



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

Item No. IV. 30.

(PUD-1858) Application by WP Land, LLC., to rezone 5601 South Frisco Road from the AA Agricultural District to the PUD-1858 Planned Unit Development District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

Applicant/Developer Representative

Name Kendall Dillon
Company Crafton Tull and Associates
Phone 405-787-6270
Email kendall.dillon@craftontull.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit a rural residential subdivision.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Rural – Medium Intensity (RM)

Rural – Medium is similar to the Rural-Low Typology Area except that it allows higher housing densities. These areas are usually near a fire station. Rural-Medium areas are often located adjacent to Urban-Low and Urban Reserve typologies, which are areas intended to urbanize in the future. While there is no expectation for urban services, RM areas have limited potential to connect to City water or sewer service, and may become more integrated into the urbanized area in the distant future. Commercial and light industrial uses may be appropriate provided they do not negatively impact the rural residential character.

2. Size of Site: 140 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	AA	AA	AA/RA	AA
Land Use	Tank Batteries	Undeveloped	Undeveloped	Residential	Undeveloped

- 4. Development Context:** The 140-acre subject site is located west of S Frisco Road and north of SW 59th Street with frontage on both streets. The site wraps around a 20-acre oil/gas site at the corner not included in the application. The City of Mustang is located southeast of the intersection. The subject site is zoned AA and much of the surrounding area within Oklahoma City is zoned AA and undeveloped. Abutting on the west and across the street to the south are 5-acre subdivisions. To the northwest along SW 44th Street is the South Meadows Estates subdivision which was zoned RA2 and platted in 2013. Residential lots in the subdivision range between 1.5 and 2.5 acres. Future Oklahoma City Fire Station # 38 will be located approximately one-half mile to the west at the corner of SW 59th Street and S Richland Road. The PUD is requested for a rural residential subdivision with a minimum lot size of one-acre and RA District bulk regulations.

II. SUMMARY OF PUD APPLICATION

8.1 USE AND DEVELOPMENT REGULATIONS

8.1.1 TRACT 1

The use and development regulations of the **RA Single Family One-Acre Rural Residential District** shall govern this Tract, except as herein modified, including conditional, special permit, special exception requirements and/or accessory uses subject to their appropriate conditions and review procedures for public hearings where applicable, unless otherwise noted herein.

The following use & development regulations shall apply:

- a. Minimum lot size shall be 43,560 square feet (1 acre).
- b. Maximum lot coverage shall be 30%.
- c. Density shall not exceed 0.70 du/acre.
- d. Minimum lot width shall be 100 feet measured at the platted front building line; however, lots located on a cul-de-sac, “eyebrow” or “elbow” designed intersection and/or along a curved street shall have a minimum lot width of 90 feet measured at the platted front building line.
- e. Front yard setback shall be 40 feet.

9.0 SPECIAL CONDITIONS

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

Tract 1:

Maximum density: 0.70 Dwelling Units/Acre, or 97 lots.

9.1 FAÇADE REGULATIONS

Exterior building wall finish on all structures shall consist of a minimum 60% brick veneer, masonry, dryvit, rock, stone, stucco, concrete board, or wood, or other similar type finish. No more than 30% EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

9.2 LANDSCAPING REGULATIONS

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 site lighting in this PUD shall be in accordance with Chapter 59, Article XII, Section m59-12350 of the Oklahoma City Municipal Code, as amended.

9.4 SCREENING REGULATIONS

Screening shall not be required as indicated in Article XI. – Landscaping and Screening Regulations, 59-11250 – Landscape Requirements, Section (G), Residential Buffers and Screening.

9.5 PLATTING REGULATIONS

This PUD shall be contained within a final plat and any plat dedications shall be approved by the City Council prior to any occupancy permits being issued in the PUD.

9.6 DRAINAGE REGULATIONS

Drainage improvements, if required, will be in accordance with applicable sections of the Oklahoma City Code of Ordinances. Drainage ways may be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code, which includes certain allowances in construction standards for PUD, provided the PUD is platted with drainage areas confined to common areas. Such drainage ways must be designed to handle adequate flows and cannot be built without specific approval of the City Engineer. The maintenance will be the responsibility of the property owners.

9.7 ACCESS REGULATIONS

There shall be a maximum of two access points from S. Frisco Road permitted in this PUD.

Access to this this PUD may be via a divided street with central landscaped medians. A minimum 20-foot pavement lane shall be required on either side of said median if constructed as a Boulevard street. A stub street shall be made available to the land to the north.

Streets or driveways on adjacent property within two hundred feet of this Planned Unit Development shall be shown on the Master Development Plan.

9.8 PARKING REGULATIONS

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.

On-Street maneuvering into parking spaces shall be permitted. The location of the On-Street maneuvering shall only be permitted within the frontage of a common area lot. All parking spaces shall be located on private property.

9.9 SIGNAGE REGULATIONS

9.9.1 FREESTANDING ACCESSORY SIGNS

A maximum of two residential development identification signs shall be permitted per access point to a public street, one for each side of the street or entry street median. Signs on each side of the entry street shall be a maximum of 8 feet in height with a maximum display area of 120 square feet (actual sign letters/characters shall not exceed 40 square feet; the remainder of the sign display area may be used for background/ornamentation; support columns shall not be counted towards the overall sign display area). All free-standing accessory signs shall provide a landscaped area containing one (1) point per two (2) square feet of sign or fraction thereof located within 10 feet of the base of any freestanding accessory sign. This landscaping may be applied to fulfill site or parking point requirements. Turf grass shall not be used to satisfy this requirement.

9.10 ROOFING REGULATIONS

Each primary structure in this PUD shall have Class C roofing or better

9.11 SIDEWALK REGULATIONS

Interior and arterial sidewalks will not be required of this rural addition.

9.12 HEIGHT REGULATIONS

The base zoning district regulations shall regulate heights of structures in this PUD.

9.13 SETBACK REGULATIONS

Unless modified herein, yard requirements in this PUD shall be the same as the base-zoning district.

9.14 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.

9.15 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.

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 – 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) 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.
- 5) 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.
- 6) 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.
- 7) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 8) 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.
- 9) 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.

10) All private roads /streets will have private storm sewer systems.

11) 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

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

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) 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.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

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

- Cluster development may be appropriate provided it maintains rural character by preserving open space and/or Environmentally Sensitive Areas (ESAs) by clustering lots, and maximum gross density requirements are not exceeded.

National, state, and local permitting require basic best management practices for stormwater management. The PUD proposes a 1-acre subdivision.

Density: The Rural Medium LUTA outlines a minimum lot size of 2 acres and a gross density of 0.5 du/acre or below. Smaller lots (1-2 acres) may be appropriate in cluster developments provided the maximum gross density of the project is maintained. *The PUD proposes a density of 0.70 du/acre, over the Rural Medium LUTA range. The PUD requires a one-acre minimum lot size.*

- 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, “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 residential lot sizes within Rural Medium areas are less than 40% 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. *The PUD proposes an RA base with a minimum lot size of one acre. Potential compatibility issues are identified where abutting the 5-acre subdivision on the west. Mitigation could be provided by providing a buffer of existing trees along the western boundary of the PUD.*

3) **Service Efficiency:**

- Water: *Not served*
- Sewer: *Not Served – Major Investment Needed*
- Fire Service: *Rural Response Time (Future OKC Fire Station #38 will be located approximately one-half mile to the west)*

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 areas in the form of intermittent and/or blue line streams may be located along the western boundary and in the south-central portion of the PUD site. Plan conformance would be strengthened by platting riparian areas as common areas and preserving trees within them.*

- Upland Forests: N/A
- Vulnerable Aquifers: N/A

5) Transportation System: The subject site is located at the northwest corner of S Frisco Rd and SW 59th Street, both Minor Arterial streets. The paving condition for both streets is listed as ‘poor’ along the PUD frontages. No resurfacing projects are planned. 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)
- 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)
- 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 proposal would rezone AA land located northwest of SW 59th and Frisco Road to a PUD for a one-acre residential subdivision. The subject site is located within the Rural Medium LUTA which supports one acre lots when preserving environmentally sensitive areas, but calls for an overall maximum density of 0.5 du/acre. The PUD proposes the RA District regulations and a maximum of 91 lots, or 0.65 du/acre, over the LUTA range.

Conformance with the comprehensive plan would be strengthened by specifying a density or maximum number of lots consistent with the comprehensive plan (0.5 du/acre or 70 lots) and preserving trees, especially along the western boundary of the PUD where they can serve as a buffer between the 5-acre subdivision on the west. Additionally, an entrance to the subdivision should be provided from SW 59th Street, particularly because a new fire station will be built one-half mile to the west.

V. 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 subject to the following Technical Evaluations:

1. Limit density to 0.5 du/acre.
2. Indicate areas of tree preservation on future plats
3. Provide a connection to SW 59th Street.

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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