



STAFF REPORT
The City of Oklahoma City
Planning Commission
July 27, 2023

Item No. IV. 8.

(PUD-1961) Application by Bentwood Investments, LLC, to rezone 14700 Mezzaluna Avenue from PUD-1577 Planned Unit Development District to PUD-1961 Planned Unit Development District. Ward 8.

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 is a new application.

C. Reason for Request

The purpose of this application is to allow single- through four-family 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: 11.51 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1577	PUD-1577	PUD-1577 PUD-1738	PUD-1523	1577
Land Use	Undeveloped	Residential	Residential	Apartments	Apartments

II. SUMMARY OF PUD APPLICATION

The PUD permits residential development in accordance with the use and development regulations of the R-3 Medium Density Residential District, except as otherwise amended herein.

8.1 USE AND DEVELOPMENT REGULATIONS

- 1) For residential development consisting of single family, two family and three or four family dwellings the following development regulations shall apply:
 - a. Minimum lot size for single family and two family dwellings shall be 5,000 square feet (2,500 per unit in two-family dwelling).
 - b. Minimum lot width, measuring at the front property line, for single family and two family dwellings shall be 30 feet per dwelling unit.
 - c. Minimum lot size for three and four family dwellings shall be 7000 square feet.
 - d. Minimum lot width for three and four family dwellings shall be sixty feet.
 - e. Minimum front yard setback in each lot shall be twenty feet, measuring from the curb line.
 - f. Minimum rear yard setback in each lot shall be ten feet.
 - g. Minimum interior side yard setback shall be five feet and minimum exterior (adjacent to a private drive or street or public street) shall be ten feet.
 - h. Community Recreation: Property Owners Association uses shall be subject to the aforesaid development regulations.
- 2) All other uses not related or accessory to a single, two, three or four family residential development shall conform to the R-3 development regulations.

8.2 LANDSCAPE & SCREENING REGULATIONS

- 1) All requirements of the City of Oklahoma City's Landscaping and Screening Ordinance in place at the time of development shall apply, unless otherwise noted herein. There shall be at least one medium tree planted for every 75 feet, or fraction thereof, of frontage along Mezzaluna Ave, Watermark Blvd, and Gambels Trail Dr.

8.3 ACCESS REGULATIONS

- 1) Platted lots are not required to take access from an approved street. Primary access to individually platted lots shall be permitted from private drives. The private drive shall be placed within a platted private access easement, or a platted common area designated for access purposes. A property owners association through the use of recorded covenants and restrictions shall regulate maintenance of the private drives. Minimum easement/common area width of private drives shall be 24 feet. Minimum paving width of private drives shall be 24 feet.

8.4 SIGN REGULATIONS

- 1).....The base zoning district shall regulate signs.

8.5 PARKING REGULATIONS

- 1) Garages shall be counted toward meeting parking requirements for residential lots. Provided the parking spaces are minimum 8-1/2 feet by 18 feet.
- 2) Parking shall comply with Chapter 59 of the OKC Municipal Code, except parking for common area uses constructed for property owners shall not be required.

8.6 COMMON AREA REGULATIONS

- 1) Maintenance of private drives, 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.

8.7 PLATTING & SPECIFIC PLAN REGULATIONS

- 1) A Specific Plan shall not be required.

8.8 FAÇADE/ARCHITECTURAL REGULATIONS

- 1) Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry, stucco, engineered wood, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete

block on primary buildings shall not be permitted. See Exhibit C – Building Elevations

8.9 LIGHTING REGULATIONS

- 1) 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.

8.10 DRAINAGE REGULATIONS

- 1) The proposed development will comply with the current City of Oklahoma City Drainage ordinance as amended.
- 2) 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.

8.11 DUMPSTER REGULATIONS

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

8.12 ROOFING REGULATIONS

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

8.13 SIDEWALK REGULATIONS

- 1) Four foot sidewalks shall be constructed along private drives and along the exterior public streets, Mezzaluna Blvd., Watermark Blvd., and Gambels Trail Dr.
- 2) Sidewalks shall be constructed in accordance with the City of Oklahoma City Municipal Code requirements.

8.14 HEIGHT REGULATIONS

- 1) The base zoning district regulations shall regulate heights of structures unless otherwise noted herein.

8.15 PUBLIC IMPROVEMENTS

- 1) 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.

8.16 GENERAL DESIGN AND DEVELOPMENT GUIDELINES

- 1) 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 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

EXHIBIT C: BUILDING ELEVATIONS

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: 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) Delete portion of 8.10 (2) as shown:
Drainage improvements, if required, will be in accordance with applicable sections of the Oklahoma City Code of Ordinances. Private 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.

- 12) **Revise Section 8.3 Access Regulations:**
All platted lots should be required to take access from an approved public or private street that is constructed to the standards of the City of Oklahoma City.
- 13) **Revise Section 8.13 Sidewalk Regulations:**
All sidewalks shall be constructed in accordance with the City of Oklahoma City Municipal Code requirements.

c. Stormwater Quality Management

d. Traffic Management

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) An existing 8" wastewater main(s) is located adjacent to the subject site(s).
- 2) Line capacity is not guaranteed and must be checked by the Engineer of Record and reviewed by the City.
- 3) 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.
- 4) Minimum ten (10) feet horizontal separation is required from water mains and five (5) feet for other utilities. Minimum two (2) feet 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. The developer is responsible for remediating any failure to maintain the minimum four (4) feet of cover.
- 5) Wastewater main(s) must be centrally located in a twenty (20) feet 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.

- 6) 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.

b. Solid Waste Management

- 1) The City can provide service, providing there is sufficient space for the truck to maneuver to service the addition.
- 2) The City can provide service for up to 3 units on a single water meter. Any more than 3 units on the same meter will have to be serviced by a private hauler. A dumpster could be utilized provided there is not enough frontage space for cart placement.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12" water main(s) is located adjacent to the subject site(s).
- 2) A 12-inch water main is required to be loop 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.
- 3) Minimum ten (10) feet horizontal separation required from wastewater mains and five (5) feet for other utilities. Minimum two (2) foot vertical separation required for all utility crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 4) Proposed and/or existing water mains must be located centrally within a twenty (20) feet wide or larger utility easement or right-of-way. 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.
- 5) Dead-end water mains must be avoided when possible. All existing unused water services must be capped and abandoned at the water main in accordance with the City Standard Specifications.
- 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 or 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.

- 7) All existing and/or proposed water meters must be located in the right-of-way and/or utility easement within grassy areas outside of sidewalks, driveways, streets, and paving.
- 8) All domestic and fire suppression services must have a separate water service connection. Fire hydrant spacing shall not exceed 500 feet and must be located within ten (10) of a hard surface (i.e. sidewalk, street, paving).
- 9) Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.

9. Planning

a. Comprehensive Plan Considerations

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.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

Location:

- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

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.

National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available. The PUD proposes a mixture of duplex and quadplex development in an area north of Quail Springs Mall. The associated preliminary plat (Quail North / C-7574) indicates 64 duplex lots and 23 quad lots for a total of 156 units on 11.51 acres, or 13.55 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.
- Primary entrance points should be aligned with access points immediately across the street.
- Provide vehicular connectivity between adjacent developments.
- Subdivisions with more than 50 units should have at least two points of entrance / egress no closer than 300 feet apart.

Access is proposed from one boulevard street, with private drives proposed instead of public or private streets. A vehicular connection is not provided to Watermark Boulevard or Gambels Trail Drive.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

The PUD requires sidewalks along private drives and public streets. Plan conformance would be strengthened by providing a pedestrian connection along Abigail Trail to Watermark Boulevard so residents can walk to nearby places, and specifically so students can walk to school.

- 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 residential or office 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 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. *No triggers requiring mitigation were identified.*

- 3) **Service Efficiency:**

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Urban Service Level*

- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the site.

5) **Transportation System:** This site is located between Mezzaluna Avenue and Gambels Trail Drive, north of Watermark Boulevard, all Connector Streets in the Urban Low LUTA. The nearest transit (bus) service is located south of the site along NW 140th Street near Quail Springs Mall.

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)
- 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. Contiguous developments should share access whenever feasible. (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)

b. Plan Conformance Considerations

The subject site is located between Mezzaluna Avenue and Gambels Trail Drive, north of Watermark Boulevard, in an area generally located south of NW 150th Street and east of N May Avenue. The site is within the Urban Low LUTA. The site is undeveloped and was zoned for single- through four-family residential, office, and some retail uses within PUD-1577 (Tract 4) in 2015. Offices have been developed north of the subject site in a portion of Tract 4 not included in this

submittal. The larger area surrounding the site to NW 150th Street was originally zoned PUD-32 in 1982 for residential uses of varying densities. In 2007, most of PUD-32 was rezoned to PUD-1281 for a connected mixed-use development. In 2014, the 33 acres south of the application site, across Watermark Boulevard, were taken out of the mixed-use concept to be zoned for gated apartments in PUD-1523, which has nearly completed construction. Across Gambels Trail Drive to the east is an elementary school constructed under PUD-1738, which was approved in 2019.

The PUD proposes reduced setbacks and reduced lot frontage requirements to provide a mixture of duplex and quadplex development in an area north of Quail Springs Mall. The associated preliminary plat (C-7574) allows 156 units on 85 lots. The proposal is in conformance with UL density ranges and comprehensive plan goals to provide a mixture of residential housing types in the Urban Low LUTA and would allow the same housing products approved in the existing PUD-1577. However, access to individual lots is proposed from private drives, not streets built to City standards. The existing PUD contemplated private drives for access. The new PUD requires sidewalks to be built along private drives. A pedestrian connection should be provided where the street does not connect to Watermark Boulevard so residents can walk to nearby places, and specifically so students can walk to school.

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. All platted lots should be required to take access from an approved public or private street that is constructed to the standards of the City of Oklahoma City.
2. A pedestrian connection (and gate, if required) shall be provided from the southeast corner of the PUD to the sidewalk on Watermark Blvd.

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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