

Planning Commission Minutes
December 8, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 10:30 a.m. on December 05, 2022.)

15. (PUD-1918) Application by Ashta Lakshmi, Inc., to rezone 2001 East Reno Avenue from the C-3 Community Commercial District to the PUD-1918 Planned Unit Development District. Ward 7.

Applicant was present.

Technical Evaluation;

1. Non-Accessory signs will be prohibited.
2. EMD signs shall be prohibited.
3. A masonry wall shall be provided around new courtyard areas on the exterior of the building.
4. Street trees on 40-foot centers shall be provided along Reno Avenue.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION.

MOVED BY CLAIR, SECONDED BY GOVIN

AYES: CLAIR, POWERS, FRALEY, HINKLE, GOVIN,
PENNINGTON, LAFORGE, NOBLE

ABSENT: PRIVETT



STAFF REPORT
The City of Oklahoma City
Planning Commission
December 8, 2022

Item No. IV. 15.

(PUD-1918) Application by Ashta Lakshmi, Inc., to rezone 2001 East Reno Avenue from the C-3 Community Commercial District to the PUD-1918 Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David M Box
Company Williams, Box, Forshee & Bullard PC
Phone 405-232-0080
Email dmbox@wbflaw.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit an assisted living facility.

D. Existing Conditions

1. 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.

2. Size of Site: 5.89 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3	AA	AA	AA	I-1/I-2/I-3
Land Use	Hotel	Truck Stop	Industrial	Oil Well	Res/Gas-Conv

- 4. Development Context:** The subject site is located at the northeast corner of S Martin Luther King Ave and E Reno Avenue, which is also a highway off-ramp adjacent to the site. The proposed PUD area is zoned C-3 and developed with a vacant hotel building (Clarion Inn). To the north is a truck stop/travel center, and to the east is a uniform supply company, both within PUD-297. Across the street to the west are retail, restaurant, a truck stop, and hotel zoned I-3, I-2 or I-1. The Greyhound Bus Station is located at the southwest corner of the intersection. The PUD is requested with a C-3 base plus the use needed to convert the existing hotel building into an assisted living facility.

II. SUMMARY OF PUD APPLICATION

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the **C-3 Community Commercial District** shall govern this PUD, except as herein modified.

In addition to all uses permitted under C-3, the following uses shall be permitted:

- 8200.1 Congregate Care Housing and Convalescent Homes

9.0 SPECIAL CONDITIONS

The following special conditions shall be made a part of this PUD:

9.1 FAÇADE REGULATIONS

Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, rock, stone, stucco, or wood, or other similar type finish. Buildings finished with a maximum of 30% EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

9.2 LANDSCAPING REGULATIONS

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

9.3 LIGHTING REGULATIONS

All existing lighting shall be deemed to conform to any applicable regulations. In the event of additional lighting, it shall be in accordance with Chapter 59, Article XII, Section m59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

9.4 SCREENING REGULATIONS

Sight proof screening shall not be required. However, it is contemplated that a screening wall shall be utilized to create a garden like setting between the building and that parking area as depicted on the master development plan map.

9.5 PLATTING REGULATIONS

Platting shall not be required within this PUD.

9.6 DRAINAGE REGULATIONS

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

9.7 DUMPSTER REGULATIONS

Dumpsters shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences and shall be placed no closer than 50 feet from all property lines adjacent to residential zoning district or use.

Trash collection facilities in this PUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

9.8 ACCESS REGULATIONS

There shall be one (1) access point from N. Martin Luther King Ave. and one (1) access point from E. California Ave. in this PUD.

9.9 PARKING REGULATIONS

All existing parking shall be deemed to conform to any applicable regulations.

9.10 SIGNAGE REGULATIONS

9.10.1 FREESTANDING ACCESSORY SIGNS

All existing signage shall be deemed to conform to any applicable regulations. In the event of an additional freestanding accessory signs, it will be in accordance with the base zoning district regulations.

9.10.2 ATTACHED SIGNS

All existing signage shall be deemed to conform to any applicable regulations. In the event of an additional attached sign, it will be in accordance with the base zoning district regulations.

9.10.3 NON-ACCESSORY SIGNS

Non-Accessory signs will be prohibited.

9.10.4 ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs will be prohibited.

9.11 ROOFING REGULATIONS

All existing improvements shall be deemed to conform to any applicable regulations. In the event of a new structure, each structure in this PUD shall have Class C roofing or better.

9.12 SIDEWALK REGULATIONS

Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel, or six (6) foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department. Four (4) foot sidewalks shall be constructed on the interior streets prior to any occupancy certificates being issued.

9.13 HEIGHT REGULATIONS

All existing improvements shall be deemed to conform to any applicable regulations. In the event of a new structure, the base zoning district regulations shall regulate the height.

9.14 SETBACK REGULATIONS

All existing improvements shall be deemed to conform to any applicable regulations. In the event of a new structure, unless modified herein, yard requirements shall be in accordance with the base-zoning district.

9.15 PERMIT REQUIREMENTS

Applications for building permits in the commercial or industrial part(s) of this PUD must include an overall PUD site plan that depicts the location of the proposed building permit and the size and address of all existing buildings as well as all existing parking and landscaping in the commercial/industrial part(s) of this PUD and including parking and landscaping proposed for the building for which a building permit is requested.

9.16 PUBLIC IMPROVEMENTS

Public improvements shall be made by the property owner throughout the PUD as required by the City of Oklahoma City Public Works Department or other City, County, or State Department or agency. All Local, State, and Federal ordinances as they shall apply to the site will be adhered to fully.

9.17 COMMON AREAS

Maintenance of the common areas in the development shall be the responsibility of the property owner or Property Owners Association. 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 storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

9.18 SPECIFIC PLAN

A specific plan shall not be required for renovation of the current building but in the event the building is demolished or substantially damaged, a specific plan shall be required for new construction.

10.0 DEVELOPMENT SEQUENCE

Developmental phasing shall be allowed as a part of the development of this PUD.

11.0 EXHIBITS

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

- Exhibit A - Legal Description
- Exhibit B - Master Development Plan
- Exhibit C - Topography 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 be advised ONG has an underground or aboveground facility in the area. If you need our facilities relocated to accommodate your excavation or construction, ONG will provide you a cost estimate. 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(s) 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

- 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.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) An existing 12”/8” wastewater main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection is required for each building/structure.
- 2) All wastewater mains must flow within the existing drainage basin. Proposed wastewater mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings. All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.
- 4) The developer will be required to extend the wastewater collection system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations.
- 5) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.

b. Solid Waste Management

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

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12" water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection and meter is required for each building/structure.
- 2) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two (2) foot vertical separation required for all crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 3) Dead-end water mains must be avoided where applicable. All existing unnecessary water services must be abandoned at the water main.
- 4) 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 and fire protection systems which require water pressure in excess of 25 psi.
- 5) Proposed water main(s) must be located within a utility easement or right-of-way. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 6) All existing and proposed meters must meet current specifications and standard details and be located in the right-of-way or utility easement within grassy areas outside of sidewalks, driveways, streets and/or paving.
- 7) All domestic and fire suppression services must have separate water service connections. Fire hydrants maximum spacing is 500 foot and must be located within 10 foot of a hard surface (i.e. sidewalk, street, and/or paving).

9. 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.
- Incorporate commercial uses at street level to maintain an active, pedestrian friendly streetscape.
- Design buildings to include facades, storefront windows, and attractive signage and lighting to create pedestrian-scale visual interest.

Location:

- Locate large-scale commercial and office development on arterial streets.
- Mixture of density, lot size and building scale is appropriate as long as land use compatibility is achieved.

National, state, and local permitting require basic best management practices for stormwater management. The PUD is requested to convert an existing hotel into an assisted living facility. The site has existing access to an arterial street.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Limit curb cuts on arterial streets and where possible, concentrate access for retail development at shared entrance points.
- Development fronting arterials should take access from intersecting streets where possible.
- Primary entrance points should be aligned with access points immediately across the street.

The site is developed and has existing access from S Martin Luther King Avenue and E California Ave. The site has frontage but no access to E Reno Ave on the south due to the elevation change and highway off-ramp.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are available on S Martin Luther King Ave, but not on E California Ave, which is a dead-end street.

- #### 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. The site is zoned C-3. The PUD maintains all the existing C-3 uses and adds one use to allow the conversion of the hotel into an assisted living facility.

The added use would be surrounded by industrial and heavy commercial uses. The comprehensive plan states that in some cases, a proposed project may need to take measures to reduce the impact of an existing use. In this case, the proposed project may to mitigate for operational impacts, specifically noise including highway and truck traffic. Projects in higher intensity LUTAs (UM) may be more appropriate for significant transitions of density, scale and mass.

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 has frontage along E Reno Ave, a highway, S Martin Luther King Ave, an Arterial, and E California, a Neighborhood Street within the Urban Medium LUTA. The nearest transit (bus) service is located north of the site, at the corner of N Martin Luther King Avenue and NE 4th Street. The Greyhound Bus Station is located at the southwest corner of N MLK Ave and E Reno Ave. Access to the City trail system is available to the south, on the north and south sides of the Oklahoma River.

6) Other Development Related Policies

- 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)
- 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)
- Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)
- 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 at the northeast corner of S Martin Luther King Ave and E Reno Avenue. The site is zoned C-3 and developed with a vacant hotel building (Clarion Inn). To the north is a truck stop/travel center, and to the east is a uniform supply company, both within PUD-297. Across the street to the west are retail, restaurant, a truck stop and hotel zoned I-3, I-2 or I-1. The PUD maintains all the existing C-3 uses and adds one use to allow the conversion of the hotel into an assisted living facility. The added use would be surrounded by industrial and heavy commercial uses. The comprehensive plan states that in some cases, a proposed project may need to take measures to reduce the impact of an existing use, such as noise. The PUD contemplates a masonry wall around the courtyard planned around the building, but does not require it. Street trees should be included with the renovation.

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(s):

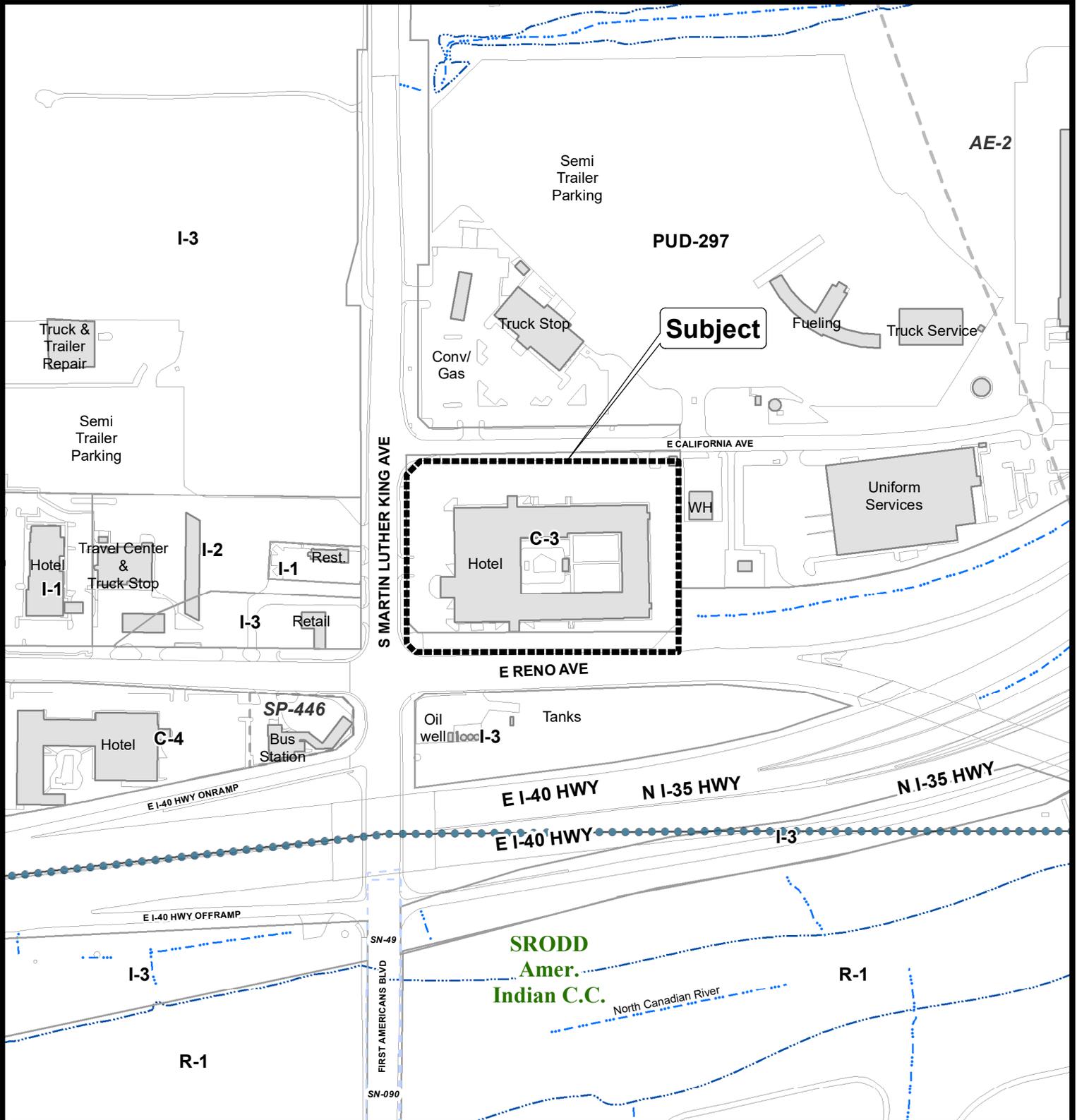
1. Non-Accessory signs will be prohibited.
2. EMD signs shall be prohibited.
3. A masonry wall shall be provided around new courtyard areas on the exterior of the building.
4. Street trees on 40-foot centers shall be provided along Reno Avenue.

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.

cl

Case No: PUD-1918
Existing Zoning: C-3
Location: 2001 E. Reno Ave.

Applicant: Ashta Lakshmi, Inc.

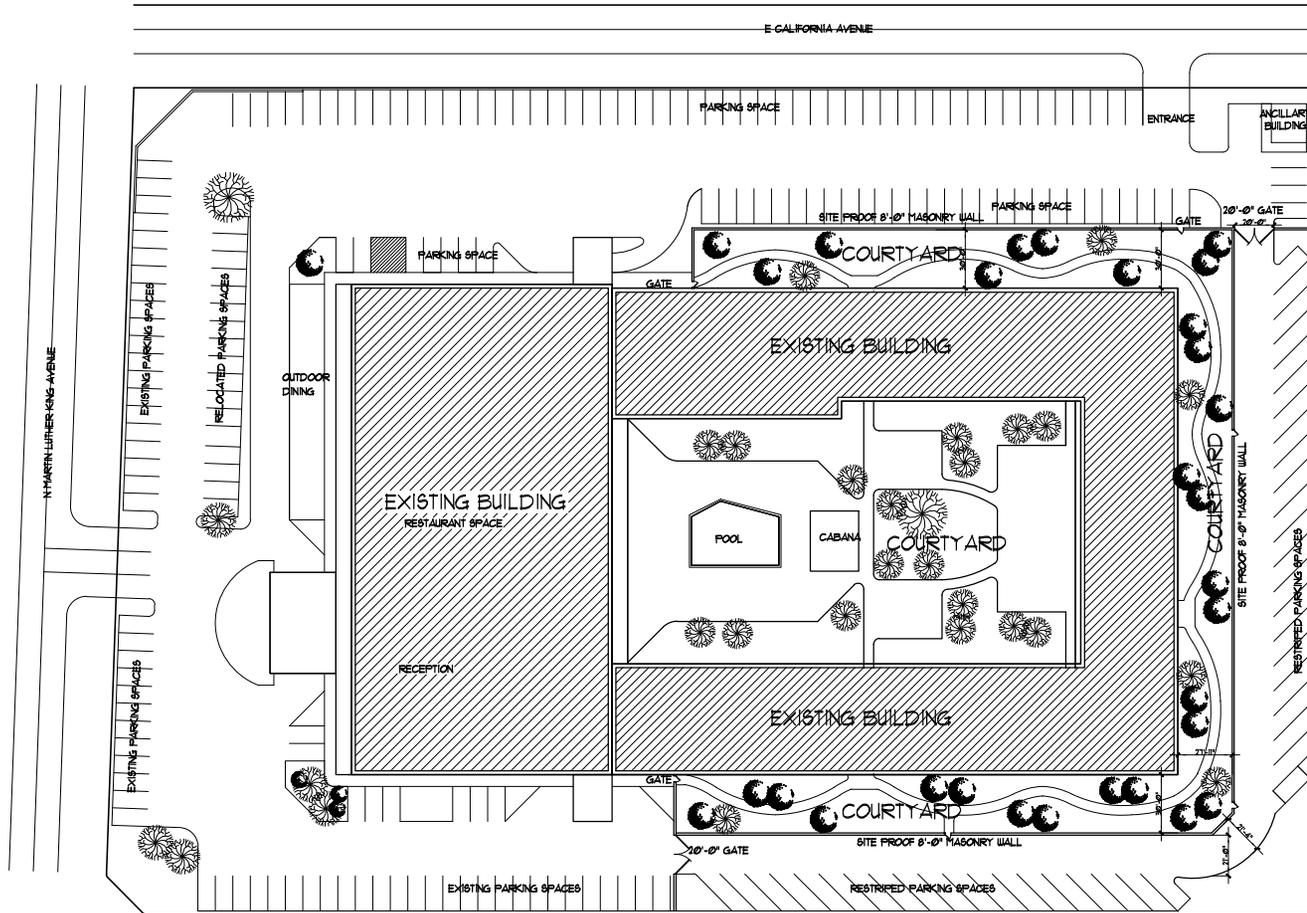


The City of
OKLAHOMA CITY

Planned Unit Development



0 150 300
Feet



PHYSICAL ADDRESS:
 3001 E RENO AVE,
 OKLAHOMA CITY, OK 73111

LEGAL DESCRIPTION:
 LOTS 1 TO 11 SEC 16 IN SW 200 000 PT BLK SEC 16
 ON SW BECS BLK 814 TH N 23RD ST EXPT N 23RD ST
 BACKDPT 140FT W 23RD ST EXPT 140FT TO BECS EX
 BECS SURT E 4 33FT N OF BLK 814 TH E 23RD ST
 W 23RD ST N 23RD ST EXPT 140FT TO BECS EXPT 140FT
 N 4 33FT E OF BLK 814 TH N 23RD ST EXPT 140FT TO
 BECS SUBJ TO EPTIS ON W 4 6

1 SITE PLAN
 ALL SCALE: 1"=30'-0"

PRELIMINARY
 NOT FOR CONSTRUCTION

PROJECT TITLE
 ADDRESS
 ADDRESS

SAM GRESHAM
 ARCHITECTURE
 400 NW 23RD ST, Suite 105
 Oklahoma City, OK 73108
 405.842.2998



SITE PLAN

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PROJECT #:
 DATE: 05/27/20
 DRAWING NO.

A1.1

Case No: PUD-1918

Applicant: Ashta Lakshmi, Inc.

Existing Zoning: C-3

Location: 2001 E. Reno Ave.



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Planned Unit Development



0 150 300
Feet