

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)

12. (SPUD-1459) Application by Dannehl Family Trust to rezone 10036 NW 164th Street from the AA Agricultural District to the SPUD-1459 Simplified Planned Unit Development District. Ward 1.

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. 12.

(SPUD-1459) Application by Dannehl Family Trust to rezone 10036 NW 164th Street from the AA Agricultural District to the SPUD-1459 Simplified Planned Unit Development District. Ward 1.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Brenda Graham
Phone	405-321-1322
Email	ducksuzie@sbcglobal.net

B. Case History

This is a new application.

C. Reason for Request

This application is to permit a residential use.

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.

Comprehensive Plan Land Use Typology Layer: Urban Future (UF)

The UF layer maintains agricultural land and large acreage estates until the area is ready for urbanization. The purpose of the UF designation is to retain land in a condition that provides the most flexibility for developing at urban densities in the future and ensures the most efficient, sustainable delivery of services. Land assembly is one of the most difficult tasks associated with effective land development. To the extent parcels become fragmented, the potential to efficiently urbanize UF areas is compromised due to the challenges of land assembly. Urban Future areas may have access to the City's public water supply or sanitary sewer systems but not both, and typically don't have urban levels of fire service. These areas present opportunities to increase service levels over time and responsibly manage the public costs of growth.

Urban services, including City water and sewer, are not intended to be provided to UF areas until the designation is removed through an amendment to planokc. Commercial and light industrial uses may be appropriate provided they do not negatively impact agricultural operations and character or the potential to eventually urbanize.

2. Size of Site: 1.1 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	Piedmont	AA	AA	AA
Land Use	Residential	Residential	Residential	Undeveloped	Residential

4. Development Context: The subject site is located on the south side of NW 164th Street, between N Sara Road and N Morgan Road. The site is developed with a single-family residence and zoned AA. Land north of NW 164th Street is rural residential and outside Oklahoma City limits. The south side of NW 164th Street between N Sara Road and N Morgan Road is primarily agricultural. The subject site was previously included in the surrounding 79-acre parcel, but the rest of the land was sold, leaving the existing home on a lot size inconsistent with the zoning. The SPUD is requested to allow the home one-acre parcel instead of the 5-acre minimum required under the AA base district.

II. SUMMARY OF PUD APPLICATION

- 1.** This site will be developed in accordance with the regulation of the **AA Agricultural District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

The following use(s) will be the only use(s) permitted on this site:

- 8150.5 Animal Raising: Personal
- 8150.2.1 Animal Raising: Chickens and Quail
- 8150.6.4 Home Garden
- 8150.6.5 Hoop House
- 8150.6.3 Greenhouse
- 8200.14 Single-Family Residential

- 2. Maximum Building Height:**

In accordance with base zoning regulations at the time of development.

3. Maximum Number of Buildings:

In accordance with base zoning regulations in place at the time of development.

4. Lot Size:

Minimum of 1 Acre (43,560 square feet)

5. Lot Coverage:

Maximum of 50%.

6. Building Setback Lines

Front Yard: 40 feet

Rear Yard: 25 feet

Side Yard: 25 feet (except that existing shed and well house are permitted to encroach)

Corner Side N/A
Yard:

7. Sight-proof Screening:

Not required

8. Landscaping:

In accordance with base zoning regulations in place at the time of development.

9. Signs:

Not allowed.

10. Access:

One (1) access permitted from NW 164th Street

11. Sidewalks

Not required.

I. Other Development Regulations:

1. Architecture:

In accordance with base zoning regulations at the time of development.

2. Open Space:

In accordance with base zoning regulations at the time of development.

3. Street Improvements:

Not required.

4. Site Lighting:

In accordance with base zoning regulations at the time of development. Location of site lighting shall be optimized to reduce light spill over to adjacent properties.

5. Dumpsters:

Not permitted.

6. Parking:

In accordance with base zoning regulations at the time of development.

7. Drainage:

In accordance with drainage regulations in place at the time of development.

II. Supporting Documents

Exhibit A: Legal Description

Exhibit B: 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) 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

The subject site is within the Urban Low LUTA and within an area where the Urban Future layer applies. When the Urban Future layer is removed for new development, Urban Low policies will apply. No amendment to the comprehensive plan was requested for the SPUD that addresses an existing condition.

1) LUTA Development Policies:

Site Design:

- 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 not available on the site.

Automobile Connectivity:

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.

The site has an existing drive along NW 164th Street. The Master Design Statement and conceptual plan contemplate only one access at this location.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks would not be required are not available on the subject site and not required as part of the Master Design Statement.

- 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 and agricultural uses adjacent to existing agricultural uses and zoning, “Building Scale and Site Design” are potential compatibility issues identified by the comprehensive plan. In this case, the proposal is requested to maintain the current condition of the property. No triggers requiring mitigation were identified.
- 3) **Service Efficiency:**
 - Water: *Potential Connectivity*
 - Sewer: *Within Open Shed*
 - Fire Service: *Longer than Rural Service Levels*
- 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.

b. Plan Conformance Considerations

The subject site is located on the south side of NW 164th Street, between N Sara Road and N Morgan Road. Land north of the site, across NW 164th Street, is outside Oklahoma City limits. The subject site is within an area that the comprehensive plan designates as ‘Urban Future’ and is expected to urbanize as urban services become available. No amendment to the comprehensive plan was requested for this SPUD as it is requested to rectify an existing condition, which is allowing the existing single-family residence on a one-acre lot instead of the 5-acre minimum required in the AA District. The land has already been split off from the remainder of the 79-acre parcel. The SPUD is needed to bring the newly created parcel into zoning compliance.

IV. STAFF RECOMMENDATION

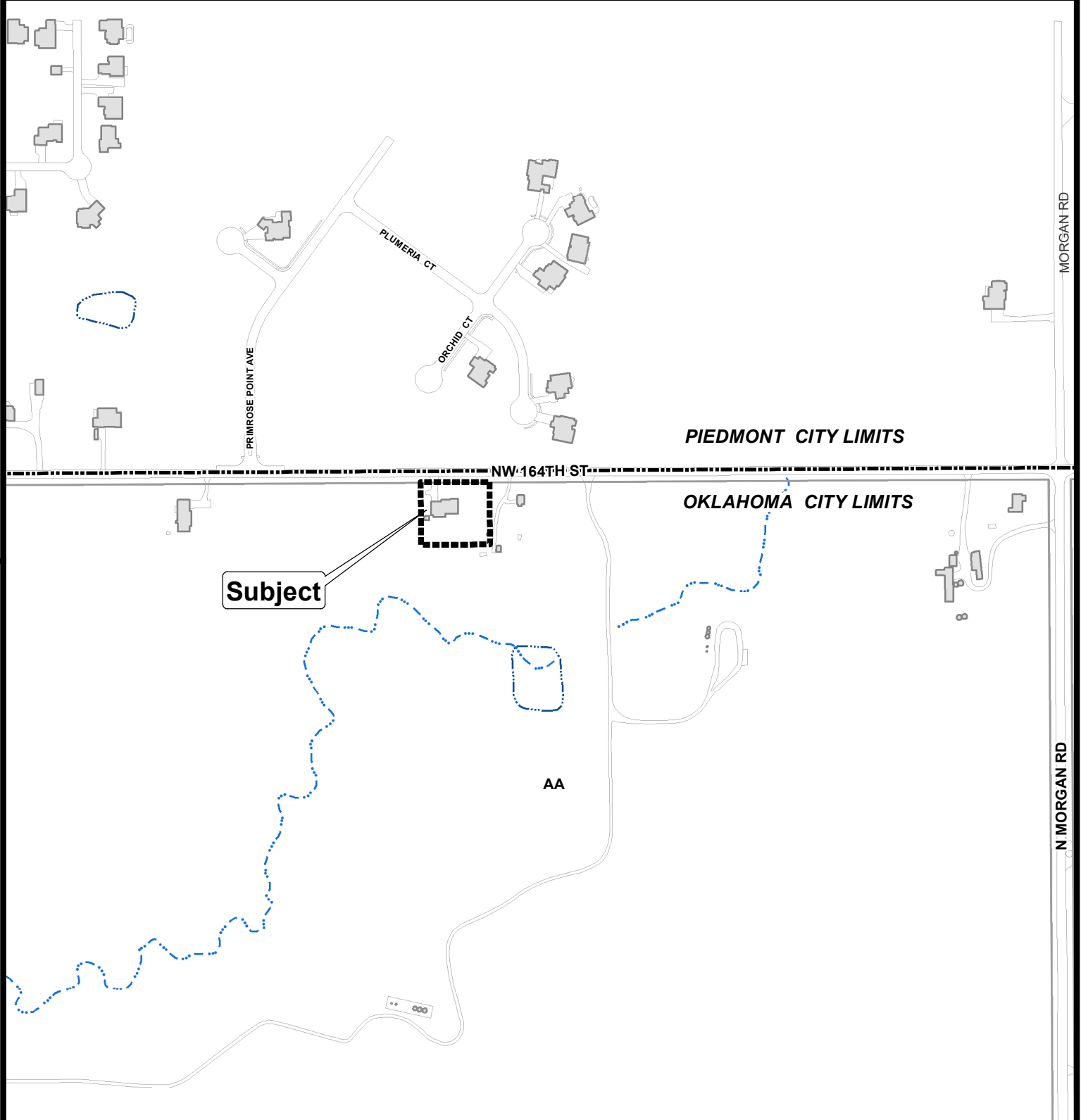
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning 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-1459 Applicant: Dannehl Family Trust
Existing Zoning: AA
Location: 10036 NW 164th St.



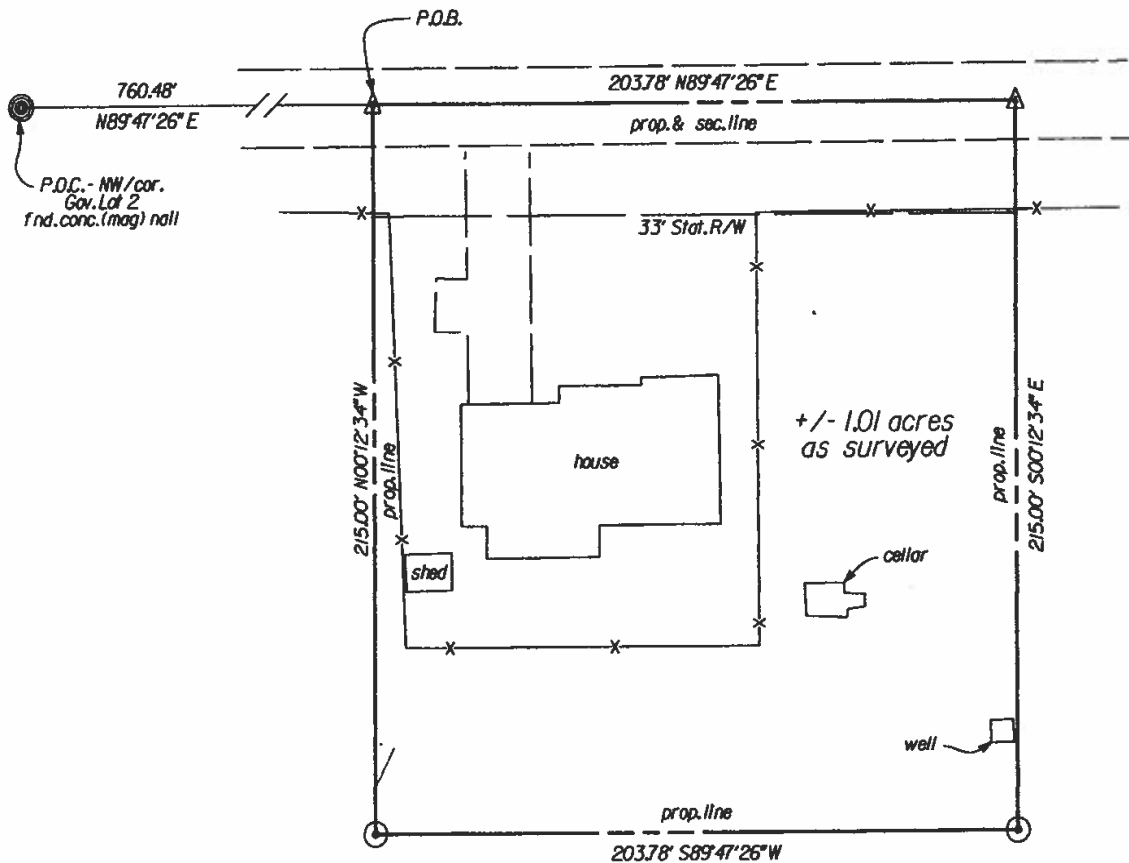
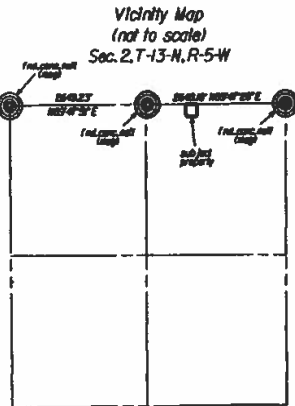
The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 200 400
Feet

CERTIFICATE OF SURVEY
a part of Gov. Lot 2
Section 2, T-13-N, R-5-W,
Canadian County, Oklahoma



DESCRIPTION OF PROPERTY:

A tract of land located in Government Lot Two (2) of Section Two (2), Township Thirteen (13) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, more particularly described as follows:

Commencing at the NW/cor. of said Gov. Lot 2 at a found concrete (mag) nail, thence N89°47'26"E and along the North line of said Gov. Lot 2 a distance of 760.48 feet to the POINT OF BEGINNING; Thence continuing N89°47'26"E a distance of 203.78 feet; Thence S00°12'34"E a distance of 215.00 feet; Thence S89°47'26"W a distance of 203.78 feet; Thence N00°12'34"W a distance of 215.00 feet to the POINT OF BEGINNING.

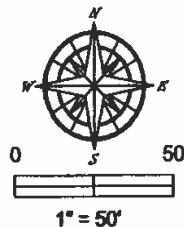
The above described tract contains +/-1.01 acres as surveyed.

Bearings shown hereon are referenced to the Oklahoma Coordinate System of 1983, 2011 adjustment, North Zone.

This property description was prepared on Sept. 3, 2021 by Matthew A. Sutterfield, Licensed Professional Land Surveyor No. 1962.

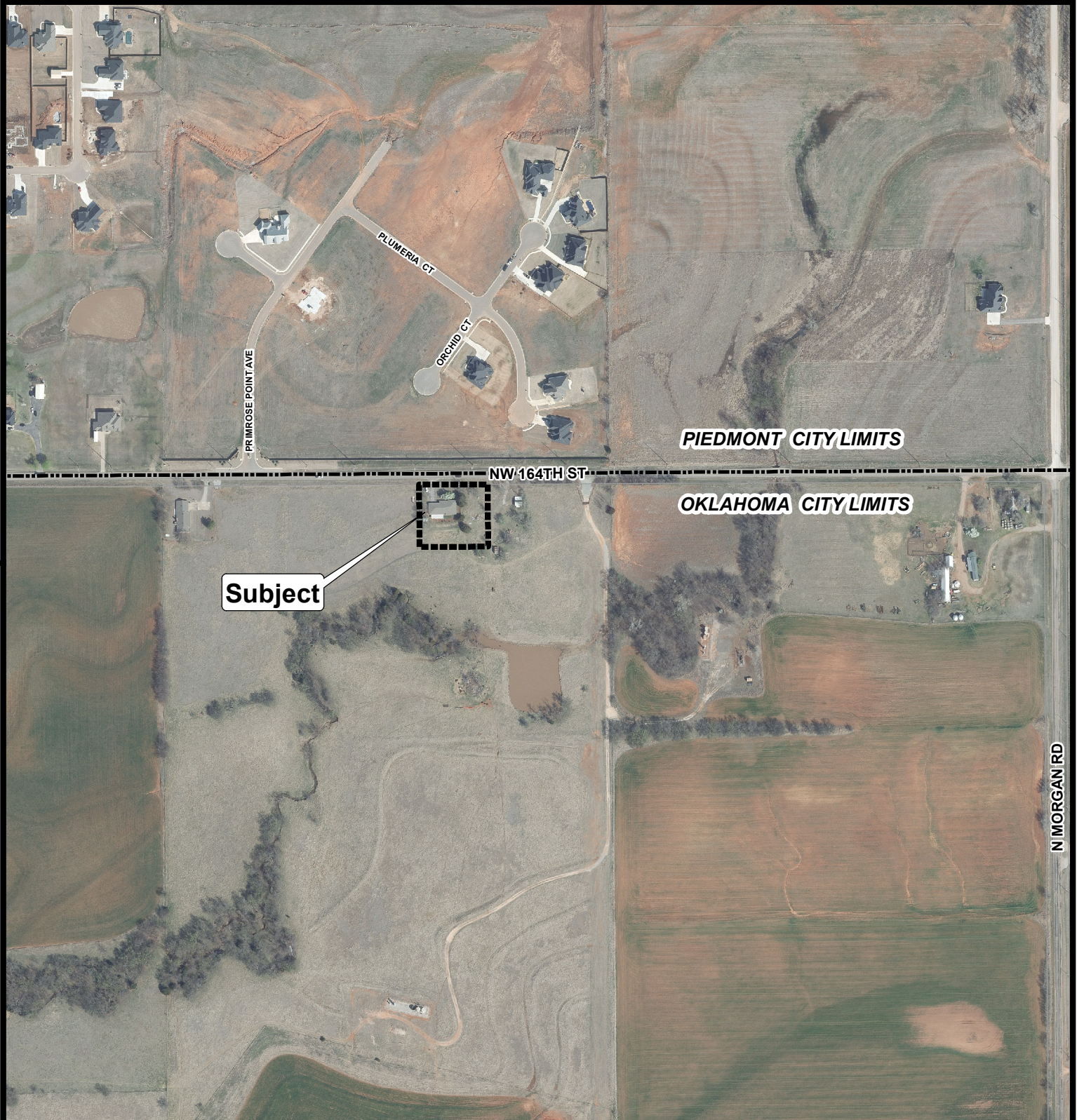
SURVEYOR'S NOTES:

This survey was performed without the benefit of a Title Commitment. No easements were provided or requested to be shown on the survey.



- ▲ - set conc. nail (mag) w/cob477 washer
- ⊙ - set 1/2" iron pin w/cob477 cap

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Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 200 400
Feet