

Planning Commission Minutes  
July 28, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:40 p.m. on July 22, 2022.)

9. (SPUD-1434) Application by Gonzalo Rodriguez and Alejandra Rocha to rezone 5921 S Walker Avenue from the C-3 Community Commercial District to the SPUD-1434 Simplified Planned Unit Development District. Ward 4.

The applicant was present. There were protestors present.

Amended Technical Evaluation:

1. Generators for the use of the food truck are prohibited.
2. Hours of operation are restricted to: 6 a.m. to 10 p.m.
3. Restricted to one food truck on-site at a time.

**RECOMMENDED APPROVAL SUBJECT TO TECHNICAL  
EVALUATION, AS AMENDED.**

MOVED BY PRIVETT, SECONDED BY POWERS

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN,  
PENNINGTON, LAFORGE;

ABSENT: NOBLE



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**July 28, 2022**

**Item No. IV. 9.**

**(SPUD-1434) Application by Gonzalo Rodriguez and Alejandra Rocha to rezone 5921 S Walker Avenue from the C-3 Community Commercial District to the SPUD-1434 Simplified Planned Unit Development District. Ward 4.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

Name R. Blaine Nice  
Company Fellers Snider Blankenship Bailey & Tippens PC  
Phone 405-232-0621  
Email BNice@FellersSnider.com

**B. Case History**

This is a new application.

**C. Reason for Request**

This application is to permit a food truck vending on an existing commercial site.

**D. Existing Conditions**

**1. Comprehensive Plan Land Use Typology Area: Urban – Low Intensity (UL)**

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

**2. Size of Site: 0.65 acres**

**3. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	C-3	R-4	C-3	R-1	R-4
<b>Land Use</b>	Tire Shop	Residential	Commercial	Gas Wells	Telecommunication

- 4. Development Context:** The subject site is located at the northwest corner of S Walker Avenue and SW 59<sup>th</sup> Street. The site is zoned C-3 and developed with a tire and automotive repair shop. Abutting the site on the north is a home zoned R-4/C-3, and to the west is a telecommunications building zoned R-4/C-3. Across SW 59<sup>th</sup> Street to the south are an oil and gas facility and apartments. The other two corners of the arterial intersection are zoned C-3 and developed with a retail center/grocery store and gas station. The SPUD is requested to allow a food truck.

## **II. SUMMARY OF PUD APPLICATION**

- 1.** This site will be developed in accordance with the regulations of the **C-1 Neighborhood Commercial District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

In addition to those permitted in the C-1 District, the following uses will also be permitted on this site:

- *8300.54 – Outdoor sales and display, and outdoor & storage (specifically limited to a food truck).*
- *8300.14. Automotive and Equipment: Cleaning and Repairs, Light Equipment*

**2. Maximum Building Height**

The maximum building height will be that allowed under C-1 zoning.

**3. Maximum Building Size**

The existing structures shall remain and deemed in conformed with this SPUD: There is currently a structure operating as a tire and automobile repair shop that is 1797 square feet with an unfinished storage building on the property which is 800 square feet. There are also two (2) canopies: one which is 1180 square feet and one which is 625 square feet. The food truck would not exceed 8 ½ x 30 feet in size.

**4. Maximum Number of Buildings**

The existing structures shall remain on the property and only one (1) additional food truck would be allowed at any one time on the property. Should the buildings be removed or demolished, new development shall be per the base zone regulations in effect at the time of development.

**5. Building Set Back Lines**

The current building setbacks shall be deemed to conform. In the event of redevelopment, setbacks shall be per Code.

**6. Sight-proof Screening**

There is currently sight-proof screening existing between the proposed site and the adjacent property. No new screening is required.

**7. Landscaping**

There will be no change to the current landscaping. Should the site be redeveloped, landscaping will be provided per the regulations in place at the time of development.

**8. Signs**

There is currently signage on the existing structure. New signs shall be per the C-1 base zone except that EMD signs and billboards are not permitted. One A-frame, sandwich or springer sign with no more than 8 square feet of display area per side is permitted for the food truck use. Signs may not be placed in the right-of-way.

**9. Access**

There are currently four (4) curb cuts for access. Two (2) on S.W. 59<sup>th</sup> Street and two (2) on South Walker Avenue. These will remain. In the event the site is redeveloped, access shall be per the regulations in effect at the time of development.

**10. Sidewalks**

There are existing sidewalks that will remain on the property.

**II. OTHER DEVELOPMENT REGULATIONS**

**1. Architecture**

The current architecture will remain and a food truck not to exceed 8 ½ by 30 feet will be onsite.

**2. Open Space**

Current open space will remain the same.

**3. Street Improvements**

No street improvements are required.

**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 are provided per C-1 Neighborhood Commercial District.

**6. Parking**

Parking will be provided per Code.

**7. Maintenance**

Maintenance of all common areas and amenities shall be the responsibility of the owners of said property.

**8. Drainage**

Drainage improvements, if required, will be in accordance with applicable sections of the Oklahoma City Code of Ordinances. Drainage ways may be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code, which includes certain allowances in construction standards for SPUDS, provided the SPUD is developed with drainage areas confined to common areas or private drainage easements. Such drainage ways must be designed to handle adequate flows and cannot be built without specific approval of the City Engineer. The maintenance will be the responsibility of the property owners.

**III. SUPPORTING DOCUMENTS**

Exhibit A: Legal Description

Exhibit B: Site Plan

Exhibit C: Aerial image of existing structures

**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\***
  - c. Stormwater Quality Management**
  - d. Traffic Management**

**8. Utilities**

- a. Engineering**

**Paving**

**Wastewater Availability**

- 1) An existing 8” wastewater main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard

Specifications. A separate service connection is required for each building/structure.

- 2) All wastewater mains must flow within the existing drainage basin. Proposed wastewater mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings. All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.
- 4) The developer will be required to extend the wastewater collection system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations.
- 5) Proposed minimum lot size does not meet the current 30,000 square foot minimum lot size for lots with on-site sewage disposal systems. On-site aerobic sewage disposal systems require a minimum twenty-five (25) foot setback from the property line or public property.

**b. Solid Waste Management**

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

**c. Water/Wastewater Quality**

**Water Availability**

- 1) An existing 8" water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection and meter is required for each building/structure.
- 2) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two (2) foot vertical separation required for all 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 where applicable. All existing unnecessary water services must be abandoned at the water main.

- 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 and fire protection systems which require water pressure in excess of 25 psi.
- 5) Proposed water main(s) must be located within a utility easement or right-of-way. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 6) All existing and proposed meters must meet current specifications and standard details and be located in the right-of-way or utility easement within grassy areas outside of sidewalks, driveways, streets and/or paving.
- 7) All domestic and fire suppression services must have separate water service connections. Fire hydrants maximum spacing is 500 foot and must be located within 10 foot of a hard surface (i.e. sidewalk, street, and/or paving).

## **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 at the northwest corner of S Walker Avenue and SW 59<sup>th</sup> Street, both major arterial streets.*

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The FAR of the existing building is approximately 0.06.*



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.
- 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 site currently has four access points, two from S Walker Avenue and two from SW 59<sup>th</sup> Street. Current access points will remain. The SPUD requires redevelopment to meet access regulations in place at the time of development.*

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses.

*Sidewalks are available along SW 59<sup>th</sup> Street and pedestrian signals and crosswalks have been added to the arterial intersection, but sidewalks are not available or planned along the west side of S Walker Avenue.*

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. The SPUD is requested to allow a food truck to be parked on an existing commercial site. No new compatibility issues were identified.
- 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 at the northwest corner of S Walker Avenue and SW 59<sup>th</sup> Street, both Major Arterial Streets in the Urban Low LUTA. The nearest transit (bus) service is located along S Walker Avenue. S Walker Avenue has been identified for bike lanes in the future.
- 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)
  - 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. Large-scale commercial buildings with parking in front should screen parking lots with coordinated development of out-parcels (pad sites) and with landscaping. (SU-28)
  - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
  - Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
  - 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. The retail area extends along the SW 59<sup>th</sup> Street Corridor from near S Barnes Avenue to near S Harvey Avenue. Applicable policies under this framework include:

- Maintain community scale retail in nodes rather than allowing linear expansion.
- Upgrade streetscapes for visual coherency and place quality.
- Create or enhance pedestrian connections between buildings and centers.
- 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 at the northwest corner of S Walker Avenue and SW 59<sup>th</sup> Street. The site is zoned C-3 and developed with a tire shop. The SPUD is requested to allow a food truck to operate on the subject site. The SPUD proposes a C-1 base which would decrease the intensity of new uses permitted on the site while allowing the existing auto repair use and the addition of a food truck. No new compatibility issues were identified.

**IV. STAFF RECOMMENDATION**

*Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.*

**Approval of the application.**

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

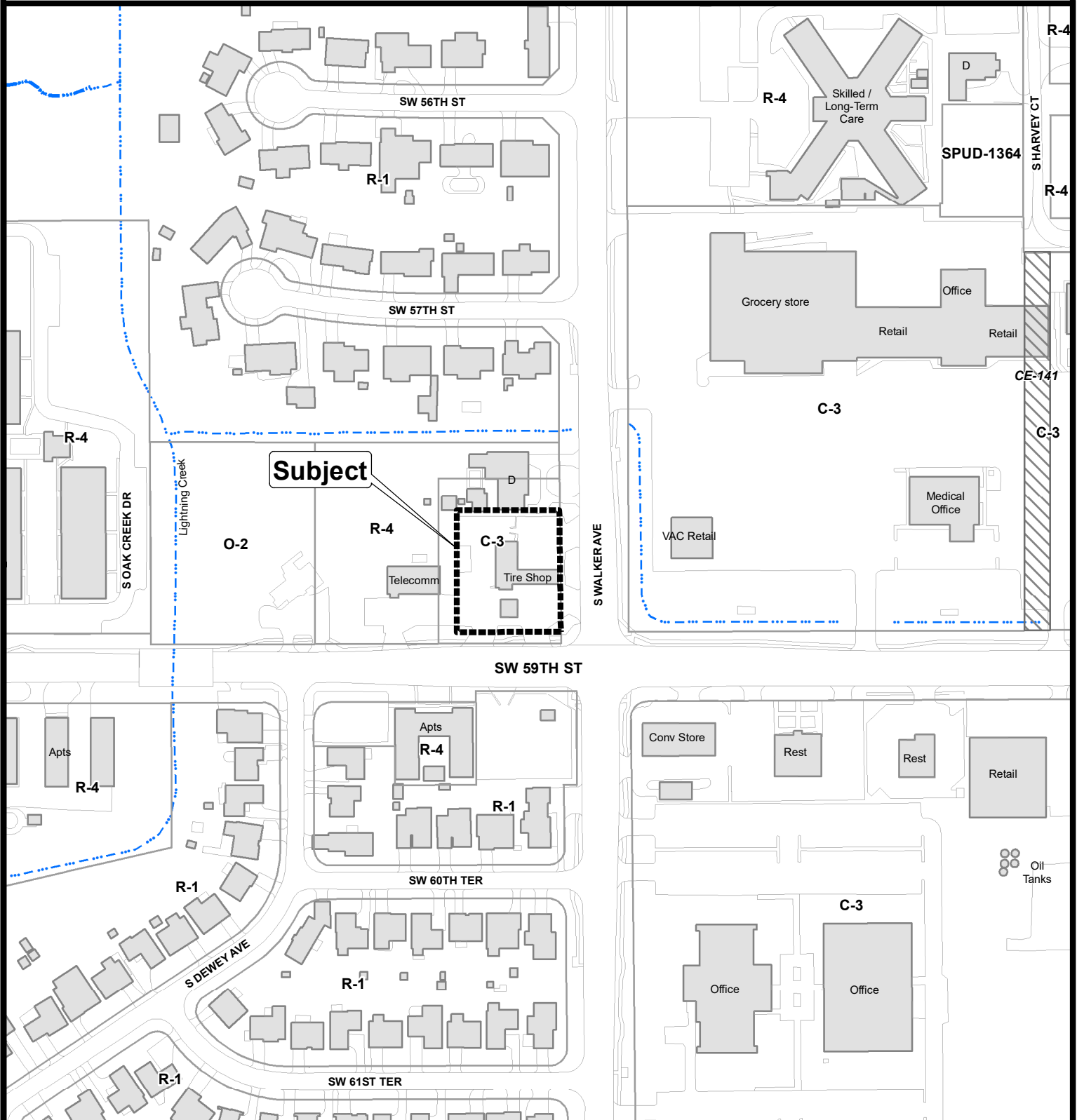
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Case No: SPUD-1434

Applicant: Gonzalo Rodriquez and Alejandra Rocha

Existing Zoning: C-3

Location: 5921 S. Walker Ave.



The City of  
OKLAHOMA CITY

## Simplified Planned Unit Development



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Feet

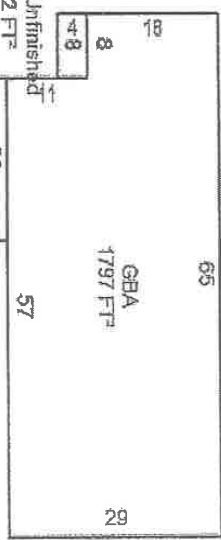


40  
Yrbit 2019  
Canopy Storage Unfinished  
800 FT<sup>2</sup>  
40

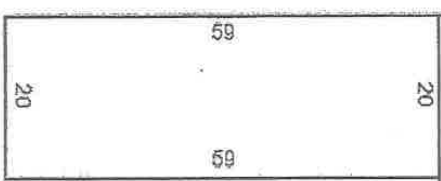
Canopy - Gas Station Steel  
625 FT<sup>2</sup>

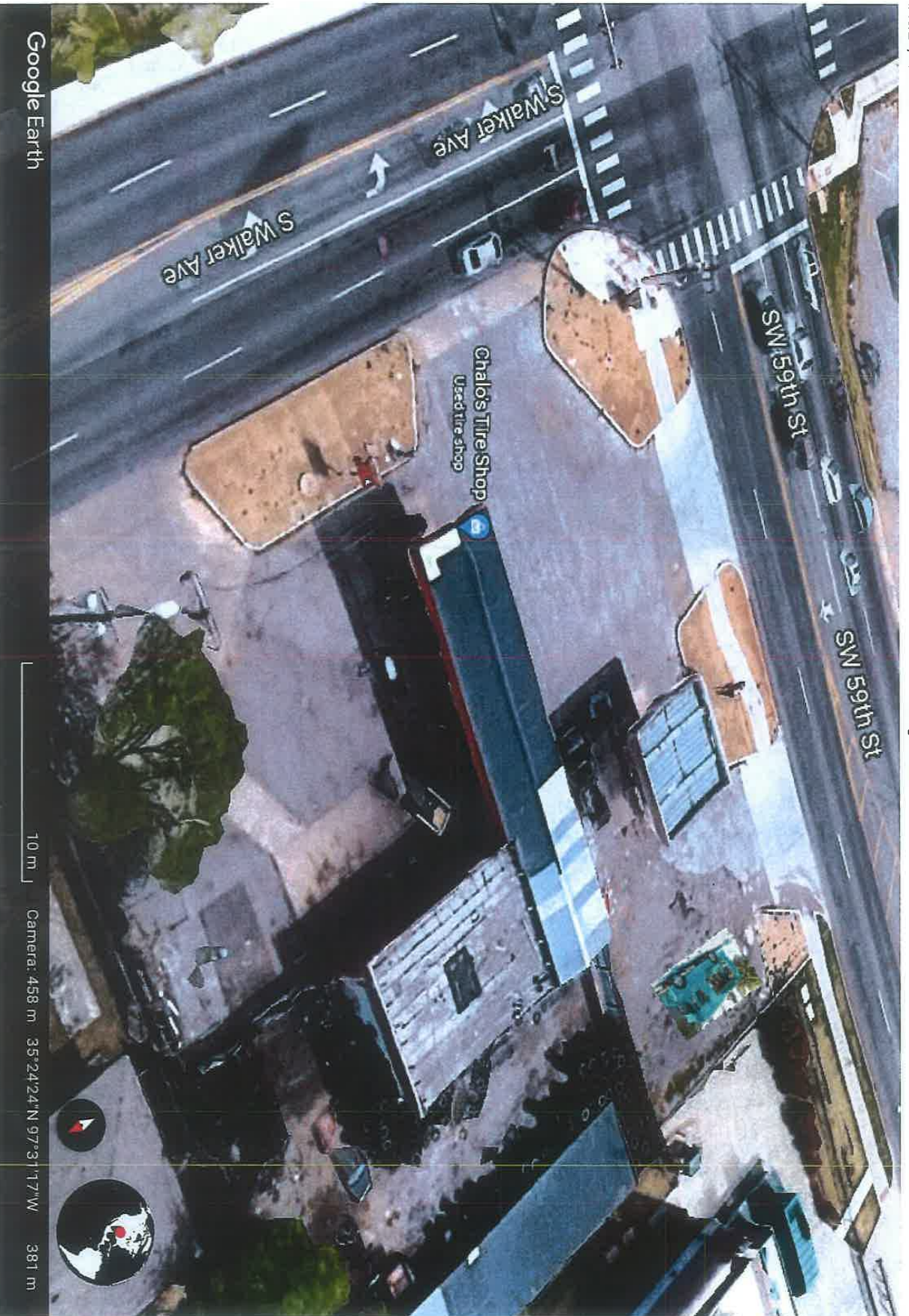


Canopy Walkway Unfinished  
32 FT<sup>2</sup>



Canopy - Gas Station Steel  
1180 FT<sup>2</sup>







**Case No: SPUD-1434**  
**Applicant: Gonzalo Rodriquez and Alejandra Rocha**  
**Existing Zoning: C-3**  
**Location: 5921 S. Walker Ave.**



Aerial Photo from 2/2020



The City of  
OKLAHOMA CITY

## Simplified Planned Unit Development



0 100 200  
Feet