

Planning Commission Minutes  
May 26, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 1:59 p.m. on May 23, 2022.)

4. (SPUD-1409) Application by GD Roofing and Construction to rezone 3200 NE 23rd Street from the C-3 Community Commercial and I-2 Moderate Industrial District to the SPUD-1409 Simplified Planned Unit Development District. Ward 7.

The applicant was present. There were no protestors present.

Amended Technical Evaluation:

1. Use Units 8300.11 Animal Sales and Services: Kennels and Veterinary, Restricted and 8300.12 Automotive: Parking Garages shall not be permitted within 150 feet of a residential district or use.

**RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION, AS AMENDED.**

MOVED BY POWERS, SECONDED BY CLAIR

AYES: CRAVENS, CLAIR, POWERS, PRIVETT, HINKLE, GOVIN, LAFORGE;

ABSENT: FRALEY, PENNINGTON



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**May 26, 2022**

**Item No. IV. 4.**

**(SPUD-1409) Application by GD Roofing and Construction to rezone 3200 NE 23<sup>rd</sup> Street from the C-3 Community Commercial and I-2 Moderate Industrial District to the SPUD-1409 Simplified Planned Unit Development District. Ward 7.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

Name David Box  
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**

This application is to permit an office/warehouse 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: 2.5 acres**

**3. Zoning and Land Use**

	Subject Site	North	East	South	West
<b>Zoning</b>	C-3	C-3	I-2	R-1	C-3
<b>Land Use</b>	Undeveloped	Undeveloped	Industrial	Residential	Undeveloped

**4. Development Context:** The subject site is located on the south side of NE 23<sup>rd</sup> Street between N Bryant Avenue and N Coltrane Road. The site is undeveloped and zoned C-3 and I-2. North of the site, across NE 23<sup>rd</sup> Street, is undeveloped and zoned C-3. Adjacent on the east is a car sales business zoned I-2.

Land abutting on the west is undeveloped and zoned C-3, with outdoor vehicle storage and salvage farther west. South of the subject site are single-family residential homes zoned R-1 District in the Warrior Heights neighborhood. The proposed SPUD would allow modified commercial and light industrial uses. The provided exhibit indicates office/warehouse development.

## **II. SUMMARY OF PUD APPLICATION**

1. This site will be developed in accordance with the regulation of the **I-1 Light Industrial 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
8300.2	Adult Day Care Facilities
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
8350.3	Custom Manufacturing
8200.2	Dwelling Units Above the Ground Floor
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted
8300.44	Funeral and Interment Services: Undertaking
8300.45	Gasoline Sales, Large*
8300.46	Gasoline Sales, Small: Restricted*
8150.6.3	Greenhouse
8150.6.5	Hoop House
8350.8	Industrial, Light
8300.48	Laundry Services
8250.12	Light Public Protection and Utility: General
8250.13	Light Public Protection and Utility: Restricted
8300.52	Medical Services: General
8300.53	Medical Services: Restricted
8300.60	Personal Storage
8350.11	Recycling Collection and Processing Facilities*
8300.61	Repair Services: Consumer
8350.10	Research and Development
8300.62	Research Services: Restricted

8300.63      Retail Sales and Services: General  
8350.16      Wholesaling, Storage, and Distribution: Restricted

*\* These uses are not permitted within 150 feet of a residential zoning district or residential use.*

**2. Maximum Building Height:**

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

**3. Maximum Building Size:**

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

**4. Maximum Number of Buildings:**

There shall be a maximum of three buildings within this SPUD.

**5. Building Setback Lines**

Front Yard: 25 feet  
Rear Yard: 15 feet  
Side Yard: 5 feet  
Corner Side: 15 feet

**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. A 10-foot landscape buffer shall be provided along the south boundary of the SPUD.

**8. Signs:**

**8.1 Free standing accessory signs**

There shall be one (1) freestanding monument/ground sign permitted in this SPUD. Said sign shall be a maximum of 8 feet tall and 100 square feet in area.

**8.2 Attached signs**

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

**8.3 Non-Accessory Signs**

Non-Accessory signs / billboards are prohibited within this SPUD.

**8.4 Electronic Message Display signs**

Electronic Message Display shall be prohibited within this SPUD.

**9. Access:**

There shall be one access point off of NE 23rd St.

**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.

**I. 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, finished metal, 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.

**2. Open Space:**

N/A.

**3. Street Improvements:**

No street improvements will be required.

**4. Site Lighting:**

The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section m59-12350 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.

**9. Development Phasing:**

Developmental phasing shall be permitted within this SPUD.

**II. Supporting Documents**

- Exhibit A: Legal Description
- Exhibit B: Site Plan

**III. REVIEW COMMENTS**

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk indicates that the agency, department, and/or division responded with no adverse comments.

**A. Outside Agencies**

**1. Oklahoma City-County Health Department**

**2. Oklahoma City Urban Renewal Authority (OCURA)**

**3. Oklahoma Gas and Electric (OGE)**

- 4. Oklahoma Natural Gas:** Please be advised ONG has an underground or aboveground facility in the area. If you need our facilities relocated to accommodate your excavation or construction, ONG will provide you a cost estimate. Prior to excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior for exact location of our facilities.

**5. Oklahoma Water Resources Board (OWRB)**

**6. School District(s) Mid-Del**

**7. Oklahoma Department of Transportation (ODOT)**

**B. City Departments**

**1. Airports**

**2. Central Oklahoma Transportation and Parking Authority (COTPA)**

**3. Fire\***

**4. Information Technology/Geographic Support**

**5. Parks and Recreation**

**6. Police**

**7. Public Works**

**a. Engineering**

**b. Streets, Traffic and Drainage Maintenance**

**Storm Sewer Availability**

- 1) The Public Works Drainage Division staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to chapter 16 of the Oklahoma City Municipal Code.
- 2) Storm sewers in accordance with the City's Drainage Ordinance will be required. Development abutting section line roads with drainage flows that exceed the capacity of OKC standard ditch detail (D-100) will necessitate the installation of enclosed storm sewer and/or concrete channel. These improvements shall be placed to provide a minimum of 35' clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way.
- 3) A flood and/or drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. A final plat should not be submitted until the study has been reviewed and approved by the Public Works Department.

- 4) Plans for drainage improvements within the private drainage reserves and/or common areas must be submitted for review, and payment of inspection fees shall be made prior to construction. Building permits will not be issued until construction is complete. If a subdivision abuts a stream, the private drainage easements and/or common area along stream shall extend to flow line of stream at a minimum.
- 5) Place the following note on the plat and construction plans: Maintenance of the Common Areas and/or Private Drainage Easements shall be the responsibility of the property owner. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent shall be placed within the common areas and/or drainage easements shown.
- 6) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 7) Construction within the limits of this SPUD will require an erosion control plan in accordance with EPA Storm Water Discharge permitting: CFR Vol. 57, No. 175, September 9, 1992. A copy of the EPA Notice of Intent (NOI) will be required prior to the issuance of work orders or permits for construction activities disturbing an area of 1/2 acre or greater.
- 8) Sidewalk shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.
- 9) All private roads /streets will have private storm sewer systems.
- 10) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

**c. Stormwater Quality Management**

**d. Traffic Management\***

**8. Utilities**

**a. Engineering**

**Paving**



**Wastewater Availability**

- 1) An existing 8" wastewater main(s) is 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. All wastewater mains must have a minimum cover of six (6) feet and a depth no greater than eighteen (18) feet.
- 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) An off-site sanitary sewer interceptor will be required to serve the proposed development and the particular drainage basin. The size, alignment and other design factors shall be in accordance with current City Standard Specifications. The developer may make an application under the Policy "B-1" program to the Oklahoma City Water Utilities Trust (OCWUT) for City participation of construction costs if an oversized sanitary sewer main is required to serve the drainage basin. Approval will be subject to funds available for improvements and will not be granted for oversized mains that are necessary to provide additional capacity for the proposed development(s).
- 6) Proposed minimum lot size does not meet the current 30,000 square foot minimum lot size for lots with on-site sewage disposal systems. On-site aerobic sewage disposal systems require a minimum twenty-five (25) foot setback from the property line or public property.

**b. Solid Waste Management**

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

**c. Water/Wastewater Quality**

**Water Availability**

- 1) An existing 12” 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. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 3) 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.
- 4) 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.
- 5) 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.
- 6) All domestic and fire suppression services must have separate water service connections. 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.
- 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 NE 23<sup>rd</sup> St, a Major Arterial street.*

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 could allow for new development within the LUTA range.*

Automobile Connectivity:

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Primary entrance points should be aligned with access points immediately across the street.
- Provide vehicular connectivity between adjacent developments.
- Horizontally mixed-use developments should have connectivity between land uses.

*The subject site currently has one unimproved access point along NE 23<sup>rd</sup> St. The SPUD proposes maintaining just one access point for the site.*

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 not available on the subject site but would be required along NE 23<sup>rd</sup> Street.*

- 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 commercial and light industrial uses adjacent to existing Low Intensity Residential, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if 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.

*The site is already zoned C-3. The SPUD requires screening and increases the landscape buffer requirement to 10 feet along the south boundary of the site where adjacent to residential uses or zoning. The conceptual plan indicates two warehouses would be constructed and an office building would be located near NW 23<sup>rd</sup> Street.*

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 subject site is primarily zoned C-3 which allows some uses that could have operational impacts on the residences to the south. The SPUD modifies and removes some uses such as auto repair and drive-through restaurants, and requests to add light industrial uses in order to develop an office/warehouse site. To address potential impacts, the SPUD requires a 150-foot setback from the south for any gas station or recycling use. A 10-foot landscape buffer and sight-proof screening are required where abutting residential uses or zoning.*

**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: 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.

*Upland forest is present on the subject site. When 60 to 70 percent covered, the comprehensive plan has a preservation goal of 90 percent. Plan conformance would be strengthened by preserving existing trees, especially on the south end of the subject site where they could serve as a buffer between residential and non-residential uses.*

- **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 NE 23<sup>rd</sup> St, a Major Arterial Street in the Urban Low LUTA. The nearest transit (bus) service is located to the east and west along NE 23<sup>rd</sup> St. Access to the trail system is available to the west at the Katy Trail.

**6) Other Development Related Policies**

- 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)
- 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)

**b. Plan Conformance Considerations**

The subject site is located on the south side of NE 23<sup>rd</sup> Street between N Bryant Avenue and N Coltrane Road. The site is primarily zoned C-3. The SPUD is requested for an office/warehouse development. Outdoor storage and display would not be permitted. The deep site abuts the Warrior Heights neighborhood on the south. The SPUD maintains the required 15-foot setback and increases the setback to 150 feet for gas station and recycling facilities. Screening and a 10-foot landscape buffer will be required. Plan conformance would be strengthened by preserving existing trees, especially along and near the south boundary where abutting a residential neighborhood.

**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.*

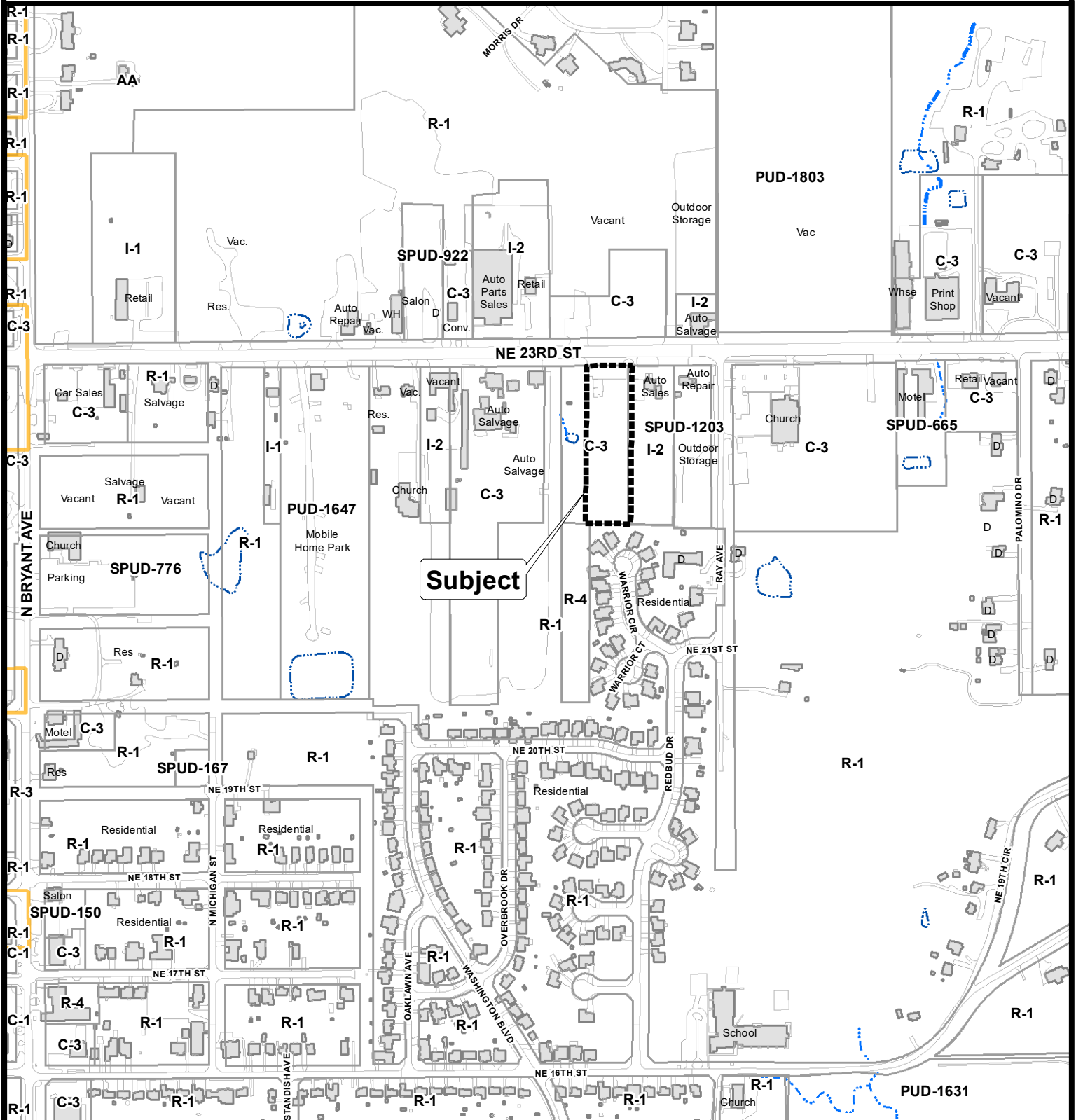
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**Case No: SPUD-1409**

**Applicant: GD Roofing and Construction, LLC**

**Existing Zoning: C-3 / I-2**

**Location: 3200 NE 23rd St.**



The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development



0 250 500  
Feet





**Case No: SPUD-1409**

**Applicant: David M. Box on behalf of applicant**

**Existing Zoning: C-3 / I-2**

**Location: 3200 NE 23rd St.**



Aerial Photo from 2/2020



The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development



0 250 500  
Feet