



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 11, 2024

Item No. IV. 18.

(PC-10915) Application by BubbaSugarLittle, LLC to rezone 7601 North Central Avenue from PUD-1897 Planned Unit Development District to I-1 Light Industrial District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Mark Zitzow
Johnson & Associates
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B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow light industrial development.

D. Existing Conditions

1. Size of Site: (5.05 Acres)

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1897	PUD-129	PUD-1897	PUD-1897/R-1	R-1/O-2
Land Use	Undeveloped	Office/Industrial	Undeveloped	Undeveloped	Undeveloped

3. 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.

II. 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 (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. School District (Oklahoma City)**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire (OCFD)**
- 4. Information Technology/Geographic Support (IT/GIS)**
- 5. Parks and Recreation**
- 6. Police (OCPD)**
- 7. Public Works**
 - a. Engineering**

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) A Corps of Engineers 404 permit must be submitted with plans for any work contemplated within the floodplain, creek, or channel (waters of the United States) included in the case limits.
- 5) 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.
- 6) 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.
- 7) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 8) Construction within the limits of this PC 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.

- 9) 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.

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

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

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Management *

11. Utilities

a. Wastewater Comments

b. Water Comments

c. Solid Waste Management

No Solid Waste Management services needed.

12. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- 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. The subject site is not currently served by public water or sewer.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The I-1 District could produce a FAR within the UL 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.
- Provide vehicular connectivity between adjacent developments.

The subject site is served by one improved curb cut along N Central Avenue. The existing PUD proposed access from only NE 70th Street.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.

Sidewalks are not available on the subject site. The existing PUD requires sidewalks on internal streets but does not mention N Central Avenue specifically.

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

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if residential lot sizes in UL are less than 60% of directly adjacent residential lots, the setbacks are significantly deeper or more shallow than the predominant character of adjacent development; the building’s orientation to the street differs from the predominant character of adjacent development; building size or street frontage dramatically differs from that of adjacent uses, the lot coverage (including buildings and paved areas) dramatically exceeds that of adjacent uses, or if buildings within 40 ft. of a single-family residential structure exceed a 3:1 ratio in height. *The I-1 District is compatible with development to the north. When adjacent to R-1, as is the case to southwest, the I-1 District regulations require increased setbacks, lower heights, screening, and landscaping. The remaining portion of PUD-1897 to the east and south allows light industrial development, reducing the impact of any compatibility concerns.*

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. *The proposed industrial uses would be located on a neighborhood street. This street type primarily*

serves residential uses, but in this area N Central Avenue serves both a church, residentially zoned land, and industrial uses.

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 I-1 District allows uses that may have operational impacts next to residential uses or zoning. Code requires all uses to be conducted indoors and requires increased setbacks, screening, landscaping, and limits building height to 20 feet when adjacent to residential. Mitigation measures beyond code requirements cannot be specified in a base zoning request.*

3) **Service Efficiency:**

- Water: *Not Served – Close to Service*
- Sewer: *Not Served – Open Sewer Sheds*
- Fire Service: *Urban Service Level*

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

- Riparian Areas: N/A
- Upland Forests: The subject area is within the upland forest ESA. The comprehensive plan directs to preserve the Cross Timbers and upland forests, including native understory, to the maximum extent practical. When new-growth or re-growth upland forest trees are removed during construction, trees and other native plants should be replanted on-site. New trees should be planted in clusters that mimic the original tree canopy. The comprehensive plan defines mitigation hierarchy in the following priority: 1) Avoidance and minimization, 2) Restoration, 3) Offset. *Upland forest is present on the subject site. When less than 60 percent covered, the comprehensive plan has a preservation goal of 100 percent. Plan conformance could be strengthened by maintaining healthy, existing trees within the Upland Forest area; however, this cannot be stipulated in a base zoning request.*
- Vulnerable Aquifers: N/A

5) **Transportation System:** This site is located off N Central Avenue, a Neighborhood Street in the Urban Low LUTA. The nearest transit (bus) service is located east of the site, along N Kelley Avenue.

6) **Other Development Related Policies**

- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- Share parking between contiguous developments. (C-31)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- 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 along N Central Avenue, south of E Wilshire Boulevard and generally east of N Santa Fe Avenue. The site is undeveloped and was part of a larger site rezoned from PUD-129 to PUD-1897 to allow a 9-hole, Par 3 golf course. The required use unit for a golf course (8250.2. Community Recreation: General) is not permitted in the I-1 District. The remaining portion of PUD-1897, located to the east and south, would require a reconfiguration of the golf course layout but appeared to be under construction at the time of review. North of the subject site is an OG&E facility zoned PUD-129 which was approved in 1983 with O-2 and I-2 bases in order to develop the facility, and an R-1 parcel developed with a small grouping of oil storage tanks. West of the site is undeveloped land zoned R-1, followed by undeveloped O-2 property.

The application is requested to rezone the site to the I-1 District. The I-1 District allows uses that may have operational impacts next to residential uses or zoning. Code requires increased setbacks, screening, landscaping, and a reduced building height when adjacent to the R-1 District.

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.

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