

Planning Commission Minutes
March 28, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:37 p.m. on March 22, 2024)

12. (PC-10926) Application by Association of Oklahoma General Contractors to rezone 4112 North Lindsay Avenue from R-1 Single-Family Residential District to O-2 General Office District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY CLAIR, SECONDED BY PRIVETT

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

ABSENT: NOBLE



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 28, 2024

Item No. IV. 12.

(PC-10926) Application by Association of Oklahoma General Contractors to rezone 4112 North Lindsay Avenue from R-1 Single-Family Residential District to O-2 General Office District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant’s Representative

Kaitlyn Turner
 Williams, Box, Forshee & Bullard, P.C.
 405-232-0080
 kturner@wbfblaw.com

B. Case History

This is a new application.

C. Reason for Request

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

D. Existing Conditions

1. Size of Site: 6.62 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	R-1	R-1	R-1/SPUD-248/SPUD-852	O-2 / R-1
Land Use	Residential	Residential	Undeveloped	Residential/Warehouse/Office	Office / Vac

3. 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.

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) 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. No objections. Using existing services.

b. Water Comments

1. No objections. Using existing services.

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.
- Structured parking may be appropriate to achieve desired intensity levels.
- 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.

Density: The non-residential Floor to Area Ratio (FAR) range for the UM LUTA is 0.4 to 1.2 with a typical FAR of 1.

National, state, and local permitting require basic best management practices for stormwater management. The subject site is currently developed with a mobile home. The rezoning request is proposed for office uses. The proposed O-2 District could provide a FAR within the Urban Medium LUTA.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Primary entrance points should be aligned with access points immediately across the street.

The subject site currently has one improved curb cut along North Lindsay Avenue leading to an unimproved drive. Any changes to access would be per Code.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are not currently available on the subject site. Any changes to access 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 Low Intensity Residential uses or zoning, “Building Scale and Site Design” and “Traffic” 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. *The subject site abuts single-family residential uses and/or zoning on the north, east, and west. When adjacent to R-1, the O-2 District development regulations require step backs in building height, increased setbacks, and landscape buffers. Mitigation beyond Code requirements cannot be stipulated in a base zoning request. No compatibility issues are identified on the south or west of Lindsay Ave.*

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 Lindsay Avenue, a neighborhood street serving primarily residential and office uses. No triggers requiring mitigation related to traffic were identified.*

3. Service Efficiency:

- Water: *Served – Close to Service or Served*
- Sewer: *Served – Open Sewer Sheds or Served*
- 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 southeastern portion of the subject site. When less than 60 percent of the site is covered, the plan has a preservation goal of 100%. Tree preservation cannot be stipulated in a base zoning request.*
- Vulnerable Aquifers: N/A

5. Transportation System: This site is located along the east side of North Lindsay Avenue, a Neighborhood Street in the Urban Medium LUTA. The nearest transit (bus) service is located within a quarter mile to the west along North Lincoln Boulevard.

6. Other Development Related Policies

- 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)

b. Plan Conformance Considerations

The subject site is located on the east side of North Lindsay Avenue, in an area generally located east of North Lincoln Boulevard, between NE 36th and NE 42nd Streets. The site is developed with a mobile home and zoned R-1. The southeastern portion of the subject site is forested. North of the subject site are single-family residences zoned R-1. Unimproved right-of-way for North Phillips Avenue runs adjacent to the site on the east, followed by a 38-acre undeveloped property zoned R-1. Abutting the subject site on the south are two office/warehouse SPUDs that have been developed accordingly, and a single-family residence near the southeast corner of the subject site. Across North Lindsay Avenue to the west, are a mix of office and warehouse uses under primarily O-2 and C-3 zoning.

The rezoning request is proposed to allow office development, which is consistent with zoning to the west and south. The Zoning Code requires step backs in building height, increased setbacks, and landscape buffers when the proposed O-2 District is 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.

gjh

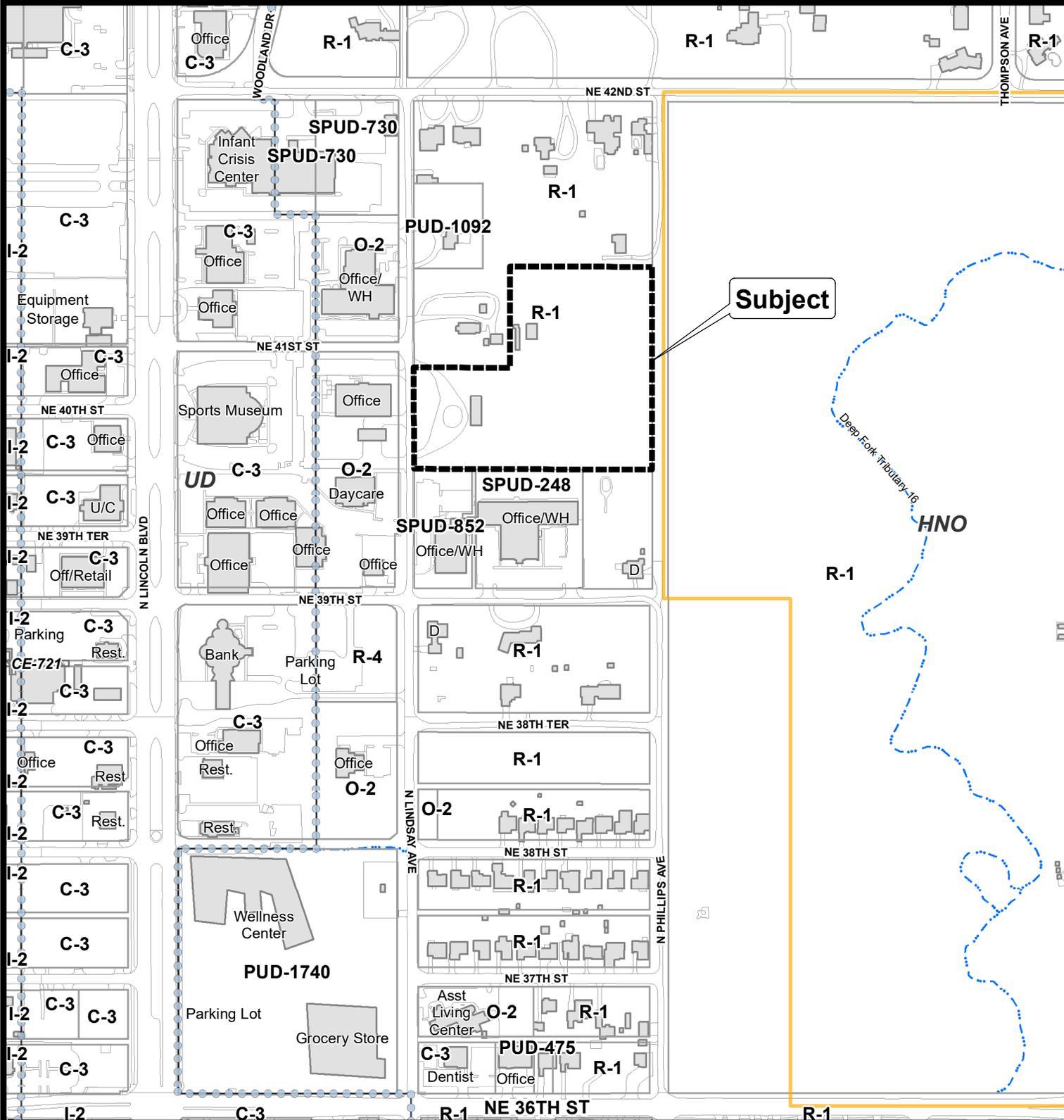
Case No: PC-10926

Applicant: Association of Oklahoma General Contractors

Existing Zoning: R-1

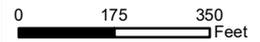
Proposed zoning: O-2

Location: 4112 N. Lindsay Ave.



The City of OKLAHOMA CITY

Rezoning Application



Case No: PC-10926

Applicant: Association of Oklahoma General Contractors

Existing Zoning: R-1

Proposed zoning: O-2

Location: 4112 N. Lindsay Ave.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Rezoning Application



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