

Planning Commission Minutes  
August 22, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:05 a.m. on August 19, 2024)

6. (PC-10943) Application by Ballgame, LLC to rezone 2103 South Missouri Avenue from R-1 Single-Family Residential and AE-2 Airport Environs Zone Two Overlay Districts to I-2 Moderate Industrial and AE-2 Airport Environs Zone Two Overlay Districts. Ward 4.

The applicant was present. There were no protestors present.

**RECOMMENDED APPROVAL.**

MOVED BY PRIVETT, SECONDED BY NOBLE

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



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**August 22, 2024**

**Item No. IV. 6.**

**(PC-10943) Application by Ballgame, LLC to rezone 2103 S Missouri Avenue from R-1 Single-Family Residential and AE-2 Airport Environs Zone 2 Overlay Districts to I-2 Moderate Industrial and AE-2 Airport Environs Zone 2 Overlay Districts. Ward 4.**

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant**

Jason Garder  
Ballgame, LLC  
405-623-5150  
jason.garder@gmail.com

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this request is to allow industrial use and development.

**D. Existing Conditions**

**1. Size of Site 0.46 Acres**

**2. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	R-1 / AE-2	I-2 / AE-2	I-2 / AE-2	R-1 / AE-2	R-1 / AE-2
<b>Land Use</b>	Undeveloped	Warehouse	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.

**Comprehensive Plan Land Use Typology Layer: Heavy Industrial (HI)**

The HI layer is intended to accommodate industrial uses that are difficult to integrate with less intense uses due to negative impacts from heavy traffic, noise, or odors.

This designation simultaneously concentrates heavy industrial users away from existing or future neighborhoods while preserving prime land that has attributes crucial to industrial businesses, such as proximity to highway and rail access. Small-scale industrial, office, or commercial development may be appropriate provided that it supports or buffers industrial uses and does not restrict future industrial development by fragmenting parcels.

## **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 (Crooked Oak)**
- 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) 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 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.
- 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.

**8. Streets, Traffic and Drainage Maintenance**

**9. Stormwater Quality Management**

**10. Traffic Management \***

**11. Utilities**

**a. Wastewater Comments**

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.
7. Plat may be revised after review and approval of utility plans.

**b. Water Comments**

1. An existing 6" 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. Plat may be revised after review and approval of utility plans.

**c. Solid Waste Management**

No Solid Waste Management services needed.

**12. Planning**

**a. Comprehensive Plan Considerations**

*The subject site is within the Urban - Low Intensity (UL) Area and within an area where the Heavy Industrial (HI) Layer applies.*

**1) LUTA Development Policies:**

Site Design:

- Utilize Best Management Practices (BMP) for stormwater whenever possible. (UL & HI)
- Developments should be served by urban water and sewer utility systems. (UL)

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

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The proposed I-2 Moderate Industrial District regulations could allow 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)

*The subject site currently has one unimproved access along South Missouri Avenue. Access cannot be specified in a base zoning request and is per Code requirements.*

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development. (UL & HI)

- 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)

*Sidewalks are not currently available on the subject site. Sidewalk requirements would be per Code.*

- 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 or zoning, “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 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 proposed I-2 District is consistent with the zoning north of the site, and across South Missouri Avenue, to the east, but triggers potential compatibility issues on the south and west where adjacent to the R-1 District. In this case, the R-1 parcel to the south is undeveloped and the property to the west is undeveloped aside from a telecommunications tower. The nearest home is approximately 165 feet to the south. Mitigation measures beyond Code requirements cannot be stipulated in a base zoning request.*

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 subject site is located along the west side of South Missouri Avenue, a Neighborhood Street in the Urban Low Intensity LUTA. South Missouri Avenue serves a mixture of agricultural, residential, 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 proposed I-2 District allows some commercial and industrial uses that could create operational impacts related to noise, smoke, odor, light or dust near residential uses. The adjacent properties are zoned R-1 and currently undeveloped. The nearest home is approximately 165 feet to the south. Mitigation measures beyond Code requirements cannot be stipulated in a base zoning request. The proposed I-2 District is consistent with the comprehensive plan's Heavy Industrial Layer.*

- 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:** This site is located along the west side of South Missouri Avenue, a Neighborhood Street in the Urban Low LUTA. Transit (bus) service is not available nearby.
  
- 6) Other Development Related Policies**
  - 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)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizeable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)
- Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)

**b. Plan Conformance Considerations**

The subject site is located along the west side of South Missouri Avenue, north of SE 22nd Street. The site is generally located between South Interstate 35 and South Eastern Avenue. The subject site and surrounding land are within the Airport Environs 2 (AE-2) Overlay area for Tinker Air Force Base. The abutting property to the north has a transition in zoning, from R-1 adjacent to the subject site with I-2 further north and is developed with a landscaping company office and warehouse. East of the site, across South Missouri Avenue, is I-2 zoned land used as outdoor storage for a petroleum equipment company. Land to the south and west is zoned R-1. Land to the south is undeveloped and the property to the west is undeveloped aside from a telecommunications tower.

The subject site is within the Urban - Low Intensity (UL) Area and within an area where the Heavy Industrial (HI) Layer applies. The proposed I-2 Moderate Industrial District is consistent with this designation.

**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.**

**gjh**

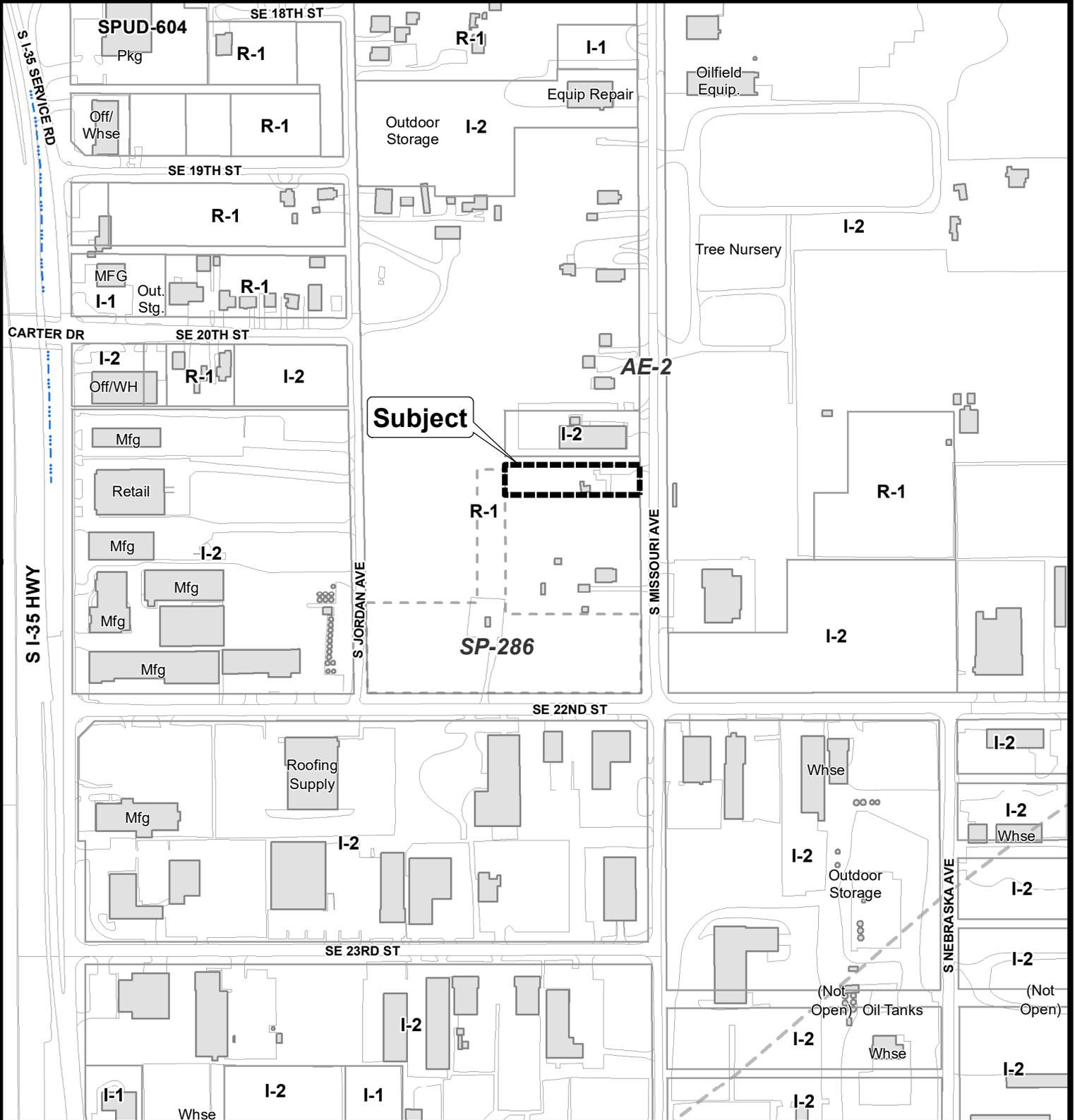
Case No: PC-10943

Applicant: Ballgame, LLC

Existing Zoning: R-1 / AE-2

Proposed zoning: I-2 / AE-2

Location: 2103 S. Missouri Ave.



Note: "Subject" is located approximately 2,097' South of SE 15th St.



The City of OKLAHOMA CITY

# Rezoning Application



0 150 300 Feet

Case No: PC-10943

Applicant: Ballgame, LLC

Existing Zoning: R-1 / AE-2

Proposed zoning: I-2 / AE-2

Location: 2103 S. Missouri Ave.



Aerial Photo from 2/2022

Note: "Subject" is located approximately 2,097' South of SE 15th St.



The City of OKLAHOMA CITY

# Rezoning Application



0 150 300 Feet