

Planning Commission Minutes
April 27, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:37 a.m. on April 24, 2023)

16. (SPUD-1520) Application by Taylor Companies, Inc to rezone 2105 NW 122nd Street from PUD-62A Planned Unit Development District to SPUD-1520 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY CLAIR, SECONDED BY HINKLE

AYES: CLAIR, POWERS, FRALEY, HINKLE, GOVIN, PENNINGTON, NOBLE;

ABSENT: PRIVETT, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
April 27, 2023

Item No. IV. 16.

(SPUD-1520) Application by Taylor Companies, Inc to rezone 2105 NW 122nd Street from PUD-62A Planned Unit Development Districts to SPUD-1520 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David M Box
Company Williams, Box, Forshee & Bullard PC
Phone 405-232-0080
Email dmbox@wbflaw.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit industrial 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: 1.97 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-62A	SPUD-1291	PUD-62A	PUD-62A	PUD-62A
Land Use	Undeveloped	Auto Body Repair	Commercial	Commercial	Apartments

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
8300.8	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
8300.31	Construction Sales and Services
8350.3	Custom Manufacturing
8350.8	Industrial, Light
8300.48	Laundry Services
8300.55	Participant Recreation and Entertainment: Indoor
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
8300.16	Wholesaling, Storage, and Distribution: Restricted

The intent of the developer is to construct an office/warehouse development. All uses required to operate such development will be permitted.

2. **Maximum Building Height:**

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

3. **Maximum Building Size:**

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

4. **Maximum Number of Buildings:**

There shall be a maximum of three (3) buildings within this SPUD.

5. **Building Setback Lines**

There shall be no internal setbacks within the SPUD. Exterior setbacks shall be as follows:

North: Zero, except as required by the building or fire code

West: 10 feet

East: Zero, except as required by the building or fire code

South: Zero, except as required by the building or fire code

6. Sight-proof Screening:

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

7. Landscaping:

As required by current code, or as amended, the west SPUD boundary shall have a landscape buffer no less than 6 feet in width, planted with a series of evergreen plantings that will grow to a height of at least 6 feet and spaced to provide a visual barrier. Landscape buffer on west shall also consist of shade trees on 30' centers.

8. Signs:

8.1 Free standing accessory signs

Freestanding signs shall be a maximum of 20 feet in height and 150 square feet of display area. Wall signs shall be per the base zone.

8.2 Attached signs

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

8.3 Non-Accessory Signs

Non-Accessory signs shall be prohibited.

8.4 Electronic Message Display signs

Electronic Message Display signs shall be prohibited

9. Access:

Access shall be taken from N. Pennsylvania Ave. and NW 122nd St. via cross access agreement. Lots within this PUD shall not be required to have access or minimum frontage on/to a public right of way.

10. Sidewalks

The subject SPUD does not have frontage on a public street. There shall be no sidewalk requirements 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 10% brick veneer, 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. All structures are permitted to be constructed of steel and architectural metal. Exposed concrete block buildings shall not be permitted. Overhead doors shall not be allowed on the west elevation of the building.

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: 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" and 10" wastewater main(s) is within the required distance to the subject site and will be required to be extended to the furthest property line for any proposed development.
- 2) Line capacity is not guarantee 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) An offsite wastewater interceptor will be required to serve the development. The size, alignment and other design factors shall be in accordance with current City Standard Specifications and Private Development Design Manual. The developer may make an application under the Policy B-1 program for OCWUT participation in construction costs if an oversized wastewater main (greater than 8-inches) is required. Approval will be subject to funding availability but will not be granted for oversized mains that are necessary to provide additional capacity for the development or other developer owned property.
- 8) 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) Objection, not adjacent to any existing wastewater mains public extension would be required to serve site.
- 10) 8" Wastewater main project SD-0217 to the west has a 7.5' strip of private property between the 15' U/E and the site.

b. Solid Waste Management

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

a. Water/Wastewater Quality

Water Availability

- 1) An existing 12" water main(s) is within the required distance to the subject site and the developer will be required to extend a 12-inch or larger water main along street frontage and will be required to extend the water system to

each lot or site within the development in accordance with City Standard Specifications and Private Development Design Manual.

- 2) A 12-inch water main is required to be looped through the development to provide adequate water supply and fire flow protection. Connection to two (2) separate active water mains is required to prevent partial or total shut-off of water supply when a pipeline failure occurs.
- 3) 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.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) 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).
- 9) Supply capacity for development is not guaranteed and will be reviewed at the time of review of construction documents.

- 10) Objection, not directly adjacent to any existing water mains public extension would be required to serve site, Existing 12" waster main Project #R-116 Along east side of Pennsylvania Ave is Closest main to connect to for public Extension, easement.

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.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.

The subject site is located off NW 122nd Street and N Pennsylvania Avenue, both arterial streets. The SPUD proposes access from both streets via cross access agreements.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The SPUD regulations could provide a FAR withing the 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 number of dead-end streets and cul-de-sacs.
- 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 SPUD proposes access from NW 122nd Street and N Pennsylvania Avenue via cross access agreement.

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 available on the subject site or required by the SPUD regulations. Prior development in the shopping area has not provided for pedestrian connectivity between stores; and no sidewalks are available in front of the commercial area along N Pennsylvania Avenue. Sidewalks are available on the north side of NW 122nd Street and along the east side of N Pennsylvania Avenue.

- 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 multifamily residential “Operational Impact” is a potential compatibility issue identified by the comprehensive plan.

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 would allow light industrial uses adjacent to multifamily residential on the west. The SPUD requires a landscape buffer no less than 6 feet in width, planted with a series of evergreen plantings that will grow to a height of at least 6 feet and spaced to provide a visual barrier, as well as shade trees on 30’ centers along the western boundary. The SPUD also prohibits EMD signs and does not allow overhead doors to face west.*

- 3) **Service Efficiency:**

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Urban Service Level*

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

- 5) **Transportation System:** This site is located off NW 122nd Street and N Pennsylvania Avenue, both Major Arterial Streets in the Urban Low LUTA. The nearest transit (bus) service is located east of the site, along N Pennsylvania Avenue.
- 6) **Other Development Related Policies**
 - 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)
 - Encourage unified planning for all adjoining land owned or controlled by a project's developer to ensure proper circulation and land use relationships (SU-47)

b. Plan Conformance Considerations

The subject site is located west of N Pennsylvania Avenue and north of NW 122nd Street. The site has no frontage along either street. Access to the site is through shared access agreements. The site is an undeveloped portion of PUD-62A (Tract 14) which was approved in 1984. Tract 14 allows all C-3 uses. West of the site is an apartment community. Adjacent to the north is a Caliber Collision facility which was zoned from PUD-62A to SPUD-1291 in 2021. Adjacent to the southeast is a telecommunications tower. East of the site along the N Pennsylvania Ave corridor is a car wash and a vacant lot zoned under the same Tract 14. The arterial intersection is developed with gas stations, fast-food drive through restaurants, office and retail uses. The SPUD is requested to allow office/warehouse development. The SPUD requires a landscape buffer no less than 6 feet in width, planted with a series of evergreen plantings that will grow to a height of at least 6 feet and spaced to provide a visual barrier, as well as shade trees on 30' centers, planted along the western boundary. The SPUD also prohibits EMD signs and does not allow overhead doors to face west.

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.

STAFF REPORT
The City of Oklahoma City
Planning Commission
April 27, 2023
SPUD-1520

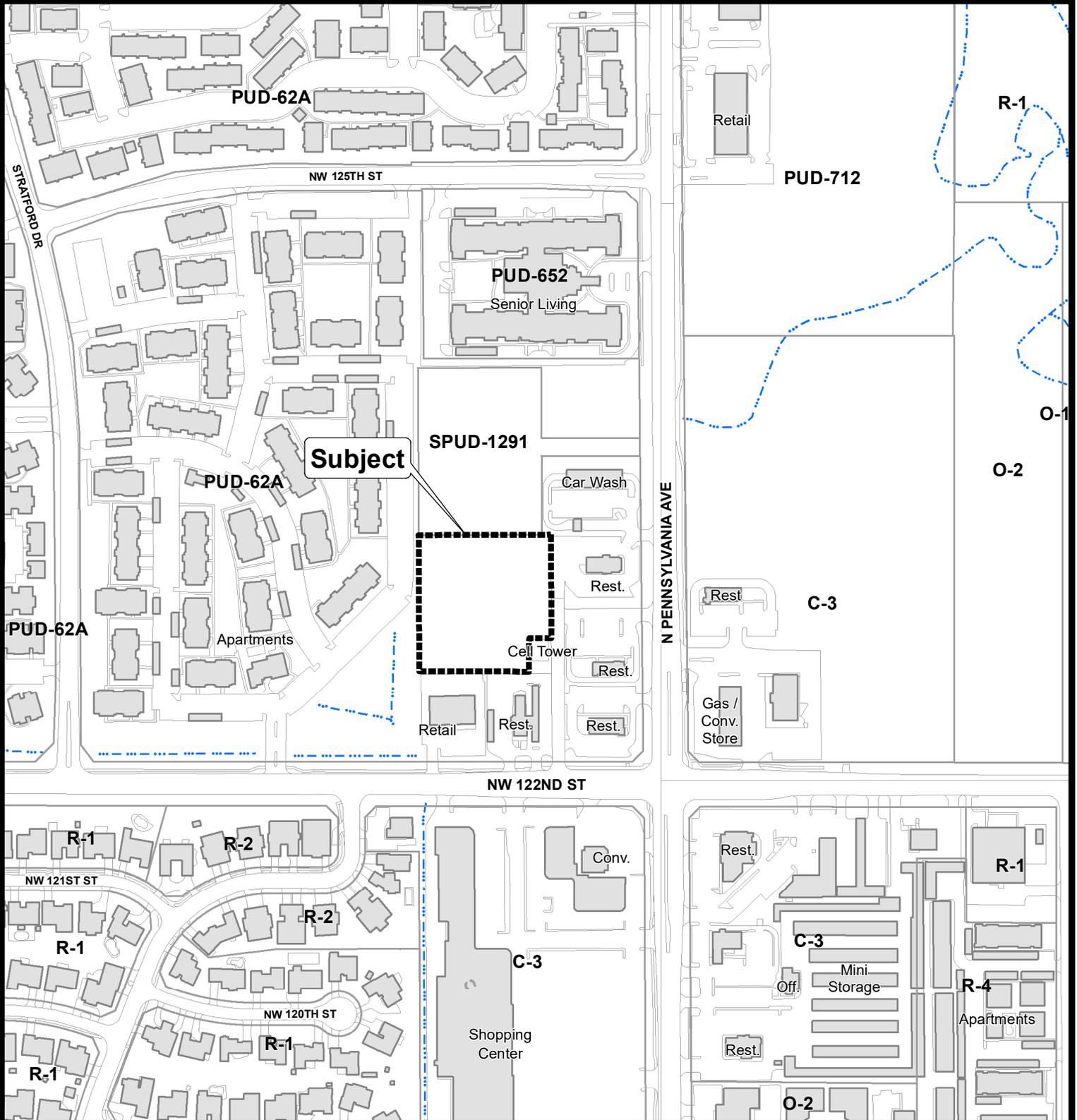
Item No. IV. 16.

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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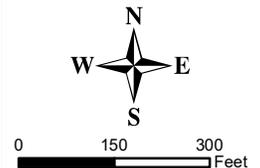
Case No: SPUD-1520
Existing Zoning: PUD-62A
Location: 2105 NW 122nd St.

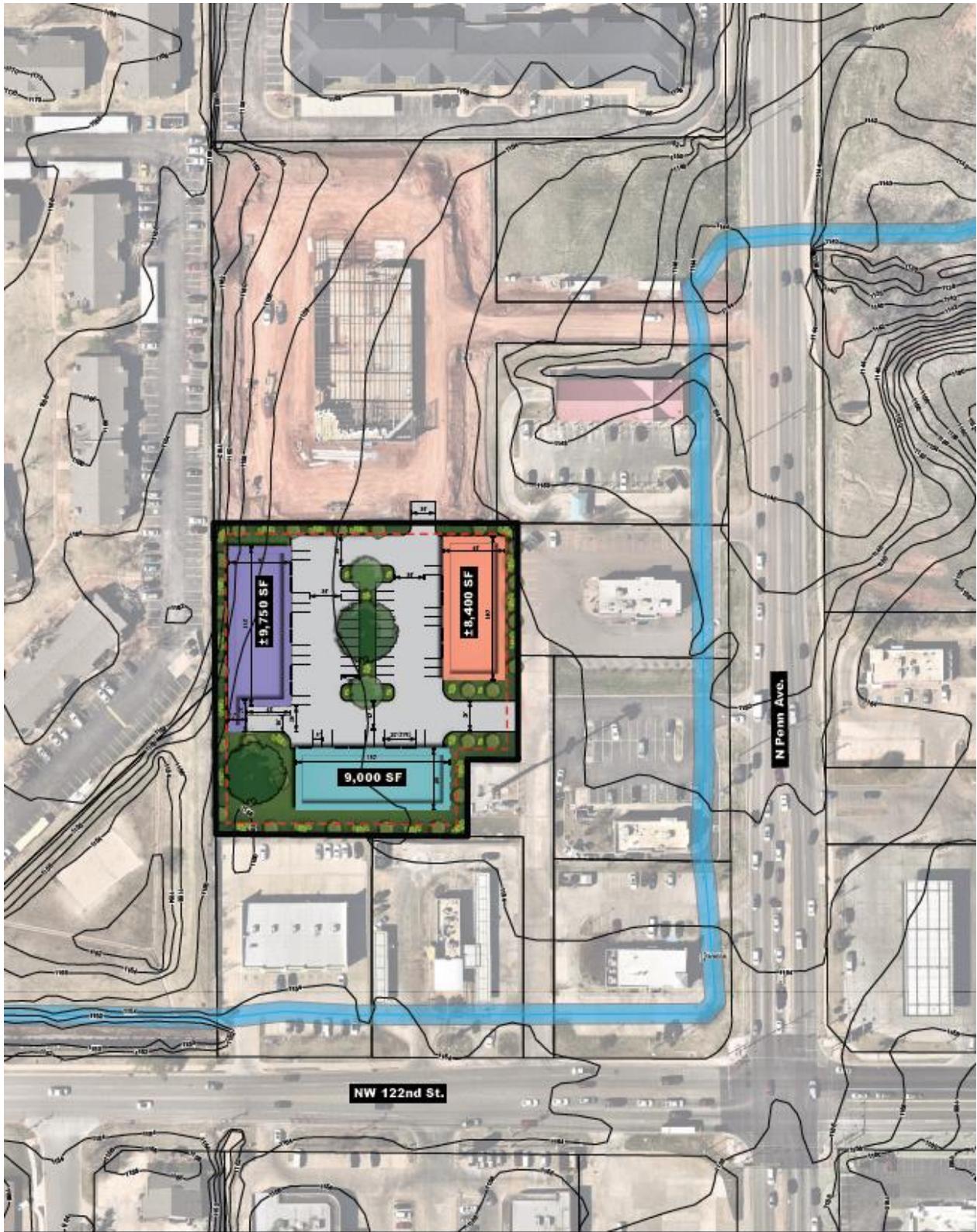
Applicant: Taylor Companies, Inc.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development





NW 122nd St. & N Penn Ave.

Concept Sketch Exhibit

± 1.97 AC

Case No: SPUD-1520
Existing Zoning: PUD-62A
Location: 2105 NW 122nd St.

Applicant: Taylor Companies, Inc.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



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Feet