

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)

11. (SPUD-1458) Application by May Day Property Holdings, LLC., to rezone 11600 Ecker Drive from the AA Agricultural and RA-2 Single-Family Two-Acre Rural Residential District to the SPUD-1458 Simplified Planned Unit Development District. Ward 7.

Applicant was present. No protestors were present.

RECOMMENDED APPROVAL.

MOVED BY HINKLE, SECONDED BY GOVIN

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

ABSENT: CLAIR



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

Item No. IV. 11.

(SPUD-1458) Application by May Day Property Holdings, LLC., to rezone 11600 Ecker Drive from the AA Agricultural and RA-2 Single-Family Two-Acre Rural Residential District to the SPUD-1458 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Mark Grubbs
Company Grubbs Consulting LLC
Phone 405-265-0641
Email mark.grubbs@gc-okc.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit two single family residences.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Rural – Medium Intensity (RM)

Rural – Medium is similar to the Rural-Low Typology Area except that it allows higher housing densities. These areas are usually near a fire station. Rural-Medium areas are often located adjacent to Urban-Low and Urban Reserve typologies, which are areas intended to urbanize in the future. While there is no expectation for urban services, RM areas have limited potential to connect to City water or sewer service, and may become more integrated into the urbanized area in the distant future. Commercial and light industrial uses may be appropriate provided they do not negatively impact the rural residential character.

2. Size of Site: 5.0 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA/R-A2	AA	R-A2	R-A2	AA
Land Use	Residential	Residential	Residential	Residential	Residential

- 4. Development Context:** The subject site is located at the end of Ecker Drive, a private street located south of NE 122nd Street and west of N Air Depot Road. The subject site is zoned AA and developed with one home. Parcels to the north and west are zoned AA and developed with residences. Adjacent on the south are homes within the River Oaks Golf Club community. To the east is a residence zoned RA2 that takes access from Air Depot. The character of the area is rural residential, with RA (1-acre) subdivisions located on the north side of NE 122nd Street, the east side of N Air Depot Blvd, and south of the subject site. Larger parcels (4-5 acres) are concentrated along Ecker Drive and to the west. The proposed SPUD requests an AA base with a 2-acre minimum lot size so that the parcel can be split into two lots, which mirrors two other SPUDs recently approved to the north on Ecker Drive (SPUD-1345 and SPUD-1431).

II. SUMMARY OF PUD APPLICATION

- 1.** This site will be developed in accordance with the regulations of the **AA Agricultural District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:
- 2. Lot Requirements:**
 - a) Minimum lot size shall be two acres (87,120 square feet).
 - b) Minimum lot width along Ecker Drive shall be 150 feet.
 - c) Maximum lot coverage shall be thirty-five percent.
- 3. Building Setback Lines**
 - a) Minimum front yard setback shall be fifty feet, measuring from adjacent street right-of-way
 - b) Minimum rear yard setback shall be twenty-five feet.
 - c) Minimum side yard setback shall be twenty feet.
- 4. Access:**

Access shall be from Ecker Drive.
- 5. Sidewalks**

Sidewalks are not required.

I. Other Development Regulations:

1. Drainage:

Drainage improvements will be in accordance with applicable sections of the Oklahoma City Municipal Code.

Private drainage ways will be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code, as such exists on the date of approval of this SPUD. Any such private drainage ways must be designed to handle adequate flows and cannot be built without specific approval of the City Engineer. The maintenance of such drainage ways will be the responsibility of the property owners within the SPUD.

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

b. Solid Waste Management

- 1) The City can provide service, providing there is sufficient space for the truck to maneuver to service the addition.

c. Water/Wastewater Quality

Water Availability

- 1) No water service is available for proposed improvements, private on-site water systems are required. The developer will provide an inter (on-site) water distribution system capable of supply water to each lot or tract within the proposed subdivision or land development in accordance with City Standard Specifications and the current Subdivision Regulations.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

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

Density: The Rural Medium LUTA outlines a minimum lot size of 2 acres and a gross density of 0.5 du/acre or below. Smaller lots (1-2 acres) may be appropriate in cluster developments provided the maximum gross density of the project is maintained.

The SPUD is requested to allow a second home to be built and requires a minimum lot size of two acres, consistent with the RM LUTA.

- 2) Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating Low Intensity Residential adjacent to existing Agriculture or Low Intensity Residential, “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 within Rural Medium areas are less than 40% 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 SPUD proposes a minimum lot size of 2 acres which the comprehensive plan finds compatible adjacent to 5-acre parcels. The proposed setbacks meet or exceed AA regulations and building height would be per the existing AA District. Lot coverage is proposed at 35 percent compared to the 5 percent allowed for residential parcels in AA.*

- 3) **Service Efficiency:**
 - Water: *Not served*
 - Sewer: *Within Open Shed*
 - Fire Service: *Rural Response*
- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - Riparian Areas: N/A
 - Upland Forests: The subject area is within the upland forest ESA. The comprehensive plan directs to preserve the Cross Timbers and upland forests, including native understory, to the maximum extent practical. When new-growth or re-growth upland forest trees are removed during construction, trees and other native plants should be replanted on-site. New trees should be planted in clusters that mimic the original tree canopy. The comprehensive plan defines mitigation hierarchy in the following priority: 1) Avoidance and minimization, 2) Restoration, 3) Offset. *Upland Forest is present on the eastern portion of the site. When less than 60 percent forested, the comprehensive plan has a preservation goal of 100 percent. The SPUD is requested to build one additional home south of the existing home on the west side of the site. Lot coverage is limited to 35 percent.*
 - Vulnerable Aquifers: The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite.
- 5) **Transportation System:** This site is located off Ecker Drive, a private residential street that intersects NE 122nd Street, an arterial street, in the Rural Medium LUTA. Unimproved right-of-way for NW 115th Street runs along the southern boundary of the site. Transit (bus) service is not available. A multi-use trail is planned to the west, near the Deep Fork River, with a route to be finalized at a later date.

6) Other Development Related Policies

- Preserve overall landscape character and natural landforms (rolling hills, native vegetation, etc.) to the greatest extent possible. (G-4)
- Ensure that development in rural areas is consistent with local design and scale and does not detract from the open character of the landscape. (SU-45)
- Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizable 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 subject site is located at the end of Ecker Drive, a private street located south of NE 122nd Street and west of N Air Depot Road. The subject site is zoned AA and developed with one home. The SPUD is requested to split a 5-acre parcel into two lots, each at least two acres in size. The proposed lot size is consistent with the Rural Medium LUTA and with the regulations approved in SPUD-1345 and SPUD-1431 on the same street to the north.

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.

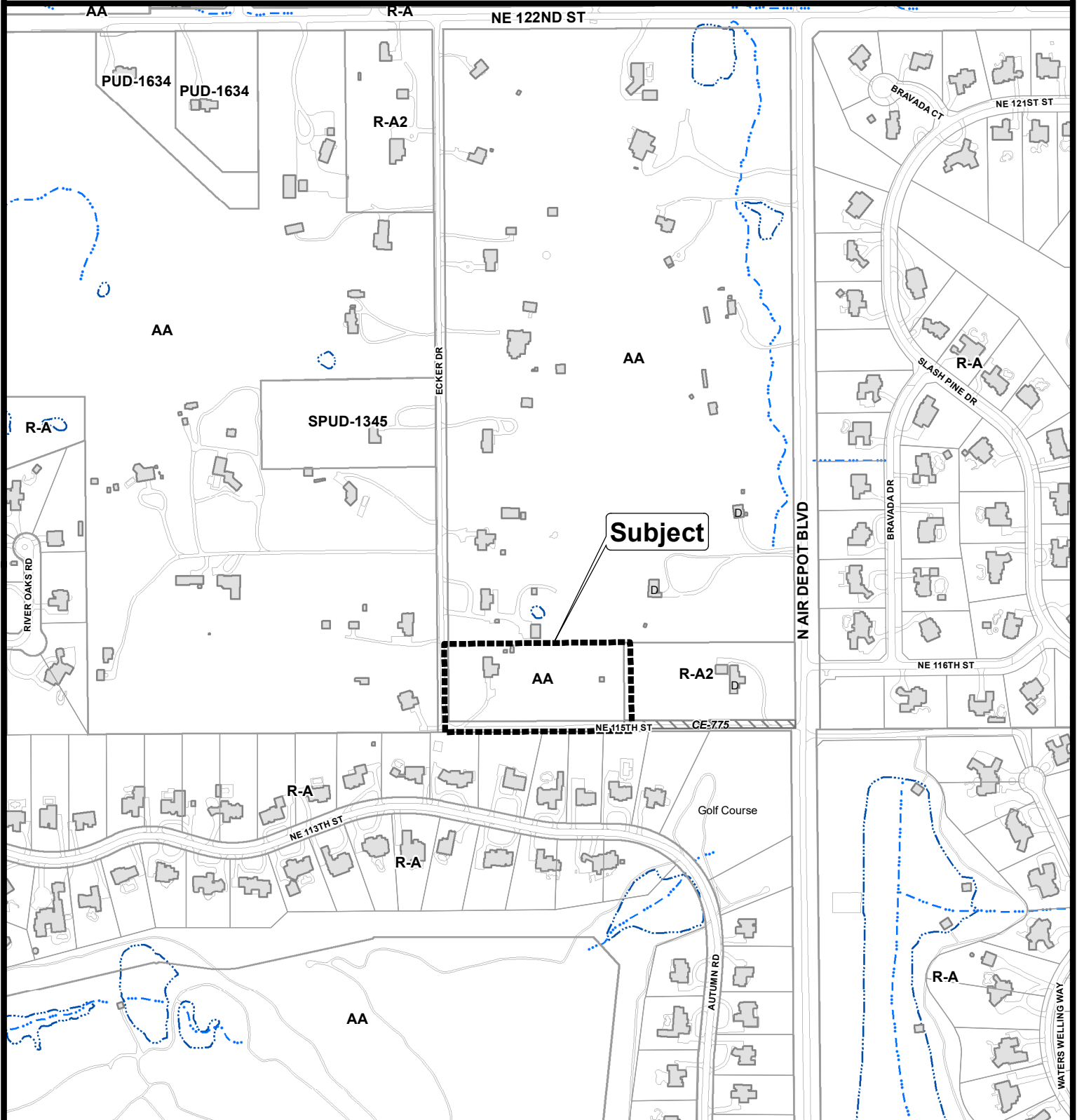
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Case No: SPUD-1458

Applicant: May Day Property Holdings, LLC

Existing Zoning: AA / R-A2

Location: 11600 Ecker Drive



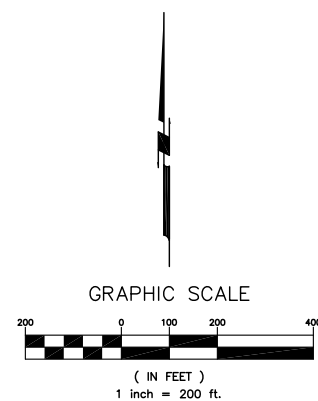
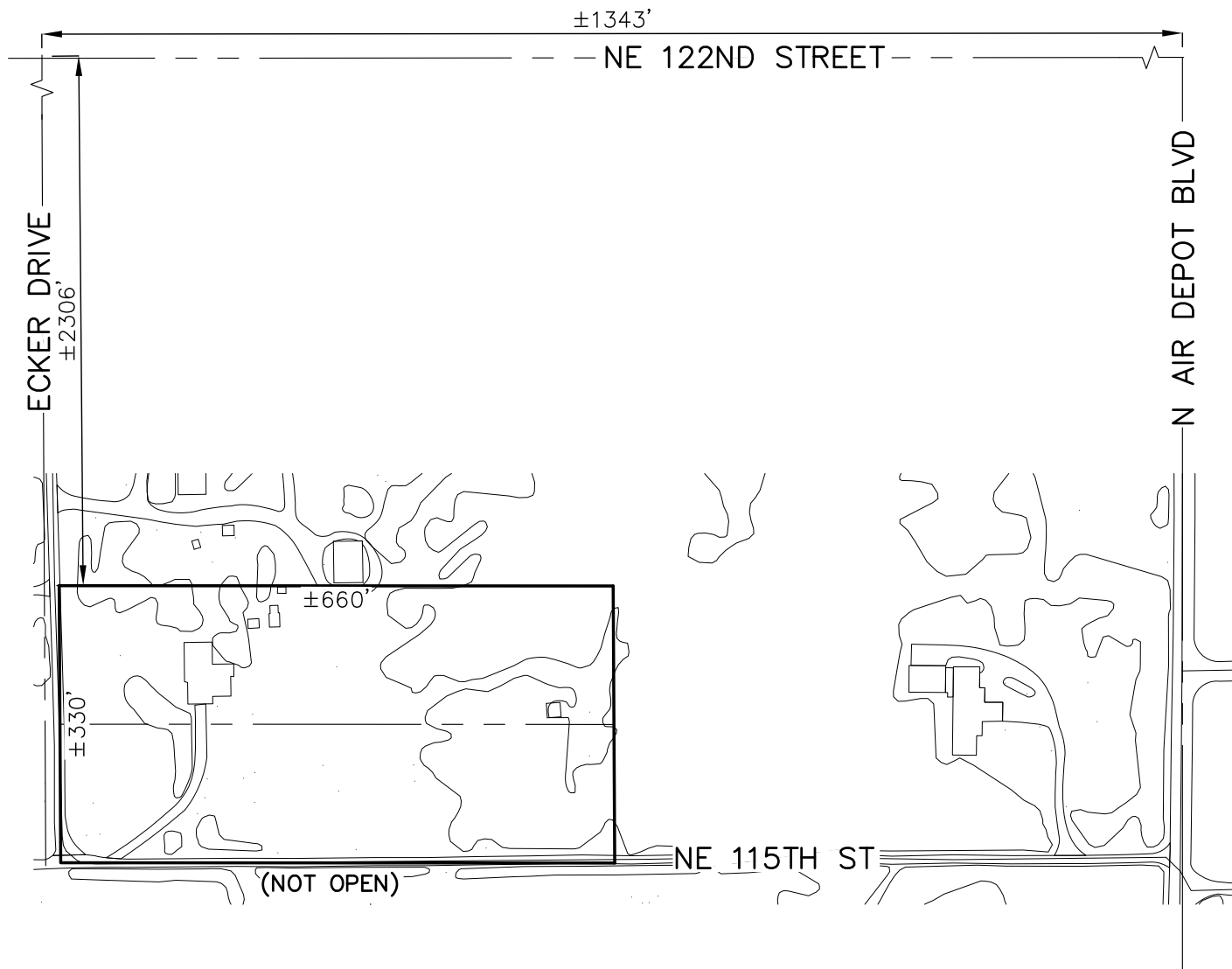
The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 250 500
Feet

EXHIBIT "B"



Proj. No.: 22-065
Date: 09/06/2022
Scale: (Horiz.) 1"=200'
(Vert.) N/A
Drawn By: JNB
Checked By: TM
Approved By: MCG

11600 ECKER DRIVE
OKLAHOMA CITY
OKLAHOMA COUNTY, OKLAHOMA
CONCEPTUAL LAYOUT

RUBBS CONSULTING, LLC
CIVIL ENGINEERING & LAND PLANNING
1800 S. Sara Road
Yukon, OK 73099
Phone: (405) 265-0641
Fax: (405) 265-0649
GRUBBS CONSULTING, LLC CERTIFICATE OF AUTHORIZATION NO. CA 5115 EXP. 06/30/24

FIGURE NO.
B

Case No: SPUD-1458

Applicant: May Day Property Holdings, LLC

Existing Zoning: AA / R-A2

Location: 11600 Ecker Drive



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 250 500
Feet