

Planning Commission Minutes
January 23, 2025

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:30 a.m. on January 21, 2025)

23. (SPUD-1704) Application by Ipanema Investments, LLC to rezone 4400 NW 50th Street from R-1 Single Family Residential, O-2 General Office and SPUD-846 Simplified Planned Unit Development Districts to SPUD-1704 Simplified Planned Unit Development District Ward 2.

The applicant was present. There were no protesters present.

RECOMMENDED APPROVAL.

MOVED BY POWERS, SECONDED BY LAFORGE

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 23, 2025

Item No. IV. 23.

(SPUD-1704) Application by Ipanema Investments, LLC to rezone 4400 NW 50th Street from R-1 Single Family Residential, O-2 General Office and SPUD-846 Simplified Planned Unit Development Districts to SPUD-1704 Simplified Planned Unit Development District Ward 2.

I. GENERAL INFORMATION

A. Contacts

1. Applicant Representative

Name Kaitlyn Turner
Company Box Law Group
Phone (405) 652-0991
Email kaitlyn@boxlawgroup.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow office uses.

D. Existing Conditions

1. Size of Site: 1.21 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1/O-2/SPUD-846	C-3	R-1	R-1	O-2
Land Use	Undeveloped	Commercial	Residential	Residential	Office

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 **O-2 General Office 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
8300.2	Adult Day Care Facilities
8300.12	Automotive: Parking Lots, as a Principal Use
8300.24	Business Support Services
8300.25	Child Care Centers
8300.29	Communications Services: Limited
8250.2	Community Recreation: General
8250.2	Community Recreation: Property Owners Association
8250.4	Community Recreation: Restricted
8200.2	Dwelling Units and Mixed Uses
8250.11	Library Services and Community Centers
8250.12	Light Public Protection and Utility: General
8250.13	Light Public Protection and Utility: Restricted
8250.14	Low Impact Institutional: Neighborhood-Related
8300.53	Medical Services: Restricted
8250.16	Murals
8300.58	Personal Services: General
8300.59	Personal Services: Restricted
8300.62	Research Services: Restricted

2. Maximum Building Height:

The existing building shall be permitted to remain subject to Article 15 of the Oklahoma City Municipal Code, as amended. In the event of a new structure, the maximum building height shall be two (2) stories.

3. Maximum Building Size:

The existing building shall be permitted to remain subject to the Oklahoma City Municipal Code, as amended. In the event of a new structure, the maximum building size shall be in accordance with the base zoning district regulations.

4. Maximum Number of Buildings:

The maximum number of buildings shall be in accordance with the base zoning district regulations.

5. Building Setback Lines:

North: 30 feet
East: 15 feet
South: 5-foot landscaped buffer strip and building line setback of 15 feet
West: 5 feet

6. Sight-Proof Screening:

Sight-proof screening shall be in accordance with the base zoning district regulations.

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 On-Premise Signs

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

8.2 Attached Signs

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

8.3 Off-Premise Signs

Off-Premise signs will be prohibited.

8.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

9. Access:

Access may be taken via shared access drive from NW 50th St. subject to Public Works policies, procedures, and regulations.

10. Sidewalks:

The existing sidewalk shall be permitted to remain. Replacement sidewalks shall be constructed in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction of this SPUD.

I. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% 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. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space:

Per base zoning district regulations.

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, private drainage easements, and islands / medians 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.

II. Supporting Documents

Exhibit A: Legal Description
Exhibit B: Conceptual Site Plan
Exhibit C: Topographic Survey

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) 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

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.

b. Stormwater Quality Management

c. Traffic Services

8. Utilities

a. Engineering

b. Solid Waste Management

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

c. Water/Wastewater Quality

Water Availability

1. An existing 6-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. Site will be considered commercial and will be mastered metered.

Wastewater Availability

1. An existing 8-inch 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. Plat may be revised after review and approval of utility plans.
8. Each unit must have a separate wastewater connection to the main. Internal system inside property will be private.

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.

Location:

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

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments.

National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available nearby. The SPUD regulations could provide a FAR within or below 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.
- Horizontally mixed-use developments should have connectivity between land uses.

The subject site currently has two improved drives along NW 50th Street, that serve the developed office and single-family residence on the site. The SPUD proposes utilizing one shared drive from NW 50th Street. However, the conceptual plan for the development illustrates two drives along NW 50th 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 partially available on the subject site, along NW 50th Street. The SPUD proposes allowance of the existing sidewalk and replacement per Code requirements at the time of construction.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating the proposed uses adjacent to existing Low Intensity Residential, “Building Scale and Site Design” and “Traffic” 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 is requested for limited office uses in a base O-2 zoned development. The SPUD proposes utilizing the existing office building on the site, which is permitted to remain in the current configuration, while allowing new development on the east portion of the site. The conceptual plan for the development illustrates two new structures, one fronting NW 50th Street and one located at the rear of the property. The SPUD maintains the base O-2 regulations for maximum building size and number of buildings, while allowing new structures to be a maximum of 2 stories, in comparison to the base O-2 District requirement of 20 feet and 1 story where abutting or within 35 feet of the adjacent R-1 District, or 35 feet and 2 stories between 35 feet and 150 feet. More than 150 feet from the adjacent R-1 District would allow a maximum height of 6 stories; however, the site is only roughly 172 feet wide. The SPUD proposes maintaining the base O-2 setback requirements for the rear (south) and interior side (west) setbacks. The SPUD requests increasing the front (north) setback from 25 feet to 30 feet and removing the 5-foot landscaped buffer strip of 5 feet for the interior side (east) setback.*

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 south side of NW 50th Street, an arterial street in the Urban Low Intensity LUTA. No triggers requiring mitigation measures related to traffic were identified.*

- 3) **Service Efficiency:**
- Water: *Served*
 - Sewer: *Fully Served*

- Fire Service: *Urban Response*
- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - Riparian Areas: 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 south side of NW 50th Street, a Major Arterial Street in the Urban Low LUTA. The nearest transit (bus) service is located just east and west of the site along NW 50th Street.
- 6) **Other Development Related Policies**
 - 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)
 - Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)
 - 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)
 - 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 south side of NW 50th Street, east of North Meridian Avenue. The site is zoned O-2, R-1, and SPUD-846. The SPUD portion of the site is developed with an office, the O-2 portion is developed with a single-family residence, and the R-1 portion is undeveloped. The site abuts R-1 zoned, single-family residential to the east and south. Abutting land to the west is zoned O-2 and developed with an office. Across NW 50th Street, to the north, is the C-3 zoned Springdale Shopping Center.

The SPUD is requested to allow office uses under one zoning district. The SPUD proposes limited office uses in a base O-2 zoned development. The development utilizing the existing office building on the site, which is permitted to remain in the current configuration, while allowing new development on the east portion of the site. The conceptual plan for the development illustrates two new structures, one fronting NW 50th Street and one located at the rear of the property. The SPUD maintains the base O-2 regulations for maximum building size and number of buildings, while allowing new structures to be a maximum of 2 stories, in comparison to the base O-2 District requirement of 20 feet and 1 story where abutting or within 35 feet of the adjacent R-1 District, or 35 feet and 2 stories between 35 feet and 150 feet. The SPUD proposes maintaining the base O-2 setback requirements for the rear (south) and interior side (west) setbacks. The SPUD requests increasing the front (north) setback from 25 feet to 30 feet and removing the 5-foot landscaped buffer strip of 5 feet for the interior side (east) setback.

The subject site currently has two improved drives along NW 50th Street, that serve the developed office and single-family residence on the site. The SPUD proposes utilizing one shared drive from NW 50th Street.

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.

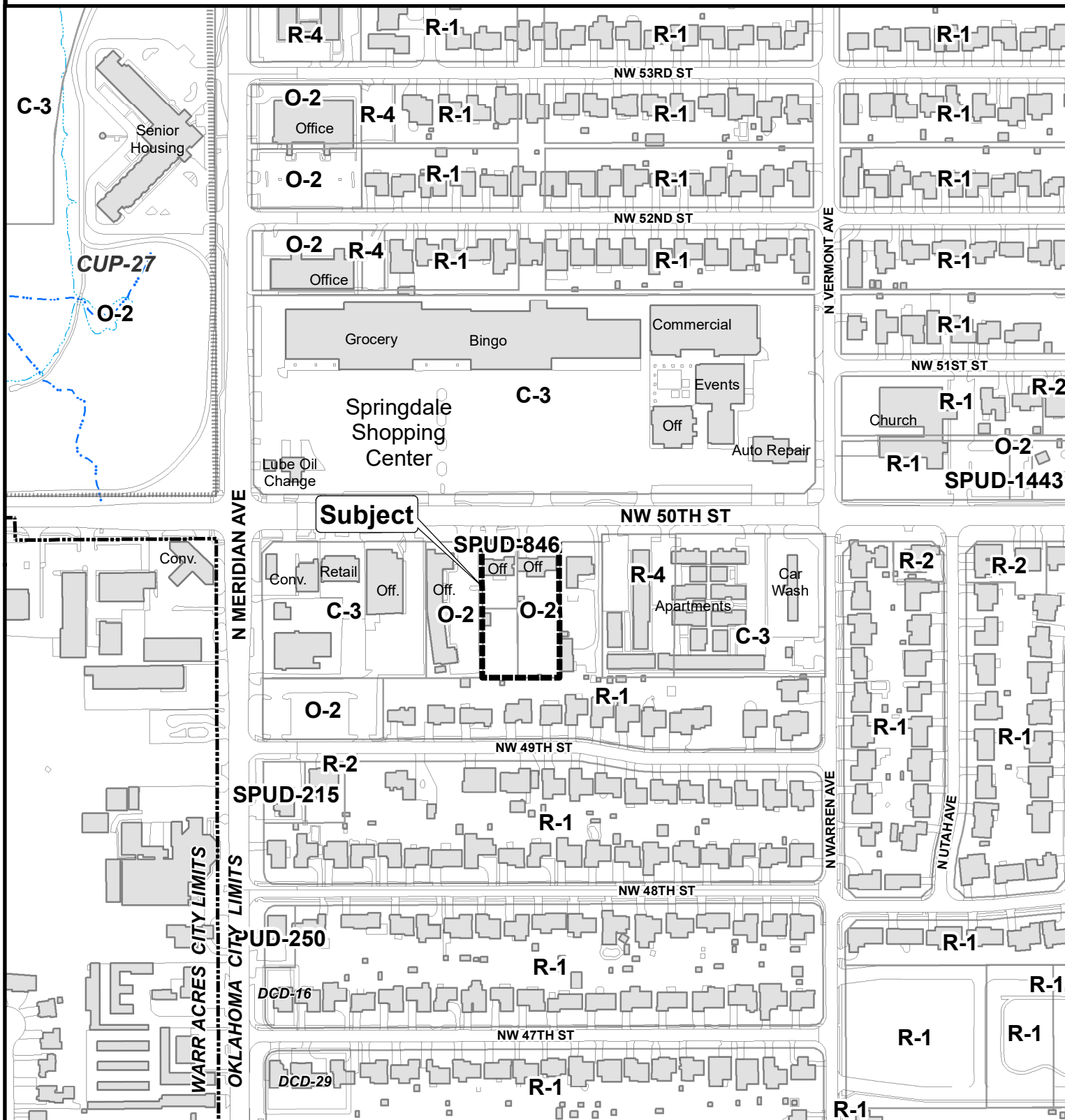
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Case No: SPUD-1704

Applicant: Ipanema Investments, LLC

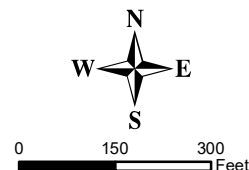
Existing Zoning: O-2 / SPUD-846 / R-1

Location: 4400 NW 50th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



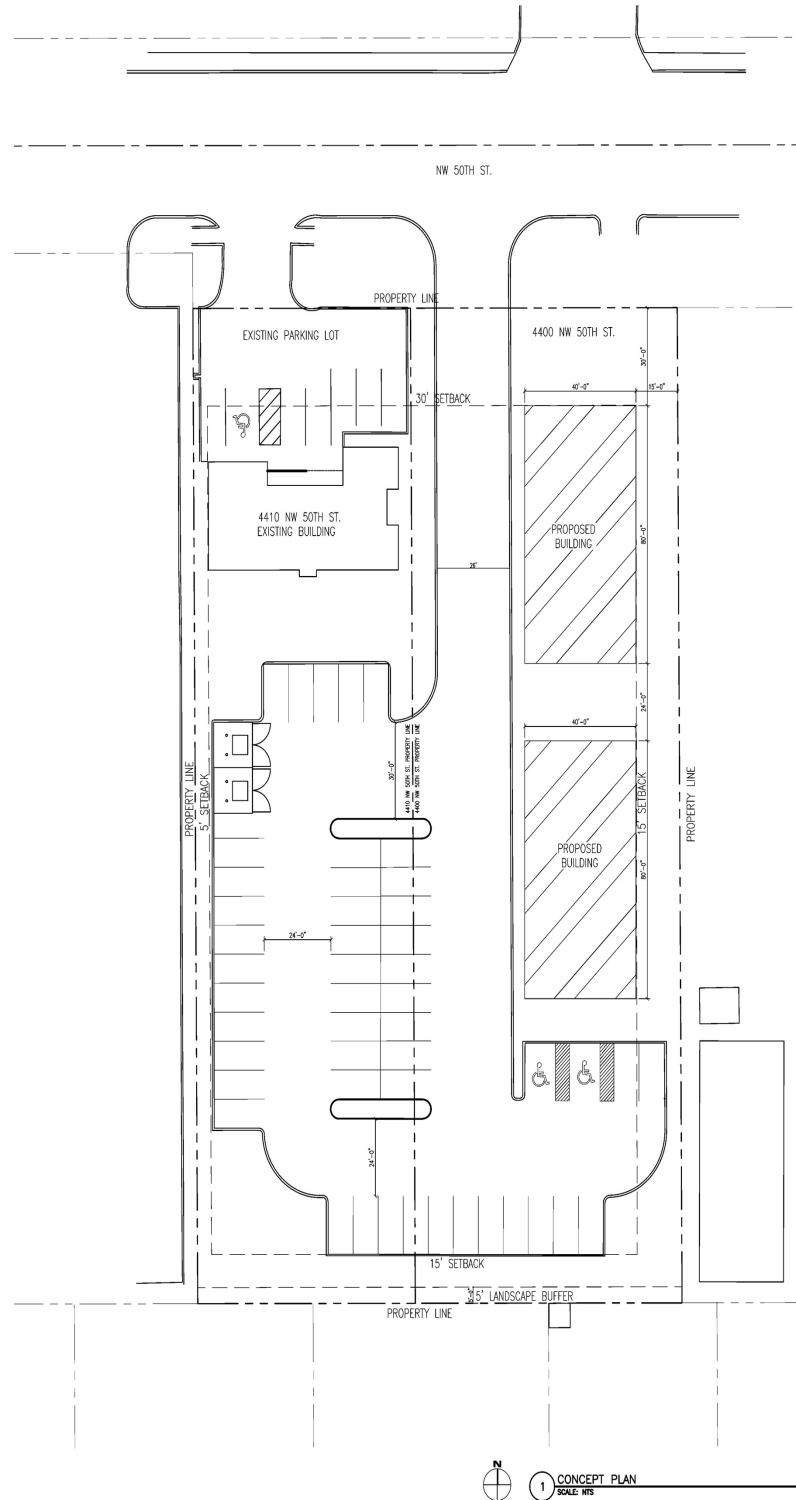


Exhibit B

4410 & 4400 NW 50th St.
OKLAHOMA CITY,
OK

MARK	DATE	DESCRIPTION
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PROJECT NO: 2318

CAD DWG FILE: ORLANDO MARCH 1000

DRAWN BY: DC

CHECKED BY: MS

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SHEET TITLE

CONCEPT PLAN

A-FP101

Case No: SPUD-1704

Applicant: Ipanema Investments, LLC

Existing Zoning: O-2 / SPUD-846 / R-1

Location: 4400 NW 50th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

