

Planning Commission Minutes
May 25, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:30 a.m. on May 22, 2023)

8. (SPUD-1526) Application by JR Management, LLC, to rezone 2008 North Portland Avenue from PUD-610 Planned Unit Development District to SPUD-1526 Simplified Planned Unit Development District. Ward 6.

Amended Technical Evaluation:

1. Replace Section II.6. Parking with the following: The existing on-site parking shall be deemed adequate for the proposed uses. If the structures are demolished, parking shall be per the base zoning district.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY GOVIN, SECONDED BY PRIVETT

AYES: CLAIR, PRIVETT, GOVIN, LAFORGE, NOBLE

ABSENT: POWERS, PENNINGTON



STAFF REPORT
The City of Oklahoma City
Planning Commission
May 25, 2023

Item No. IV. 8.

(SPUD-1526) Application by JR Management, LLC to rezone 2008 North Portland Avenue from PUD-610 Planned Unit Development District to SPUD-1526 Simplified Planned Unit Development District. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Jorge Mendros
Company JHM Architecture
Phone 405-203-6842
Email Jmendros1@aol.com

B. Case History

This application was continued from the May 11, 2023 meeting.

C. Reason for Request

This purpose of this application is to allow commercial use and 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: 0.4477 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-610	R-1	R-1	O-2	R-1
Land Use	Office	Residential	Residential	Clinic	Church

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **C-1 Neighborhood 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 & Professional offices
8300.2 Adult Day Care Facilities
8300.5 Alcohol Beverage Retail Sales
8300.8 Animal Sales & Services: Grooming
8300.11 Animal Sales & Services: Kennels & Veterinary
8300.13 Automotive: Parking Lots
8300.24 Business Support Services
8300.25 Child Care Centers
8300.29 Communication Services
8300.32 Convenience Sales & Personal Services
8300.35 Eating Establishment: Fast Food
8300.39 Eating Establishment: Sitdown, Limited Alcohol Permitted
8300.52 Medical Services
8300.53 Medical Services: Restricted
8300.55 Participant Recreation & Entertainment: Indoor
8300.58 Personal Services: General
8300.59 Personal Services: Restricted
8300.60 Personal Storage
8300.61 Repair Services
8300.62 Research Services
8300.63 Retail Sales & Services: General

2. **Maximum Building Height:**

15'-0"

3. **Maximum Building Size:**

19,500 SQ.FT.

4. **Maximum Number of Buildings:**

Per base zoning district

5. **Building Setback Lines**

Front Yard: 10'

Rear Yard: 25'

Side Yard: 10'

Corner Side 25'
Yard:

6. Sight-proof Screening: Per base zoning district.

7. Landscaping: Per base zoning district

8. Signs:

8.1 Free standing accessory signs: Per base zoning district.

8.2 Attached signs: Per base zoning district.

8.3 Non-Accessory Signs: Shall not be permitted.

8.4 Electronic Message Display signs: Shall not be permitted.

9. Access:

Existing access shall remain but if the site is redeveloped access shall be per the development regulations in place at the time of development.

10. Sidewalks: Sidewalks shall be required per Public Works standards.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, rock, stone, stucco, or wood, or other similar type finish. A maximum of 30% EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space: Per base zoning district.

3. Street Improvements: NA

4. Site Lighting: Per base zoning district.

5. Dumpsters: Per base zoning district.

6. Parking: Per base zoning district.

7. Maintenance:

Maintenance of the common areas in the development shall be the responsibility of the owner(s) of said property. 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.

8. Drainage:

Drainage improvements will be in accordance 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 located adjacent to the subject site(s).
- 2) Line capacity is not guaranteed and must be checked by the Engineer of Record and reviewed by the City.
- 3) The developer will be required to extend the City wastewater collection system to and across each lot or site within the subdivision in accordance with the City Standard Specifications and Private Development Design Manual.
- 4) Minimum ten (10) feet horizontal separation is required from water mains and five (5) feet for other utilities. Minimum two (2) feet vertical separation required for all crossings. All wastewater mains must have a minimum cover of four (4) feet and depth no greater than eighteen (18) feet. Developer is responsible for remediating any failure to maintain the minimum four (4) feet of cover.

- 5) Wastewater main(s) must be centrally located in a twenty (20) feet wide easement or larger if necessary. 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.
- 6) All existing unused private wastewater service connections must be abandoned and capped at the main in accordance with City Standard Specifications and Private Development Design Manual.

b. Solid Waste Management

- 1) The City can provide solid waste collection services to commercial customers providing refuse is not excess of 270 gallons per customer per pick up § 49-30 (a). Otherwise the customer will have to utilize a private hauler for dumpster service.

a. Water/Wastewater Quality

Water Availability

- 1) An existing 8" and 10" 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.

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.

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.

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 available along both frontages.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. The SPUD is requested for commercial uses inside commercial building. No new compatibility issues were identified by the comprehensive plan.
- 3) **Service Efficiency:**
- Water: *Served*
 - Sewer: *Fully Served Area*
 - Fire Service: *Urban Response*
- 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 off N Portland Ave, a Major Arterial Street, and NW 19th Street, a Collector Street in the Urban Low LUTA. The nearest transit (bus) service is located along N Portland Ave.
- 6) **Other Development Related Policies**
- Encourage the adaptive reuse of underutilized structures and the revitalization of older, economically distressed neighborhoods. (SU-21)
 - 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. (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)
 - Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)

b. Plan Conformance Considerations

The subject site is located at the northeast corner of NW 19th Street and N Portland Ave and is developed with commercial buildings built in the 1940s and 1970s as a neighborhood shopping center. Abutting on the east and north are homes zoned R-1. The corner across the street to the south is zoned O-2, and across the street to the west is a church zoned R-1. The subject site is zoned SPUD-610, which was approved in 1997 and allows office, medical, personal and research services. The existing SPUD also allows sit-down restaurants, a beauty salon, and retail sales, but it is limited to 2,137 square feet of the building. The SPUD would allow commercial uses on the entire site, maintains a C-1 base which limits sign size and height, and limits building height to 15 feet.

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.

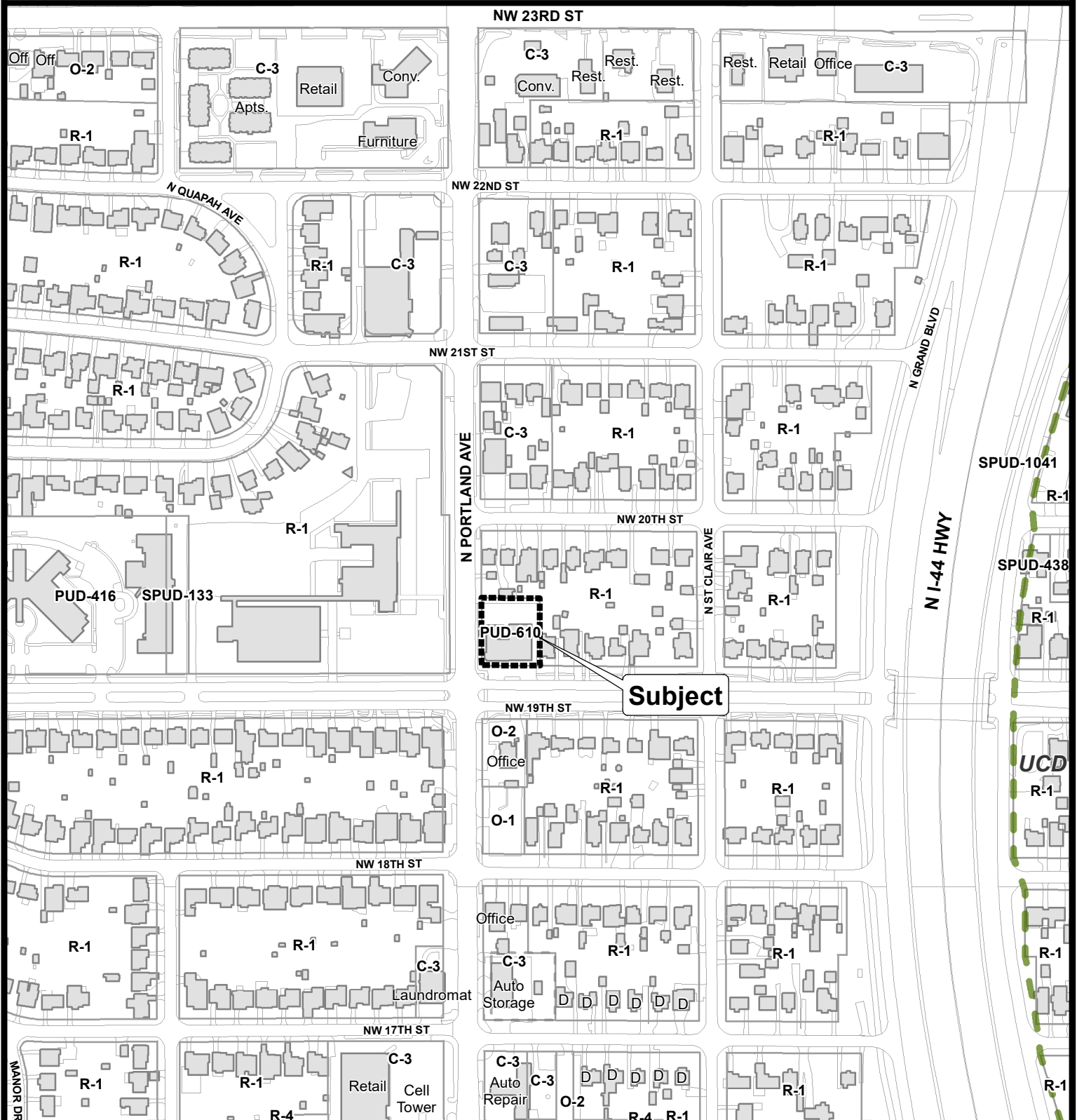
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Case No: SPUD-1526

Applicant: JR Management LLC

Existing Zoning: PUD-610

Location: 2008 N. Portland Ave.



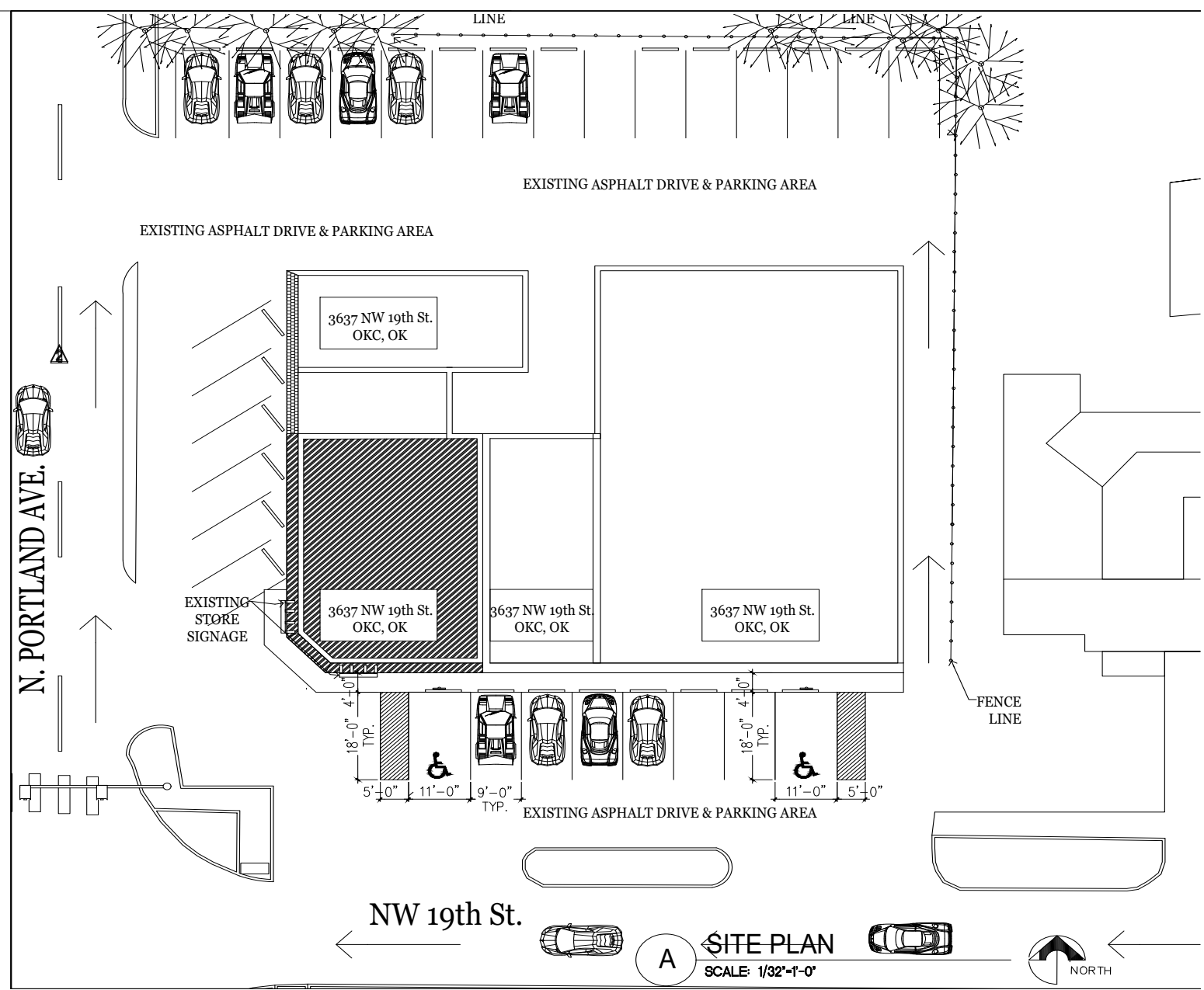
The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet

EXHIBIT: B



Case No: SPUD-1526

Applicant: JR Management LLC

Existing Zoning: PUD-610

Location: 2008 N. Portland Ave.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet