

Planning Commission Minutes
March 13, 2025

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

15. (SPUD-1714) Application by Shahram Steve Momtazzadeh and Roya Momtazzadeh and Abbas Mike Heidary to rezone 14601 South Sooner Road from AA Agricultural District to SPUD-1714 Simplified Planned Unit Development District. Ward 4.

The applicant was present. There were no protesters present.

RECOMMENDED APPROVAL.

MOVED BY PRIVETT, SECONDED BY MEEK

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



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

Item No. IV. 15.

(SPUD-1714) Application by Shahram Steve Momtazzadeh and Roya Momtazzadeh and Abbas Mike Heidary to rezone 14601 South Sooner Road from AA Agricultural District to SPUD-1714 Simplified Planned Unit Development District. Ward 4.

I. GENERAL INFORMATION

A. Contacts

1. Applicant Representative

Name David Box
Company Box Law Group, PLLC
Phone 405-652-0099
Email david@boxlawgroup.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow commercial development.

D. Existing Conditions

1. Size of Site: 1.5208 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	AA	PUD-1697/SPUD-1297	AA	AA
Land Use	Undeveloped	Undeveloped	Undeveloped	Undeveloped	Undeveloped

3. Comprehensive Plan Land Use Typology Area: Rural – Medium Intensity (RM)

Rural – Medium is similar to the Rural-Low Typology Area except that it allows higher housing densities. These areas are usually near a fire station. Rural-Medium areas are often located adjacent to Urban-Low and Urban Reserve typologies, which are areas intended to urbanize in the future. While there is no expectation for urban services, RM areas have limited potential to connect to City water or sewer service and may become more integrated into the urbanized area in the distant future. Commercial and light industrial uses may be appropriate provided they do not negatively impact the rural residential character.

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **C-3 Community Commercial District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

The following use(s) will be the only use(s) permitted on this site:

8300.1	Administrative and Professional Offices
8300.5	Alcoholic Beverage Retail Sales
8300.8	Animal Sales and Services: Grooming
8300.11	Animal Sales and Services: Kennel and Veterinary, Restricted
8300.23	Building Maintenance Services
8300.24	Business Support Services
8250.2	Community Recreation: General
8250.3	Community Recreation: Property Owners Association
8250.4	Community Recreation: Restricted
8300.32	Convenience Sales and Personal Services
8300.35	Eating Establishments: Fast Food
8300.41	Food and Beverage Retail Sales
8250.13	Light Public Protection and Utility: Restricted
8250.14	Low Impact Institutional: Neighborhood-Related
8300.53	Medical Services: Restricted
8300.58	Personal Services: General
8300.59	Personal Services: Restricted
8300.61	Repair Services: Consumer
8300.62	Research Services: Restricted
8300.63	Retail Sales and Services: General

2. **Maximum Building Height:**

The maximum building height within this SPUD shall be one (1) story.

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 in accordance with the base zoning district.

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:

All signage shall be in accordance with the base zoning district regulations, except that Off-Premise / Billboard and EMD signs are prohibited.

9. Access:

Access may be taken from S. Sooner Rd.

10. Sidewalks

Shall be in accordance with the base zoning district regulations.

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. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space:

Open space shall be in accordance with the base zoning district.

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, except that there shall be a maximum of 35 parking spaces required, including ADA spaces.

7. Maintenance:

Maintenance of the common areas, private drainage easements, private drives, and islands/medians in the development shall be the responsibility of the property owner. 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) Moore**
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

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

- 3. Fire**
- 4. Information Technology/Geographic Support**
- 5. Parks and Recreation**
- 6. Police**
- 7. Public Works**

a. Engineering

Storm Sewer Availability

- 1) The Public Works Drainage Division staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to chapter 16 of the Oklahoma City Municipal Code.
- 2) Storm sewers in accordance with the City's Drainage Ordinance will be required. Development abutting section line roads with drainage flows that exceed the capacity of OKC standard ditch detail (D-100) will necessitate the installation of enclosed storm sewer and/or concrete channel. These improvements shall be placed to provide a minimum of 35' clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way.
- 3) A flood and/or drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. A final plat should not be submitted until the study has been reviewed and approved by the Public Works Department.
- 4) Plans for drainage improvements within the private drainage reserves and/or common areas must be submitted for review, and payment of inspection fees shall be made prior to construction. Building permits will not be issued until construction is complete. If a subdivision abuts a stream, the private drainage easements and/or common area along stream shall extend to flow line of stream at a minimum.
- 5) Place the following note on the plat and construction plans: Maintenance of the Common Areas and/or Private Drainage Easements shall be the responsibility of the property owner. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent shall be placed within the common areas and/or drainage easements shown.
- 6) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 7) Construction within the limits of this SPUD will require an erosion control plan in accordance with EPA Storm Water Discharge permitting: CFR Vol. 57, No. 175, September 9, 1992. A copy of the EPA Notice of Intent (NOI) will be required prior to the issuance of work orders or permits for construction activities disturbing an area of 1/2 acre or greater.
- 8) Sidewalk shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.

- 9) All private roads /streets will have private storm sewer systems.

b. Stormwater Quality Management

c. Traffic Services *

8. Utilities

a. Engineering

b. Solid Waste Management

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

c. Water/Wastewater Quality

Water Availability

1. An existing 12-inch water main(s) is located adjacent to the subject site(s).
2. Minimum ten (10) feet horizontal separation required from wastewater mains and five (5) feet for other utilities. Minimum two (2) foot vertical separation required for all utility crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
3. Proposed and/or existing water mains must be located centrally within a twenty (20) feet wide or larger utility easement or right-of-way. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
4. Dead-end water mains must be avoided when possible. All existing unused water services must be capped and abandoned at the water main in accordance with the City Standard Specifications.
5. In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The developer is responsible for designing and construction of all fixtures to provide adequate domestic and fire protection under minimum pressure conditions. The developer will be responsible for any failure of domestic or fire protection systems which require water pressure more than 25 psi. The developer is responsible for installing pressure reducers if necessary for protection of developer's service lines, plumbing, and fixtures.
6. All existing and/or proposed water meters must be located in the right-of-way and/or utility easement within grassy areas outside of sidewalks, driveways, streets, and paving.
7. All domestic and fire suppression services must have a separate water service connection. Fire hydrant spacing shall not exceed 500 feet and must be located

within ten (10) of a hard surface (i.e. sidewalk, street, paving).

8. Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.
9. Plat may be revised after review and approval of utility plans.
10. WF-2025-00005 plans have been submitted for review and approval.

Wastewater Availability

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.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Design buildings and sites to complement the character of surrounding areas and not detract from the open character of the landscape.
- Utilize Best Management Practices (BMP) for stormwater.

Location:

- Support limited amounts of commercial in rural areas appropriate to the needs of rural residents and passersby. Commercial uses in rural areas should be located in small clusters either on uninterrupted arterials or at freeway interchanges.

National, state, and local permitting require basic best management practices for stormwater management. The subject site is located along the west side of South Sooner Road, an arterial street in the Rural Medium LUTA.

- 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 agricultural uses or zoning, “Traffic” and “Operational Impact” are potential compatibility issues identified by the comprehensive plan.

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 west side of South Sooner Road, a Major Arterial Street in the Rural Medium LUTA. No triggers requiring mitigation related to traffic were identified on the site.*

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 SPUD is requested to rezone the subject site to a modified C-3 District, removing several uses including Gasoline Sales and Fast Food, with Drive-Thrus. The SPUD utilizes the base C-3 District for setbacks, screening and landscaping, and limits building height to one story.*

3) Service Efficiency:

- Water: *Potential Connectivity*
- Sewer: *Not Served*
- Fire Service: *Longer Than Rural Response*

4) Environmentally Sensitive Areas: No ESAs were identified on the subject site.

5) Transportation System: This site is located along the west side of South Sooner Road, a Major Arterial Street in the Rural Medium LUTA. Transit (bus) service is not available nearby.

6) Other Development Related Policies

- Support limited amounts of commercial (one to two acres per use) in rural areas appropriate to the needs of rural residents. Commercial uses in rural areas should be located on major, uninterrupted arterials or at freeway interchanges. (SU-46)
- Preserve overall landscape character and natural landforms (rolling hills, native vegetation, etc.) to the greatest extent possible. (G-4)
- Ensure that development in rural areas is consistent with local design and scale and does not detract from the open character of the landscape. (SU-45)

b. Plan Conformance Considerations

The subject site is located along the west side of South Sooner Road, north of SE 149th Street. The site is currently undeveloped and, along with surrounding land to the north, south, and west, is zoned AA. The subject site makes up the southeast corner of a larger 48-acre parcel that is primarily undeveloped, aside from an agricultural outbuilding at the northwest corner. South of the site is a 20-acre undeveloped parcel, followed by a gas station at the northwest corner of South Sooner Road and SE 149th Street. Across South Sooner Road, to the east, are PUD-1697, which was approved in 2019 for personal storage that is currently being developed, and SPUD-1297, which was approved in 2021 for fast food uses, a portion of which has already been developed as such.

The SPUD is requested to rezone the subject site to a modified C-3 District, limiting uses and removing several uses including Gasoline Sales and Fast Food, with Drive-thrus that would typically be allowed in the base zoning district. The SPUD utilizes the base C-3 District for setbacks, lighting, screening and landscaping, and limits building height to one story. The comprehensive plan supports limited commercial uses in the Rural Medium LUTA, provided it does not negatively impact the rural character of the

area. In this location, the proposed commercial uses would be located approximately 800 feet north of existing commercial zoning at the northwest corner of South Sooner Road and SE 149th Street, and would be located across from commercial zoning already approved along the east side of South Sooner Road.

IV. STAFF RECOMMENDATION

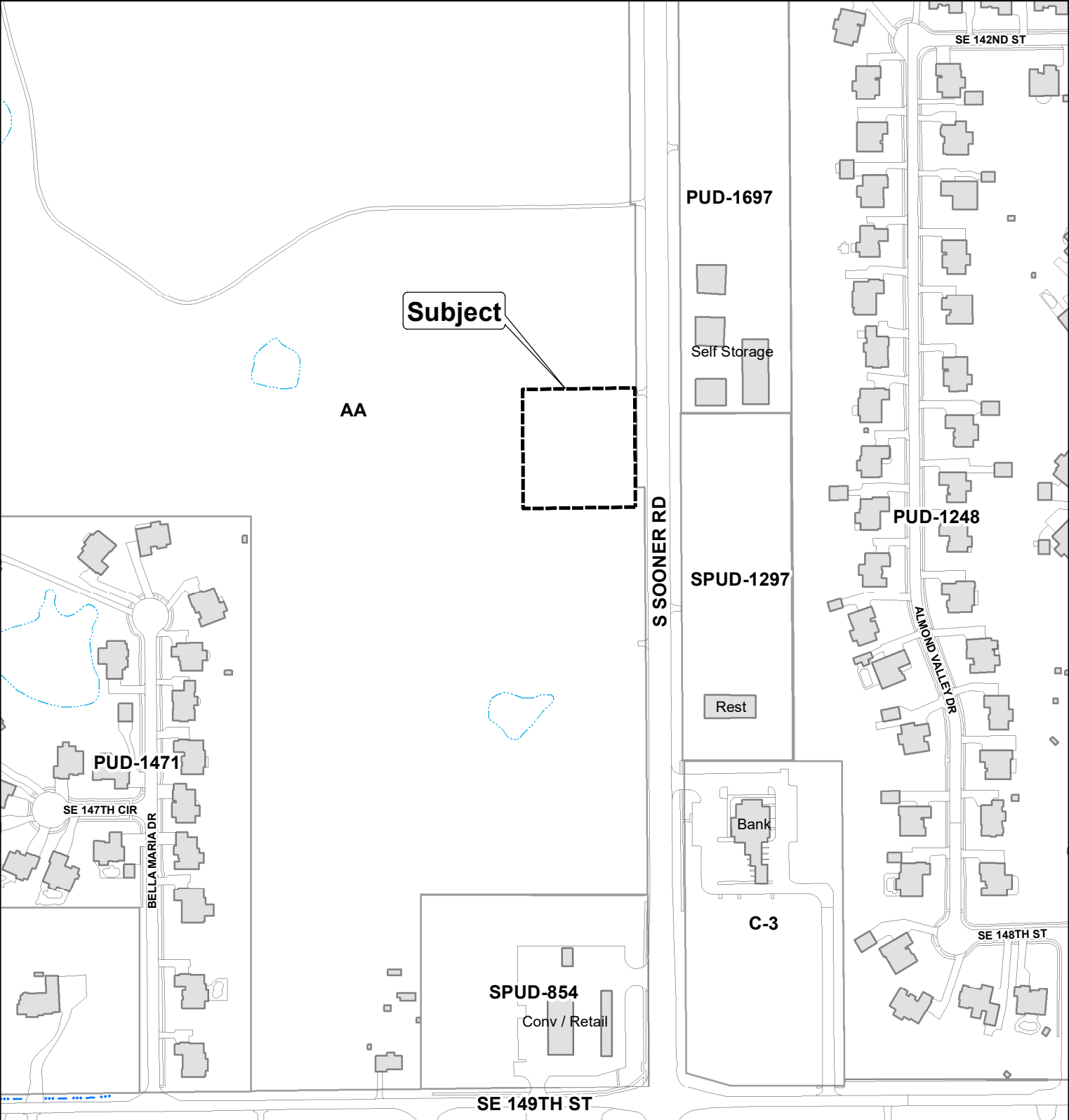
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning 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.

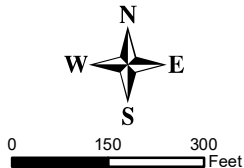
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Case No: SPUD-1714
Applicant: Shahram Steve Momtazzadeh and Roya Momtazzadeh and
Abbas Mike Heidary
Existing Zoning: AA Location: 14601 S. Sooner Rd.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

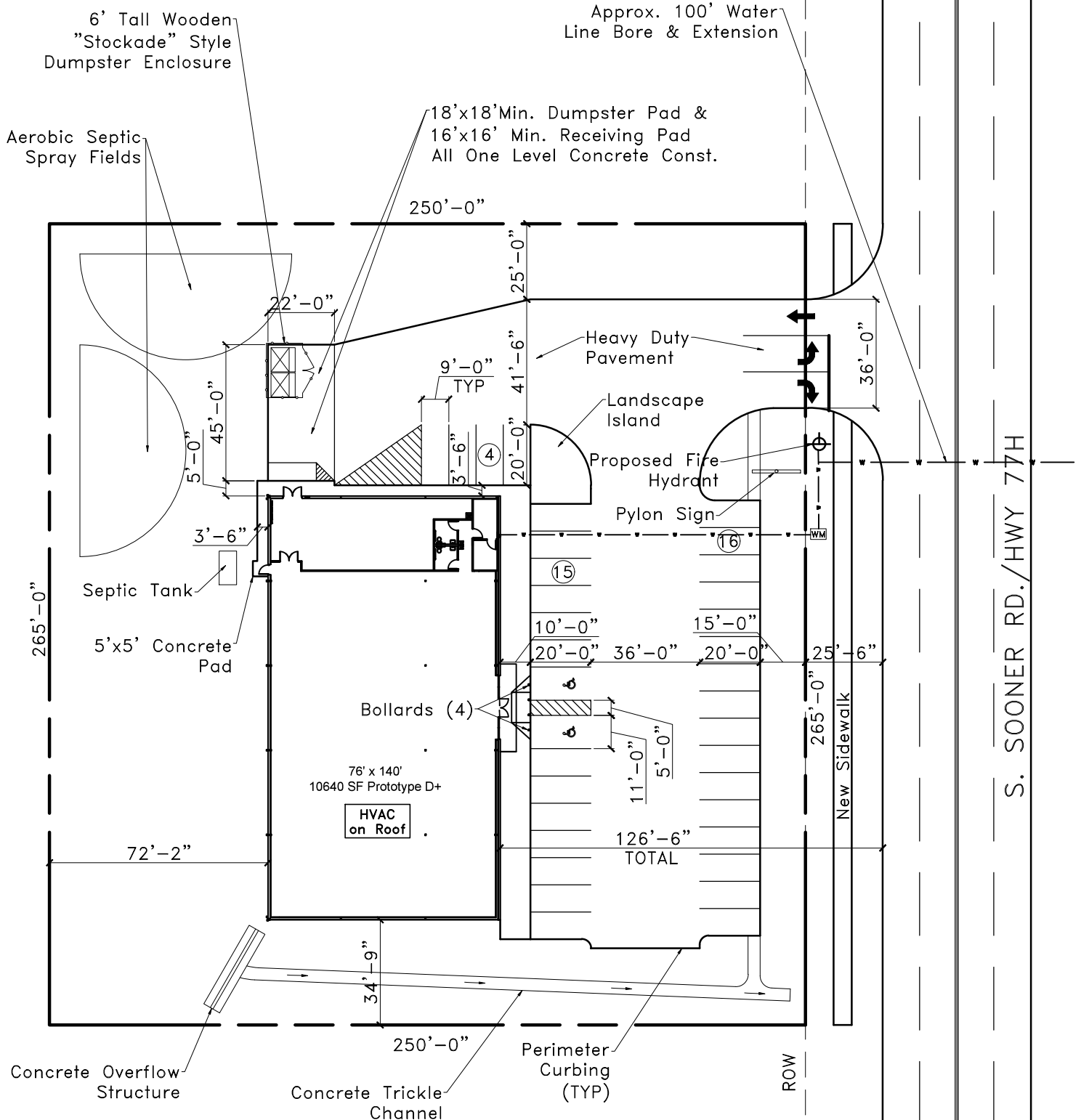


PRELIMINARY SITE PLAN

CITY, STATE - STREET: Oklahoma City, OK
S. Sooner North of SE 149th St.

SPUD-1714 Exhibit B

PROTOTYPE:	D+	DEVELOPER	DESIGNER	DATE:
BLDG/SALES SF: 10640/8513		COMPANY: DJD Development, LLC	COMPANY: 4D Construction, LLC	1/9/25
ACREAGE: 1.52		NAME: Dan Dill	NAME: Jon Silver	
PARKING SPACES: 35		PHONE #: 405-262-6925	PHONE #: 405-919-8571	
CONCRETE SF: 26,515				



S. SOONER RD./HWY 77H

SCALE =
NTS

Case No: SPUD-1714
Applicant: Shahram Steve Momtazzadeh and Roya Momtazzadeh and
Abbas Mike Heidary
Existing Zoning: AA Location: 14601 S. Sooner Rd.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

