



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

(PUD-1815) Application by Davis Properties, LLC., to rezone 12625 West Hefner Road from the AA Agricultural District to the PUD-1815 Planned Unit Development District. Ward 1.

I. GENERAL INFORMATION

A. Contacts

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

This application is to permit a modified 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.

Comprehensive Plan Land Use Typology Layer: Urban Future (UF)

The UF layer maintains agricultural land and large acreage estates until the area is ready for urbanization. The purpose of the UF designation is to retain land in a condition that provides the most flexibility for developing at urban densities in the future and ensures the most efficient, sustainable delivery of services. Land assembly is one of the most difficult tasks associated with effective land development. To the extent parcels become fragmented, the potential to efficiently urbanize UF areas is compromised due to the challenges of land assembly. Urban Future areas may have access to the City's public water supply or sanitary sewer systems but not both, and typically don't have urban levels of fire service.

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These areas present opportunities to increase service levels over time and responsibly manage the public costs of growth. Urban services, including City water and sewer, are not intended to be provided to UF areas until the designation is removed through an amendment to plan ~~okc~~. Commercial and light industrial uses may be appropriate provided they do not negatively impact agricultural operations and character or the potential to eventually urbanize.

2. Size of Site: 130 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	AA	AA	AA	AA
Land Use	Oil Well	Oil Well	Farm	Residential	Residential

4. Development Context: The 127-acre subject site located north of W Hefner Road and east of N Cemetery Road. The site and all land surrounding it is zoned AA. An oil well is present on the property. Five-acre rural lots are located southwest and northwest of the property. The character of the area is large-lot rural residential and undeveloped parcels. Single-family neighborhoods exist and are developing ½-mile east along W Hefner Road.

The PUD is requested to vary nearly every regulation of the R-A zoning district. The following variations are requested:

	<i>Code Standard</i>	<i>PUD Proposed Standard</i>
Table 59-6200.2 Bulk Standards and Table 6100.2b Open Space, Density, Lot Size and Lot Coverage		
Minimum Lot Size	30,000 square feet	21,780 square feet (Tract 1) 1 acre (Tract 2)
Minimum Lot Width	120 feet	75 feet (Tract 1) 90 feet (Tract 2)
Lot Coverage	30 percent	50 percent
Setbacks	Front: 40 feet; Side: 25 feet without public water or 10 feet with public water; Rear: 25 feet	Front: 25 feet; Side: not specified/25 feet; Rear: 15 feet
Density	0.70-1.0 dwelling units per acre, depending on open space provided	Density and Open Space not stated

II. SUMMARY OF PUD APPLICATION

The PUD will be divided into two separate tracts, Tract 1 and Tract 2, as depicted on the Master Development Plan.

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the **R-A Single Family One Acre Rural Residential District** shall apply to both tracts with modifications for each provided below in Section 9.0 Special Conditions. Open space, density, lot size and lot coverage provided in Tables 6100.2a & 2b, §59-6100, OKC Municipal Code, shall not apply

SECTION 9.0 SPECIAL CONDITIONS

The following special conditions shall apply to development within the PUD:

9.1 LOT REGULATIONS

1. Minimum lot size for single family development in Tract 1 shall be one-half acre (21,780 square feet).
2. Minimum lot width for single family development in Tract 1 shall be 75 feet at the platted building limit line.
3. Maximum lot coverage for single family development in Tract 1, within each platted lot, shall be 50 percent.
4. Minimum front yard setback for single family development in Tract 1 shall be 25 feet.
5. Minimum rear yard setback for single family development in Tract 1 shall be 15 feet.
6. Minimum lot size for single family development in Tract 2 shall be one acre (43,560 square feet).
7. Minimum lot width for single family development in Tract 2 shall be 90 feet at the platted building limit line.
8. Maximum lot coverage for single family development in Tract 2, within each platted lot, shall be 50 percent.
9. Minimum front yard setback for single family development in Tract 2 shall be 25 feet.
10. Minimum rear yard setback for single family development in Tract 2 shall be 15 feet.

SECTION 10.0 LANDSCAPE REGULATIONS

- 1.a)** _____ Each tract shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

SECTION 11.0 SIDEWALK REGULATIONS

- a) Sidewalks shall be required along all interior streets where lot sizes are smaller than one acre.

SECTION 12.0 PLATTING REGULATIONS

- a) Platting shall be required for single family residential developments consisting of lot sizes less than five acres.
b) Tract boundaries shall be permitted to increase and/or decrease in size by not more than 15%. An approved preliminary plat shall establish tract boundaries.

SECTION 13.0 COMMON AREA REGULATIONS

- a) Maintenance of common areas and private drainage easements is the responsibility of the property owner's association and/or property owners within this plat 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.

SECTION 14.0 EXHIBITS

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

EXHIBIT A: LEGAL DESCRIPTION
EXHIBIT B: MASTER DEVELOPMENT PLAN MAP

III. REVIEW COMMENTS

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk indicates that the agency, department, and/or division responded with no adverse comments.

A. Outside Agencies

2.1. Oklahoma City-County Health Department

3.2. Oklahoma City Urban Renewal Authority (OCURA)

4.3. Oklahoma Gas and Electric (OGE)

5.4. 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.

6.5. Oklahoma Water Resources Board (OWRB)

7.6. School District(s) Yukon

8.7. 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.

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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 portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year) frequency plus 1'. The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 9) 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.

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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.

10) 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.

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

12) 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 public streets.
- 2) A minimum of 50 feet total right of way is required from the centerline of Hefner Rd.
- 3) Non-arterial streets are to be a minimum of 26 feet wide with curb and gutter.

Sanitary Sewer Availability

- 1) City wastewater system is not currently within the required distance for extension per the current Subdivision Regulations; therefore, extension of the City wastewater system is not required.
- 2) Additional Comments: No objections. Lots size must be on half acre or larger.

b. Solid Waste Management

- 1) The City can provide service, providing there is sufficient space for the truck to maneuver to service the addition.

c. Water/Wastewater Quality

Water Availability

- 1) The subject site is adjacent to a 12” water main in the street right-of-way of W Hefner 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 is required.

9. Planning

a. Comprehensive Plan Considerations

The proposed development is located within an area the comprehensive plan designates as Urban Future. When the Urban Future layer is lifted through an amendment to the plan, the Urban Low Intensity policies apply. An application requesting an amendment to remove the Urban Reserve layer is associated with this application (CPA-2021-00005). The UL policies are listed below:

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 proposed development site is within an area where the comprehensive plan assigns the Urban Future Layer (UF), intended to guide development and responsibly manage the public costs of growth. The associated CPA application requests the UF layer to be lifted for a new subdivision without extending public sewer. Each lot would be served with public water and private aerobic systems. Development applications have recently been approved approximately ½-mile east of the site at W Hefner and Piedmont Roads to expand the Surrey Hills and South Fork subdivisions. It is unclear when the westernmost portions of these subdivisions would be final-platted and infrastructure installed. 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 are not required. Plan conformance would be achieved if open space around detention areas were increased to the amount required by code to achieve the density requested in the proposed R-A base zone.

Density: UL LUTA outlines a density range of 4 to 8 dwelling units per acre for single family residential. *The PUD does not state a density, but the lot sizes proposed are one-half and one-acre, which would produce a density below the UL LUTA range. The lower density is requested due to lack of sewer. The comprehensive plan expects development with the Urban Low areas to be served with public water and sewer.*

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.
- Provide vehicular connectivity between adjacent developments.
- Primary entrance points should be aligned with access points immediately across the street.
- 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 PUD Master Design Statement does not address access. However, if platted as shown in the conceptual plan, access will be provided to both arterial streets and street stubs provided to the north and east, in conformance with the plan.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

The PUD Master Design Statement requires sidewalks along all interior streets where lot sizes are smaller than one acre, but does not require them on the arterial streets. The PUD's proposed base is RA, which is a rural residential zoning district and allows for rural street standards and an exemption of the arterial street sidewalks per the Subdivision Regulations, yet the application is associated with a request to designate the area "urban" and proposes lots sizes smaller than one acre, which the comprehensive plan also considers urban. Arterial sidewalks should be provided.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating Residential Low Intensity adjacent to existing Residential Low Intensity 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. *The PUD proposes lot sizes and lot coverage that differ from adjacent to AA zones. The PUD does place one-acre lots adjacent to planned 5-acre lots on the west, and transitions to half-acre lots on the east, as suggested by the comprehensive plan.*

- 3) **Service Efficiency:**

- Water: *Outside the distance required to connect, PUD states will be extended*
- Sewer: *Outside the distance required to connect, PUD proposes individual private sewer systems*
- 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 is present on the subject site in the form of existing ponds. The site drains to the two ponds. Lots are proposed adjacent to the ponds. Plan conformance would be increased if more open space were provided in areas where the site will drain to the ponds. If the RA District is approved without sewer connections, the PUD should meet RA District's requirements for open space that determines the density/number of lots that can be developed, particularly in a non-sewered subdivision.*
 - Upland Forests: N/A
 - Vulnerable aquifers: N/A
- 5) **Transportation System:** This site is located off W Hefner Road, a Minor Arterial Street, and N Cemetery Road, a Major Arterial in the Urban Low LUTA. Sidewalks and bus transit are not available.
- 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)

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- 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)
- Prioritize and concentrate development where facilities, infrastructure, and services have capacity and in areas where Police and Fire Departments are best able to respond. Guide the location and timing of development through the proactive and strategic installation of infrastructure. (SU-14)

b. Plan Conformance Considerations

The proposed PUD is within an area where the comprehensive plan applies the Urban Future Layer (UF). The application is associated with CPA-2021-00005, a request to remove the UF Layer. When the UF layer is removed through an amendment to the comprehensive plan, the Urban Low Intensity LUTA is applied.

The PUD proposes residential development on two tracts. Tract 1, approximately 80 acres on the east side of the site, would allow one-half acre lots. Tract 2, approximately 50 acres on the west, would allow one-acre lots. The proposed development is not in conformance with the comprehensive plan as it would allow development within an Urban Future area without a connection to sewer. If the layer is lifted, the development would still not be in conformance with the Urban Low LUTA as development in urban areas should be served with full urban services.

If approved as submitted, the PUD would vary nearly every bulk regulation of the base zoning district. The Master Design Statement specifically states, “Open space, density, lot size and lot coverage provided in Tables 6100.2a & 2b, §59-6100, OKC Municipal Code, shall not apply.”

The regulations that are requested to be varied include the open space requirement. In the RA District, the density permitted depends on the amount of open space provided:

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TABLE 6100.2b: OPEN SPACE DENSITY, LOT SIZE, AND LOT COVERAGE IN THE RA DISTRICT*

Open Space Provided	Allowable Density
0—9 percent	0.70 dwelling units per acre
10—14 percent	0.75 dwelling units per acre
15—19 percent	0.80 dwelling units per acre
20—24 percent	0.85 dwelling units per acre
25—29 percent	0.90 dwelling units per acre
30 percent or more	1.00 dwelling units per acre

**Minimum lot size and lot coverage not shown, but are 30,000 square feet and 30%, respectively.*

The PUD proposes to reduce RA lot widths, reduce setbacks, increase lot coverage, and decrease lot sizes below the minimum required by Code when sewer is not available. The provided conceptual design may comply with the above table, but the PUD does not state an open space amount or maximum density that could be used to confirm. The PUD does provide a transition of lot sizes and the conceptual plan indicates the street design would provide connections in conformance with the comprehensive plan.

If the comprehensive plan amendment request is denied, the PUD would not be in conformance with the plan.

If the comprehensive plan amendment is approved, the development as proposed would not be in conformance with the Urban Low Intensity LUTA unless sewer connections were provided to all lots and arterial sidewalks were provided.

The comprehensive plan considers lot sizes smaller than one acre to be urban, and lot sizes larger than one acre to be rural. If approved as submitted, the PUD should, at a minimum, meet the Code requirements on Tract 2 for 30,000 sf lots if sewer is not available, state an open space amount and maximum number of lots that will be developed consistent with the RA District, and require sidewalks on arterial streets.

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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.

Denial of the Application.

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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