

Planning Commission Minutes
September 26, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 9:00 a.m. on September 23, 2024)

6. (SPUD-1663) Application by Nin Lo to rezone 7900 North MacArthur Boulevard from SPUD-79 Simplified Planned Unit Development District to SPUD-1663 Simplified Planned Unit Development District. Ward 1.

Amended Technical Evaluation:

1. Modify Section 8. Signs to state that freestanding signs shall be in accordance with the City of Oklahoma City Municipal Code, 2020, as amended.
2. No more than 16 cars awaiting repair or for sale shall be permitted on the property at one time.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY NOBLE, SECONDED BY MEEK

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

ABSENT: LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
September 26, 2024

Item No. IV. 6.

(SPUD-1663) Application by Nin Lo to rezone 7900 North MacArthur Boulevard from SPUD-79 Simplified Planned Unit Development District to SPUD-1663 Simplified Planned Unit Development District. Ward 1.

I. GENERAL INFORMATION

A. Contacts

1. Applicant Representative

Name	Mark W. Zitzow
Company	Johnson & Associates, Inc.
Phone	(405) 235-8075
Email	mzitzow@jaokc.com

B. Case History

This application was deferred from the August 22, and September 12, 2024, Planning Commission hearing dates.

C. Reason for Request

The purpose of this request is to allow commercial development, specifically to expand the existing automotive shop use.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban - Low (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.

Comprehensive Plan Land Use Typology Layer: Regional District (RD)

The RD layer designates areas that strategically prioritize the location and concentration of regionally serving retail and entertainment uses. This includes major national retailers that have a regional draw, as well as concentrations of retail that draw visitors from outside of the city. Uses that generate sales-tax are a priority within RD areas. Complementary uses such as office, entertainment, high density housing, and services may be appropriate as limited secondary uses, provided they are inter-connected to create mixed use urban centers.

2. Size of Site: (0.42 Acres)

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3	C-3	C-3	Warr Acres	C-3
Land Use	Auto Repair	Retail	Retail	Restaurant	Bank

II. SUMMARY OF SPUD APPLICATION

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

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

- Administrative and Professional Offices (8300.1)
- Alcoholic Beverage Retail Sales (8300.5)
- Automotive: Parking Garages (8300.12)
- Automotive: Parking Lots, as a Principal Use (8300.13)
- Automotive and Equipment: Cleaning and Repairs, Light Equipment (8300.14)
- Automotive and Equipment: Heavy Repairs, Heavy Equipment (8300.15), further limited to passenger vehicles only.
- Automotive and Equipment: Automobile Dealerships and Malls (8300.18)
- Building Maintenance Services (8300.23)
- Business Support Services (8300.24)
- Child Care Centers (8300.25)
- Communications Services: Limited (8300.29)
- Community Recreation: General (8250.2)
- Community Recreation: Property Owners Association (8250.3)
- Community Recreation: Restricted (8250.4)
- Convenience Sales and Personal Services (8300.32)
- Cultural Exhibits (8250.5)
- Custom Manufacturing (8350.3)
- Dwelling Units and Mixed Uses (8200.2)
- Eating Establishments: Drive-In (8300.34)
- Eating Establishments: Fast Food (8300.35)
- Eating Establishments: Fast Food, With Drive-Thru Order Window (8300.36)
- Eating Establishments: Sitdown (8300.37)
- Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)
- Food and Beverage Retail Sales (8300.41)
- Gasoline Sales. Small: Restricted (8300.46)
- Laundry Services (8300.48)

- Library Services and Community Centers (8250.11)
- Light Public Protection and Utility: General (8250.12)
- Light Public Protection and Utility: Restricted (8250.13)
- Medical Services: General (8300.52)
- Medical Services: Restricted (8300.53)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)
- Repair Services: Consumer (8300.61)
- Research Services: Restricted (8300.62)
- Retail Sales and Services: General (8300.63)

2. Maximum Building Height:

Maximum height of any building shall be per code.

3. Maximum Building Size: N/A

4. Maximum Number of Buildings: N/A

5. Building Setback Lines:

Front Yard (N MacArthur Blvd) 10 feet:
Side Yard: Per base zoning district
Rear Yard: Per base zoning district
Corner Side Yard (W Wilshire Blvd): 15 feet

6. Sight-proof Screening:

No sight-proof screening shall be required within this SPUD.

7. Landscaping:

Should the subject site be redeveloped in the future, landscaping shall meet all requirements of Oklahoma City's Landscaping Ordinance in place at the time of development.

8. Signs:

Freestanding Signs: A maximum of two freestanding signs shall be allowed within this SPUD. The two existing signs shall be permitted to remain and shall be permitted to be illuminated. Should new signs be installed, they shall be per the sign regulations in effect at the time of development.

Attached Signs: Attached signs shall be in accordance with the City of Oklahoma City Municipal Code, 2020, as amended.

Electronic Display Signs: Electronic Message Display signs shall be prohibited.

Non-Accessory Signs: Non-accessory/ off-premises signs shall be prohibited.

9. Access:

The two (2) existing drives along N MacArthur Blvd shall be allowed to remain. The existing drive along W Wilshire Blvd. shall be closed at the time of redevelopment.

10. Sidewalks:

Should the site be redeveloped, sidewalks shall be required. Any new sidewalks will be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction.

II. OTHER DEVELOPMENT REGULATIONS:

1. Architecture:

The existing structure shall be deemed to be in conformance with zoning regulations. If the site is redeveloped, all structures constructed within this SPUD shall comply with the following architectural standards:

Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock, concrete board, stucco, masonry or stone masonry. No more than 50% EIFS, wood, or architectural metal shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted. Buildings shall be oriented such that the backs of buildings are not facing towards any street.

2. Open Space: N/A

3. Street Improvements: N/A

4. Site Lighting:

All site lighting utilized within this SPUD shall be directed away from any adjacent properties. To accomplish this, lights shall utilize shields, shades or other appropriate methods of directing light beams. 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 placement shall be deemed in zoning conformance and shall be screened by a fence or masonry wall of sufficient height.

6. Parking:

Eight (8) parking spaces shall be required within and shall satisfy all uses within this SPUD. Existing parking shall be deemed in conformance.

Proposed uses are not required to have off-street parking located on the same site as the structure. Off-street parking may be provided by parking lots located adjacent to the property. Off-street shared parking shall be permitted through cross access agreements in order to comply with parking requirements. Cars waiting repairs or for sale shall not be parked outside of the SPUD boundary.

7. Maintenance: N/A

8. Drainage:

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

9. Subdivision:

Subdivision requirements shall be per the Subdivision Regulations, as amended.

10. Other: N/A

III. SUPPORTING DOCUMENTS

Exhibit A: Legal Description
Exhibit B: Conceptual Site Plan

III. REVIEW COMMENTS

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk * indicates that the agency, department, and/or division responded with no adverse comments.

A. Outside Agencies

- 1. Oklahoma City-County Health Department (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**

- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas (ONG)**
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District: Putnam 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

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.

b. Streets, Traffic and Drainage Maintenance

c. Stormwater Quality Management

d. Traffic Management *

8. Utilities

a. Engineering

b. Solid Waste Management

- 1) The City can provide solid waste collection services to commercial customers providing refuse is not excess of 270 gallons per customer per pick up § 49-30 (a). Otherwise the customer will have to utilize a private hauler for dumpster service.

c. Water/Wastewater Quality

Water Availability*

Wastewater Availability*

9. Planning

a. Comprehensive Plan Considerations

The subject site is within the Urban - Low Intensity (UL) Area and within an area where the Regional District (RD) Layer applies. Policies for both are listed below.

1) LUTA Development Policies:

Site Design:

- Utilize Best Management Practices (BMP) for stormwater whenever possible. (UL)
- Developments should be served by urban water and sewer utility systems. (UL)
- Provide heavy landscaping along all frontages. (RD)
- All signage should be designed to provide visual coherency, which includes a consistent and cohesive pattern of materials, lighting, and height. No more than two primary centralized signs per center should be allowed. (RD)

National, state, and local permitting require basic best management practices for stormwater management. Public water is available on the site and access to the sewer system is available nearby.

Location:

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

The subject site is located along the east side of North MacArthur Boulevard, an arterial street in the Urban Low Intensity LUTA.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. The Regional District Layer maintains the same FAR range as the base LUTA. *The current floor to area ratio of the site is approximately 0.12. The SPUD regulations could provide for continued development within the Urban Low Intensity LUTA 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. (UL)
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points. (UL)
- Development fronting arterials should take access from intersecting streets where possible. (UL)
- Retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores. (UL)
- Provide vehicular connectivity between adjacent developments. (UL)
- Horizontally mixed-use developments should have connectivity between land uses. (UL)
- Provide cross access to connect the vehicular and pedestrian networks between individual retail, commercial and housing developments. (RD)

The subject site currently has two drives along North MacArthur Boulevard and one drive along West Wilshire Boulevard. The SPUD requires the driveway on West Wilshire Boulevard to be closed at the time of redevelopment. The conceptual plan for the development shows landscaping along the southern portion of the site, where the drive along West Wilshire Boulevard is currently located.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development. (UL)
- Within parking lots, provide pedestrian access ways separated from vehicle aisles. (UL)
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses. (UL)
- Include an internal pedestrian system that allows customers to park once and conveniently walk to several destinations within a retail center. (RD)

Sidewalks are not currently available on the subject site. Sidewalks will be required when the site is redeveloped.

- 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 commercial uses, no new potential compatibility issues are identified by the comprehensive plan.
- 3) Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served*
 - Fire Service: *Urban Response*
- 4) Environmentally Sensitive Areas:** No ESAs were identified on the subject site.
- 5) Transportation System:** This site is located at the northeast corner of North MacArthur Boulevard, a Major Arterial Street, and West Wilshire Boulevard, a Minor Connector Street in the Urban Low LUTA. The nearest transit (bus) service is located within a half mile to the west along West Wilshire Boulevard.
- 6) Other Development Related Policies**
 - Prioritize maintaining the strength of existing commercial nodes and corridors over providing new areas for commercial development. (SU-23)
 - Favor commercial development clustered in nodes at arterial or collector intersections or along brief “main street” style corridors over commercial development extending in a linear pattern for long distances along highway, arterial, or collector corridors. (SU-25)
 - Regional-, community-, and neighborhood-scale retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores that draws on the following principles:
 - Concentrate access for new retail development at shared primary entrance points. Primary entrance points should be aligned with access points immediately across intersecting roads. Limit curb cuts on primary highways and arterials.
 - Provide pedestrian circulation, including sidewalks and median breaks along interior and exterior fronting roads and within parking lots.
 - Encourage coordinated development of retail centers in order to facilitate internal pedestrian and vehicle circulation and optimal center performance (SU-27)

- Commercial buildings should be built at the street rather than behind a parking lot in order to promote pedestrian circulation, multipurpose shopping trips, and walkable and attractive streetscapes. (SU-28)
- New neighborhood-scale retail should be located within new residential growth areas to serve daily shopping needs and limit trip distances. In newly developing areas, this retail format is preferred to the existing linear development patterns along arterials. (SU-30)
- Neighborhood-scale retail should be developed at the median breaks or intersections of major or minor connectors. (SU-31)
- 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)

b. Plan Conformance Considerations

The subject site is located at the northeast corner of North MacArthur Boulevard and West Wilshire Boulevard. The site is developed with an automotive repair shop and zoned as part of SPUD-79, which was approved in 1991 for all C-3 uses and added light equipment sales and rentals to allow a light truck rental agency. The City of Warr Acres city limits is located south of West Wilshire Boulevard and is developed with commercial uses along Northwest Expressway. Land surrounding the site to the north and east is zoned C-3 and developed with a retail strip center. Across North MacArthur Boulevard, to the west, is zoned C-3 and developed with a bank.

The SPUD is requested to modify the existing site. The existing PUD-79 has a maximum building size of 2,400 square feet and the existing building is roughly 2,275 square feet. The conceptual plan indicates an approximately 1,008 square feet addition on the southern portion of the building. The increase in building coverage will require more parking, which is addressed in the SPUD by establishing a maximum number of spaces and allowing parking to be located off site, which would be within the adjacent parking lot for the strip mall that encompasses the corner. The SPUD would require the driveway on Wilshire to be closed, and landscaping would be installed. The Master

Design Statement needs to specify that freestanding signs will be in conformance with the new sign code.

IV. STAFF RECOMMENDATION

Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.

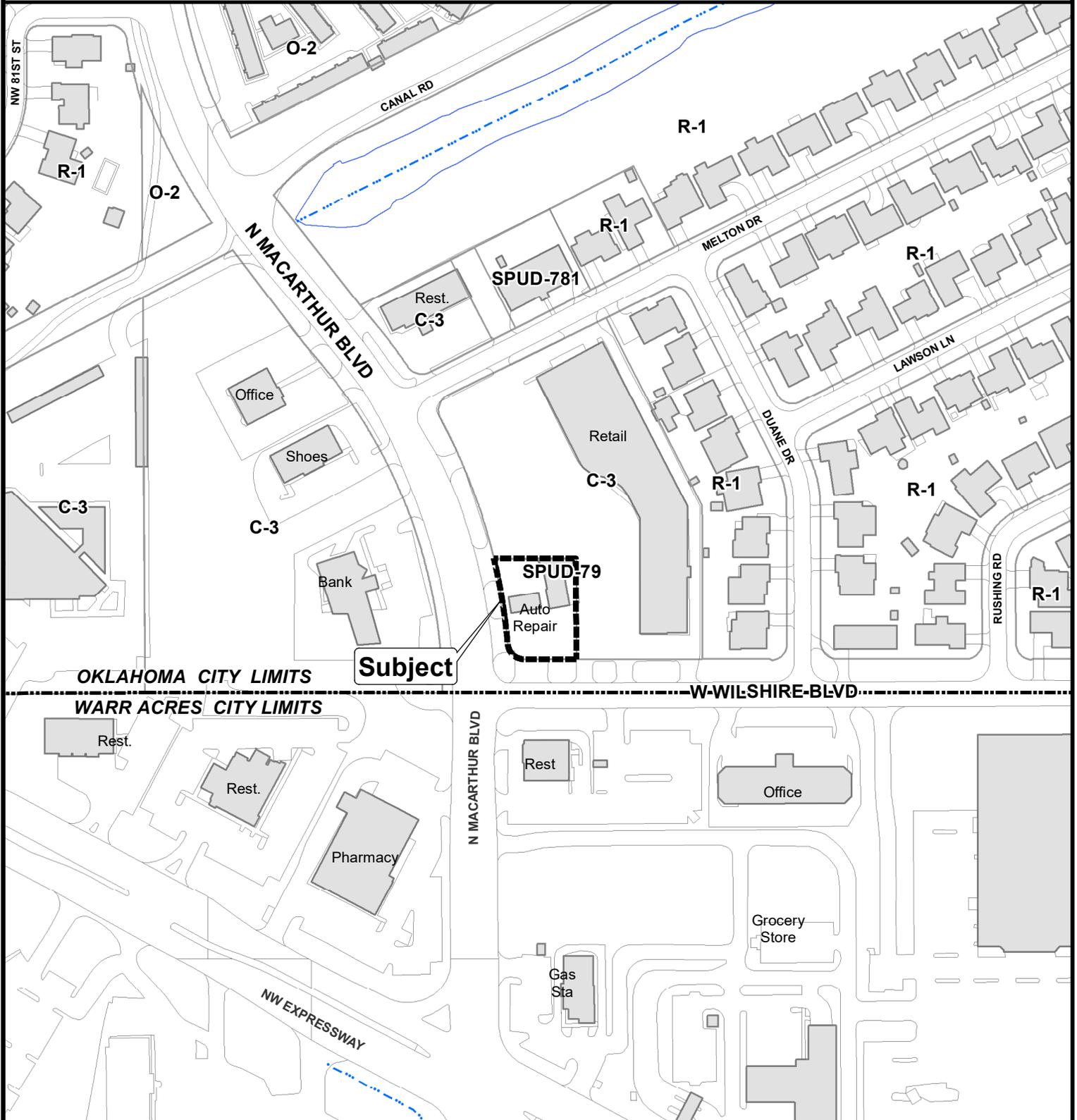
Approval of the application subject to the following Technical Evaluation:

1. Modify Section 8. Signs to state that freestanding signs shall be in accordance with the City of Oklahoma City Municipal Code, 2020, as amended.

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.

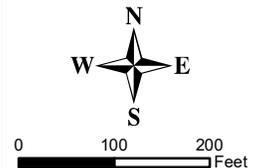
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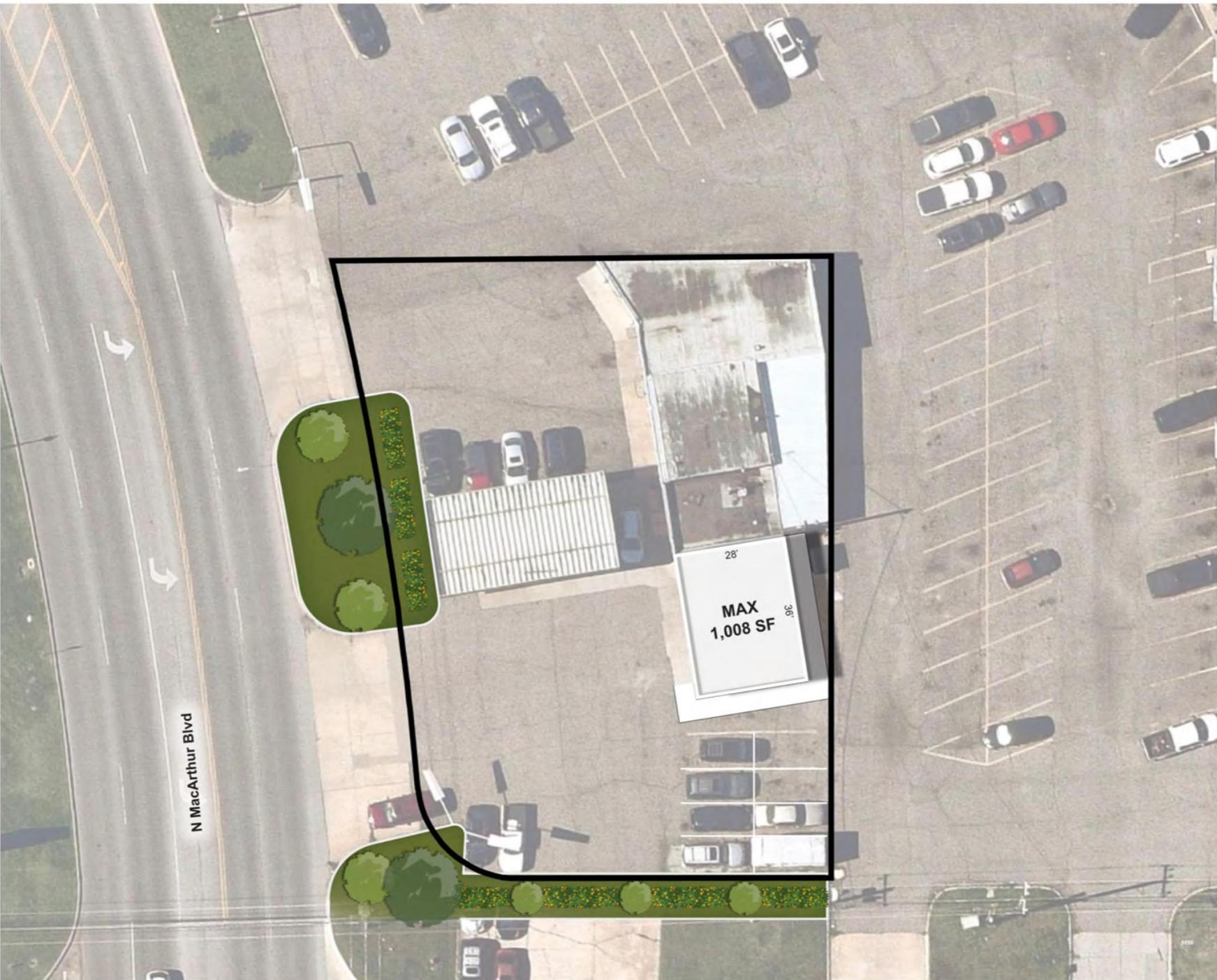
Case No: SPUD-1663 Applicant: Nin Lo
Existing Zoning: SPUD-79
Location: 7900 N. MacArthur Blvd.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development





SPUD-1663
7900 N MacArthur

Exhibit 'B'
Conceptual Site Plan



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-8875 FAX (405) 235-8076

ENGINEERS SURVEYORS PLANNERS

9/17/24

Conceptual site plan showing feasible option permitted under proposed rezoning

Case No: SPUD-1663 Applicant: Nin Lo
Existing Zoning: SPUD-79
Location: 7900 N. MacArthur Blvd.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

