

Planning Commission Minutes
January 27, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:29 a.m. on January 24, 2022.)

14. (SPUD-1375) Application by Oklahoma City Urban Renewal Authority, to rezone 1102 NE 6th Street from the R-2 Medium-Low Residential District to the SPUD-1375 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY PENNINGTON, SECONDED BY HIGHSMITH

AYES: CRAVENS, POWERS, COFFEY, PRIVETT, HINKLE,
HIGHSMITH, PENNINGTON;

ABSENT: CLAIR, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 27, 2022

Item No. IV. 14.

(SPUD-1375) Application by Oklahoma City Urban Renewal Authority, to rezone 1102 NE 6th Street from the R-2 Medium-Low Residential District to the SPUD-1375 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Mark Zitzow
Company Johnson And Associates
Phone 405-235-8075
Email mzitzow@jaokc.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit a food truck park.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban – High (UH)

UL applies to densely built urban areas, including regional attractors with major employment concentrations, high density residential living, and related commercial and service uses. UH areas have the highest mixture and intensity of land uses and development activity outside of the Downtown core.

The development intensity of UH supports various types of mass transit, from bus to rail, and is an ideal setting for large and small office buildings due to close proximity to other businesses and transportation networks.

2. Size of Site: 0.09 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-2	R-2	R-1	R-2	PUD-1550
Land Use	Undeveloped	Residential	Residential	Residential	Neigh/Com

- 4. Development Context:** The subject site is located at the southeast corner of NE 6th St and N Stonewall Ave. The site is undeveloped and zoned R-2. To the north and east are residential uses. Across the street to the west is Page Woodson. The SPUD is requested for a food truck court on a 3,500 square foot site, and would allow limited commercial uses under a C-1 base in the future. The subject site is within the Innovation District Land Use Plan area.

II. SUMMARY OF PUD APPLICATION

This site will be developed in accordance with the regulation of **C-1, “Neighborhood Commercial” District** (OKC Zoning Ordinance, 2020), except that the following restrictions will apply:

1. Uses Permitted

The Use and Development regulations of the C-1, “Neighborhood Commercial” and/or the R-2 “Two-Family District shall govern this SPUD as appropriate, except as modified below.

The following uses shall be the only uses allowed within this SPUD:

- Community Recreation: General (8250.2)
- Community Recreation: Property Owners Association (8250.3)
- Community Recreation: Restricted (8250.4)
- Cultural Exhibits (8250.5)
- Eating Establishments: Sitdown, Alcohol Permitted (8300.39) more specifically to permit a food truck court
- Family Day Care Homes (8300.40)
- Light Public Protection and Utility: Restricted (8250.13)
- Low Impact Institutional: Residential-Oriented (8200.5)
- Participant Recreation and Entertainment: Outdoor (8300.56) more specifically and solely to permit a food truck park
- Retail Sales and Services: General (8300.63)
- Single-Family Residential (8200.14)
- Two-Family Residential (8200.16)

2. Maximum Building Height:

The maximum height of any building shall be 35 feet.

3. Maximum Building Size:

The building size shall utilize C-1, “Neighborhood Commercial” District regulations.

4. Maximum Number of Buildings:

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

5. Building Setback Lines (SPUD Boundaries):

Building setbacks for residential development shall be per the base zoning district. If developed as a food truck part, the following setbacks shall apply”

North: 0 feet

East: 5 feet

West: 0 feet

South: 0 feet

6. Sight-proof Screening:

No less than a six-foot and no greater than an eight-foot-high sight proof screen shall be required along SPUD boundaries adjacent to properties zoned for residential use (south and east property line at the time of this SPUD). Said sight-proof screen may be constructed of stucco, brick, stone, wood, steel/iron and/or any combination thereof and shall be solid and opaque.

If developed as residential, sight proof screening shall be per the base zoning district.

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 Signs

No pole signs will be allowed.

One (1) freestanding monument sign shall be permitted in this SPUD. Said sign shall be a ground (monument) sign with the maximum size being eight (8) feet high and 100 square feet in area and shall have no less than 25 square feet of landscaping at the base. The signs shall be covered with a material consistent with the buildings they serve.

Pole signs and billboard shall be strictly prohibited within this SPUD.

8.2 Attached Signs

Attached shall be in accordance with the C-1, “Neighborhood Commercial” District regulations.

8.4. Electronic Message Display Signs

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

9. Vehicular Access:

Access may be taken from N Stonewall Ave. or NE 6th Street.

10. Sidewalks:

Five-foot sidewalks shall be constructed on the adjacent streets 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.

Sidewalks shall not be required for food truck park use as it is temporary.

II. OTHER DEVELOPMENT REGULATIONS:

1. Architecture:

All permanent (residences, office or commercial buildings) structures constructed within this SPUD shall comply with the following architectural standards:

Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock, concrete board or stone masonry. No more than 30% EIFS, stucco, wood, or architectural metal shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted. Buildings shall be oriented such that the backs of buildings are not

facing towards any street. Shipping containers shall be permitted for storage on this property specifically for the food truck park use.

2. Street Improvements:

N/A

3. 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.

4. 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 25 feet of the east property line.

5. Parking:

The design and number 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 except that any use shall be permitted a 25% reduction from the requirement.

Additionally, a food truck park shall not be required any off-street parking requirements.

6. Food Truck Area:

The food truck seating and staging areas may be gravel or other pervious materials and shall not be required to be a hard paved surface.

III. SUPPORTING DOCUMENTS

Exhibit A: Legal Description
Exhibit B: Master Development 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 6" 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) All existing unused wastewater services must be abandoned at the wastewater main.
- 5) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement.

- 6) No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 7) All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.
- 8) Connection will be on 6th St.

b. Solid Waste Management

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

c. Water/Wastewater Quality

Water Availability

- 1) An existing 6" and 10" 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) A 12-inch water main is required to be looped through the development to provide adequate water supply and fire flow protection. Connection to two (2) separate active water mains is required to prevent partial or total shut-off of water supply when a pipeline failure occurs within the proposed development.
- 9) 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.
- 10) All domestic and fire suppression services must have separate water service connections.
- 11) 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:

- Maintain historical lot and block sizes where possible and appropriate.
- Provide parking in structured garages, decks, or parking lots set to the side or rear of a property.
- Incorporate commercial uses at street level to maintain an active, pedestrian friendly streetscape.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Design buildings to include façades, storefront windows, and attractive signage and lighting to create pedestrian-scale interest.

National, state, and local permitting require basic best management practices for stormwater management. The SPUD is requested for an outdoor food truck court. If the use is removed, limited commercial uses would be allowed.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Preserve and expand the pedestrian and bicycle networks.

Sidewalks will be required when the site is redeveloped, but not for the food truck court.

- 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 retail or outdoor commercial uses adjacent to existing residential uses, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan. Projects in higher intensity LUTAs (UH) may be more appropriate for significant transitions of density, scale and mass.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if residential lot sizes in UL are less than 60% of directly adjacent residential lots, the setbacks are significantly deeper or more shallow than the predominant character of adjacent development; the building’s orientation to the street differs from the predominant character of adjacent development; building size or street frontage dramatically differs from that of adjacent uses, the lot coverage (including buildings and paved areas) dramatically exceeds that of adjacent uses, or if buildings within 40 ft. of a single-family residential structure exceed a 3:1 ratio in height. *No triggers requiring mitigation were identified.*

Traffic: Mitigation measures should be used if the development is inconsistent with the Street Typology, or would substantially exceed the average daily traffic of existing, adjacent uses. *No triggers requiring mitigation were identified.*

Operational Impact: The comprehensive plan calls for mitigation measures if new projects propose uses that generate noise levels above those found in typical residential settings, have detectable odors, spill light above that found in typical residential settings, or operate after 10 p.m. within proximity to residential uses. When located near residential uses, the comprehensive plan calls for containing operating effects (including noise and odor) within building walls, using vertical screening to block any mechanical equipment and service areas, and directing light away from adjacent residential areas. *The outdoor nature of the proposed food truck court triggers potential operational impacts related to noise and possibly odor, depending on if the food trucks will run on generators. No operational impacts were identified for the other uses proposed under a C-1 base.*

- 3) **Service Efficiency:**
- Water: *Served*
 - Sewer: *Fully Served*
 - Fire Service: *Urban Service Level*

- 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.
- 5) **Transportation System:** This site is located at the intersection of NE 6th St and N Stonewall Ave, both Neighborhood Streets in the Urban High LUTA. The nearest transit (bus) service is located to the south along NE 4th St. Access to the trail system is available at the Katy Trail along NE 4th St.
- 6) **Other Development Related Policies**
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - Share parking between contiguous developments. (C-31)
 - 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. Large-scale commercial buildings with parking in front should screen parking lots with coordinated development of out-parcels (pad sites) and with landscaping. (SU-28)
 - Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)
- 7) **Other Considerations: Innovation District**
- The subject site is within the Land Use Plan for the Innovation District and Capitol Environs, which was adopted as an amendment to the comprehensive plan on November 18, 2021. The subject site is within the Neighborhood Typology, which encompasses the area north and east, while the land west of N Stonewall Ave is designated as General Urban. The proposed SPUD specifically addresses “Placemaking Considerations” by temporarily activating 3,500 square feet of vacant land as an outdoor food truck court. Limited neighborhood commercial uses would be allowed should the use be discontinued.

b. Plan Conformance Considerations

The SPUD is requested for a temporary food truck court with outdoor seating at NE 6th and N Stonewall Ave. Single-family residential uses are located north and east, and to the west/northwest is Page Woodson and The Seven at Page Woodson (an apartment community with a coffee shop on the ground floor at the corner). The outdoor nature of the proposed food truck court triggers potential operational impacts related to noise and possibly odor, depending on if the food trucks will run on generators. The proposed food court is temporary. Should it be discontinued, limited neighborhood uses would be allowed. No compatibility issues were identified for the permanent uses proposed under the SPUD's C-1 base.

IV. STAFF RECOMMENDATION

Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.

Approval of the application

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

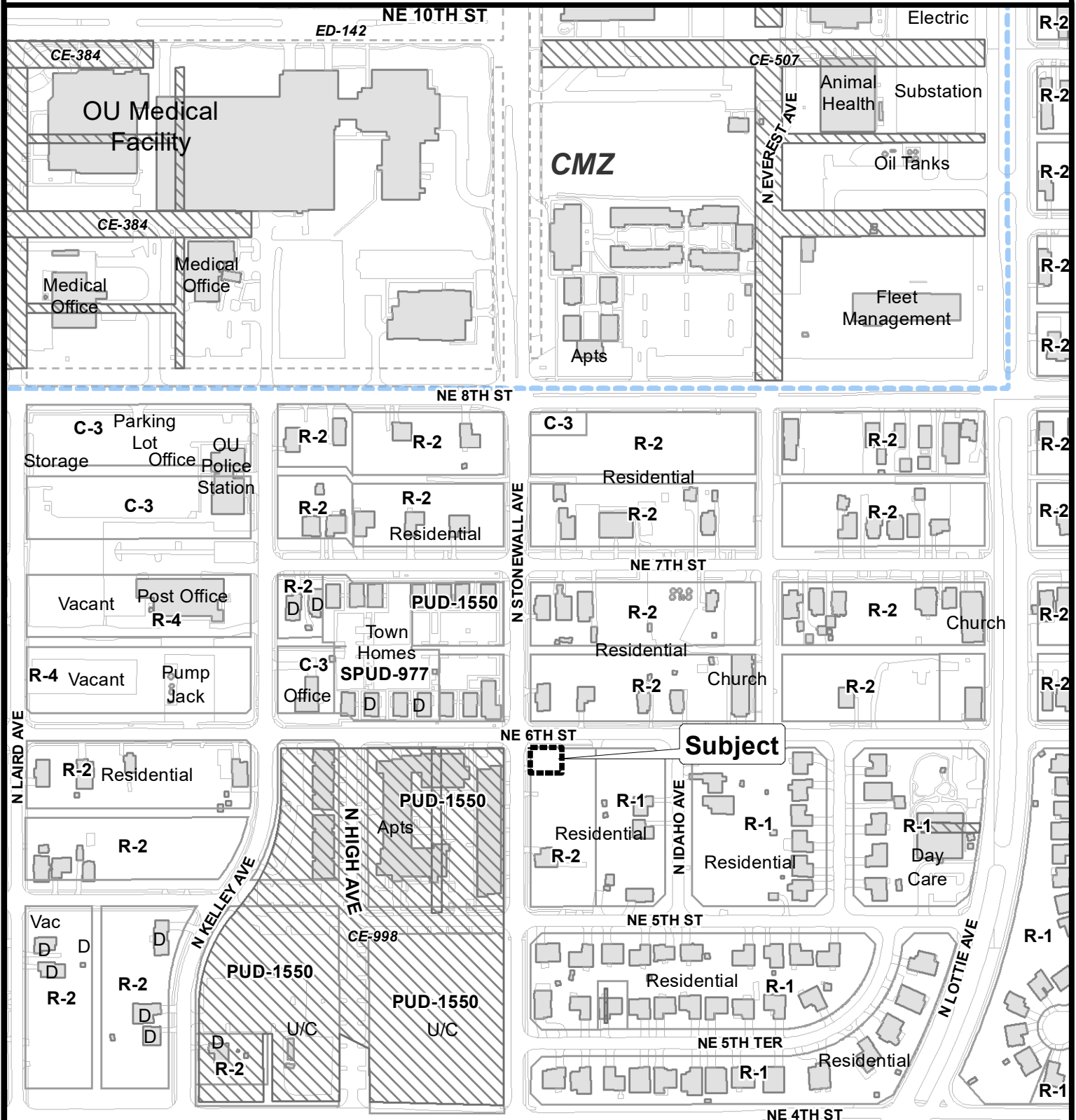
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Case No: SPUD-1375

Applicant: Mark W. Zitzow, Johnson & Associates

Existing Zoning: R-2

Location: 1102 NE 6th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300 Feet



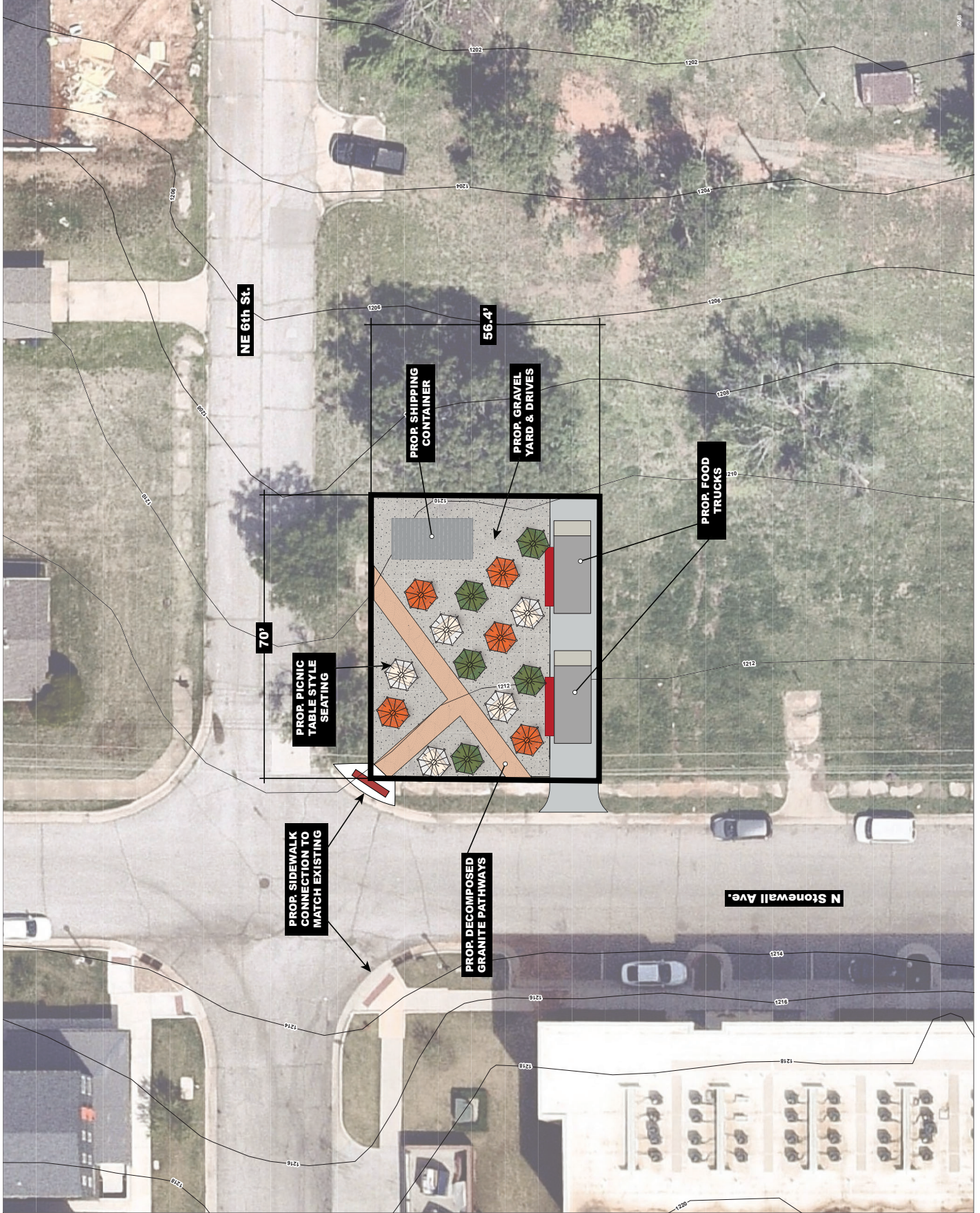
SPUD-1375 **1108 NE 6th St.**

Exhibit B

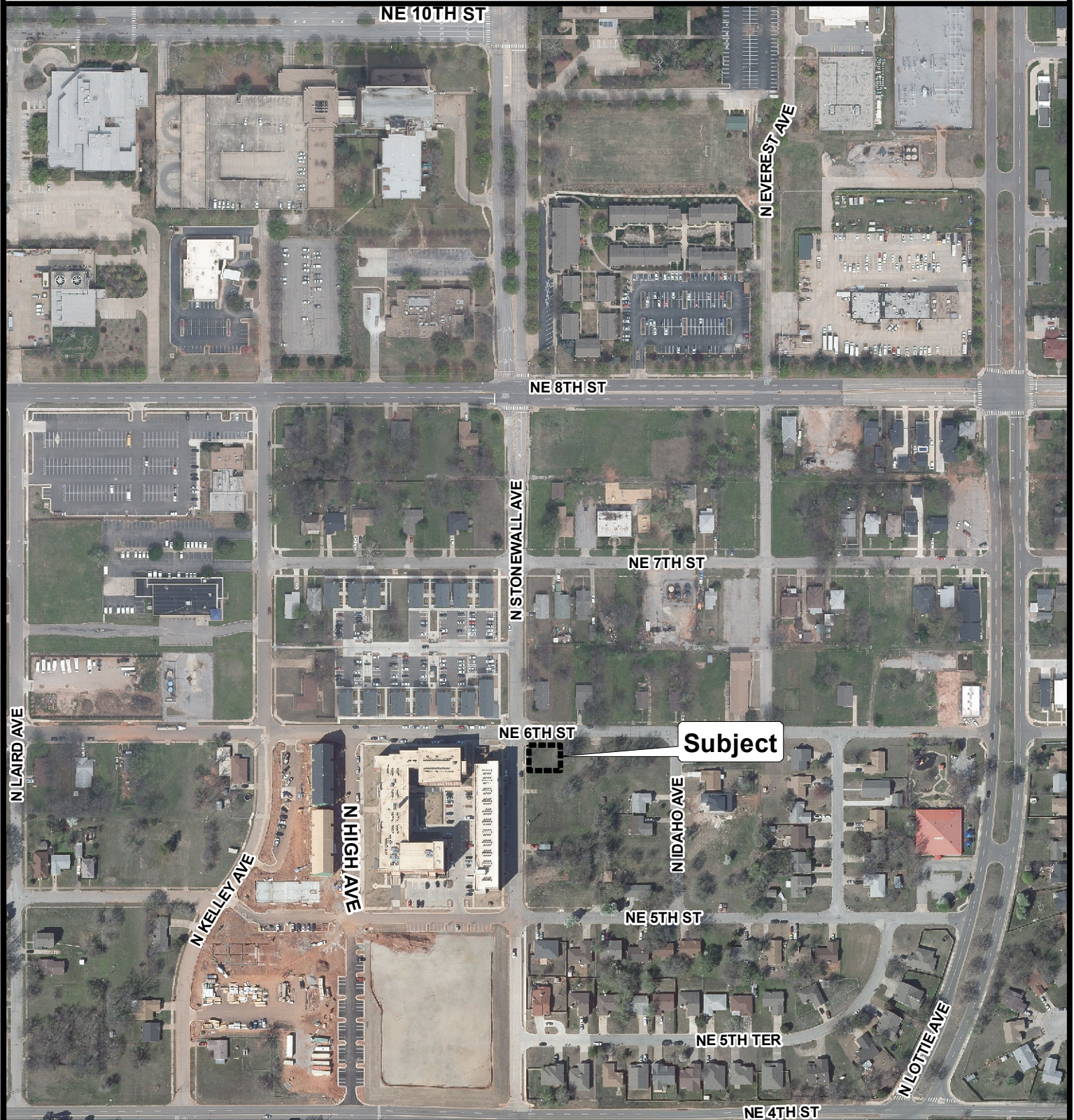
Conceptual Site Plan



Johnson & Associates
 16 Sheridan Ave., Suite 200
 Portland, ME 04101
 (207) 253-5801 FAX (207) 253-5875
 ENGINEERS SURVEYORS PLANNERS
 11/17/21
 Conceptual site plan showing feasible option
 permitted under proposed zoning



Case No: SPUD-1375
Applicant: Mark W. Zitzow, Johnson & Associates
Existing Zoning: R-2
Location: 1102 NE 6th St.



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

