

Planning Commission Minutes
March 13, 2025

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:41 a.m. on March 10, 2025)

11. (SPUD-1699) Application by Gold Jack Holdings, LLC to rezone 5241 NW 10th Street from C-3 Community Commercial District to SPUD-1699 Simplified Planned Unit Development District. Ward 3.

Amended Technical Evaluation:

1. Remove Use Unit 8300.14 Automotive and Equipment: Cleaning and Repairs, Light Equipment.
2. Automobile repair is not permitted on site. Cleaning and detailing of automobiles are permitted.
3. The curb closure, landscaping, parking and fencing will be developed in accordance with the site plan provided.

The applicant was present. There was a protester present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY MEEK, SECONDED BY POWERS

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

ABSENT: NOBLE



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 13, 2025

Item No. IV. 11.

(SPUD-1699) Application by Gold Jack Holdings, LLC to rezone 5241 NW 10th Street from C-3 Community Commercial District to SPUD-1699 Simplified Planned Unit Development District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

1. Applicant Representative

Name	Duke Newin
Phone	(405) 388-6886
Email	dnewin@outlook.com

B. Case History

This application was continued from the January 23, and February 13, 2025, Planning Commission hearing dates.

C. Reason for Request

The purpose of this application is to allow commercial development, specifically auto sales and auto repair.

D. Existing Conditions

1. Size of Site: 0.5 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3	C-3	C-3	C-3	C-4
Land Use	Commercial	Commercial	Bar	Undeveloped	Bar

3. Comprehensive Plan Land Use Typology Area: Urban – Low Intensity (UL)

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **C-3 Community 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:

8300.14 – Automotive and Equipment: Cleaning and Repairs, Light Equipment
Subject to the conditions of Article IX.

8300.18 – Automotive and Equipment: Automobile Dealerships and Malls
Subject to the conditions of Article IX. (Special Permit not required.)

- 1.1 **Minimum Lot Size:** Per base zoning district regulations.
- 1.2 **Minimum Lot Width:** Per base zoning district regulations.
2. **Maximum Building Height:** Per base zoning district regulations.
3. **Maximum Building Size:** Per base zoning district regulations.
4. **Maximum Number of Buildings:** Two (inclusive of carport / fuel canopy)
5. **Building Setback Lines:** Per base zoning district regulations.
6. **Sight-proof Screening:** Per base zoning district regulations.
7. **Landscaping:** Per base zoning district regulations.
8. **Signs:**
 - 8.1 **Freestanding Signs:** Per base zoning district regulations.
 - 8.2 **Attached Signs:** Per base zoning district regulations.
 - 8.3 **Off-Premise Signs / Billboards:** Shall be prohibited.

8.4 **Electronic Message Display Signs:** Shall be prohibited.

9. **Access:** Shall be taken from NW 10th Street. Driveway separation shall be in accordance with Public Works regulations, policies, and procedures.
10. **Sidewalks:** Sidewalks shall be constructed and maintained in accordance with Oklahoma City Municipal Code, as amended, ADA regulations, and Public Works regulations, policies, and procedures.

II. Other Development Regulations:

1. Architecture:

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. A maximum of 30% EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space: Per base zoning district regulations.

3. Street Improvements: Shall not be required.

4. Site 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.

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

6. Parking: The design and number of all parking facilities in this SPUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

7. Maintenance: Maintenance of the common areas, private drainage easements, and islands / medians 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.

- 8. Drainage:** Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

III. Supporting Documents:

Exhibit A: Legal Description
Exhibit B: Existing Site Plan
Exhibit C: Proposed Site Plan
Exhibit D: Front Elevation

IV. 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 Natural Gas (ONG)**
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District(s) Putnam 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**
 - 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.

b. Stormwater Quality Management

c. Traffic Services

8. Utilities

a. Engineering

b. Solid Waste Management

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

c. Water/Wastewater Quality

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 in excess of 25 psi. The developer is responsible for installing pressure reducers if necessary for protection of developer's service lines, plumbing, and fixtures.
- 6) All existing and/or proposed water meters must be located in the right-of-way and/or utility easement within grassy areas outside of sidewalks, driveways, streets, and paving.
- 7) All domestic and fire suppression services must have a separate water service connection. Fire hydrant spacing shall not exceed 500 feet and must be located within ten (10) of a hard surface (i.e. sidewalk, street, paving).
- 8) Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.
- 9) Plat may be revised after review and approval of utility plans.

Wastewater Availability

- 1) An existing 12-inch wastewater main(s) is within the required distance to the subject site and will be required to be extended to the furthest property line for any proposed development.
- 2) Line capacity is not guarantee 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.

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.

Location:

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

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments.

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

site is located along the north side of NW 10th Street, an arterial street in the Urban Low Intensity LUTA. The existing FAR of the site is 0.08. The SPUD regulations could provide for a FAR within or below the Urban Low Intensity LUTA range.

Automobile Connectivity:

- Maintain, create, and enhance a street network that is highly connected to increase number of viable commercial locations and the effectiveness of the transportation system.
- 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.
- Discourage widening of neighborhood streets and increasing curb radii.
- Retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores.
- Provide vehicular connectivity between adjacent developments.
- Horizontally mixed-use developments should have connectivity between land uses.

The site currently has two access points along NW 10th Street, both of which lead to additional parking and access to the retail center north of the site. The SPUD allows access from NW 10th Street but does not specify a quantity or location of drives. The conceptual plan for the development illustrates access points similar to the current configuration.

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 NW 10th Street. The SPUD regulations require maintenance of sidewalks.

- 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 high intensity retail uses or zoning, no new compatibility issues are identified by the comprehensive plan.
- 3) Service Efficiency:**
 - Water: *Served*
 - Sewer: *Open Sewer Sheds or Served*
 - Fire Service: *Urban Response*
- 4) Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - Riparian Areas: N/A
 - Upland Forests: N/A

- Vulnerable Aquifers: The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite. Low impact development techniques include, but are not limited to, using pervious surface materials wherever possible for the construction of driveways, parking areas, sidewalks, patios, etc., to promote increased water percolation and infiltration.
- 5) Transportation System:** This site is located along the north side of NW 10th Street, a Major Arterial Street in the Urban Low LUTA. The nearest transit (bus) service is located across NW 10th Street, to the southwest.
- 6) Other Development Related Policies**
- Favor commercial development clustered in nodes at arterial or collector intersections or along brief “main street” style corridors over commercial development extending in a linear pattern for long distances along highway, arterial, or collector corridors. (SU-25)
 - 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)
- Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)
- 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)

7) Other Considerations: Retail Nodes and Corridors (Revitalize)

Retail nodes and corridors seek to develop a robust retail sector to generate sales tax levels and growth to fund quality services for the City and to meet needs for goods and services to enhance the quality of surrounding neighborhoods. Corridors targeted for revitalization need help strengthening retail uses through filling vacant space, landscape and beautification efforts, façade programs, business coordination and the introduction of new complementary land uses.

The site is part of a larger area identified in **planokc** as a Retail Priority Area under the “Revitalize” Framework. The retail area extends from North Council Road to North Portland Avenue along NW 10th Street. Applicable policies under this framework include:

- Reinforce, change, or create branding as appropriate.
- Maintain community scale retail in nodes rather than allowing linear expansion.
- Upgrade streetscapes for visual coherency and place quality.
- Re-tenant viable, vacant space.
- Ensure good street connectivity between and within existing and future centers and retrofit for connectivity as appropriate.
- Create or enhance pedestrian connections between buildings and centers.
- Undertake landscaping and beautification efforts to enhance the customer experience.
- Improve facades and design quality.
- Create or enhance visual coherency through signage.
- Seek redevelopment of non-viable space.
- Limit or reduce curb cuts by encouraging shared entrances.

b. Plan Conformance Considerations

The subject site is located along the north side of NW 10th Street, just east of North MacArthur Boulevard. The site is zoned C-3 and developed with one structure and an

awning for gasoline sales. The subject site has been utilized as a gas station with tire repair and additional commercial uses. Surrounding the site to the north, east, and west are C-3 and C-4 zoned properties included in a retail center that primarily offers commercial uses. The abutting property on the east allows adult entertainment through a District Court Decision (DCD-70). Across NW 10th Street, to the south, is undeveloped, C-3 zoned land.

The SPUD is requested to allow commercial development, specifically auto sales and auto repair. The auto sales use is allowed within the C-3 District upon grant of a Special Permit. The site would meet the specific use standards for the Special Permit. The proposed SPUD limits the number of uses allowed and prohibits EMD and billboard signs. The business will be required to meet other conditions for the auto sales and repair uses, specifically screening of cars awaiting repair, a limit of 10 days for vehicles awaiting repair, and tire storage/display requirements. The SPUD has been modified since the previous hearings to revise Exhibit C (proposed site plan), add Exhibit D (front elevation), and remove all uses except auto repair and auto sales as permitted uses. This means that no other type of business would be allowed without rezoning. Staff supports retaining uses that are appropriate for the corridor.

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 Divisions review of construction plans and prior to City Council approval.

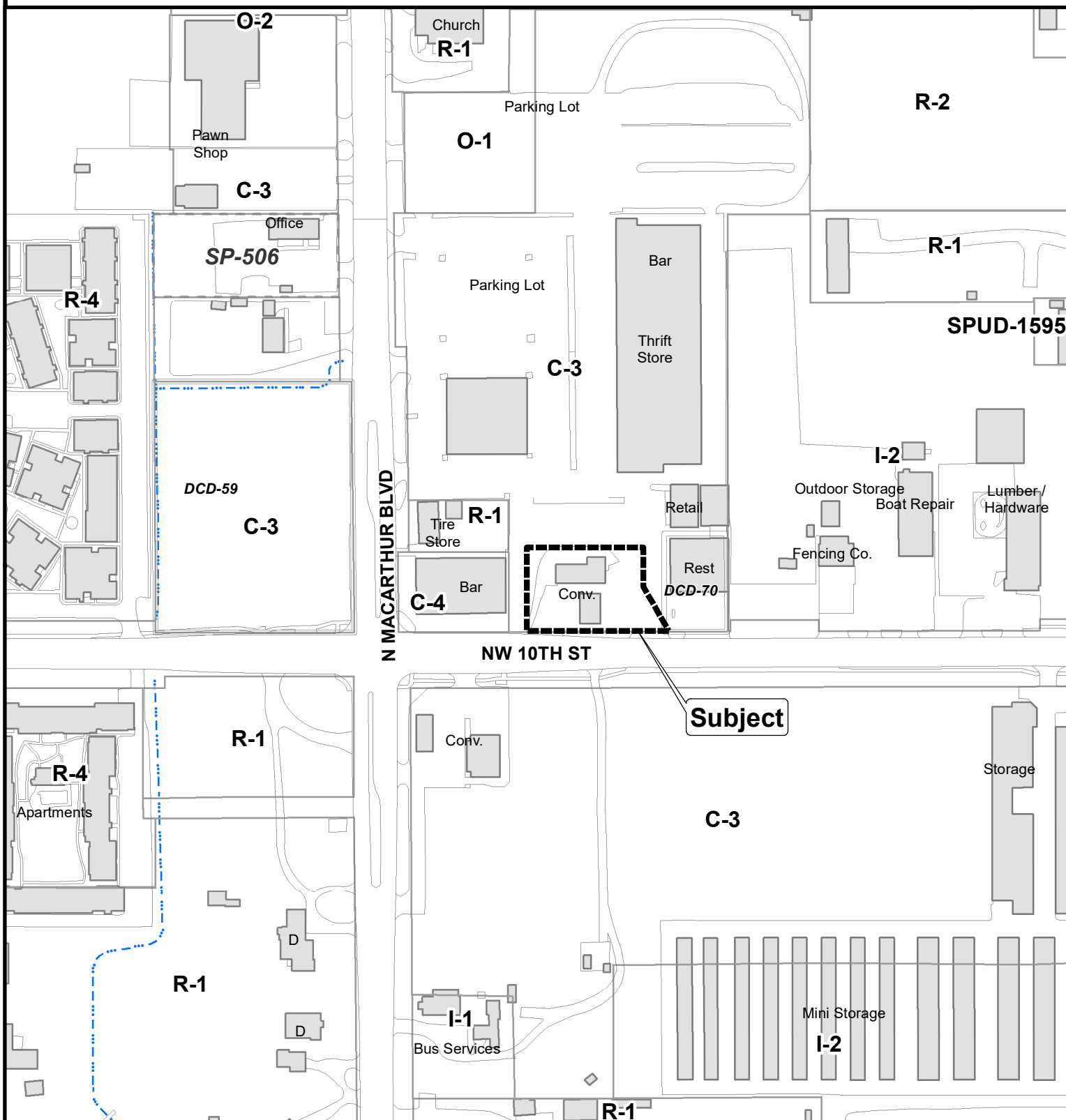
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Case No: SPUD-1699

Applicant: Gold Jack Holdings, LLC

Existing Zoning: C-3

Location: 5241 NW 10th St.

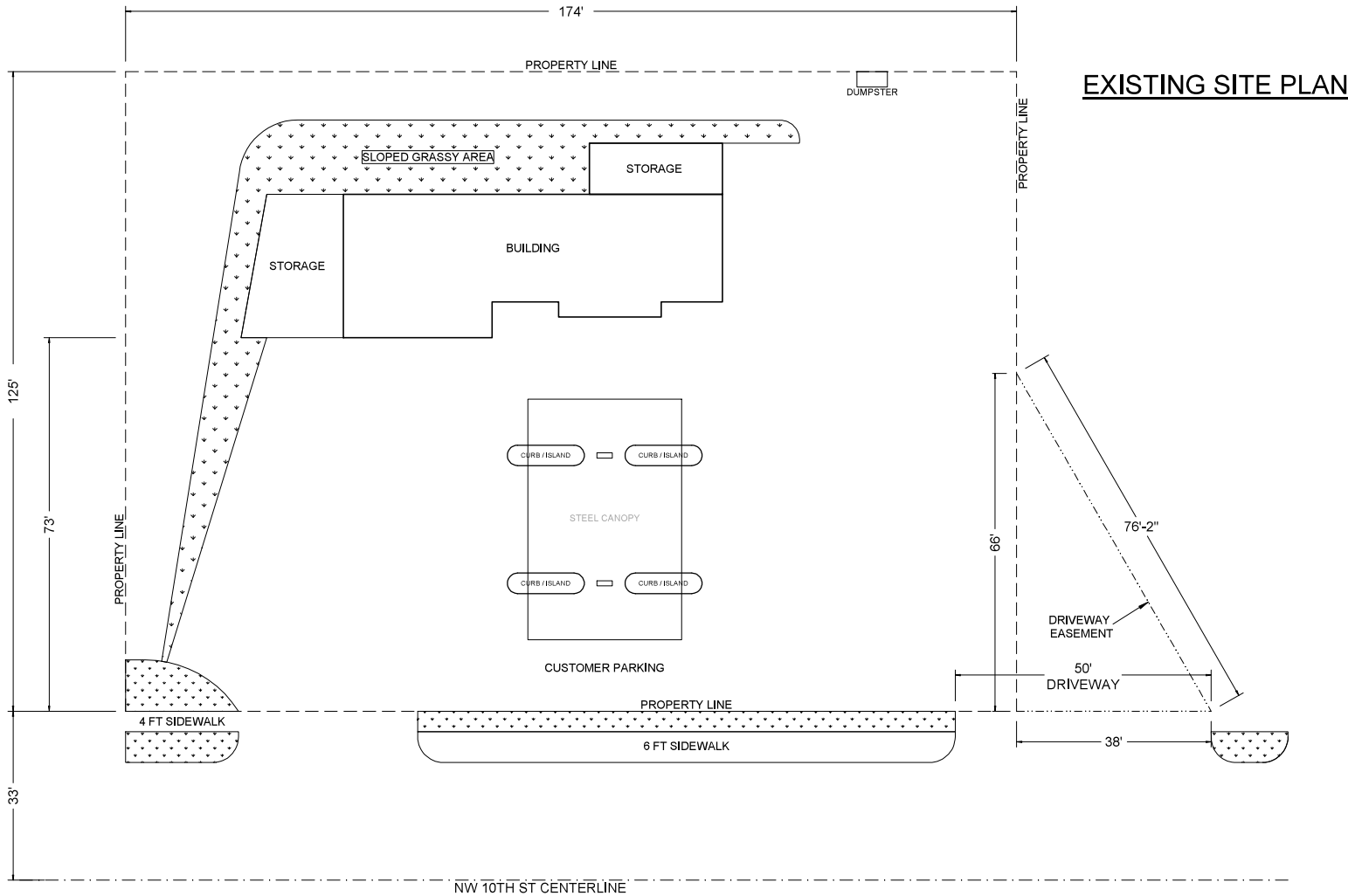


The City of
OKLAHOMA CITY

**Simplified Planned
Unit Development**



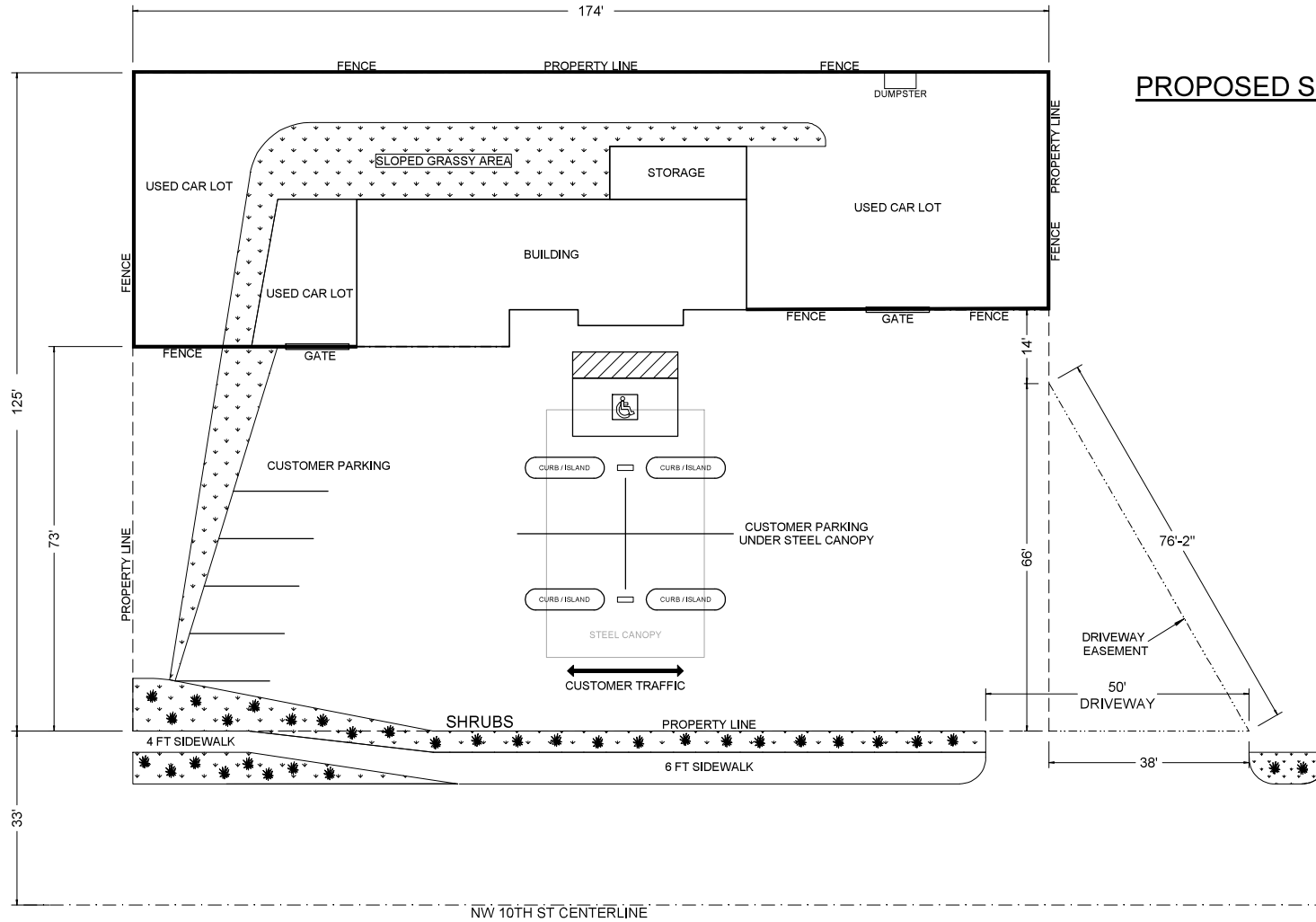
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EXISTING SITE PLAN

- NO LONGER A FUNCTIONING GAS STATION
- GAS DISPENSERS HAVE BEEN REMOVED

<p>LOCATION:</p> <p>5241 NW 10TH ST OKLAHOMA CITY, OK 73127</p>	
<p>UNPLTD PT SECT 27-T12N-R4W QTR SW BLOCK 000 LOT 000</p>	<p>SCALE</p> <p>1/8" = 1'-0" (18" X 12")</p> <p>1/4" = 1'-0" (36" X 24")</p>
<p>CONTACT:</p> <p>GOLD JACK HOLDINGS LLC CALDERONGABRIEL@HOTMAIL.COM (405) 413-2552</p>	<p>SITE PLAN</p> <p>SHEET 3 OF 3</p>



PROPOSED SITE PLAN

- NO LONGER A FUNCTIONING GAS STATION
- GAS DISPENSERS HAVE BEEN REMOVED

LOCATION:
5241 NW 10TH ST
OKLAHOMA CITY, OK 73127

UNPLTD PT
SECT 27-T12N-R4W QTR SW
BLOCK 000 LOT 000

SCALE
1/8" = 1'-0"
(18" X 12")

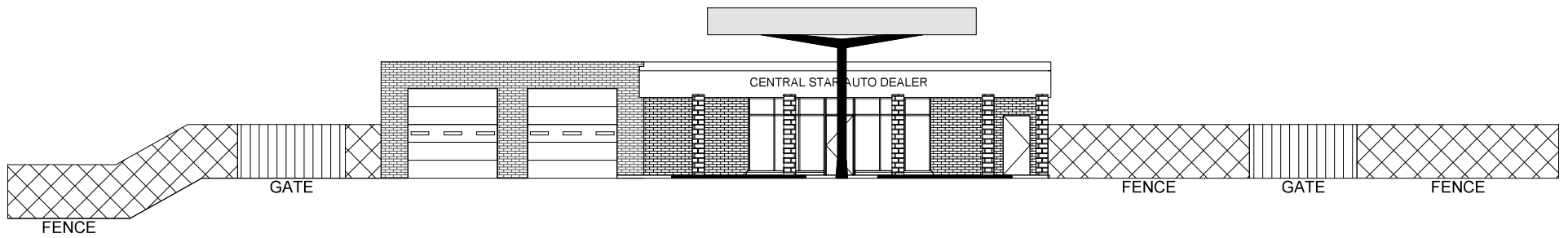
1/4" = 1'-0"
(36" X 24")

CONTACT:

GOLD JACK HOLDINGS LLC
CALDERONGABRIEL@HOTMAIL.COM
(405) 413-2552

SITE
PLAN

SHEET
1 OF 3



WEST FENCE-GATE SETBACK TO SOUTHWEST BUILDING CORNER

FRONT - SOUTH

EAST FENCE-GATE SETBACK TO SOUTHEAST BUILDING CORNER

LOCATION: 5241 NW 10TH ST OKLAHOMA CITY, OK 73127 UNPLTD PT SECT 27-T12N-R4W QTR SW BLOCK 000 LOT 000	SCALE 1/16" = 1'-0" (18" X 12")
	1/8" = 1'-0" (36" X 24")
CONTACT: GOLD JACK HOLDINGS LLC CALDERONGABRIEL@HOTMAIL.COM (405) 413-2552	ELEVATION PLAN
	SHEET 2 OF 3

Case No: SPUD-1699

Applicant: Gold Jack Holdings, LLC

Existing Zoning: C-3

Location: 5241 NW 10th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 100 200
Feet