

Planning Commission Minutes
November 9, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:24 a.m. on November 6, 2023)

19. (SPUD-1576) Application by Skyline Hotel, LLC to rezone 105 NE 85th Street from PUD-1584 Planned Unit Development District and R-1 Single-Family Residential District to SPUD-1576 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY CLAIR, SECONDED BY POWERS

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

ABSENT: LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
November 9, 2023

Item No. IV. 19.

(SPUD-1576) Application by Skyline Hotel, LLC to rezone 105 NE 85th Street from PUD-1584 Planned Unit Development and R-1 Single-Family Residential Districts to SPUD-1576 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer 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, specifically the Elm Hotel.

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: 3.14 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1584 R-1	PUD-1584	PUD-1584	PUD-1584	PUD-1584
Land Use	Hotel	Ponds/Office	Multifamily	Parking/Office/Theater	Vacant

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 Office (8300.1)
- Adult Day Care Facilities (8300.2)
- Alcoholic Beverage Retail Sales (8300.5)
- Automotive: Parking Garages (8300.12)
- Business Support Services (8300.24)
- Child Care Centers (8300.25)
- Communication Services: Limited (8300.29)
- Community Recreation: Restricted (8250.4)
- Convenience Sales and Personal Services (8300.32)
- Cultural Exhibits (8250.5)
- Custom Manufacturing (8350.3)
- Drinking Establishments: Sitdown, Alcohol Permitted (8300.33)
- Dwelling Units Above the Ground Floor (8200.2)
- Eating Establishments: Drive-In (8300.34)
- Eating Establishments: Fast Food (8300.35)
- Eating establishments: Fast Food with Drive-thru Order Window (8300.36)
- Eating Establishments: Sitdown (8300.37)
- Eating Establishments: Sitdown, Alcohol Permitted (8300.38)
- Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)
- Food and Beverage Retail Sales (8300.41)
- Laundry Services (8300.48)
- Library Services and Community Centers (8250.11)
- Light Public Protection and Utility: General (8250.12)
- Light Public Protection and Utility: Restricted (8250.13)
- Lodging Accommodations: Bed and Breakfast (8300.49)
- Lodging Accommodations: Commercial Lodging (8300.51)
- Low Impact Institutional: Neighborhood Related (8250.14)
- Medical Services: General (8300.52)
- Medical Services: Restricted (8300.53)
- Murals (8250.16)
- Participant Recreation and Entertainment: Indoor (8300.55)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)

- Repair Services: Consumer (8300.61)
- Research Services: Restricted (8300.62)
- Retail Sales and Services: General (8300.63)
- Spectator Sports and Entertainment: Restricted (8300.69)

2. Maximum Building Height:

The maximum height within this SPUD shall be 150 feet.

3. Maximum Building Size:

N/A

4. Maximum Number of Buildings:

The maximum number of buildings within this SPUD shall be one (1). Accessory structures shall not be included within the maximum building limit.

5. Building Setback Lines:

There shall be no setback from NE 85th Street. There shall be no interior setbacks within this SPUD except as required by Fire Code.

6. Sight-proof Screening:

Screening shall not be required in this SPUD.

7. Landscaping:

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

8. Signs:

8.1 Freestanding Accessory Signs

Freestanding signage shall be in accordance with the C-3, "Community Commercial" District regulations.

No pole signs will be allowed.

8.2 Attached Signs

Attached signs shall be in accordance with the C-3, "Community

Commercial” District regulations.

8.3 Non-accessory Signs

Non-accessory signs are not permitted in this SPUD.

8.4 Electronic Message Display Signs

Electronic Message Display signs shall not be permitted in this SPUD.

9. Access:

Access shall be taken from NE 85th Street via a maximum of one (1) private drive.

10. Sidewalks:

Five-foot sidewalks shall be constructed on NE 85th 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. All sidewalks shall be in place prior to any occupancy certificates being issued.

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, while maintaining the overall theme of PUD-1584, the Parent PUD, shall consist of materials such as brick, brick veneer, EIFS, stucco, rock, stone, marble, glass block and masonry materials (including textured and painted concrete and tilt wall construction), and shall also be permitted the flexibility to incorporate architectural materials compatible with PUD-1584 (i.e. architectural metal and split face concrete block, wood or cement-board may also be permitted). Specific uses which propose to incorporate alternative materials not listed above shall be permitted.

2. Open Space:

N/A

3. Street Improvements: N/A

4. 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.

5. 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 a low density residential use.

6. Parking:

The design 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.

This SPUD shall only require 160 parking spaces.

Proposed uses do not require off-street parking located on the same site as the structure. Off-street parking may be provided by parking lots or garages located elsewhere within PUD-1584, the Parent PUD. If on-site parking is not provided for the proposed use/structure, locations and parking calculations for all structures in this PUD shall be provided with the building permit application.

7. Maintenance:

N/A

8. Drainage:

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

9. Platting:

Platting shall not be required for this SPUD.

11. Other:

N/A

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**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas:** Please be advised ONG has an underground or aboveground facility in the area. If you need our facilities relocated to accommodate your excavation or construction, ONG will provide you a cost estimate. Prior to excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior for exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District(s) Oklahoma City**
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire**
- 4. Information Technology/Geographic Support**
- 5. Parks and Recreation**
- 6. Police**
- 7. Public Works**
 - a. Engineering**
 - b. Streets, Traffic and Drainage Maintenance**

Storm Sewer Availability

- 1) The Public Works Drainage Division staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to chapter 16 of the Oklahoma City Municipal Code.
- 2) Storm sewers in accordance with the City's Drainage Ordinance will be required. Development abutting section line roads with drainage flows that exceed the capacity of OKC standard ditch detail (D-100) will necessitate the installation of enclosed storm sewer and/or concrete channel. These improvements shall be placed to provide a minimum of 35' clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way.
- 3) A flood and/or drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. A final plat should not be submitted until the study has been reviewed and approved by the Public Works Department.
- 4) Plans for drainage improvements within the private drainage reserves and/or common areas must be submitted for review, and payment of inspection fees shall be made prior to construction. Building permits will not be issued until construction is complete. If a subdivision abuts a stream, the private drainage easements and/or common area along stream shall extend to flow line of stream at a minimum.
- 5) Place the following note on the plat and construction plans: Maintenance of the Common Areas and/or Private Drainage Easements shall be the responsibility of the property owner. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent shall be placed within the common areas and/or drainage easements shown.
- 6) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 7) Construction within the limits of this SPUD will require an erosion control plan in accordance with EPA Storm Water Discharge permitting: CFR Vol. 57, No. 175, September 9, 1992. A copy of the EPA Notice of Intent (NOI) will be required prior to the issuance of work orders or permits for construction activities disturbing an area of 1/2 acre or greater.
- 8) Sidewalk shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.
- 9) All private roads /streets will have private storm sewer systems.
- 10) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) An existing 8" wastewater main(s) is located adjacent to the subject site(s).
- 2) Line capacity is not guaranteed 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) Appears that an 8-in sanitary sewer line will need to be relocated and easement released with new easement for the relocation. This will be determined upon preliminary design submittal.

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 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) It appears that an 8-in water line will need to be relocated and easement released with new easement for the relocation. This will be determined upon preliminary design submittal.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands.
- 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. The hotel incorporates the pond into the site design.

Location:

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

The site is part of a mixed-use development accessed from Broadway Extension Service Road.

Automobile Connectivity:

- Maintain, create, and enhance a street network that is highly connected to increase number of viable commercial locations and the effectiveness of the transportation system.
- Limit number of dead-end streets and cul-de-sacs.
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Development fronting arterials should take access from intersecting streets where possible.
- Retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores.
- Provide vehicular connectivity between adjacent developments.
- Horizontally mixed-use developments should have connectivity between land uses.

The site takes access from an existing street designed to serve a mixed-use 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 already installed along the street, and a pedestrian crossing has been installed that connects to and through the Flix parking lot. The hotel will provide a similar path on the subject site.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. No new uses are proposed, and no new compatibility issues are identified by the comprehensive plan.

- 3) **Service Efficiency:**
 - Water: *Fully served*
 - Sewer: *Fully Served*
 - Fire Service: *Urban Service Level*
- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the site.
- 5) **Transportation System:** This site is located off NW 85th Street, which provides access to Broadway Extension, within the Urban Low LUTA. Transit service is not available.
- 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)
 - Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizeable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-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)
- 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 on the north side of NW 85th Street, east of the Broadway Extension. The site is part of the ongoing development in “the half”, which was zoned to PUD-1584 in 2015 in a larger PUD known as “9000 Broadway Mixed Use Development”. The new SPUD is requested for the Elm Hotel, which is located south of the ponds and adjacent to new multifamily residential (BroadVue Apartments). To the south is a parking lot that serves a medical office and Flix Brewhouse.

The SPUD is requested to increase the height limit for the Elm Hotel. The existing PUD allows the lodging use, but height is limited to 100 feet excluding architectural elements as measured from the west PUD boundary line, which was intended to account for the slope of the land. The new SPUD would allow the hotel to be 150 feet tall. The new SPUD does not add new uses, deletes some of the uses originally included in the PUD, mirrors the architectural style and parking regulations for the overall development, and uses the street network that has already been established to serve the mixed-use development. Sidewalks have been installed on the street, and a dedicated pedestrian crossing has been installed that connects the hotel site to and through the Flix parking lot.

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.

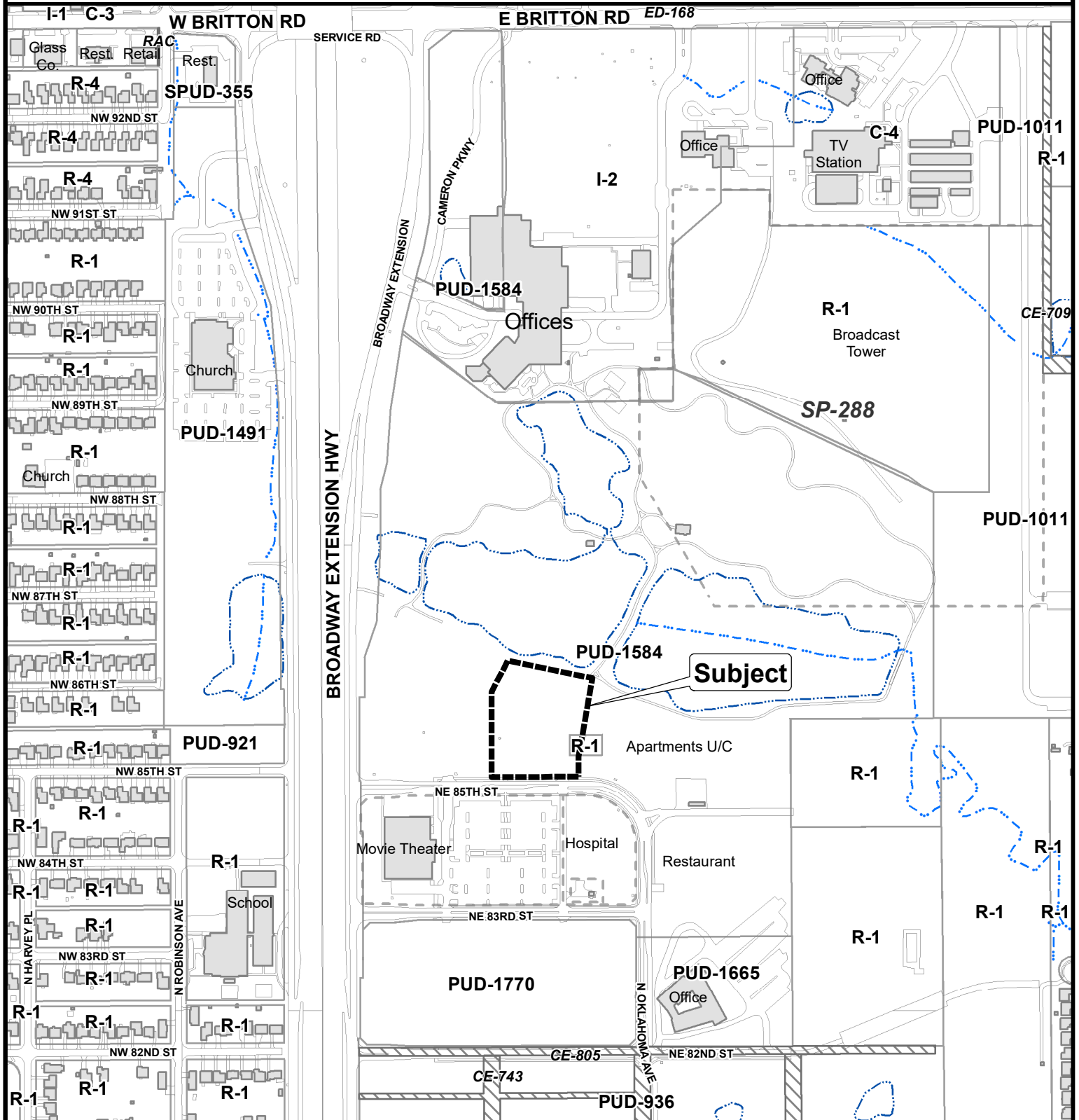
All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Divisions review of construction plans and prior to City Council approval.

Case No: SPUD-1576

Applicant: Skyline Hotel, LLC

Existing Zoning: PUD-1584 / R-1

Location: 105 NE 85th St.

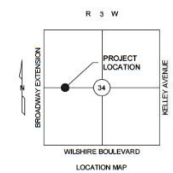


The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 250 500
Feet



SPUD-1576 Elm Hotel

Exhibit B
Conceptual Site Plan

+/-3.1443 acres



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-8075 FAX (405) 235-8075

ENGINEERS SURVEYORS PLANNERS

9/29/23

Conceptual site plan showing feasible option
permitted under proposed rezoning

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Applicant: Skyline Hotel, LLC

Existing Zoning: PUD-1584 / R-1

Location: 105 NE 85th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

