIONS

Sidewalks shall be constructed along all public and private streets, excluding any rear access alleyways that are constructed within this PUD.

A pedestrian connection shall be provided to connect this PUD to the Chisholm Creek development. Said pedestrian connection will be either to the north directly into the Chisholm Creek development or to the stub street to the west.

9.11 ROOFING REGULATIONS

Every structure in this PUD shall have Class C roofing or better.

9.12 SETBACK REGULATIONS

Internal setbacks shall be as defined within each development tract.

Exterior PUD setbacks:

Northern Boundary: 20 feet

Eastern Boundary: 15 feet

Western Boundary: 20 feet, or 50 feet where a building abuts an R-1 District and exceeds 35 feet in height.

Southern Boundary: 20 Feet

9.13 OPEN SPACE

In order to preserve the existing physical characteristics and environmental features of the land, this PUD shall require a minimum 15% of the subject property be reserved for open space and maintained by the POA and the HOA required to be created pursuant to this PUD.

9.14 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 laws or rules as they shall apply to the site will be adhered to fully.

9.15 COMMON AREAS

Maintenance of the common areas in the development shall be the responsibility of the owner(s) of said property or the relevant POA or HOA. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or create 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.

9.16 PLATTING REGULATIONS

Platting is only required for single family residential lots and shall be contained within a preliminary and final plat and any plat dedications shall be approved by the City Planning Commission, prior to construction of any such single-family residences.

9.17 SPECIFIC PLAN REQUIREMENTS

No building permits for occupiable structures shall be issued in this PUD nor shall construction commence until a Specific Plan, including all items listed in Section 59-4150C of the Oklahoma City Municipal Code, 2020, as amended, as well as those imposed by this Design Statement shall have been approved by the Planning Commission except as follows:

This specific plan shall include the sidewalk/pedestrian plan that includes pedestrian connections throughout the development.

9.18 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 apply but shall not supersede any regulation set forth in this Design Statement.

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 warranted and described within this PUD.

11.0 EXHIBITS:

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

- A: Legal Description
- B: Conceptual Site Plan
- C: Tract Map

Exhibit "A"
LEGAL DESCRIPTION

N Western Ave. & NW 122nd St. PUD

Legal Description from Special Warranty Deed Recorded in Book 14767 Page 171:

Tract 1:

The West Half of the Northeast Quarter of the Southeast Quarter (W/2 NE/4 SE/4) of Section Seventeen (17), Township Thirteen (13) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, LESS AND EXCEPT a tract of land described as follows:

Beginning at a point 333.53 feet East of the Southwest corner of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter (SW/4 NE/4 SE/4) of Section Seventeen (17); thence East and parallel to the North line of said Southeast Quarter (SE/4), 318.07 feet; thence North 66.97 feet; thence West 318.07 feet; thence South 66.97 feet to the point of beginning.

AND

A part of the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section Seventeen (17), Township Thirteen (13) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, being described as follows: Beginning at the Northwest corner of the Southeast Quarter of the Southeast Quarter (SE/4 SE/4), of Section Seventeen (17); thence East and parallel to the North line of said Southeast Quarter (SE/4), 333.53 feet; thence South a distance of 658.87 feet; thence West a distance of 333.53 feet to a point in the West line of said Southeast Quarter of the Southeast Quarter (SE/4 SE/4); thence North along the West line of the said Southeast Quarter of the Southeast Quarter (SE/4 SE/4), of Section Seventeen (17), a distance of 658.79 feet to the point of beginning.

AND

The South Half of the South Half of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter (S/2 S/2 NE/4 NE/4 SE/4) and the North Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (N/2 SE/4 NE/4 SE/4) of Section Seventeen (17), Township Thirteen (13) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma.

Tract 2:

A part of the Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE/4 SE/4 SE/4) of Section Seventeen (17), Township Thirteen (13) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

Commencing at the Southeast corner of said Section Seventeen (17); thence due North along the East line of said Section Seventeen (17) a distance of 658.55 feet to the Southeast corner of the Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE/4 SE/4 SE/4); thence North 89°15'27" West along the South line of said Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE/4 SE/4 SE/4) a distance of 396.84 feet to the point of beginning; thence continuing North 89°15'27" West along the South line of said Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE/4 SE/4 SE/4) a distance of 270.24 feet to the Southwest corner of said Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE/4 SE/4 SE/4); thence North 00°00'25" West a distance of 658.65 feet to the Northwest corner of said Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE/4 SE/4 SE/4); thence South 89°14'55" East along the North line of said Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE/4 SE/4 SE/4) a distance of 270.16 feet; thence due South and parallel with the East line of said Section Seventeen (17) a distance of 658.61 feet to the point of beginning;

AND

The Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW/4 SE/4 SE/4) of Section Seventeen (17), Township Thirteen (13) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, LESS AND EXCEPT the West 333.53 feet thereof and LESS AND EXCEPT the East 20 feet of the North 20 feet thereof.

AND

The South 66.97 feet of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter (SW/4 NE/4 SE/4) of Section Seventeen (17), Township Thirteen (13) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, LESS AND EXCEPT the West 333.53 feet thereof and LESS AND EXCEPT the East 20 feet thereof.

AND

The North 16 feet of the East Half of the Southeast Quarter of the Southeast Quarter (E/2 SE/4 SE/4) in Section Seventeen (17), Township Thirteen (13) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma.

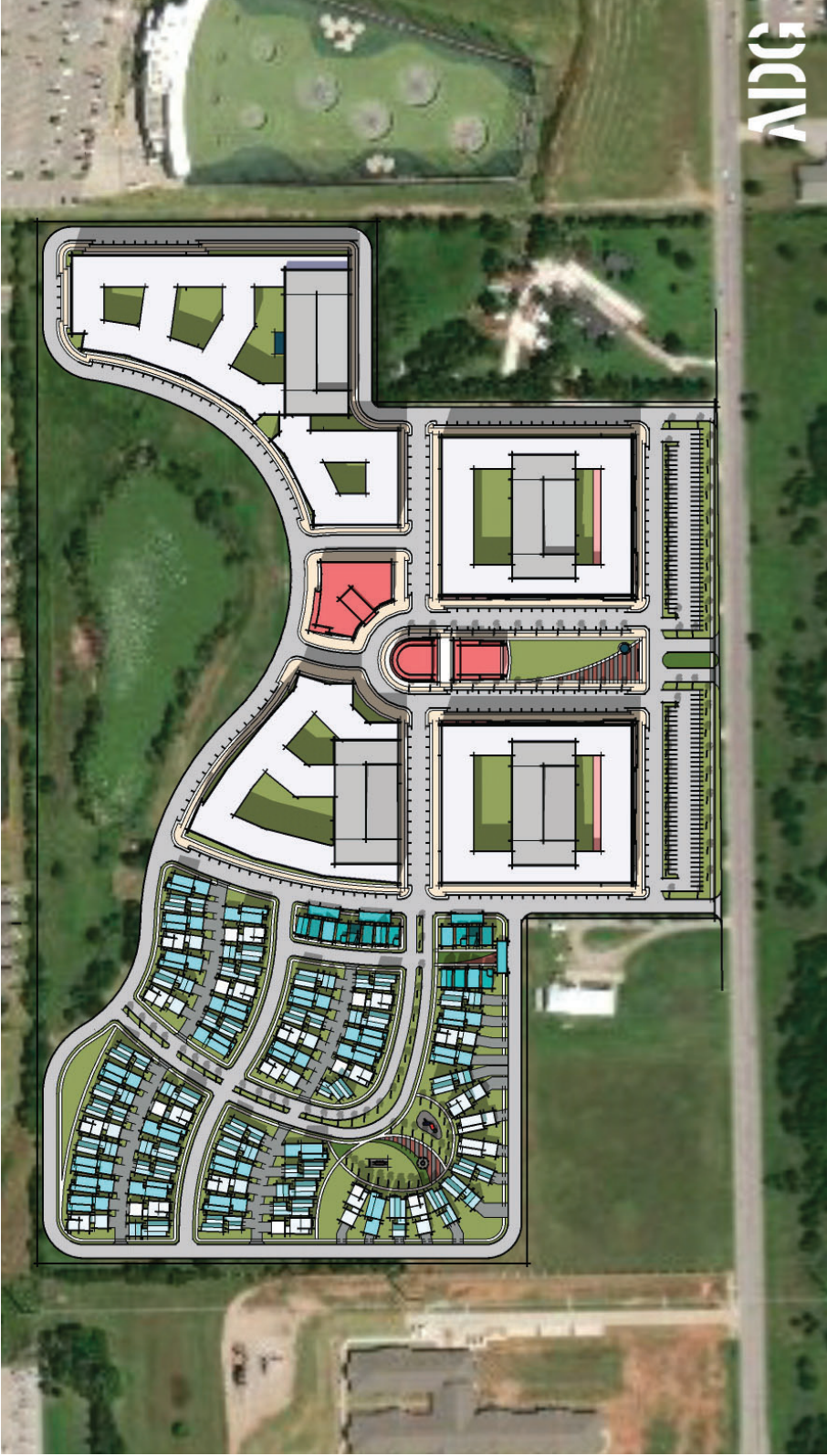
Tract 3:

The South Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (S/2 SE/4 NE/4 SE/4) of Section Seventeen (17), Township Thirteen (13) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma.

Legal Description from Special Warranty Deed Recorded in Book 15027 Page 893:

A part of the Southeast Quarter (SE/4) of Section Seventeen (17), Township Thirteen (13) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows:

Beginning 330 feet South of the Northeast corner of said Southeast Quarter (SE/4); thence South a distance of 165 feet; thence West a distance of 660 feet; thence north a distance of 165 feet; thence East a distance of 660 feet to the point of beginning.

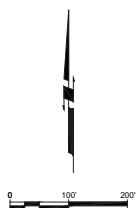
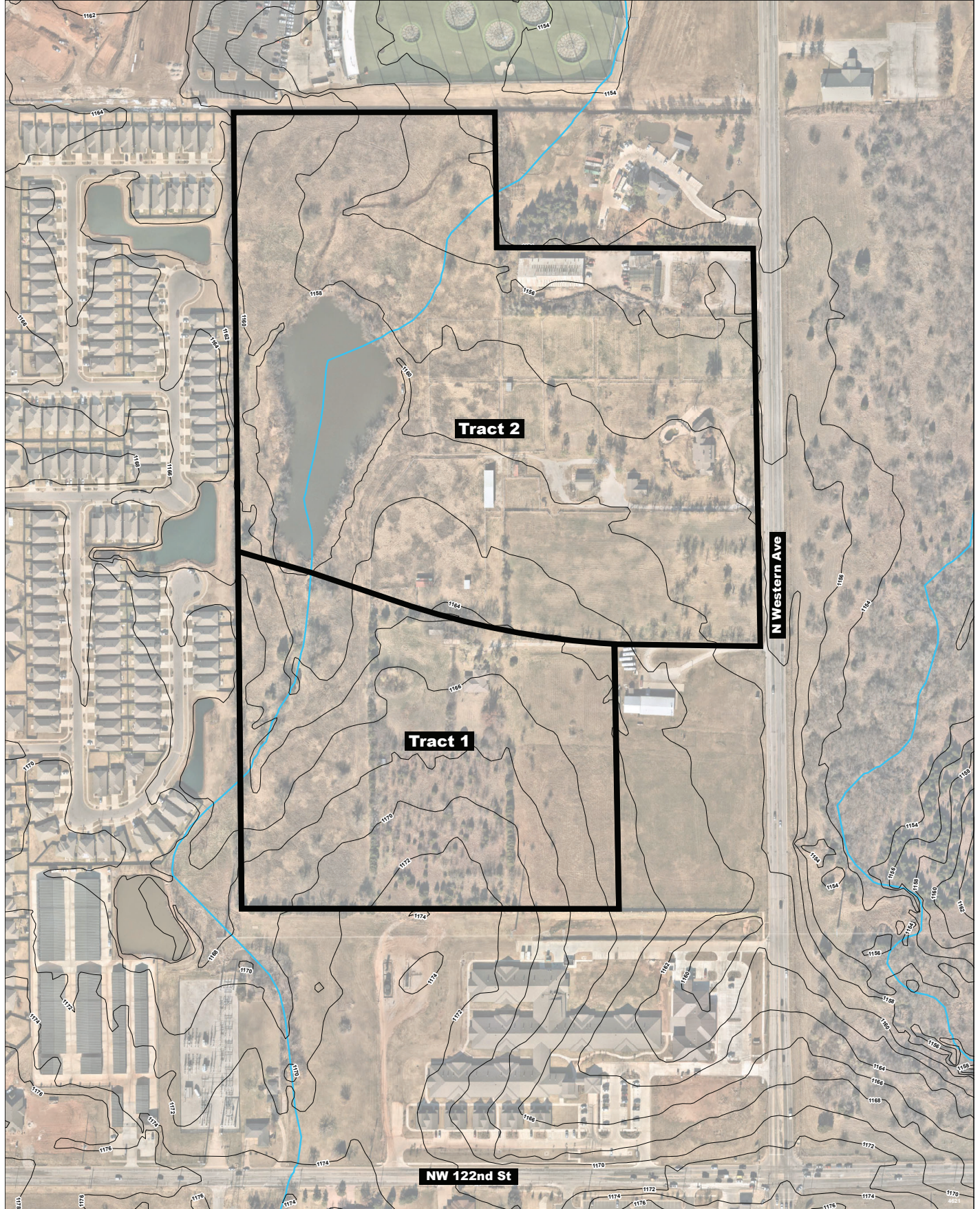


ADG

PUD-1887
12601 N Western Ave.

Exhibit B





PUD-1887 12601 N Western Ave.

Exhibit C Tract Map

+/- 49.38 acres