

Planning Commission Minutes
October 10, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 3:51 p.m. on October 4, 2024)

9. (SPUD-1674) Application by Canchola Properties, LLC to rezone 10601 North I-35 Service Road from C-3 Community Commercial District to SPUD-1674 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY PENNINGTON, SECONDED BY NOBLE

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
October 10, 2024

Item No. IV. 9.

(SPUD-1674) Application by Canchola Properties, LLC to rezone 10601 North I-35 Service Road from C-3 Community Commercial District to SPUD-1674 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant Representative

Name David M. Box
Company Williams, Box, Forshee, and Bullard P.C.
Phone (405) 232-0080
Email dmbox@wbfbllaw.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow commercial uses, specifically boat sales, service and storage.

D. Existing Conditions

1. Size of Site: 2.33 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3	PUD-1854 / C-3	R.O.W.	PUD-1674	PUD-1674
Land Use	Restaurant / Retail	Undeveloped / Gas Station	I-35 Highway	Undeveloped	Warehouse

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:

In addition to all uses within the C-3 District, the following shall also be permitted:

8300.15	Automotive and Equipment: Heavy Repairs, Heavy Equipment
8300.20	Automotive and Equipment: Sales and Rentals, Manufactured (Mobile) Homes and Recreational Vehicles
8300.60	Personal Storage

2. **Maximum Building Height:**

The maximum building height shall be in accordance with the base zoning district.

3. **Maximum Building Size:**

The maximum building size shall be in accordance with the base zoning district.

4. **Maximum Number of Buildings:**

The maximum number of buildings shall be four (4) within this SPUD.

5. **Building Setback Lines**

Building setback lines shall be in accordance with the base zoning district.

6. **Sight-Proof Screening:**

Sight-proof screening shall be in accordance with the base zoning district.

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:**

The existing signage shall be permitted to remain and deemed to conform to applicable regulations.

- 8.1 **Freestanding Accessory Signs**

Freestanding signs will be in accordance with the base zoning district regulations.

- 8.2 **Attached Signs**

Attached signs will be in accordance with the base zoning district regulations.

8.3 Non-Accessory Signs

Non-accessory signs will be in accordance with the base zoning district regulations.

8.4 Electronic Message Display Signs

Electronic Message Display signs will be in accordance with the base zoning district regulations.

9. Access:

Access may be taken from N. I-35 Service Rd.

10. Sidewalks

Sidewalks shall not be required within this SPUD.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, architectural metal, rock or stone masonry, stucco, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted.

2. Open Space:

N/A.

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.

5. Dumpsters:

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

Trash collection facilities in this 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 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: Conceptual 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 (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) (Oakdale)**
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**

3. Fire

30-foot drive / fire lane required between buildings.

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) Flood Study will be required to show no rise in FEMA Q 100 and the City of Oklahoma City Q 100 water surface elevation, compared pre-and post-development.
- 5) A portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year) frequency plus 1'. The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.
- 6) A floodplain activity permit must be submitted for any work contemplated in The Waters of the United States.
- 7) 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.
- 8) 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.
- 9) 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.

- 10) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 11) 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.
- 12) 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.
- 13) All private roads /streets will have private storm sewer systems.
- 14) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.
- 15) Section II.7. Maintenance: Amend to include "Maintenance of the common areas, private drainage easements, and islands / medians in the development are the responsibility of the property owners or property owners Association." ...

b. Streets, Traffic and Drainage Maintenance

c. Stormwater Quality Management

d. Traffic Services *

8. Utilities

a. Solid Waste Management

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

b. Water/Wastewater Quality

- 1) No new structures allowed within easement.

c. Wastewater Availability

- 1) No new structures allowed within easement.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways.
- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

Floodway and 100-year floodplain are present on the subject site. The existing structures on the site are located outside the floodplain and floodway areas. The development is required to comply with all City, State, and Federal requirements within the floodplain. The SPUD does not specify any measures to address the floodplain or floodway areas. 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 west side of the North I-35 Service Road, an arterial street and 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 current floor to area ratio of the site is approximately 0.06. The SPUD regulations could provide for continued development within 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.
- 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 subject site is currently served by two drives along the North Interstate 35 Service Road. The Master Design Statement states access will be taken from the North Interstate 35 Service Road but does not specify an amount. The conceptual plan for the development illustrates two drives in the existing locations.

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 currently available on the subject site and are not required by the SPUD regulations.

- 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 commercial or industrial uses, no potential compatibility issues are identified by the comprehensive plan.
- 3) **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served*
 - Fire Service: *Urban Response*
- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - **Riparian Areas:** Riparian areas are vegetated areas adjacent to streams, lakes, ponds, and wetlands that are composed of a mixture of trees, shrubs, and grasses. These areas may also contain floodplain. The comprehensive plan recommends a 100-foot buffer from stream banks. *The northern and western edges of the application site include floodplain. The existing buildings are not located in the 100-year floodplain. The SPUD does not specify any measures to address the floodplain or floodway areas; however, the development is required to comply with all City, State, and Federal requirements within the floodplain.*
 - **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 exists on the western portion of the subject site. When less than 60% covered, the comprehensive plan has a preservation goal of 100%. Plan conformance would be strengthened by preserving existing, healthy trees on the site as possible. Most of the tree cover is within the floodway.*
 - **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. 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 west side of the North I-35 Service Road, a Minor Arterial Street in the Urban Low LUTA. Transit (bus) service is not available nearby.

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)
- 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)
- Avoid under-grounding streams to the greatest extent possible. Where feasible, encourage the re-surfacing of buried streams. Limit the use of culverts or other structures that alter natural streams, and require designs that minimize impacts to stream health and function. (G-11)
- 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 along the west side of the North I-35 Service Road, south of East Hefner Road. The site is zoned C-3 and developed with two vacant commercial buildings. The site was rezoned from C-HC to C-3 in 2020. Abutting the site to the north, along the service road, is undeveloped C-3 land surrounded by PUD-1854 which was approved in 2021 and later developed as a QuikTrip truck stop. Adjacent on the west and south is PUD-1674 which was rezoned in 2018 to allow commercial and light industrial uses.

The SPUD is requested to allow the existing C-3 uses, and add uses to allow a boat sales and storage business. Any new structures will need to be placed outside of existing easements. No new compatibility issues were identified with the requested uses along the I-35 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.

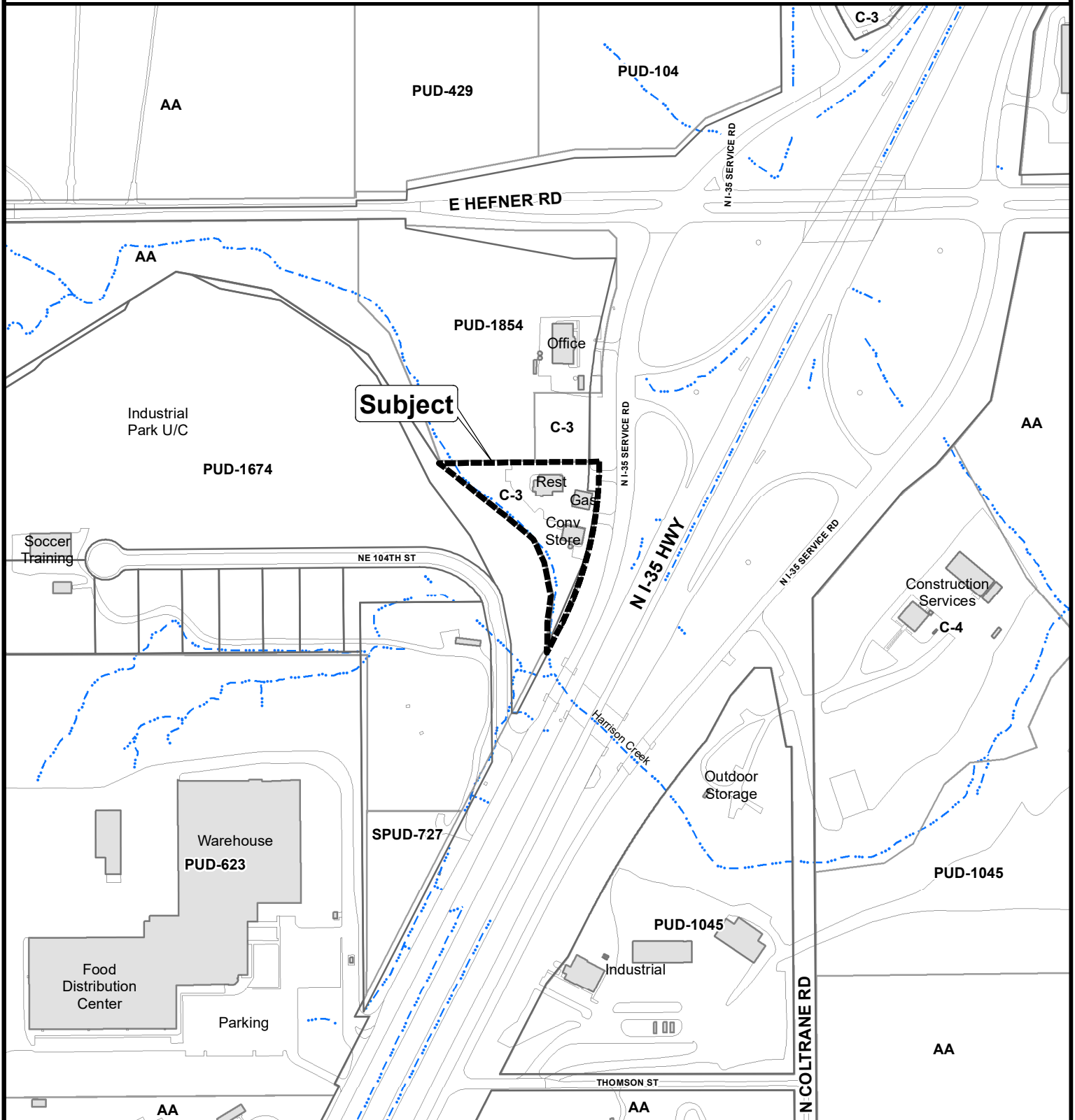
taj

Case No: SPUD-1674

Applicant: Canchola Properties, LLC

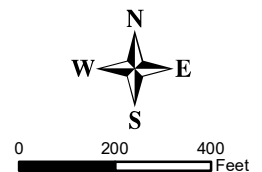
Existing Zoning: C-3

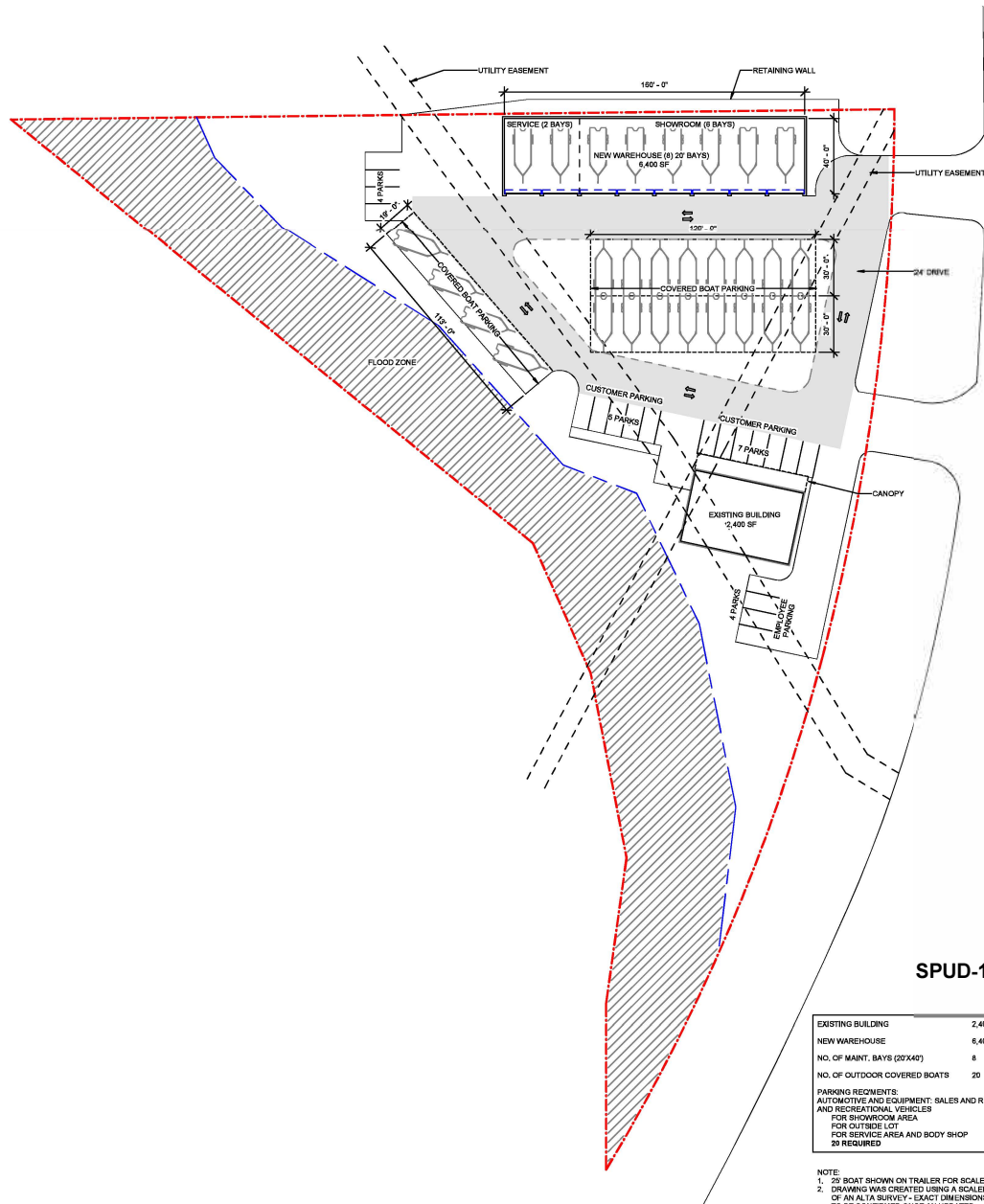
Location: 10601 N. I-35 Service Rd.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development





SPUD-1674 Exhibit B

EXISTING BUILDING	2,400 SF
NEW WAREHOUSE	8,400 SF
NO. OF MAINT. BAYS (20'X40')	8
NO. OF OUTDOOR COVERED BOATS	20
PARKING REQUIREMENTS:	
AUTOMOTIVE AND EQUIPMENT: SALES AND RENTALS, MANUFACTURE (MOBILE) HOMES AND RECREATIONAL VEHICLES	
FOR SHOWROOM AREA	31,000 SF OF SALES AREA
FOR OUTSIDE LOT	1,8,000 SF OF SALES AREA
FOR SERVICE AREA AND BODY SHOP	1,600 SF OF SERVICE AND/OR SHOP AREA
20 REQUIRED	

NOTE:
1. 20' BOAT SHOWN ON TRAILER FOR SCALE
2. DRAWING WAS CREATED USING A SCALED PDF OF AN ALTA SURVEY - EXACT DIMENSIONS ARE TO BE CONFIRMED ONCE AN UPDATED SURVEY IS RECEIVED.

PROJECT NAME: ELITE WATER SPORTS BOAT DEALERSHIP	
PROJECT NO: 24030	
STATUS: PRELIMINARY	
KEYED NOTES	
<div>NOT FOR CONSTRUCTION</div>	
REVISIONS	
NO.	DESCRIPTION DATE
ARCHITECT: AVERY SLAVIN PRINCIPAL STUDIO A, LLC	
CLIENT: KETH BINION LOCATION: 10901 N I-35 SERVICE ROAD OKLAHOMA CITY, OK	
DRAWING NAME: SITE PLAN OPT. 1	
DRAWING SCALE: 1" = 30'-0"	SHEET SIZE (DATE): 24" X 36" 10/2024
JOB NO: 24030	DRAWING NO: A099.1
DRAWN BY: AS	
REVISION:	

Case No: SPUD-1674

Applicant: Canchola Properties, LLC

Existing Zoning: C-3

Location: 10601 N. I-35 Service Rd.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 200 400
Feet