

Planning Commission Minutes
June 22, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:36 a.m. on June 20, 2023)

20. (SPUD-1541) Application by Omar Fareed Sadeq Redha to rezone 4917 NW 10th Street from C-3 Community Commercial District to SPUD-1541 Simplified Planned Unit Development District. Ward 3.

Technical Evaluation:

1. Vehicle tow yard activity shall not be permitted within the north 100 feet of the SPUD subject site.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION.

MOVED BY CLAIR, SECONDED BY PRIVETT

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 22, 2023

Item No. IV. 20.

(SPUD-1541) Application by Omar Fareed Sadeq Redha to rezone 4917 NW 10th Street from C-3 Community Commercial District to SPUD-1541 Simplified Planned Unit Development District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Kyle Noe
Phone 405-210-5319
Email kylenoe@firstunitedok.com

B. Case History

This is a new application. This application was converted to a SPUD from PC-10876 at the request of the Planning Commission.

C. Reason for Request

The purpose of this request is to allow commercial and industrial uses.

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: 1.06 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3	C-3	C-3	C-3/C-4	R-1/I-2
Land Use	Residential	Commercial	Commercial	Comm/Undev	Comm/Res

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulations of the **I-2 Moderate Industrial 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:

Dwelling Units and Mixed Uses (8200.2)
Administrative and Professional Office (8300.1)
Adult Day Care (8300.2)
Agricultural Supplies and Services (8300.4)
Animal Sales and Services: Grooming (8300.8)
Automotive: Parking Lots as a Principal Use (8300.13)
Automotive: Parking Garages (8300.12)
Automotive and Equipment: Storage (8300.21)
Automotive and Equipment: Cleaning and Repairs, Light Equipment (8300.14)
Automotive and Equipment: Repairs, Heavy Equipment (8300.15)
Automotive and Equipment: Automobile Dealerships and Malls (8300.18)
Automotive and Equipment: Sales and Rentals, Trucks, Manufactured (Mobile) Homes and Recreational Vehicles (8300.20)
Automotive and Equipment: Sales and Rentals, Farm & Heavy Equipment (8300.19)
Building Maintenance Services (8300.23)
Business Support Services (8300.24)
Child Care Centers (8300.25)
Communications Services: Limited (8300.29)
Construction Sales and Services (8300.31)
Convenience Sales and Personal Services (8300.32)
Medical Services: Restricted (8300.53)
Medical Services: General (8300.52)
Participant Recreation and Entertainment: Indoor (8300.55)
Personal Services: Restricted (8300.59)
Personal Services: General (8300.58)
Research Services: Restricted (8300.62)
Retail Sales and Services: General (8300.63)
Custom Manufacturing (8350.3)
Wholesaling, Storage and Distribution: Restricted (8350.16)
Light Industrial (8350.8)
Moderate Industrial (8350.7)
Research and Development (8350.10)

2. **Maximum Building Height: 35 feet**

3. Maximum Building Size: Per base zoning district.

4. Maximum Number of Buildings: Per base zoning district

5. Building Setback Lines

Front Yard: 20 feet

Rear Yard: 20 feet,

Side Yard: West: 10 feet

Side Yard: East: Zero feet, or as required by building codes

6. Sight-proof Screening: No less than a six-foot and no greater than an eight-foot-high fence or wall shall be required along the boundary of this parcel where it is adjacent to any residential use. Said fence or wall shall be constructed entirely of stucco, brick, stone, wood, metal or any combination hereof and shall be solid and opaque.

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:

8.1 Freestanding accessory signs: One ground/monument sign shall be permitted. The maximum size shall be 8 feet high with 100 square feet of area.

8.2 Attached signs: Per base zoning district.

8.3 Non-Accessory Signs: Billboard/non-accessory signs are prohibited.

8.4 Electronic Message Display signs: EMD signs are prohibited.

9. Access: There shall be a maximum of two (2) drives from NW 10th St.. Adjacent drive sharing may be allowed, subject to agreement between the property owners.

10. Sidewalks: Five-foot sidewalks shall be constructed on the arterial street or 6-foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department.

II. Other Development Regulations:

- 1. Architecture:** Per the base zoning district.
- 2. Open Space:** Per the base zoning district.
- 3. Street Improvements:** NA
- 4. Site Lighting:** The site lighting in this PUD for the office development and high density residential shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.
- 5. Dumpsters:** Per code.
- 6. Parking:** The design and number of all parking facilities in this PUD 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 owner(s) of said property.
- 8. Drainage:** Drainage improvements, if required, will be in accordance with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.
- 9. Other:** N/A

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) Putnam 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) 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.

a. Solid Waste Management

- 1) No Solid Waste Manage Service needed.

b. Water/Wastewater Quality

Water Availability

- 1) An existing 12" and 36" water main(s) are 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) 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.
- 4) 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.
- 5) 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.

- 6) 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).
- 7) Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.
- 8) Must connect to the 12-inch water main project # WBI-16-22 not the 36" water main project #114B for service.

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 is available.

Location:

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

The site is located along NW 10th Street, an arterial street.

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 FAR of the site is below the UL range.*

Automobile Connectivity:

- 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 site currently has two paved curb cuts along NW 10th Street.

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 but are planned along NW 10th Street at a later date.

- 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 uses or zoning (west/northwest), “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 site abuts C-3 zoned properties on the north and east. The west side of the site is adjacent to I-2 along the NW 10th Street corridor, and R-1 to the northwest. Landscaping buffers and screening would be required next to residential uses.*

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. *No triggers requiring mitigation 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 uses allowed could have operational impacts near residential uses. The zoning change was originally requested for an automobile dealership. The SPUD also contemplates a tow yard, which could have hours, noise and lights that create impact next to residences. Mitigation could include prohibiting the vehicle recovery activity within the northern 100 feet of the property.*

- 3) **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Not Served*
 - Fire Service: *Urban Service Level*
- 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 NW 10th Street, a Major Arterial Street in the Urban Low LUTA. The nearest transit (bus) service is located just east of the site along NW 10th Street.
- 6) **Other Development Related Policies**
 - Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
 - 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)
 - Share parking between contiguous developments. (C-31)
 - Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
 - Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)

Other Considerations: Retail Node and Corridors (Revitalize)

Retail nodes and corridors seek to develop a robust retail sector to generate sales tax levels and growth to fund quality services for the City and to meet needs for goods and services to enhance the quality of surrounding neighborhoods. Corridors targeted for revitalization need help strengthening retail uses through filling vacant space, landscape and beautification efforts, façade programs, business coordination and the introduction of new complementary land uses.

The site is part of a larger area identified in planokc as a Retail Priority Area under the “Revitalize” Framework. This retail area is located between N Council Rd and N Portland Avenue. Applicable policies under this framework include:

- Improve facades and design quality.
- Reinforce, change, or create branding as appropriate.
- Maintain community scale retail in nodes rather than allowing linear expansion.
- Upgrade streetscapes for visual coherency and place quality.
- Re-tenant viable, vacant space.
- Undertake landscaping and beautification efforts to enhance the customer experience.
- Improve facades and design quality.
- Create or enhance visual coherency through signage.
- Limit or reduce curb cuts by encouraging shared entrances.

b. Plan Conformance Considerations

The subject site is located along the north side of NW 10th Street between N Purdue Avenue and N Ann Arbor Avenue. The site is zoned C-3 and developed with an office. The site has been operating as a mechanic shop and has outdoor storage of vehicles. North and east of the site are zoned C-3, with a vacant clothing store adjacent on the east and a moving company at the corner of NW 10th Street and N Ann Arbor Avenue. Adjacent on the west is an automobile dealership zoned I-2. The NW 10th Street corridor has a mix of C-3, C-4, I-2, and R-4 zoning with apartment, industrial, and retail uses. The comprehensive plan designates the area across the street, to the south of NW 10th Street, as “Heavy Industrial”.

This application was originally presented to the Planning Commission as a request for the I-2 District, who requested a SPUD. The SPUD allows multiple vehicle uses including the original request for auto sales, and allows vehicle storage and tow yard. The requested zoning is consistent with the adjacent development to the west but triggers potential compatibility issues next to the R-1

District. Screening and a landscape buffer will be required where adjacent to the R-1 District. Sign size and height have been limited. An additional mitigation measure could include prohibiting the tow yard use within the northern 100 feet of the property, or roughly not past the extent of the existing building.

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 subject to the following Technical Evaluations:

1. Vehicle tow yard activity shall not be permitted within the north 100 feet of the SPUD subject site.

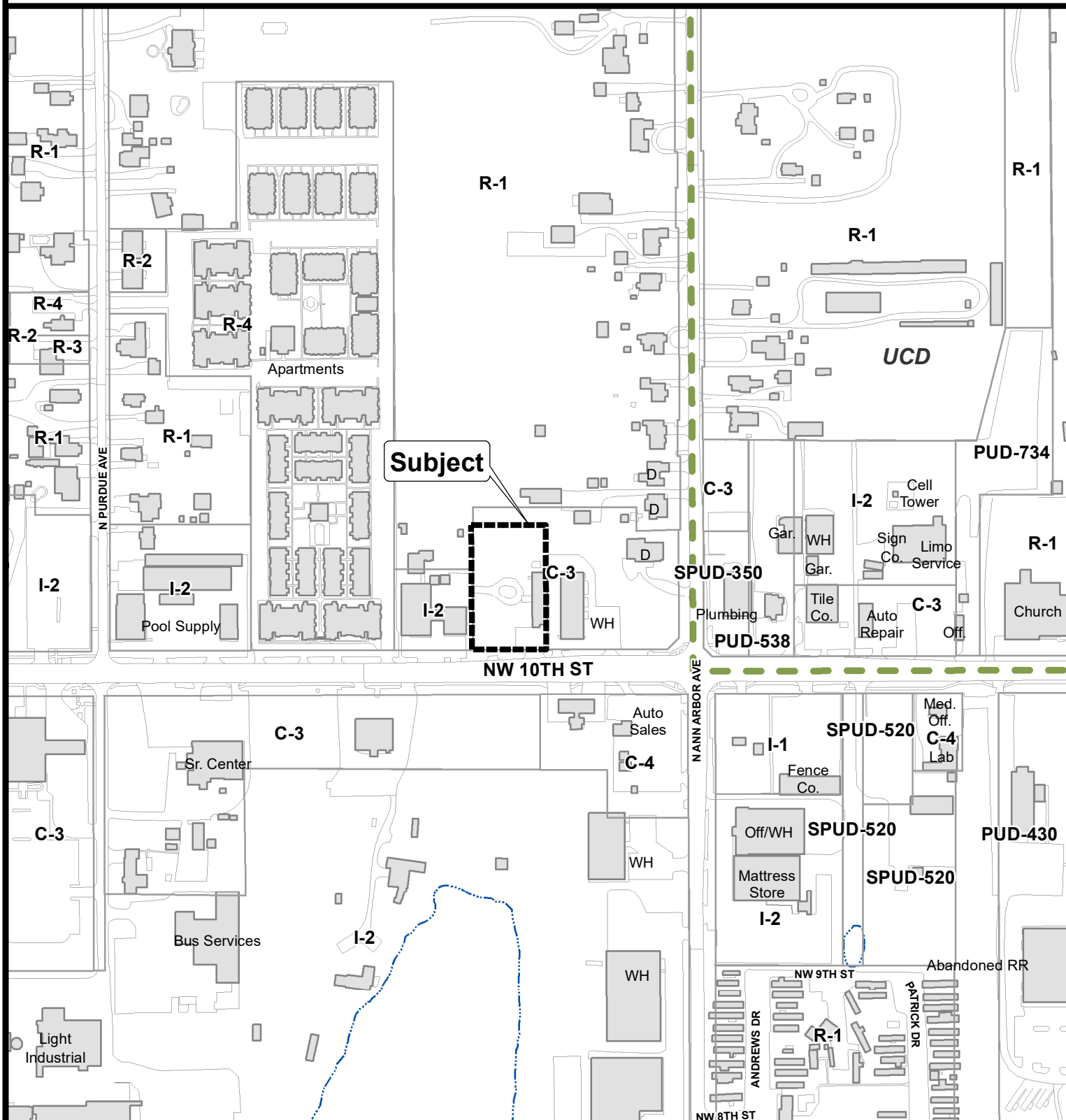
All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Divisions review of construction plans and prior to City Council approval.

cl

Applicant: Omar Fareed Sadeq Redha

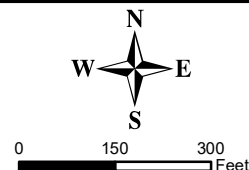
Existing Zoning: C-3

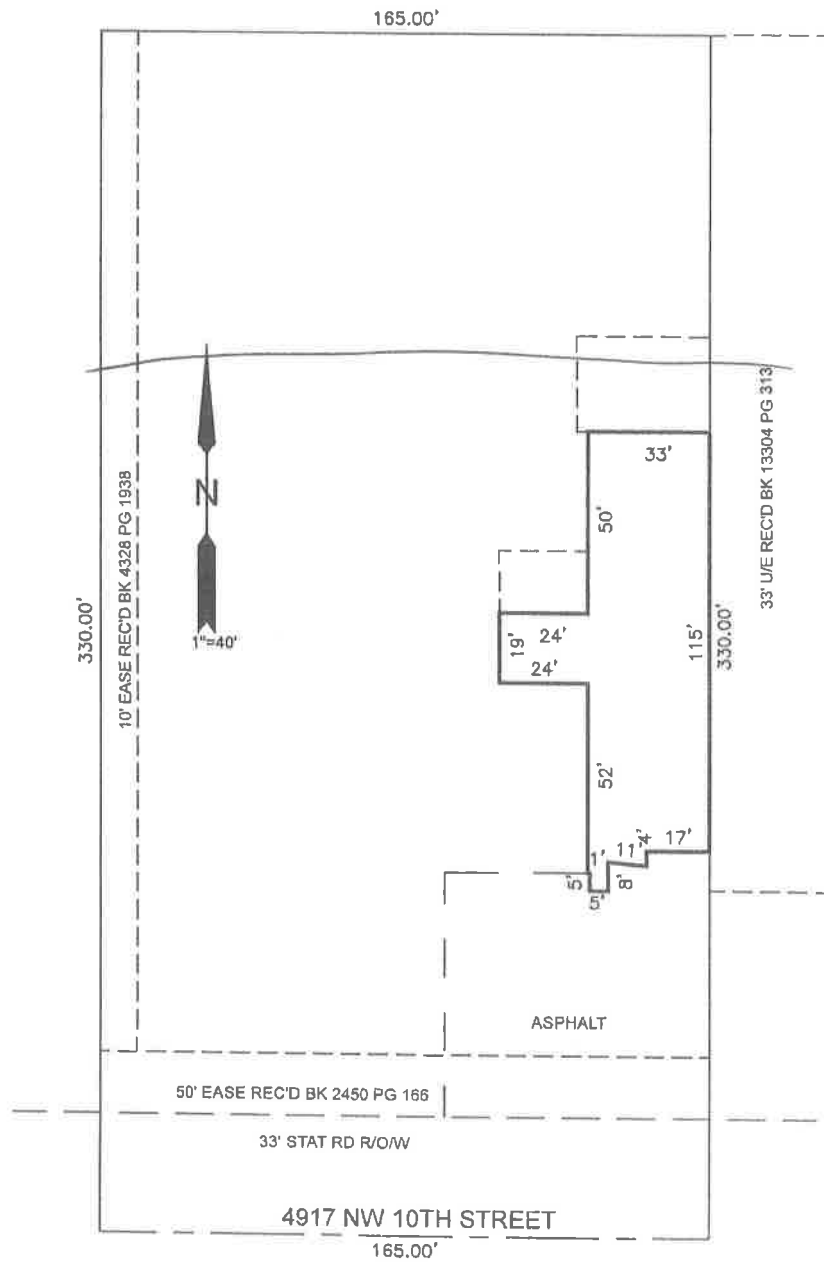
Location: 4917 NW 10th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development





Case No: SPUD-1541 Applicant: Omar Fareed Sadeq Redha
Existing Zoning: C-3
Location: 4917 NW 10th St.



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

