

Planning Commission Minutes  
September 8, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 3:57 p.m. on September 2, 2022.)

11. (PUD-1910) Application by Shavers Investments, LLC., to rezone 13501 N County Line Road from the PUD-1394 District to the PUD-1910 Planned Unit Development District. Ward 1.

The applicant was present. There were no protestors present.

Amended Technical Evaluation:

1. Access to the PUD shall include a shared connection with the planned subdivision to the south (Blackrock Canyon).
2. The following uses shall be prohibited within 250 feet of N County Line Rd: ~~a. Gas station b. Drive through/Drive in Restaurants c. Convenience Sales and Personal Services~~ d. Pawn shops e. Auto repair.
3. Freestanding signs within 250 feet of County Line Road shall be limited to monument signs a maximum of 8 feet high with a maximum area of 100 square feet. Tract 3 Signage will be determined at specific plan stage.
- ~~4. Add 150' setback TE from all res uses/zoning~~ (Clarified in TE 7)
5. A pedestrian circulation plan showing internal connections between all uses shall be required at the Specific Plan stage.
6. Modify the requirements for the Specific Plan in last sentence of Section 9.18 to say "residential" instead of "industrial"
7. Limit drive-thru speakers to 150' from residential uses in Tract 2.

**RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION, AS AMENDED.**

MOVED BY HINKLE, SECONDED BY GOVIN

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN, NOBLE;

ABSENT: PENNINGTON, LAFORGE



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**September 8, 2022**

**Item No. IV. 11.**

**(PUD-1910) Application by Shavers Investments, LLC., to rezone 13501 North County Line Road from the PUD-1394 District to the PUD-1910 Planned Unit Development District. Ward 1.**

**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**

This is a new application.

**C. Reason for Request**

This application is to permit a mixed multi-family residential and commercial 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: 52.33 acres**

**3. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	PUD-1394	AA/R-1	PUD-1204	PUD-1763 R-1	R-1
<b>Land Use</b>	Undeveloped	Res/Undev	Residential	Residential	Residential

**4. Development Context: The subject site is located along the west side of N County Line Road between W Memorial Road and NW 122nd Street. The northern and western boundaries of the site follow the Kilpatrick Turnpike.**

The site was zoned to PUD-1394 in 2010. The existing PUD allows commercial, office, single-family residential (R-1 and R-1ZL), and multifamily residential uses on seven tracts. The new PUD would rezone Tracts 1 (C-3); 2 (C-3); 3 (O-2); 4 (R-1/common area); and 7 (R-4) to a new PUD that allows a mix of commercial and multifamily uses on three tracts. Tracts 5 and 6 of PUD-1394 are located to the south/southeast of the site and were preliminarily platted in 2021 for a residential subdivision. Across the street to the east is a gated residential subdivision (The Grand).

## **II. SUMMARY OF PUD APPLICATION**

The use and development regulations of the **R-4, “General Residential” District** shall govern Tract 1, except as herein modified below:

The following uses shall be made a part of this PUD:

- Community Garden (8150.6.1)
- Community Recreation: General (8250.2)
- Community Recreation: Property Owners Association (8250.3)
- Light Public Protection and Utility: Restricted (8250.13)
- Low Impact Institutional: Residential-Oriented (8200.5)
- Multiple-Family Residential (8200.12)
- Murals (8250.16)
- Senior Independent Living (8200.13)
- Single-Family Residential (8200.14)
- Three-Family Residential (8200.15)
- Two-Family Residential (8200.16)

**Minimum Lot Size:** The minimum lot size within this Tract shall be 7,500 square feet.

**Minimum Lot Width:** The minimum lot width within this Tract shall be 100 feet.

### **8.1.2 TRACT 2**

The use and development regulations of the **C-3, “Community Commercial” District** shall govern Tract 2, except as herein modified below:

The following uses shall be made a part of this PUD:

- Administrative and Professional Offices (8300.1)
- Adult Day Care Facilities (8300.2)
- 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 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)
- 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)
- Custom Manufacturing (8350.3)
- Dwelling Units and Mixed Uses (8200.2)
- Eating Establishments: Drive-In (8300.34)
- Eating Establishments: Fast Food (8300.35)
- Eating Establishments: Fast Food, With Drive-Thru Order Window (8300.36)
- Eating Establishments: Sitdown (8300.37)
- Eating Establishments: Sitdown, Alcohol Permitted (8300.38)
- Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)
- Food and Beverage Retail Sales (8300.41)
- Funeral and Interment Services: Undertaking (8300.44)
- 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)
- Lodging Accommodations: Commercial Lodging (8300.51)
- Low Impact Institutional: Neighborhood-Related (8250.14)
- Medical Services: General (8300.52)
- Medical Services: Restricted (8300.53)
- Murals (8250.16)
- Participant Recreation and Entertainment: Indoor (8300.55)
- Participant Recreation and Entertainment: Outdoor (8300.56)
- Payday or Title Loan Agencies (8300.57)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)
- Personal Storage (8300.60)
- 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)
- Spectator Sports and Entertainment: Restricted (8300.69)

All other conditional, accessory, special or special exception uses not specifically prohibited shall be permitted subject to the review and approval processes specified in the Zoning Code.

### **8.1.3 TRACT 3**

The use and development regulations of the **C-3, “Community Commercial” District** shall govern Tract 3, except as herein modified below:

The following uses shall be made a part of this PUD:

- Alcoholic Beverage Retail Sales (8300.5)
- Automotive: Parking Garages (8300.12)
- Automotive: Parking Lots, as a Principal Use (8300.13)
- Automotive and Equipment: Cleaning and Repairs, Light Equipment (8300.14)
- Convenience Sales and Personal Services (8300.32)
- Custom Manufacturing (8350.3)
- Eating Establishments: Drive-In (8300.34)
- Eating Establishments: Fast Food (8300.35)
- Eating Establishments: Fast Food, With Drive-Thru Order Window (8300.36)
- Gasoline Sales, Large (8300.45)
- Gasoline Sales. Small: Restricted (8300.46)
- Lodging Accommodations: Commercial Lodging (8300.51)
- Medical Services: General (8300.52)
- Medical Services: Restricted (8300.53)
- Murals (8250.16)
- Participant Recreation and Entertainment: Indoor (8300.55)
- Participant Recreation and Entertainment: Outdoor (8300.56)
- Personal Storage (8300.60)
- Retail Sales and Services: General (8300.63)

All other conditional, accessory, special or special exception uses not specifically prohibited shall be permitted subject to the review and approval processes specified in the Zoning Code.

### **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, concrete, stucco, concrete-board, architectural metal or stone masonry. No more than 30% EIFS, wood or other materials not listed shall be permitted.

## **9.2 LANDSCAPING REGULATIONS**

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

## **9.3 LIGHTING REGULATIONS**

The design 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.

To minimize light spillover on residential uses, outdoor lights within this PUD 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 adjacent to single family 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 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 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 from N County Line Rd. Tract 1 shall be accessed via the proposed NW 132<sup>nd</sup> St. connecting to the east side of this PUD and via internal streets connecting to Tracts 2 and 3. These streets may be public or private drives.

## **9.8 PEDESTRIAN ACCESS/SIDEWALK REGULATIONS**

Five-foot wide sidewalks shall be constructed along N County Line Rd. Said sidewalks shall be six-foot wide if the sidewalk is constructed adjacent to the curb, subject to the policies/procedures of the Public Works Department. All sidewalks shall be in place prior to any occupancy certificates being issued.

## **9.9 PARKING REGULATIONS**

The design and number of all other parking facilities in this PUD 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. This provision includes covered/carport spaces.

If development within this PUD utilizes the “Commercial District” scheme of development where parking is screened behind or to the sides of structures, the parking requirement for said development shall be reduced by 15%. Parking can be met through shared parking agreements among adjacent office/retail uses.

Proposed uses are not required to have off-street parking located on the same site as the structure. Off street parking may be provided by parking lots or garages located 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.

Pervious paving may be used for parking areas, driveways, pathways, and plazas subject to Public Works review and approval. Where connected to public rights-of-way the access drive apron will be constructed of hard surface paving meeting City code for driveway construction. A hard surface border is required around the perimeter of pervious paving areas. Maintenance of the pervious paving is required, and a maintenance plan must be provided when construction documents are submitted for permitting.

## **9.10 SIGNAGE REGULATIONS**

### **9.10.1 TRACT 1:**

Signage within Tract 1 shall be per the R-4, “General Residential” District regulations.

**9.10.2 TRACTS 2 & 3:**

**9.10.2.1 *Freestanding Accessory Signs***

Freestanding signs shall be in accordance with the C-3 “Community Commercial” district regulations.

**9.10.2.2 *Attached Signage***

Attached signs shall be in accordance with the C-3 “Community Commercial” district regulations with the following exceptions:

Square footage of signs for individual uses located in a multi-story, multi-tenant structure (stacked uses) shall be calculated based upon the frontage and setback of the individual use requesting the sign, regardless of the floor on which the use is located. (See Municipal Code Section 3-102(c) 3). Frontage is considered that façade(s) where the sign is to be located.

**9.10.2.3 *Non-Accessory Signs***

Non-accessory signage shall not be permitted within this development.

**9.10.2.4 *Electronic Message Display Signs***

Electronic Message Display Signs shall only be permitted within Tract 3 and shall be in accordance with the C-3 “Community Commercial” district regulations.

**9.10.2.5 *Decorative Artwork, Architectural Elements and Temporary Signage***

Decorative artwork and/or architectural structures shall be permitted in this PUD, including, without limitation, upon or across public right-of-way with applications for review for such improvements submitted to the Arts Liaison in the Office of Arts & Cultural Affairs and subject to recommendation by the Oklahoma City Arts Commission and approval by the Public Works Department and require issuance of a permit. If located on upon or across public right-of-way shall also require approval by the Oklahoma City Council.

Decorative artwork, architectural structures may include but are not limited to fountains, individual art pieces, clock towers, decorative entry structures, etc.



Decorative artwork/architectural structures shall not exceed twenty-five (25) feet in height, must have a minimum fourteen (14) feet clearance in height (for archways), and be located a minimum of twenty-five (25) feet from the curb of an adjacent public street.

#### **9.11 ROOFING REGULATIONS**

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

#### **9.12 SETBACK REGULATIONS**

There shall be no interior setbacks within this PUD except as required by Fire Code.

##### **TRACT 1:**

Setbacks shall not be required within this Tract except where adjacent to single-family residential, then there shall be a setback of 15 feet plus a 5-foot landscape buffer from the PUD boundary.

##### **TRACTS 2 & 3:**

Setbacks within Tracts 2 & 3 shall be per the C-3, "Community Commercial" District regulations.

#### **9.13 HEIGHT REGULATIONS**

##### **TRACT 1:**

The maximum height of buildings within Tract 1 shall be 60 feet.

##### **TRACTS 2 & 3:**

The maximum building height for structures within Tracts 2 & 3 shall be per the C-3, "Community Commercial" District regulations.

#### **9.14 DENSITY**

##### **TRACT 1:**

Density within Tract 1 shall be per the R-4, "General Residential" District regulations.

**TRACTS 2 & 3:**

The maximum building height for structures within Tracts 2 & 3 shall be per the C-3, “Community Commercial” District regulations.

**9.15 OPEN SPACE**

**TRACT 1:**

The developer shall reserve a minimum of 20% open space within Tract 1 as passive open space for the use of the residents within the development. Landscape areas shall be counted toward the open space requirement.

**TRACTS 2 & 3:**

Open space for Tracts 2 & 3 shall be per the C-3, “Community Commercial” District regulations.

**9.16 PUBLIC IMPROVEMENTS**

The property owner shall make public improvements throughout the PUD as may be 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 in the development 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 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.

**9.18 SPECIFIC PLAN, PLATTING & PERMITTING REQUIREMENTS**

No building permits shall be issued in this PUD until a specific plan, including all items listed in Section 59-14150D of the Oklahoma City Municipal Code, 2020, as amended shall have been approved by the Planning Commission. Additionally, the specific plan shall specify and show the street trees, landscaping or other techniques used to buffer the subject site from the industrial uses to the east.

**10.0 DEVELOPMENT SEQUENCE:**

Developmental phasing shall be allowed as a part of the development of this PUD.

## **11.0 EXHIBITS:**

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

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

## **III. REVIEW COMMENTS**

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk indicates that the agency, department, and/or division responded with no adverse comments.

### **A. Outside Agencies**

- 1. Oklahoma City-County Health Department**
- 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) Piedmont**
- 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) Flood Study will be required to show no rise in FEMA Q 100 and the City of Oklahoma City Q 100 water surface elevation, compared pre-and post-development.
- 5) A portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year) frequency plus 1'. The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.
- 6) A floodplain activity permit must be submitted for any work contemplated in The Waters of the United States.

- 7) 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.
- 8) 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.
- 9) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 10) 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.
- 11) 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.
- 12) All private roads /streets will have private storm sewer systems.
- 13) 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 8” 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) 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.

**b. Solid Waste Management**

- 1) The City cannot provide service, contact private hauler.

**c. Water/Wastewater Quality**

**Water Availability**

- 1) An existing 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:

- Avoid developing within or modification of 100-year floodplains or floodways.
- 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 small portion of the site is within the 100-year floodplain. The development is required to comply with all City, State, and Federal requirements within the floodplain. Public water and sewer are available.*

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.
- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

*The subject site is located along N County Line Road, a Minor Arterial Street in the UL LUTA.*

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. The UL LUTA outlines a density range of 15 to 30 dwelling units per acre for multifamily. *The PUD regulations could allow for a FAR within this range. The residential density would be per the R-4 District which allows up to 34 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 PUD proposes two drives from N County Line Road, and the conceptual plan indicates access would be shared with the planned subdivision to the south/east (Blackrock Canyon). The connection is needed to ensure the subdivision can meet the Subdivision Regulations that require two entrances for the number of lots proposed.*

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.



*The PUD requires sidewalks along N County Line Road. The PUD should also provide an internal pedestrian network between residential and new commercial uses, and include the pedestrian plan at the specific plan stage.*

- 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 commercial and multifamily uses adjacent to existing low intensity residential, “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 street frontage and lot coverage will be significantly different than the surrounding residential zoning and uses, but are consistent with the existing PUD which allows commercial, office and multifamily residential uses.*

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 on N County Line Road, a two-lane arterial street without curb and gutter. Access to the Turnpike is available via Memorial Avenue one mile to the east, but no improvements are currently planned for County Line Road.*

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. *Some of the uses proposed in the PUD could create operational impacts near existing residential uses. The existing PUD prohibited certain commercial uses within the tracts that front N County Line Road (approximately 250 feet deep), such as drive-through/drive-in restaurants, payday loan businesses, gas stations, and spectator sports. The overall PUD also established a 150-foot setback from residentially zoned or used property for convenience sales, drive-through/drive-in uses, and gas stations. These requirements should be carried over to the new PUD.*

*Additionally, signs along N County Line Road should be limited in height, size and brightness. The PUD requires that future specific plans specify and show the street trees, landscaping or other techniques used to buffer the subject site from the “industrial” uses to the east. This should be changed to “residential” uses.*

- 3) **Service Efficiency:**
  - Water: *Close to Service or Served*
  - Sewer: *Open Sewer Sheds or Served*
  - Fire Service: *Rural Service Level*
- 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 southeast corner subject site, including 100-year floodplain. The conceptual plan indicates this area will be retained as a pond.*
  - Upland Forests: N/A
  - Vulnerable Aquifers: N/A
- 5) **Transportation System:** This site is located off N County Line Road, a Minor Arterial Street in the Urban Low LUTA. Transit (bus) service is not available.
- 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)
  - Prioritize and concentrate development where facilities, infrastructure, and services have capacity and in areas where the Police and Fire Departments are best able to respond. Guide the location and timing of development through the proactive and strategic installation of infrastructure. (SU-14)
  - 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. Large-scale commercial buildings with parking in front should screen parking lots with coordinated development of out-parcels (pad sites) and with landscaping. (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)
- Higher density multifamily development should be located in areas near employment or educational centers where street and transit systems have or will soon have capacity to support the added trips. (SU-48)
- 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)
- Share parking between contiguous developments. (C-31)
- Ensure proper access to and between subdivisions in order to offer a choice in routes for residents, multiple access points for emergency responders, and to reduce vehicle congestions at arterial intersections. (C-32)

- 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)
- Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)
- 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 along the west side of N County Line Road between W Memorial Road and NW 122<sup>nd</sup> Street within the Urban Low Land Use Typology Area. County Line is a two-lane street without curb and gutter. The northern and western boundaries of the site follow the Kilpatrick Turnpike. Access to the turnpike is available one mile to the east from W Memorial Road / N Council Road. Across N County Line to the east is a gated residential subdivision (The Grand).

The subject site was zoned to PUD-1394 in 2010. The existing PUD allows a large mixed-use development. The new PUD allows similar uses, but would expand the land allowed for multi-family residential from approximately 11 acres to 18 acres, and would allow commercial uses on 11 acres that is currently designated for office uses. The subject site is adjacent on the south to Tracts 5 and 6 of the existing PUD-1394, which would remain as currently zoned and have been preliminary platted for residential uses (2021). The conceptual plan indicates the new development would share access with the new subdivision, but this should be required so that the planned neighborhood will have adequate access for the number of lots proposed. Plan conformance would be strengthened by maintaining some of the use restrictions in the existing PUD and limiting sign size, height, and brightness across from residential uses on N County Line Rd; specifying access will be shared with the subdivision to the south; and requiring a pedestrian plan at the Specific Plan stage that shows connections between all uses.

**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 Evaluations:**

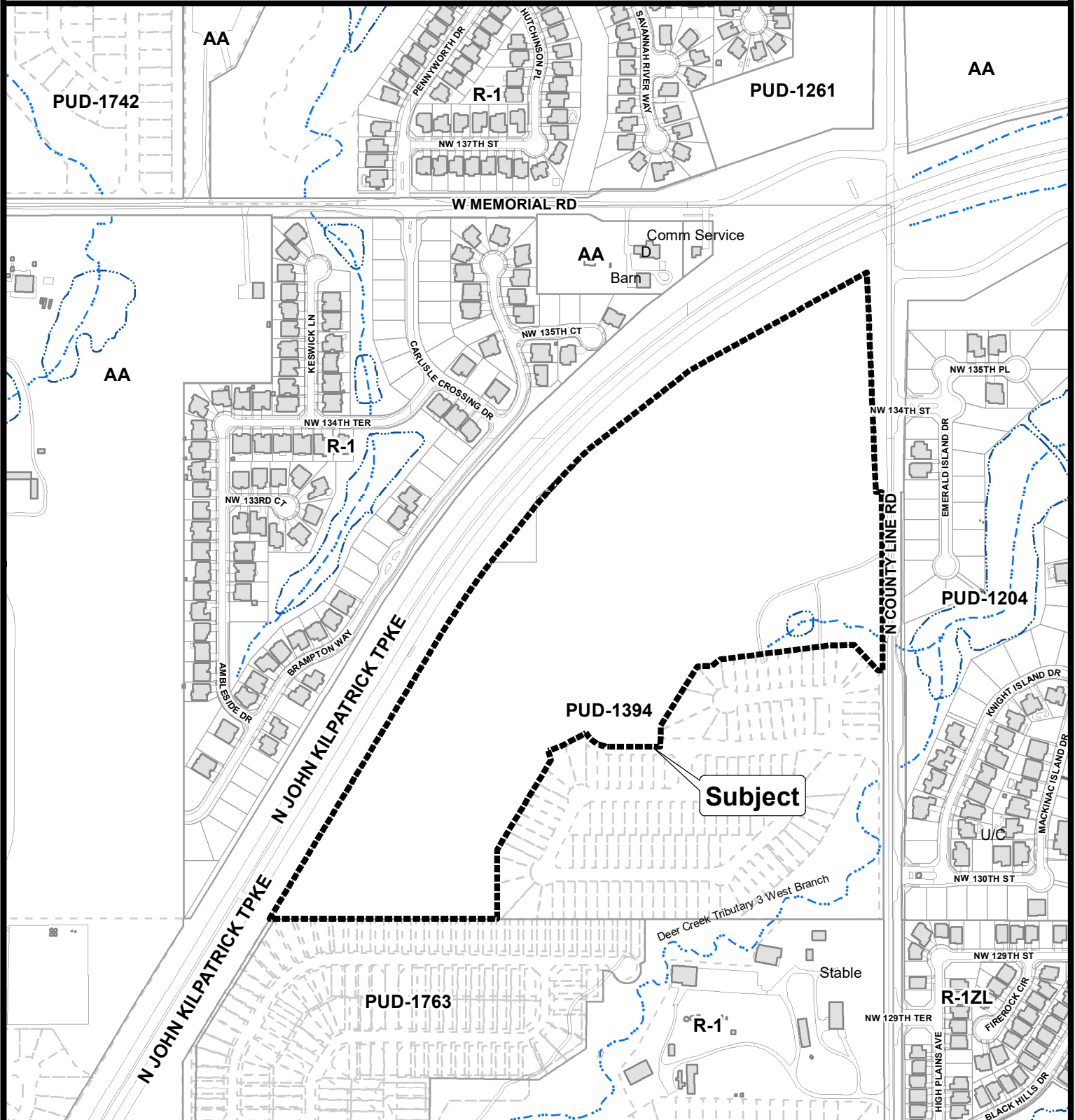
1. Access to the PUD shall include a shared connection with the planned subdivision to the south (Blackrock Canyon).
2. The following uses shall be prohibited within 250 feet of N County Line Rd:
  - a. Gas station
  - b. Drive-through/Drive-in Restaurants
  - c. Convenience Sales and Personal Services
  - d. Pawn shops
  - e. Auto repair
3. Freestanding signs within 250 feet of County Line Road shall be limited to monument signs a maximum of 8 feet high with a maximum area of 100 square feet.
4. Add 150' setback TE from all res uses/zoning
5. A pedestrian circulation plan showing internal connections between all uses shall be required at the Specific Plan stage.
6. Modify the requirements for the Specific Plan in last sentence of Section 9.18 to say "residential" instead of "industrial"

*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.*

Should this application be approved, 17-foot of additional easement should be requested at the along County Line Rd. to bring the right-of-way width to the standard set by the subdivision regulations

cl

**Case No: PUD-1910      Applicant: Shavers Investments, LLC**  
**Existing Zoning: PUD-1394**  
**Location: 13501 N. County Line Rd.**



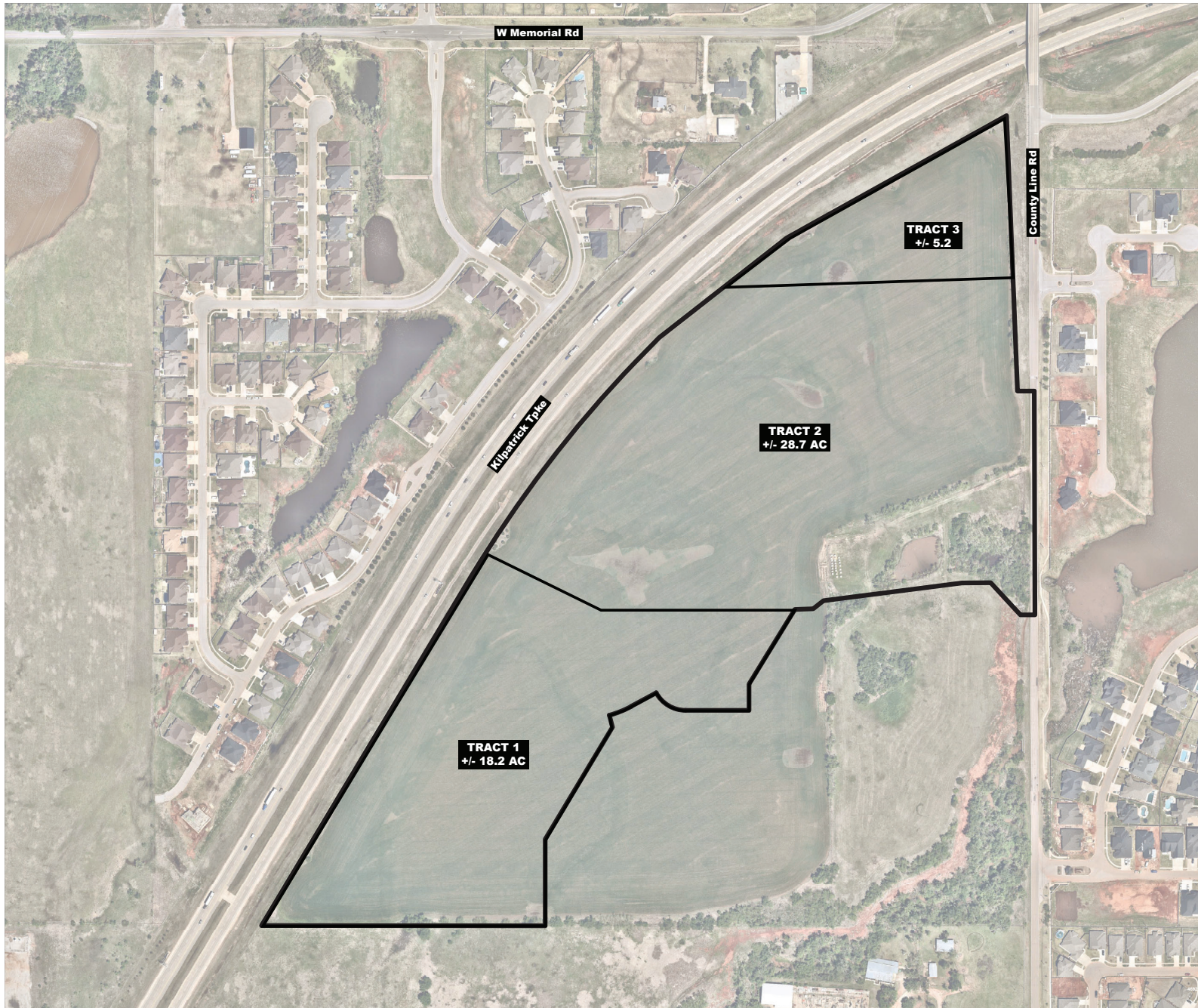
The City of  
OKLAHOMA CITY

## Planned Unit Development



0 250 500 Feet





**PUD-1910**  
**N County Line Rd. & Kilpatrick Turnpike**

Exhibit B  
Tract Map

+/- 52.3360 acres



Johnson & Associates  
1 E. Sheridan Ave., Suite 200  
Oklahoma City, OK 73104

PREPARED BY: J&A DATE: 04/20/22

REVISIONS: 1/19/22





**PUD-1910**  
**N County Line Rd. &**  
**Kilpatrick Turnpike**

Exhibit C  
 Conceptual Site Plan

+/- 52.3360 acres



Johnson & Associates  
 1 E. Sheridan Ave., Suite 200  
 Oklahoma City, OK 73104  
 (405) 241-1111

Prepared by: KJH/MSH PLANNERS

Date: 7/19/22

Conceptual site plan showing feasible option  
 permitted under proposed zoning



Case No: PUD-1910     Applicant: Shavers Investments, LLC  
Existing Zoning: PUD-1394  
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Aerial Photo from 2/2020



The City of  
OKLAHOMA CITY

## Planned Unit Development



0 250 500  
Feet