

Planning Commission Minutes
December 14, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:35 a.m. on December 11, 2023)

23. (SPUD-1584) Application by Salazar Commercial Properties, LLC to rezone 3800 NW 34th Street from PUD-131 Planned Unit Development District to SPUD-1584 Simplified Planned Unit Development District. Ward 2.

Amended Technical Evaluation:

1. Modify Master Design Statement to allow multiple structures on one parcel within this SPUD.
2. ~~A building that fronts NW 34th Street shall have a front entry door that faces north.~~
3. Parking will be located behind (south) of buildings that front NW 34th Street.
4. There shall be a 20-foot landscape buffer along the western boundary of the SPUD that includes shade trees planted on 25-foot centers.

The applicant was present. There was a protestor present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY GOVIN, SECONDED BY MEEK

AYES: CLAIR, MEEK, GOVIN, PENNINGTON, NOBLE, LAFORGE

ABSENT: POWERS, PRIVETT, NEWMAN



STAFF REPORT
The City of Oklahoma City
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Item No. IV. 23.

(SPUD-1584) Application by Salazar Commercial Properties, LLC to rezone 3800 NW 34th Street from PUD-131 Planned Unit Development District to SPUD-1584 Simplified Planned Unit Development District. Ward 2.

I. GENERAL INFORMATION

A. Contacts

1. Applicant Representative

Name Charles Allen
Company Allen Engineering Service, Inc
Phone 405-840-9901
Email callen@aeswins.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to allow a quadplex development.

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: 1.45 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-131	R-1/O-1	PUD-131	R-1	PUD-131
Land Use	Residential	Residential/Office	Residential	Residential	Residential

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II. SUMMARY OF SPUD APPLICATION

This site will be developed in accordance with the regulation of the **R-3, Medium Density Residential District** (OKC Zoning Ordinance, 2020), except that the following restrictions will apply:

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

Permitted Use Units: Three- and Four-Family Residential (8200.15)
2. Maximum Building Height: 2½ Stories or 35 Feet
3. Maximum Building Size: N/A
4. Maximum Number of Buildings: N/A
5. Building Setback Lines
North: 25' Front
South: 15' Rear
East: 10' Side
West: 10' Side
6. Open Space: Open space will be provided in the side and rear setbacks. A minimum of twenty percent (20%) open space shall be provided in this SPUD.
7. Sight-proof Screening: Sight-proof screening shall meet the City of Oklahoma City's requirements in place at the time of development.
8. Landscaping: The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.
9. Signs:
 - 9.1 Freestanding Accessory Signs

One freestanding monument sign shall be allowed in this SPUD.

Electronic Message Display signs shall not be permitted in this SPUD.
 - 9.2 Attached Signs

Attached signs will be in accordance with the base zoning district regulations.

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9.3 Non-accessory Signs

Non-accessory signs are specifically prohibited in this SPUD.

10. Access: Access to the property is from NW 34th Street.
11. Sidewalks: No existing sidewalks are located in the surrounding area. A five-foot sidewalk shall be provided along NW 34th Street with connectivity to the apartment complex.

II. Other Development Regulations:

1. Architecture: Exterior building wall finish of buildings, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, split face block, rock or stone masonry. Architectural metal, stucco, wood, or concrete-board shall be permitted. Exposed concrete block finish buildings shall not be permitted.
2. Open Space: Yard requirements in this SPUD shall be as shown on Exhibit B, Master Development Plan.
3. Street Improvements: Half street improvements to NW 34th Street shall be provided along the South side of NW 34th Street and only in front of this of this SPUD.

4. Other:

Lighting: 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.

Dumpsters: One dumpster enclosure shall be provided for this SPUD. The location of the dumpster enclosure shall be as shown on the Master Development Plan.

Parking: This SPUD shall provide a minimum of two parking spaces per dwelling unit. The parking spaces shown on the Master Development Plan shall be deemed to satisfy the required parking for all uses within this SPUD.

Common Areas: Maintenance of all common areas in the development and maintenance of all amenities located within the common areas shall be the responsibility of the owner(s) of said property. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the

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storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown.

III. Supporting Documents

Exhibit A: Legal Description
Exhibit B: Master Development Plan
Exhibit C: Elevations, Renderings an

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:** Prior to excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior for exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District: Oklahoma 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**
 - b. Streets, Traffic and Drainage Maintenance**
Storm Sewer Availability

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- 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.
- 11) Amend section I.11 Sidewalks: No existing sidewalks are located in the surrounding area. A five-foot sidewalk shall be provided along NW 34th Street with

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connectivity to the apartment complex. All sidewalks within this SPUD shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements that are in effect at the time of construction.

- 12) Add to section II.4: Drainage: Drainage improvements, if required, will be in accordance with applicable sections of the Oklahoma City Code of Ordinances.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Wastewater Availability

- 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) System will be private internal to the development.

b. Solid Waste Management

- 1) The City cannot provide service, contact private hauler.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 6" & 8" water main(s) is located adjacent to the subject site(s).

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- 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) System will be considered commercial and metered. System internal to development will be private.

9. Planning

a. Comprehensive Plan Considerations

1. LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways.
- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.

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- Developments should be served by urban water and sewer utility systems.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.
- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family, and 15 to 30 dwelling units per acre for multifamily.

No floodplain exists on the property. National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available at the site. The SPUD application would allow a R-3 base zone with a maximum of 25 du/acre or 36 units. However, the SPUD Exhibit shows 28 units (seven quadplexes). Both densities are within the Urban Low LUTA ranges for multi-family development.

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.
- Protect existing traditional street grid and reconnect it where possible.
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Primary entrance points should be aligned with access points immediately across the street.
- Provide vehicular connectivity between adjacent developments.
- Keep existing alleys open and functional.

Access through the site as originally platted (Nesbitt Ave) was closed and vacated at District Court in 1985, and closed to the south (CE-176). Further, the existing PUD prohibits access to the south, preventing a connection to NW 33rd Street. The SPUD exhibit shows one entrance and exit for the property along NW 34th Street. However, it does not appear to align with N Nesbitt Avenue to the north.

Pedestrian Connectivity:

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

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Sidewalks are required along arterial streets. The MDS requires sidewalks along the Neighborhood street of NW 34th Street which will add pedestrian connectivity to the neighborhood.

2. **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating Residential Medium intensity uses adjacent to existing Residential Low Intensity uses, “Building Scale and Site Design”, 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 subject site is already allowed for multifamily residential in multiple buildings. *The PUD is requested for seven quadplexes. The existing zoning allows multi-family residential (max 8 units per building). The SPUD requests a maximum building height of 35 feet. The conceptual plan indicates parking areas placed behind buildings that front the street, and the MDS commits to 20% open space on the west and south sides. The MDS should specify the parking location and state that front doors on units that face NW 34th Street will be oriented toward the street.*

3. **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served Area*
 - 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..
5. **Transportation System:** This site is located off NW 34th Street, a Neighborhood Street in the Urban Low LUTA. The nearest transit (bus) service is located along N Portland Avenue within ¼-mile of the site.

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6. Other Development Related Policies

- Support diversity and integration of housing unit types and sizes in all land use typology areas in order to meet the diverse needs of households of different sizes, generational needs, incomes, and preferences. (SU-4)
- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- Higher density multifamily development should be located in areas near employment or educational centers where street and transit systems have or will soon have capacity to support the added trips. (SU-48)
- 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)
- 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 on the south side of NW 34th Street, west of N Portland Ave. Land to the south is zoned R-1 and developed with homes. The subject site and land east and west were zoned to PUD-131 in 1984. The existing PUD allows multifamily residential, up to 56 dwelling units (17.67 du/acre) over the entire site. The existing PUD also limits height to one story within 75 feet of the south and west boundary of the original PUD. The proposal would rezone a portion of PUD-131 for a two-story quadplex community. The SPUD would allow R-3 maximum building height (35 feet) with placement of common areas along the west and south boundaries.

The SPUD is limited to only three- and four-family residential. The addition of single-family and two-family is supported. However, as the multifamily residential use is not proposed, the MDS should specify that multiple structures are allowed on one parcel. Buildings that face NW 34th Street should have front

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doors and/or be oriented toward the street. Parking should be placed behind the northern buildings as shown on the conceptual plan.

IV. STAFF RECOMMENDATION

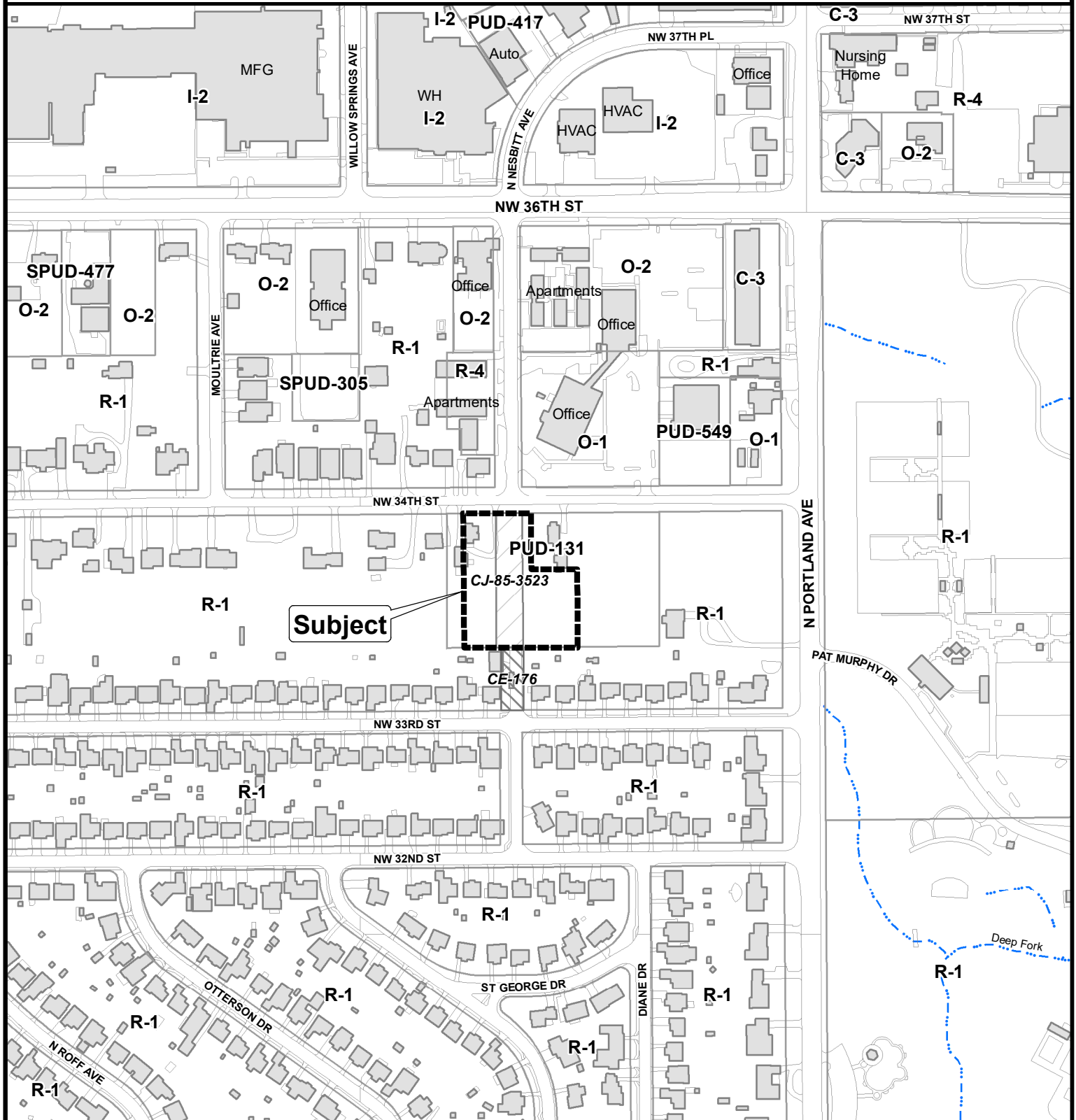
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning 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 Evaluations:

1. Modify Master Design Statement to allow multiple structures on one parcel within this SPUD.
2. A building that fronts NW 34th Street shall have a front-entry door that faces north.
3. Parking will be located behind (south) of buildings that front NW 34th Street.

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.

Case No: SPUD-1584
Applicant: Salazar Commercial Properties, LLC
Existing Zoning: PUD-131
Location: 3800 NW 34th St.



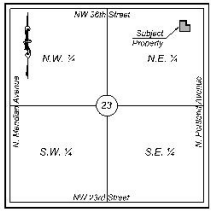
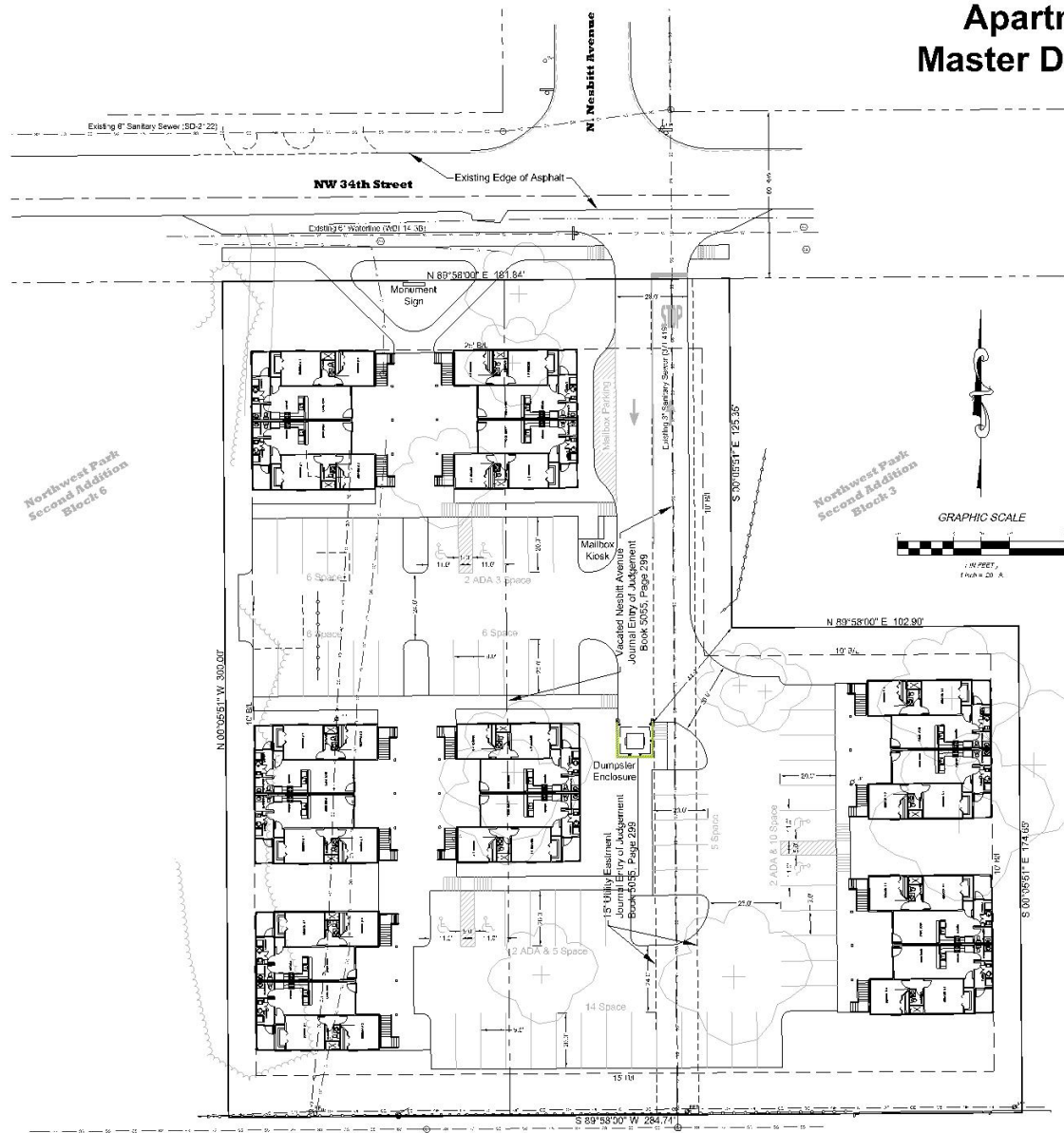
The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet

Exhibit B ~ SPUD-
Salazar's NW 34th Street
Apartment Complex
Master Development Plan



Vicinity Map
Section 23, Township 12N, Range 4W
Not To Scale

Boundary & Topographic Survey

Boundary and Topographic Survey provided by Hale & Associates Survey Co., Inc.

Legal Description

East 101 feet of Lot or Block Six (6), NORTHWEST PARK SECOND ADDITION to Oklahoma City, Oklahoma, according to the recorded plat thereof.

AND

A tract of land lying in and being a portion of Block 3, NORTHWEST PARK SECOND ADDITION, as recorded in Book 7118, Page 1574-1575 and the East Half of that portion of Nesbitt Avenue, a 60 foot platted right of way, said portion being vacated in document titled "Journal Entry of Judgment", recorded in Book 452, Page 350, lying adjacent to the West line of said Block 3, NORTHWEST PARK SECOND ADDITION, being a part of the Northeast Quarter (NE1/4) of Section Twenty-three (23), Township Twelve (12) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, said tract of land being more particularly described as follows:

BEGINNING at a point in the centerline of said Nesbitt Avenue, said point being 30.00 feet S 89°58'00" W of the Northwest Corner of said Block 3, NORTHWEST PARK SECOND ADDITION; Thence N 89°58'00" E, along the North line of said Block 3, a distance of 50.84 feet to a point; Thence S 00°05'51" E, a distance of 125.35 feet to a point; Thence N 89°58'00" E, a distance of 102.90 feet to a point; Thence S 00°05'51" E, a distance of 174.65 feet to a point on the South line of said Block 3; Thence S 89°58'00" W, along the South line, a distance of 153.74 feet to a point; Thence N 00°05'51" W, a distance of 300.00 feet to the Point of Beginning.

Parking Requirements

Parking Required:	
28 Two Bedroom Units @ 2 Per Unit	56
Parking Provided:	
Standard Spaces	55
ADA Accessible	6
Total Provided:	61



THIS CERTIFICATE IS VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE. IT IS NOT VALID FOR ANY OTHER PROJECTS. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR ANY VIOLATIONS OF THE OKIE 811 ACT. THE USER SHALL BE RESPONSIBLE FOR ANY VIOLATIONS OF THE OKIE 811 ACT. THE USER SHALL BE RESPONSIBLE FOR ANY VIOLATIONS OF THE OKIE 811 ACT.

CLIENT

Salazar Commercial Properties, L.L.C.
209 E. Main Street
Yukon, Oklahoma 73099
(405) 265-4235

ENGINEERING

E SERVICES, INC.
1000 W. Main Street, Suite 200
Oklahoma City, Oklahoma 73106
Tel: (405) 441-1111 Fax: (405) 441-1112

PROJECT NAME

Salazar's NW 34th Street
Apartments Complex
3800 NW 34th Street
Oklahoma City, Oklahoma 73112
Exhibit B ~ Master Development Plan

PREPARED BY	JMS
DATE	11-01-2023
CHECKED BY	CWA
FIELD TECH	N/A

1 OF 1

Exhibit C

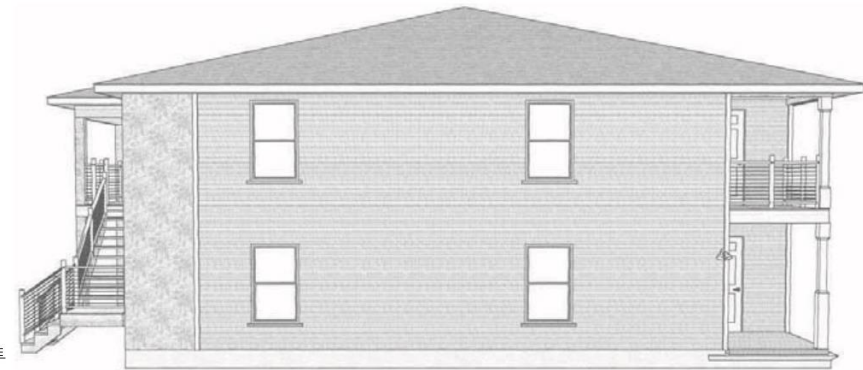
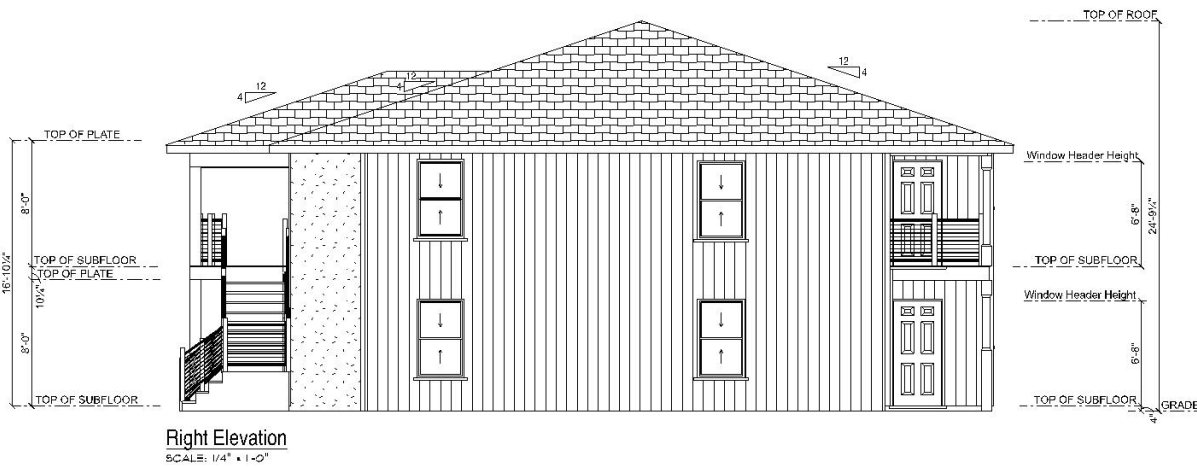
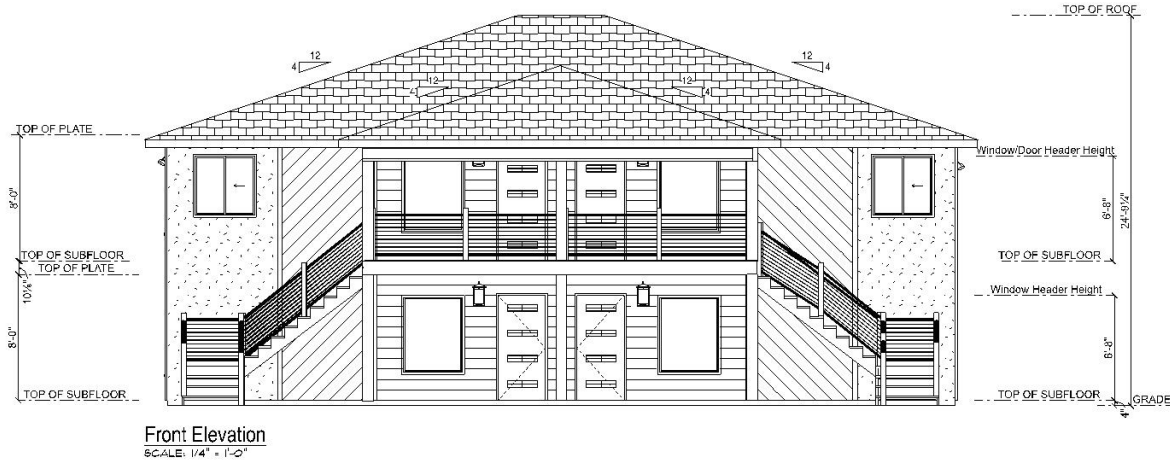
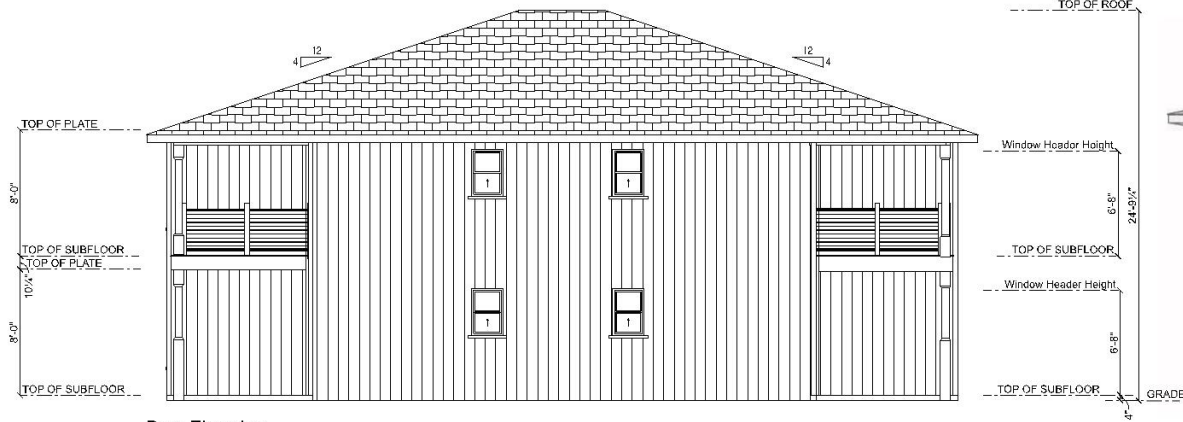
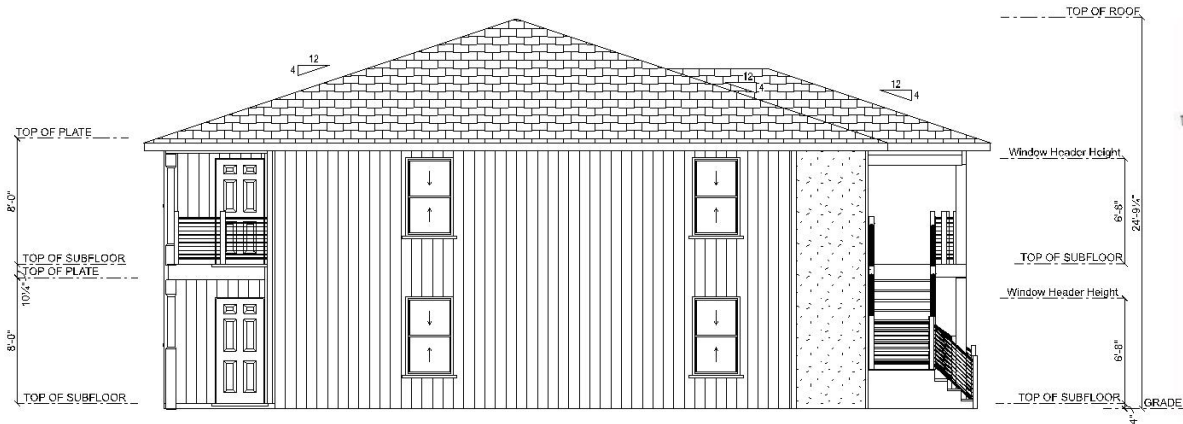
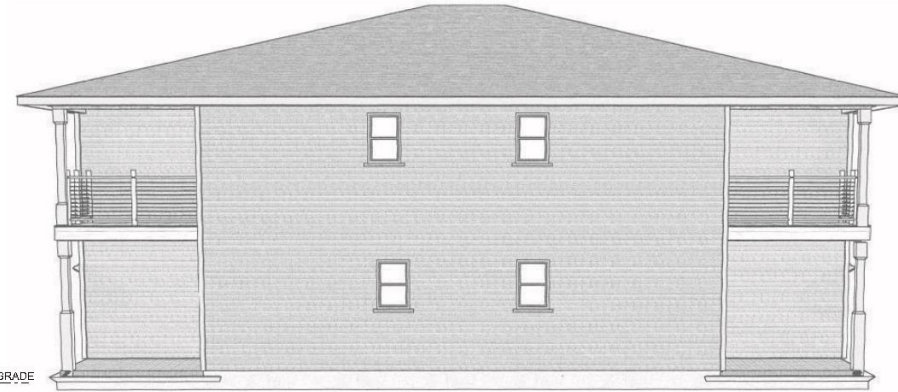


Exhibit C



Rear Elevation
 SCALE: 1/4" = 1'-0"



Left Elevation
 SCALE: 1/4" = 1'-0"

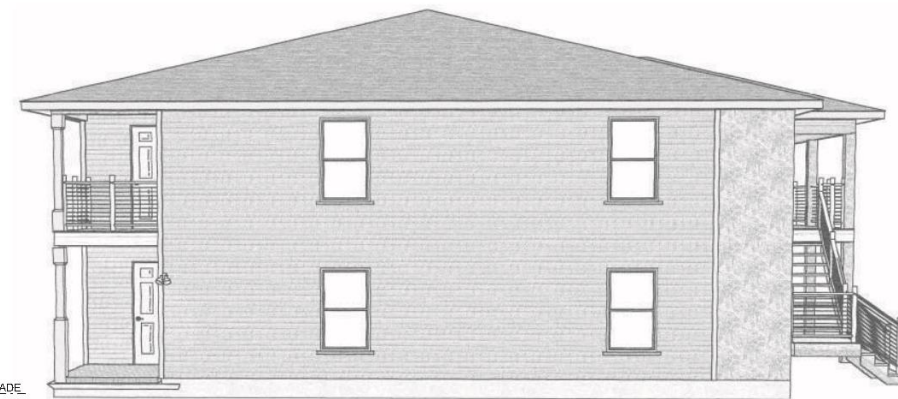


Exhibit C

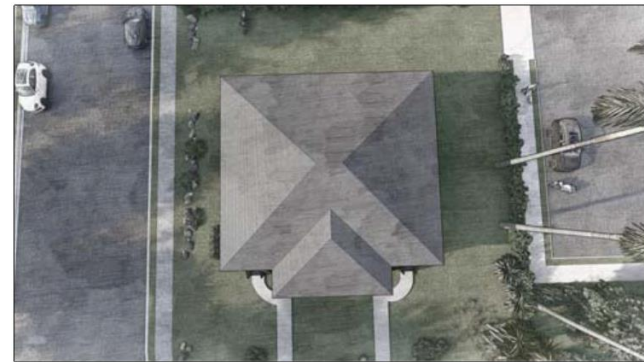
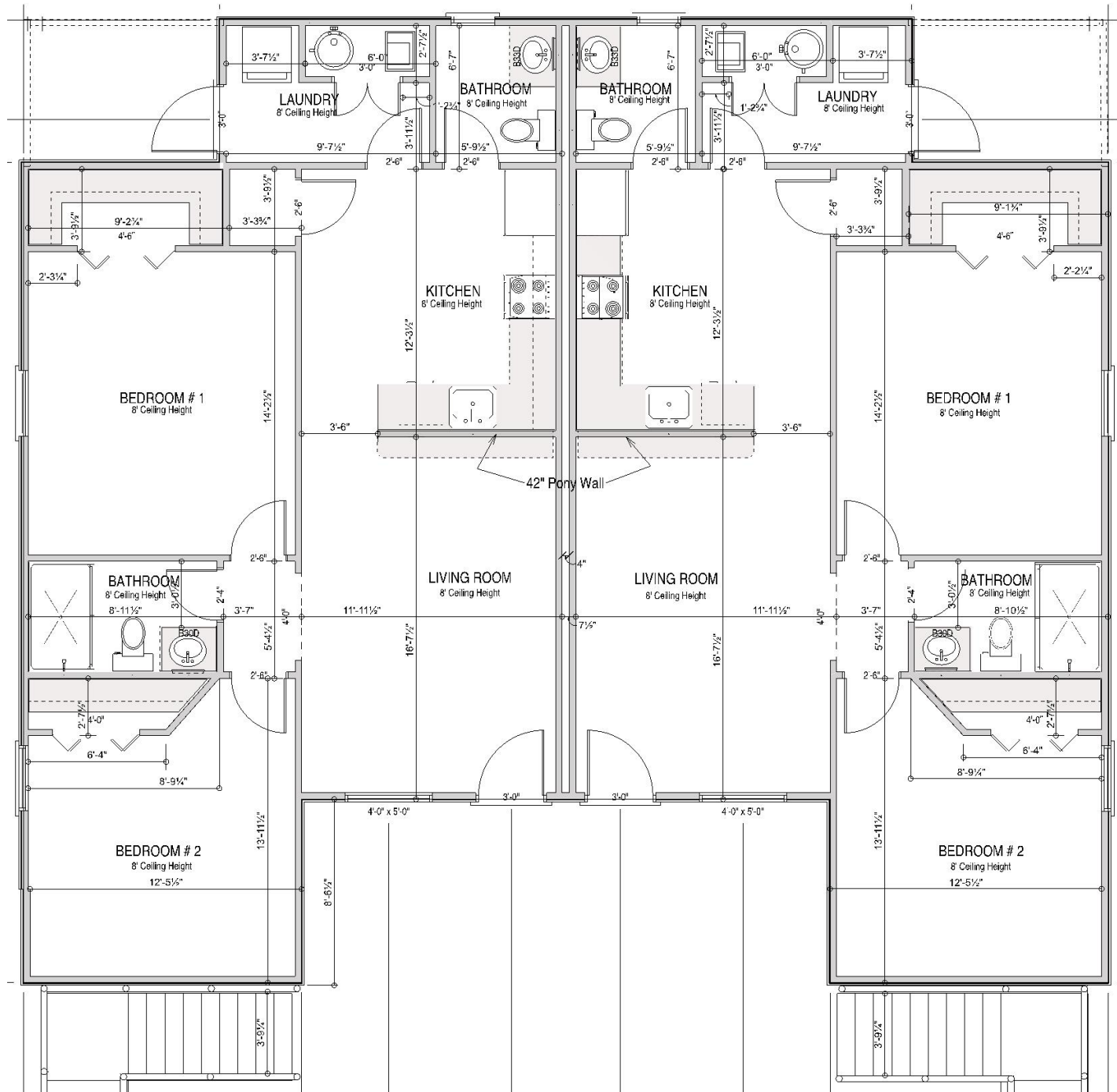


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Case No: SPUD-1584
Applicant: Salazar Commercial Properties, LLC
Existing Zoning: PUD-131
Location: 3800 NW 34th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

