

Planning Commission Minutes
December 14, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:35 a.m. on December 11, 2023)

21. (SPUD-1574) Application by Sandra Wilkins Living Trust to rezone 15 SW 25th Street from C-CBD Central Business District and UD Urban Design Overlay Districts to SPUD-1574 Simplified Planned Unit Development and UD Urban Design Overlay Districts. Ward 6.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY GOVIN, SECONDED BY MEEK

AYES: CLAIR, MEEK, GOVIN, PENNINGTON, NOBLE, LAFORGE

ABSENT: POWERS, PRIVETT, NEWMAN



STAFF REPORT
The City of Oklahoma City
Planning Commission
December 14, 2023

Item No. IV. 21.

(SPUD-1574) Application by Sandra Wilkins Living Trust to rezone 15 SW 25th Street from C-CBD Central Business District and UD Urban Design Overlay District to SPUD-1574 Simplified Planned Unit Development and UD Urban Design Overlay Districts. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David M. Box
Company Williams, Box, Forshee & Bullard P.C.
Phone 405-232-0080
Email dmbbox@wbfbllaw.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to allow light industrial uses in order to reconstruct a building that was destroyed by fire.

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: 1.04 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-CBD/UD	R-4/SRODD	I-2 / UD	C-CBD / UD	C-CBD / UD
Land Use	Commercial	Residential / Substation	Undeveloped	Commercial	Commercial

II. SUMMARY OF SPUD APPLICATION

- 1. This site will be developed in accordance with the regulation of the I-1 Light Industrial District and the UD Urban Design Overlay 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
8300.23	Building Maintenance Services
8300.24	Business Support Services
8300.29	Communications Services: Limited
8300.31	Construction Sales and Services
8300.32	Convenience Sales and Personal Services
8350.3	Custom Manufacturing
8350.8	Industrial, Light
8250.12	Light Public Protection and Utility: General
8250.13	Light Public Protection and Utility: Restricted
8300.52	Medical Services: General
8300.53	Medical Services: Restricted
8300.58	Personal Services: General
8300.59	Personal Services: Restricted
8300.60	Personal Storage
8300.61	Repair Services: Consumer
8350.10	Research and Development
8300.62	Research Services: Restricted
8300.63	Retail Sales and Services: General
8350.16	Wholesaling, Storage and Distribution: Restricted

- 2. Maximum Building Height:**

The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the maximum building height shall be in accordance with the base zoning district.

- 3. Maximum Building Size:**

The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the maximum building size shall be in accordance with the base zoning district.

- 4. Maximum Number of Buildings:**

There shall be a maximum of five (5) buildings.

5. Building Setback Lines:

The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the following shall apply:

Front: 0 feet

Side: 5 feet

Rear: 4 feet

6. Sight-proof Screening:

Existing sight-proof screening shall be permitted to remain and deemed to conform to applicable regulations. In the event new screening or fencing is installed, it shall be per the UD Urban Design Overlay regulations and guidelines.

7. Landscaping:

The existing landscaping shall be permitted to remain and deemed to conform to applicable Oklahoma City Municipal Code regulations.

Should this site be redeveloped in the future into any of the nonindustrial uses as permitted by this SPUD, the Parking Lot Perimeter landscaping in accordance with Section 59-11250.E.(1)(a)1 shall be required at the westerly parking lot.

8. Signs:

8.1 Freestanding Accessory Signs

Freestanding signs will be in accordance with the UD Urban Design Overlay District.

8.2 Attached Signs

Attached signs will be in accordance with the UD Urban Design Overlay District.

8.3 Non-Accessory Signs

Non-Accessory signs shall not be permitted within this SPUD.

8.4 Electronic Message Display Signs

Electronic Message Display signs shall not be permitted within this SPUD.

9. Access:

Access shall be taken from three (3) access point off of SW 25th St.

10. Sidewalks

Existing sidewalks shall be permitted to remain and deemed to conform to applicable regulations.

I. Other Development Regulations:

1. Architecture:

The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event that a new structure is built, all structures built within this SPUD shall be subject to the review and approval of a Certificate of Approval, subject to applicable Urban Design regulations and guidelines, with the exception that metal R-panel siding shall be permitted for any buildings associated with the current light industrial use.

Should this site be redeveloped in the future into any of the nonindustrial uses as permitted by this SPUD, the use of metal R-panel siding shall not 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 existing site lighting shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, 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:

The existing dumpster shall be placed within a sight-proof screened trash enclosure with solid gates to enclose the front. Should this site be redeveloped in the future to any of the non-industrial uses permitted by this SPUD, all said dumpsters shall be located within trash enclosures that shall be sight-proof screened from view from public streets in accordance with Section 59-13700.5.(1).

6. Parking:

Existing parking shall be permitted to remain and deemed to conform to applicable Oklahoma City Municipal Code regulations, as shown on Exhibit "D".

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.

II. Supporting Documents

- Exhibit A: Legal Description
- Exhibit B: Conceptual Site Plan
- Exhibit C: Aerial
- Exhibit D: Conceptual Parking Layout

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:** 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:** 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.
- 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.
- 11) Amend section I.10 Sidewalks: Upon the issuance of a building permit for modification of any building or for additional structure within this SPUD,

sidewalks within the SPUD shall be provide in accordance with the City of Oklahoma City Municipal Code and ADA requirements in place at the time of construction.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

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 cannot provide service, contact private hauler.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 4” 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).
- 8) Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.
- 9) Existing 4-in waterline may not provide enough supply and/or pressure. Waterline extension may be required.

9. Planning

a. Comprehensive Plan Considerations

1. LUTA Development Policies:

Site Design:

- Maintain historical lot and block sizes where possible and appropriate.
- Utilize Best Management Practices (BMP) for stormwater.
- Structured parking may be appropriate to achieve desired intensity levels.
- 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.

National, state, and local permitting require basic best management practices for stormwater management. The SPUD/application requests to re-build a building that was destroyed by fire. The site is and will remain within the Capitol Hill Urban Design District.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Protect existing traditional street grid and reconnect it where possible.
- Keep alleys open and functional.

The SPUD does not propose changes that would affect automobile connectivity.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.
- Discourage widening of neighborhood streets and increasing curb radii.

The SPUD does not request any changes that would affect pedestrian connectivity.

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”, “Traffic”, and “Operational Impact” 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. *Lot coverage would exceed that of the duplex to the west of the SPUD boundary. The SPUD requires the installation of landscaping only if non-industrial uses are constructed in the future. New buildings would also require review and approval by the Urban Design Commission.*

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 were identified.*

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 addition of the Industrial Light and Research Services: Restricted use categories to the zone require that all work be completed inside a building.*

3. Service Efficiency:

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

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

- Vulnerable aquifers: The aquifer in this area is considered highly vulnerable to depletion and is located just west of the impaired Lightning Creek drainage area. 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.

5. Transportation System: This site is located at the corner of SW 25th Street, a Connector Street type and S Santa Fe Avenue, a Neighborhood Street in the Urban Medium LUTA. Transit (bus) service is available along SW 25th Street.

6. Other Development Related Policies

- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- Encourage the adaptive reuse of underutilized structures and the revitalization of older, economically distressed neighborhoods. (SU-21)
- 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)
- 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)

b. Plan Conformance Considerations

The subject site is located on the north side of SW 25th Street, between S Santa Fe Ave and S Broadway Ave. The site and land fronting the north and south sides of SW 25th Street are within the Capitol Hill Urban Design Overlay District (UD).

To the north are single-family homes and a business zoned R-4 and within the Scenic River Overlay Design District. Shields Blvd is one block east.

The SPUD is requested to rebuild an industrial building that was destroyed by a fire. It adds two light industrial uses to the C-CBD base zone that existed prior to the fire. Any new buildings constructed within the SPUD would have to comply with existing regulations and continue to be reviewed by the Urban Design Commission. The proposal is in conformance with plan polices to encourage the adaptive reuse of underutilized structures, as well as maintaining the strength of existing commercial nodes and corridors.

This application is subject to review by the Urban Design Commission (UDC). On November 15, 2023, the UDC recommended approval of the SPUD application. The motion was subject to changes to the Master Design Statement that ensure that future changes to the site will continue to be reviewed by the Urban Design Commission and come into compliance with regulations at the time of construction of any new buildings. The suggested changes have been incorporated into the Master Design Statement. The UDC staff report and minutes are included with this report.

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.

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.

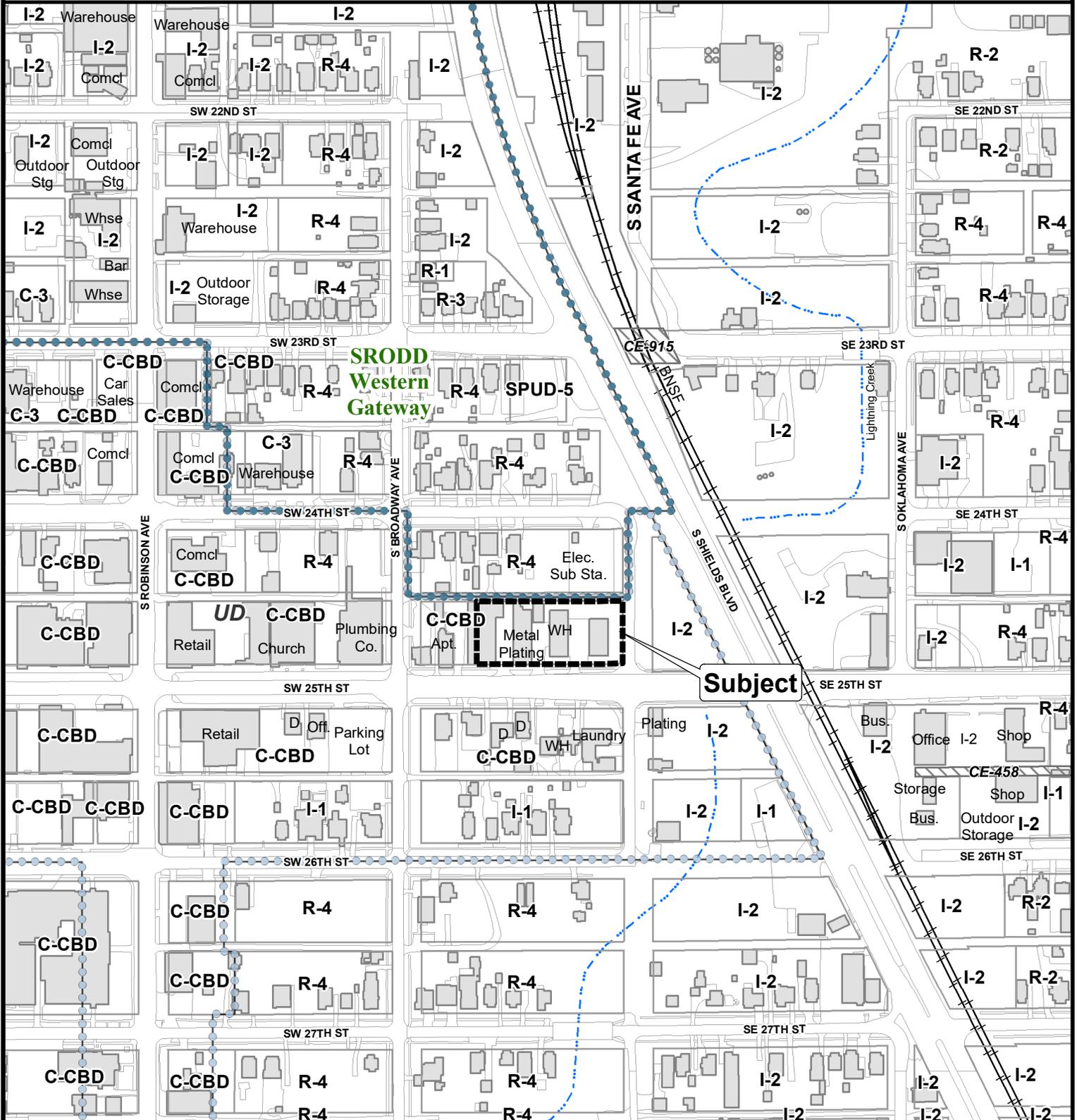
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Case No: SPUD-1574

Applicant: Sandra Wilkins Living Trust

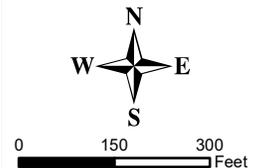
Existing Zoning: C-CBD / UD

Location: 15 SW 25th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development





STAFF REPORT

Urban Design Commission

November 15, 2023

Agenda Item VII.B.
Case No. SPUD-1574
Property Address 15 SW 25th St
Applicant Name David Box, Williams, Box, Forshee, & Bullard for Albert J and Sandra Wilkins Living Trust
522 Colcord Drive
Oklahoma City, OK 73102

District Capitol Hill

A. ITEMS FOR CONSIDERATION

1. Recommendation

To provide a recommendation to the Planning Commission for a request to rezone from C-CBD Central Business District to Simplified Planned Unit Development (SPUD-1574).

B. BACKGROUND

1. Location

The subject site is located on the north side of SW 25th St between S Santa Fe Ave and S Broadway Ave.

2. Site History/Existing Conditions

There were five buildings on the subject site until April of 2022 when one building (the second one from the west) was destroyed by fire. These five buildings comprise the "campus" for Quality Metal Finishing, a business that has been in operation at this location for more than 40 years. The building that was destroyed by fire was demolished last year per UDCA-22-00046 which was approved by the Commission in September of 2022.

Staff has researched the zoning on this site. The current base zoning on this subject site is C-CBD Central Business District. It has been zoned C-CBD since at least 1947. Staff has been unable to verify whether any prior version of the C-CBD District permitted light industrial uses. Light industrial uses are not currently permitted in the C-CBD District.

3. Surrounding Environment

To the north, across the alley, there is a row of single-family homes fronting on SW 24th St. To the east, there are two more main buildings that are part of the Quality Metal Finishing complex.

To the south, across SW 25th St, there are a few single-family homes (some with secondary dwelling units) mixed in with a few commercial businesses at the east end of the block. To the west, there is another building for Quality Metal Finishing

and beyond that there is a two-story multi-family building and then a former church at the corner of SW 25th St and S Broadway.

4. Intended Use

8350.8, Industrial Light

5. Previous Actions

On April 25, 2012 the Urban Design Commission approved UDCA-12-00013 for the demolition of the building (circa 1947) that existed nearby at 23 SW 25th Street.

On November 28, 2012, the Urban Design Commission approved UDCA-12-00033 to allow for the construction of the main building in the Quality Metal Finishing complex at the west end of the subject site (just west of the subject building in this application). A variance was required for the use of metal siding in constructing this building. The variance was approved by the Board of Adjustment.

On July 24, 2019, the Urban Design Commission approved UDCA-19-00018 to allow for the construction of the fourth primary building in the Quality Metal Finishing complex at the northwest corner of SW 25th St and S Santa Fe Ave (at the east end of the site). A variance was required for the use of metal siding in constructing this building. The variance was approved by the Board of Adjustment.

On September 28, 2022, the Urban Design Commission approved UDCA-22-00046 to allow for the demolition of a building that had been destroyed by fire in April 2022.

6. Non-Conforming Use

The use of the site is a metal plating business that has been in operation at this location for decades. This use falls under the use unit classification of 8350.8, Industrial, Light. However, the zoning for the site is C-CBD and 8350.8, Industrial, Light is not a permitted use. Accordingly, this business has been operating as a non-conforming use for quite some time. It is unclear whether this use is a legal non-conforming use or not due to the age of the business and changes to the Code since its establishment. Staff is generally supportive of allowing the continued industrial use of this site through the SPUD. This is primarily because it is the only way to allow for the reconstruction of one out of four buildings in the complex that was destroyed in the fire. If this use had only one building and it burned down, staff would be far less likely to support the re-establishment of a non-conforming use.

When the building burned down in April of 2022, this triggered the rules that apply to non-conforming uses, and per those provisions of the Municipal Code, a building that has been destroyed by fire, by more than 60%, may only be occupied by a use that is permitted in the zoning district. Since this metal plating business is not permitted in the C-CBD district, the only way to allow the new replacement building to be occupied by a light industrial use would be through a rezoning.

The applicant did file an application for UDCA-23-00022 in July of this year to reconstruct the building that had been destroyed by the fire. Because the proposed use was not a permitted use in the C-CBD District, that CA application was placed on hold until the zoning issues could be properly addressed. This application for a SPUD will make the metal plating business a permitted use on this site as the SPUD site will be developed in accordance with the regulations of the I-1 Light Industrial district. If the rezone to SPUD-1574 is approved by City Council, staff can then begin to review UDCA-23-00022 for the construction of the replacement building.

7. SPUD Overview

Per Section 59-4250.5.H., “The Urban Design Commission shall have the opportunity to comment upon and make recommendations on actions undertaken by other City boards, committees, and commissions with respect to the effect of such actions upon the District.” For this reason, staff has placed this item on the agenda to allow the Commission the opportunity to consider the proposal and provide a recommendation to the Planning Commission on the Simplified Planned Unit Development (SPUD) application.

Staff has coordinated with the applicant on the content and direction of the SPUD document. The attached SPUD document is a final draft that reflects only the revisions that have been agreed on. This draft represents the version of the SPUD document that the Commission is making a recommendation on to the Planning Commission. Staff and the applicant have not agreed on all elements of the proposed SPUD and the issues that remain outstanding are discussed in detail in this report. The issues to be discussed will be framed in light of what the provisions of the UD Overlay District and other provisions of the Municipal Code require as standard development requirements contrasted against what the applicant is asking for in the MDS of the SPUD.

Perhaps most significant for Urban Design Commission’s review, the MDS for the proposed SPUD will maintain the design review requirements of the Urban Design Overlay District. Accordingly, any and all exterior modifications at the subject site will remain under the purview of the Urban Design Commission and subject to the applicable Certificate of Approval provisions. Certificate of Approval applications for future development within the SPUD area will be subject to administrative or Commission review and approval pursuant to the standard UD thresholds for those reviews.

C. ITEMS IN COMPLIANCE

1. Unless noted below in Section D. Issues and Considerations, all other case items of this proposal comply with the Development Regulations and Guidelines of the Urban Design Overlay District zoning ordinance as referenced below:
 - a. **RE:** §13700.5.B.(1), Maximum Building Height
 - b. **RE:** §13700.5.B.(3), Side-yard Setbacks
 - c. **RE:** §13700.5.B.(4), Rear-yard Setbacks

Note: All other Regulations and Guidelines of the Urban Design Overlay zoning ordinance not listed above are either not applicable to this case or apply to elements of this project to be considered as a separate case at a later date.

D. ISSUES AND CONSIDERATIONS

1. Development Regulations

This proposal does not comply with the Development Regulations of the Urban Design Overlay District zoning ordinance as follows:

a. RE: Exhibit D, Conceptual Parking Layout

- 1) Description: The MDS includes Exhibit D which is a Conceptual Parking Layout for the overall project site. This plan does not include an ADA access parking stall.
- 2) Reference: §59-10650., Accessible parking space requirements
“Parking spaces for vehicles with handicapped drivers shall be provided in accordance with Table 10650.1 below and the Building Code as adopted by The City of Oklahoma City. Said spaces shall be included in the computation of required spaces as specified by this section.”
- 3) Considerations: First, both the C-CBD District and the UD Overlay are exempt from the standard off-street parking requirements. Therefore, no parking stalls are required for this use under current regulations. However, if the applicant chooses to provide parking, and to claim that the existing parking on site is sufficient, it is required to be striped per the minimum code requirements.

A conceptual parking layout has been provided and shows a total of 15 parking stalls. There is no issue with the number of stalls since none are required. This plan has been provided by the applicant because it is necessary to justify the inclusion of this statement in the MDS:

“II.6. Parking:

Existing parking shall be permitted to remain and deemed to conform to applicable Oklahoma City Municipal Code regulations as shown in Exhibit D.”

At the site currently, no parking has been marked or striped in accordance with Section 59-10250.3. In practice, parking on the site occurs in a haphazard manner. In order to use the term “existing parking” in the MDS statement above, the parking referred to as existing must be properly marked and striped, must meet all minimum dimensional standards, and must be accurately documented as part of the SPUD documentation.

Table 10650.1 requires a minimum of one ADA parking stall for parking lots with 1 - 25 parking stalls. At this time, no ADA stall has been added to Exhibit D. Therefore, staff will be including a

condition of approval for any motion to recommend approval of SPUD-1574 that would require Exhibit D to be modified to include the required ADA parking stall.

b. **RE: Perimeter Parking Lot Landscaping**

1) Description: The MDS includes Exhibit D which is a Conceptual Parking Layout for the overall project site. This plan does not include a space to accommodate the minimum perimeter parking lot landscaping requirements.

2) Reference: §59-11250.E.(1)(a), Automotive Parking Lot Landscaping Requirements

“(1) In addition to the number of Site Points, if required, two additional points shall be used to install Parking Lot Plantings for each space provided. Parking Lot Plantings shall be located:

(a) Within the Parking Lot Perimeter where parking lots are located adjacent to the public right-of-way as follows:

- 1. Evergreen shrubs reaching a mature height of at least three feet and spaced a maximum of five feet on center, and/or*
- 2. Trees planted between 15 and 35 feet on center. Selection of species and recommended spacings shall be directed by the document “Trees and Plants for Oklahoma City,” as referenced in §59-11150.P.”*

3) Considerations: There are two separate parking areas shown in Exhibit D, Conceptual Parking Layout. In the easterly parking area, the parking stalls are located well away from the public right-of-way and staff is not suggesting that this standard be satisfied at this location.

However, at the proposed westerly parking lot, the parking stalls come out close to the sidewalk along the north side of SW 25th St. In the C-CBD District, the Landscape Code would normally require Parking Lot Perimeter landscaping in this condition. Staff sees no justification for not requiring this landscaping at this location and therefore will be including a condition of approval for any motion to recommend approval of SPUD-1574 that would require Section I.7., Landscaping of the MDS to be revised to read as follows:

“The existing landscaping shall be permitted to remain and deemed to conform to the applicable Oklahoma City Municipal Code regulation, except that Parking Lot Perimeter landscaping in accordance with Section 59-11250.E.(1)(a)1. shall be required at the westerly parking lot.”

2. Design Guidelines

a. RE: MDS Standards for Architecture

- 1) Description: Section II.1., Architecture includes the standards that would apply to the design of all structures within the SPUD boundary.
- 2) Reference: Master Design Statement, Section II.1., Architecture
“The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry, architectural metal (metal R-panel or equivalent), 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.”
- 3) Considerations: Staff has requested that the applicant revise this section to delete the standard MDS boilerplate language provided above and replace it with the following statement:

“All buildings constructed within this SPUD shall be subject to the review and approval of a Certificate of Approval in accordance with the applicable Urban Design regulations and guidelines.”

At this time, the applicant has not incorporated this language into Section II.1, Architecture of the MDS, although other provisions contained elsewhere in the MDS document retain the applicability of various provisions of the UD Urban Design Overlay District.

This language is standard for SPUDs that are located within a design district. Accordingly, staff will be including a condition of approval for any motion to recommend approval of SPUD-1574 that would require Section II.1. of the MDS to be revised to include the above replacement language.

Staff is generally supportive of incorporating language allowing for the use of metal cladding comparable to previously-approved variances at existing buildings at the site into the MDS, if desired by the applicant. The condition language provided to address this issue in the staff recommendation section below has been expounded to indicate how this language would impact existing and proposed buildings associated with the current light industrial use.

b. RE: MDS Standards for Architecture

- 1) Description: Section II.1., Architecture includes the standards that would apply to the design of all structures within the SPUD boundary.
- 2) Reference: Master Design Statement, Section II.1., Architecture

“The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry, architectural metal (metal R-panel or equivalent), 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.”

- 3) Considerations: Section I.1 of the Master Design Statement includes a listing of permitted land uses that extends well beyond the existing use on site. This is typically done in SPUDs to account for the redevelopment of the site in the future so that development will not be permanently tied to the existing light industrial use. While staff is supportive of the continued non-conforming use of the site, staff recognizes that there will come a time in the future when the existing use may no longer be viable or other uses would be better suited to this site.

Because this SPUD will apply not only to the immediate use but also to future redevelopment of the site, other pertinent sections of the SPUD document should be similarly structured. If non-industrial uses are ever to replace the existing development, metal R-panel should not be permitted as it is a prohibited material under the current UD regulations. Accordingly, staff will be including a condition of approval for any motion to recommend approval of SPUD-1574 that would require Section II.1., Architecture of the MDS to be revised to include the following language:

“Should this site be redeveloped in the future into any of the non-industrial uses permitted by this SPUD, the use of metal R-panels shall not be permitted.”

c. **RE: MDS Standards for Dumpsters**

- 1) Description: Section II.5., Dumpsters includes the standards that would apply to the requirements, or lack of requirements, for dumpster enclosures.
- 2) Reference: Master Design Statement, Section II.5., Dumpsters
“The existing dumpster shall be permitted to remain and deemed to conform to applicable Oklahoma City Municipal Code regulations. Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020 as amended.”
- 3) Considerations: The applicant is asking the Commission, by the language contained in this section of the MDS, to declare an unenclosed dumpster to be in compliance with a regulation that would normally require the dumpster to be located within a sight-proof screened enclosure.

Staff contends that because the subject site is located within a design district, the existing dumpster should be situated within a trash enclosure, in accordance with Section 59-13700.5.E.(1). The applicant has rejected language that staff requested in this section to address this issue.

Additionally, similar to the architecture discussion, if this section of the MDS is left the way it is currently written, there will be no rules pertaining to dumpster enclosures should the site ever be redeveloped in the future. Staff had requested that new language be added to address this issue.

In a related matter, based on the current physical location of the unscreened dumpster at the north end of the easterly parking area, it would appear to occupy one of the parking stalls shown in Exhibit D, Conceptual Parking Layout. If the dumpster is to remain there, Exhibit D should be revised to eliminate that parking stall and instead show the location of the dumpster.

Accordingly, staff will be including a condition of approval that would require Section II.5., Dumpsters of the MDS to be revised to read as follows:

“The existing dumpster shall be placed within a sight-proof screened trash enclosure with solid gates to enclose the front. Should this site be redeveloped in the future to any of the non-industrial uses permitted by this SPUD, all said dumpsters shall located within trash enclosures that shall be sight-proof screened from view from public streets in accordance with Section 59-13700.5.(1).”

Furthermore, staff will include another condition of approval that would require Exhibit D, Conceptual Parking Layout to be revised to accurately depict the location of the existing dumpster (and its required enclosure) and eliminate any parking stalls that occupy the same area.

E. STAFF RECOMMENDATION

1. Recommend **approval** of the application to the Planning Commission for a request to rezone from C-CBD Central Business District to Simplified Planned Unit Development (SPUD-1574) on the basis that the project meets the Regulations and Guidelines of the Urban Design Overlay District zoning ordinance as referenced in Section C and D of the Staff Report with the **conditions** that:
 - a. the applicant shall revise Exhibit D, Conceptual Parking Layout, to include the one required ADA parking stall;
 - b. the applicant shall revise Section I.7., Landscaping to read as follows:

“The existing landscaping shall be permitted to remain and deemed to conform to the applicable Oklahoma City Municipal Code regulation, except that Parking Lot Perimeter landscaping in accordance with

Section 59-11250.E.(1)(a)1. shall be required at the westerly parking lot.”

- c. the applicant shall revise Section II.1., Architecture to be revised to read as follows:

“All buildings constructed within this SPUD shall be subject to the review and approval of a Certificate of Approval in accordance with the applicable Urban Design regulations and guidelines.”

“The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event that a new structure is built, all structures built within this SPUD shall be subject to the review and approval of a Certificate of Approval, subject to applicable Urban Design regulations and guidelines, with the exception that metal R-panel siding shall be permitted for any buildings associated with the current light industrial use.

Should this site be redeveloped in the future into any of the non-industrial uses as permitted by this SPUD, the use of metal R-panel siding shall not be permitted.

- d. the applicant shall revise Section II.5., Dumpsters to read as follows:

“The existing dumpster shall be placed within a sight-proof screened trash enclosure with solid gates to enclose the front. Should this site be redeveloped in the future to any of the non-industrial uses permitted by this SPUD, all said dumpsters shall located within trash enclosures that shall be sight-proof screened from view from public streets in accordance with Section 59-13700.5.(1).”

- e. the applicant shall revise Exhibit D, Conceptual Parking Layout to accurately depict the location of the existing dumpster (and its required enclosure) and eliminate any parking stalls that occupy the same area.

Note: Staff recommendations do not constitute Commission decisions.

Attachments: Zoning Map, Application, Design Statement, Drawings, Photos, Comments.



MINUTES

Urban Design Commission Meeting

Date: November 15, 2023
Time: 3:00 p.m.
Location: Council Chambers, City Hall, 200 North Walker Ave, Third Floor

The agenda for the Urban Design Commission meeting was filed with the City Clerk of The City of Oklahoma City at 3:08 p.m. on November 7, 2023.

The meeting was called to order at 3:00 p.m. and adjourned at 3:24 p.m.

I. Call to Order

A. Roll Call

Members Present: Tyler Holmes, Chair
Anthony J. Blatt, Acting Chair
Nathan Cao
Ashley Dickson Oso
Lee Peoples

Members Absent: Sarah Miller, Vice-Chair
Aimee Ahpeatone
Jorge Charneco
James Varnum

Staff Present: Michael Philbrick, Senior Planner
Steven Barker, Assistant Municipal Counselor
Keith Daniels, Administrative Coordinator

II. Approval of Minutes

A. Approval of the October 25, 2023, meeting minutes.

Motion: Anthony Blatt to **accept** the October 25, 2023, meeting minutes.

Second: Lee Peoples

Aye: Blatt, Cao, Holmes, Oso, Peoples

Nay: None

Absent: Ahpeatone, Charneco, Miller, Varnum

Abstain: None

Action: ACCEPTED

III. Cases Withdrawn

A. None

IV. Continuance Requests

A. None



MINUTES

Urban Design Commission Meeting

V. Consent Docket (Anyone may request individual consideration of a consent item.)

- A. **UDCA-23-00030 at 2500 S Harvey Avenue** (Capitol Hill) Application by Shannon Entz, City of Oklahoma City Planning Department for Debbie Miller, City of Oklahoma City Public Works Department to: 1a) Remove all asphalt and concrete street pavement and curb and gutters from S Harvey Ave between SW 24th St and SW 25th St; 1b) Remove the sidewalks from both sides of S Harvey Ave between SW 24th St and SW 25th St; 1c) Remove all trees and landscaping from within the former street right-of-way; 2a) Install concrete sidewalk as surfacing for the plaza area (with 16 decorative sandblasted patterns as shown throughout the plaza); 2b) Construct planters; 2c) Construct four shade arbor structures; 2d) Construct main gazebo structure with ADA access ramp near the north end of the plaza; 2e) Construct four 12' x 12' shade structures; 2f) Construct ADA ramps at the north end of the plaza; 2g) Construct brick paver sidewalks along the north side of SW 25th St; 2h) Construct seatwalls; 2i) Install detachable bollards along the north side of SW 25th St; 2j) Construct plaza canopy; 3a) Construct freestanding gateway sign structure at the south end of the plaza; 3b) Install Historic Capitol Hill signage in the concrete surface at the north and south ends of the plaza; and 4) Install landscaping.

Motion: Anthony Blatt to approve the Consent Docket on the basis that the project(s) meet the Regulations and Guidelines of the Urban Design Overlay District zoning ordinance as referenced in Section C and D of the Staff Report(s).

Second: Ashley Dickson Oso

Aye: Blatt, Cao, Holmes, Oso, Peoples

Nay: None

Abstain: Ahpeatone, Charneco, Miller, Varnum

Abstain: None

Action: **APPROVED**

VI. Case for Individual Consideration

- A. None

VII. Other Business

- A. **SPUD-1574 at 15 SW 25th Street** (Capitol Hill) Provide a recommendation to the Planning Commission for a request to rezone from C-CBD Central Business District to Simplified Planned Unit Development (SPUD-1574) that will develop in accordance with the I-1 Light Industrial District.

Motion: Anthony Blatt to recommend approval of the application to the Planning Commission for a request to rezone from C-CBD Central Business District to Simplified Planned Unit Development (**SPUD-1574**) on the basis that the project meets the Regulations and Guidelines of the Urban Design Overlay District zoning ordinance as referenced in Section C and D of the Staff Report with the conditions that:

- a) The applicant shall revise Exhibit D, Conceptual Parking Layout, to include the one required ADA parking stall;
- b) The applicant shall revise Section I.7., Landscaping to read as follows:



MINUTES

Urban Design Commission Meeting

“The existing landscaping shall be permitted to remain and deemed to conform to the applicable Oklahoma City Municipal Code regulation, except that Parking Lot Perimeter landscaping in accordance with Section 59-11250.E.(1)(a)1. shall be required in conjunction with the development of any non-industrial use.”

- c) The applicant shall revise Section II.1., Architecture to be revised to read as follows: “All buildings constructed within this SPUD shall be subject to the review and approval of a Certificate of Approval in accordance with the applicable Urban Design regulations and guidelines. The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event that a new structure is built, all structures built within this SPUD shall be subject to the review and approval of a Certificate of Approval, subject to applicable Urban Design regulations and guidelines, with the exception that metal R-panel siding shall be permitted for any buildings associated with the current light industrial use. Should this site be redeveloped in the future into any of the non-industrial uses as permitted by this SPUD, the use of metal R-panel siding shall not be permitted.”
- d) The applicant shall revise Section II.5., Dumpsters to read as follows: “The existing dumpster shall be placed within a sight-proof screened trash enclosure with solid gates to enclose the front. Should this site be redeveloped in the future to any of the non-industrial uses permitted by this SPUD, all said dumpsters shall located within trash enclosures that shall be sight-proof screened from view from public streets in accordance with Section 59-13700.5.(1).”
- e) The applicant shall revise Exhibit D, Conceptual Parking Layout to accurately depict the location of the existing dumpster (and its required enclosure) and eliminate any parking stalls that occupy the same area.

Second: Lee Peoples

Aye: Blatt, Cao, Holmes, Oso, Peoples

Nay: None

Absent: Ahpeatone, Charneco, Miller, Varnum

Abstain: None

Action: **RECOMMEND APPROVAL WITH CONDITIONS**

VII. Communications

A. Administrative Approval Report

1. **UDCA-19-00030 at 819, 823, 827, 831, 835 839, and 843 NW 6th Street** (Cottage District) Application by Kayla Baker, Northline Development to; 1) Extend the term of the Certificate of Approval.
2. **UDCA-21-00044 at 601 NW 6th Street** (Cottage District) Application by Clint Spencer, CW Spencer, LLC to: 1) Extend the term of the Certificate of Approval.

B. Comments from Planning Department Staff

C. Comments from Committee Members



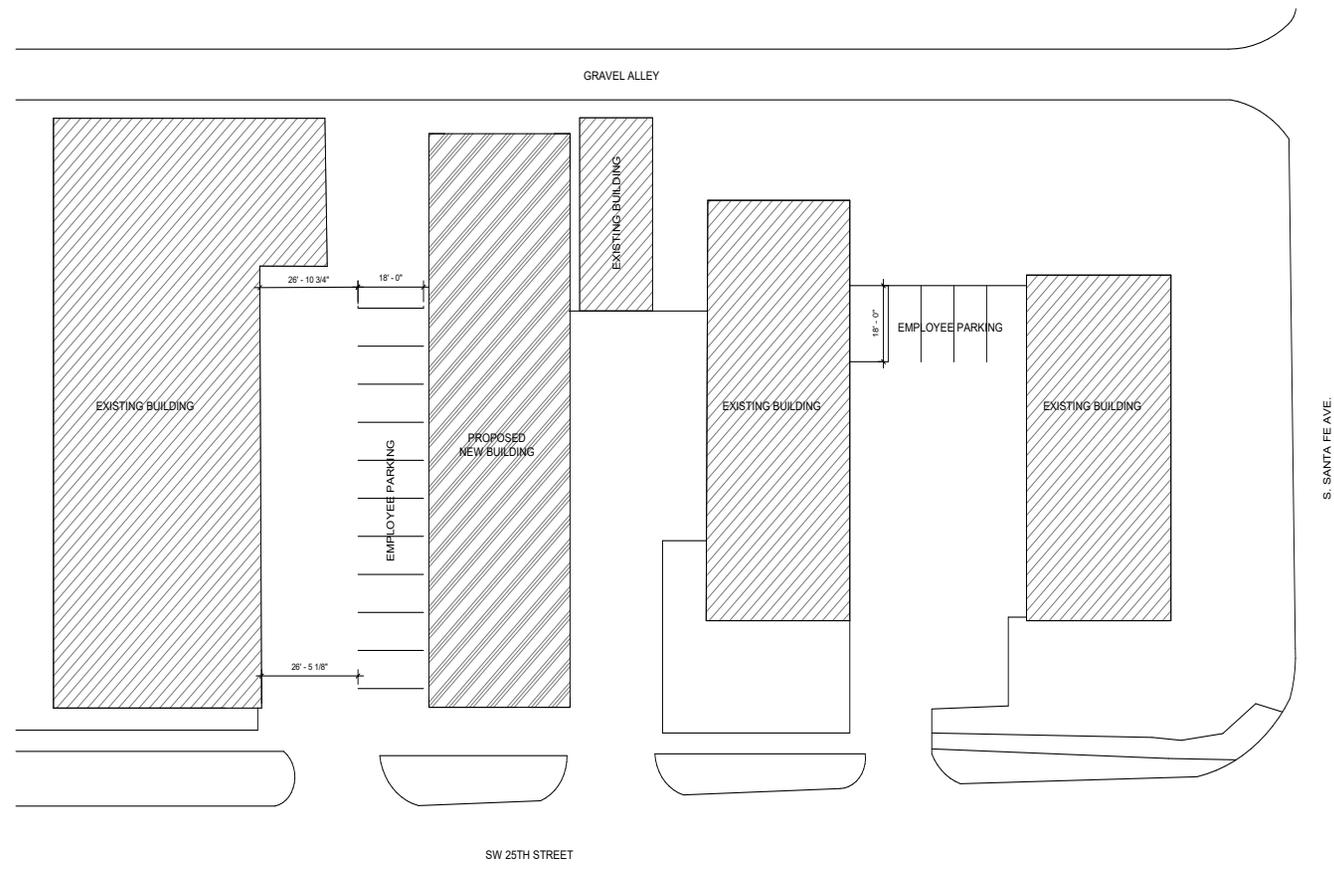
MINUTES

Urban Design Commission Meeting

D. Next Meeting Date

1. The next regular Commission meeting is **Wednesday, December 20, 2023**. New applications were to have been submitted to staff by **4:00 p.m., Tuesday, November 14, 2023**. Revisions and information on continued projects are to be submitted by **Tuesday, November 21, 2023**.

VIII. Adjourn at 3:24 p.m.




1 CONCEPTUAL PARKING LAYOUT
 SCALE: 1/16" = 1'-0"

DIAGRAM-NOT FOR CONSTRUCTION

QUALITY METAL FINISHES
 15 SW 25th STREET
 OKLAHOMA CITY, OK 73109
CONCEPTUAL PARKING LAYOUT

Revisions		
No.	Title	Date

PROJ. NO.
 2323
 DATE
 11-2-2023
 SHEET NO.
A0.1



Case No: SPUD-1574

Applicant: Sandra Wilkins Living Trust

Existing Zoning: C-CBD / UD

Location: 15 SW 25th St.



Aerial Photo from 2/2022

Simplified Planned Unit Development



The City of
OKLAHOMA CITY



0 150 300
Feet