



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

(PUD-1820) Application by Dact, LLC., to rezone 10801 Old 4 Highway from the I-2 Moderate Industrial District to the PUD-1820 Planned Unit Development District. Ward 1.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David M Box
Company Williams, Box, Forshee & Bullard, P.C.
Phone (405) 232-0080
Email dmbox@wbfbllaw.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit a manufactured home community.

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: 51.53 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-241	R-2	PUD-241	I-2	AA
Land Use	Undeveloped	Residential	Undeveloped	Undeveloped	Farm

4. Development Context: The 51-acre subject site is located at the northwest corner of the Kilpatrick Turnpike and Old Highway 4 adjacent to NW 10th Street. The site is part of the 133-acre PUD-241 that was zoned for residential and commercial uses in 1985. The PUD site is now split in half by the Kilpatrick Turnpike and cannot be constructed as was originally envisioned.

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Land to the north is zoned R-2 and platted (Mar A Lago). To the east is the Turnpike. To the south is a railroad line and industrial zoning and uses. To the west is AA zoned property, including undeveloped land and a single-family residence on a 4.5-acre parcel along Old Highway 4.

The PUD requests an R-MH2 zoning district to allow a manufactured/mobile home park with the option for on-site sales of manufactured homes on Tract 2, and commercial uses on Tract 1.

II. SUMMARY OF PUD APPLICATION

USE AND DEVELOPMENT REGULATIONS

Tract 1:

The use and development regulations of the **C-3 Community Commercial District** shall govern this PUD, except as herein modified.

The following uses shall be the only uses permitted within Tract 1:

Administrative and Professional Offices (8300.1)
Alcoholic Beverage Retail Sales (8300.5)
Animal Sales and Services: Grooming (8300.8)
Animal Sales and Services: Kennel and Veterinary, Restricted (8300.11)
Building Maintenance Services (8300.23)
Business Support Services (8300.24)
Child Care Centers (8300.25)
Communications Services: Limited (8300.29)
Community Recreation: General (8250.2)
Community Recreation: Property Owners Association (8250.3)
Community Recreation: Restricted (8250.4)
Convenience Sales and Personal Services (8300.32)
Cultural Exhibits (8250.5)
Custom Manufacturing (8350.3)
Dwelling Units and Mixed Uses (8200.2)
Eating Establishments: Drive-In (8300.34)
Eating Establishments: Fast Food (8300.35)
Eating Establishments: Fast Food, With Drive-Thru Order Window (8300.36)
Eating Establishments: Sitdown, Alcohol Permitted (8300.38)
Food and Beverage Retail Sales (8300.41)
Gasoline Sales, Large (8300.45)
Greenhouse (8150.6.3)
Hoop House (8150.6.5)

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Laundry Services (8300.48)
Library Services and Community Centers (8250.11)
Light Public Protection and Utility: General (8250.12)
Light Public Protection and Utility: Restricted (8250.13)
Low Impact Institutional: Neighborhood-Related (8250.14)
Medical Services: General (8300.52)
Medical Services: Restricted (8300.53)
Participant Recreation and Entertainment: Indoor (8300.55)
Personal Services: General (8300.58)
Repair Services: Consumer (8300.61)
Research Services: Restricted (8300.62)
Retail Sales and Services: General (8300.63)

Tract 2:

The use and development regulations of the **R-MH-1 Manufactured (Mobile) Home Subdivision District and R-MH-2 Manufactured (Mobile) Home Park District** shall govern development in Tract 2 except as otherwise noted herein.

- a) All uses permitted in the R-MH-1 Manufactured (Mobile) Home Subdivision District and R-MH-2 Manufactured (Mobile) Home Park District including the following:
 - i. Automotive and Equipment: Sales and Rentals, Trucks, Manufactured (Mobile) Homes and Recreational Vehicles (8300.20), limited to the sale of manufactured (mobile) homes and further restricted as follows:
 - 1. The sale of manufactured homes intended to be removed from the property upon purchase shall be permitted, with such homes displayed for sale on the property to be limited to thirty (30) at any given time, and with such homes for sale to be displayed in existing lots.
 - 2. The sale of manufactured homes intended to remain on the property and be used as a residence on the property shall be permitted, with such homes for sale to be displayed in existing lots.
 - ii. One leasing and one sales office located within the existing residential park for manufactured homes shall be permitted.
- b) The following development regulations shall apply to development within Tract 2 except as otherwise noted herein:

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- i. Minimum lot size for single family (manufactured/mobile home/conventional) shall be 4,000 square feet.
- ii. Minimum lot width for single family (manufactured/mobile home/conventional) shall be 40 feet.
- iii. Maximum lot coverage shall be 75%
- iv. Front yard setback shall be 10 feet
- v. Rear yard setback shall be 8 feet

9.0 SPECIAL CONDITIONS

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

9.1 FAÇADE REGULATIONS

Tract 1:

Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry, stucco, wood and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). Exposed metal or exposed concrete block buildings shall not be permitted.

Tract 2:

Per base zoning district.

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, except as modified herein.

A landscaped greenbelt shall not be required around the perimeter of Tract 2.

9.3 SCREENING REGULATIONS

Screening within this PUD shall be in accordance with the base zoning regulations.

9.4 PLATTING REGULATIONS

Platting shall not be required within this PUD.

9.5 DUMPSTER REGULATIONS

Dumpsters shall be consolidated where practical and located within an area screened by a fence or masonry wall that is of sufficient height to screen the dumpsters from view. Dumpsters shall be placed no closer than 25 feet from all property lines adjacent to residential zoning/uses.

9.6 ACCESS REGULATIONS

Access to the site shall be taken from Old Oklahoma 4.

9.7 SIGNAGE REGULATIONS

9.7.1 FREESTANDING ACCESSORY SIGNS

Freestanding signs shall be ground (monument) signs with the maximum size being 12 feet in height and 125 square feet in area. The sign shall have no less than 25 square feet of landscaping at the base. No pole signs will be allowed.

9.7.2 ATTACHED SIGNS

Attached signs will be in accordance with the base zoning district regulations.

9.7.3 NON-ACCESSORY SIGNS

Non-Accessory signs shall be prohibited.

9.7.4 ELECTRONIC MESSAGE DISPLAY SIGNS

Electronic Message Display signs shall be prohibited within this PUD.

9.8 LIGHTING REGULATIONS

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.

9.9 SETBACK REGULATIONS

The setback regulations in this PUD will be in accordance with the base zoning district regulations unless otherwise provided herein.

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9.10 HEIGHT REGULATIONS

The building height regulations in this PUD will be in accordance with the base zoning district regulations.

9.11 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, except as follows:

Parking spaces for single family development manufactured/ mobile/ conventional) shall not be less than 18 feet by 8 ½ feet, with no more than five feet of said space permitted to encroach within adjacent street right-of-way.

9.12 SIDEWALK REGULATIONS

Five-foot sidewalks shall be constructed along Old Highway 4 or 6-foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department. Sidewalks shall not be required within the interior of the development.

9.13 SPECIFIC PLAN

A Specific Plan shall not be required within this PUD.

11.0 EXHIBITS

Exhibit A: Legal Description
Exhibit B: Master Development Plan – Conceptual

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)**

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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

4. Information Technology/Geographic Support

5. Parks and Recreation

- 1) This development is outside the local park service area.

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.

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- 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) A Corps of Engineers 404 permit must be submitted with plans for any work contemplated within the floodplain, creek, or channel (waters of the United States) included in the case limits.
- 5) 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.
- 6) 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.
- 7) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 8) 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.
- 9) 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.

10) All private roads /streets will have private storm sewer systems.

11) 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.

c. Stormwater Quality Management

d. Traffic Management

8. Utilities

a. Engineering

Paving

- 1) Sidewalk shall be installed for all new construction on lots/ parcel having frontage on private and public streets.

Sanitary Sewer Availability

- 1) An existing 8” and 12” sanitary sewer main(s) is adjacent to the subject site and a connection will be permitted in accordance with City Standard Specifications.
- 2) No trees, signs, dumpsters, or fences within 10 feet of any existing or proposed sanitary sewer main.
- 3) All existing unnecessary sanitary sewer services must be abandoned at the sanitary sewer main.

b. Solid Waste Management

The City can provide solid waste collection services to commercial customers providing refuse is not excess of 270 gallons per customer per pick up § 49-30 (a). Otherwise the customer will have to utilize a private hauler for dumpster service. No service will be provided for waste deemed uncollectable per ordinance § 49-21.(17). The City can also service residential customers providing there is sufficient space for the truck to maneuver to service the addition.

c. Water/Wastewater Quality

Water Availability

- 1) The subject site is adjacent to a 12” water main in the street right-of-way of Sama Way and Sara Vista Dr.
- 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) 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.
- 4) 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.

- 5) No trees, signs, dumpsters or fences within 10 feet of any existing or proposed water main.
- 6) Additional Comments: 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.
- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands
- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

The development proposes to connect to water and sewer in conformance with the UL LUTA. National, state, and local permitting require basic best management practices for stormwater management however, low impact development techniques that would increase protection for riparian areas and the vulnerable aquifer at this location are not required. Plan conformance would be achieved if the site employed low impact techniques such as providing a 100-foot buffer from the top of the stream bank and wooded areas remained on site to assist with stormwater infiltration into the aquifer.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.
- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

The application site is located along Old Highway 4.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. UL 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. *The residential development is limited to 10 du/acre, within the UL range. The C-3 District regulations allow for development within FAR 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.
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Development fronting arterials should take access from intersecting streets where possible.
- 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.
- Horizontally mixed-use developments should have connectivity between land uses.

The development limits access to Old Highway 4. Connections to the west and north are not shown on Exhibit B or discussed in the Master Design Statement. Exhibit B shows two accesses for the subdivision from Old Highway 4. It is unclear how access to the commercial tract will be provided, but it appears there would be enough space for one driveway to meet separation requirements. Plan conformance would be strengthened if access to the commercial area could be shared with the easternmost access (intersecting street) into the subdivision, allowing a secondary access for residents to access the commercial uses.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses.

The development proposes to construct a sidewalk along Old Highway 4, but internal pedestrian connections are not provided. In addition, Exhibit B shows a recreation area at the southern end of the subdivision, which would be more than 1/2-mile away for those in the northern part of the subdivision. Plan conformance would be strengthened by providing internal pedestrian paths/connections, and if recreation areas were placed in the middle of the development for easier pedestrian access by all.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating Medium Intensity Residential adjacent to existing Residential Low Intensity, “Building Scale and Site Design” is a potential compatibility issue identified by the comprehensive plan.

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When locating Retail Low Intensity (Tract 1) adjacent to Residential Medium Intensity (Tract 2), “Building Scale and Site Design,” “Traffic” and “Operational Impacts” are potential compatibility issues. Additionally, the subject site is located northeast of industrially zoned land (I-2 and I-3). The comprehensive plan states that in some cases, such as residential locating near industrial, a proposed project should mitigate for uses that could create operational impacts.

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 southwestern boundary subject site abuts one home on a 4.5-acre parcel. The home is located approximately 75 feet from the PUD boundary. The subject site also abuts R-2 zoning on the north. If developed as platted, lots to the north would be approximately 190 feet from the PUD boundary and separated by ponds/common area. The PUD requires conformance with the landscape code, but also includes an exemption for a landscaped greenbelt around the perimeter of Tract 2. Chapter 59 requires screening and landscape buffers between the proposed R-MH2 District and the AA or R-1 Districts which should be provided.*

Traffic: Mitigation measures should be used if the development is inconsistent with the Street Typology or would substantially exceed the average daily traffic of existing, adjacent uses. *No triggers requiring mitigation were identified.*

Operational Impact: The comprehensive plan calls for mitigation measures if new projects propose uses that generate noise levels above those found in typical residential settings, have detectable odors, spill light above that found in typical residential settings, or operate after 10 p.m. within proximity to residential uses. When located near residential uses, the comprehensive plan calls for containing operating effects (including noise and odor) within building walls, using vertical screening to block any mechanical equipment and service areas, and directing light away from adjacent residential areas. *Some commercial uses proposed in the PUD could have operational impacts adjacent to residential including drive-through facilities and gasoline sales.*

These uses should be located at least 150 feet from a residential zone. Industrial zoning districts are located to the west and south across the highway and railroad.

3) Service Efficiency:

- Water: *Fully served, Close to service*
- Sewer: *Fully Served, Within an open shed*
- Fire Service: *Urban Service Level*

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 runs east-west through the middle of the site. Exhibit B shows the tributary left in its natural state and flowing to detention areas at the eastern end of the site. However, homes are shown within 10 feet of the top of the stream bank and range to about 60 feet away from the top of the stream bank. Increasing distance of development from the stream, perhaps by combining the recreation area with the stream open space area would strengthen plan conformance to protect the riparian area.*
- Upland Forests: N/A
- Vulnerable aquifers: The aquifer in this area is considered highly 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. *The PUD application site is more than 50 percent wooded. Preserving a larger area of existing mature trees around the riparian area would be a low impact development technique to maintain water quality and allow for more stormwater infiltration into the aquifer.*

5) Transportation System: This site is located off Old Highway 4, a Local/Neighborhood Street in the Urban Low LUTA. *No sidewalks or bus transit are available nearby.*

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)
- 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. (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)
- 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)
- Regional-, community-, and neighborhood-scale retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores that draws on the following principles:
 - Concentrate access for new retail development at shared primary entrance points. Primary entrance points should be aligned with access points immediately across intersecting roads. Limit curb cuts on primary highways and arterials.
 - Provide pedestrian circulation, including sidewalks and median breaks along interior and exterior fronting roads and within parking lots.
 - Encourage coordinated development of retail centers in order to facilitate internal pedestrian and vehicle circulation and optimal center performance (SU-27)
- New neighborhood-scale retail should be located within new residential growth areas to serve daily shopping needs and limit trip distances. In newly developing areas, this retail format is preferred to the existing linear development patterns along arterials. (SU-30)
- Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)

- 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 subject site is located northwest of the Kilpatrick Turnpike and Old Highway 4, which is north of NW 10th Street. The site is zoned for commercial, multifamily, and single-family residential under PUD-241. The proposal would rezone 51 acres out of the original PUD to allow for a manufactured home park (Tract 2), and commercial uses at the corner (Tract 1). A "mobile home park" is regulated by Chapter 31 of the Municipal Code. The density in the PUD mirrors the requirements of that Chapter. The PUD specifies that a 10-foot landscape buffer is not required along the boundary of Tract 2, but the zoning code would require screening and landscaping on the west and north sides of the PUD where adjacent to the AA or R-1 District.

The PUD commits to 10 percent open space, although the proposed site design does not provide protections for the riparian tributary or surrounding woods that run through the center of the property. Plan conformance could be enhanced if the recreational facilities and open space area were provided in the middle of the site to protect riparian habitat and provide a natural recreation space that would be more centrally located, and easier to walk to from throughout the development. Automobile connectivity would be enhanced if the proposed commercial Tract 1 were connected to the subdivision, using the eastern entrance road as an access point. As proposed, the commercial tract would likely only meet separation requirements for one driveway.

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 Evaluations:

1. The open space/recreational area shall be centrally located/grouped around the riparian area.

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2. Access to Tract 1 may be through the easternmost subdivision entrance road and boundary of Tract 1 may be allowed to expand west to the street.
3. The Master Design Statement shall specify that the PUD will meet the Residential Buffers and Screening Requirements of Chapter 59.
4. Gasoline sales and drive-through uses shall be located at least 150 feet from a residential property line.

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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