

Planning Commission Minutes
November 9, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:24 a.m. on November 6, 2023)

34. (SPUD-1569) Application by Integrated Development LLC. to rezone 7116 Memorial Parkway from PUD-198 Planned Unit Development District to SPUD-1569 Simplified Planned Unit Development District. Ward 8.

Amended Technical Evaluation:

1. Freestanding signs shall be ground/monument signs a maximum of 8 feet tall and maximum 100 square feet in area.
2. Remove architectural metal as an allowed exterior building wall finish.

The applicant was present. There were no protestors present.

RECOMMENDED APROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY NOBLE, SECONDED BY MEEK

AYES: CLAIR, POWERS, MEEK, PRIVETT, NEWMAN, GOVIN, PENNINGTON, NOBLE

ABSENT: LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
November 9, 2023

Item No. IV. 34.

(SPUD-1569) Application by Integrated Development LLC to rezone 7116 Memorial Parkway from PUD-198 Planned Unit Development District to SPUD-1569 Simplified Planned Unit Development District. Ward 8.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David M. Box
Company Williams, Box, Forshee & Bullard PC
Phone 405-232-0080
Email dmbox@wbflaw.com

B. Case History

This is a new application.

C. Reason for Request

This purpose of this application is to allow commercial use and development, specifically a dog daycare.

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: 1.14 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-198	PUD-198	PUD-198	PUD-198	PUD-198
Land Use	Undeveloped	Commercial	Undeveloped	Parking	Office

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **C-3 Community Commercial District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

The following use(s) will be the only use(s) permitted on this site:

8300.1	Administrative and Professional Offices
8300.5	Alcoholic Beverage Retail Sales
8300.8	Animal Sales and Services: Grooming
8300.10	Animal Sales and Services: Kennel and Veterinary, General
8300.11	Animal Sales and Services: Kennel and Veterinary, Restricted
8300.23	Building Maintenance Services
8300.24	Business Support Services
8250.2	Community Recreation: General
8250.3	Community Recreation: Property Owner's Association
8250.4	Community Recreation: Restricted
8300.32	Convenience Sales and Personal Services
8350.3	Custom Manufacturing
8200.2	Dwelling Units and Mixed Uses
8300.34	Eating Establishments: Drive-In
8300.35	Eating Establishments: Fast Food
8300.36	Eating Establishments: Fast Food, With Drive-Thru Order Window
8300.37	Eating Establishments: Sitdown
8300.38	Eating Establishments: Sitdown, Alcohol Permitted
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted
8300.41	Food and Beverage Retail Sales
8250.12	Light Public Protection and Utility: General
8250.13	Light Public Protection and Utility: Restricted
8250.14	Low Impact Institutional: Neighborhood-Related
8300.52	Medical Services: General
8300.53	Medical Services: Restricted
8300.58	Personal Services: General
8300.59	Personal Services: Restricted
8300.61	Repair Services: Consumer
8300.62	Research Services: Restricted
8300.63	Retail Sales and Services: General

2. **Maximum Building Height:**

The maximum building height shall be in accordance with the base zoning district.

3. **Maximum Building Size:**

The maximum building size shall be in accordance with the base zoning district.

4. Maximum Number of Buildings:

There shall be a maximum of one (1) building within this SPUD.

5. Building Setback Lines

The building setback lines shall be in accordance with the base zoning district.

6. Sight-proof Screening:

Sight-proof screening shall be in accordance with the base zoning district. There shall be no less than a seven-foot-high privacy fence to screen the outdoor play area.

7. Landscaping:

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

8. Signs:

8.1 Freestanding Accessory Signs

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

8.2 Attached Signs

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

8.3 Non-Accessory Signs

Non-Accessory signs will be prohibited.

8.4 Electronic Message Display signs

Electronic Message Display signs will be prohibited.

9. Access:

Access shall be taken from one (1) access drive off of Memorial Parkway.

10. Sidewalks

Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel, or six (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. Four (4) foot sidewalks shall be constructed on the interior streets prior to any occupancy certificates being issued.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, architectural metal, rock or stone masonry, stucco, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted.

2. Open Space:

Open space shall be in accordance with the base zoning district.

3. Street Improvements:

N/A.

4. Site Lighting:

The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

5. Dumpsters:

Dumpsters shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences and shall be placed no closer than 50 feet from all property lines adjacent to residential zoning district or use.

Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

6. Parking:

The design of all parking facilities in this SPUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended, except that there shall be a maximum of 29 parking spaces provided. A carport shall be permitted at the entrance of the building.

7. Maintenance:

Maintenance of the common areas in the development shall be the responsibility of the property owner or Property Owners Association. 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.

8. Drainage:

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

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) Deer Creek

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.
- 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.
- 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) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) An existing 8" wastewater main(s) is located adjacent to the subject site(s).
- 2) Line capacity is not guaranteed and must be checked by the Engineer of Record and reviewed by the City.
- 3) The developer will be required to extend the City wastewater collection system to and across each lot or site within the subdivision in accordance with the City Standard Specifications and Private Development Design Manual.
- 4) Minimum ten (10) feet horizontal separation is required from water mains and five (5) feet for other utilities. Minimum two (2) feet vertical separation required for all crossings. All wastewater mains must have a minimum cover of four (4) feet and depth no greater than eighteen (18) feet. Developer is responsible for remediating any failure to maintain the minimum four (4) feet of cover.
- 5) Wastewater main(s) must be centrally located in a twenty (20) feet wide easement or larger if necessary. No trees, signs, dumpster, fence, and/or

structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.

- 6) All existing unused private wastewater service connections must be abandoned and capped at the main in accordance with City Standard Specifications and Private Development Design Manual.

b. Solid Waste Management

- 1) The City can provide service for up to 3 units on a single water meter. Any more than 3 units on the same meter will have to be serviced by a private hauler. A dumpster could be utilized provided there is not enough frontage space for cart placement.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 8" water main(s) is located adjacent to the subject site(s).
- 2) Minimum ten (10) feet horizontal separation required from wastewater mains and five (5) feet for other utilities. Minimum two (2) foot vertical separation required for all utility crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 3) Proposed and/or existing water mains must be located centrally within a twenty (20) feet wide or larger utility easement or right-of-way. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
- 4) Dead-end water mains must be avoided when possible. All existing unused water services must be capped and abandoned at the water main in accordance with the City Standard Specifications.
- 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 or fire protection systems which require water pressure in excess of 25 psi. The developer is responsible for installing pressure reducers if necessary for protection of developer's service lines, plumbing, and fixtures.

- 6) All existing and/or proposed water meters must be located in the right-of-way and/or utility easement within grassy areas outside of sidewalks, driveways, streets, and paving.
- 7) All domestic and fire suppression services must have a separate water service connection. Fire hydrant spacing shall not exceed 500 feet and must be located within ten (10) of a hard surface (i.e. sidewalk, street, paving).

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- 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.

National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.

The subject site takes access from Memorial Parkway which provides access to Memorial Road and N Rockwell Ave.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The SPUD regulations could provide a FAR within this 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.
- Retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores.
- Provide vehicular connectivity between adjacent developments.
- Horizontally mixed-use developments should have connectivity between land uses.

The subject site is a platted lot within the Rockwell & Memorial Marketplace II commercial subdivision. Access will be from existing streets.

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.

Sidewalks are required.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating commercial uses adjacent to existing commercial and office uses, no potential compatibility issues are identified by the comprehensive plan. The proposed use of an outdoor dog play yard triggers potential operational impacts.

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. *The request to add the use 8300.10 Animal Sales and Services: Kennel and Veterinary General, would allow the existing exterior animal enclosures and dog runs. The subject proposed play yard is approximately 90 feet away, across a parking lot, from the office building to the west. No residential uses or zoning are located adjacent to the site.*

Service Efficiency:

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

- 3) **Environmentally Sensitive Areas:** No ESAs are identified on the proposed development site.

Transportation System: This site is located off Memorial Parkway which provides access to Memorial Road and N Rockwell Ave, arterial streets within the Urban Low Intensity LUTA. The nearest transit (bus) service is located to the east at Mercy Hospital.

- 4) **Other Development Related Policies**

- Favor commercial development clustered in nodes at arterial or collector intersections or along brief “main street” style corridors over commercial

development extending in a linear pattern for long distances along highway, arterial, or collector corridors. (SU-25)

- 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)
- Commercial buildings should be built at the street rather than behind a parking lot in order to promote pedestrian circulation, multipurpose shopping trips, and walkable and attractive streetscapes. Large-scale commercial buildings with parking in front should screen parking lots with coordinated development of out-parcels (pad sites) and with landscaping. (SU-28)
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- Share parking between contiguous developments. (C-31)
- 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 south of W Memorial Road and west of N Rockwell Ave, in the Rockwell & Memorial Marketplace II commercial subdivision. The Kilpatrick Turnpike is located to the north. The site is zoned PUD-198 (Tract 1) which was approved in 1985. Tract 1 allows for all C-3 uses. The land surrounding the site is also within Tract 1 of PUD-198 and developed with an office/call center to the west (Farmers Insurance), an electric substation to the southeast, and a fast food restaurant with drive-through at the corner of the arterial intersection. Across Rockwell to the east is a car wash and gas station.

The SPUD is requested for a dog daycare, and removes many of the commercial uses currently allowed, specifically gas stations and auto repair/sales uses. The existing SPUD allows vets, grooming and boarding, but not outdoor play areas. The

SPUD requires a 7-foot tall fence around the outdoor play area. Signs are proposed per the C-3 District, which would allow maximum 200 square foot pole signs. Monument signs would be appropriate for the internal lot location.

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. Freestanding signs shall be ground/monument signs a maximum of 8 feet tall and maximum 100 square feet in area.

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.

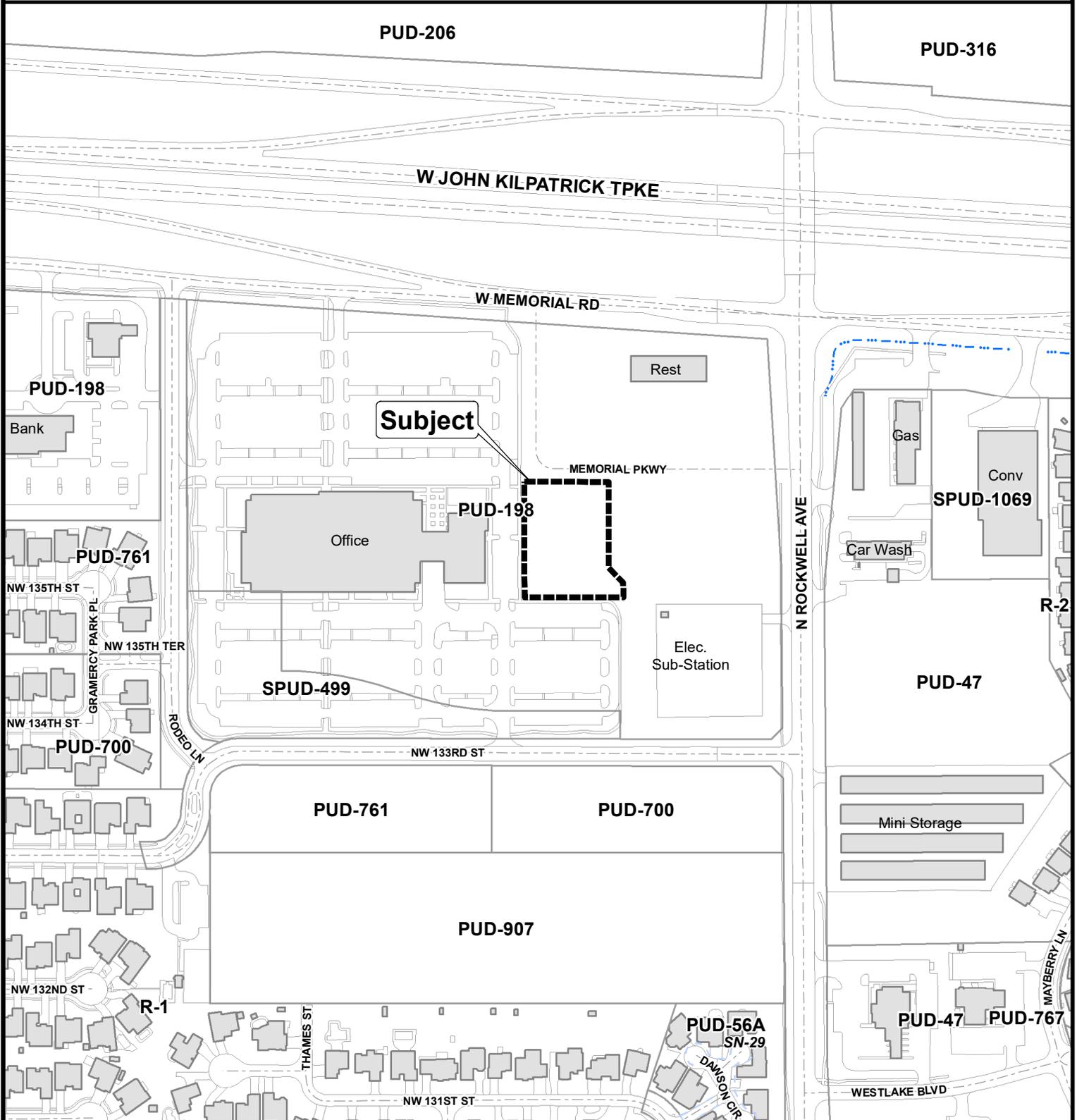
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Case No: SPUD-1569

Applicant: Integrated Development, LLC

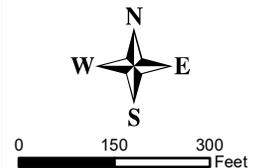
Existing Zoning: PUD-198

Location: 7116 Memorial Pkwy



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



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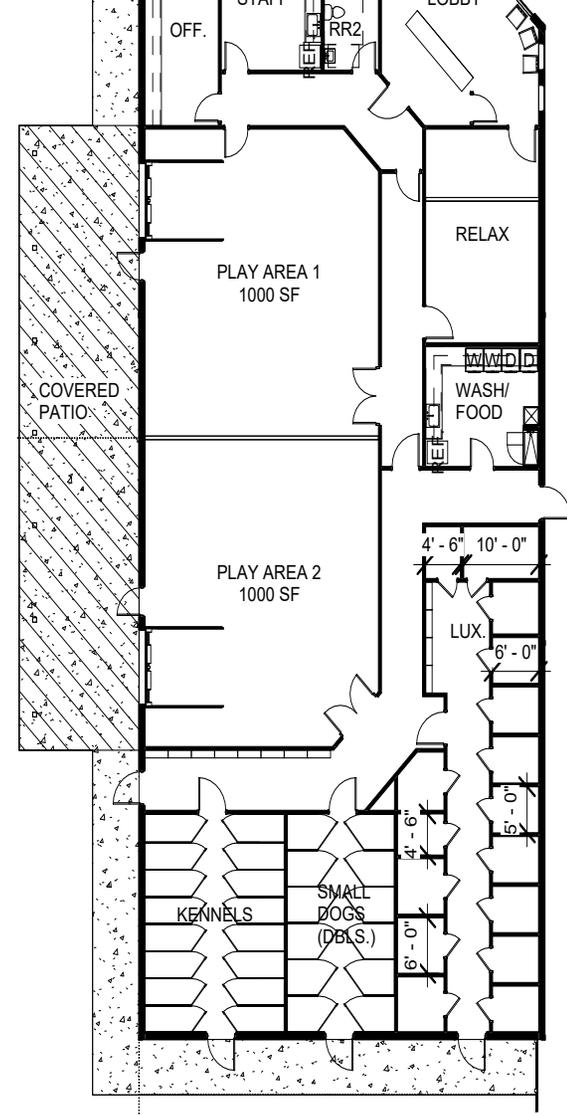


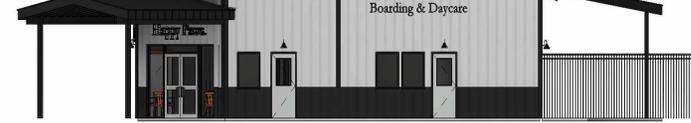
1550 WILLMAR AVENUE S.E.
WILLMAR, MINNESOTA 56201
320.235.1664 FAX 320.235.3137

DESIGN BY: RA

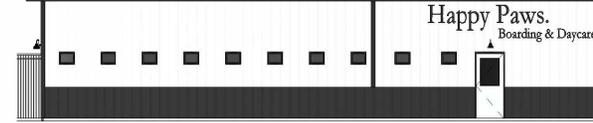
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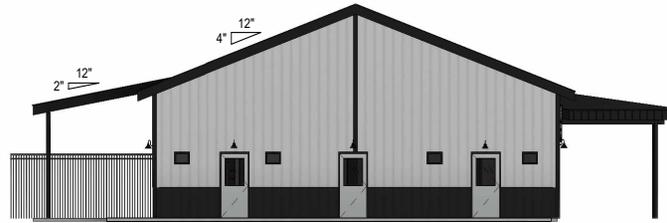




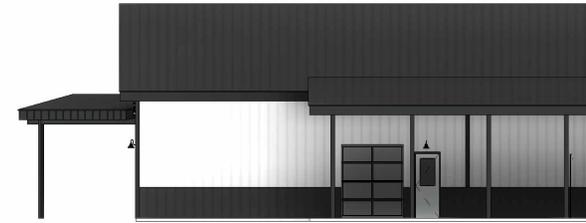
PPA NORTH
1/16" = 1'-0"



PPA EAST
1/16" = 1'-0"



PPA SOUTH
1/16" = 1'-0"



PPA WEST
1/16" = 1'-0"



PPA ENTRANCE
1/16" = 1'-0"

Client: Happy Paws, Inc. - TerWisscha Construction, Inc. - 1550 Willmar Avenue S.E. - Willmar, MN 56201 - 320.235.1664 - 320.235.3137



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Case No: SPUD-1569

Applicant: Integrated Development, LLC

Existing Zoning: PUD-198 Location: 7116 Memorial Pkwy



Aerial Photo from 2/2022

Simplified Planned Unit Development



The City of
OKLAHOMA CITY

