



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

**Item No. IV. 27.**

**(PUD-1843) Application by Oakley's Inc., to rezone 17412 North May Avenue from the PUD-1245 District to the PUD-1843 Planned Unit Development District. Ward 8.**

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant/Developer Representative**

Name Mark Zitzow  
Company Johnson And Associates  
Phone 405-235-8075  
Email mzitzow@jaokc.com

**B. Case History**

This application was approved at the August 14, 2021 Planning Commission Meeting. The applicant is increasing the size of the subject parcel.

**C. Reason for Request**

This application is to permit a modified zero lot line residential development.

**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: 16.97 acres**

**3. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	PUD-1245 AA	R-1/PUD-1409	R-A	PUD-1062 R-1	PUD-783
<b>Land Use</b>	Undeveloped	Residential	Undeveloped	Industrial	Golf Course

- 4. Development Context:** The 16.97-acre subject site is located on the east side of N May Avenue, south of NW 178<sup>th</sup> Street. The proposed development site includes land zoned PUD-1245 (C-2, O-1 and R-1ZL), the AA zoned land to its east, and a portion of PUD-1409 (landscaping business). The new PUD proposes an R-1ZL (zero lot line) base with homes served from private driveways, and no minimum lot size or width requirements. The site abuts an RA subdivision, Clifford Farms, on the east where lots range from 1 to 1.5 acres. To the north is a church fronting NW 178<sup>th</sup> Street, and an undeveloped R-1 zoned parcel with frontage on N May Ave. The six acres at the arterial intersection is zoned C-3 and undeveloped. To the south is the Rosewood Estates residential subdivision. The PUD application is associated with the Preliminary Plat of Sawgrass (C-7347).

## **II. SUMMARY OF PUD APPLICATION**

### **8.1 USE AND DEVELOPMENT REGULATIONS**

The use and development regulations of the **R-1ZL, “Single-Family Residential Zero Lot Line” District** shall govern this PUD, except as herein modified.

The following uses shall be made a part of this PUD:

- Low Impact Institutional: Residential-Oriented (8200.5)
- Single-Family Residential (8200.14)
- Community Recreation: Property Owners Association (8250.3)
- Murals (8250.16)

### **9.0 SPECIAL CONDITIONS:**

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

#### **9.1 ARCHITECTURAL REGULATIONS**

Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 60% brick veneer, rock or stone masonry. Concrete-board shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted. EFIS shall expressly be prohibited within this PUD.

#### **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 design 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**

No less than a six-foot and no greater than an eight-foot-high sight proof screen shall be required along the south and east PUD boundaries adjacent to properties zoned for residential use. Said sight-proof screen may be constructed of stucco, brick, stone, wood, steel/iron and/or any combination thereof and shall be solid and opaque.

**9.5 DUMPSTER REGULATIONS**

N/A

**9.6 DRAINAGE REGULATIONS**

Drainage improvements, if required, will be in accordance to 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.

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

**9.7 VEHICULAR ACCESS REGULATIONS**

Access shall be allowed from one (1) drive on N May Ave.

Lots within this PUD will not be required to have frontage on an approved street. Access to individual lots within the PUD may be permitted to be from a private drive. The private drive shall be placed within a common area or easement designated for access purposes.

A Property Owners Association through the use of recorded Covenants and Restrictions shall govern maintenance of the private drive. Access to the individual residential buildings shall be provided by private shared access drives that will provide internal circulation.

Private shared access drives shall have a minimum right-of-way width of 20 feet for one-way drives and 24 feet for two-way drives.

## **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, 2020, as amended.

Attached or detached garages or covered parking areas shall count toward meeting parking requirements, provided each parking space in a garage shall be a minimum of 8½ feet by 18 feet.

## **9.9 SIGNAGE REGULATIONS**

Signage regulations shall be per the R-1, “Single-Family Residential Zero Lot Line” base zoning district.

## **9.10 SIDEWALK REGULATIONS**

Five-foot sidewalks shall be constructed on N May Ave. or six-foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department.

Four-foot sidewalks shall be constructed on all interior streets.

## **9.11 HEIGHT REGULATIONS**

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

## **9.12 LOT REGULATIONS**

Minimum Lot Size: The minimum lot size within this PUD shall be 3,500 square feet.

Minimum Lot Width: The minimum lot width within this PUD shall be 40 feet. However, the lots abutting the eastern property line shall have a minimum rear lot width of 75 feet.

## **9.13 SETBACK REGULATIONS**

May Ave: 10 feet  
North: 5 feet

East: 10 feet  
South: 5 feet

No interior setbacks are required except those necessary to meet building code requirements.

Fireplaces, bay windows, entryways, patios, patio covers, and other similar appurtenances may encroach up to two feet into the side yard setback and up to five feet into the rear yard setback. However, said appurtenances shall not extend into a utility easement, right-of-way, or across a property line.

#### **9.14 OPEN SPACE REGULATIONS**

This PUD shall have a minimum open space/common area requirement of 4 acres which is consistent with the Oklahoma City Subdivision Regulations.

#### **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 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 owner(s) of said property. 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, PLATTING & PERMITTING REQUIREMENTS**

A specific plan shall not be required within this PUD. Platting shall be required within this PUD.

**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 Site 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) Deer Creek**
- 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) 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.

**c. Stormwater Quality Management**

**d. Traffic Management\***

**8. Utilities**

**a. Engineering**

**Paving**

**Sanitary Sewer Availability**

- 1) An existing 8” 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) No trees, signs, dumpsters, or fences within 10 feet of any existing or proposed sanitary sewer main.
- 6) All existing unnecessary sanitary sewer services must be abandoned at the sanitary sewer main.
- 7) Additional Comments: Public sanitary sewer extension 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) The subject site is adjacent to a 12” water main in the street right-of-way of N May Ave and Woodland Dr.
- 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.
- 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 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.
- 6) No trees, signs, dumpsters or fences within 10 feet of any existing or proposed water main.
- 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) Additional Comments: Public water main extension required.

## 9. Planning

### a. Comprehensive Plan Considerations

#### 1) LUTA Development Policies:

##### Site Design:

- 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.
- Developments should be served by urban water and sewer utility systems. *National, state, and local permitting require basic best management practices for stormwater management.*

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family, and 15 to 30 dwelling units per acre for multifamily. *While the PUD does not specify a density or establish a minimum lot size, the original companion plat proposed 68 dwelling units over 15.35 acres for a density of 4.4 du/acre, within the UL range. The addition of land and lots should be within a similar range.*

##### Automobile Connectivity:

- 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.
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- 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.

*The PUD limits access to one on N May Avenue. It does not commit to the street stubs to the north and south as shown on the conceptual plan and accompanying plat, which is supported by the comprehensive plan and Subdivision Regulations. Lots are proposed to take access from private drives. Turnarounds are not provided. Residents will likely need to roll trash and recycling carts to the nearest street.*

##### Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

*Sidewalks will be required on the arterial street and new residential streets.*

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating the proposed residential uses adjacent to existing low intensity residential 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 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. *The proposed R-1ZL District allows minimum lot sizes of 4,000 square feet and lot widths of 40 feet, although the PUD proposes to eliminate minimum lot size and width requirements. The conceptual plan and accompanying plat indicate lot sizes would meet or exceed the base zone requirement. However, potential compatibility issues are triggered on the east side where abutting lots larger than one acre. Lot coverage is also expected to be dramatically different as the R-1ZL has no required maximum lot coverage compared to 50 percent in adjacent R-1 zones and 30 percent in the RA District.*

3) **Service Efficiency:**

- Water: *Fully Served*
- Sewer: *Fully Served*
- Fire Service: *Urban Service Level*

- 4) **Environmentally Sensitive Areas:** The site has an existing pond, but no ESAs were identified on the proposed development site.

- 5) **Transportation System:** This site is located off N May Ave, a Major Arterial Street in the Urban Low LUTA. The nearest bus service is approximately two and half miles to the south near Quail Springs Mall.

6) **Other Development Related Policies**

- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- 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. (C-11)
- 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)
- 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)

**b. Plan Conformance Considerations**

The proposal would allow small lot single family residential development east of May Avenue and south of NW 178<sup>th</sup> Street. The PUD proposes an R-1ZL base. The conceptual plan indicates a density within the Urban Low LUTA range. Lots are arranged in a manner where up to six homes will take access from each private drive. No turnarounds are provided, likely resulting in residents having to roll trash and recycling carts to the nearest street. Street stubs are provided north and south, in conformance with the comprehensive plan.

This application was previously reviewed and recommended for approval by the Planning Commission. The application has been amended to include more land, necessitating a new recommendation from the Commission. Previously agreed upon terms have been included in the revised Master Design Statement, including a requirement for at least four acres of open space/common area, and that rear yards along the eastern boundary of the PUD will be at least 75 feet wide.

**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 subject to the following Technical Evaluation:**

1. Lot size and width shall be per the base zone.
2. Specify mitigation measures for differences in lot size and lot coverage.
3. Specify an amount of useable open space commensurate with the conceptual plan.

*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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