



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

(SPUD-1315) Application by JMAS, LLC., to rezone 12520 North Mustang Road from the PUD-919 District to the SPUD-1315 Simplified Planned Unit Development District. Ward 1.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Mark Zitzow
Company Johnson and Associates
Phone 405-235-8075
Email mzitzow@jaokc.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit a duplex 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: 3.3811 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-919	R-1	PUD-919	PUD-919	PUD-1418
Land Use	Undeveloped	Undeveloped	Undeveloped	Undeveloped	Undeveloped

4. Development Context: The subject 3.4-acre site is undeveloped, with the exception of a dirt access road to an oil well facility east of the site. The parcel was zoned for C-3 uses as part of Plaza West at Surrey Hills PUD-919 in 2003.

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South of the site is the remainder of PUD-919 that is undeveloped but was final platted in 2019 for an office park/commercial center. To the north of the site is land that was originally zoned RA and platted for residential development, but is now under consideration to be rezoned for commercial uses. Beyond it are large RA zoned lots that front N Mustang Road, and further north is PUD-1756, approved for single-family lots and platted under Bison Creek East. To the west of the site are commercial portions of the Village Verde subdivision zoned under PUD-1418 in 2010. To the east of the site is vacant land that fronts Northwest Expressway.

The SPUD is requested to build a duplex development with slight variations to the R-2 zone, including increasing lot coverage from 50% to 75%, front yard setbacks from 25 feet to 15 feet and allowing garages to count toward parking requirements.

II. SUMMARY OF PUD APPLICATION

This site will be developed in accordance with the regulation of **R-2 “Medium-Low Density Residential” District** (OKC Zoning Ordinance, 2020), except that the following restrictions will apply:

1. Uses Permitted

The Use and Development regulations of the R-2, “Medium-Low Density Residential” District shall govern this SPUD, except as modified below.

The following uses shall be the only uses allowed within this SPUD:

- Single Family Residential (8200.14)
- Two-Family Residential (8200.16)
- Light Public Protection and Utility: Restricted (8250.13)
- Community Recreation: Property Owners Association (8250.3)

2. Maximum Building Height:

The maximum height of any building shall be 35 feet.

3. Minimum Lot Size:

The minimum lot size shall be 5,000 sf for Single-Family and 6,000 sf for Two-Family.

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4. Minimum Lot Width:

The minimum lot width shall be 50 feet for Single-Family and 50 ft or 1 du/30 ft for Two-Family.

5. Maximum Lot Coverage:

The maximum lot coverage shall be 75%.

6. Building Setback Lines:

Front Yard: 15 feet

Side Yard: 5 feet (interior)

Side Yard: 15 feet (corner)

Rear Yard: 10 feet

Interior Lot Line of Individual Structures that Coincides with the Party Wall
Separating the Units: 0 feet

7. Sight-proof Screening & Fencing:

No less than a six-foot and no greater than an eight-foot-high wall or fence shall be required along the boundary of this parcel where it is adjacent to any commercial or industrial use.

8. Landscaping:

The subject site shall meet all requirements of Oklahoma City's Landscaping Ordinance in place at the time of development.

9. Signs:

Signage shall be per the base zoning district.

10. Access:

One access point shall be permitted from North Mustang Road, via a new public street.

11. Parking Regulations:

The subject parcel shall meet the requirements of the Oklahoma City Municipal Code, 2020, as amended, with the exception that garages shall count toward meeting the minimum parking requirements,

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provided each parking space in a garage shall be a minimum of 8½ feet wide by 18 feet deep. Driveways shall be a minimum 18 feet in length from the back of curb.

12. Sidewalks:

Sidewalks will be installed per code.

II. OTHER DEVELOPMENT REGULATIONS:

1. Architecture:

Exterior building wall finish on all main structures (excluding the accessory structures), exclusive of windows and doors, shall consist of a minimum 60% brick veneer, rock, concrete board, stucco or stone masonry. No more than 30% EIFS, wood or architectural metal, shall be permitted.

2. Open Space:

N/A

3. Street Improvements:

Any public roads constructed will be subject to the standards, policies and procedures of the Public Works Department.

4. Platting:

All land within this PUD shall be contained within a Final Plat and any plat dedications shall be approved by the City Council prior to any occupancy permits being issued in the PUD.

Lot lines may be adjusted to realign the location of homes prior to the platting stage.

5. Other:

5.1 Lighting: N/A

5.2 Dumpsters: N/A

- 5.3 Common Areas:** Maintenance of common areas in the development shall be the responsibility of the owner(s) of said property. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

III. SUPPORTING DOCUMENTS

Exhibit A: Legal Description
Exhibit B: Conceptual Site Plan

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

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- 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.

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- 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) 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.

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- 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*

Sanitary Sewer Availability

- 1) An existing 18" 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) All existing unnecessary sanitary sewer services must be abandoned at the sanitary sewer main.
- 7) Additional Comments: Public sanitary sewer extension required.

b. Solid Waste Management

c. Water/Wastewater Quality

Water Availability

- 1) The subject site is adjacent to a 16” water main in the street right-of-way of N Mustang Rd.
- 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) 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.
- 8) Additional Comments: Public water main extension required.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100 year floodplains or floodways.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

East of the site is the floodplain of the Deer Creek Tributary 7 to which the site flows, but floodplain is not present on the subject site. National, state, and local permitting require basic best management practices for stormwater management.

Density: 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 density requested is between 7 and 8 dwelling units per acre, within the LUTA 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.
- Protect existing traditional street grid and reconnect it where possible.
- 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.
- Primary entrance points should be aligned with access points immediately across the street.
- Provide vehicular connectivity between adjacent developments.

The SPUD proposes a design that terminates in a cul-de-sac. A connection should be provided to the east.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks shall be installed on the arterial and internal to the development.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. The proposed residential development is adjacent to commercial zoned property on the south and east, and RA zoned property on the north. The RA zoned land to the north is under consideration to be rezoned for commercial uses.

In this case, the proposed residential development should mitigate for potential operational impacts from the surrounding non-residential uses. The SPUD requires fencing where adjacent to commercial uses, and the commercial uses will be required to provide a landscape buffer where adjacent to residential.

- 3) **Service Efficiency:**
 - Water: *Fully 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 off N Mustang Road, a Minor Arterial Street in the Urban Low LUTA. *Sidewalks and bus transit are not available nearby due to lack of development.*
- 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)
 - 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)

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b. Plan Conformance Considerations

The SPUD is requested for a duplex community to be located on the east side of N Mustang Road, north of Northwest Expressway. The proposed residential development is located on an arterial street and in conformance with the density ranges of the Urban Low LUTA. Plan conformance would be strengthened by providing a street stub to the east.

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. A street stub shall be provided to the east.

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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