

Planning Commission Minutes
July 13, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:37 a.m. on July 10, 2023)

11. (PUD-1957) Application by Adam Meinke and Petra Meinke, to rezone 11800 SW 104th Street from PUD-1103 Planned Unit Development District to PUD-1957 Planned Unit Development District. Ward 3.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY MEEK, SECONDED BY GOVIN

AYES: CLAIR, POWERS, MEEK, PRIVETT, GOVIN, PENNINGTON, NOBLE

ABSENT: LAFORGE, NEWMAN



STAFF REPORT
The City of Oklahoma City
Planning Commission
July 13, 2023

Item No. IV. 11.

(PUD-1957) Application by Adam Meinke and Petra Meinke, to rezone 11800 SW 104th Street from PUD-1103 Planned Unit Development District to PUD-1957 Planned Unit Development District. Ward 3.

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

The purpose of this application is to allow two single family residences.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Rural – Low Intensity (RL)

Rural – Low Intensity applies to areas where large-lot neighborhoods and residential acreages/estates may remain with no expectation of urbanization or provision of urban infrastructure such as water or sewer. RL areas are predominantly composed of residential and agricultural uses but may support commercial and light industrial uses provided they do not negatively impact the rural residential character.

2. Size of Site: 5.03 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1103	AA	AA	AA	AA
Land Use	Residential	Residential	Residential	Residential	Residential

II. SUMMARY OF PUD APPLICATION

8.1.....USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the **R-A Single Family Rural Residential District** shall govern this PUD, except as herein modified.

All uses within the R-A District shall be permitted.
A maximum of two lots are permitted.
The minimum lot size shall be 1.6 acres.
The minimum lot width shall be 200 feet.

9.0.....SPECIAL CONDITIONS

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

9.1.....FAÇADE REGULATIONS

The existing structure shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, metal, masonry, rock, stone, stucco, or wood, or other similar type finish.

9.2 LANDSCAPING REGULATIONS

The existing landscaping shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, 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 existing lighting shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, 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

The existing five-foot PVC fence shall be permitted to remain and deemed to conform to applicable regulations.

9.5 PLATTING REGULATIONS

Platting shall not be required.

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

There shall be one (1) access point from Darrow Rd. and a maximum of two (2) access points – one driveway per lot – from SW 104th St. in this PUD.

9.9 PARKING REGULATIONS

The existing parking shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, 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 will be in accordance with the base zoning district regulations.

9.10.2 ATTACHED SIGNS

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

9.10.3 NON-ACCESSORY SIGNS

Non-Accessory signs will be prohibited.

9.10.4 ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs will be prohibited.

9.11 ROOFING REGULATIONS

The existing roof shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, it shall have Class C roofing or better.

9.12 SIDEWALK REGULATIONS

Sidewalks shall not be required within this PUD.

9.13 HEIGHT REGULATIONS

The existing structure shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the base zoning district regulations shall regulate heights of structures in this PUD.

9.14 SETBACK AND DENSITY REGULATIONS

The existing setbacks shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, yard requirements in this PUD shall be the same as the base-zoning district.

Minimum lot size within this PUD shall not be less than 1.6 acres.

9.15 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**.

9.16 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.

9.17 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 – Conceptual 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) Mustang**
- 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 public wastewater service is available for the development. A private on-site wastewater disposal system is required in accordance with ODEQ rules and regulations. Applicants is responsible for obtaining all required City and ODEQ Permits. On-site wastewater 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.

- 2) The City can provide service for up to 3 units on a single water meter. Any more than 3 units on the same meter will have to be serviced by a private hauler. A dumpster could be utilized provided there is not enough frontage space for cart placement.

c. Water/Wastewater Quality

Water Availability

- 1) No water service is available for proposed development, private on-site water system is required. The developer must provide a water distribution system that is capable of supplying water to each lot or tract within the development in accordance with ODEQ and OWRB. Well permits must be obtained from OWRB and a copy of the permit must be filed with the Utilities Department. No private water source or groundwater source may be connected to any service or system connected to the City water system.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

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

National, state, and local permitting require basic best management practices for stormwater management.

Density: The Rural Low LUTA outlines a minimum lot size of 5 acres (gross density of 0.2 du/acre) for residential. *The PUD proposes altering the RA base already included in the existing PUD to a new layout of two tracts, Tract A proposed at 3.43-acres and Tract B at 1.61-acres.*

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. The PUD allows a lot change configuration without an increase in density. No new compatibility issues were identified.
- 3) **Service Efficiency:**
 - Water: *Not Served*
 - Sewer: *Not Served – Need for Major Investment*
 - Fire Service: *Longer than Rural Service Level*

- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - Riparian Areas: N/A
 - Upland Forests: N/A
 - 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 at the southwest corner of SW 104th Street, a Minor Arterial Street, and Darrow Road, a Private Neighborhood Street, both in the Rural Low LUTA. Transit (bus) service is not available.
- 6) **Other Development Related Policies**
 - 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)
 - Preserve overall landscape character and natural landforms (rolling hills, native vegetation, etc.) to the greatest extent possible. (G-4)
 - 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)
 - Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
 - Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)

b. Plan Conformance Considerations

The subject site is located on the southwest corner of SW 104th Street and Darrow Road, west of S Mustang Road and Highway 4, within the Rural Low LUTA. All land surrounding the site is zoned AA, with large rural-residential parcels to the north, across SW 104th Street, and abutting on the east. The site was originally platted as part of the 5-acre residential subdivision (Payne-Darrow Road) that remains south and west of the site.

The site was rezoned from AA to PUD-1103 in 2005 to allow two homes to be built on the roughly 5-acre site with an RA base. The existing PUD allows a minimum lot size of two acres, however a pond on the site requires a new

configuration of the properties on site, Tract A now proposed at 3.43-acres and Tract B at 1.61-acres. The density allowed in the existing PUD would not change.

IV. STAFF RECOMMENDATION

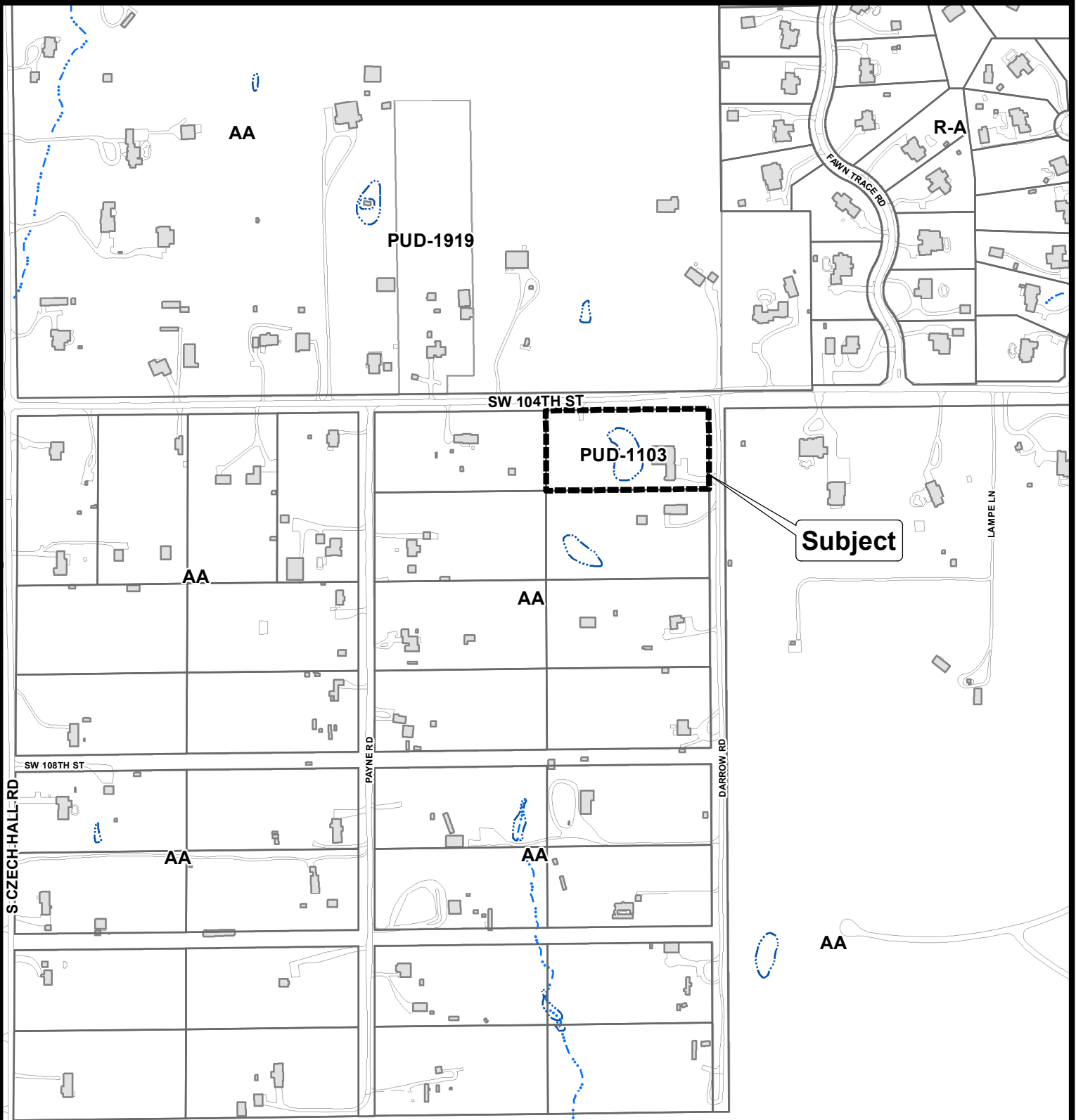
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning 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-1957 Applicant: Adam Meinke and Petra Meinke
Existing Zoning: PUD-1103
Location: 11800 SW 104th St.



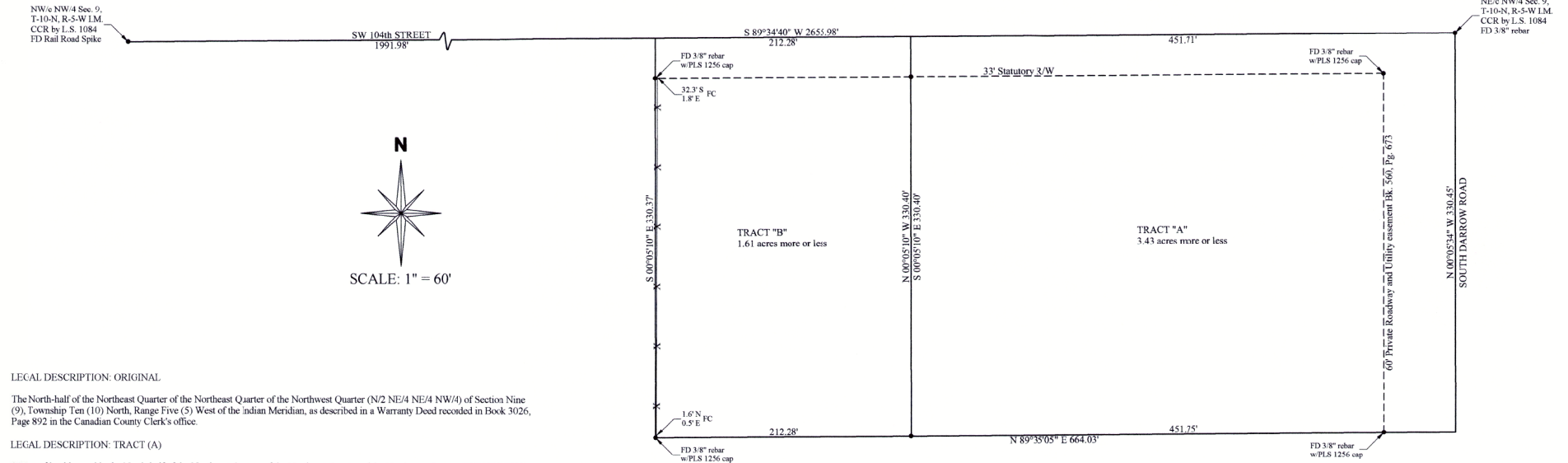
The City of
OKLAHOMA CITY

Planned Unit Development



0 250 500
Feet

PLAT OF SURVEY



LEGAL DESCRIPTION- ORIGINAL

The North-half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (N/2 NE/4 NE/4 NW/4) of Section Nine (9), Township Ten (10) North, Range Five (5) West of the Indian Meridian, as described in a Warranty Deed recorded in Book 3026, Page 892 in the Canadian County Clerk's office.

LEGAL DESCRIPTION- TRACT (A)

A tract of land located in the North-half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (N/2 NE/4 NE/4 NW/4) of Section Nine (9), Township Ten (10) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, being more particularly described as follows:
Beginning at the Northeast corner of said Northwest Quarter (Certified Corner Record by L.S. #1084);
Thence South 89°34'40" West on the North line of said Northwest Quarter (being the basis of bearing for this legal description) for a distance of 451.71 feet; Thence South 00°05'10" East and parallel with West line of said North-half for a distance of 330.40 feet to the South line of said North-half;
Thence North 89°35'05" East for a distance of 451.75 feet to the Southeast corner of said North-half;
Thence North 00°05'34" West for a distance of 330.45 feet to the point of beginning.
This property description was prepared on April 19, 2023 by Steve Schuelein, Licensed Professional Land Surveyor Number 1256.

LEGAL DESCRIPTION- TRACT (B)

A tract of land located in the North-half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (N/2 NE/4 NE/4 NW/4) of Section Nine (9), Township Ten (10) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, being more particularly described as follows:
Commencing at the Northeast corner of said Northwest Quarter (Certified Corner Record by L.S. #1084);
Thence South 89°34'40" West on the North line of said Northwest Quarter (being the basis of bearing for this legal description) for a distance of 451.71 feet to the point of beginning;
Thence continuing South 89°34'40" West for a distance of 212.28 feet to the Northwest corner of said North-half;
Thence South 00°05'10" East for a distance of 330.37 feet to the Southwest corner of said North-half;
Thence North 89°35'05" East on the South line of said North-half for a distance of 212.28 feet;
Thence North 00°05'10" West for a distance of 330.40 feet to the point of beginning.
This property description was prepared on April 19, 2023 by Steve Schuelein, Licensed Professional Land Surveyor Number 1256.

SCHEDULE B-2 EASEMENT NOTES:

A Title Commitment was not provided to this maker.
This maker assumes no liability for any Easements or Right-Of-Ways that may or may not cross surveyed property.

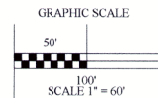
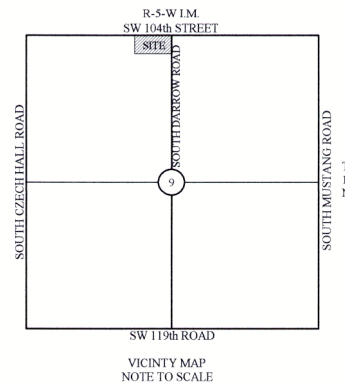
CERTIFICATE OF SURVEY:

This plat of survey meets the Oklahoma Minimum Standards for the practice of land surveying as adopted by the Oklahoma State Board of Licensure for Professional Land Surveyors.

Steve Schuelein 4-22-23
Steve Schuelein, Licensed Professional Land Surveyor No. 1256

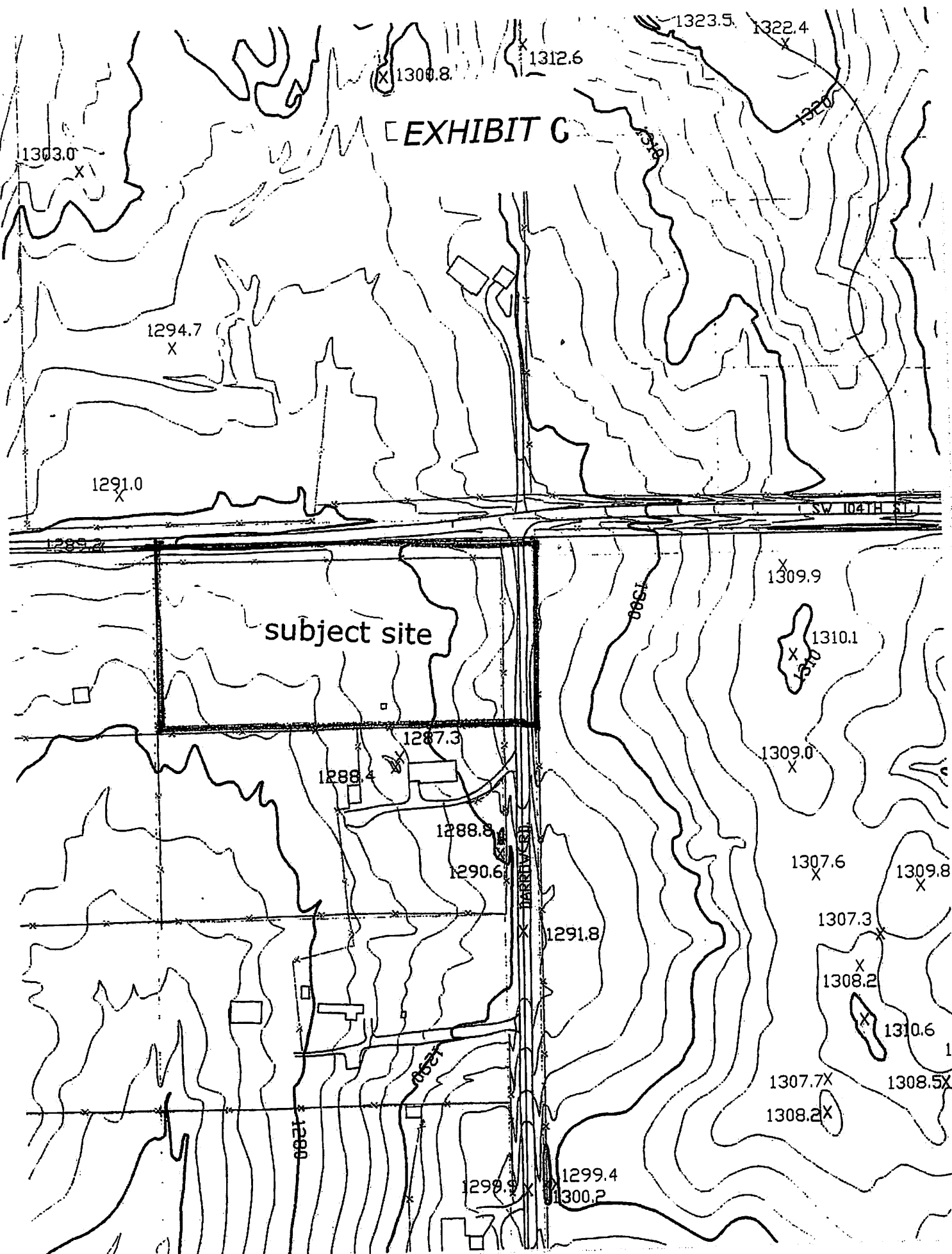
SURVEYORS NOTES:

Bearing reference is the North line of the NW/4 = S 89°34'40" West, Grid.
Building on surveyed property are not shown hereon.
● = Set 3/8" rebar with PLS 1256 cap unless noted.
CCR = Certified Corner Record
FC = fence corner
FD = found
X = plastic rail fence



STEVE R. SCHUELEIN
1228 SW 81 STREET
OKLAHOMA CITY, OK 73139
MOBILE: (405) 306-6771
E-MAIL: shoesand@cox.net
SURVEY NO.: S2416 NEW
DATE: 04/19/2023
DATE OF LAST SITE VISIT: 04/18/2023
REVISION DATE:

EXHIBIT C



Case No: PUD-1957 Applicant: Adam Meinke and Petra Meinke
Existing Zoning: PUD-1103
Location: 11800 SW 104th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Planned Unit Development



0 250 500
Feet