

Planning Commission Minutes

March 10, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:24 a.m. on March 7, 2022.)

8. (SPUD-1392) Application by Smoking Oaks Addition, Inc., to rezone 3301 S Eastern Avenue from the R-1 Single Family Residential, SPUD-760 and SPUD-1251 District to the SPUD-1392 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY PENNINGTON, SECONDED BY HINKLE

AYES: CRAVENS, CLAIR, POWERS, PRIVETT, HINKLE,
HIGHSMITH, PENNINGTON

ABSENT: LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 10, 2022

Item No. IV. 8.

(SPUD-1392) Application by Smoking Oaks Addition, Inc., to rezone 3301 South Eastern Avenue from the R-1 Single Family Residential, SPUD-760 and SPUD-1251 District to the SPUD-1392 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant/Developer Representative

Name Terry Church
Company Smoking Oaks Addition Inc.
Phone 405-642-9793
Email smokingoaksok@gmail.com

B. Case History

This is a new application.

C. Reason for Request

This application is to expand an existing industrial and 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: 4.997 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	SPUD-760 SPUD-1251 R-1	SPUD-759	R-1	R-1	PUD-375
Land Use	Ind/Off	Industrial	Park	Undeveloped	Industrial

- 4. Development Context:** The subject site is located on the west side of S Eastern Avenue between SE Grand Blvd and SE 29th Street. The site is developed with the Smoking Oaks Business and Industrial Park. The site was zoned to SPUD-760 in 2014 to allow I-2 uses. In 2020, the site was rezoned to SPUD-1251 to add Retail Sales, Personal Storage, Agricultural Processing, and Horticulture uses to those already permitted, as well as approve a second access point on S Eastern Avenue. The new SPUD would essentially extend the existing zoning 52 feet south to allow expansion of the business. To the north of the site is SPUD-759 (I-2/Outdoor Storage). To the south of the site is undeveloped land zoned R-1. West of the site is an auto salvage yard zoned PUD-375. Across the street to the east is Trosper Park.

II. SUMMARY OF PUD APPLICATION

This site will be developed in accordance with the regulation of the **1-2 Moderate Industrial District** (OKC Zoning Ordinance, 2020), except that the following restrictions will apply:

1. The following use(s) will be the only use(s) permitted on this site:

Administrative and Professional Office (8300.1)
Automotive and Equipment: Storage (8300.21)
Automotive and Equipment: Cleaning and Repairs, Light Equipment (8300.14)
Automotive and Equipment: Repairs, Heavy Equipment (8300.15)
Building Maintenance Services (8300.23)
Business Support Services (8300.24)
Construction Sales and Services (8300.31)
Agricultural Processing: General (8150.1)
Agricultural Processing: Limited (8150.2)
Agricultural Supplies and Services: (8150.4)
Horticulture (8150.7)
Repair Services: Consumer (8300.61)
Research Services: Restricted (8300.62)
Custom Manufacturing (8350.3)
Wholesaling, Storage and Distribution: Restricted (8350.16)
Light Industrial (8350.8)
Moderate Industrial (8350.7)
Transportation Facilities: Surface Goods Restricted (8400.4)
Research and Development (8350.10)
Personal Storage (8300.60)
Outdoor Sales and Display, Outdoor Storage (8300.54)

Retail Sales and Services: (8300.63)

The “Retail Sales” are for These Buildings only.

- a. 3301 Bldg. 1
- b. 3305 Suite A & B
- c. 3309 Suite A & B
- d. 3313 Suite A & B

2. Maximum Building Height: 20 Feet

3. Maximum Building Size: 3600 SQ. Feet

4. Maximum Number of Buildings: 8 Existing Buildings and 9 Buildings under construction and 4 future buildings. (A total of 21)

5. Building Setback Lines

Front; 83 Feet

Rear: 73 Feet

Sides: 12 to 25 Feet.

6. Sight-Proof Screening 7 foot Metal Fence

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. Sign as Required and Approved.

9. Access, Two Entrance and Exists

II. Other Development Regulations:

1. Architecture: Completed Metal Buildings

2. Open Space: Yes

3. Street Improvements: Concrete Streets

4. Other: See Site Plans

III. Supporting Documents.

Exhibit A: Legal Description

Exhibit B: Site Plan

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) Crooked Oak**
- 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 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.
- 11) 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.
- 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.

c. Stormwater Quality Management

d. Traffic Management*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 1) An existing 8" wastewater main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection is required for each building/structure.
- 2) All wastewater mains must flow within the existing drainage basin. Proposed wastewater mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings.
- 4) The developer will be required to extend the wastewater collection system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations.
- 5) All existing unused wastewater services must be abandoned at the wastewater main.
- 6) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement.
- 7) No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 8) All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.

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.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 8" water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection and meter is required for each building/structure.
- 2) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two (2) foot vertical separation required for all crossings.
- 3) Dead-end water mains must be avoided where applicable.
- 4) All existing unnecessary water services must be abandoned at the water main.
- 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 and fire protection systems which require water pressure in excess of 25 psi.
- 6) Proposed water main(s) must be located within a utility easement or right-of-way. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 7) All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 8) All existing and proposed meters must meet current specifications and standard details and be located in the right-of-way or utility easement within grassy areas outside of sidewalks, driveways, streets and/or paving.
- 9) All domestic and fire suppression services must have separate water service connections.
- 10) Fire hydrants maximum spacing is 500 foot and must be located within 10 foot of a hard surface (i.e. sidewalk, street, and/or paving).

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Utilize Best Management Practices (BMP) for stormwater whenever possible.

Location:

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

Automobile Connectivity:

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Horizontally mixed-use developments should have connectivity between land uses.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses.

The site is developed with two driveways. Sidewalks are present along the arterial street. Access is not proposed to change from what is already allowed.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. The site is already developed. The SPUD requests to extend the existing industrial park 52 feet to the south. 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:** The following apply to the proposed development site:

- Riparian areas: Riparian areas are vegetated areas adjacent to streams, lakes, ponds, and wetlands that are composed of a mixture of trees, shrubs, and grasses. These areas may also contain floodplain. The comprehensive plan recommends a 100-foot buffer from stream banks. *Riparian area is present along Crooked Oak Creek in the southeast corner of the subject site.*
- Upland Forests: The subject area is within the upland forest ESA. The comprehensive plan directs to preserve the Cross Timbers and upland forests, including native understory, to the maximum extent practical.

When new-growth or re-growth upland forest trees are removed during construction, trees and other native plants should be replanted on-site. New trees should be planted in clusters that mimic the original tree canopy. The comprehensive plan defines mitigation hierarchy in the following priority: 1) Avoidance and minimization, 2) Restoration, 3) Offset. *Most trees have been cleared from the site. The comprehensive plan calls for preserving any existing trees on the subject site.*

- 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.

5) Transportation System: This site is located off S Eastern Avenue, a Major Arterial Street in the Urban Low LUTA.

6) Other Development Related Policies

- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)

b. Plan Conformance Considerations

The subject site is located on the west side of S Eastern Avenue between SE Grand Blvd and SE 29th Street. The proposed SPUD would allow the extension of the existing industrial park an additional 52 feet to the south. No new compatibility issues were identified with the request. Plan conformance could be strengthened by preserving the existing trees that remain on the site.

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.

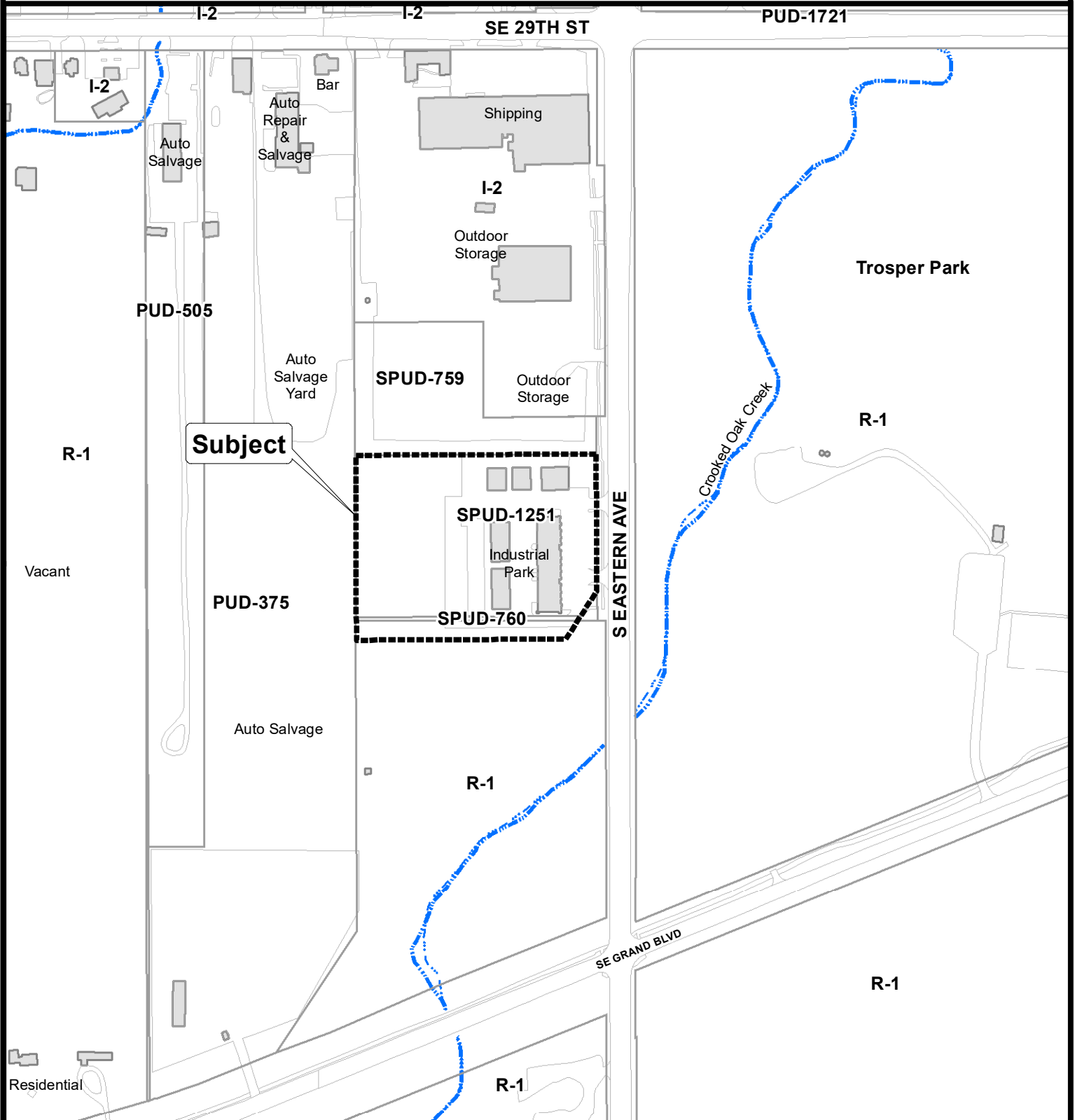
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All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the SPUD may be required during either Divisions review of construction plans and prior to City Council approval.

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Case No: SPUD-1392 Applicant: Terry N. Church
Existing Zoning: SPUD-1251 / R-1 / SPUD-760
Location: 3301 S. Eastern Ave.

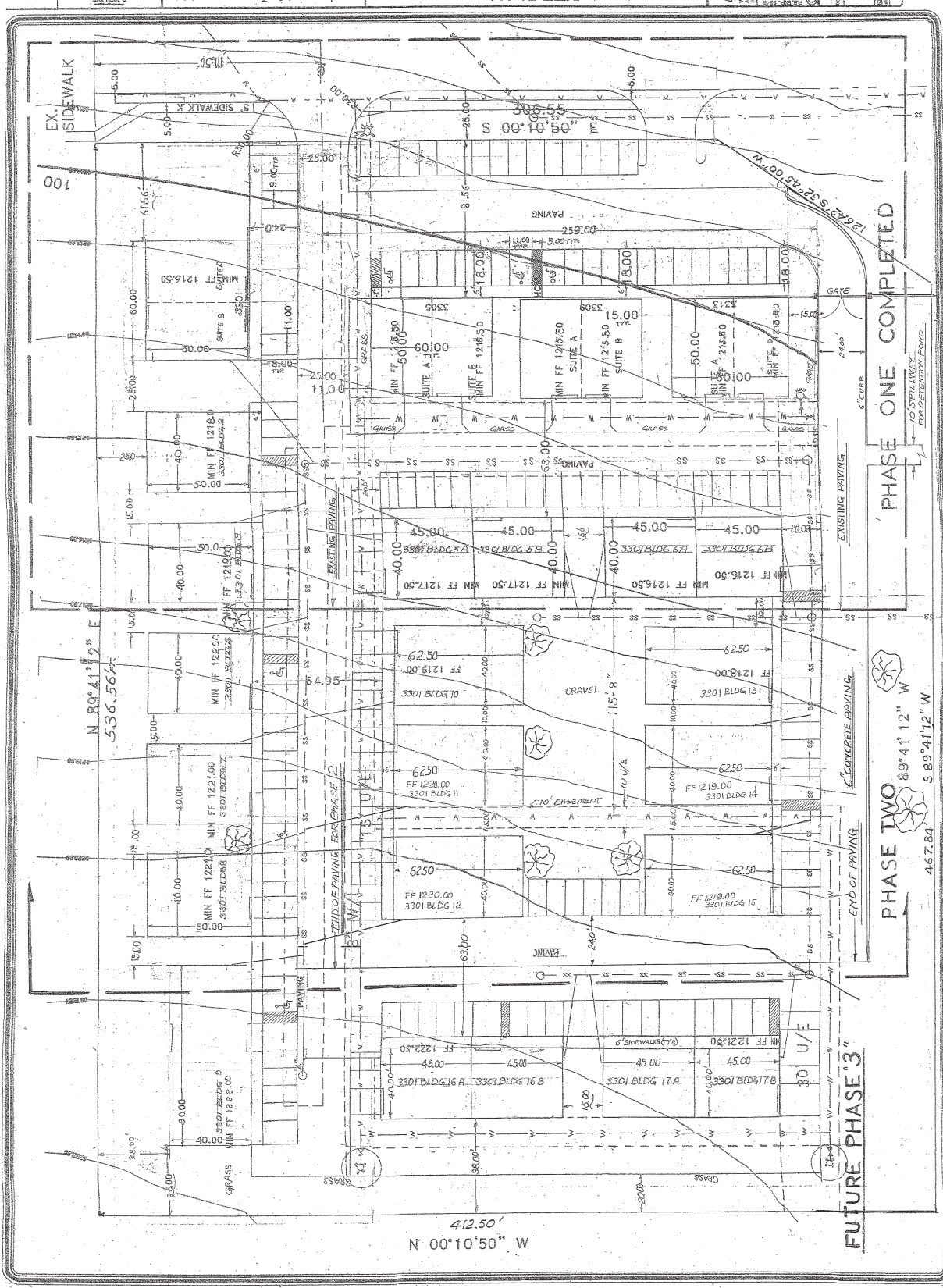


The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet



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Aerial Photo from 2/2020



The City of
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Simplified Planned Unit Development



0 150 300
Feet