

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)

8. (PC-10963) Application by Ken Bond and Barbara Bond to rezone 4511 SE 59th Street from R-1 Single-Family Residential District to I-2 Moderate Industrial District. Ward 4.

The applicant was present. There were no protesters present.

**RECOMMENDED APPROVAL SUBJECT TO THE REMOVAL OF THE
NORTHERN 140 FEET FROM THE REZONING APPLICATION.**

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. 8.

(PC-10963) Application by Ken Bond and Barbara Bond to rezone 4511 SE 59th Street from R-1 Single-Family Residential District to I-2 Moderate Industrial District. Ward 4.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Evelyn Keithley
405-816-1988
Keithley812@outlook.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to allow industrial development.

D. Existing Conditions

1. Size of Site: 5.68 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	R-1	R-1/I-2	PUD-925/I-3	R-1/I-2
Land Use	Residential	Residential	Residential/Commercial	Manufacturing	Outdoor Storage

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. 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 (Mid-Del City)**
- 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 Engineering staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to the applicable requirements of the Oklahoma City Municipal Code, as amended.
- 2) Storm sewers, in accordance with the City of Oklahoma City's Drainage Ordinance, will be required. For developments abutting section line roads where rainfall-runoff exceeds the capacity of the City of Oklahoma City's standard ditch detail, the installation of enclosed storm sewers and/or concrete channels will be necessary. These improvements must be positioned to provide a minimum clearance of 35 feet from the centerline of the section line road. Concrete channels must be located entirely outside the public right-of-way.
- 3) A flood/drainage study will be required to establish finished floor elevations, common lot areas, and private drainage easements. This study must be reviewed and approved by the Public Works Department.
- 4) A flood study will be required to demonstrate that there is no rise in the 100-year rainfall runoff, as established by the Federal Emergency Management Agency (FEMA) and the City of Oklahoma City, when comparing pre-development and post-development conditions.
- 5) The subject property is located within a FEMA-designated Zones A and AE (100-year floodplain). As a result, minimum finished floor elevations must be established for each lot within or adjacent to the floodplain. These elevations must be based on the 100-year water surface elevation, as determined by either the City of Oklahoma City urbanized study or the FEMA study—whichever is more restrictive or imposes higher standards—plus one (1) foot. The Public Works Department's Engineering staff must review and approve these elevations prior to any development.
- 6) A Floodplain Activity Permit must be submitted along with plans for any work proposed within 200 feet of a mapped FEMA Zone AE floodplain.
- 7) A U.S. Corps of Engineers Section 404 permit must be submitted for any work conducted in The Waters of the United States.
- 8) Plans for drainage improvements within private drainage easements and/or common areas must be submitted for review. Building permits will not be issued until construction is complete. For subdivisions abutting a stream, private drainage easements and/or common areas along the stream must, at a

minimum, encompass the entire FEMA-mapped Zone AE and floodway within the limits of the development.

- 9) Place the following note on the plat and construction plans: Maintenance of the common areas, private drainage easements, and islands/medians shall be the responsibility of the Property Owners Association and/or the adjacent property owners. 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 drainage related common areas 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 that meets the requirements specified above.
- 10) Drainage easements shall be clearly designated as either public or private in the owner's dedication, on the plat, and/or in the plat notes.
- 11) Sediment and erosion control measures shall be provided for any construction in accordance with Oklahoma Statutes Title 27A, OAC 606 - OPDES Standards, and the City of Oklahoma City Municipal Code, as amended.

A City of Oklahoma City Land Disturbance Permit and an ODEQ Construction Permit are required for land disturbance activities exceeding one (1) acre, as specified by the above-referenced regulations. Additionally, a City of Oklahoma City Land Disturbance Permit is required for any construction activity, regardless of the amount of land disturbed, unless exempt under the ordinance.

- 12) Sidewalks shall be installed for all new construction in accordance with the Municipal Code. Any new sidewalks or repair/replacement of existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction.
- 13) All private roads and streets shall have a private storm sewer system.

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Services *

11. Utilities

a. Wastewater Comments

1. An existing 12” 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.
7. Plat may be revised after review and approval of utility plans.
8. Each unit must have a separate wastewater connection to the main.

b. Water Comments

1. An existing 12” 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. Plat may be revised after review and approval of utility plans.

c. Solid Waste Management

No Solid Waste Management services needed.

12. 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 for a tributary of Crutch Creek are located on the northern portion of the subject site. The development is required to comply with all City, State and Federal requirements within the floodplain. Plan conformance could be strengthened by providing a continuous system of open space along the creek corridor; however, this cannot be stipulated in a base zoning request. 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 north side of SE 59th Street, an arterial street in the Urban Low Intensity LUTA.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The I-2 District regulations, along with reduced building height and increased setbacks and landscaping due to proximity to the R-1 District, could provide a floor to area ratio within or below the Urban Low Intensity LUTA.*

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.

The subject site is located at the northwest corner of SE 59th Street and Epperly Drive. The site is currently served via two improved curb cuts along SE 59th Street and one unimproved access via Epperly Drive. Access cannot be specified in a base zoning request and is per Code and Subdivision Regulations.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks are not currently available on the subject site. Sidewalk requirements would be per Code.

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 Low Intensity Residential, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if 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 I-2 District requires reduced building height and increased setbacks and landscaping adjacent to residential uses. Mitigation measures beyond Code requirements cannot be stipulated in a base zoning request.*

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 at the northwest corner of SE 59th Street and Epperly Drive. SE 59th Street is classified as a Major Arterial Street in the Urban Low Intensity LUTA. No triggers requiring mitigation measures related to traffic 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. *The proposed I-2 District allows some uses that could create operational impacts related to noise, light, and odor near residential uses. The I-2 District requires reduced building height and increased setbacks and landscaping adjacent to the R-1 District. Mitigation measures beyond Code requirements cannot be stipulated in a base zoning request. A less intense zoning district on the north side of the property would be one way to reduce the potential impacts to residential uses.*

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. *Riparian area is present on the northern portion of the subject site in the form of floodway and 100-year floodplain for a tributary of Crutch Creek. The development is required to comply with all City, State and Federal requirements within the floodplain. Plan conformance could be strengthened by providing a continuous system of open space along the creek corridor; however, this cannot be stipulated in a base zoning request.*
 - **Upland Forests:** N/A
 - **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 at the northwest corner of SE 59th Street, a Major Arterial Street, and Epperly Drive, a Neighborhood Street, both in the Urban Low LUTA. The nearest transit (bus) service is located just west of the site, along South Sunnyside Road.
- 6. Other Development Related Policies**
- Avoid placing heavy industrial uses on borders of industrial areas to avoid conflicts with adjacent development. (SU-35)
 - 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 at the northwest corner of SE 59th Street and Epperly Drive, roughly 900 feet east of South Sunnyslane Road. The site is zoned R-1 and developed with a metal building at the southwest corner of the subject site. Floodway and 100-year floodplain for a tributary of Crutch Creek are located on the northern portion of the subject site. Abutting the site to the north are three single-family residences, one fronting Epperly Drive and two fronting SE 57th Street. Northeast of the site are R-1 zoned single-family residences. East of the site, across Epperly Drive, are office / warehouses fronting SE 59th Street that are primarily zoned I-2. Across SE 59th Street, to the south, are I-3 zoned properties utilized for office / warehouses and PUD-525 which has an I-3 base and is mostly undeveloped with oil and gas equipment located on the southern portion of the site. The entire surrounding area is within the Urban Low Land Use Typology, and the land south of SE 59th Street is located within an area where the Heavy Industrial (HI) Layer applies. The abutting property to the west is primarily zoned R-1 with a portion of I-2 zoning along SE 59th Street. The property to the west is undeveloped but utilized as outdoor storage.

The application seeks to rezone the site from R-1 to the I-2 District. The intended use is unknown. The proposed I-2 District allows uses that could create operational impacts including noise, light, and odor near residential uses. The I-2 District requires reduced building height and increased setbacks and landscaping adjacent to the R-1 District. Riparian area is present on the northern portion of the subject site in the form of floodway and 100-year floodplain for a tributary of Crutch Creek. The development is required to comply with all City, State and Federal requirements within the floodplain.

In this case, the proposed I-2 District is consistent with zoning along the arterial street corridor, and with the Heavy Industrial Land Use Typology Layer the

comprehensive plan applies south of SE 59th Street, but it is not consistent or compatible with the residential uses to the north and northeast. Mitigation measures beyond Code requirements cannot be stipulated in a base zoning request. However, as the northern portion of the site is within a FEMA floodway and 100-year floodplain, and any access to development on the north side of the creek will likely have to be from the residential street, one method to address compatibility concerns would be to remove the northern 140 feet from the application area (north of the floodway), leaving that portion zoned R-1. Alternatively, a less intense zoning district could be applied to the same area.

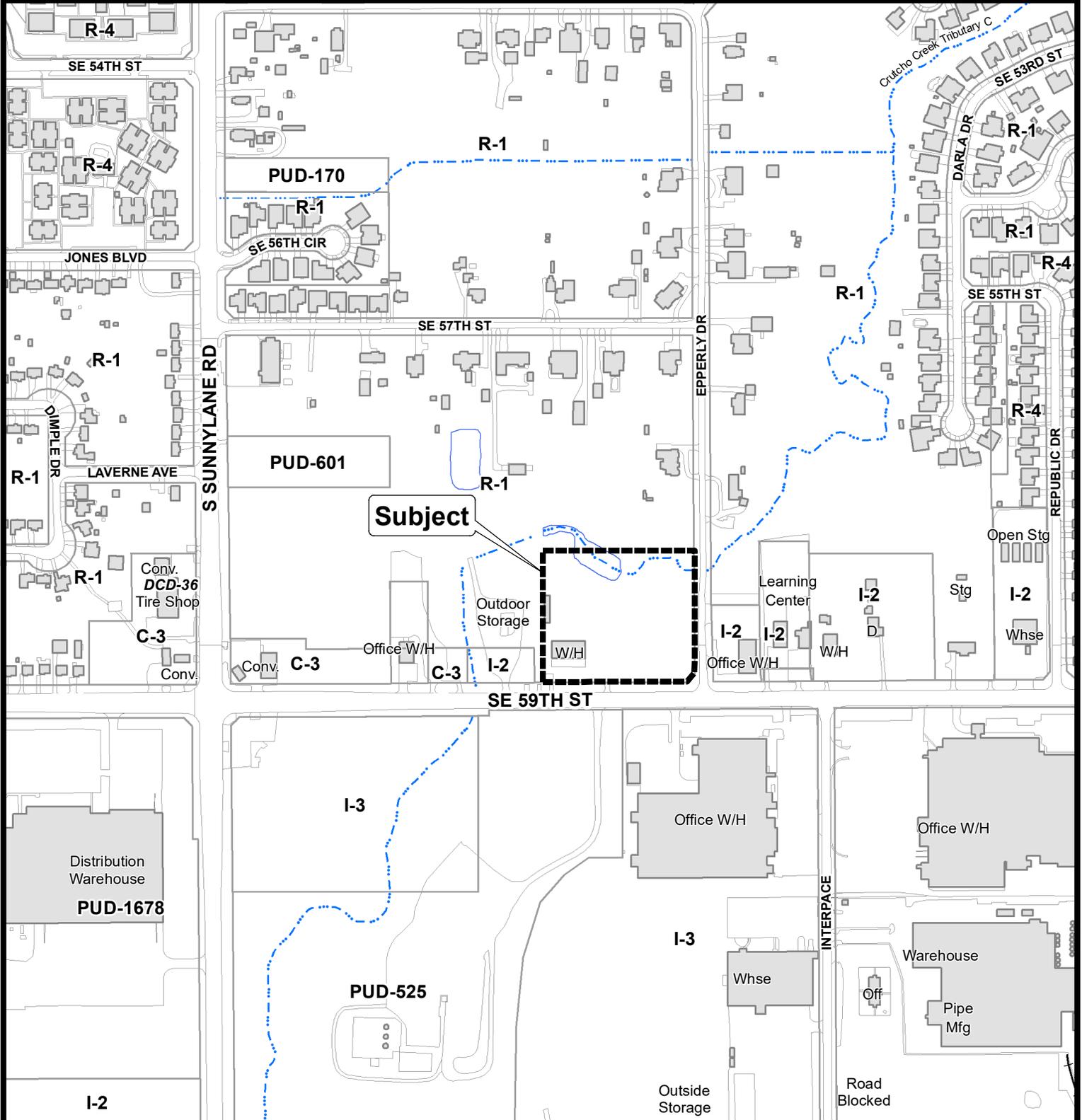
IV. STAFF RECOMMENDATION

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.

Remove the northern 140 feet from the rezoning application, and approve the application.

gjh

Case No: PC-10963 Applicant: Ken Bond and Barbara Bond
Existing Zoning: R-1 Proposed zoning: I-2
Location: 4511 SE 59th St.



The City of
OKLAHOMA CITY

Rezoning Application



0 200 400
Feet

Case No: PC-10963 Applicant: Ken Bond and Barbara Bond
Existing Zoning: R-1 Proposed zoning: I-2
Location: 4511 SE 59th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Rezoning Application



0 200 400
Feet