



STAFF REPORT
The City of Oklahoma City
Planning Commission
April 14, 2022

Item No. IV. 23.

(PC-10798) Application by STK Developments, LLC, to rezone 11301 N County Line Road from the AA Agricultural District to the R-1 Single-Family Residential District. Ward 1.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Cecilia Schaffer
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B. Case History

This application was continued from March 10, 2022.

C. Reason for Request

The purpose of this request is to permit residential development.

D. Existing Conditions

1. Size of Site (72 Acres)

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	AA / R-1 / R-2	PUD-782	AA	AA
Land Use	Undeveloped	Residential	Residential	Undeveloped	Undeveloped

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 subject site is located along the west side of N County Line Road between W Hefner Road and NW 122nd Street. The subject site is zoned AA. To the north is the planned Nichols Creek subdivision, zoned R-1 and R-2. The subject site does not include three residential parcels along N County Line Road. Across the street to the east are single-family subdivisions. The site is within the Urban Low LUTA and in an area where the Employment Land Use Typology Layer (EM) applies. The land to the west and south is zoned AA and within an area that planokc designates as 'Employment'. The proposed R-1 District is not consistent with the EM Layer. The application is associated with an application to remove the EM Layer (CPA-2022-00003), which is scheduled to be heard by the Planning Commission on May 12, 2022.

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 (Piedmont)**
- 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

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 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 1/2 acre or greater.
- 9) Sidewalks 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.

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Management

11. Utilities

a. Engineering

Wastewater Availability

- 1) An existing 8" wastewater main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service line connection is required for each building/structure.
- 2) All wastewater mains must flow within the existing drainage basin. Proposed wastewater mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings.
- 4) The developer will be required to extend the wastewater collection system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations.
- 5) All existing unused wastewater services must be abandoned at the wastewater main(s).
- 6) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement.
- 7) No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 8) All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.

b. Solid Waste Management

No Solid Waste Management services needed.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12" water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications.

- 2) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings.
- 3) Dead-end water mains must be avoided where applicable.
- 4) All existing unnecessary water services must be abandoned at the water main(s).
- 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) Proposed water main(s) must be located within a utility easement and/or right-of-way. No trees, signs, dumpsters, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 7) All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 8) A 12-inch water main is required to be looped through the development to provide adequate water supply and fire flow protection. Connection to two (2) separate active water mains is required to prevent partial or total shut-off of water supply when a pipeline failure occurs within the proposed development.
- 9) All existing and proposed meters must meet current specifications and standard details and be located in the right of-way or utility easement within grassy areas outside of sidewalks, driveways, streets and/or paving.
- 10) All domestic and fire suppression services must have separate water service connections.
- 11) Fire hydrants maximum spacing is 500 foot and must be located within 10 foot of a hard surface (i.e. sidewalk, street, and/or paving).

12. Planning

a. Comprehensive Plan Considerations

The subject site is within an area that the comprehensive plan assigns the 'Employment' Land Use Typology Layer (EM). Single-family residential uses are not supported in these areas. If the layer were lifted through an amendment to the comprehensive plan, the Urban Low Intensity (UL) policies apply. An amendment to the plan has been filed (CPA-2022-00003) but is not scheduled to be considered by the Planning Commission until May 12, 2022.

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. (UL)
- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands. (UL)
- 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. (EM)
- Ensure development adjacent to Employment Reserve areas is compatible and will not compromise viability of employment lands. (EM)

National, state, and local permitting require basic best management practices for stormwater management. Water and sewer are available.

Location:

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

The subject site has frontage on an 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. UL LUTA outlines a density range of 4 to 8 dwelling units per acre for single family residential. *The proposed R-1 District would allow development within this range.*

Automobile Connectivity:

- Maintain, create, and enhance a street network that is highly connected to increase the 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)
- Provide vehicular connectivity between adjacent developments. (UL)
- Subdivisions with more than 50 units should have at least two points of entrance / egress no closer than 300 feet apart. (UL)
- Horizontally mixed-use developments should have connectivity between land uses. (UL)
- Development is encouraged to be designed to accommodate future development's access needs, including partial connector construction, where appropriate. (EM)

Access cannot be specified in a base zoning request and would be per code and the Subdivision Regulations at the platting stage.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development. (UL and EM)
- Within parking lots, provide pedestrian access ways separated from vehicle aisles. (UL)
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses. (UL and EM)

Sidewalks would be required along 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 low intensity residential adjacent to existing low agricultural or low intensity residential zoning or uses, "Building Scale and Site Design" is a potential compatibility issues 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. *Subdivision design was unknown at the time of review and would be per Code and the Subdivision Regulations.*

3) **Service Efficiency:**

- Water: *Served or Close to Served*
- Sewer: *Served or Within an Open 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 on the subject site. Deer Creek Tributary 3 is located on the eastern portion of the site. Floodplain was not identified. Riparian area protections cannot be stipulated in a base zoning request.*
- Upland Forests: N/A
- Vulnerable aquifers: N/A

5) **Transportation System:** This site is located off N County Line Road, a Major Arterial Street in the Urban Low LUTA. Transit (bus) service is not available in the area.

6) **Other Development Related Policies**

- 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. (SU-4)
- Prioritize and concentrate development where facilities, infrastructure, and services have capacity and in areas where the Police and Fire Departments are best able to respond. Guide the location and timing of development through the proactive and strategic installation of infrastructure. (SU-14)
- 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)
- 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)
- 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)
- Encourage unified planning for all adjoining land owned or controlled by a project's developer to ensure proper circulation and land use relationships (SU-47)

b. Plan Conformance Considerations

The subject site is located along the west side of N County Line Road between W Hefner and NW 122nd Street. The subject site is zoned AA and within the Urban Low LUTA. The site is also within an area where the 'Employment' Land Use Typology Layer (EM) applies. The proposed single-family residential use is not supported within EM areas.

The land to the west and south is zoned AA and also within the EM Layer. To the north is the planned Nichols Creek subdivision, zoned R-1 and R-2. The EM Layer was previously lifted from the land to the north and the residences southeast of the subject site.

The employment sites were identified in the City's Employment Land Needs Assessment & Action Plan (ELNAAP) completed in 2012. The EM designation has already been removed from approximately 650 acres. Approval of the rezoning application to the R-1 District would remove an additional 72 acres of potential employment land.

The proposed R-1 District is not in conformance with the comprehensive plan's EM Layer. An application to remove the layer has been submitted (CPA-2022-00003) but it is not scheduled to be heard by the Planning Commission until May 12, 2022.

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; OR

Continue the application until May 12, 2022 for consideration with CPA-2022-00003.

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