

Planning Commission Minutes
July 25, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 3:47 p.m. on July 19, 2024)

12. (SPUD-1649) Application by Schwab and Company to rezone 1201 and 1132 NW 7th Street from R-3 Medium Density Residential and SPUD-951 Simplified Planned Unit Development Districts to SPUD-1649 Simplified Planned Unit Development District. Ward 6.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL

MOVED BY GOVIN, SECONDED BY PENNINGTON

AYES: CLAIR, POWERS, PRIVETT, GOVIN, PENNINGTON, NOBLE, LAFORGE

ABSENT: MEEK, NEWMAN



STAFF REPORT
The City of Oklahoma City
Planning Commission
July 25, 2024

Item No. IV. 12.

(SPUD-1649) Application by Schwab and Company to rezone 1201 and 1132 NW 7th Street from R-3 Medium Density Residential and SPUD-951 Simplified Planned Unit Development Districts to SPUD-1649 Simplified Planned Unit Development District. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. 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

The purpose of this application is to allow expansion of Schwab Meat (Tract 1) and parking (Tract 2).

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban – Medium (UM)

UM applies to fully urbanized areas of the city, most of which were built prior to the 1960s. Developments are expected to be larger in scale and have greater intensity and mixture of uses than developments found in UL. Development within UM areas should support efficient transit usage and provide pedestrian and bicycle access to retail, services, parks, and other destinations. Priorities for the UM areas include “infill” developments on vacant lots, rehabilitation of underutilized property, and development that supports revitalization of distressed neighborhoods.

2. Size of Site: 2.03 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	SPUD-951/ R-3	R-3/ C-4	R-3/ C-4	C-4/ I-2/ R-3	R-3
Land Use	Warehouse/ Office/Parking	Residential/ Institutional/ Commercial	Residential/ Institutional/ Commercial	Residential/ Warehouse/ Commercial	Residential/ Undeveloped

II. SUMMARY OF SPUD APPLICATION

- 1. Tract 1 will be developed in accordance with the regulations of the I-2 Moderate Industrial District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

The following uses will be the only uses permitted in Tract 1 :

- Aboveground Flammable Liquid Storage: Restricted (shall meet the conditions set forth in Section 9350.2 of the Zoning Ordinance)
 - Administrative and Professional Offices
 - Automotive Equipment & Storage
 - Eating Establishments: Sitdown, Alcohol Not Permitted
 - Eating Establishments: Sitdown, Alcohol Permitted
 - Eating Establishments: Sitdown, Limited Alcohol Permitted
 - Food and Beverage Retail Sales
 - Industrial, Light
 - Industrial, Moderate
 - Research Services: Restricted
 - Research & Development
 - Retail Sales & Services: General
 - Wholesaling, Storage & Distribution: General
 - Wholesaling, Storage & Distribution: Restricted
- 2. Tract 2 will be developed in accordance with the regulations of the O-1 Limited Office District** (OKC Zoning Ordinance, 2020, as amended).
 - 3. Maximum Building Height:**
 Building height in Tract 1 shall conform to the I-2 District regulations and building height in Tract 2 shall conform to the O-1 District regulations.
 - 4. Maximum Building Size:**
 Building sizes in Tract 1 shall conform to the I-2 District regulations and building sizes in Tract 2 shall conform to the O-1 District regulations.

5. Maximum Number of Buildings:

There shall be no restriction as to number of buildings in each tract subject to development within each tract complying with the established setbacks, landscaping and parking requirements incorporated herein.

6. Building Setback Lines for Tract 1

Front Yard: 25 feet (East)

Rear Yard: 5 feet (West)

Side Yard: Zero within the East 250 feet, Five feet within the West 150 feet (South, abutting alley)

Corner Side Yard: Zero (North, abutting NW 7th St.)

7. Building Setback Lines for Tract 2

Front Yard: 25 feet (along NW 7th & along NW 8th Streets)

Rear Yard: Zero (Adjacent to Alley)

Side Yard: 15 feet (along West Boundary)

Exterior Side Yard: 15 feet (along East Boundary, adjacent to Klein Avenue)

8. Sight-proof Screening

Sight-proof Screening & Security Fencing for Tract 1 shall comply with the I-2 District, except the landscaping noted in Paragraph #9 below shall serve as sight-proof screening along NW 7th Street. No other sight-proof screening shall be required within Tract 1.

Sight-proof screening for Tract 2 shall comply with the O-1 District.

9. Landscaping:

- a) Landscaping within Tract 1 shall comply with the I-2 District regulations with the following exceptions:
 - i. A minimum 5 feet wide landscaped greenbelt shall be provided along NW 7th Street adjacent/across from the existing residences on the north side of NW 7th Street. The greenbelt shall consist of low-lying shrubs and/or vegetation. The greenbelt shall be permitted within the street right-of-way and may include the sidewalk.

- ii. A minimum 5 feet wide landscaped greenbelt shall be provided along Western Avenue. The greenbelt shall consist of low-lying shrubs and/or vegetation; or trees planted on maximum 20 foot centers having a minimum caliper size of 3 inches. The greenbelt shall be permitted within the street right-of-way but shall observe the sight-triangle at the intersection with NW 7th Street. The greenbelt may also be permitted to contain a sidewalk.
- b) Landscaping within Tract 2 shall comply with the O-1 District regulations with the following exceptions:
 - i. Landscaping shall be as shown on Exhibit C - Conceptual Site Plan for the existing parking lot layout. Modifications to location of grass areas, trees and shrubs shall be permitted; however, the square footage of grass areas, and number of trees and shrubs shall not be decreased. Re-stripping and pavement repair permitted without additional landscaping required.
- c) Complete removal and reconstruction of the parking lot shall require landscaping in accordance with ordinance requirements.

10. Signs:

- a) All freestanding signs within this SPUD shall be ground (monument) signs with the maximum size being eight feet high and shall have no less than 25 square feet of landscaping at the base. Sign area shall be in accordance with the base zoning district regulations applicable to each respective tract. No pole signs will be allowed.
- b) Electronic Message Display signs shall not be permitted.
- c) Attached signs will be in accordance with the base zoning district regulations applicable to each respective tract.
- d) Non-accessory signs are specifically prohibited in this SPUD.

11. Access:

- a) The number, location and width of driveways in Tract 1 shall be as shown on Exhibit B – Conceptual Site Plan. Adjustments to location and width shall be permitted.
- b) The number, location and width of driveways in Tract 2 shall be as shown on Exhibit C – Conceptual Site Plan. Adjustments to location and width shall be permitted.

12. Sidewalks

- a) The sidewalk along NW 7th Street and Klein Avenue, adjacent to Tract 1, shall be replaced or repaired, and a sidewalk along Western Avenue shall be provided subject

to the policies and procedures of the Public Works Department and ADA requirements prior to any occupancy certificates being issued.

- b) The sidewalks along NW 7th Street, NW 8th Street and Klein Avenue, adjacent to Tract 2, shall be replaced or repaired, subject to the policies and procedures of the Public Works Department and ADA requirements prior to any occupancy certificates being issued.

II. Other Development Regulations:

1. Architecture:

- a) In Tract 1, exterior building wall finish on all structures facing NW 7th Street and Western Avenue, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, concrete tilt-up, rock or stone masonry. No more than 30% EIFS, stucco, wood, or concrete-board shall be permitted. Buildings shall be oriented such that the backs of buildings are not facing towards any street.
- b) In Tract 2, exterior wall finish of buildings shall comply with the O-1 District regulations.

2. Open Space: N/A

3. Street Improvements: N/A

4. Site Lighting:

Site lighting in both tracts shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended. To minimize light spillover on residential uses, new outdoor lights within any commercial or industrial tracts will be directed away from any adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.

5. Dumpsters:

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

6. Parking:

- a) Required parking in Tract 1 shall be permitted off-site, within Tract 2.
- b) Utilization of the existing paved parking lot in Tract 2 shall be permitted. Additionally, the parking lot layout shown on Exhibit C- Conceptual Site Plan upon the existing paved parking areas shall be permitted, which includes reduction in parking space length and slight encroachments within adjacent street rights of way. Pavement repair and re-striping permitted. However, complete removal of said

parking lot and replacement with new paved parking shall require compliance with current ordinance requirements at the time of development.

- c) Access and parking space maneuvering shall be permitted within the existing alley in Tract 2.

7. Maintenance:

Maintenance of landscaping and common areas within each tract shall be the responsibility of the property owner of said tract.

8. Drainage:

Drainage improvements will be in accordance with applicable sections of the Oklahoma City Code of Ordinances. Drainageways may be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code.

III. Supporting Documents

Exhibit A: Legal Descriptions of Tracts 1 and 2

Exhibit B: Tract 1 Conceptual Site Plan

Exhibit C: Tract 2 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 contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior to excavation for the exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District:** Oklahoma City
- 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.

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- 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) Sidewalks 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.
- 11) Amend Section II.8 Drainage: Drainage improvements will be in accordance with applicable sections of the Oklahoma City Code of Ordinances, as amended. Drainageways may be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code.
- 12) Replace II.7 Maintenance: Maintenance of the common areas, private drainage easements, and islands/medians in the development shall be the responsibility of the property owners and/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 that meets the requirements specified above.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Wastewater Availability*

Water Availability*

b. Solid Waste Management

- 1) The City cannot provide service, contact private hauler.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Utilize Best Management Practices (BMP) for stormwater.
- Incorporate commercial uses at street level to maintain an active, pedestrian friendly streetscape.
- Design buildings to include facades, storefront windows, and attractive signage and lighting to create pedestrian-scale visual interest.

Location:

- Mixture of density, lot size and building scale is appropriate as long as land use compatibility is achieved.

Density: The non-residential Floor to Area Ratio (FAR) range for the UM LUTA is 0.4 to 1.2 with a typical FAR of 1.

National, state, and local permitting require basic best management practices for stormwater management. The current Floor to Area Ratio of the subject site is within or below the Urban Medium LUTA range. The SPUD regulations could provide continued development within or below that range.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Keep alleys open and functional.
- Limit curb cuts on arterial streets and where possible, concentrate access for retail development 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.

The SPUD has frontage along North Western Avenue, identified as a General Urban street in the Downtown Development Framework (DDF), and the following Neighborhood Streets: NW 7th Street, NW 8th Street, and North Klein Avenue. The proposed development would not alter the existing street grid. The Master Design Statement calls for use of the conceptual site plan to identify access changes, which illustrates Tract 1 would maintain the existing access, aside from the closure of the northern driveway along North Klein Avenue. Tract 2 would maintain the existing configuration for access.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are currently available along all street frontages of the subject site. The SPUD regulations call for replacement or repair of sidewalks along NW 7th Street, NW 8th Street, and Klein Avenue with the requirement of meeting Code and ADA requirements.

- 2) Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating the proposed uses adjacent to existing residential uses, “Building Scale and Site Design” and “Traffic” are potential compatibility issues identified by the

comprehensive plan. Projects in higher intensity LUTAs (UM) may be more appropriate for significant transitions of density, scale and mass.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if 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 SPUD proposes an additional building on Tract 1, adjacent to the west side of the existing structure on the site. Tract 2 would be utilized for parking. The SPUD proposes similar regulations to the existing SPUD-951, aside from decreasing the western setback to accommodate the new structure. Tract 2 would be developed in accordance with the O-1 District and would utilize the base zoning regulations for maximum building height, maximum building size, number of buildings, and sight-proof screening. The Master Design Statement calls for use of the conceptual site plan to modify landscaping, which includes tree- and shrub-filled landscape islands throughout the parking lot and a hedge along the northern boundary. If the parking lot were to be removed or reconstructed the base O-1 regulations for landscaping would be utilized.*

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 measures related to traffic were identified.*

3) Service Efficiency:

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

4) Environmentally Sensitive Areas: The following apply to the proposed development site:

- Riparian Areas: N/A
- 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. Low impact development techniques include, but are not limited to, using pervious surface materials wherever possible for the construction of driveways, parking areas, sidewalks, patios, etc., to promote increased water percolation and infiltration.

5) Transportation System: The proposed SPUD has frontage along North Western Avenue, identified as a General Urban street in the Downtown Development Framework (DDF), and the following Neighborhood Streets: NW 7th Street, NW

8th Street, and North Klein Avenue. The nearest transit (bus) service is located south of the site along Linwood Boulevard. Additional transit (bus / BRT) access is available east of the site along North Classen Boulevard.

6) Other Development Related Policies

- 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 (SU-28)
- 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)
- Share parking between contiguous developments. (C-31)
- Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)
- 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 consists of three parcels, encompassing two tracts. Tract 1 consists of one parcel within the existing SPUD-951, which is located on the northern half of the block bounded by NW 7th Street, North Klein Avenue, and North Western Avenue. This tract is developed with a building used for packaging, distribution, and retail sales

for a meat processing business located across the alley to the south. Tract 2 consists of the remaining two parcels and is located across the intersection to the northwest, along North Klein Avenue, between NW 7th Street and NW 8th Street. The land within Tract 2 and all the properties surrounding it are zoned R-3. The two parcels are both comprised of surface parking. The surrounding area is a mix of commercial, industrial, and residential uses and zoning, with some vacant properties.

The SPUD is requested to allow office, warehouse, and parking uses and development, with I-2 base zoning for Tract 1, and O-1 base zoning for Tract 2. The applicant's intent, according to the site plan, is to expand the current building located in Tract 1 and relocate parking for the business to Tract 2, which is an existing parking lot. The SPUD proposes almost identical regulations to the existing zoning, SPUD-951, for Tract 1, except that the rear (west) yard setback is reduced from 25 feet to five feet, signage regulations have been revised to comply with recently revised sign code, and parking for Tract 1 is permitted to be located off-site within Tract 2. Tract 2 bulk regulations would be regulated by the base district, except that the rear setback, adjacent to the alley running through the middle of Tract 2, would be zero feet since the alley is incorporated into the existing parking lot, and the side setback would not include a five-foot landscape buffer as required by the base zoning. Instead, the SPUD proposes installing landscaped islands within the parking lot and a hedge along the north boundary of Tract 2, as depicted in Exhibit C. The SPUD also proposes that, if the parking lot is completely removed and reconstructed, the parking lot would meet ordinance requirements. Within Tract 1, a minimum five-foot-wide landscaped greenbelt would be installed along NW 7th Street and North Western Avenue, with both including low-lying shrubs/vegetation, and the Western Avenue buffer including 3-inch caliper trees planted on a maximum of 20-foot centers.

The SPUD proposes prohibiting non-accessory and electronic message display signage, shields lighting to residential uses, distances and screens dumpsters, and requires repair or replacement of sidewalks on all surrounding streets.

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.

STAFF REPORT
The City of Oklahoma City
Planning Commission
July 25, 2024
SPUD-1649

Item No. IV. 12.

All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Division's review of construction plans and prior to City Council approval.

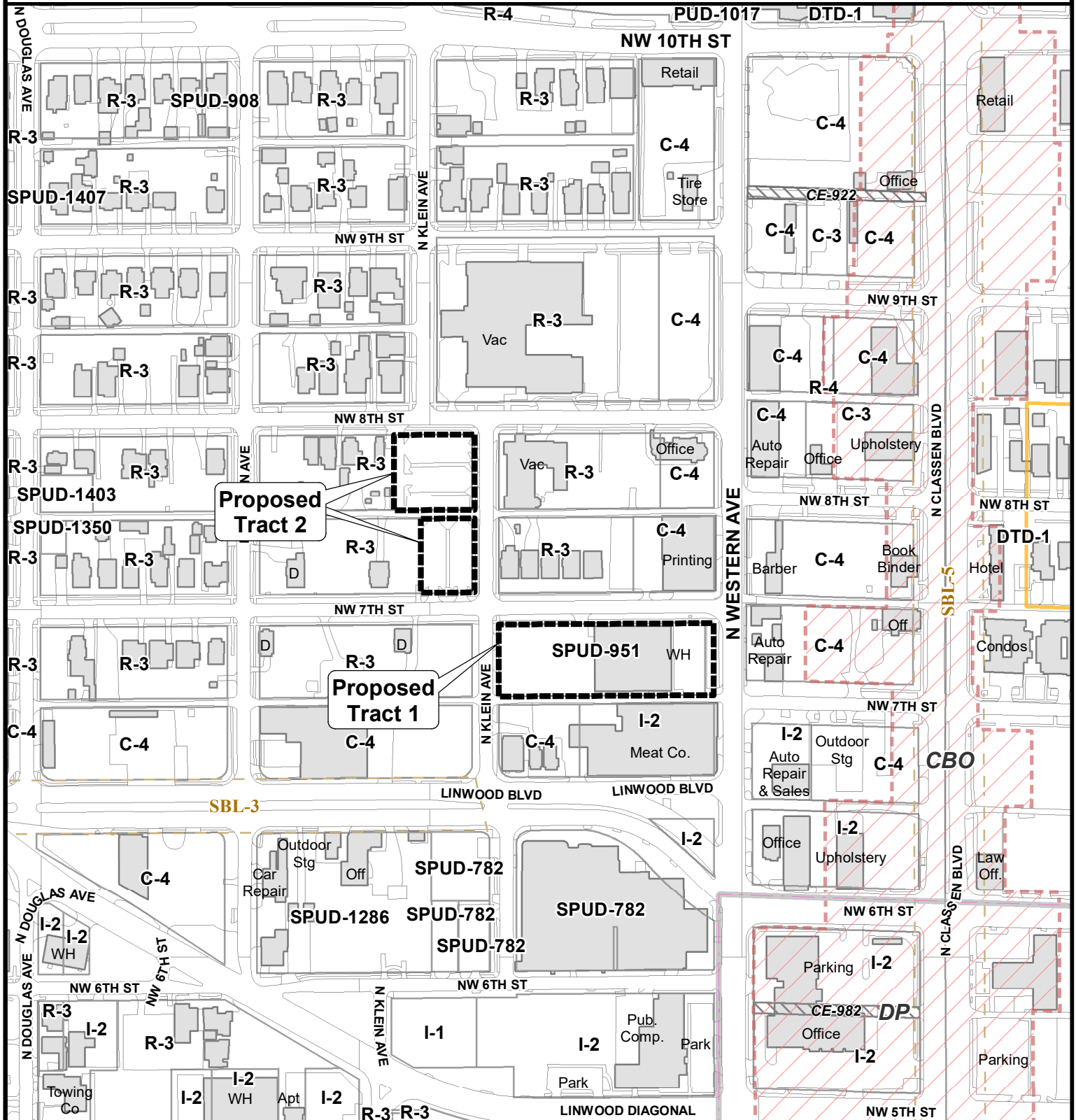
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Case No: SPUD-1649

Applicant: Schwab & Company

Existing Zoning: R-3 / SPUD-951

Location: 1132 & 1201 NW 7th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 125 250
Feet

SCHWAB MEAT CO.
BUILDING ADDITION
1111 LINWOOD BLVD.
OKLAHOMA CITY, OK

ISSUED:

SEALS:

PRELIMINARY
NOT FOR CONSTRUCTION

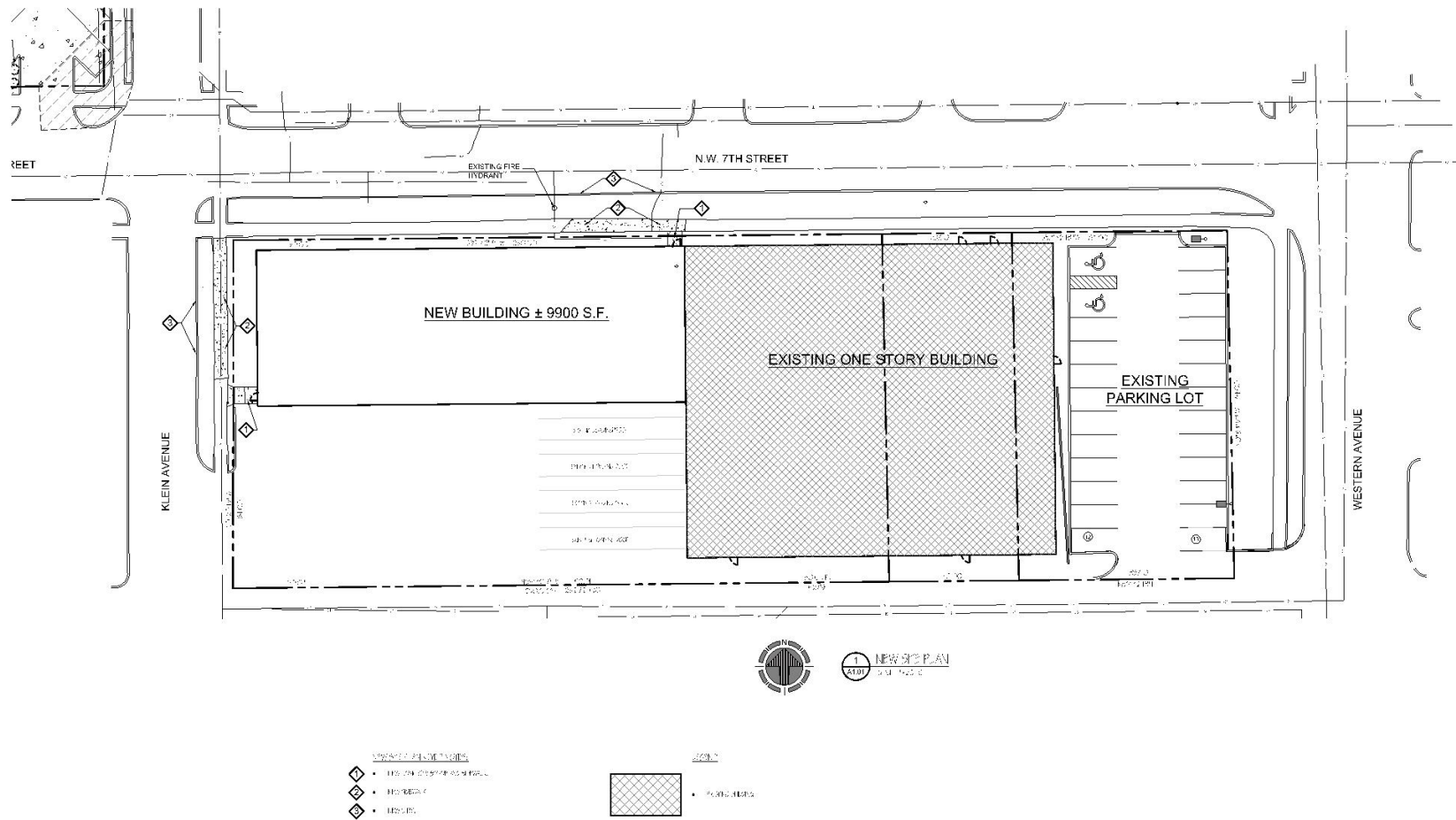
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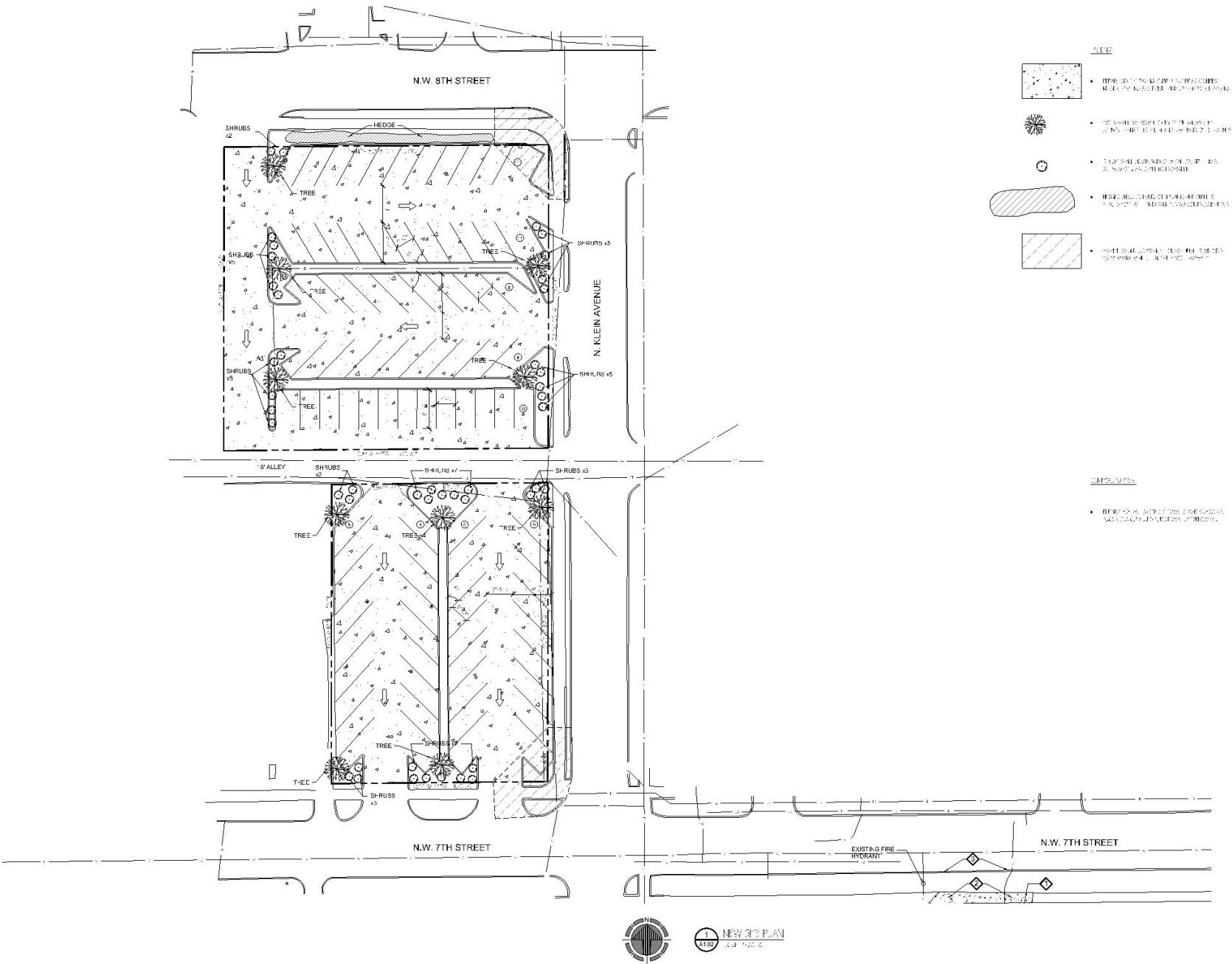
PROJECT: S2322
DATE: 06.12.24

TRACT 1
Conceptual Site
Plan
1132 NW 7th St

EXHIBIT B

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3 LEVEL DESIGN

1111 LINWOOD BLVD.
OKLAHOMA CITY, OK 73104
Phone: 405.318.1772 Fax: 405.318.1774

**SCHWAB MEAT CO.
BUILDING ADDITION**

1111 LINWOOD BLVD.
OKLAHOMA CITY, OK

ISSUED:

SEALS:

**PRELIMINARY
NOT FOR CONSTRUCTION**

PROJECT INFORMATION:

PROJECT: S2322
DATE: 06.12.24

**TRACT 2
Conceptual Site
Plan**

1201 NW 7th St

EXHIBIT C

Case No: SPUD-1649 Applicant: Schwab & Company
Existing Zoning: R-3 / SPUD-951
Location: 1132 & 1201 NW 7th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

