



STAFF REPORT
The City of Oklahoma City
Planning Commission
October 13, 2022

Item No. IV. 12.

(PUD-1916) Application by OK Lone Oak Land LLC, to rezone 3916 NW 164th Street from the PUD-706 District to the PUD-1916 Planned Unit Development District. Ward 8.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David M Box
Company Williams, Box, Forshee & Bullard PC
Phone 405-232-0080
Email dmbox@wbflaw.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit multi-family 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: 35.92 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-706	PUD-1451	PUD-706	PUD-706	PUD-706
Land Use	Undeveloped	Residential	Undeveloped	Undeveloped	Undeveloped

4. The subject site is located southwest of the NW 164th Street and N Portland Avenue intersection, with limited frontage on each street. The subject site and surrounding land are zoned PUD-706, which is a 990-acre PUD that was approved in 1999 for Lone Oak. The PUD has 16 tracts.

The subject site and land adjacent on the east, south, and west are within Tract 2 (I-1 and R-4 base districts). This application would rezone 36 acres out of Tract 2 and into a new multifamily residential PUD.

II. SUMMARY OF PUD APPLICATION

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the **R-4 General Residential District** shall govern this PUD, except as herein modified.

All R-4 General Residential District uses shall be permitted.

9.0 SPECIAL CONDITIONS

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

9.1 FAÇADE REGULATIONS

Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, drivet, rock, stone, stucco, or wood, fiber cement board, or other similar type finish. Buildings finished with 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, 2020, as amended.

9.4 SCREENING REGULATIONS

Screening shall not be required within this PUD.

9.5 PLATTING REGULATIONS

Platting shall not be required within this PUD.

9.6 DRAINAGE REGULATIONS

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

9.7 DUMPSTER REGULATIONS

Dumpsters shall be located within an area screened by a fence or masonry wall.

Trash collection facilities in this PUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

9.8 ACCESS REGULATIONS

There shall be one access point each from Portland Ave. and NW 164th St.

9.9 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.

9.10 SIGNAGE REGULATIONS

9.10.1 FREESTANDING ACCESSORY SIGNS

Freestanding accessory signs will be in accordance with the base zoning district regulations.

Monument signs will be allowed in the median of roadways.

9.10.2 ATTACHED SIGNS

Attached signs will be in accordance with the base zoning district regulations.

9.10.3 NON-ACCESSORY SIGNS

Non-Accessory / Billboards are not permitted.

9.10.4 ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs are not permitted.

9.11 ROOFING REGULATIONS

Every structure in this PUD shall have Class C roofing or better.

9.12 SIDEWALK REGULATIONS

Sidewalks shall be constructed subject to the policies and procedures of the Public Works Department.

9.13 HEIGHT REGULATIONS

The maximum height shall be three (3) stories within this PUD.

9.14 DENSITY REGULATIONS

There shall be a maximum of 700 units within this PUD.

9.15 SETBACK REGULATIONS

North: 100 feet from the centerline of 164th St.
East: 25 feet
South: 5 feet
West: 5 feet

9.16 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.

9.17 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.

9.18 SPECIFIC PLAN

A specific plan shall not be required.

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
- Exhibit D – Entry Signage

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) Edmond**
- 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) 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.

- 5) 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.
- 6) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 7) 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.
- 8) 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.
- 9) All private roads /streets will have private storm sewer systems.
- 10) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.
- 11) Section 7.7 Drainage- Modify Statement:
"The property within this Planned Unit Development is not within a FEMA Flood Plain.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) An existing 12” 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 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. All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.
- 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) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 6) SD-2021-00015 wastewater extension plans have been submitted for review and approval.

b. Solid Waste Management

- 1) The City cannot provide service, contact private hauler.

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. A separate service connection and meter is required for each building/structure.

- 2) The developer will be required to extend a minimum 16-inch water main (or larger as recommended by the approved current water master plan) along section line streets and will be required to extend the water system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations. The developer may make an application under the Policy “A-1” program to the Oklahoma City Water Utility Trust (OCWUT) for purchase of construction costs for an oversized water main extension larger than 12-inch. Approval will be subject to funds available for improvements.
- 3) 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.
- 4) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two (2) foot vertical separation required for all crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 5) Dead-end water mains must be avoided where applicable. All existing unnecessary water services must be abandoned at the water main.
- 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) Proposed water main(s) must be located within a utility easement or right-of-way. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 8) 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.
- 9) All domestic and fire suppression services must have separate water service connections. 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).

10) WA-2021-00015 water line extension plans have been submitted for review and approval.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

100-year floodplain was once present on the west and north sides of the subject site but appears to have been modified/removed from the floodplain on the west side. The development is required to comply with all City, State, and Federal requirements within the floodplain. Public water and sewer are available.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.
- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

The subject site is located along and will take access from NW 164th Street and N Portland Ave, both arterial streets.

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. *The PUD allows up to 700 multifamily dwelling units over 36 acres, or 19 du/acre.*

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.
- Development fronting arterials should take access from intersecting streets where possible.

- Primary entrance points should be aligned with access points immediately across the street.
- Provide vehicular connectivity between adjacent developments.
- Horizontally mixed-use developments should have connectivity between land uses.

The conceptual plan illustrates, and the Master Design Statement recognizes, that there will be one access from NW 164th Street and one from N Portland Avenue. The conceptual design preserves the potential for shared access to the undeveloped land to the south.

Pedestrian Connectivity:

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

Sidewalks are required along arterial streets. Plan conformance would be strengthened if the Master Design Statement specified that sidewalks will be provided along the primary entrance drive that connects to both arterial streets.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. *In this case, the new PUD is requested to change the setback requirement on the north from 500 to 100 feet. The multifamily use is already permitted in the existing PUD. The new proposed setback of 100 feet from street centerline is greater than required in the base R-4 District.*
- 3) **Service Efficiency:**
 - Water: *Close to Service or Served*
 - Sewer: *Open Sewer Sheds or Served*
 - Fire Service: *Rural or Urban Service Levels*
- 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 in the form of 100- and 500-year floodplain. Plan conformance would be strengthened by establishing a 100-foot setback on the west and preserving trees within the setback to retain the health of the riparian corridor (a tributary of Bluff Creek that flows adjacent to the site on the west).*
 - Upland Forests: N/A

- Vulnerable Aquifers: N/A

5) **Transportation System:** This site has frontage along NW 164th Street and N Portland Avenue, both Minor Arterial Streets in the Urban Low LUTA. Access to Hwy 74 (Lake Hefner Parkway to the south) is available at NW 164th Street and NW 150th Street. The nearest transit (bus) service is located just under two miles to the south along W Memorial Road. Access to the City trail system is available via the Portland Avenue Trail, east of the site along N Portland Avenue.

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)
- Higher density multifamily development should be located in areas near employment or educational centers where street and transit systems have or will soon have capacity to support the added trips. (SU-48)
- 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)
- Share parking between contiguous developments. (C-31)
- 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)
- 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 southwest of the NW 164th Street and N Portland Avenue intersection, with access to each street. The subject site and surrounding land are zoned PUD-706, which is a 16-tract PUD that was approved in 1999 for Lone Oak. This application would rezone 36 acres out of Tract 2 and into a new multifamily residential PUD. The use and density are already allowed within the existing PUD, but PUD-706 requires a 500-foot setback from the centerline of NW 164th Street. The new PUD would change the setback to 100 feet. Plan conformance would be strengthened if the Master Design Statement specified that a sidewalk will be provided along the primary entrance drive that connects to both arterial streets.

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. A sidewalk will be provided along at least one side of the primary entrance drive that connects to both arterial streets.

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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