



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

Item No. IV. 29.

(C-7363) Preliminary Plat of Mustang Lake, being a part of the North Half of Section 24, Township 11 North, Range 5 West of the Indian Meridian, located south of SW 44th Street and west of S. County Line Road; and a variance to Section 5.10.5.B of the Subdivision Regulations. Ward 3.

I. GENERAL INFORMATION

A. Contacts

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B. Case History

This application was continued at the October 14, and October 28, 2021, Planning Commission meetings.

C. Reason for Request

The developer proposes a single-family residential development on this site.

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.

2. Size of Site: 58.52 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA (PUD-1848, R-A & R-1 Requested)	R-1, PUD-1488 (R-1)	R-1	AA, S. John Kilpatrick Turnpike	AA
Land Use	Vacant	Residences / Agriculture	Residences	Turnpike	Residences

II. SUMMARY OF APPLICATION

The developer is proposing 94 single-family lots and five common areas on 58.52 acres, yielding a gross residential density of 1.61 dwelling units per acre. Public streets, storm sewer, and water improvements are proposed. The site is broken into two tracts. The eastern tract is proposing to connect to the City's Public Sewer System. The western tract is proposing to use private onsite septic systems. The site is currently zoned AA Agricultural District; however, this application is in conjunction with an application to rezone to PUD-1848. PUD-1848 is split into 2 tracts. Tract 1 allows for development under the R-A Single Family One-Acre Rural Residential District regulations. Minimum lot sizes shall be 21,780 square feet (1/2 acre) with a minimum lot width of 100 feet (90 feet in cul-de-sac lots). Front yard setbacks will be 30-feet for all lots. Tract 2 allows for development under the R-1 Single Family Residential District regulations. This tract allows for 5,000 square foot minimum lot sizes with 45-foot minimum lot widths. Front yard setbacks in this tract will be 20-feet. Lots in tract 1 range in size between 0.5 acres and 0.77 acres. Lots in tract 2 range in size between 6,000 and 14,000 square feet. Lots in tract 2 range in size between 5,000 and 7,000 square feet.

Access to Tract 1 will be taken from one connection with SW 44th Street and one local connection through the Crystal Hill Estates subdivision to the east. Access to Tract 2 will be taken from one connection with S. County Line Road and one local connection through the Crystal Hill Estates subdivision to the north. Crystal Hill Estates provides two connections with SW 44th Street and one Connection with S. County Line Road.

A note on the plat indicates that sidewalks will be provided along all common areas and along the arterial streets. Sidewalks will also be required along local streets adjacent to the homes. The notes further state that maintenance of all common areas and islands/medians are the responsibility of the property owner's association, and that trees are required to be planted in the front yards of lots where the garage extends beyond the front wall of a residence, toward the street. Additional notes will be required on the final plat stating that arterial landscaping will be required, and that the property owner's association will be responsible for maintaining the landscaping.

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.

1) 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 (ONG)**
 - 5. Oklahoma Electric Cooperative (OEC)**
 - 6. Oklahoma Water Resources Board (OWRB)**
 - 7. Mustang School District**
 - 8. Oklahoma Turnpike Authority (OTA)**
 - 9. Oklahoma Department of Transportation (ODOT)**
- 2) 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) Streets
 - a) All City streets and drives on City right-of-way serving this subdivision must be paved in accordance with City standards.
 - b) The subject property is served by a public street.
 - 2) 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 Corps of Engineers 404 permit must be submitted for any work permitted in the Waters of the United States.
- 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) Construction within the limits of this plat 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) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and / or in the plat notes.

- i) 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 public streets classified as a major or minor arterial.
- j) All private roads / streets will have private storm sewer systems.
- k) Engineers / Developers will be contacting PW for a detention determination before they submit their Final Plat and Plans.
- 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.

- b) Streets, Traffic and Drainage Maintenance

- c) Stormwater Quality Management
- d) Traffic Management *

8. Utilities

a) Sanitary Sewer Availability:

- 1) An existing 8-inch sanitary sewer main 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.
- 5) No trees, signs, dumpsters, or fences within 10 feet of existing or proposed sanitary sewer mains.
- 6) Proposed sanitary sewer main(s) must be in a dedicated easement. No other utilities will be allowed within the dedicated easement.
- 7) All existing unnecessary sanitary sewer services must be abandoned at the sanitary sewer main.
- 8) Public sanitary sewer must be extended to serve the development.
- 9) Side-lot easements must total 20-feet.

b) Water Availability:

- 1) The subject site is adjacent to a 12-inch water main in the street right-of-way of SW 44th Street.
- 2) The developer will be required to extend a minimum twelve-inch water distribution, 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.
 - 4) 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.
 - 5) In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The owner is responsible for designing and construction of all fixtures to provide adequate domestic and fire protection under minimum pressure conditions. The owner will be responsible for any failure of domestic and fire protection systems which require water pressure in excess of 25 psi.
 - 6) No trees, signs, dumpsters, or fences within 10 feet of existing or proposed water mains.
 - 7) All existing and proposed meters must meet current Meter Specifications. Meters must be in a grassed area. All domestic and fire suppression services must have separate water service connections. All existing unnecessary water services must be abandoned at the water main.
 - 8) Public water extension required.
- c) Solid Waste Management

The City can provide residential service provided there is sufficient space for the truck to maneuver to service the addition.

9. Planning

A. 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.

B. Comprehensive Plan Policies:

Conformance with the following policies is addressed in the associated rezoning application (PUD-1848).

- Utilize Best Management Practices (BMP) for stormwater whenever possible.

- Developments should be served by urban water and sewer utility systems.
- 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.
- Limit number of dead-end streets and cul-de-sacs.
- Primary entrance points should be aligned with access points immediately across the street.
- Provide vehicular connectivity between adjacent developments.
- Subdivisions with more than 50 units should have at least two points of entrance / egress no closer than 300 feet apart.
- Support diversity and integration of housing unit types and sizes in all land use typology areas in order to meet the diverse needs of households of different sizes, generational needs, incomes, and preferences. New residential subdivisions should achieve a mixture of housing types within a unified development.
- Require sidewalks on both sides of all streets in urban LUTAs.
- Improve the functionality and efficiency of the street network by:
 - Providing direct connections from residential developments to nearby places and to each other.
 - Providing street and sidewalk stubs to adjacent vacant land in anticipation of future development.
 - Connecting new development to existing street and sidewalk stubs, and to existing trail, open space, and bicycle networks.
 - Reducing block sizes and use of dead-end streets.
 - Maintaining the existing street grid to preserve connectivity and mobility options.
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency.
- 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.
- 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)

10. Development Services

The design of this preliminary plat conforms with the Subdivision Regulations as they relate to the access requirements for subdivisions with between 31 and 100 lots. The developer must also meet the access requirements established by the Subdivision Regulations for each phase of development.

Section 5.10.5.B of the Subdivision Regulations requires subdivisions within $\frac{1}{4}$ mile of an existing or funded City sewer system or an extension of the City sewer system, and within the natural drainage basin of said system, to connect to the sewer system and make it available to all lots within the subdivision. This subdivision is located within $\frac{1}{4}$ mile of the City's sewer system; however, Tract 2 is located within an area that would require a lift station in order to serve the lots with sewer. This area contains approximately 45 lots. The area to the west of this subdivision is developed with large-lot rural residences. As a result, the developer is requesting a variance to Section 5.10.5.B of the Subdivision Regulations and is proposing to serve the lots with private onsite septic systems. Tract 2 is located in an area that is possible to serve without a lift station.

The size of the R-1 portion of the plat, 13.43 acres, requires 0.43 acres of open space with 0.14 acres (6,370 square feet) devoted to recreational improvements (Section 5.12.2). The developer is providing approximately 4.36 acres of open space/common area in the R-1 portion of the plat. The Plat indicates that a minimum of 0.29 acres of recreational space will be provided. The R-A portion of the site has a gross residential density of approximately 1 dwelling unit per acre. This requires 30% of the site to be provided as open space (Table 6100.2b of Chapter 59 of the City's Code of Ordinances). This plat provides approximately 13.74 acres of open space in the R-A portion of the plat, which is approximately 30.47% of the R-A area of the plat. The developer has indicated that playground equipment and park benches will be provided within the common area. A letter from the developer should be submitted with final plats confirming these amenities and their timing of construction.

Section 11250.1 of the Planning and Zoning Code states that all residential developments adjacent to arterial streets must provide a landscaped buffer along the arterial street. It further states that the landscape buffer must be located outside of any subdivision fence and must consist of any combination of trees, shrubs, groundcovers, earthen berms, and/or rock or stone accents, arranged in a manner to achieve visual continuity.

A landscape plan is required with each final plat adjacent to an arterial street. The landscaping must be installed prior to the issuance of a certificate of occupancy for any residence within the applicable final plat.

As provided in Section 5.8.2 of the Subdivision Regulations and PUD-1848, a sidewalk will be required along both section line roads. The construction plans for the development must show the sidewalks along the arterial streets and along the common areas. The developer will be responsible for construction of these sidewalks. Sidewalks are also required (per PUD-1848) on each lot adjacent to local streets within the R-1 portion of the plat. No sidewalks are required on lots along local streets within the R-A portion of the plat. Local street sidewalks are required at the building permit stage.

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.

Approve the application subject to the following technical evaluations:

1. The design of all final plats must meet the access requirements established by the Subdivision Regulations for each phase of development, unless varied by the Planning Commission.
2. The developer is requesting a variance to Section 5.10.5.B of the Subdivision Regulations relating to the requirement to connect to the City's sewer system with the R-A portion of the plat (western tract). Six affirmative votes are required to approve the variance.
3. A letter from the developer must be submitted with final plats for Tract 2 (R-1 portion of the plat) stating the type of recreational amenities proposed and their timing of construction.
4. All of the lots must conform to the development regulations stipulated in the proposed PUD-1848 at the final plat stage.
5. A landscape plan is required with each final plat adjacent to an arterial street. The landscaping must be installed prior to the issuance of a certificate of occupancy for any residence within the applicable final plat.

6. The developer will be responsible for constructing a sidewalk along SW 44th Street, S. County Line Road, and along all of the common areas (in Tract 2 – R-1 portion of the plat), including across creeks and/or drainage areas.
7. “Limits of No Access” must be provided along the section line roads on the final plats.

All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the plat may be required during either Divisions review of construction plans and prior to City Council acceptance.

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