

Planning Commission Minutes
March 14, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:07 a.m. on March 11, 2024)

11. (PC-10924) Application by James D Smith and Rebecca S Smith Revocable Living Trust and 3-D Conservation Group, LLC to rezone 1025 SE 15th Street from R-1 Single-Family Residential and SRODD Scenic River Overlay Design Districts to C-3 Community Commercial and SRODD Scenic River Overlay Design Districts. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY CLAIR, SECONDED BY NEWMAN

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 14, 2024

Item No. IV. 11.

(PC-10924) Application by James D Smith and Rebecca S Smith Revocable Living Trust and 3-D Conservation Group, LLC to rezone 1025 SE 15th Street from R-1 Single-Family Residential and SRODD Scenic River Overlay Design Districts to C-3 Community Commercial and SRODD Scenic River Overlay Design Districts. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Shzam Cheema
405-532-6633
emailshzam@yahoo.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to allow commercial development.

D. Existing Conditions

1. Size of Site: 1.28 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1/SRODD	I-3/SRODD	I-1/I-2/ SRODD	R-1	R-1/SRODD
Land Use	Undeveloped	Oil Well	Undeveloped	Residential	Undeveloped

3. 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.

II. 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 Water Resources Board (OWRB)**
- 5. School District (Crooked Oak)**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire (OCFD) ***
- 4. Information Technology/Geographic Support (IT/GIS)**
- 5. Parks and Recreation**
- 6. Police (OCPD)**
- 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 PC 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) Sidewalks 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.

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Management *

11. Utilities

a. Wastewater Comments

1. No public wastewater service is available for the development. A private on-site wastewater disposal system is required in accordance with ODEQ rules and regulations. Applicants is responsible for obtaining all required City and ODEQ Permits. On-site wastewater disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.

b. Water Comments

1. An existing 6" & 16" 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.

c. Solid Waste Management

No Solid Waste Management services needed.

12. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Maintain historical lot and block sizes where possible and appropriate.
- 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:

- Mixture of density, lot size and building scale is appropriate as long as land use compatibility is achieved.

Density: The non-residential Floor to Area Ratio (FAR) range for the UM LUTA is 0.4 to 1.2 with a typical FAR of 1.

National, state, and local permitting require basic best management practices for stormwater management. The site is currently undeveloped. The proposed C-3 District could provide a FAR within the Urban Medium LUTA.

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 subject site currently has three paved curb cuts along SE 15th Street. Any changes to access would be per Code, including the SRODD regulations and guidelines.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are not currently available on the subject site. Requirements would be per Code, including SRODD regulations and guidelines.

- 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 residential zoning, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan. Projects in higher intensity LUTAs (UM) may be more appropriate for significant transitions of density, scale and mass.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if the 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 C-3 District regulations allow greater lot coverage (100%) than the adjacent R-1 District. New*

development would be subject to step-down in height, screening, and a landscape buffer adjacent to a residential district. The subject site abuts primarily industrial zoning. It is not expected that the remaining R-1 zoned area would be developed as residential. New development and changes to the site require design approval.

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 along the north side of SE 15th Street, a minor arterial street. No triggers requiring mitigation were identified.*

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. *It is not expected that the remaining R-1 zoned area would be developed as residential, but Code will require increased setbacks, screening, and a landscape buffer along the west boundary of the property adjacent to the R-1 District. New development and changes to the site require design approval.*

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 along the north side of SE 15th Street, a Minor Arterial Street in the Urban Medium LUTA. The nearest transit (bus) service is located west of the subject site, near the corner of SE 15th Street and S High Avenue.

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)
- 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. 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)
- 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)
- 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)

b. Plan Conformance Considerations

The subject site is located on the north side of SE 15th Street, between South High Avenue and Interstate 35. The site is undeveloped and zoned R-1. Undeveloped R-1 land would remain to the west of the site. North of the site is I-3 zoned property that is used primarily for oil and gas extraction and storage. Adjacent to the site on the east are I-1 and I-2 zoned portions of land that are undeveloped. Across SE 15th Street, to the south, is a single-family residential neighborhood zoned R-1 and apartments zoned C-3. The SE 15th Street corridor is a mix of residential, commercial, and industrial uses and zoning.

The subject area and adjacent land on the north, east and west (north of SE 15th Street) are within the Scenic River Overlay Design District (SRODD - Regatta). The design district would remain unchanged and all new development and changes to the site would require design approval.

This rezoning application is subject to review by the Riverfront Design Committee (RDC). On March 7, 2024, the RDC recommended approval to the Planning Commission.

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

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The City of Oklahoma City
Planning Commission
PC-10924
March 14, 2024

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information presented at the public hearing by the public, applicant, and/or City departments.

Approval of the application.

gjh



STAFF REPORT

Riverfront Design Committee

03/07/2024

Agenda Item VII.B.
Case No. PC-10924
Property Address 1025 SE 15th St
Applicant Name Shzam Cheema
for Charlene Francis Bright, et al; Margaret Ann Thomas, James D and
Rebecca S Smith Trustees for James D Smith, Jr & Rebecca S Smith
Revocable Living Trust; and Chad Brinson, 3D Conservation Group
1003 Clover Ln
Oklahoma City, OK 73131
District Regatta/R-1 Single-Family Residential District

A. ITEMS FOR CONSIDERATION

To provide a recommendation to the Planning Commission for a request to rezone from R-1 Single-Family Residential District to C-3 Community Commercial District. This property would remain in the Scenic River Overlay Design District (SRODD) and any development would be required to comply with the SRODD regulations and guidelines.

B. BACKGROUND

1. Location

This site is located on the north side of SE 15th St, east of S High Ave.

2. Site History/Existing Conditions

This area was platted in block 5 of the Iowa Addition on July 9, 1911. Currently, the property is vacant.

3. Surrounding Environment

Adjacent to the north and west is Magellan Pipeline Company property containing oil production and storage tanks. To the south, across SE 15th St are single-family residential homes. Adjacent to the east is Teague Business Properties containing oil production and storage tanks.

4. Intended Use

The applicant has indicated that he would like to develop the property with commercial development.

5. Other

Per 59-4250.8.(A), *"The Riverfront Design Committee (RDC) shall have the opportunity to comment upon and provide recommendations on actions proposed to other City boards, committees, and commissions with respect to the effect of such actions upon the District except buildings for which a Notice of Violation for dilapidation has been sent by the City."*

The applicant has also submitted a CE application for closure of the alley, with

application is also on the 03/07/2024 RDC agenda for discussion and recommendation.

C. ITEMS IN COMPLIANCE

The requested zoning appears compatible with surrounding development. The property would remain in SRODD and any development would be required to conform with the Development Regulations and Guidelines of the Scenic River Overlay Design District zoning ordinance. Future development will be required to obtain a Certificate of Approval.

D. ISSUES AND CONSIDERATIONS

None

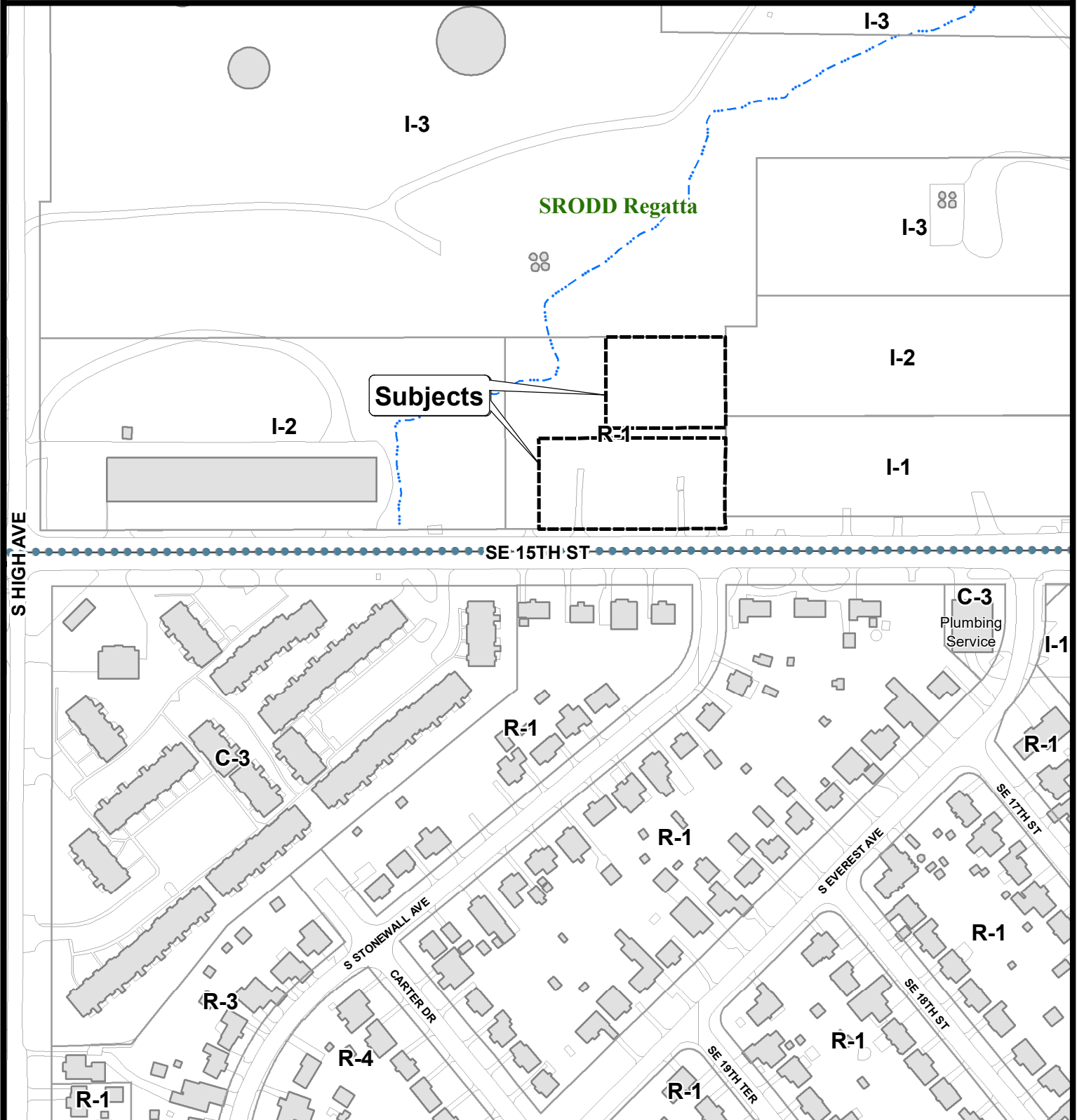
E. STAFF RECOMMENDATION

- 1. Provide a recommendation of approval to the Planning Commission** on the basis that the project complies with the Scenic River Overlay Design District zoning ordinance as referenced in Section C of the Staff Report.

Note: Staff recommendations do not constitute Committee decisions.

Attachments: Application, Legal Description, Photos

Case No: PC-10924 Applicant: James D. Smith, Jr. and Rebecca S. Smith Revocable Living Trust and 3-D Conservation Group, LLC
Existing Zoning: R-1 / SRODD Location: 1025 SE 15th St.
Proposed zoning: C-3 / SRODD



The City of
OKLAHOMA CITY

Rezoning Application



0 100 200
Feet

Case No: PC-10924 Applicant: James D. Smith, Jr. and Rebecca S. Smith Revocable Living Trust and 3-D Conservation Group, LLC
Existing Zoning: R-1 / SRODD
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Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Rezoning Application



0 100 200
Feet