



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 9, 2023

Item No. IV. 24.

(PUD-1932) Application by Gary Owens Development, Inc., to rezone 15425 SW 15th Street from AA Agricultural District to PUD-1932 Planned Unit Development District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Mark Grubbs
Company	Grubbs Consulting LLC
Phone	405-265-0641
Email	mark.grubbs@gc-okc.com

B. Case History

This application was continued from the February 23, 2023 meeting.

C. Reason for Request

This application is to permit a rural residential development.

D. Existing Conditions

1. (*Existing*) Comprehensive Plan Land Use Typology Area: Rural – Low Intensity (RL)

Rural – Low Intensity applies to areas where large-lot neighborhoods and residential acreages/estates may remain with no expectation of urbanization or provision of urban infrastructure such as water or sewer. RL areas are predominantly composed of residential and agricultural uses but may support commercial and light industrial uses provided they do not negatively impact the rural residential character.

(*Existing*) Comprehensive Plan Land Use Typology Layer: Agricultural Preserve (AP)

AP preserves large scale acreages used primarily for agricultural purposes that are within the municipal boundaries. A large portion of the AP area consists of undevelopable floodplains. Existing development patterns are expected to remain unchanged for a long period of time, allowing agricultural operations to exist and thrive at different scales. Commercial and light industrial uses may be appropriate provided they do not negatively impact agricultural operations and character.

(Proposed) Comprehensive Plan Land Use Typology Area: Rural – Medium Intensity (RM)

Rural – Medium is similar to the Rural-Low Typology Area except that it allows higher housing densities. These areas are usually near a fire station. Rural-Medium areas are often located adjacent to Urban-Low and Urban Reserve typologies, which are areas intended to urbanize in the future. While there is no expectation for urban services, RM areas have limited potential to connect to City water or sewer service, and may become more integrated into the urbanized area in the distant future. Commercial and light industrial uses may be appropriate provided they do not negatively impact the rural residential character.

2. **Size of Site:** 15.57 acres

3. **Zoning and Land Use**

	Subject Site	North	East	South	West
Zoning	AA	AA	AA	AA	PUD-1832
Land Use	Undeveloped	Undeveloped	Tank Battery	Oil Well	Undeveloped

II. SUMMARY OF PUD APPLICATION

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the **RA-2 Single Family Two Acre Rural Residential District** shall govern the property except as herein modified, including accessory uses subject to their appropriate conditions and review procedures for public hearings where applicable, unless otherwise noted.

1. The following uses shall be the only uses permitted:
 - a) Animal Raising: Personal (8150.5)
 - b) Community Garden (8150.6.1)
 - c) Community Recreation: Property Owners Association (8250.3)
 - d) Composting (8150.6.2)
 - e) Family Day Care Homes (8300.40)
 - f) Greenhouse (8150.6.3)
 - g) Home Garden (8150.6.4)
 - h) Hoop House (8150.6.5)
 - i) Horticulture (8150.7)
 - j) Light Public Protection and Utility: Restricted (8250.13)
 - k) Low Impact Institutional: Neighborhood Related (8250.14)
 - l) Low Impact Institutional: Residential Oriented (8200.5)

- m) Rainwater Harvesting (8150.7.1)
- n) Roof Garden (8150.7.2)
- o) Row and Field Crops (8150.8)
- p) Single Family Residential (8200.14)

2. Minimum lot size for single family dwellings shall be two acres.
3. Maximum lot coverage for single family dwellings shall be 30%.
4. Minimum lot width for all lots shall be 120 feet, measured at the platted front building limit line, except that lots fronting cul-de-sacs are permitted a minimum lot width of 75 feet at the platted front building limit line.

8.2 LANDSCAPE & SCREENING REGULATIONS

- a) All requirements of the City of Oklahoma City's Landscaping and Screening Ordinance in place at the time of development shall apply, except that a landscape buffer shall not be required along the rural arterial streets.

8.3 ACCESS REGULATIONS

- a) Access shall be from Cimarron Road, SW 15th Street and/or adjacent property.
- b) Individual lot frontage and access is permitted from the adjacent rural arterial streets.
- c) Sidewalks shall not be required along arterial streets or along interior streets.

8.4 SIGN REGULATIONS

- a) Signs shall comply with the OKC Municipal Code.

8.5 COMMON AREA REGULATIONS

- a) There shall be a minimum of 15% open space which can be provided in the form of common area or easement/building setback preventing the building of structures within the area.
- b) Maintenance of common areas and private drainage easements is the responsibility of the property owner's association and/or property owners within the PUD, and as depicted within covenants and restrictions filed as separate documents. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent, shall be placed within drainage related common areas or drainage easements.

8.6 PLATTING & SPECIFIC PLAN REGULATIONS

- a) Platting shall be required for single family residential development on lots less than five acres in size.
- b) A Specific Plan shall not be required.

8.7 LIGHTING REGULATIONS

- a) The 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.

8.8 DRAINAGE REGULATIONS

Drainage improvements, if required, will be in accordance with applicable sections of the Oklahoma City Code of Ordinances. Drainageways may be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code, which includes certain allowances in construction standards for PUDS, provided the PUD is platted with drainage areas confined to common areas or private drainage easements. Such drainageways 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.

8.9 ROOFING REGULATIONS

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

8.10 SIDEWALK REGULATIONS

Sidewalks are not required along the rural arterials or along the interior streets.

8.11 HEIGHT REGULATIONS

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

8.12 SETBACK REGULATIONS

Minimum front yard setback shall be 30 feet. Side and rear yard setbacks shall be 25 feet.

8.13 PUBLIC IMPROVEMENTS

Public improvements shall be made by the property owner throughout the PUD in accordance with all local, state, and federal requirements.

8.14 GENERAL DESIGN AND DEVELOPMENT GUIDELINES

Specific information and plans for General Design and Development Guidelines as contained in Chapter 59 Section 14200.4 for density, amenities, relationship to abutting uses, site design, safety, and circulation systems shall be required at the building permit stage.

SECTION 9.0 DEVELOPMENT SEQUENCE

Developmental phasing shall be allowed as a part of the development of this PUD.

SECTION 10.0 PLANNED USES

Total Dwelling Units	Non-Residential (sq. ft.)	Common Open Space (acres)	Natural Resource Area (acres)	Public Uses (acres)	Other Planned Uses (acres)
Min.: 1 Max.: 6	N/A	Min.: 15% (Per Sec. 8.5.a)	Min.: 0	N/A	N/A

SECTION 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 MAP

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) Yukon

7. Oklahoma Department of Transportation (ODOT)

B. City Departments

1. Airports

2. Central Oklahoma Transportation and Parking Authority (COTPA)

- 3. Fire:** No objection provided the required fire hydrants, water tank or sprinklers are provided.

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) Modify Section 8.8- Drainage to read: Drainage improvements if required will be in accordance with the applicable sections of Oklahoma City Code of ordinances as amended. Drainage ways may be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code which includes certain allowances in construction standard for PUD's provided the PUD is platted and drainage areas are confined to common areas or private drainages easements 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 owner.
- 12) Amend Section 8.10 SIDEWALK REGULATIONS to read: Sidewalks will be constructed in accordance with the applicable sections of Oklahoma City code ordinance as amended.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) No public wastewater service is available for the development. A private on-site wastewater disposal system is required in accordance with ODEQ rules and regulations. Applicants is responsible for obtaining all required City and ODEQ Permits. On-site wastewater 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 development, private on-site water system is required. The developer must provide a water distribution system that

is capable of supplying water to each lot or tract within the development in accordance with ODEQ and OWRB. Well permits must be obtained from OWRB and a copy of the permit must be filed with the Utilities Department. No private water source or groundwater source may be connected to any service or system connected to the City water system.

9. Planning

a. Comprehensive Plan Considerations

The subject site is within the Rural Low LUTA and Agricultural Preserve Land Use Typology Layer. An application requesting to change the base LUTA to Rural Medium is associated with this application. Policies for both LUTAs are listed below.

1) LUTA Development Policies:

Site Design:

- Design buildings and sites to complement the character of surrounding areas and not detract from the open character of the landscape. (RL & RM)
- Utilize Best Management Practices (BMP) for stormwater. (RL & RM)
- Cluster development may be appropriate provided it maintains rural character by preserving open space and/or Environmentally Sensitive Areas (ESAs) by clustering lots, and maximum gross density requirements are not exceeded. Open space and/or ESAs should be permanently protected through mechanisms such as conservation easements, dedicated zoning tracts, deed restriction, etc. (RM)

National, state, and local permitting require basic best management practices for stormwater management.

Density:

The Rural Low LUTA outlines a minimum lot size of 5 acres (gross density of 0.2 du/acre) for residential. *The existing AA District is consistent with the Rural Low LUTA. The lot size proposed in the PUD is not in conformance with the RL range.*

The Rural Medium LUTA outlines a minimum lot size of 2 acres and a gross density of 0.5 du/acre or below. Smaller lots (1-2 acres) may be appropriate in cluster developments provided the maximum gross density of the project is maintained. *If the LUTA is changed to Rural Medium, the proposed 2-acre lot sizes would be consistent with this range.*

- #### 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 or Agricultural uses, “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 within Rural Medium areas are less than 40% 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 2-acre lots would be considered compatible adjacent to the 5-acre parcel on the north, should the LUTA be changed to Rural Medium. No lot size compatibility issues are identified on the west where PUD-1832 was approved with 2-acre lots.*

- 3) **Service Efficiency:**
 - Water: *Not Served*
 - Sewer: *Not Served*
 - Fire Service: *Longer than Rural Response Time*
- 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 southern portion subject site. Floodplain is not present. The MDS commits to 15 percent open space but does not indicate where it will be provided.*
 - Upland Forests: N/A
 - Vulnerable Aquifers: N/A
- 5) **Transportation System:** This site has frontage along SW 15th Street and S Cimarron Road, both Minor Arterial Streets in the Rural Medium LUTA. Transit (bus) service is not available.
- 6) **Other Development Related Policies**
 - Preserve overall landscape character and natural landforms (rolling hills, native vegetation, etc.) to the greatest extent possible. (G-4)
 - Ensure that development in rural areas is consistent with local design and scale and does not detract from the open character of the landscape. (SU-45)
 - 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)

b. Plan Conformance Considerations

The subject site is located north of SW 15th Street and west of S Cimmaron Road and is zoned AA. The PUD proposes rural residential development with an RA2 base district and a minimum lot size of two acres. Land adjacent on the east, north and south is zoned AA. Abutting the site on the west is PUD-1832 which was approved in October 2021 for 2-acre lots and standards similar to those proposed in this PUD. The Planning Commission approved an amendment to the comprehensive plan that also changed the Land Use Typology Area (LUTA) to Rural Medium on the PUD-1832 site.

The subject site is designated Rural Low Intensity and Agricultural Preserve in the comprehensive plan. Public water and sewer services are not available, and fire service is beyond rural response time. An application requesting to change the LUTA to Rural Medium Intensity is associated with this request (CPA-22-00001). If the application to change the LUTA is denied, the PUD should be denied as it would not be in conformance with comprehensive plan. If LUTA change is approved, the proposed density would be consistent with the Rural Medium LUTA.

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.

If CPA-2023-00001 is denied, denial of the application.

If CPA-2023-00001 is approved, approval of the application subject to the Technical Evaluations:

1. Amend Section 8.3b. to read: Individual lot frontage and access is permitted from the adjacent rural arterial streets provided lot width meets the requirements of the base zoning district.
2. Modify Section 8.8 Drainage to read: Drainage improvements if required will be in accordance with the applicable sections of Oklahoma City Code of ordinances as amended.

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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.

Should this application be approved, 17-foot of additional easement should be requested along SW 15th St and Cimarron Rd. to bring the right-of-way width to the standard set by the subdivision regulations.

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