

19708

#17930

VII A. 11.

11-13-84 BOOK

p. 2030 ✓

5331 PG 1232

I, or we, Royce B. Everett, Trustee of the Royce B. Everett 1982 Revocable Trust for and in consideration of One Dollar (\$1.00) receipt of which is hereby acknowledged, do hereby grant and convey unto the City of Oklahoma City, a municipal corporation, a permanent easement seventeen (17) feet wide, described as follows:

The west 17 feet of the following described property:

A parcel of land located in the Northwest Quarter of Section 28, Township 14 North, Range 3 West, of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows:

Commencing at the northwest corner of the Northwest Quarter; THENCE south 0°12'47" east along the west line of said Northwest Quarter a distance of 710 feet; THENCE north 89°39'23" east and parallel to the north line of said Northwest Quarter a distance of 33 feet to the point or place of beginning; THENCE continuing north 89°39'23" east a distance of 762 feet; THENCE south 0°12'47" east a distance of 520 feet; THENCE south 73°35'32" west a distance of 477.74 feet; THENCE north 65°31'47" west a distance of 332 feet to a point 33 feet east of the west line of said Northwest Quarter; THENCE north 0°12'47" west a distance of 520 feet to the point or place of beginning.

for the purpose of establishing, constructing, and maintaining public streets, public improvements, and utilities as may be necessary from time to time, with right of ingress and egress.

TO HAVE AND TO HOLD the same unto the grantee, its successors and assigns forever, and the said property is to be exclusively used for the establishment, construction, and maintenance of public streets, public improvements, and utilities and for no other purposes whatsoever; and should the grantee abandon the above property for the purposes above stated, then the said easement shall revert to the grantor(s) his heirs and assigns herein.

DATED THIS 26th DAY OF October, 19 84.

STATE OF OKLAHOMA } SS
County of Oklahoma }

REC NUMBER 00063096
TIME 09:49 AM
FEE 5.00
DATE JUN. 7 1985
JERRY DEWOODY
OKLAHOMA COUNTY CLERK
RECORDED AND FILED
Signature of Grantor(s)

Before me, the undersigned, A Notary Public in and for said County and State, on this 26th day of October, 19 84, personally appeared

Royce B. Everett
to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal the day and year set forth.

MY COMMISSION EXPIRES:



Margaret Ann Bennett
NOTARY PUBLIC

ACCEPTED BY THE CITY COUNCIL this 13 day of November, 19 84

William P. Huley
CITY CLERK

APPROVED as to form this 7th day of Nov., 19 84

Daniel J. B. [Signature]
ASSISTANT MUNICIPAL COUNSELOR

E 19708

W. (171) Rpt. N444 Dec. 28-14-3

Sheet (Western)

11-13-84

Ord # 17930

TO: Mayor and City Council

FROM: City Manager

(PUD 201) Application by Dr. Royce B. Everett to rezone 19000-19024 N. Western Avenue from "R-1" Single Family Residential District to "PUD" Planned Unit Development District. (Ward 8)

Background On September 27, 1984, the Planning Commission recommended approval for PUD 201 subject to the Summary of Staff Evaluation as contained in the attached staff report except that Technical Evaluation #7 was deleted. The applicant has agreed with these conditions and the Design Statement and Master Development Plan Map have been revised to include the Planning Commission recommendations.

The Planning Commission suggested that a 17-foot street easement along Western Avenue be requested. The easement has been submitted.

Review This application was submitted to the following departments or agencies for review and comment:

- * Code Administration
- * Engineering
- * Planning
- * Transportation
- * Airports
- * City-County Health
- COTPA
- * Fire
- * Oklahoma Department of Transportation
- * ORED
- * Parks and Recreation
- * Police
- * Public Services
- * Water Resources
- Edmond Public Schools

An asterisk indicates departments or agencies from which comments were received.

The minutes of the pertinent Planning Commission meetings and the Community Development staff reports are attached.

The ordinance for redistricting was introduced October 23, 1984, set for final hearing November 13, 1984, and appropriate notice was published and mailed.


Scott Johnson
City Manager

FINDING OF FACTS

On September 27, 1984, PUD-201, Application by Dr. Royice B. Everett to rezone 19000-19024 North Western Avenue from the "R-1" Single Family Residential District to the "PUD" Planned Unit Development District was recommended for approval by a 7 to 0 vote.

Motion was made by Commissioner Smiley for the following reason:

This request is in general conformance with the Development Guidelines of the Area Plan, due to the overall density which is within the "R-1" district range, and the open space, landscaping and height control provisions.

Should this application be approved, an additional 17 feet of right-of-way should be requested along North Western Avenue to bring the right-of-way width to the standards set by the Subdivision Regulations in order to provide adequate areas for future street, utility and/or drainage improvements.


Secretary

Oklahoma City Planning Commission

MINUTES
Oklahoma City Planning Commission
September 13, 1984

7. (PUD-201) Application by Dr. Royce B. Everett to rezone 19000-19024 North Western Avenue from the "R-1" Single Family Residential District to the "PUD" Planned Unit Development District.

Seventeen feet of right-of-way should be requested along Western Avenue.

Dennis Box, representing the applicant, stated this was in conformance with the OKC Plan Guidelines, adding they agreed to all of the Technical Evaluations except #7. He added they would like to be able to attach at least 6 units, the maximum, to maintain some flexibility. He stated that in the majority, it would be duplexes, triplexes and quad-plexes.

Mr. Crockett stated staff had no objections to this.

Commissioner Smiley moved to approve Item 7 subject to the "Summary of Staff Evaluations because it was in conformance with the OKC Plan Guidelines. Commissioner Gatchell seconded. Ayes: Gatchell, M. Evans, Krous, Smiley, McCracken, Carbin and Banker. Nos: None. Absent: W. Evans. APPLICATION RECOMMENDED FOR APPROVAL.

7. (PUD-201) Application by Dr. Royce B. Everett to rezone 19000-19024 North Western Avenue from the "R-1" Single Family Residential District to the "PUD" Planned Unit Development District. Ward 8.

I. CASE HISTORY

This application was continued from the August 23rd and September 13th meetings for submittal of revisions. Revisions have been received and reviewed. This 10 acre site is surrounded by the approved preliminary plat of Trails West (C-3808).

II. EXISTING ZONING AND LAND USE

SUBJECT SITE: 10 acres/"R-1"/primarily vacant with one dwelling
NORTH: "R-1"/vacant
EAST: "R-1"/vacant
SOUTH: "R-1"/vacant
WEST: "R-1"/vacant

III. SUMMARY OF PUD APPLICATION

This PUD will be developed in accordance with the Use and Development Regulations of the "R-4" General Residential District and will have a maximum density of 7.26 dwelling units per acre. A maximum of 6 units per structure will be permitted. There will be a height restriction of 25 feet for all structures. Private drives serving individual dwelling units will be permitted and will be constructed in accordance with Section 6910.2 of the Planning and Zoning Code. Private drainageways not in accordance with City specifications will be allowed within this PUD. These private drainageways will be constructed to handle adequate flow and must be reviewed by the City Engineer. Maintenance of private drainageways will be the responsibility of a property owners' association. There will be a minimum 10% of open space within this PUD. Said open space will include a buffer strip at a minimum of 5 feet in width along the northern, eastern and southern boundary of this site. The open space will include grass, shrubs and intermittent trees (with a minimum 20' spacing) at least 6 feet in height. Lighting installed within this PUD will be directed away from any adjoining single family structures. Access points will have a minimum separation of 200 feet, measuring centerline to centerline. "Limits of No Access" will be placed along the north and south 75 feet of frontage. There is a residential structure which presently exists on this site. Said structure may be used as a clubhouse facility or may be removed from the site. Landscaping along Western will consist of a curvilinear landscaped buffer. Landscaping will be provided within significant parking areas.

IV. GUIDELINES OF THE OKC PLAN

Low density residential development is recommended for this area as full utility services become available. Densities ranging up to 7 units per acre would be supported. New development should be sensitive to the scale and character of surrounding development. The Far Northwest 7B Area Plan encourages the use of the Planned Unit Development for innovative design such as zero lot line, cluster housing and other attached designs.

This revision is in general conformance with the Development Guidelines of the Area Plan, due to the overall density which is within the "R-1" district range, and the open space, landscaping and height control provisions. However, the requested attachment of 6 units per structure may exceed the surrounding single family scale.

V. REVIEW OF INFRASTRUCTURE AND SERVICES

A. Technical Comments

1. Streets:

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

- (b) A minimum of 50 feet of right-of-way should be shown on the Master Development Plan for the east half of Western Avenue.
 - (c) Internal roads or drives were not addressed in the Design Statement or shown on the Master Development Plan.
- 2. Storm Sewers:
 - (a) Storm sewers in accordance with the City's Drainage Ordinance will be required.
 - (b) Detention will not be required.
- 3. Sanitary Sewers:
 - (a) Sanitary sewer facilities are available for this location.
 - (b) The developer will be required to extend public sanitary sewer laterals to serve the proposed development.
- 4. Water:
 - (a) Water for this area is supplied by the Hefner Treatment Plant, through the 12" main on Western Avenue.
 - (b) The developer will be required to extend public mains and provide fire protection to serve the proposed development.
 - (c) Distribution mains for this subdivision should be designed to anticipate fire flow and domestic requirements. Hydraulic calculations will be required.
 - (d) A twelve inch (12") border main will be required.
 - (e) The development of Manor Place will bring the approved number of undeveloped lots served by dead-end mains to over 1,000. The consulting engineer for this project must submit hydraulic calculations to determine the availability of water for future development within current criteria.
 - (f) Council has determined 12" mains along section lines are standard size and do not qualify for City participation. No additional cost will be incurred by the City for this project.
- 5. Easements:
 - (a) Easements covering required public utilities were not addressed in the Design Statement or shown on the Master Development Plan.
- 6. Additional Comments:
 - (a) Place the following note on the Master Development Plan Map and construction drawings: "The grantor hereby agrees that the grantor, its heirs, its successor, grantees or assigns will maintain and replace private paving when it becomes necessary due to the normal maintenance, repair or operation over any public utility."

- (b) Place the following note on the Master Development Plan: "All maintenance of drainage channels, common areas and private roads, if applicable, located hereon shall be the responsibility of the Property Owners Association comprising all lot owners owning property within the Planned Unit Development of Manor Place. The said Property Owners Association is charged with the responsibility of maintaining all drainage swales, common areas and private streets, if applicable, in said Planned Unit Development."

If this site is developed as proposed, a significant impact on police service will occur. (Police Department)

There is no sanitation service to this site at this time; however, there is a projected date for service of January, 1985. (Public Services Department)

The fire response time to this site is not consistent with the adopted City Council response criteria. The current response time is 7.6 minutes while the desired time is 3.5 minutes. (Fire Department)

The maximum allowed density for this site is 7 which comes to a total of 72.6 units on this tract. Sight-proof screening should be placed along the east, north and south property lines screening the proposed single family residential area from this proposal. The type of screening should be addressed.

There is a 25 foot road easement running along the southern boundary of this site of which 12 1/2 feet is located within this PUD. The location of the proposed screening and landscaping may not be within this easement; therefore, the specific location of the 5 foot open space/buffer strip should be shown on the Master Development Plan as well as the 25 foot easement. The road easement should not be included in the buffer strip or calculated as open space. This easement should be vacated prior to development.

The paragraph regarding access limits should further limit the number of access points from Western to two, with such stated in the Design Statement and noted on the Master Development Plan. The language providing for landscaping within parking lots is too vague. In order to prevent a mass of paving the developer should commit to a percentage of landscaped areas within parking lots. Medians within parking areas would be appropriate with trees planted within these medians. The developer should offer a specific landscaping standard for the "curvilinear landscaped buffer" along Western. The buffer should be visually attractive, and help screen the six-plex apartments from view and should not obstruct the sight distance triangle at the access points. A maximum attachment of 2 or 3 units per structure may be more appropriate given the single family nature of the surrounding plat.

This application was also submitted to the following departments, divisions, and/or agencies for review and comment:

- *Water Resources
- *City-County Health
- *Airports
- *Parks and Recreation
- COTPA
- *Transportation
- Schools
- *Transportation (State of Oklahoma)
- *ORED

An asterisk indicates departments, divisions and/or agencies from which no adverse comments were received.

VI. SUMMARY OF STAFF EVALUATION

This PUD proposal is in general conformance with the Development Guidelines of the Area Plan due to the limited density of 7.26 units per acre. Full conformance could be reached by a reduction in the number of units attached per structure. This request does not meet the City Council adopted fire response criteria. Staff recommends that the Planning Commission require that the following be incorporated into the Design Statement and Master Development Plan and that their recommendation to City Council be made subject to these changes.

1. Sight-proof screening should be provided along the north, east and south property lines. The type of sight-proof screening should be addressed.
2. The location of the buffer strip should be clearly identified where it abuts the 25 foot road easement. Said road easement should be shown on the Master Development Plan.
3. The 25 foot road easement should not be included in the buffer strip or calculated as open space and should be vacated prior to development.
4. The number of access points off Western should be limited to two.
5. A percentage of landscaping within parking areas should be given with a provision for landscaped medians.
6. The curvilinear landscaped buffer should be defined in terms of width and vegetation.
7. Reducing the number of units per structure to 2 or 3 would bring this request into full conformance.

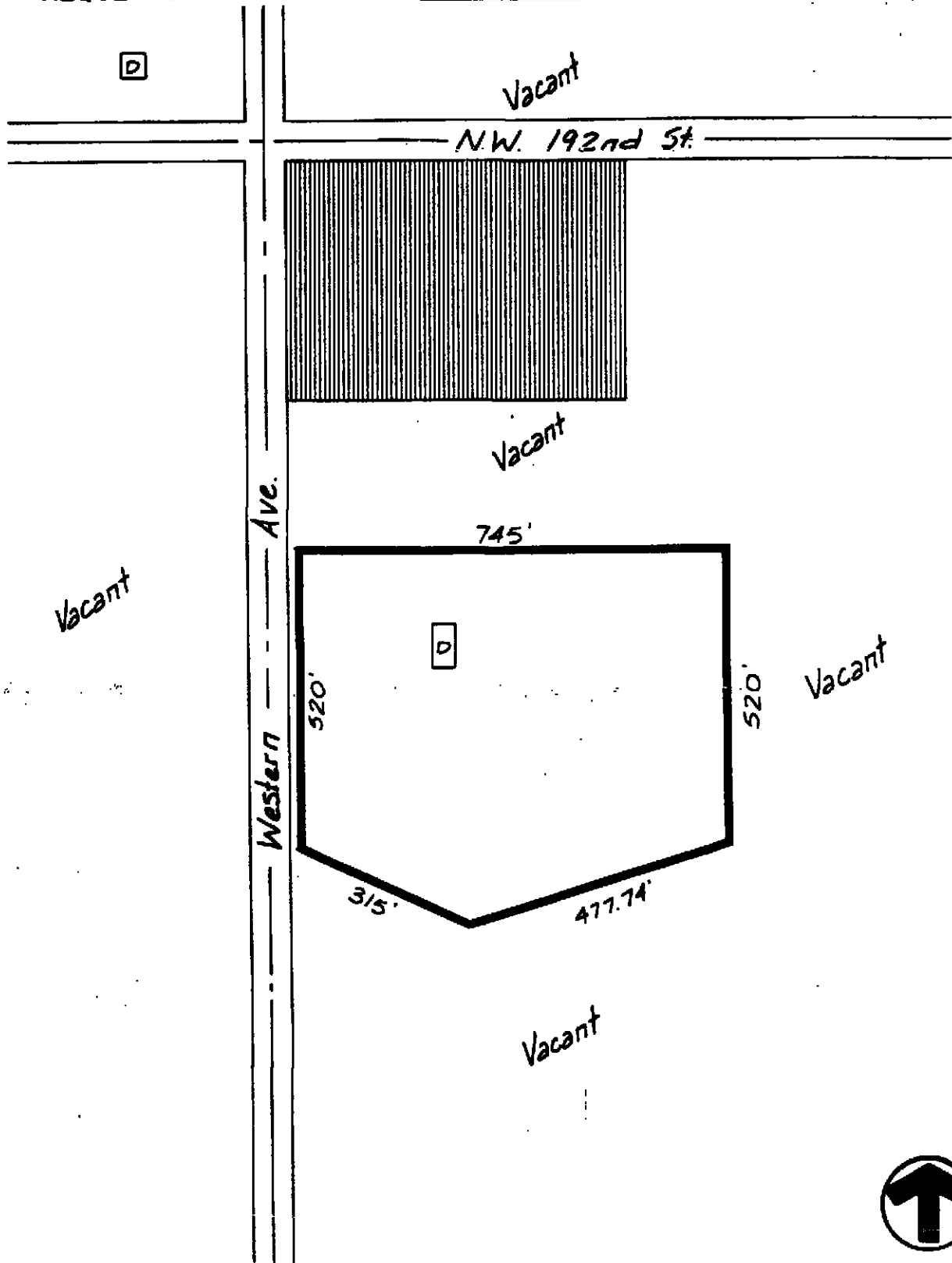
Should this application be approved, an additional 17 feet of right-of-way should be requested along North Western Avenue to bring the right-of-way width to the standards set by the Subdivision Regulations in order to provide adequate areas for future street, utility and/or drainage improvements.

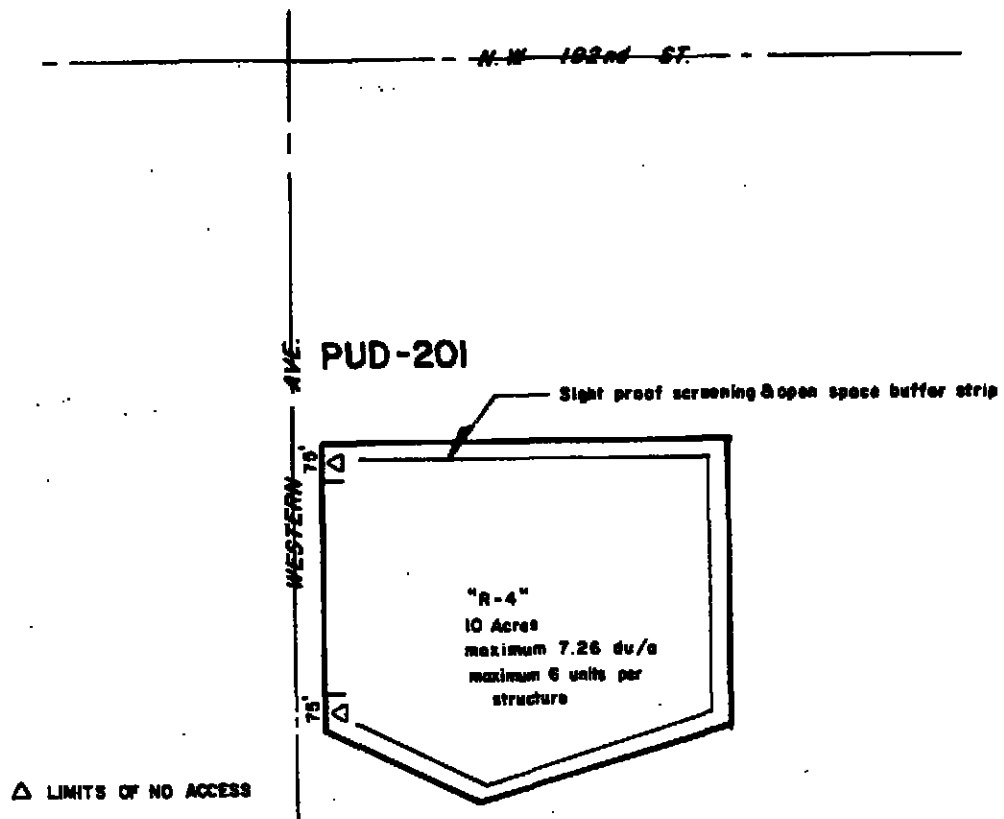
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CASE NO. PUD 201

APPLICANT: DR. ROYCE B. EVERETT

REQUESTED CHANGE: From "R-1" To "PUD"





General Notes

Private drives & drainageways are proposed & will be maintained by a property owners association

Ten percent of open space is proposed

The residential structure which exists on this site may be used as a clubhouse facility.

Landscaping within parking lots & along Western is proposed