

Planning Commission Minutes
October 27, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 11:18 a.m. on October 24, 2022)

17. (PUD-1917) Application by Sitelab Land Partners LLC., to rezone 5500 NW 164th Street from the AA Agricultural and R-1 Single Family Residential District to the PUD-1917 Planned Unit Development District. Ward 8.

Applicant was present. Protestors were present.

Amended Technical Evaluation:

1. Minimum lot size to be 4000 square feet.
2. Minimum lot width to be 40 feet.
3. Dumpsters are prohibited.
4. Maximum lot coverage to be 50%
5. EIFS (Exterior Insulated Finishing System) is prohibited.
6. One tree required in each back yard.
7. Garage must observe a 20-foot setback.
8. Side yard setback to 5- foot (each side) in lieu of 0-foot and 10-foot.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY LAFORGE, SECONDED BY GOVIN

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

ABSENT: CLAIR

ABSTAIN: NOBLE



STAFF REPORT
The City of Oklahoma City
Planning Commission
October 27, 2022

Item No. IV. 17.

(PUD-1917) Application by Sitelab Land Partners LLC., to rezone 5500 NW 164th Street from the AA Agricultural and R-1 Single Family Residential District to the PUD-1917 Planned Unit Development District. Ward 8.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David M Box
Company Williams, Box, Forshee & Bullard PC
Phone 405-232-0080
Email dmbox@wbfbllaw.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit 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: 20.0 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	OK Cnty	R-1	R-1	AA
Land Use	Undeveloped	Undeveloped	Residential	Residential	Residential

4. Development Context: The subject site is located on the south side of NW 164th Street, east of N MacArthur Boulevard. The site is undeveloped and primarily zoned AA with R-1 zoning along the east and south edges.

Surrounding the subject site to the east, south, and west are single-family subdivisions (Still Meadows and Monarch Ridge). North of the site, across NW 164th Street, is a single-family residence and adjacent agricultural land in unincorporated land outside the City of Oklahoma City limits

The rezoning is requested for a single-family and/or two-family residential subdivision. The PUD proposes a modified R-1ZL base with reduced setbacks and a minimum lot size of 2,500 square feet (compared to 4,000 square feet in R-1ZL and 6,000 square feet in R-1 for single-family residential lots.

II. SUMMARY OF PUD APPLICATION

8.1 USE AND DEVELOPMENT REGULATIONS

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

All R-1ZL uses shall be permitted within this PUD.

9.0 SPECIAL CONDITIONS

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

9.1 FAÇADE REGULATIONS

Exterior building wall veneer or finish on all structures shall consist of a minimum 100% brick, stone, rock, concrete block, stucco, fiber cement siding, or other similar type finish. EIFS (Exterior Insulation Finish System) material shall be permitted. Wood such as cedar is allowed as an accent or decoration. Wood, wood composite and vinyl siding shall not be permitted. Exposed metal or exposed concrete block construction buildings shall not 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 site lighting in this PUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

9.4 SCREENING REGULATIONS

No less than a six-foot and no greater than an eight-foot-high wall shall be required along the boundary of this parcel where it is adjacent to any residential use. Said wall shall be constructed entirely of stucco, brick, or stone on a continuous footing, or may be constructed of wood, with brick columns with footings on 20' centers and shall be solid and opaque. In addition, faux iron fencing shall be allowed around the open space.

9.5 PLATTING REGULATIONS

All land within this PUD 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 PUD.

9.6 DRAINAGE REGULATIONS

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

9.7 DUMPSTER REGULATIONS

Trash collection facilities in this PUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

9.8 ACCESS REGULATIONS

Access to this PUD shall be taken from NW 164th St.

9.9 PARKING REGULATIONS

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

9.10 SIGNAGE REGULATIONS

9.10.1 FREESTANDING ACCESSORY SIGNS

Freestanding accessory signs shall be in accordance with the base zoning district regulations.

9.10.2 ATTACHED SIGNS

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

9.10.3 NON-ACCESSORY SIGNS

Non-Accessory signs shall be prohibited.

9.10.4 ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs shall be prohibited.

9.11 ROOFING REGULATIONS

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

9.12 SIDEWALK REGULATIONS

Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel. Four (4) foot sidewalks shall be constructed subject to the policies and procedures of the Public Works Department.

9.13 HEIGHT REGULATIONS

The base zoning district regulations shall regulate heights of structures in this PUD.

9.14 SETBACK REGULATIONS

Front:	15 feet
Side:	0 feet from one interior lot line and 10 feet from the opposite line
Corner Side:	10 feet
Rear:	10 feet

9.15 LOT SIZE REGULATIONS

Lot sizes within this PUD shall be a minimum of 2,500 square feet.

9.16 PUBLIC IMPROVEMENTS

Public improvements shall be made by the property owner throughout the PUD as required by the City of Oklahoma City Public Works Department or other City, County, or State Department or agency. All Local, State, and Federal ordinances as they shall apply to the site will be adhered to fully.

9.17 COMMON AREAS

Maintenance of the common areas in the development shall be the responsibility of the property owner or Property Owners Association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

9.18 SPECIFIC PLAN

A specific plan shall not be required.

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:

- Exhibit A - Legal Description
- Exhibit B - Master Development Plan
- Exhibit C - Topography 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) Deer Creek

7. Oklahoma Department of Transportation (ODOT)

B. City Departments

1) Airports

2) Central Oklahoma Transportation and Parking Authority (COTPA)

3) Fire

- a. Adequate fire access drives will be required.

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

- 1) Proposed street/driveways must be clearly marked for sight distance compliance check. Notify Traffic Management Division when staked for field review.

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 service down cul de sac, cart must be set out to the main street and only if the truck has room to maneuver due to medians that may block access.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12" 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:

- Large-scale (20+ acres or 50 or more single family units) residential subdivisions should provide a diversity of home sizes, lot sizes, price points, architectural styles, and density ranges.
- 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. 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 conceptual plan shows 140 lots over 20 acres, or 7 du/acre for single-family development.*

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.
- 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 PUD's conceptual plan appears to propose a divided boulevard entrance on NW 164th Street. A connection to each street stub on the east and south is illustrated and should be provided. The subdivision design indicates a desire for up to 10 lots on dead-end/"hammerhead" streets that will need be designed to allow for service and emergency vehicles.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks are required on arterial streets and residential streets in new urban subdivisions.

- 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 residential uses adjacent to existing low intensity residential, “Building Scale and Site Design” 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 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. *The PUD would allow new single-family or two-family residential on lots with reduced setbacks and a reduced minimum lot size of 2,500 square feet. Potential compatibility issues are identified where abutting larger lots in the adjacent subdivisions. The R-1 District requires 6,000 square-foot lots, or 75% of the abutting lots in an existing subdivision, up to 7,500 square feet. The R-1ZL base district would require 4,000 square feet for a single-family lot. If the proposed minimum lot size is approved, the Master Design Statement should specify that the minimum lot is 2,500 per dwelling unit (5,000 square feet for a duplex lot).*

- 3) **Service Efficiency:**
- Water: *Served*
 - Sewer: *Fully Served Area*
 - Fire Service: *Rural Service Level*
- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the site.
- 5) **Transportation System:** This site is located off NW 164th Street 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)
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - Improve the functionality and efficiency of the street network by:

- Providing direct connections from residential developments to nearby places and to each other.
- Providing street and sidewalk stubs to adjacent vacant land in anticipation of future development.
- Connecting new development to existing street and sidewalk stubs, and to existing trail, open space, and bicycle networks.
- Reducing block sizes and use of dead-end streets.
- Maintaining the existing street grid to preserve connectivity and mobility options. (C-11)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- Ensure proper access to and between subdivisions in order to offer a choice in routes for residents, multiple access points for emergency responders, and to reduce vehicle congestions at arterial intersections. (C-32)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)

b. Plan Conformance Considerations

The 20-acre subject site is located on the south side of NW 164th Street, east of N MacArthur Boulevard. Surrounding the subject site to the east, south, and west are single-family subdivisions (Still Meadows and Monarch Ridge). Land north of the site, across NW 164th Street, is outside Oklahoma City limits.

The rezoning is requested for a single-family and/or two-family residential subdivision. The PUD proposes a modified R-1ZL base with reduced setbacks and a minimum lot size of 2,500 square feet. The proposed 140 lots over 20 acres (7 du/acre) falls within the Urban Low LUTA density range for single-family development. However, potential compatibility issues are identified where smaller lots abut larger lots in the adjacent subdivisions to the east, west and south. The R-1ZL base district would normally require 4,000 square feet for a single-family lot. Mitigation measures could include but are not limited to, increasing lot size and/or setbacks on the perimeter of the development. If the proposed minimum lot size is approved, the Master Design Statement should specify that the minimum lot size is 2,500 per dwelling unit. (5,000 square feet for a duplex lot). Future plats should connect to the existing street stubs on the east and south.

IV. STAFF RECOMMENDATION

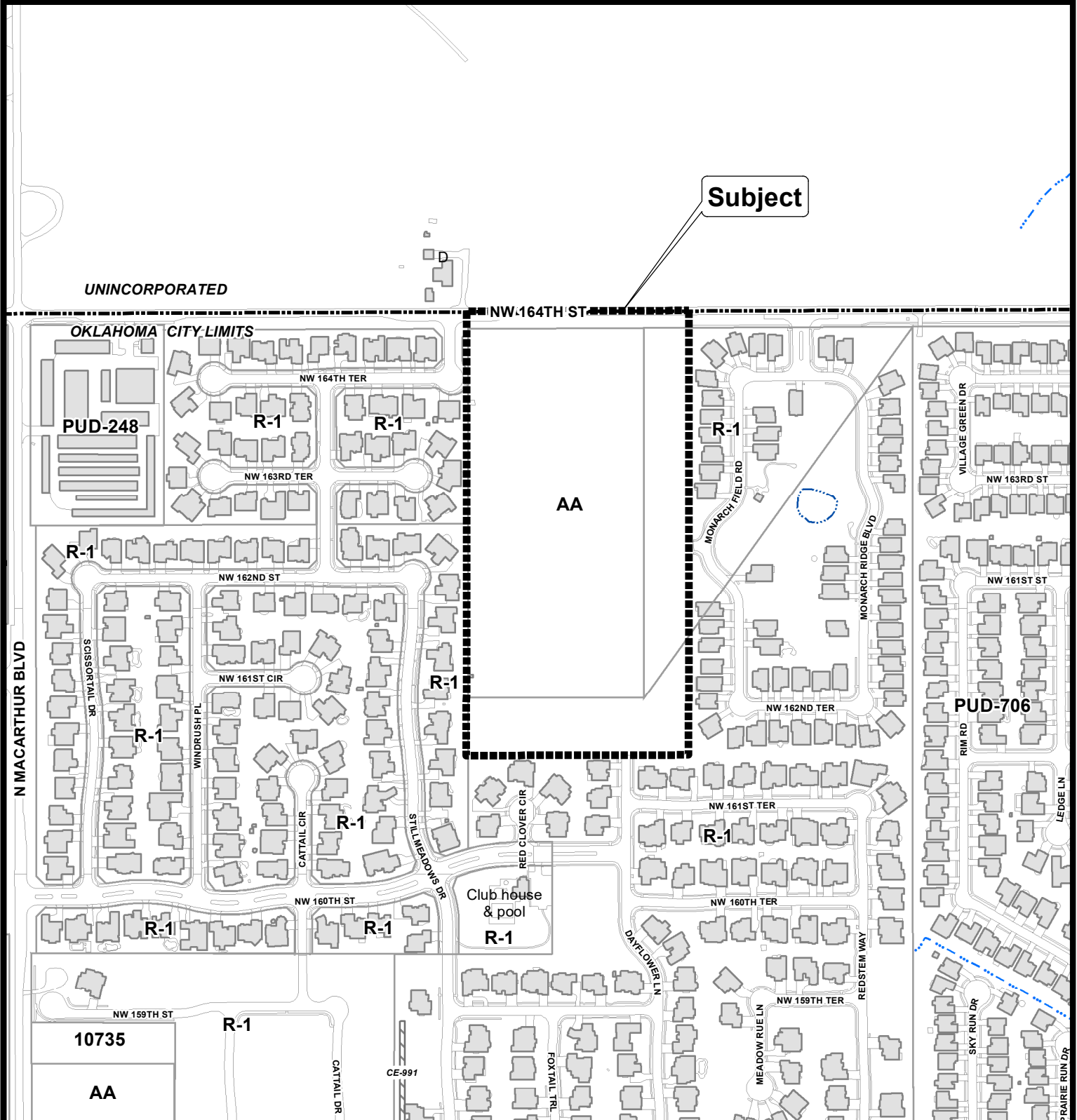
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning 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: PUD-1917 Applicant: Sitelab Land Partners LLC
Existing Zoning: AA / R-1
Location: 5500 NW 164th St.



The City of
OKLAHOMA CITY

Planned Unit Development



0 200 400
Feet



Applicant: Sitelab Land Partners LLC

Location: 5500 NW 164th St.



Planned Unit Development



0 200 400 Feet