

Planning Commission Minutes  
July 25, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 3:47 p.m. on July 19, 2024)

17. (PUD-2023) Application by Holy Trinity Lutheran Church to rezone 308 NW 164th Street from PUD-823 Planned Unit Development District to PUD-2023 Planned Unit Development District. Ward 7.

The applicant was present. There was a protestor present.

**RECOMMENDED APPROVAL.**

MOVED BY PENNINGTON, SECONDED BY GOVIN

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

ABSENT: MEEK



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**July 25, 2024**

**Item No. IV. 17.**

**(PUD-2023) Application by Holy Trinity Lutheran Church to rezone 308 NW 164<sup>th</sup> Street from PUD-823 Planned Unit Development District to PUD-2023 Planned Unit Development District. Ward 7.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

Company	Williams, Box, Forshee & Bullard PC
Phone	405-232-0080
Email	dmbox@wbfbllaw.com

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this application is to allow expansion of the existing church facility, specifically a school.

**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: 13.7 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>	PUD-823	Edmond	R-1	R-1	R-1
<b>Land Use</b>	Church	Residential	Residential	Residential	Church

**II. SUMMARY OF PUD APPLICATION**

The use and development regulations of the R-1 Single-Family Residential District shall govern this PUD, except as herein modified.

**In addition to all uses within the R-1 District, the following shall also be permitted:**

8250.15            Moderate Impact Institutional

**9.0.....SPECIAL CONDITIONS**

The following special conditions shall be made a part of this PUD:

**9.1.....FAÇADE REGULATIONS**

The existing structures shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the following shall apply: exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, architectural metal, masonry, rock, stone, stucco, LP Smartside panels, concrete panels, wood, or other similar type finish. No more than 30% EIFS shall be permitted. Exposed unfinished metal or exposed concrete block buildings shall not be permitted.

**9.2 ..... LANDSCAPING REGULATIONS**

The existing landscaping shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the developer will reserve no less than 10% of the development site within the PUD for landscaped area. Any Green Belt, Common Area, Detention Pond, or Drainage Easement shall be included for purposes of the computation of the 10%.

In the portion of the east boundary that abuts the Fairfield Addition, an area designated for landscape screening between the Holy Trinity Lutheran Church and the Fairfield Addition will be provided. The purpose of this area will be to provide a green space buffer as a demarcation and as a visual screen.

Existing trees along the east, south and west boundaries of the PUD shall be preserved. Other healthy trees and native understory on the site shall be preserved to the greatest extent possible.

**9.3 ..... LIGHTING REGULATIONS**

To minimize light spillover on residential uses, outdoor lights within this PUD will be directed away from any adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams. Parking lot lighting poles shall be limited to a maximum height of twenty-five feet (25'). The Prayer Tower, as depicted on Exhibit B, shall be up lit by ground lights, with actual light source screened from view, and the Steeple on

top of the Sanctuary, as depicted on Exhibit B, shall be lit with flood lights directed upward. Both the Steeple and Prayer Tower lights will be controlled to turn-off by a timer.

9.4 ..... SCREENING REGULATIONS

No less than a six-foot and no greater than an eight-foot-high wall shall be required along the boundary of this parcel where it is adjacent to any residential use. Said wall shall be constructed entirely of stucco, brick, or stone on a continuous footing, or may be constructed of wood, with brick columns with footings on 20' centers and shall be solid and opaque. A landscaped buffer may be utilized in lieu of the aforementioned wall.

9.5 ..... PLATTING REGULATIONS

Platting shall not be required within this PUD.

9.6 ..... DRAINAGE REGULATIONS

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

9.7 ..... DUMPSTER REGULATIONS

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 PUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

9.8 ..... ACCESS REGULATIONS

Access may be taken from a maximum of two driveways on NW 164<sup>th</sup> St.

9.9 ..... PARKING REGULATIONS

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

9.10 ..... SIGNAGE REGULATIONS

Existing signage shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the following shall apply:

9.10.1 ..... FREESTANDING ACCESSORY SIGNS

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

9.10.2 ..... ATTACHED SIGNS

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

9.10.3 ..... NON-ACCESSORY SIGNS

Non-Accessory signs shall not be permitted.

9.10.4 ..... ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs will be in accordance with the base zoning district regulations.

9.11 ..... ROOFING REGULATIONS

Each structure in this PUD shall have Class C roofing or better. Structures may utilize a high-profile composition-shingle pitched roof, a low slope metal roof, or a built-up roof, such as a modified bituminous metal roof, which may be gravel ballasted, EPDM or other low slope roofing material.

9.12 ..... SIDEWALK REGULATIONS

Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel, or six (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. Four (4) foot sidewalks shall be constructed on the interior streets prior to any occupancy certificates being issued.

9.13 ..... HEIGHT REGULATIONS

The existing structure shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the base zoning district regulations shall regulate heights of structures in this PUD.

9.14 ..... SETBACK REGULATIONS

The existing setbacks shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, yard requirements in this PUD shall be the same as the base-zoning district.

**9.15 ..... PUBLIC IMPROVEMENTS**

Public improvements shall be made by the property owner throughout the PUD as required by the City of Oklahoma City Public Works Department or other City, County, or State Department or agency. All Local, State, and Federal ordinances as they shall apply to the site will be adhered to fully.

**9.16 ..... COMMON AREAS**

Maintenance of the common areas 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.

**9.17 ..... SPECIFIC PLAN**

A specific plan shall not be required.

**10.0 ..... DEVELOPMENT SEQUENCE**

Developmental phasing shall be allowed as a part of the development of this PUD.

**11.0 ..... EXHIBITS**

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

- Exhibit A - Legal Description
- Exhibit B - Conceptual Master Development Plan
- Exhibit C - Topography 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 contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior to excavation for the exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District:** Edmond
- 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) Flood Study will be required to show no rise in FEMA Q 100 and the City of Oklahoma City Q 100 water surface elevation, compared pre-and post-development.
- 5) A portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood

plain will be required (100-year) frequency plus 1'. The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.

- 6) A floodplain activity permit must be submitted for any work contemplated in The Waters of the United States.
- 7) 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.
- 8) 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.
- 9) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 10) Construction within the limits of this PUD 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.
- 11) Sidewalks 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.
- 12) All private roads /streets will have private storm sewer systems.
- 13) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.
- 14) Amend Section 7.7 Drainage: The property within this Planned Unit Development is ~~not~~ within 200 feet of the FEMA flood plain.
- 15) Amend Section 9.16 Common Areas: Maintenance of the common areas, private drainage easements, and islands/medians in the development shall be the responsibility of the property owners and/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 that meets the requirements specified above.

**c. Stormwater Quality Management**

**d. Traffic Management\***

**8. Utilities**

**a. Engineering**

**Wastewater Availability**

- 1) An existing 8-inch 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) Plat may be revised after review and approval of utility plans.

**Water Availability**

- 1) An existing 8-inch/12-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.

**b. Solid Waste Management**

- 1) The City can provide solid waste collection services to commercial customers providing refuse is not excess of 270 gallons per customer per pick up § 49-30 (a). Otherwise, the customer will have to utilize a private hauler for dumpster service.

**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.

*The development is required to comply with all City, State, and Federal requirements within the floodplain. 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 along NW 164th Street, 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 current FAR of the site is 0.017. The PUD regulations could provide for a continued FAR within the UL range.*

Automobile Connectivity:

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Development fronting arterials should take access from intersecting streets where possible.
- Primary entrance points should be aligned with access points immediately across the street.

*The subject site is currently served by two improved drives along NW 164th Street. The PUD Master Design Statement allows a maximum of two driveways. The conceptual plan for the site illustrates the drives would remain in the existing locations.*

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.

*Sidewalks are not currently available on the subject site but are required along NW 164th Street by the PUD regulations.*

- 2) Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. In this case, the PUD is requested for the existing church and accessory uses, and is specifically requested to add a school and modify architectural regulations. The PUD adds the use needed to allow a middle or high school; elementary schools are permitted within the R-1 District. The proposed school site would meet the specific use standards for the Moderate Impact Institutional use (direct access to at least a Collector Street, and at least a 20-foot setback for any lighting or parking from a residential lot line). The PUD maintains the previously negotiated landscape buffer adjacent to residential.
- 3) Service Efficiency:**
  - Water: *Served*
  - Sewer: *Fully Served*
  - Fire Service: *Urban Response*
- 4) Environmentally Sensitive Areas:** No ESAs were identified on the subject site.
- 5) Transportation System:** This site is located along the south side of NW 164th Street, a Major Arterial Street in the Urban Low LUTA. Transit (bus) service is not available. According to Streetlight data, last collected in 2022, NW 164th Street had 19,541 average daily trips, with a capacity of 22,000.
- 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)
- Avoid under-grounding streams to the greatest extent possible. Where feasible, encourage the re-surfacing of buried streams. Limit the use of culverts or other structures that alter natural streams, and require designs that minimize impacts to stream health and function. (G-11)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- 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)
- 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 164th Street, west of North Santa Fe Avenue. The site was rezoned from R-1 to PUD-823 in 2001 to allow for expansion of the existing church facilities. Land to the north, across NW 164th Street, is within Edmond city limits and developed with single-family residential. Land to the east, south, and west is zoned R-1. Abutting properties to the east and south are developed with single-family residential. Properties abutting the site to the west are developed with a church that fronts NW 164th Street, and a residence associated with the church on the subject site to the southwest.

The new PUD is requested to allow the expansion of the existing church facility, specifically a school, with R-1 base zoning. The PUD proposes, in addition to the existing R-1 uses, the moderate impact institutional use, which is the use unit that would be needed for schools with classes above the elementary level. The PUD also proposes allowing the use of brick veneer, architectural metal, masonry, rock, stone, stucco, LP Smartside panels, concrete panels, wood as exterior wall finishes. Architectural metal is currently not an allowed material for non-residential buildings in the R-1 District. The PUD proposes a landscape buffer along the east boundary of the

site, which already exists, and preservation of existing trees along the east, west and south boundaries of the site. The PUD proposes shielding of outdoor lighting from residential uses, distancing of dumpsters 50 feet from residential uses, and prohibits non-accessory signage. The PUD requires sidewalks along NW 164th Street.

#### **IV. STAFF RECOMMENDATION**

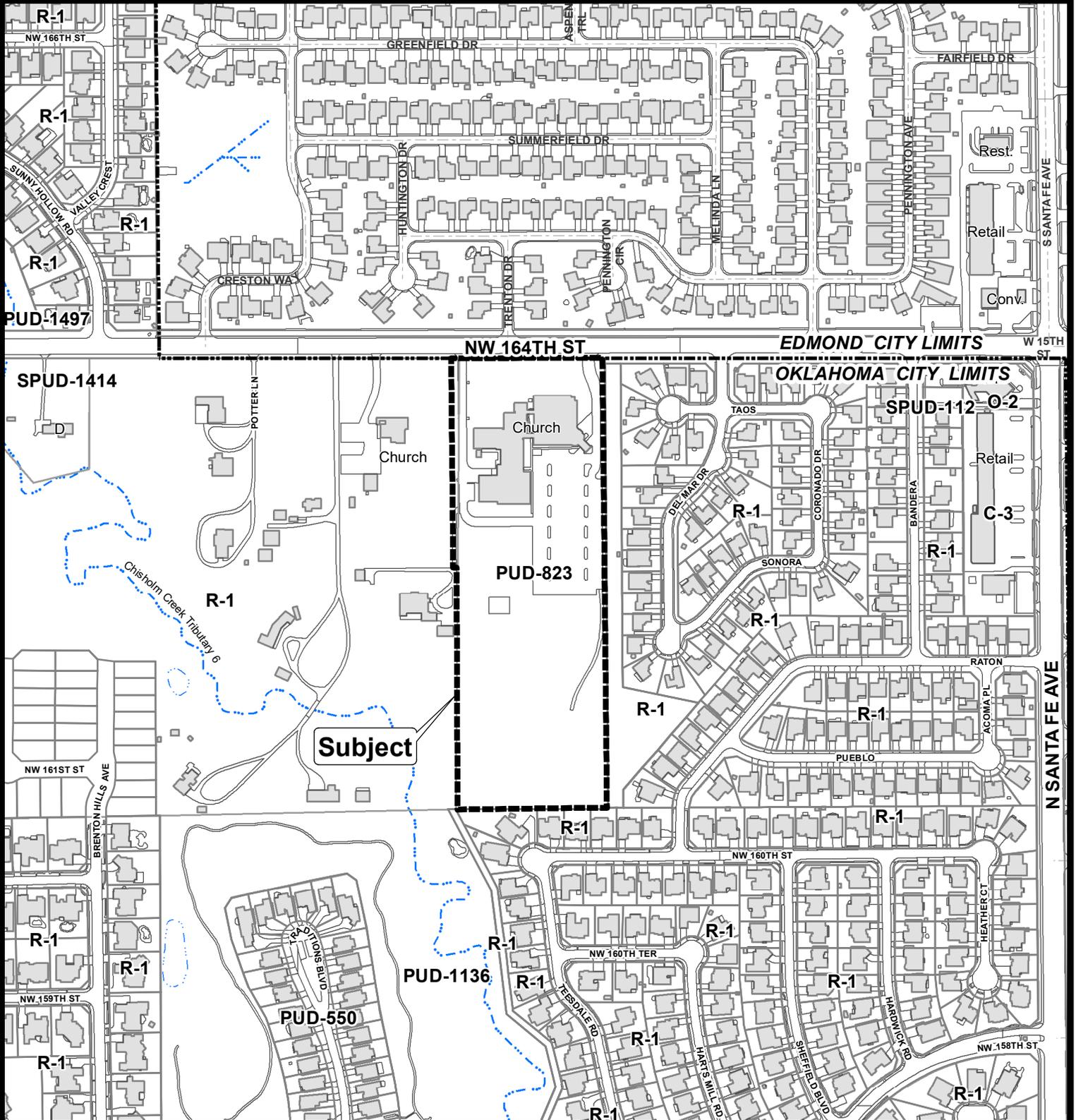
*Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the 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 PUD may be required during either Division's review of construction plans and prior to City Council approval.

bd

**Case No: PUD-2023    Applicant: Holy Trinity Lutheran Church**  
**Existing Zoning: PUD-823**  
**Location: 308 NW 164th St.**



The City of  
OKLAHOMA CITY

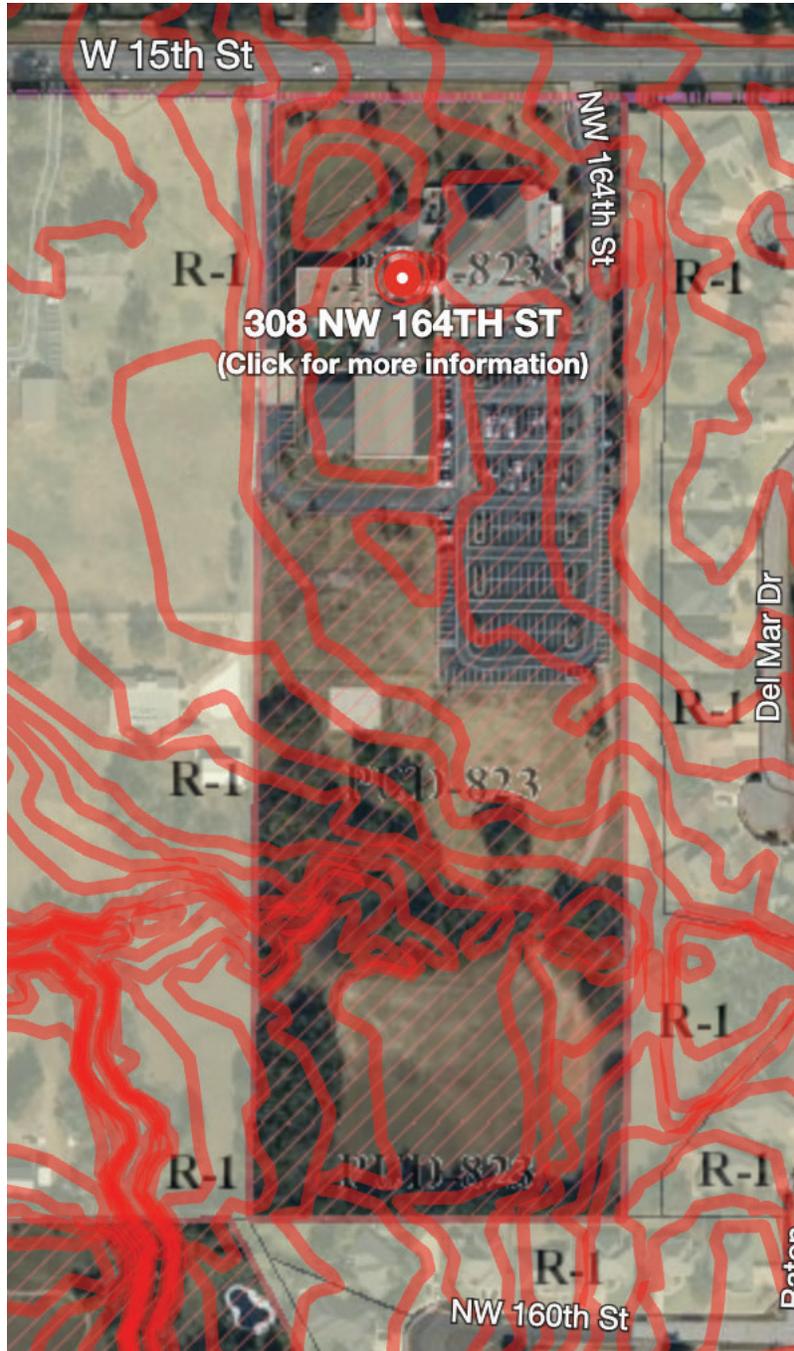
# Planned Unit Development



0 200 400 Feet



PUD-2023 Exhibit C



**Case No: PUD-2023    Applicant: Holy Trinity Lutheran Church**  
**Existing Zoning: PUD-823**  
**Location: 308 NW 164th St.**



Aerial Photo from 2/2022



The City of  
OKLAHOMA CITY

# Planned Unit Development



0    200    400  
Feet