

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)

11. (SPUD-1648) Application by Mercy Health Center, Inc. to rezone 512 South Mustang Road from PUD-287 Planned Unit Development District to SPUD-1648 Simplified Planned Unit Development District. Ward 3.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL

MOVED BY NOBLE, SECONDED BY NEWMAN

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. 11.

(SPUD-1648) Application by Mercy Health Center, Inc. to rezone 512 South Mustang Road from PUD-287 Planned Unit Development District to SPUD-1648 Simplified Planned Unit Development District. Ward 3.

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 commercial development.

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: 1.73 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-287	SPUD-1255	PUD-287	PUD-287	C-2/SPUD-1053
Land Use	Undeveloped	Commercial	Undeveloped	Office	Commercial

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **C-3 Community 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
8300.5	Alcoholic Beverage Retail Sales
8300.8	Animal Sales and Services: Grooming
8300.11	Animal Sales and Services: Kennel and Veterinary, Restricted
8300.12	Automotive: Parking Garages
8300.13	Automotive: Parking Lots, as a Principal Use
8300.23	Building Maintenance Services
8300.24	Business Support Services
8300.25	Child Care Centers
8300.29	Communications Services: Limited
8250.2	Community Recreation: General
8250.3	Community Recreation: Property Owners Association
8250.4	Community Recreation: Restricted
8300.32	Convenience Sales and Personal Services
8250.5	Cultural Exhibits
8350.3	Custom Manufacturing
8200.2	Dwelling Units and Mixed Uses
8300.34	Eating Establishments: Drive-In
8300.35	Eating Establishments: Fast Food
8300.36	Eating Establishments: Fast Food, With Drive-Thru Order Window
8300.37	Eating Establishments: Sitdown
8300.38	Eating Establishments: Sitdown, Alcohol Permitted
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted
8300.41	Food and Beverage Retail Sales
8300.48	Laundry Services
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
8300.52	Medical Services: General
8300.53	Medical Services: Restricted
8300.55	Participant Recreation and Entertainment: Indoor
8300.56	Participant Recreation and Entertainment: Outdoor
8300.58	Personal Services: General
8300.59	Personal Services: Restricted
8300.61	Repair Services: Consumer

8300.62	Research Services: Restricted
8300.63	Retail Sales and Services: General
8200.13	Senior Independent Living
8300.69	Spectator Sports and Entertainment: Restricted

2. Maximum Building Height:

The maximum building height shall be 35 feet.

3. Maximum Building Size:

The maximum building size shall be in accordance with the base zoning district.

4. Maximum Number of Buildings:

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

5. Building Setback Lines

Building setback lines shall be in accordance with the base zoning district.

6. Sight-Proof Screening:

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

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 Accessory 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 Non-Accessory Signs

Non-accessory signs will be prohibited.

8.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

9. Access:

Access shall be taken from a maximum of two (2) access drives off of S. Mustang Rd. with a minimum separation of 150 feet. Off-site driveways shall be separated a minimum of 200 feet from on-site driveways.

10. Sidewalks

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.

II. 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: N/A.

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 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.

III. Supporting Documents

Exhibit A: Legal Description
Exhibit B: Conceptual Site Plan
Exhibit C: Conceptual Site Plan Aerial

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:** Mustang
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire:** Drives must meet 20-foot fire lane width.
- 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) 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.
- 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.

- 11) Amend Section 9.18 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.
- 8) Each unit must have a separate wastewater connection to the main.
- 9) System will be private.

Water Availability

- 1) An existing 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.
- 10) System will be considered commercial and mastered metered.

b. Solid Waste Management

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

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 along the east side of South Mustang Road, an arterial street in the Urban Low Intensity LUTA.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The SPUD regulations could provide a FAR within the Urban Low Intensity LUTA range.*

Automobile Connectivity:

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

The subject site currently does not have improved access. The SPUD proposes a maximum of two drives from North Western Avenue within approximately 208 feet of frontage. The SPUD requires a minimum separation of 150 feet from the drives on the site, and a minimum of 200 feet of separation from off- site drives.

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 currently installed along South Mustang Road and are required along all streets by the SPUD regulations.

- 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 similar uses no potential compatibility issues are identified by the comprehensive plan.
- 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 east side of South Mustang Road, a Major Arterial Street in the Urban Low LUTA. Transit (bus) 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)
 - New neighborhood-scale retail should be located within new residential growth areas to serve daily shopping needs and limit trip distances. In newly developing areas, this retail format is preferred to the existing linear development patterns along arterials. (SU-30)
 - Neighborhood-scale retail should be developed at the median breaks or intersections of major or minor connectors. (SU-31)
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)

- Improve the functionality and efficiency of the street network by:
 - Providing direct connections from residential developments to nearby places and to each other.
 - Providing street and sidewalk stubs to adjacent vacant land in anticipation of future development.
 - Connecting new development to existing street and sidewalk stubs, and to existing trail, open space, and bicycle networks.
 - Reducing block sizes and use of dead-end streets.
 - Maintaining the existing street grid to preserve connectivity and mobility options. (C-11)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- Share parking between contiguous developments. (C-31)
- 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 east side of South Mustang Road, south of West Reno Avenue. The site is currently undeveloped. The property was rezoned to PUD-287 in 1987 as part of a 150-acre PUD reaching from Interstate 40 to the south, past SW 5th Street. PUD-287 has been taken apart over the years with new PUD and SPUD zones to change access along South Mustang Road and SW 5th Street and to change provisions for signs. Land abutting the site to the north was rezoned from PUD-287 to SPUD-1255 in 2020 to change uses and altered the access and signage from the original regulations of PUD-287 and is now developed with a HTeaO drive-thru location. Undeveloped land to the east, and a medical office to the south would remain zoned under PUD-287. Across South Mustang Road, to the west, are shopping centers zoned SPUD-1053 and C-2.

The SPUD is requested to allow commercial development with C-3 base zoning with limited office, commercial and civic uses, as well as senior independent living. The SPUD proposes a maximum building height of 35 feet, with other bulk standards regulated by the base zoning. The SPUD proposes prohibiting non-accessory and electronic message display signage, limiting the site to two driveways from South Mustang Road and requiring sidewalks be constructed along the arterial street. No conformance issues were identified.

IV. STAFF RECOMMENDATION

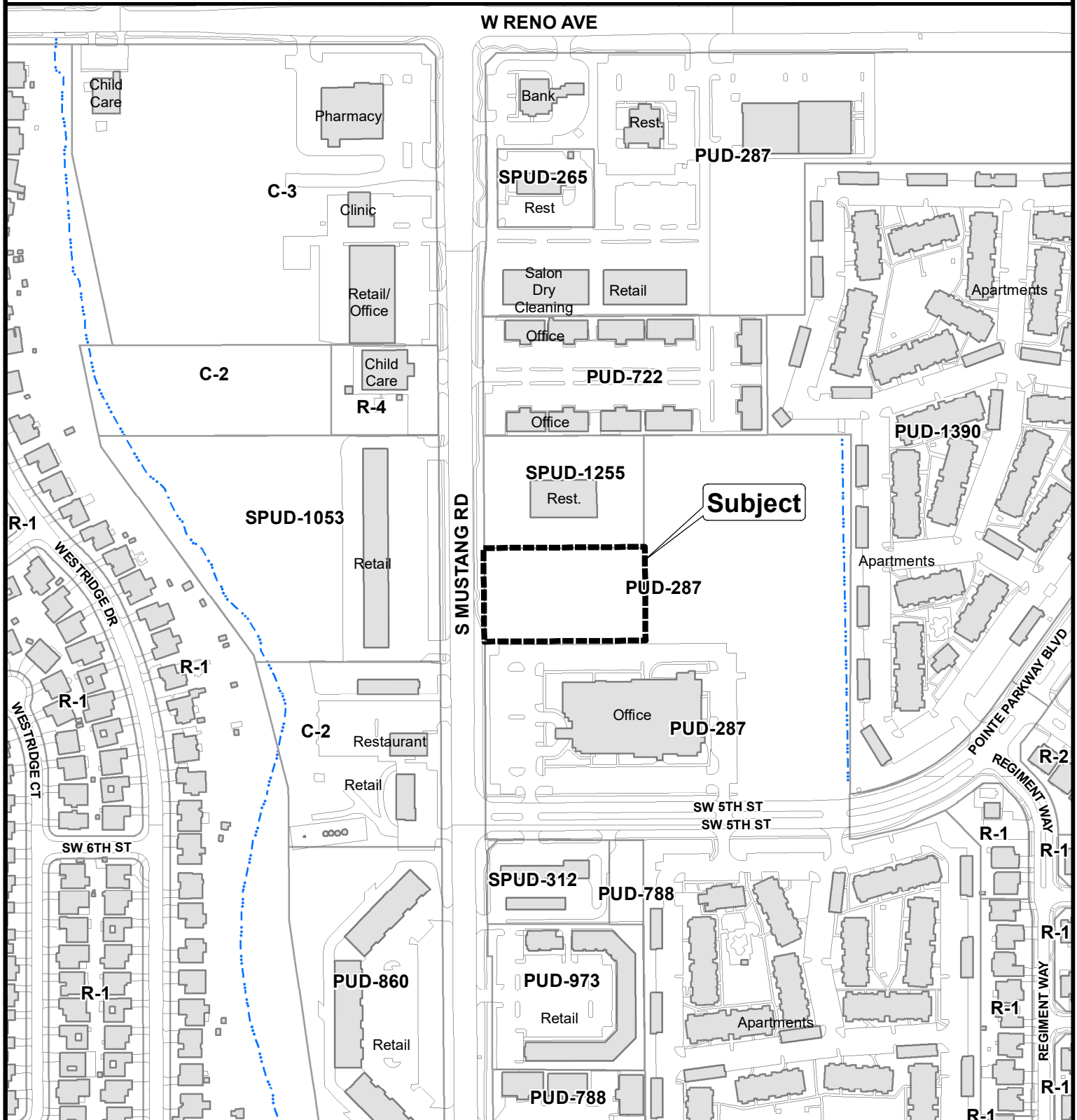
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning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

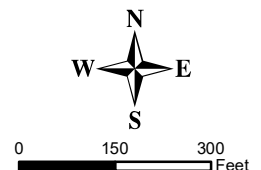
bd

Case No: SPUD-1648 Applicant: Mercy Health Center, Inc.
Existing Zoning: PUD-287
Location: 512 S. Mustang Rd.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



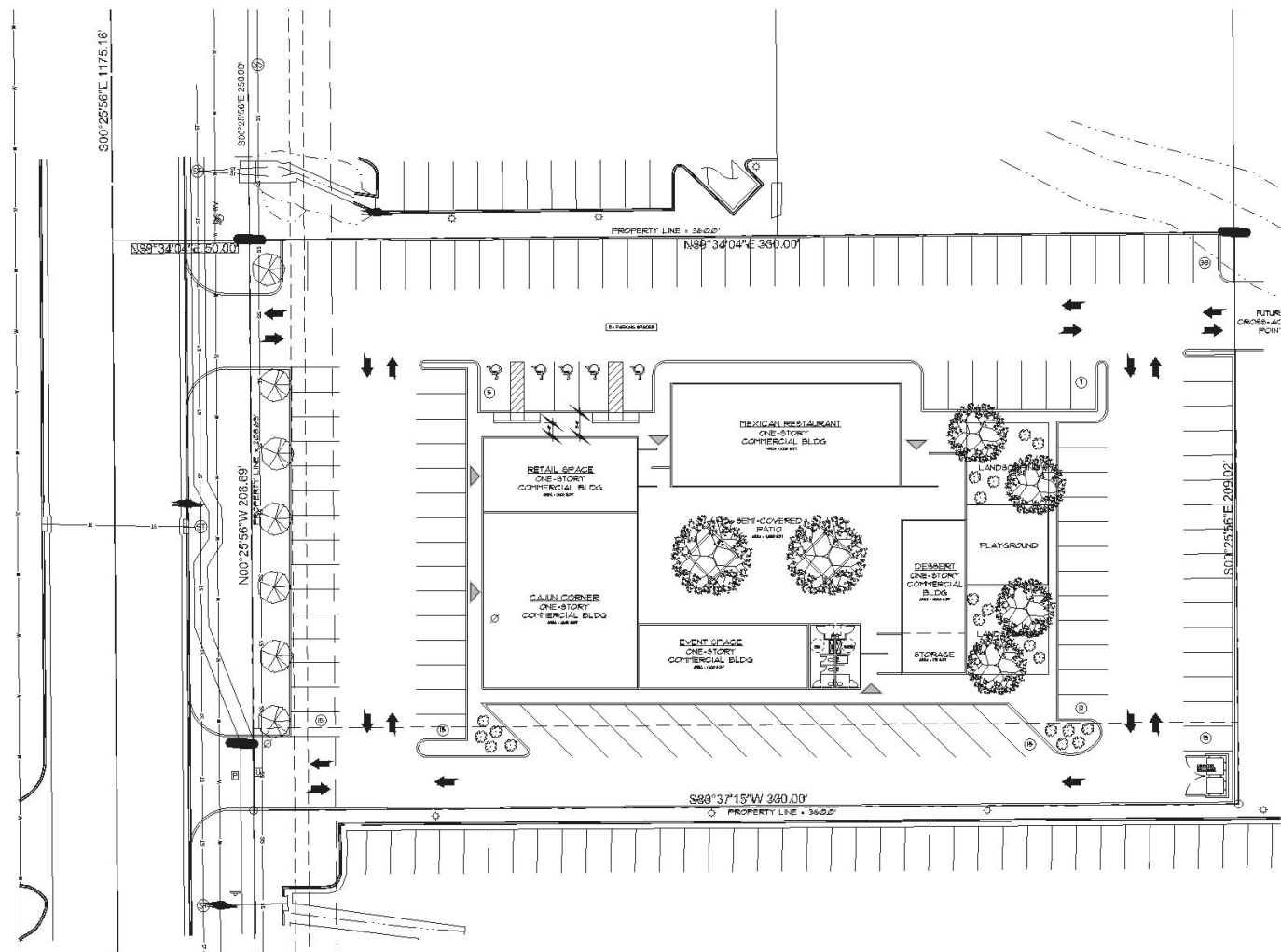
PROJECT INFORMATION
 PROJECT ADDRESS: 510 S. MUSTANG RD.
 YUKON, OK 73099

PROJECT OWNER: NAM NGUYEN
 CONTACT: namvanguyen42@gmail.com

ARCHITECT: SAM GRESHAM ARCHITECTURE
 PLANS BY: HOLLIE HUNT
 CONTACT: 400 NW 23RD ST. SUITE B
 OKLAHOMA CITY, OK 73103
 PHONE: 405-842-2888
 EMAIL: hollie@sangreshamarchitect.com

ZONING CLASSIFICATION: C-3
CONSTRUCTION TYPE: 2B
BUILDING CODE: IBC 2018
USE GROUP: ASSEMBLY
 Use Unit Classification: Restaurant(s)

BUILDING AREAS:
 CAJUN CORNER: 3,585 SQFT
 MEXICAN RESTAURANT: 2,220 SQFT
 RETAIL SUITE: 1,500 SQFT
 DESSERT SUITE: 1,000 SQFT
 EVENT SPACE: 1,500 SQFT
 STORAGE: 275 SQFT
TOTAL: 10,430 SQFT



EXISTING
 SITE PLAN
 SCALE: 1"=10'-0"

SPUD-1648 Exhibit B

PRELIMINARY
 NOT FOR CONSTRUCTION

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 PROJECT #: 240033
 DATE: 04.19.24
 DRAWING NO.

SAM GRESHAM ARCHITECTURE
 400 NW 23rd St., Suite B
 Oklahoma City, OK 73103
 405-842-2888

CAJUN CORNER & MORE
 510 S. MUSTANG RD.
 YUKON, OK 73099

CONCEPTUAL SITE PLAN

A1.1

SPUD-1648 Exhibit C



Case No: SPUD-1648 Applicant: Mercy Health Center, Inc.
Existing Zoning: PUD-287
Location: 512 S. Mustang Rd.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet