

Planning Commission Minutes
July 28, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:40 p.m. on July 22, 2022.)

8. (SPUD-1433) Application by Design Build Masonry, LLC., to rezone 9020 N. I-35 Service Road from the C-3 Community Commercial District to the SPUD-1433 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY CLAIR, SECONDED BY HINKLE

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN,
PENNINGTON, LAFORGE;

ABSENT: NOBLE



STAFF REPORT
The City of Oklahoma City
Planning Commission
July 28, 2022

Item No. IV. 8.

(SPUD-1433) Application by Design Build Masonry, LLC., to rezone 9020 N. I-35 Service Road from the C-3 Community Commercial District to the SPUD-1433 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant/Developer Representative

Name Mark Grubbs
Company Grubbs Consulting LLC
Phone 405-265-0641
Email mark.grubbs@gc-okc.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit a commercial 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: 1.49 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3	PUD-626	PUD-626	PUD-626	PUD-771
Land Use	Commercial	Undeveloped	Undeveloped	Undeveloped	Industrial

4. Development Context The subject site is located on the east side of the Interstate 35 Service Road, between E Britton Road and E Wilshire Boulevard. The site is zoned C-3 and undeveloped except for a cell tower and accompanying accessory structures.

The subject site is surrounded on the north, east, and south by PUD-626 which allows for the outdoor display of up to six residential accessory buildings. Interstate 35 runs adjacent to the site on the west. The SPUD proposes an I-1 light industrial base with the added uses of *Moderate Industrial* and the *Automotive and Equipment* uses that would allow heavy auto repair, sales, storage, and display for a construction sales and services business.

II. SUMMARY OF PUD APPLICATION

This SPUD shall be developed in accordance with the regulations of the **I-1 Light Industrial District** (OKC Zoning Ordinance, 2020), except as modified herein.

1. The following uses shall be the only uses permitted within this SPUD:

- a) Administrative and Professional Offices (8300.1)
- b) Automotive and Equipment: Cleaning and Repairs, Light Equipment (8300.14)
- c) Automotive and Equipment: Heavy Repairs, Heavy Equipment (8300.15)
- d) Automotive and Equipment: Sales and Rentals, Farm and Heavy Equipment (8300.19)
- e) Automotive and Equipment: Sales and Rentals, Trucks, Manufactured (Mobile) Homes and Recreational Vehicles (8300.20)
- f) Automotive and Equipment: Storage (8300.21)
- g) Building Maintenance Services (8300.23)
- h) Business Support Services (8300.24)
- i) Communications Services: Antennas (8300.27)
- j) Communications Services: Limited (8300.29)
- k) Communications Services: Telecommunication Towers (8300.30)
- l) Construction Sales and Services (8300.31)
- m) Custom Manufacturing (8350.3)
- n) Industrial, Moderate (8350.7)
- o) Industrial, Light (8350.8)
- p) Light Public Protection and Utility: General (8250.12)
- q) Light Public Protection and Utility: Restricted (8250.13)
- r) Outdoor Sales and Display, and Outdoor Storage (8300.54), as modified herein
- s) Personal Storage (8300.60)
- t) Repair Services: Consumer (8300.61)
- u) Research and Development (8350.10)
- v) Research Services: Restricted (8300.62)
- w) Retail Sales and Services: General (8300.63)
- x) Wholesaling, Storage and Distribution: Restricted (8350.16)

The intent of the developer is to construct an office and shop buildings in order to operate a construction sales and services business. All uses required to operate a construction sales and services business will be permitted.

2. Maximum Building Height:

Two story and 35 feet

3. Building Setback Lines:

North: In accordance with base zoning
South: In accordance with base zoning
East: In accordance with base zoning
West: 15 feet

4. Sight-proof Screening:

Sight proof screening shall not be required except around outdoor storage and service areas. Security fencing shall be permitted in accordance with the Municipal Code.

5. Landscaping:

The subject parcel shall meet requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development. Landscaping within the entirety of the SPUD shall count towards meeting all landscape requirements for each permit.

6. Signs:

Signs shall be in accordance with the regulations of the I-1 Light Industrial District, except as modified herein.

6.1 Freestanding Accessory Signs:

Free-standing signs shall have no less than 25 square feet of landscaping at the base. Signs shall be covered with a material consistent with the buildings they serve.

6.2 Attached Signs:

Attached signs shall be in accordance with the base zoning district.

6.3 Non-Accessory Signs:

Non-Accessory signs are prohibited.

6.4 Electronic Message Display Signs:

Electronic Message Display signs are prohibited.

7. Access:

Access to this site will be from the existing driveway and up to one new driveway onto the I-35 Service Road, having a minimum separation of 125 feet. Access to adjoining properties is permitted.

II. Other Development Regulations:

1. Architecture:

Building facades facing west towards I-35, and within the westernmost 25 feet of the site, shall consist of a minimum of 70% brick, rock, stone or other masonry, exclusive of doors and windows. Garage bays shall be located behind a building or screened from view from I-35, unless the overhead doors for garage bays are constructed of glass and metal and have a storefront appearance

2. Outdoor Storage:

Outdoor storage of equipment and materials and service areas shall be permitted but screened from view of Interstate 35 with a fence and/or landscaping per Code, or by a building

Outdoor storage, display and/or sales shall be permitted to be on a gravel surface.

3. Street Improvements:

No street improvements will be required.

4. Dumpsters:

Dumpsters shall be screened from public view and shall be placed no closer than 50-feet from any residential structure.

5. Parking:

Parking shall conform to Chapter 59, Section 10600 of the OKC Municipal Code, except as otherwise provided herein.

Parking spaces in front of overhead doors shall be permitted and counted toward meeting parking requirements.

6. Maintenance:

Maintenance of all common areas and amenities shall be the responsibility of the owners of said property.

7. 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.

8. Drainage

Drainage improvements, if required, will be in accordance with applicable sections of the Oklahoma City Code of Ordinances. Drainage ways may be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code, which includes certain allowances in construction standards for SPUDS, provided the SPUD is developed with drainage areas confined to common areas or private drainage easements. Such drainage ways must be designed to handle adequate flows and cannot be built without specific approval of the City Engineer. The maintenance will be the responsibility of the property owners.

III. Supporting Documents:

Exhibit A: Legal Description

Exhibit B: Conceptual 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) Oakdale

7. Oklahoma Department of Transportation (ODOT)

B. City Departments

1. Airports

2. Central Oklahoma Transportation and Parking Authority (COTPA)

3. Fire: No objection, but a firetruck turnaround will be required on the property.

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) A Corps of Engineers 404 permit must be submitted with plans for any work contemplated within the floodplain, creek, or channel (waters of the United States) included in the case limits.
- 5) 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.
- 6) 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.
- 7) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 8) 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.
- 9) 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.
- 10) All private roads /streets will have private storm sewer systems.

- 11) 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. 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) An off-site sanitary sewer interceptor will be required to serve the proposed development and the particular drainage basin. The size, alignment and other design factors shall be in accordance with current City Standard Specifications. The developer may make an application under the Policy "B-1" program to the Oklahoma City Water Utilities Trust (OCWUT) for City participation of construction costs if an oversized sanitary sewer main is required to serve the drainage basin. Approval will be subject to funds available for improvements and will not be granted for oversized mains that are necessary to provide additional capacity for the proposed development(s).

- 6) Proposed minimum lot size does not meet the current 30,000 square foot minimum lot size for lots with on-site sewage disposal systems. On-site aerobic sewage disposal systems require a minimum twenty-five (25) foot setback from the property line or public property.
- 7) 8" Wastewater extension is required along back of property.

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) The developer will be required to extend a minimum 16-inch water main (or larger as recommended by the approved current water master plan) along section line streets and will be required to extend the water system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations. The developer may make an application under the Policy "A-1" program to the Oklahoma City Water Utility Trust (OCWUT) for purchase of construction costs for an oversized water main extension larger than 12-inch. Approval will be subject to funds available for improvements.
- 3) 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.
- 4) Dead-end water mains must be avoided where applicable. All existing unnecessary water services must be abandoned at the water main.
- 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 and fire protection systems which require water pressure in excess of 25 psi.

- 6) 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.
- 7) 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.
- 8) 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) 12" extension is required along I-35 Service Road.

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 the Interstate 35 Service Frontage Road.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The SPUD regulations could provide a FAR within the UL 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.
- Provide vehicular connectivity between adjacent developments.

- Horizontally mixed-use developments should have connectivity between land uses.

The site currently has one access point to the existing cell tower and accessory structures. The SPUD would allow up to one additional drive onto the I-35 Service Road. Plan conformance would be strengthened if access could be shared. The SPUD requests a 125-foot separation between driveways. Approval of the request would allow the new driveway to be placed farther away from the I-35 on- and off-ramps.

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 not available and would not be required along highway frontage.

- 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 industrial uses adjacent to similarly zoned or developed property, no potential compatibility issues identified by the comprehensive plan.
- 3) **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Open Sewer Sheds*
 - Fire Service: *Urban Service Level*
- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - Riparian Areas: N/A
 - Upland Forests: The subject area is within the upland forest ESA. The comprehensive plan directs to preserve the Cross Timbers and upland forests, including native understory, to the maximum extent practical. When new-growth or re-growth upland forest trees are removed during construction, trees and other native plants should be replanted on-site. New trees should be planted in clusters that mimic the original tree canopy. The comprehensive plan defines mitigation hierarchy in the following priority: 1) Avoidance and minimization, 2) Restoration, 3) Offset. *Upland forest is present on the subject site. When less than 60 percent covered, the comprehensive plan has a preservation goal of 100 percent. Plan conformance would be strengthened if trees could be preserved and protected as development occurs.*

- **Vulnerable Aquifers:** The aquifer in this area is considered moderately 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 the I-35 Service Road, a frontage road and Minor Arterial in the Urban Low LUTA. Transit (bus) service is not available. A multi-use trail is planned to the east near the Deep Fork River with a route to be determined at a later date.

6) Other Development Related Policies

- 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)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizeable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)
- 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)

b. Plan Conformance Considerations

The subject site is located on the east side of the I-35 Service Road between E Britton Road and E Wilshire Boulevard. The site is zoned C-3 developed with a telecommunications tower on the southern portion of the site. The SPUD would allow a construction sales and services business. The SPUD requires outdoor storage and service areas to be screened from view, requires buildings facing I-35 to be 70% brick, rock, stone or other masonry, and prohibits EMD signs. No compatibility issues were identified, and the SPUD is consistent with surrounding zoning and development.

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.

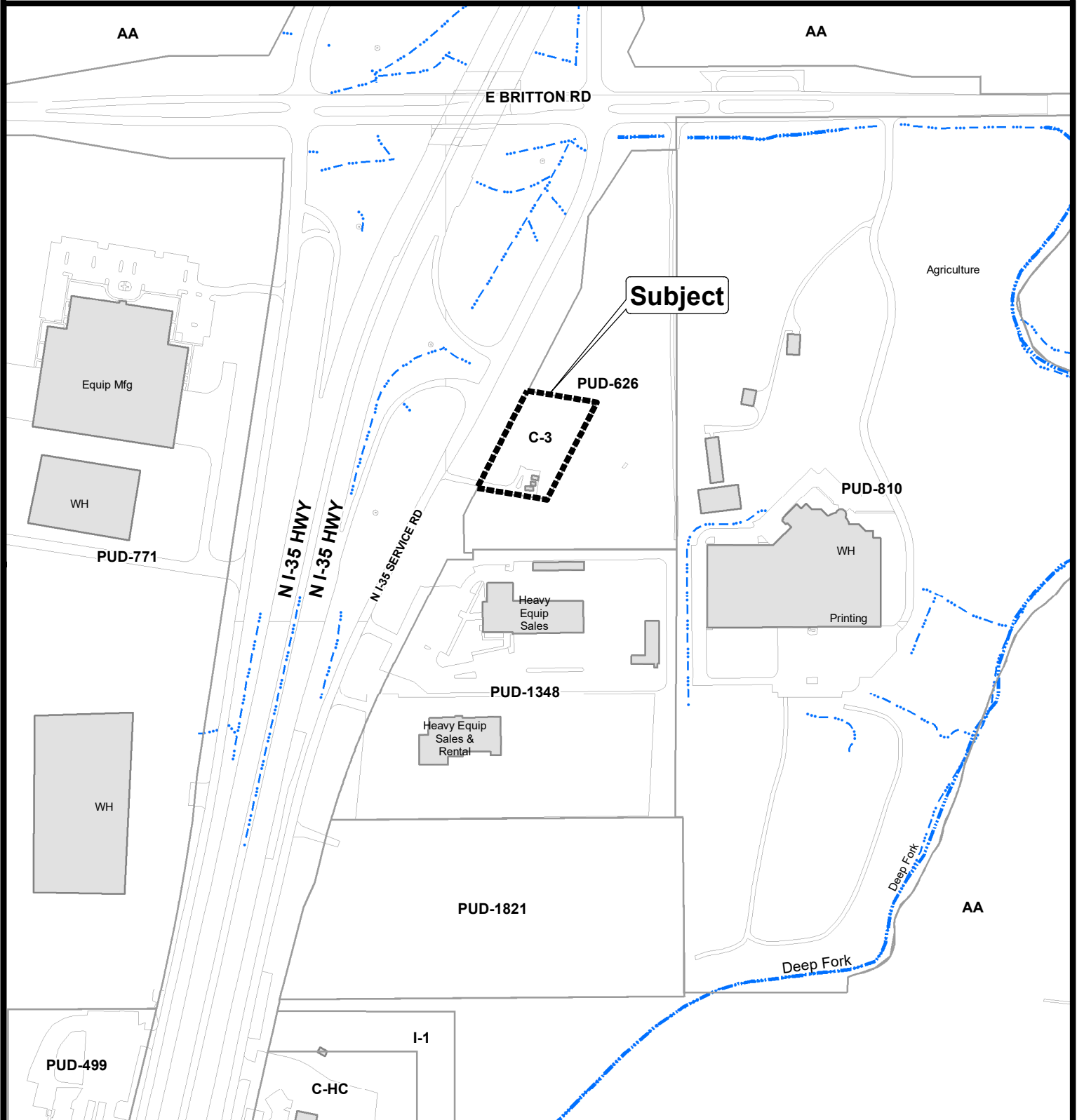
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Case No: SPUD-1433

Applicant: Grubbs Consulting, LLC

Existing Zoning: C-3

Location: 9020 N. I-35 Service Rd.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



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Feet

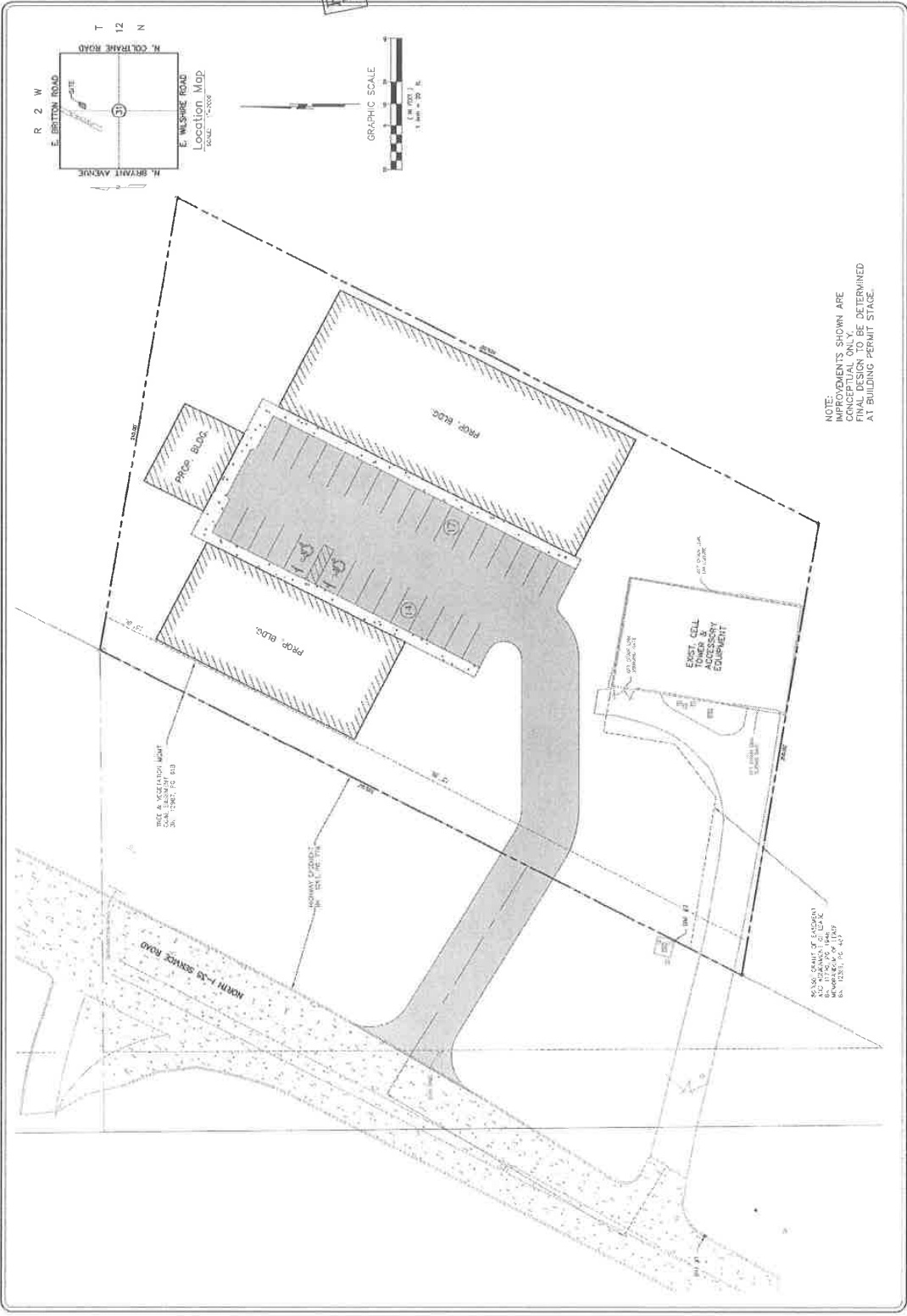
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 CIVIL ENGINEERING & LAND PLANNING
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 Oklahoma City, Oklahoma 73102
 Phone: (405) 241-1234
 Fax: (405) 241-1235
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DESIGN BUILD MASONRY
 CONCEPTUAL PLAN
 EXHIBIT B

NO.	DESCRIPTION	DATE
1	Initial Design	10/1/2023
2	Revised Design	10/15/2023
3	Final Design	10/30/2023

EXH-B
 SHEET NUMBER
 22-024



DESIGN BUILD MASONRY

Case No: SPUD-1433

Applicant: Grubbs Consulting, LLC

Existing Zoning: C-3

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Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



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