



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

Item No. IV. 41.

(PC-10778) Application by Kristen Bohanon, to rezone 2145 South County Line Road from the AA Agricultural District to the R-1 Single-Family Residential District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Mark W. Zitzow, Johnson and Associates
mzitzow@jaokc.com
(405) 235-8075

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 single-family residential development.

This application is associated with CPA-2021-00013, a request to lift the Employment layer.

D. Existing Conditions

1. Size of Site (112 acre)

2. Zoning and Land Use

| | Subject Site | North | East | South | West |
|-----------------|---------------------|--------------|-------------|--------------|-----------------|
| Zoning | AA | AA | PUD-1757 | R-1 | AA / PUD |
| Land Use | Undeveloped | Undeveloped | Undeveloped | Residential | Und / Oil Field |

3. 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: Employment (EM)

The Employment layer reserves priority areas within the city for large industrial and business development essential for Oklahoma City's economic stability and future growth. The EM designation provides a competitive advantage for attracting new companies and retaining existing companies that need to expand. This designation maintains large acreages (typically 25 acres or above) to maximize clustering for specialization, synergy, transportation efficiency, and knowledge exchange. Appropriate uses within EM include those that generate employment, such as manufacturing, office parks, and office/industrial flex space uses as well as industrial uses such as warehousing or distribution. Multifamily is also appropriate when integrated as part of a holistic development that incorporates the aforementioned uses. Land uses such as single-family residential, service-related retail, K-12 schools or other civic uses, unless proven to support the primary activity or use, are not appropriate within this area.

4. **Development Context:** The 112-acre subject site is located at the southwest corner of SW 15th Street and S County Line Road. The site is undeveloped. To the south is a residential subdivision (Westbrooke). To the west is AA zoned land and Mustang Creek, which also flows through AA zoned land to the north across SW 15th Street. The future Swisher Park is located north of the creek. To the east is PUD-1757, an industrial PUD that was approved in 2020 consistent with the Employment designation that covers it and the subject site. The proposal would rezone the subject site from AA to R-1. As single-family residential zoning is not consistent with the comprehensive plan's Employment layer, the application is associated with CPA-2021-00013, a request to remove the layer. If approved, the site's LUTA would be Urban Low Intensity.

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) A portion of the subject property is situated within a FEMA Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year frequency plus one-foot). These elevations shall be approved by the Public Works Department Engineering staff prior to filing of the final plat.
- e) 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.
- f) 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.
- g) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- h) 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.
- i) A Corps of Engineers 404 permit must be submitted with plans for any work contemplated within the floodplain, creek, or channel (waters of the United States) included in the case limits.
- j) 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.
- k) All private road/street will have private storm sewer system.

l) 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) An existing 27” sanitary sewer main(s) is adjacent to the subject site and a connection will be permitted in accordance with City Standard Specifications.

- 2) All sanitary sewer mains must flow within the existing drainage basin. Proposed sewer mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) All sanitary sewer mains must have a minimum cover of 6 feet and a depth no greater than 18 feet.
- 4) The developer will be required to extend a gravity sanitary sewer collection system to each lot or site within the subdivision or land improvement in accordance with City Standard Specifications and the current Subdivision Regulations. No private or public lift stations will be allowed.
- 5) Proposed sanitary sewer main(s) must be in a dedicated easement. No other utilities will be allowed within the dedicated easement.
- 6) Sanitary sewer extension required. Side lot easements must total 20-feet.

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) The subject site is adjacent to a 16" water main in the street right-of-way of SW 15th Street.
- 2) The developer will be required to extend a minimum 12-inch water main (or larger as recommended by the approved Current Water Master Plan) along the section line street, border or perimeter of the development and/or all interior water mains for domestic use and fire flow protection.
- 3) The developer will provide an internal (on-site) water distribution system capable of supplying water to each lot or tract within the proposed subdivision or land development in accordance with City Standard Specifications and the current Subdivision Regulations.

STAFF REPORT

The City of Oklahoma City

Planning Commission

PC-10778

November 18, 2021

Item No. IV. 41.

- 4) The developer may make an application under the Policy “A-1” program to the Oklahoma City Water Utilities Trust (OCWUT) for purchase of construction costs for an oversized water main extension (16-inch or larger). Approval will be subject to funds available for improvements.
- 5) Dead-end water mains must be avoided. Connection to at least two active feeder or grid water mains will be necessary to prevent partial or total shut-off of water supply when a pipeline failure occurs within the proposed development.
- 6) 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.
- 7) 16” water main extension required to the furthest property boundary of the development.

12. Planning

a. Comprehensive Plan Considerations

The subject site is located within the Urban Low LUTA and in an area where the Employment Land Use Typology Layer (EM) applies. This application is associated with CPA-2021-00013, a request to amend the comprehensive plan and remove the EM Layer. Relevant policies are listed below.

1) LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways. (UL)
- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands. (UL)
- 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. (UL)
- Developments should be served by urban water and sewer utility systems. (UL)

- Small-scale industrial, office or retail development is appropriate provided that it supports/strengthens major employment uses and does not restrict future large-scale development by fragmenting parcels or impeding internal circulation. (ER)

A portion of Mustang Creek and its floodplain are located on the northwest corner of the site and along the north and west boundaries of the site. National, state, and local permitting require basic best management practices for stormwater management. Mustang Creek has been identified as the location for a future multiuse trail.

Location:

- (UL) Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.

Southwest 15th Street is a four-lane Major Arterial Street, and S County Line Road is a two-lane minor arterial street.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. The UL LUTA outlines a density range of 4 to 8 dwelling units per acre for single family. *The requested R-1 District allows a residential density within this range.*

Automobile Connectivity:

- Development is encouraged to be designed to accommodate future development's access needs, including partial connector construction, where appropriate. (ER)
- 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. (UL)
- Limit number of dead-end streets and cul-de-sacs. (UL)
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points. (UL)
- Development fronting arterials should take access from intersecting streets where possible. (UL)
- Primary entrance points should be aligned with access points immediately across the street. (UL)
- Subdivisions with more than 50 units should have at least two points of entrance / egress no closer than 300 feet apart. (UL)

Street design would be per the Subdivision Regulations.

Pedestrian Connectivity (UL and ER):

- Provide sidewalk connections to adjacent development.

Sidewalks are required along arterial streets and in new residential subdivisions.

- 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 uses, “Building Scale and Site Design” is a potential compatibility issue identified by the comprehensive plan. When locating the proposed single family residential near industrial uses or zoning, the comprehensive plan identifies potential “Operational” impacts.

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. *Potential lot size compatibility issues are identified along the southern boundary of the site where new lots would abut existing 10,000 sf lots. Code requires new lots in the R-1 District to be at least 75 percent of the adjacent lots, up to 7,500 square feet. Mitigation measures beyond Code cannot be stipulated in a base zoning request.*

Operational Impact: The comprehensive plan states that in some cases, a proposed project may need to take measures to reduce the impact of an existing use, and specifically identifies placing residential uses next to an industrial use as an example. *In this case, PUD-1757 to the east was negotiated with design controls and less intense uses on its south end where adjacent to existing and developing residential uses. The northern portion of the PUD (across from the subject site) allows light and moderate industrial uses including manufacturing, warehousing, and heavy auto repair, and does not require the same landscape buffers, access, or building façades across from the “Employment” designated subject site. The proposed subdivision would need to take measures to buffer itself from future commercial/industrial development to the east.*

- 3) **Service Efficiency:**
- Water: *Fully served or will be served*
 - Sewer: *Fully Served or within an open sewer shed*
 - Fire Service: *Urban Service Level*

- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
- Riparian areas: Riparian areas are vegetated areas adjacent to streams, lakes, ponds, and wetlands that are composed of a mixture of trees, shrubs, and grasses. These areas may also contain floodplain. The comprehensive plan recommends a 100-foot buffer from stream banks. *Riparian area is present along Mustang Creek in the northwest portion of the site. Development should maintain a 100-foot buffer from the stream bank, but this cannot be stipulated in a base zoning request.*
 - 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:** The proposed development is located along Southwest 15th Street, a four-lane Major Arterial Street, and S County Line Road a two-lane Minor Arterial Street. Bus transit is not available nearby. A trail is anticipated along Mustang Creek with the final route to be determined at a later date.
- 6) **Other Development Related Policies**
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
 - Connect existing parks and neighborhoods to create a continuous system of open spaces, for example along stream corridors. (P-18)
 - Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
 - Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizeable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)
 - Avoid under-grounding streams to the greatest extent possible. Where feasible, encourage the re-surfacing of buried streams. Limit the use of culverts or other structures that alter natural streams, and require designs that minimize impacts to stream health and function. (G-11)

- Encourage unified planning for all adjoining land owned or controlled by a project's development to ensure property circulation and land use relationships. (SU-47)

b. Plan Conformance Considerations

The 112-acre subject site is located at the southwest corner of SW 15th Street and S County Line Road. The site is zoned AA and within an area the comprehensive plan identifies as "Employment" land. The proposed R-1 District is not in conformance with the Employment layer. A request to amend the plan is associated with this application (CPA-2021-00013). If the amendment is denied, the rezoning application should be denied. If the amendment is approved, the site would be designated Urban Low Intensity and the proposed R-1 District would be consistent with plan.

If approved, plan conformance would be strengthened at the platting stage by including Mustang Creek and its floodplain within a common area and designing the subdivision with the ability to connect to a future public trail. Additionally, the new subdivision would be across the street from land zoned for commercial and industrial uses and should take measures to buffer itself from potential operational impacts such as noise, light and odor that may occur with development in the future.

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.

If CPA-2021-00013 is denied, denial of application.

If CPA-2021-00013 is approved, approval of application.

taj