



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**November 18, 2021**

**Item No. IV. 36.**

(PC-10775) Application by Emilio Granja, to rezone 9229 South Cimarron Road from the AA Agricultural District to the RA Single-Family One-Acre Rural Residential District. Ward 3.

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant**  
Emilio Granja  
Airknockout.eg@gmail.com  
(405) 887-1092

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this request is to change the existing agricultural based zoning to a residential based zoning that will permit residential development.

**D. Existing Conditions**

**1. Size of Site (11.39 acre)**

**2. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	AA	AA	AA	AA	AA
<b>Land Use</b>	Residential	Residential	Residential	Residential	Residential

**3. 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.

**4. Development Context:** The 11.4-acre subject site is located on the east side of S Cimarron Road, south of SW 89<sup>th</sup> Street. The subject site is situated two miles west of the City of Mustang. The proposed development site and all surrounding land is zoned AA. Surrounding parcels range from 5 to 20 acres.

Oil/gas operations are located to the northeast and directly to the south, with access to the southern site provided through the subject site. The application seeks to rezone the property to the RA District which would allow a rural residential subdivision.

## **II. 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 (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. School District (Mustang)**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

### **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**

**1) Storm Sewer**

- a) 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.
- b) 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. The improvements shall be placed to provide a minimum of 35 feet clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way. Sidewalks shall be constructed in compliance with the Oklahoma City Ordinance and meet all applicable ADA regulations.
- c) A flood/drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. The study must be reviewed and approved by the Public Works Department.
- d) 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 areas along the stream shall extend to the flow line of the stream at a minimum.
- e) 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's association. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent shall be placed within the drainage-related common areas and/or drainage easements shown.
- f) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.

- g) Construction within the limits of this PC 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 ½ acre or greater.
- h) Sidewalks shall be installed for all new construction and/or at the time of conversion of a residential use to a more intense use on all lots having frontage on a public street classified s major or minor arterial.
- i) All private road/street will have private storm sewer system.
- k) Detention Determination
  - A detention requirement determination will not be issued at the Preliminary Plat stage unless the development is located within the current “detention required area”.
  - Prior to the preparation of a Final Plat and Construction Plans, the Engineer or Developer may contact the Public Works Engineering Department and receive a Detention Determination for that individual Final Plat
    - This Detention Determination will be specific to the single Final Plat under consideration
    - The Detention Determination will be valid for a period of six (6) months
    - If the Final Plat and Construction Plans have not been submitted, reviewed, and approved by the Public Works Engineering Department within that 6-month time frame, the Detention Determination will be void and a new Detention Determination must be requested.
    - If construction has not started on the development within six (6) months of the approval of the construction plans, the Detention Determination will be void and a new Detention Determination must be requested.
  - For new commercial developments that do not require hearings before the PC or CC, the Engineer or Developer may contact the Public Works Engineering Department and receive a Detention Determination for that commercial development.

**8. Streets, Traffic and Drainage Maintenance \***

**9. Stormwater Quality Management**

**10. Traffic Management \***

## **11. Utilities**

### **a. Engineering**

#### **Sanitary Sewer Availability**

- 1) City wastewater system is not currently within the required distance for extension per the current Subdivision Regulations; therefore, extension of the City wastewater system is not required.

### **b. Solid Waste Management**

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.

The City can also service residential customers providing there is sufficient space for the truck to maneuver to service the addition.

### **c. Water/Wastewater Quality**

#### **Water Availability**

- 1) City water system is not currently within the required distance for extension per the current Subdivision Regulations; therefore, extension of the City water system is not required.

## **12. Planning**

### **a. Comprehensive Plan Considerations**

#### **1) LUTA Development Policies:**

##### Site Design:

- Design new buildings 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 Low LUTA outlines a minimum lot size of 5 acres (gross density of 0.2 du/acre) for residential.

*The proposed RA District allows rural residential subdivisions with densities from 0.7 to 1 du/acre, over the LUTA range.*

- 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 low intensity residential or agricultural uses or zoning, “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 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 proposed RA District allows smaller lots and greater lot coverage than the surrounding AA District. Building height and setbacks are similar in both districts. Building scale and site design cannot be stipulated in a base zoning request.*

- 3) **Service Efficiency:**
- Water: *Not Served*
  - Sewer: *Not Served – Need for Major Investment*
  - Fire Service: *Rural Response Time*
- 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 off S Cimmaron Road, a Minor Arterial Street in the Rural Low LUTA. Bus transit is not available to the area.

**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)
- 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)

**b. Plan Conformance Considerations**

The subject site is located in far southwest Oklahoma City near SW 89<sup>th</sup> Street and S Cimmaron Road. The site is within an area the comprehensive plan designates as Rural Low Intensity and Agricultural Preserve, which calls for a 5-acre minimum lot size. The existing AA District is consistent with the comprehensive plan. The requested RA District would allow lots sizes and densities that are not consistent with the comprehensive plan or the surrounding area.

The subject site's existing AA District would allow the 11.4-acre tract to be split into two lots. The applicant contemplates three lots, but this cannot be stipulated in a base zoning request and no formal plat application was submitted. If more than two lots are supported, the RA2 District may be more appropriate as it allows densities of 0.35-0.45 du/acre, or up to four lots, provided each could meet the zoning and subdivision regulations.

**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.*

**Denial of the application.**

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*If the application is recommended for approval, the zoning district should be amended to the RA2 District.*

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