



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

Item No. IV. 33.

(PUD-1900) Application by Princy D, LLC., to rezone 3301 Harriet Street from the AA Agricultural District to the PUD-1900 Planned Unit Development District. Ward 7.

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@wbfbllaw.com

B. Case History

This application was recommended for approval by the Planning Commission on June 23, 2022. On September 13, 2022 the City Council remanded the item back to the Planning Commission, specifically to consider the use of the private road (Linder Road) along the eastern boundary of the site.

C. Reason for Request

This application is to permit a 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: 9.65 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	AA	AA	AA	AA
Land Use	Undeveloped	Undeveloped	Residential	Undeveloped	Residential

- 4. Development Context:** The subject site is located on the north side of Harriet Street between Nancy Road and Harper Avenue, in an area generally north of E Britton Road and west of N Interstate 35. The site is zoned AA and developed with a single-family home. Abutting land is all zoned AA.

To the north and west are 9+ acre parcels, and east of the site, across Harper Avenue, are a mixture of undeveloped lots and single-family residences on parcels ranging from less than an acre to over 7 acres. The area is wooded, with narrow streets and no curb and gutter. To the south is undeveloped R-1 property which, at the time of review, was under consideration for rezoning to PUD-1856 to allow commercial uses adjacent to the site and along I-35, and moderate industrial uses along E Britton and N Bryant Ave. The PUD is requested to allow five new homes.

II. SUMMARY OF PUD APPLICATION

8.1 USE AND DEVELOPMENT REGULATIONS

There shall be two (2) Tracts within this PUD. Tract One shall consist of approximately 5 acres. Tract Two shall consist of approximately 4.65 acres.

Tract 1

The use and development regulations of the **AA Agricultural District** shall govern Tract 1, except as herein modified.

All uses permitted within the AA District shall be permitted within Tract 1 of this PUD.

Tract 2

The use and development regulations of the **RA Single-Family One-Acre Rural Residential District** shall govern Tract 2, except as herein modified.

The following uses shall be permitted:

8250.3	Community Recreation: Property Owners Association
8150.6.2	Composting
8150.6.3	Greenhouse
8150.6.5	Hoop House
8250.13	Light Public Protection and Utility: Restricted
8200.5	Low Impact Institutional: Residential-Oriented
8200.14	Single-Family Residential

The minimum lot size within Tract 2 shall be one (1) acre.

9.0 SPECIAL CONDITIONS

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

9.1 FAÇADE REGULATIONS

All existing structures within this SPUD shall be permitted to remain on site and shall be deemed to conform to any architectural requirements.

In the event of any new structures within this PUD, exterior building wall finish on all new structures shall consist of a minimum 70% of the following: brick veneer, masonry, architectural metal, drivet, rock, stone, stucco, or wood, or other similar type finish. Buildings finished with EIFS (Exterior Insulation Finish System) material shall 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. Healthy Mature Tree shall be preserved and protected to the greatest extent possible.

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 regulations shall be in accordance with the base zoning district.

9.5 PLATTING REGULATIONS

Platting shall 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

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

Access shall be taken from Harper Ave. for Tract 1 and Linder Rd. for Tract 2 (the road along the eastern boundary of the Undeveloped PUD).

Dwelling units within Tract Two shall be oriented to face the eastern boundary.

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.

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 signs shall be prohibited.

9.10.4 ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display shall be prohibited.

9.11 ROOFING REGULATIONS

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

9.12 SIDEWALK REGULATIONS

Sidewalks shall not be required within this PUD.

9.13 HEIGHT REGULATIONS

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

9.14 SETBACK REGULATIONS

Tract 1

South: 50 feet
North: 25 feet
East: 25 feet
West: 25 feet

Tract 2

Front: 40-80 feet
Side: 25 feet
Rear: 50 feet

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 or 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 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.

Existing healthy, mature trees located within 50 feet of the western boundary line of Tract 2 shall remain.

9.17 SPECIFIC PLAN

A specific plan shall not be required.

9.18 DENSITY

Tract 1

There shall be a maximum of one (1) dwelling unit within Tract 1 of this PUD. The existing structure shall be deemed accessory. Accessory structures shall be permitted within Tract 1.

Tract 2

There shall be a maximum of four (4) dwelling units within Tract 2 of this PUD. Accessory structures shall be permitted within Tract 2.

Dwelling units within Tract 2 shall have a minimum square footage of 2,400 square feet.

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
- 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) Oklahoma City

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.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) No wastewater service is available for proposed improvements, private on-site sewage disposal systems are required in accordance to ODEQ rules and regulations. On-site sewage disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.

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) No water service is available for proposed improvements, private on-site water systems are required. The developer will provide an inter (on-site) water distribution system capable of supply water to each lot or tract within the proposed subdivision or land development in accordance with City Standard Specifications and the current Subdivision Regulations.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- 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. The PUD proposes development under the AA and RA base districts with well and septic systems. The site is within the Urban Low LUTA where connections to public water and sewer are expected. If the development is within the distance required to connect, a variance to the connection may be required.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family residential. *The proposed 5 homes over 9.65 acres would be 0.5 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.
- Provide vehicular connectivity between adjacent developments.

The proposed homes would be accessed from public and private streets. The four 1-acre homes will face Harper Ave. Access for the home on the 5-acre tract is proposed from Harriet Street.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks are not required by the PUD and would not be required per Code on rural neighborhood 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 residential or agricultural uses and zoning, “Building Scale and Site Design” are 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. *The PUD proposes one-acre residential lots on the east side of the property where surrounding lot sizes vary, and places one 5-acre tract adjacent to 9+ acre parcels.*

- 3) **Service Efficiency:**
 - Water: *Close to Service*
 - Sewer: *Within an Open Sewer Shed*
 - Fire Service: *Urban Service Level*
- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - Riparian Areas: N/A
 - Upland Forests: The subject area is within the upland forest ESA. The comprehensive plan directs to preserve the Cross Timbers and upland forests, including native understory, to the maximum extent practical. When new-growth or re-growth upland forest trees are removed during construction, trees and other native plants should be replanted on-site. New trees should be planted in clusters that mimic the original tree canopy. The comprehensive plan defines mitigation hierarchy in the following priority: 1) Avoidance and minimization, 2) Restoration, 3) Offset. *Upland forest is present on the proposed development site. When 90 to 100 percent of the site is covered in upland forest, the comprehensive plan has a preservation goal of 60 percent. The Master Design Statement says that existing, healthy mature trees shall be preserved and protected as possible, and shall specifically be remain within 50 feet of the western boundary of Tract 2.*
 - Vulnerable Aquifers: The aquifer in this area is considered moderately vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite.
- 5) **Transportation System:** This site is located along Harriet Street, Nancy Road, and Harper Avenue, all Neighborhood Streets in the Urban Low LUTA. The nearest bus transit is located approximately 2 miles to the west at N Kelley Ave. A multi-use bike trail is planned within a mile to the east, near the Deep Fork River. The route is to be finalized at a later date.
- 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)
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)

- 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 9.65-acre subject site is located on the north side of Harriet Street between Nancy Road and Harper Avenue, in an area generally north of E Britton Road and east of N Bryant Ave. The site is zoned AA and developed with a home. The PUD proposes five new homes on two tracts; Tract 1 on the west would allow one home on a 5-acre parcel consistent with the existing AA zoning, and would allow the existing home to become an accessory structure. Tract 2 on the east proposes an RA base and would allow four 1-acre lots with homes oriented toward Harper Ave. The subject site is within the Urban Low Intensity LUTA where connections to public water and sewer are expected. The subject site is within a small, wooded subdivision where no other homes have public water and sewer. The PUD proposes well and private sewer (septic) systems.

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.

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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