



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**June 12, 2025**

**Item No. IV. 26.**

**(SPUD-1740) Application by 29 Mustang Holdings, LLC to rezone 2801 South Mustang Road from SPUD-1474 Simplified Planned Unit Development District to SPUD-1740 Simplified Planned Unit Development District. Ward 3.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant Representative**

Name        Mark Zitzow  
Company     Johnson & Associates  
Phone        405-235-8075  
Email        mzitzow@jaokc.com

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this application is to allow commercial uses and development.

**D. Existing Conditions**

**1. Size of Site:** 1.97 Acres

**2. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	SPUD-1474	SPUD-1474	AA	SPUD-1412	PUD-1963
<b>Land Use</b>	Undeveloped	Undeveloped	Residential	Office	Undeveloped

**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. 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:

- Administrative and Professional Offices (8300.1)
- Alcoholic Beverage Retail Sales (8330.5)
- Animal Sales and Services (8330.8)
- Business Support Services (8300.24)
- Child Care Centers (8300.25)
- Communication Services: Limited (8300.29)
- Convenience Sales and Personal Services (8300.32)
- Dwelling Units and Mixed Use (8200.2)
- Eating Establishments: Drive-In (8300.34), speaker boxes shall be a minimum of 150 feet from the north SPUD boundary.
- Eating Establishments: Fast Food (8300.35)
- Eating Establishments: Fast Food, with Drive-Thru Order Window (8300.36), speaker boxes shall be a minimum of 150 feet from the north SPUD boundary.
- Eating Establishments: Sitdown, Alcohol Not Permitted (8300.37)
- Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)
- Food and Beverage Retail Sales (8300.41)
- Library Services and Community Centers (8250.11)
- Light Public Protection and Utility: General (8250.12)
- Light Public Protection and Utility: Restricted (8250.13)
- Low Impact Institutional: Residential Oriented (8200.5)
- Low Impact Institutional: Neighborhood Related (8250.14)
- Medical Services: General (8300.52)
- Medical Services: Restricted (8300.53)
- Participant Recreation and Entertainment: Indoor (8300.55)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)
- Personal Storage (8300.60)
- Repair Services: Consumer (8300.61)
- Retail Sales and Services: General (8300.63)
- Research Services: Restricted (8300.62)
- Automotive and Equipment: Cleaning and Repairs, Light Equipment (8300.14)

**2. Maximum Building Height:**

Maximum height of any building shall be 35 feet.

**3. Maximum Building Size:**

The maximum building size shall utilize C-3, “Community Commercial” District regulations.

**4. Building Setback Lines:**

North:	5 feet
East:	20 feet
West:	10 feet
South:	0 feet

There shall be no internal setbacks except for those required by Fire Code.

**5. Sight-proof Screening:**

No less than a six-foot and no greater than an eight-foot-high sight proof screen shall be required along SPUD boundaries adjacent to properties zoned for residential use. Said sight-proof screen may be constructed of stucco, brick, stone, wood, steel/iron and/or any combination thereof and shall be solid and opaque.

**6. Landscaping:**

The subject site shall meet all requirements of Oklahoma City’s Landscaping Ordinance in place at the time of development.

Street trees shall be permitted on private property due to existing utility conflicts.

**7. Signs:**

Signage within this SPUD shall be per Code except that Off-Premise / Billboard signs and EMD signs shall be prohibited.

**8. Access:**

Access shall be taken via S Mustang Rd. via a maximum of one (1) drive. Said drive may be a boulevard style entrance.

All driveways must meet the separation requirements contained within the City of Oklahoma City Municipal Code, subdivision regulations, and the City of Oklahoma City Functional Classification Plan.

**9. Sidewalks:**

A five-foot sidewalk shall be constructed on S Mustang Rd. or a 6-foot sidewalk 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:**

All structures constructed within this SPUD shall comply with the following architectural standards:

Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock, concrete board, architectural metal or stone masonry. No more than 30% EIFS, stucco, or wood shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted. Buildings shall be oriented such that the backs of buildings are not facing towards any street.

**2. Street Improvements:**

N/A

**3. Site Lighting:**

All site lighting utilized within this SPUD shall be directed away from any adjacent properties. To accomplish this, lights shall utilize shields, shades or other appropriate methods of directing light beams. 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.

**4. Dumpsters:**

Dumpsters shall be consolidated where practical and located within an area screened by a fence or masonry wall of sufficient height to screen the dumpster from view. Said dumpster shall not be permitted within 50 feet from all property lines adjacent to residential uses.

**5. Drainage:**

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

**6. Parking Regulations:**

The design and number of all parking facilities in this SPUD shall be in accordance with Section 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

**7. Maintenance:**

Maintenance of all common areas, private drainage easements, and islands/medians 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 may 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. 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.

**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) Mustang**
- 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 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. 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.
- 5. 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.*
- 6. 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.

7. 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.

8. 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.
9. All private roads and streets shall have a private storm sewer system.

**b. Stormwater Quality Management**

**c. Traffic Services \***

**8. Utilities**

**a. Solid Waste Management**

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

**b. Water Availability**

1. An existing 16-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. Each unit must have a separate water meter and connection to the main.

**c. Wastewater Availability**

1. An existing 8-inch wastewater main(s) is located adjacent to the subject site(s).
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. Plat may be revised after review and approval of utility plans.
8. Each unit must have a separate wastewater connection to the main.

## **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 on the subject site.*

##### Location:

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

*The subject site is located along the west side of South Mustang Road, 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 proposed SPUD regulations could produce a FAR within the Urban Low Intensity 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 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.
- Primary entrance points should be aligned with access points immediately across the street.
- 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 subject site does not currently have improved access. The subject site is located along the west side of South Mustang Road (Highway 4), an arterial street in the Urban Low Intensity LUTA. The SPUD requests access from South Mustang Road, via a maximum of one drive, which may be allowed to be a boulevard style entrance. The SPUD requires driveways to meet Code separation regulations. The*

*conceptual plan for the development illustrates one access point along South Mustang Road, with a connection to the property to the south. Plan conformance would be strengthened by stating shared access is required with properties to the north and south in the Master Design Statement.*

**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 currently available on the subject site. The SPUD regulations require sidewalks along South Mustang Road.*

- 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, “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 SPUD seeks to maintain the setback requirements of the existing SPUD: 5 feet on the north, 20 feet on the east, 0 feet on the south, and 10 feet on the west. Since the approval of the existing SPUD, land to the west was rezoned to allow single-family and duplex development. Plan conformance would be strengthened by aligning the west setback with the base C-3 requirement for development adjacent to the base R-2 District, 15 feet. The SPUD proposes a maximum building height of 35 feet. The base C-3 District limits building height to one story within 35 feet of the adjacent residential development, two stories within 150 feet, and allows up to 6 stories past 150 feet.*

**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 Mustang Road (Highway 4), an arterial street in the Urban Low Intensity 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. *Some of the proposed uses may create noise, spill light, or detectable odors above those found in typical residential settings. Potential operational impacts are identified on the west side of the subject site where abutting residential zoning. The SPUD provides some mitigation by requiring no less than a six-foot and no greater than an eight-foot-high sight proof screen along the SPUD boundaries adjacent to properties zoned for residential uses. The SPUD adds the Automotive and Equipment: Cleaning and Repairs, Light Equipment (8300.14) use to the previously allowed uses in SPUD-1474. The SPUD maintains the existing SPUD-1474 requirement that speaker boxes be located a minimum of 150 feet from the north boundary. Plan conformance would be strengthened by shifting the required separation of speaker boxes from the north boundary to the west boundary where adjacent to residentially zoned property.*

**3) Service Efficiency:**

- Water: *Served (Close to Service or Served)*
- Sewer: *Served (Open Sewer Sheds or Served)*
- 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. 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 along the west side of South Mustang Road (Highway 4), a Major Arterial Street in the Urban Low LUTA. Transit (bus) service is not available nearby.

**6) Other Development Related Policies**

- Favor commercial development clustered in nodes at arterial or collector intersections or along brief “main street” style corridors over commercial development extending in a linear pattern for long distances along highway, arterial, or collector corridors. (SU-25)
- Regional-, community-, and neighborhood-scale retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores that draws on the following principles:
  - Concentrate access for new retail development at shared primary entrance points. Primary entrance points should be aligned with access points

- immediately across intersecting roads. Limit curb cuts on primary highways and arterials.
- Provide pedestrian circulation, including sidewalks and median breaks along interior and exterior fronting roads and within parking lots.
- Encourage coordinated development of retail centers in order to facilitate internal pedestrian and vehicle circulation and optimal center performance (SU-27)
- 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)
- New neighborhood-scale retail should be located within new residential growth areas to serve daily shopping needs and limit trip distances. In newly developing areas, this retail format is preferred to the existing linear development patterns along arterials. (SU-30)
- Neighborhood-scale retail should be developed at the median breaks or intersections of major or minor connectors. (SU-31)
- 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)
- 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 along the west side of South Mustang Road, north of SW 29th Street. The site, along with a small portion of land to the south, and land to the north was rezoned from AA to SPUD-1474 in 2023 to allow retail, office, restaurant, and commercial uses. The abutting land north and south of the subject site would remain zoned as part of SPUD-1474. The site and land to the north are currently undeveloped. Across South Mustang Road, to the east, are two single-family residences zoned AA. South of the remaining portion of SPUD-1474 is SPUD-1412, which was approved in 2022 for office and limited commercial uses and is developed with a dentist office. Beyond SPUD-1412 to the south, at the arterial intersection, is an O-2 zoned

parcel that is developed with a medical office. West of the site is PUD-1963, which was approved in 2023 for single-family residential and duplex development adjacent to the site, with a commercial tract along SW 29th Street.

The SPUD is requested to modify the uses allowed by the existing SPUD-1474. The SPUD adds the Automotive and Equipment: Cleaning and Repairs, Light Equipment (8300.14) use to the previously allowed uses in SPUD-1474. The SPUD maintains the existing SPUD-1474 requirement that speaker boxes be located a minimum of 150 feet from the north boundary. Plan conformance would be strengthened by shifting the required separation of speaker boxes from the north boundary to the west boundary where adjacent to residentially zoned property.

#### **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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