



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 12, 2023

Item No. IV. 8.

(C-7519) Final Plat of Magnolia Harbor Phase 2, being a part of the Northeast Quarter of Section 26, Township 12 North, Range 5 West of the Indian Meridian, located south of NW 23rd Street and west of Overholser Drive; and a Variance to Section 5.2.8.B of the Subdivision Regulations. Ward 1.

I. GENERAL INFORMATION

A. Contacts

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B. Case History

This is a new application. The preliminary plat of Magnolia Harbor (C-7428) was approved on April 14, 2022.

C. Reason for Request

The developer proposes a single-family residential development on this site.

D. Existing Conditions

1. Size of Site: 12.2753 acres

2. Zoning and Land Use

| | Subject Site | North | East | South | West |
|-----------------|---------------------------------------|--------------|-------------------------------|--------------|---------------------------------------|
| Zoning | PUD-1874 (R-1ZL, R-2, R-4, C-3) | PUD-1188 | R-1 | R-1 | R-1, PUD-1792 (R-1) |
| Land Use | Vacant | Park | Lake Overholser, Vacant | Vacant | Residences / Under Construction |

II. SUMMARY OF APPLICATION

The developer is proposing 48 single-family residential lots and two common areas on this 12.2753-acre site, yielding a gross residential density of 3.91 dwelling units per acre. Public street, water, and sewer improvements are proposed. The site is located within Tract 2 of PUD-1874. Tract 2 allows for development under the R-2 Medium-Low Density Residential District regulations. R-2 allows 5,000 square foot minimum lot sizes for single-family lots. The PUD also allows for 65% minimum lot coverage and 30-foot minimum lot widths. Lots in this plat range in size between 5,500 and 9,500 square feet. Lot widths are shown to be

approximately 50-feet or larger in this plat. The PUD also allows front building setbacks to be 14-feet; however, garages need to be setback 20-feet. A note should be added to the plat indicating that the garage setback is 20-feet.

Access to this development will be taken from one connection with NW 23rd Street. Street stubs are provided to the south and west for connection with future phases of the development.

A note on the plat indicates that maintenance of all common areas and islands/medians are the responsibility of the property owner's association, and that trees are required to be planted in the front yards of lots where the garage extends beyond the front wall of a residence, toward the street. An additional note indicates that arterial landscaping will be required, and that the property owner's association will be responsible for maintaining the landscaping.

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.

1) Outside Agencies

- 1. Oklahoma City-County Health Department**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. Yukon School District**
- 6. Oklahoma Department of Transportation (ODOT)**

2) City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire**

Second access required for subdivisions with over 30 lots.

4. Information Technology/Geographic Support

5. Parks and Recreation

6. Police

7. Public Works

a) Engineering

1) Streets

- a) All City streets and drives on City right-of-way serving this subdivision must be paved in accordance with City standards.
- b) The subject property is served by a public street.

2) Storm Sewer

- a) 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.
- b) 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. The improvements shall be placed to provide a minimum of 35 feet clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way. Sidewalks shall be constructed in compliance with the Oklahoma City Ordinance and meet all applicable ADA regulations.
- c) A flood and/or drainage study will be required to establish finished floor elevations for any existing or proposed channel located within a common area or private drainage easement, which is adjacent to any lot or structure. A final plat should not be submitted until the study has been reviewed and approved by the Public Works Department.
- d) 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 areas along the stream shall extend to the flow line of the stream at a minimum.

- e) 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's association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent shall be placed within the drainage-related common areas and/or drainage easements shown.
- f) Construction within the limits of this plat 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 ½ acre or greater.
- g) Drainage easements shall be clearly denoted as public or private in the owner's dedication, on the plat, and / or in the plat notes.
- h) Sidewalks shall be installed for all new construction and/or at the time of conversion of a residential use to a more intense use on all lots having frontage on public streets classified as major or minor arterial.
- i) All private roads / streets will have private storm sewer systems.
- j) Engineers / Developers will be contacting PW for a detention determination before they submit their Final Plat and Plans.
- k) Add the following note:

Maintenance of all common areas and private drainage easements within the subdivision shall be the responsibility of the Property Owner's Association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that may cause a blockage or 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.

- l) 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.

- b) Streets, Traffic and Drainage Maintenance
- c) Stormwater Quality Management
- d) Streets, Traffic and Drainage Maintenance
- e) Stormwater Quality Management
- f) Traffic Management *

8. Utilities

- 1) Sanitary Sewer Availability:

- a) Existing 12-inch and 21-inch wastewater main(s) are within the required distance to the subject site and will be required to be extended to the furthest property one for any proposed development.
- b) Line capacity is not a guarantee and must be checked by the Engineer of Record and reviewed by the City.
- c) The developer will be required to extend the City wastewater collection system to and across each lot or site within the subdivision in accordance with the City Standard Specifications and Private Development Design Manual.
- d) 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 four (4) feet and depth no greater than eighteen (18) feet. Developer is responsible for remediating any failure to maintain the minimum four (4) feet of cover.
- e) Wastewater main(s) must be centrally located in a twenty (20) foot wide easement or larger if necessary. No trees, signs, dumpster, fence and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
- f) All existing unused private wastewater service connections must be abandoned and capped at the main in accordance with City Standard Specifications and Private Development Design Manual.

2) Solid Waste Management

The City can provide residential service provided there is sufficient space for the truck to maneuver to service the addition.

3) Water Availability:

- a) An existing 16-inch water main(s) is within the required distance to the subject site and the developer will be required to extend a 12-inch or larger water main along street frontage and will be required to extend the water system to each lot or site within the development in accordance with City Standard Specifications and Private Development Design Manual.
- b) 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.
- c) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two-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.
 - d) Proposed and/or existing water mains must be located centrally within a twenty (20) foot wide or larger utility easement or right-of-way. No trees, signs, dumpsters, fenced and/or structures shall be permitted over any proposed or existing utility mains. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
 - e) Dead-end water mains must be avoided when possible. All existing unnecessary water services must be abandoned at the water main(s) in accordance with the City Standard Specifications.
 - f) In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The owner is responsible for designing and construction of all fixtures to provide adequate domestic and fire protection under minimum pressure conditions. The owner will be responsible for any failure of domestic and fire protection systems which require water pressure in excess of 25 psi. the developer is responsible for installing pressure reducers if necessary for protection of developer's service lines, plumbing, and fixtures.
 - g) All domestic and fire suppression services must have separate water service connections. Fire hydrants maximum spacing is 500 feet and must be located within 10-feet of a hard surface (i.e., sidewalk, street, and/or paving).
 - h) All existing and proposed meters must meet current Meter 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.
 - i) Supply capacity for development is not guaranteed and will be reviewed at the time of review of construction documents.

9. Subdivision and Zoning

This plat contains 48 lots on a single entrance. The Subdivision Regulations allow subdivisions with between 31 and 100 lots to take access from a single median-divided entry as long as the median divided street goes to a cross street that provides more than one access point to the remainder of the subdivision. A future phase will

provide this connection/cross street; however, this phase does not complete the connection. A connection should be made between NW 20th Terrace and the north/south street in Phase 1 of Magnolia Harbor for this development to be in compliance with the access requirements Subdivision Regulations. Otherwise, a Variance to Section 5.2.8.B of the Subdivision Regulations will be required. A variance was previously granted to Phase 1 of the subdivision, regarding the number of lots on a single entrance. This connection would bring both phases of the development into compliance with the Subdivision Regulations by providing multiple access points to all extents of the development. This connection can be temporary and may be removed when a permanent second connection back to an arterial street is constructed, or when a connection is made to a future phase of the development that provides another connection to an arterial street.

The design of the final plat is in conformance with the requirements of PUD-1874 and the approved preliminary plat.

The size of the plat, 12.2753 acres, requires 0.39 acres of open space with 0.44 acres (6,240 square feet) devoted to recreational improvements (Section 5.12.2). The developer is providing approximately 1.78 acres of open space/common area with this development. A letter from the developer indicated that the common areas will include open space, pedestrian pathways, benches, landscaping and / or a gazebo. These amenities will be constructed prior to the issuance of a certificate of occupancy. Based on the amount of open space provided and the amenities planned, the development meets the requirements of the Subdivision Regulations related to open space and recreational amenity requirements.

Sidewalks are required in front of each home / unit along the interior streets of the development. These sidewalks are required to be installed at the building permit stage.

As provided in Section 5.8.2 of the Subdivision Regulations and Section 12100.2.G of the Zoning Code, a sidewalk will be required along the section line road. The construction plans for the development must show the sidewalks along the arterial streets and along the common areas. The developer will be responsible for construction of these sidewalks. According to Section 5.8.2.B.3(d) of the Subdivision Regulations, where arterial right-of-way is designated for programmed capital improvements, and for which the installation of sidewalks would be impractical, the developer may, with the approval of the City Engineer, pay a fee in lieu of sidewalk construction.

Section 11250.1 of the Planning and Zoning Code states that all residential developments adjacent to arterial streets must provide a landscaped buffer along the arterial street. It further states that the landscape buffer must be located outside of any subdivision fence and must consist of any combination of trees, shrubs,

groundcovers, earthen berms, and/or rock or stone accents, arranged in a manner to achieve visual continuity. The landscape plan submitted with this application has been reviewed and approved. The landscaping must be installed prior to the issuance of a certificate of occupancy for any residence within the applicable final plat.

Separate instruments will be required to be submitted with this final plat for proposed easements lying outside the boundaries of the plat. The instruments will be processed to City Council at the same time as the final plat and will be recorded by the City Clerk. The final plat will not be released until after the easements are recorded.

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. 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.

A. Approve the application subject to the following technical evaluations:

1. Approval of this plat is subject to City Council acceptance of the dedications and improvements or assurance for completion of the improvements.
2. A note should be added to the plat indicating that garages need to be setback 20-feet.
3. A temporary second entrance, or a connection between NW 20th Terrace and the north/south street in Magnolia Harbor Phase 1 should be provided in order for the development to be in compliance with the access requirements of the Subdivision Regulations. Otherwise, a variance is required to Section 5.2.8.B of the Subdivision Regulations. Six affirmative votes are required to approve a variance.
4. Separate instruments will be required to be submitted with this final plat for proposed easements lying outside the boundaries of the plat. The instruments will be processed to City Council at the same time as the final plat and will be recorded by the City Clerk. The final plat will not be released until after the easements are recorded.

All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the plat may be required during either Divisions review of construction plans and prior to City Council acceptance.

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