

Planning Commission Minutes
August 11, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 5:02 p.m. on August 6, 2022.)

11. (SPUD-1428) Application by Harbor Homes, Inc., to rezone 325 North Cemetery Road from the PUD-1071 District to the SPUD-1428 Simplified Planned Unit Development District. Ward 3.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY FRALEY, SECONDED BY GOVIN

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN,
PENNINGTON, LAFORGE, NOBLE



STAFF REPORT
The City of Oklahoma City
Planning Commission
August 11, 2022

Item No. IV. 11.

(SPUD-1428) Application by Harbor Homes, Inc., to rezone 325 North Cemetery Road from the PUD-1071 District to the SPUD-1428 Simplified Planned Unit Development District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Mark Zitzow
Company Johnson And Associates
Phone 405-235-8075
Email mzitzow@jaokc.com

B. Case History

The application was continued from the July 14, and July 28, 2022 Planning Commission meeting.

C. Reason for Request

This application is to permit a two-family residential development.

D. Existing Conditions

1. 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.

2. Size of Site: 3.704 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1071	PUD-1427	PUD-1540	PUD-1071	PUD-1071
Land Use	Undeveloped	Residential	Undeveloped	Undeveloped	Residential

- 4. Development Context:** The subject site is located at the southwest corner of N Cemetery Road and NW 3rd Street, approximately a quarter mile north of W Reno Avenue. The site is part of PUD-1071, which was approved in 2005 as a 145-acre PUD for Settlers Ridge.

The original PUD included 5 tracts. The residential portion of the PUD (Tract 5) has been developed to the west. The subject site is within Tract 2 which has an O-2 base and allows modified office uses. The land to the south is undeveloped and within Tract 3 which allows C-3 commercial uses (excluding auto repair and small gas sales; personal storage, lodging, general medical and personal service uses). To the north is a gated residential community zoned PUD-1427 (R-1ZL base). To the east across N Cemetery Road is land zoned PUD-1540 which allows a mix of uses including multifamily and commercial. A new personal storage facility is located northeast of the site. The SPUD is requested for a duplex development.

II. SUMMARY OF PUD APPLICATION

This site will be developed in accordance with the regulation of **R-2, “Medium-Low Density” District** (OKC Zoning Ordinance, 2020), except that the following restrictions will apply:

1. Uses Permitted

The Use and Development regulations of the R-2, “Medium-Low Density” District shall govern this SPUD, except as modified below.

The following uses shall be the only uses allowed within this SPUD:

- 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)
- Single-Family Residential (8200.14)
- Two-Family Residential (8200.16)

2. Maximum Building Height:

Maximum height of any building shall be 35 feet.

3. Minimum Lot Size:

The minimum lot size within this SPUD shall be 3,000 SF for each duplex unit.

4. Minimum Lot Width:

The minimum lot width within this SPUD shall be 50 feet or 25 feet per dwelling unit.

5. Maximum Building Coverage:

The maximum building coverage within this SPUD shall be 75%.

6. Building Setback Lines:

SPUD Boundary Setbacks:

North: 15 feet

South: None

East: 15 feet

West: 60 feet

Internal Setbacks:

Front Yard: 10 feet, the driveway shall be a minimum of 18' feet in depth and shall not encroach on sidewalk.

Side Yard: 5 feet

Rear Yard: 10 feet

Setbacks between internally divided parcels shall be zero (0) feet, except as required by building and fire codes.

7. Sight-proof Screening:

Sight-proof fencing shall be required for this SPUD along the northern and eastern boundaries of the SPUD. Existing sight-proof fencing already exists along the west property line. Sight-proof screening shall be required along the north and east property lines and shall feature masonry columns placed on no less than 40-foot centers.

8. Landscaping:

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

Street trees shall be placed on 30-foot centers along NW 3rd St. and N Cemetery Rd.

9. Signs:

Signage shall be per the base zoning district.

Signage shall be permitted within the center median of the boulevard entrance.

10. Vehicular Access:

Access may be taken from NW 3rd St. via one (1) boulevard-style drive and/or one (1) drive from N Cemetery Rd. This will be determined at the platting stage.

11. Sidewalks:

Five-foot sidewalks shall be constructed on N Cemetery Rd. or six-foot sidewalks shall be required if the sidewalks are constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department. All sidewalks shall be in place prior to any occupancy certificates being issued.

Sidewalks currently exist along NW 3rd Street. Said sidewalks shall be repaired or replaced if damaged during construction.

Internal sidewalks shall be required and shall be four-feet in width or five-feet in width if constructed adjacent to the curb.

A pedestrian trail shall be required within the west SPUD setback. Said trail shall be a minimum of four feet in width.

12. Parking:

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

For 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.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures (excluding the accessory structures), exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock, concrete board, stucco or stone masonry. No more than 30% EIFs, wood or architectural metal shall be permitted. Architectural regulations do not apply to accessory structures.

2. Open Space:

N/A

3. Street Improvements:

N/A

4. Platting:

All land within this SPUD shall be contained within a Final Plat and any plat dedications shall be approved by the City Council prior to any occupancy permits being issued in the SPUD.

5. Drainage Regulations:

Development of the parcel will be in compliance with chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

6. Other:

6.1 Lighting: N/A

6.2 Dumpsters: N/A

6.3 Common Areas: Not Required

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) Yukon

7. Oklahoma Department of Transportation (ODOT)

B. City Departments

1. Airports

2. Central Oklahoma Transportation and Parking Authority (COTPA)

3. Fire*

4. Information Technology/Geographic Support

5. Parks and Recreation

6. Police

7. Public Works

a. Engineering

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) An existing 10" wastewater main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection is required for each building/structure.
- 2) All wastewater mains must flow within the existing drainage basin. Proposed wastewater mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings. All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.
- 4) The developer will be required to extend the wastewater collection system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations.
- 5) An off-site sanitary sewer interceptor will be required to serve the proposed development and the particular drainage basin. The size, alignment and other design factors shall be in accordance with current City Standard Specifications. The developer may make an application under the Policy "B-1" program to the Oklahoma City Water Utilities Trust (OCWUT) for City participation of construction costs if an oversized sanitary sewer main is required to serve the drainage basin. Approval will be subject to funds available for improvements and will not be granted for oversized mains that are necessary to provide additional capacity for the proposed development(s).

- 6) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement. All existing unused wastewater services must be abandoned at the wastewater main.
- 7) Extension along NW 3rd Street may be required dependent upon final development.

b. Solid Waste Management

- 1) The City can provide service with sufficient turnaround for trash truck.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12" and 16" water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection and meter is required for each building/structure.
- 2) A 12-inch water main is required to be looped through the development to provide adequate water supply and fire flow protection. Connection to two (2) separate active water mains is required to prevent partial or total shut-off of water supply when a pipeline failure occurs within the proposed development.
- 3) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two (2) foot vertical separation required for all crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 4) Dead-end water mains must be avoided where applicable. All existing unnecessary water services must be abandoned at the water main.
- 5) 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 and fire protection systems which require water pressure in excess of 25 psi.

- 6) Proposed water main(s) must be located within a utility easement or right-of-way. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 7) All existing and proposed meters must meet current specifications and standard details and be located in the right-of-way or utility easement within grassy areas outside of sidewalks, driveways, streets and/or paving.
- 8) All domestic and fire suppression services must have separate water service connections. Fire hydrants maximum spacing is 500 foot and must be located within 10 foot of a hard surface (i.e. sidewalk, street, and/or paving).

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.

National, state, and local permitting require basic best management practices for stormwater management. The SPUD does not require any open space, but does require a 60-foot setback on the west side of the property. Public water and sewer are available.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family, and 15 to 30 dwelling units per acre for multifamily. *The SPUD proposes a duplex development. The conceptual plan indicates 19 lots (38 dwelling units) over 3.704 acres for a 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.
- Provide vehicular connectivity between adjacent developments.
- Subdivisions with more than 50 units should have at least two points of entrance / egress no closer than 300 feet apart.

The SPUD originally proposed access to all lots from a boulevard-style drive on NW 3rd Street, consistent with and aligned with the street to the north. The SPUD has been amended to allow and illustrate access from N Cemetery Road, with a street stub to the south. The Master Design Statement would allow access from either or both streets but does not require the southern stub. A connection to the west is not possible.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks were constructed along NW 3rd Street with the Settlers Ridge subdivision. Sidewalks will be required along N Cemetery Road and new residential streets. The exhibit for existing PUD-1071 illustrates a 4-foot walking trail within the 50 ft setback on the west side. The proposed SPUD should specify the trail will be provided.

- 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 duplex development adjacent to existing 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 in UL are less than 60% 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.*

- 3) **Service Efficiency:**

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Rural or Urban Service Times*

- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the site.
- 5) **Transportation System:** This site is located along N Cemetery Road, a Major Arterial Street, and NW 3rd Street, a Neighborhood Street, within the Urban Low LUTA. Transit (bus) service is not available. A multi-use trail is planned to the east, near a tributary of Mustang Creek, with a finalized route to be determined at a later date.
- 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)
 - 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)
 - Avoid under-grounding streams to the greatest extent possible. Where feasible, encourage the re-surfacing of buried streams. Limit the use of culverts or other structures that alter natural streams, and require designs that minimize impacts to stream health and function. (G-11)
 - 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)

b. Plan Conformance Considerations

The proposed SPUD is located at the southwest corner of N Cemetery Road and NW 3rd Street. The proposal would carve out a portion a large PUD for a new SPUD. The new SPUD proposes a duplex development accessed from N Cemetery Road and/or NW 3rd Street. The existing PUD-1071 included a “Pedestrian Plan of Settlers Ridge” that envisioned a walking trail within a 50-foot greenbelt along the west side of the site. The trail would connect to the commercial tracts and twin ponds within common areas to the south. The new SPUD maintains a 60-foot setback on the west but should specify that the trail will be installed. The setback along N Cemetery Road is proposed at 5 feet and should be at least 15 feet.

IV. STAFF RECOMMENDATION

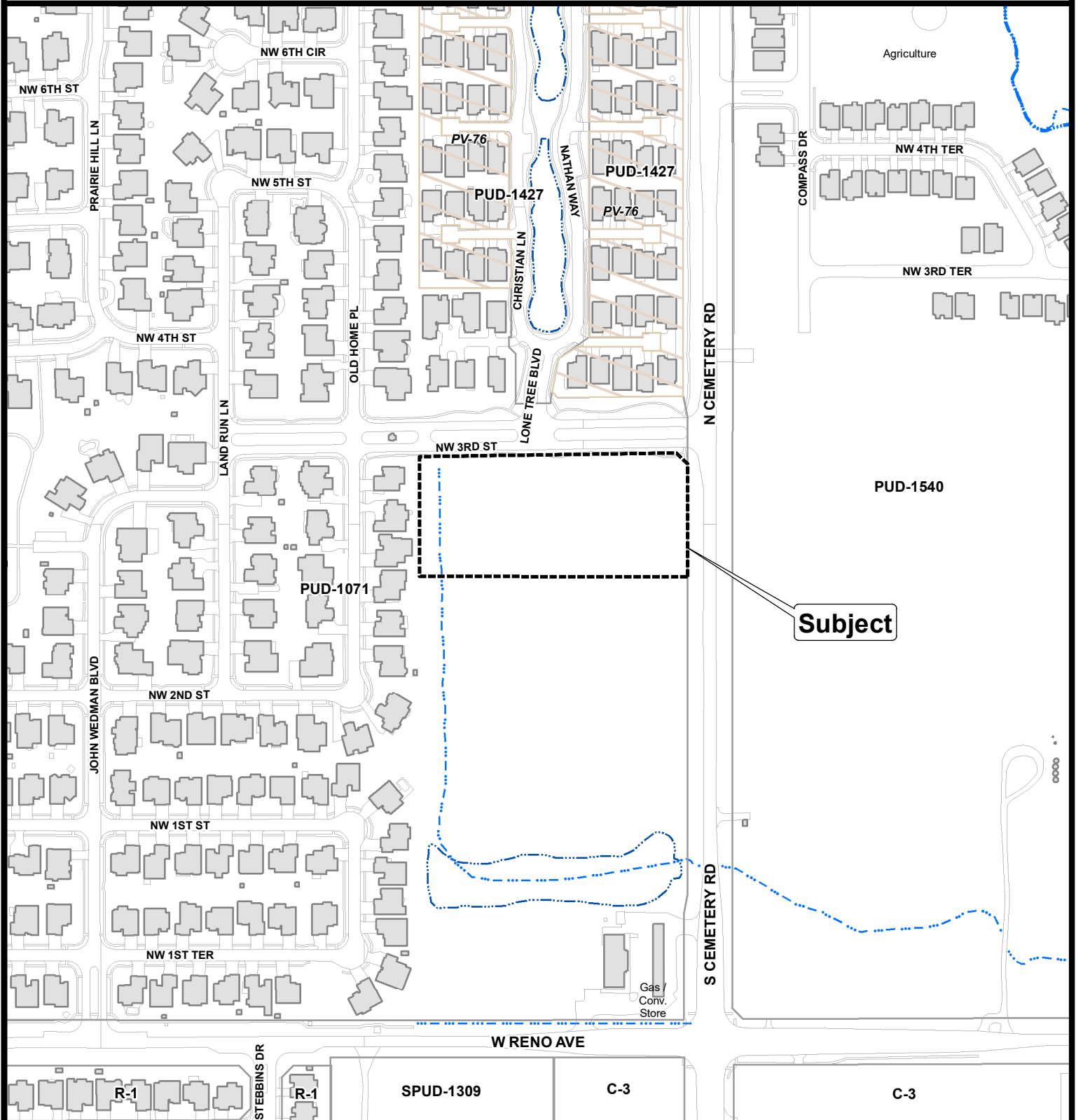
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning 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 SPUD may be required during either Divisions review of construction plans and prior to City Council approval.

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Case No: SPUD-1428 Applicant: Harbor Homes, Inc.
Existing Zoning: PUD-1071
Location: 325 N. Cemetery Rd.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet



N Cemetery Rd. & W Reno Ave.

Conceptual Site Plan

+/- 3.704 acres

19 Lots



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
Tel: 405.234.1111
Fax: 405.234.1112
www.jaok.com
BUSINESS HOURS
7:00 AM - 5:00 PM
Conceptual site plan showing feasible option
permitted under proposed zoning

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Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet