

Planning Commission Minutes
June 23, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:26 a.m. on June 21, 2022.)

11. (SPUD-1432) Application by G & M Auto Body Shop, LLC., to rezone 4420 NW 10th Street from the C-3 Community Commercial and R-1 Single Family Residential Districts to the SPUD-1432 Simplified Planned Unit Development District. Ward 3.

The applicant was present. There were no protestors present.

Amended Technical Evaluation:

1. Remove Use Unit 8300.69 Spectator Sports and Entertainment:
Restricted and Use Unit 8300.51 Lodging Accommodations:
Commercial Lodging.

**RECOMMENDED APPROVAL SUBJECT TO TECHNICAL
EVALUATION, AS AMENDED.**

MOVED BY FRALEY, SECONDED BY POWERS

AYES: CRAVENS, POWERS, FRALEY, HINKLE, GOVIN,
PENNINGTON;

ABSENT: CLAIR, PRIVETT, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 23, 2022

Item No. IV. 11.

(SPUD-1432) Application by G & M Auto Body Shop, LLC., to rezone 4420 NW 10th Street from the C-3 Community Commercial and R-1 Single Family Residential Districts to the SPUD-1432 Simplified Planned Unit Development District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Francisco Geovanny Salanic az
Phone 405-314-8031 & 405889-4591
Email emmmawanji@gmail.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit an auto body shop and sales.

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: 0.75 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3/R-1	C-3	C-3/R-1	R-1	C-3/R-1
Land Use	Undeveloped	Restaurant	Commercial	Residential	Com/Res

4. Development Context: The subject site is located at the southeast corner of NW 10th Street and Harris Ave, which is a block east of N Meridian Avenue. The site is undeveloped and zoned R-1 and C-3. North, east and west of the site along the arterial corridor, including the intersection at NW 10th St and N Meridian Ave, are commercial uses and zoning (C-3 and C-4).

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Abutting on the east is a glass shop. Across the street to the west is a restaurant along NW 10th Street, and homes behind it, facing the subject site. To the south is a home and neighborhood zoned R-1. The application originally proposed rezoning from R-1 and C-3 to the I-2 District. The application has since been modified to a SPUD that would specifically allow auto sales and auto repair.

II. SUMMARY OF PUD 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:

8300.1	Administrative and Professional Offices
8300.2	Adult Day Care Facilities
8300.5	Alcoholic Beverage Retail Sales
8300.8	Animal Sales and Services: Grooming
8300.11	Animal Sales and Services: Kennel and Veterinary, Restricted
8300.13	Automotive: Parking Lots, as a Principal Use
8300.14	Automotive and Equipment: Cleaning and Repairs, Light Equipment
8300.15	Automotive and Equipment: Heavy Repairs, Heavy Equipment
8300.22	Bingo Parlors
8300.23	Building Maintenance Services
8300.24	Business Support Services
8300.25	Child Care Centers
8300.29	Communications Services: Limited
8250.2	Community Recreation: General
8250.3	Community Recreation: Property Owners Association
8250.4	Community Recreation: Restricted
8300.32	Convenience Sales and Personal Services
8250.5	Cultural Exhibits
8350.3	Custom Manufacturing
8200.2	Dwelling Units and Mixed Uses
8300.35	Eating Establishments: Fast Food
8300.37	Eating Establishments: Sitdown
8300.38	Eating Establishments: Sitdown, Alcohol Permitted
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted
8300.41	Food and Beverage Retail Sales
8150.6.3	Greenhouse
8150.6.5	Hoop House
8250.11	Library Services and Community Centers
8250.12	Light Public Protection and Utility: General
8250.13	Light Public Protection and Utility: Restricted

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8300.49	Lodging Accommodations: Bed and Breakfast
8300.51	Lodging Accommodations: Commercial Lodging
8250.14	Low Impact Institutional: Neighborhood-Related
8300.52	Medical Services: General
8300.53	Medical Services: Restricted
8250.16	Murals
8300.55	Participant Recreation and Entertainment: Indoor
8300.58	Personal Services: General
8300.59	Personal Services: Restricted
8300.60	Personal Storage
8300.61	Repair Services: Consumer
8300.62	Research Services: Restricted
8300.63	Retail Sales and Services: General
8200.14	Single-family Residential
8200.13	Senior Independent Living
8300.69	Spectator Sports and Entertainment: Restricted

The following use is permitted within the SPUD, and cars for sale may be displayed within the north 100 feet of the SPUD boundary:

8300.18 Automotive and Equipment: Automobile Dealerships and Malls

The following uses are permitted within the south 100 feet of the SPUD boundary provided they are screened from view per Code:

8300.21 Automotive and Equipment: Storage

8300.54 Outdoor Sales and Display, and Outdoor Storage

2. Maximum Building Height: 35 feet

3. Maximum Building Size: 6,000 square feet

4. Maximum Number of Buildings: Two primary buildings

5. Building Setback Lines

Front Yard: 20 feet (north)

Rear Yard: 15 feet (south)

Side Yard: 5 feet (east)

Corner Side Yard: 10 feet (west)

6. Sight-proof Screening: The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

- 7. Landscaping:** The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.
- 8. Signs:** No freestanding signs will be allowed. Attached signs are permitted per Code. Electronic Messaging Display (EMD) signs are prohibited.
- 9. Access:** One driveway per street frontage is permitted.
- 10. Sidewalks:** Sidewalks are existing along NW 10th Street. No new sidewalks are required.

II. Other Development Regulations:

- 1. Architecture:** Buildings facing NW 10th Street, exclusive of windows and doors, shall be brick, brick veneer, rock, concrete, stucco, concrete-board, or stone masonry. Metal and architectural metal is allowed on the east, west and south facades.
- 2. Open Space:** Per base regulations
- 3. Street Improvements:** N/A
- 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. To minimize light spillover on residential uses, outdoor lights within the development will be directed away from any adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.
- 5. Dumpsters:** Dumpsters shall be located at least 50 feet from an existing home and 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.
- 6. Parking:** A minimum of 6 parking spaces shall be provided for the auto repair and the office use. Parking for other uses shall be per Code. In addition to the required parking, parking for vehicles offered for sale shall be permitted within the north 100 feet of the site. Parking for vehicles awaiting repair shall only be located within the south 100 feet of the site, behind a building, and screened from view.
- 7. 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: Site Plan

III. REVIEW COMMENTS

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk indicates that the agency, department, and/or division responded with no adverse comments.

A. Outside Agencies

- 1. Oklahoma City-County Health Department**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas:** Please 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 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.
- 4) All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.

- 5) 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.
- 6) All existing unused wastewater services must be abandoned at the wastewater main.
- 7) 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) No solid waste services needed.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 6" 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 whenever possible.
- Developments should be served by urban water and sewer utility systems.

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

Location:

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

The subject site is located along NW 10th Street, a major arterial street.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The proposed SPUD regulations could allow for development within this 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.
- 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.
- Horizontally mixed-use developments should have connectivity between land uses.

The subject site is located at the corner of an arterial and neighborhood street. The SPUD limits driveways to one per street frontage.

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 have recently been installed along NW 10th Street.

- 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 commercial and auto repair/sales uses adjacent to existing low intensity residential, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if setbacks are significantly deeper or more shallow than the predominant character of adjacent development; the building’s orientation to the street differs from the predominant character of adjacent development; building size or street frontage dramatically differs from that of adjacent uses, the lot coverage (including buildings and paved areas) dramatically exceeds that of adjacent uses, or if buildings within 40 ft. of a single-family residential structure exceed a 3:1 ratio in height. *The SPUD specifies that the site will be developed with auto sales in the front (north) and auto storage/parking for vehicles awaiting repair screened in the back (south). The office and indoor auto repair will occur in the center. The placement of the building will depend on the sewer line that bisects the property and whether it will be moved and the easement vacated. All storage areas will be screened from residential.*

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 at the corner of an arterial and neighborhood streets. The neighborhood street currently serves primarily residential uses.*

Operational Impact: The comprehensive plan calls for mitigation measures if new projects propose uses that generate noise levels above those found in typical residential settings, have detectable odors, spill light above that found in typical residential settings, or operate after 10 p.m. within proximity to residential uses.

When located near residential uses, the comprehensive plan calls for containing operating effects (including noise and odor) within building walls, using vertical screening to block any mechanical equipment and service areas, and directing light away from adjacent residential areas. *The original application proposed the I-2 Moderate Industrial District which triggered potential operational impacts near residential uses as it allows outdoor work and outdoor storage, as well as moderate industrial and heavy commercial uses that could create detectable odors, noise and/or spill light above the adjacent residential uses. The Planning Commission recommended a SPUD in order to address potential impacts. The SPUD proposes a modified C-3 base district instead, with the intended auto sales and auto repair uses added as permitted uses, requires work to be completed indoors, and requires vehicles awaiting repair to be screened from view and landscaping provided per Code.*

- 3) **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served*
 - Fire Service: *Urban Service Level*
- 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 at the southeast corner of NW 10th Street, a Major Arterial Street and Harris Avenue, a Neighborhood Street, both in the Urban Low LUTA. Transit (bus) service is available along NW 10th Street.
- 6) **Other Development Related Policies**
 - Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
 - 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)

- 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. Large-scale commercial buildings with parking in front should screen parking lots with coordinated development of out-parcels (pad sites) and with landscaping. (SU-28)
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- 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)
- Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)

7) Other Considerations - Retail Priority Corridor

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. In addition, residents and businesses need healthy retail nodes and corridors to meet their needs for goods and services and to enhance the quality of surrounding neighborhoods. *The comprehensive plan designates NW 10th Street between N Council Road and N Portland Ave as a Retail Priority Area under the “Revitalize” policy framework. The existing C-3 District is consistent with this designation. The SPUD would allow auto repair and auto sales while maintaining neighborhood commercial uses.*

b. Plan Conformance Considerations

The subject site is located at the southeast corner of NW 10th Street and Harris Ave, a block from N Meridian Ave. The site is undeveloped and zoned C-3 along the arterial corridor and R-1 on the south. The original application requested to rezone the entire site to the I-2 Moderate Industrial District to allow auto sales and heavy auto repair. The Planning Commission recommended a SPUD be submitted instead to specify uses and address potential impacts near residences. The application has been converted to a SPUD that allows the intended uses with conditions while maintaining some of the existing permitted uses, proposes a C-3 base district instead of an industrial district, does not allow freestanding or Electronic Message Display signs, and specifies that cars for sale can be displayed along NW 10th Street while those awaiting repair must be located in the rear and screened from view.

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.

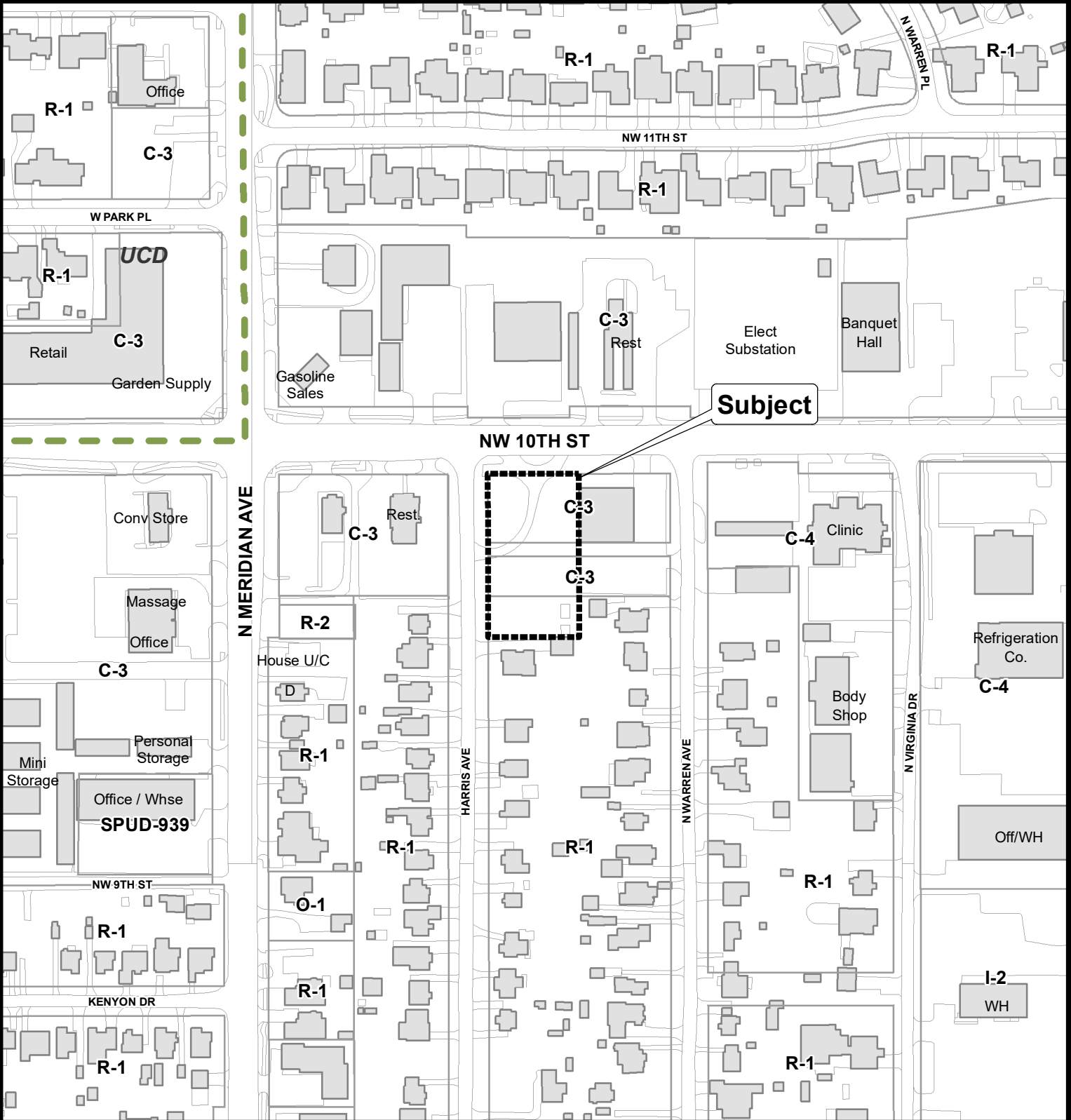
Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant 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-1432 Applicant: Francisco Geovanny Salanic
Existing Zoning: C-3 / R-1
Location: 4420 NW 10th St.



Simplified Planned Unit Development



The City of
OKLAHOMA CITY



0 100 200 Feet



EXHIBIT B

26

25

NW 10TH ST

39

Sewer Easement
SPUD-1432

N WARREN AVE

HARRIS AVE

NORTH

Case No: SPUD-1432 Applicant: Francisco Geovanny Salanic
Existing Zoning: C-3 / R-1
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Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

