



**The City of Oklahoma City
Planning Commission
STAFF REPORT
May 27, 2021**

(PC-10735) Application by Premium Land, LLC, to rezone 5805 NW 159th Street from the AA Agricultural District to the R-1 Single Family Residential District. Ward 8.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Kendall Dillon, Crafton Tull & Associates, Inc.
(405) 787-6270
Kendall.dillon@craftontull.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to change the existing agricultural based zoning to a residential based zoning that will permit residential development.

D. Existing Conditions

1. Size of Site (1.27 Acres)

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	R-1	R-1	AA	R-1
Land Use	Undeveloped	Residential	Undeveloped	Residential	Residential

3. 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.

- 3. Development Context:** The subject site is generally located south of NW 160th Street and east of N MacArthur Blvd. The application seeks to rezone 1.18 acres of a 7-acre parcel from AA to R-1 to include it in an adjoining subdivision (Still Meadows). The remainder of the AA parcel to the south is developed with a residence. To the west across N MacArthur Blvd is a residential subdivision.

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The application is associated with the Final Plat of Still Meadows Phase V (C-7282). Access to the newly created lots would be from the existing residential street network.

II. 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 (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. School District (Deer Creek)**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

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**

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a. Engineering

1) 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/drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. The study must be 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) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- g) Construction within the limits of this PC 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.

- 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 a public street classified s major or minor arterial.
- i) All private road/street will have private storm sewer system.
- n) 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.

8. Streets, Traffic and Drainage Maintenance

- 1) Subject property is served by a public street.

9. Stormwater Quality Management

10. Traffic Management *

11. Utilities

a. Engineering

Sanitary Sewer Availability

- 1) An existing 8” sanitary sewer main(s) is adjacent to the subject site and a connection will be permitted in accordance with City Standard Specifications.
- 2) All sanitary sewer mains must flow within the existing drainage basin. Proposed sewer mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) All sanitary sewer mains must have a minimum cover of 6 feet and a depth no greater than 18 feet.
- 4) The developer will be required to extend a gravity sanitary sewer collection system to each lot or site within the subdivision or land improvement in accordance with City Standard Specifications and the current Subdivision Regulations. No private or public lift stations will be allowed.
- 5) No trees, signs, dumpsters, or fences within 10 feet of any existing or proposed sanitary sewer main.
- 6) No structures within 20 feet of any existing or proposed sanitary sewer main.
- 7) All existing unnecessary sanitary sewer services must be abandoned at the sanitary sewer main.
- 8) SD-2021-00014 public sanitary sewer main extension required. Side lot easements adjacent to other lots must combine to equal a total of 20 feet.

b. Solid Waste Management *

c. Water/Wastewater Quality

Water Availability

- 1) The subject site is adjacent to a 6” water main in the street right-of-way of NW 159th Street.

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- 2) The developer will be required to extend a minimum 12-inch water main (or larger as recommended by the approved Current Water Master Plan) along the section line street, border or perimeter of the development and/or all interior water mains for domestic use and fire flow protection.
- 3) The developer will provide an internal (on-site) water distribution system capable of supplying water to each lot or tract within the proposed subdivision or land development in accordance with City Standard Specifications and the current Subdivision Regulations.
- 4) Dead-end water mains must be avoided. Connection to at least two active feeder or grid water mains will be necessary to prevent partial or total shut-off of water supply when a pipeline failure occurs within the proposed development.
- 5) 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.
- 6) No trees, signs, dumpsters or fences within 10 feet of any existing or proposed water main.
- 7) No structures within 20 feet of any existing or proposed water main or fire hydrant.
- 8) All existing and proposed meters must meet current Meter Specifications. Meters must be in a grassed area. All domestic and fire suppression services must have separate water service connections. All existing unnecessary water services must be abandoned at the water main.
- 9) WA-2021-00011 public water main extension required.

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.

National, state, and local permitting require basic best management practices for stormwater management. The rezoning would allow for additional residential lots within an existing subdivision.

Density: UL LUTA outlines a density range of 4 to 8 dwelling units per acre for single family. *The R-1 District allows single-family development within the UL range.*

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 application seeks to add lots on a constructed cul-de-sac street (NW 159th Street).

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks have been constructed on NW 159th Street and will be required along the arterial street frontage.

- 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 districts, “Building Scale and Site Design” is a potential compatibility issue 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.

Lot sizes cannot be stipulated in a base zoning request. No triggers were identified for the placement of R-1 adjacent to R-1 zoning.

3) Service Efficiency:

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

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

5) Transportation System: This site is located off NW 159th St, a Neighborhood Street in the Urban Low LUTA. Bus transit is not available in the area.

6) Other Development Related Policies

- 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)
- 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 proposal would rezone 1.18 acres of land from AA to R-1. The rezoning application is associated with the Final Plat of Stillmeadows Phase V. The proposed zoning district is consistent with the comprehensive plan and with the surrounding area.

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

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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.

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