

Planning Commission Minutes
April 25, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:59 p.m. on April 19, 2024)

9. (SPUD-1614) Application by Hartwig Investments, LLC to rezone 15901 North Rockwell Avenue from AA Agricultural District to SPUD-1614 Simplified Planned Unit Development District. Ward 8.

The applicant was present. There was a protestor present.

RECOMMENDED APPROVAL.

MOVED BY NOBLE, SECONDED BY CLAIR

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



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

Item No. IV. 9.

(SPUD-1614) Application by Hartwig Investments, LLC to rezone 15901 North Rockwell Avenue from AA Agricultural District to SPUD-1614 Simplified Planned Unit Development District. Ward 8.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Mark Zitzow
Company	Johnson & Associates
Phone	405-235-8075
Email	mzitzow@jaokc.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow limited commercial and office uses, including uses ancillary to a child care facility.

D. Existing Conditions

1. 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.

2. Size of Site: 4.6 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	AA	R-1	PUD-1493	PUD-1493
Land Use	Undeveloped/Oil & Gas	Agriculture	Single-family Residential	Single-family Residential	Single-family Residential

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **C-1, “Neighborhood 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)
- Business Support Services (8300.24)
- Child Care Centers (8300.25), outdoor play area permitted
- Community Garden (8150.6.1)
- Community Recreation: General (8250.2), ancillary to a childcare facility
- Library Services and Community Centers (8250.11)
- Low Impact Institutional: Neighborhood-Related (8250.14)
- Medical Services: General (8300.52)
- Murals (8250.16)
- Participant Recreation and Entertainment: Indoor (8300.55), limited to uses ancillary to childcare
- Personal Services: General (8300.58)
- Repair Services: Consumer (8300.61)
- Retail Sales and Services: General (8300.63)
- Single Family Residential (8200.14)

2. Maximum Building Height:

The maximum height of any building shall be 35 feet.

3. Maximum Building Size: N/A

4. Maximum Number of Buildings: N/A

5. Building Setback Lines:

North: 15 feet
East (N Rockwell Ave): 25 feet
West: 15 feet
South: 15 feet

6. Sight-proof Screening:

Sight-proof screening shall be required for this SPUD along the west and south property lines adjacent to existing single-family homes and only where new development occurs.

This SPUD shall be permitted the use of coated/treated chain link fencing to secure the site and play area for the children.

7. Landscaping:

The subject site shall meet all requirements of Oklahoma City's Landscaping Ordinance in place at the time of development.

If developed as commercial, a 5-foot landscape buffer shall only be required along the west and south property lines adjacent to single family homes and only where new development occurs. Any other uses shall meet the City of Oklahoma City Landscaping Ordinance.

8. Signs:

8.1 Freestanding Accessory Signs

No pole signs will be allowed.

One (1) freestanding monument sign shall be permitted in this SPUD. Said sign shall be a ground (monument) sign with the maximum size being eight (8) feet high and 100 square feet in area and shall have no less than 25 square feet of landscaping at the base. The signs shall be covered with a material consistent with the buildings they serve.

8.2 Attached Signs

Attached signs shall be in accordance with the C-1, "Neighborhood Commercial" District regulations.

8.3 Non-accessory Signs

Non-accessory signs are not permitted in this SPUD.

8.4 Electronic Message Display Signs

Electronic Message Display signs are not permitted in this SPUD.

9. Access:

Access shall be taken from N Rockwell Avenue via a maximum of one (1) private drive.

10. Sidewalks:

There is an existing 5-foot sidewalk along N Rockwell Avenue. Should said sidewalk be damaged or removed during construction, the developer shall be required to repair/reinstall said sidewalk. All sidewalks shall be in place prior to any occupancy certificates being issued.

II. OTHER DEVELOPMENT REGULATIONS:

1. Architecture:

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 or stone masonry. No more than 30% EIFS, stucco, wood, or architectural metal shall be permitted. Exposed untreated 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:

Dumpsters shall be consolidated where practical and located within an area screened by a fence or masonry wall of sufficient height to screen the dumpster from view. Said dumpster shall not be permitted within 50 feet from all property lines adjacent to residential uses.

6. Parking:

The design and number of all parking facilities in this SPUD shall be in accordance with Section 59, Article X of the Oklahoma City Municipal Code, 2020, as

amended.

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. Platting:

Platting shall be per the City of Oklahoma City Subdivision Regulations.

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**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas:** Please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior to excavation for the exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District: Deer Creek**
- 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 (Anu or Barry)

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) Sidewalks shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.
- 9) All private roads /streets will have private storm sewer systems.
- 10) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.
- 11) Add to Section I.10 Sidewalks: Any new sidewalks or repair/replacement of existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction of this PUD.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Wastewater Availability

- 1) An existing 8-inch 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.

Water Availability

- 1) An existing 12-inch 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 more than 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.

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.

9. 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. Public water and sewer are available.

Location:

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

The subject site is located along North Rockwell Avenue, 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 SPUD regulations, along with easements, required setbacks and maximum height limitations where adjacent to residential or agricultural zoning, could provide a FAR within or below the Urban Low Intensity LUTA range.*

Automobile Connectivity:

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Development fronting arterials should take access from intersecting streets where possible.
- Retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores.
- Horizontally mixed-use developments should have connectivity between land uses.

The subject site currently has one unimproved drive along North Rockwell Avenue that serves the oil and gas equipment on site. The SPUD proposes a maximum of one drive.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses.

Sidewalks are currently available on the subject site, along North Rockwell Avenue. The sidewalks are required by the SPUD regulations, including repair if damaged or removed during construction.

- 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 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 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. *No compatibility issues were identified related to setbacks, building orientation, size or height. The development area of the site is limited by a 100-foot wide easement that runs through the front/eastern part of SPUD area.*

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 North Rockwell Avenue, a major arterial street. No triggers requiring mitigation measures 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 SPUD proposes a C-1 base with limited uses. No operational impacts were identified with the proposed uses.*

3) Service Efficiency:

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Rural or Longer than Rural Service Times*

4) Environmentally Sensitive Areas: No ESAs were identified on the subject site.

5) Transportation System: This site is located off North Rockwell Avenue, a Minor Arterial Street in the Urban Low LUTA. Transit (bus) service is not available.

6) Other Development Related Policies

- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- 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)
- 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)

b. Plan Conformance Considerations

The subject site is located along the west side of North Rockwell Avenue, between NW 156th Street and NW 164th Street. The site is zoned AA and currently undeveloped aside from oil and gas equipment on the west half of the subject site. The site is also encumbered by a diagonal 100-foot pipeline easement, limiting development to the center of the site. Abutting the site on the north is a tree farm and wholesale nursery zoned AA. Across North Rockwell Avenue, to the east, is a single-family residential

neighborhood (Parke Place). Land to the south and west is zoned PUD-1493 and has been developed as a single-family residential neighborhood (Rockwell Parke).

The SPUD is requested to allow limited commercial and office uses, including uses ancillary to a child care facility, with C-1 Neighborhood Commercial District base zoning. No compatibility issues were identified.

IV. STAFF RECOMMENDATION

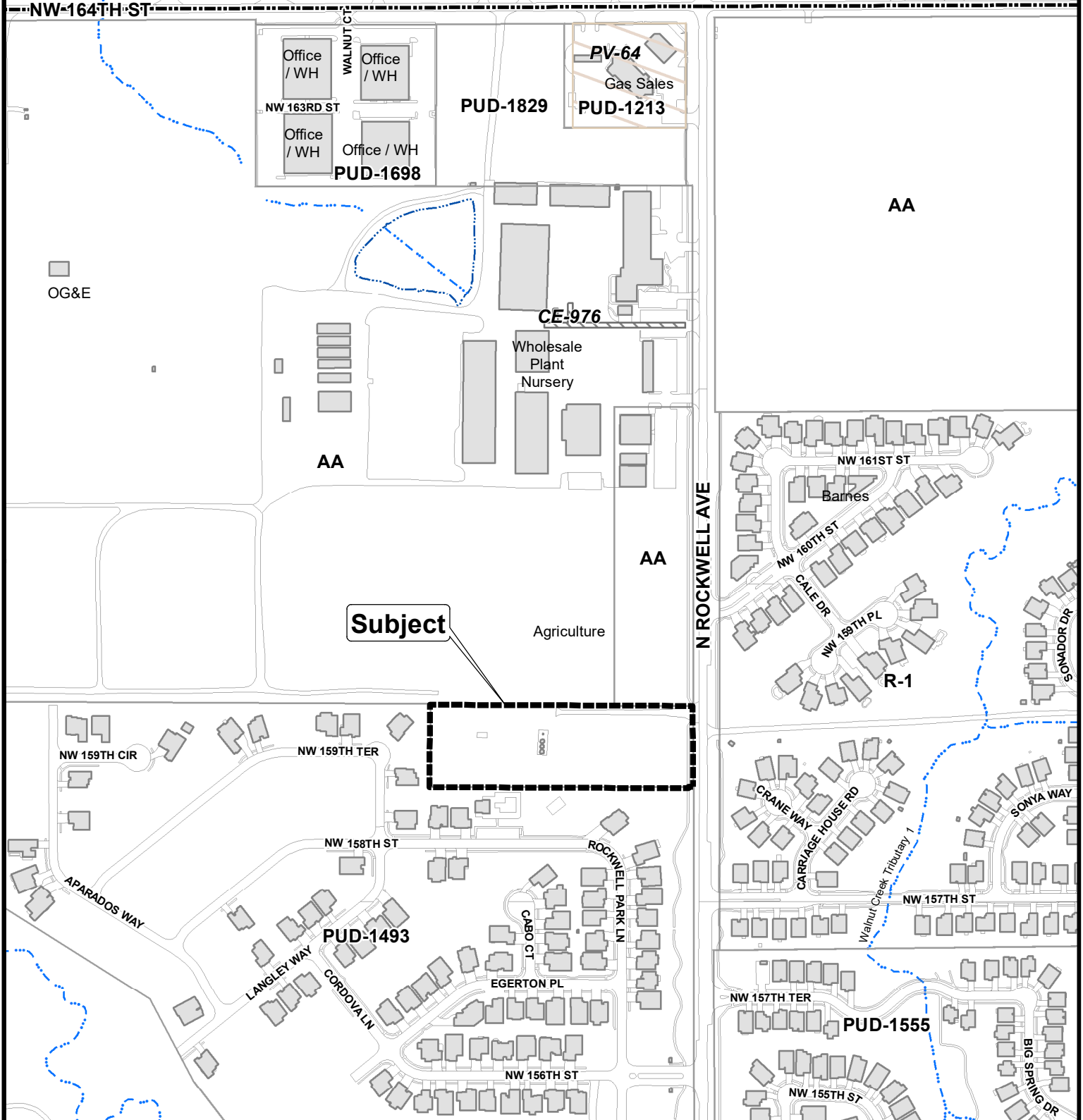
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning 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 Division's review of construction plans and prior to City Council approval.

bd

Case No: SPUD-1614 Applicant: Hartwig Investments, LLC
Existing Zoning: AA
Location: 15901 N. Rockwell Ave.



Subject

**Simplified Planned
Unit Development**



The City of
OKLAHOMA CITY



0 200 400
Feet



SPUD-1614
15901 N Rockwell Ave

Exhibit B
Conceptual Site Plan

53 Total Parking Spaces
+/-4.55 Acres



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
405.233.8875 FAX 405.233.8875

ENGINEERS SURVEYORS PLANNERS
3/27/24

Conceptual site plan showing feasible option
permitted under proposed rezoning

Applicant: Hartwig Investments, LLC

Existing Zoning: AA

Location: 15901 N. Rockwell Ave.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

